

**2nd DAY OF THE TWELFTH MEETING OF THE  
MINISTERIAL COUNCIL****3rd PLENARY MEETING (CLOSED)**

1. Date: Tuesday, 7 December 2004  
  
Opened: 9.35 a.m.  
Suspended: 12.35 p.m.  
Resumed: 1.05 p.m.  
Closed: 1.45 p.m.
  
2. Chairperson: H.E. Dr. Dimitrij Rupel, Minister for Foreign Affairs of Slovenia,  
H.E. Dr. Solomon Passy, Minister for Foreign Affairs of Bulgaria,  
Chairman-in-Office of the OSCE
  
3. Subjects discussed — Statements — Decisions:  
  
Agenda item 7: STATEMENTS BY HEADS OF DELEGATION (continued)  
  
Germany (MC.DEL/54/04), United Kingdom (MC.DEL/74/04), Romania (MC.DEL/65/04), Russian Federation (MC.DEL/61/04), United States of America (MC.DEL/52/04), Canada (MC.DEL/50/04), Armenia (MC.DEL/59/04), Lithuania (MC.DEL/75/04), Serbia and Montenegro (MC.DEL/78/04), Monaco, Slovakia (MC.DEL/77/04), Italy (MC.DEL/71/04), Estonia (MC.DEL/56/04), Uzbekistan (MC.DEL/46/04), Afghanistan (Partner for Co-operation), Japan (Partner for Co-operation) (MC.DEL/66/04), Mongolia (Partner for Co-operation), Republic of Korea (Partner for Co-operation) (MC.DEL/44/04), Thailand (Partner for Co-operation) (MC.DEL/76/04), Algeria (Mediterranean Partner for Co-operation), Egypt (Mediterranean Partner for Co-operation) (MC.DEL/73/03), Israel (Mediterranean Partner for Co-operation), Jordan (Mediterranean Partner for Co-operation) (MC.DEL/18/04), Morocco (Mediterranean Partner for Co-operation), Tunisia (Mediterranean Partner for Co-operation) (MC.DEL/45/04/Rev.1), Chairperson (Slovenia)  
  
Contributions by: Council of Europe (MC.DEL/55/04)

Agenda item 8: ADOPTION OF MINISTERIAL COUNCIL DOCUMENTS

The Chairperson announced that Decision No. 1/04 (MC.DEC/1/04) on the extension of the mandate of the OSCE High Commissioner on National Minorities, the text of which is appended to this journal, had been adopted by the Ministerial Council on 25 June 2004 through the silence procedure.

The Ministerial Council adopted the Sofia Ministerial Statement on Preventing and Combating Terrorism, the text of which is appended to this journal as Annex 1.

The Ministerial Council adopted the Ministerial Declaration on the Sixtieth Anniversary of the End of World War II, the text of which is appended to this journal as Annex 2.

The Ministerial Council adopted the Statement of the Ministerial Council on the Nagorno-Karabakh Conflict, the text of which is appended to this journal as Annex 3.

**Decision:** The Ministerial Council adopted Decision No. 2/04 (MC.DEC/2/04), the text of which is appended to this journal, on the elaboration of an OSCE border security and management concept.

**Decision:** The Ministerial Council adopted Decision No. 3/04 (MC.DEC/3/04), the text of which is appended to this journal, on combating the use of the Internet for terrorist purposes.

**Decision:** The Ministerial Council adopted Decision No. 4/04 (MC.DEC/4/04), the text of which is appended to this journal, on reporting lost/stolen passports to Interpol's Automated Search Facility/Stolen Travel Document Database (ASF-STD).

**Decision:** The Ministerial Council adopted Decision No. 5/04 (MC.DEC/5/04), the text of which is appended to this journal, on further implementing the OSCE Document on Stockpiles of Conventional Ammunition.

**Decision:** The Ministerial Council adopted Decision No. 6/04 (MC.DEC/6/04), the text of which is appended to this journal, on OSCE standard elements of end-user certificates and verification procedures for SALW exports.

**Decision:** The Ministerial Council adopted Decision No. 7/04 (MC.DEC/7/04), the text of which is appended to this journal, on OSCE principles on the control of brokering in small arms and light weapons.

**Decision:** The Ministerial Council adopted Decision No. 8/04 (MC.DEC/8/04), the text of which is appended to this journal, on OSCE principles for export controls of man-portable air defence systems.

**Decision:** The Ministerial Council adopted Decision No. 9/04 (MC.DEC/9/04), the text of which is appended to this journal, on enhancing container security.

**Decision:** The Ministerial Council adopted Decision No. 10/04 (MC.DEC/10/04), the text of which is appended to this journal, on improving the efficiency and effectiveness of the Economic Forum.

**Decision:** The Ministerial Council adopted Decision No. 11/04 (MC.DEC/11/04), the text of which is appended to this journal, on combating corruption.

**Decision:** The Ministerial Council adopted Decision No. 12/04 (MC.DEC/12/04), the text of which is appended to this journal, on tolerance and non-discrimination.

**Decision:** The Ministerial Council adopted Decision No. 13/04 (MC.DEC/13/04), the text of which is appended to this journal, on the special needs for child victims of trafficking for protection and assistance.

**Decision:** The Ministerial Council adopted Decision No. 14/04 (MC.DEC/14/04), the text of which is appended to this journal, on the 2004 OSCE Action Plan for the Promotion of Gender Equality.

**Decision:** The Ministerial Council adopted Decision No. 15/04 (MC.DEC/15/04), the text of which is appended to this journal, on the role of the OSCE Secretary General.

**Decision:** The Ministerial Council adopted Decision No. 16/04 (MC.DEC/16/04), the text of which is appended to this journal, on establishment of a panel of eminent persons on strengthening the effectiveness of the OSCE.

**Decision:** The Ministerial Council adopted Decision No. 17/04 (MC.DEC/17/04), the text of which is appended to this journal, on the OSCE and its Partners for Co-operation.

**Decision:** The Ministerial Council adopted Decision No. 18/04 (MC.DEC/18/04), the text of which is appended to this journal, on the OSCE Chairmanship in the year 2007.

**Decision:** The Ministerial Council adopted Decision No. 19/04 (MC.DEC/19/04), the text of which is appended to this journal, on time and place of the next meeting of the OSCE Ministerial Council.

Chairperson (Bulgaria) (Annex 4), Netherlands-European Union (with the candidate countries Bulgaria, Croatia, Romania and Turkey in alignment) (Annex 5), Greece (also on behalf of Belgium, Bulgaria, Canada, the Czech Republic, Denmark, Estonia, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Turkey, the United Kingdom and the United States of America) (Annex 6), Moldova (Annex 7), Norway (Annex 8), Russian Federation (Annex 9), Canada (Annex 10), Georgia (Annex 11)

Agenda item 9: ANY OTHER BUSINESS

None

4. Next meeting:

Tuesday, 7 December 2004, at 1.50 p.m., in the plenary hall

## **CLOSING PLENARY MEETING (OPEN)**

1. Date: Tuesday, 7 December 2004  
  
Opened: 1.50 p.m.  
Closed: 2.10 p.m.
  
2. Chairperson: H.E. Dr. Solomon Passy, Minister for Foreign Affairs of Bulgaria,  
Chairman-in-Office of the OSCE
  
3. Subjects discussed — Statements — Decisions:

Agenda item 10: FORMAL CLOSURE (STATEMENTS BY CURRENT AND  
INCOMING CHAIRMEN-IN-OFFICE)

Chairperson (MC.DEL/68/04), Minister for Foreign Affairs of Slovenia  
(incoming Chairman-in-Office) (MC.DEL/70/04), United States of America

The letter from the Chairperson of the Forum for Security Co-operation to the  
Chairman-in-Office is appended to this journal as Annex 12.

The letter from the Chairperson of the Open Skies Consultative Commission  
to the Chairman-in-Office is appended to this journal as Annex 13.

The Chairman-in-Office formally declared closed the Twelfth Meeting of the  
Ministerial Council.

4. Next meeting:  
  
5 and 6 December 2005, to be held in Slovenia



**Organization for Security and Co-operation in Europe  
Ministerial Council  
Sofia 2004**

MC(12).JOUR/2  
7 December 2004  
Annex 1

Original: ENGLISH

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**2nd day of the Twelfth Meeting**  
MC(12) Journal No. 2, Agenda item 8

## **SOFIA MINISTERIAL STATEMENT ON PREVENTING AND COMBATING TERRORISM**

1. We, the members of the Ministerial Council of the OSCE, having met together in Sofia, declare our resolute and unconditional condemnation of terrorist acts, in particular those committed in 2004 in Spain, Uzbekistan, Turkey and Russia, where in the city of Beslan terrorists brutally and callously killed innocent and defenceless children. We grieve the loss of hundreds of human lives and express our profound solidarity with victims of acts of terrorism and their families. These acts have vividly exposed terrorism's inhuman nature. We express our solidarity with the States not participating in our Organization which were also attacked by terrorists.

Reiterating that terrorism constitutes one of the most serious threats to peace and security and considering that acts of terrorism seriously impair the enjoyment of human rights, we reaffirm our commitment to protect the enjoyment of human rights and fundamental freedoms, especially the right to life, of everyone within our jurisdiction against terrorist acts. We re-emphasize our determination to combat terrorism in all its forms and manifestations, as a crime that has no justification, whatever its motivation or origin, and to conduct this fight with respect for the rule of law and in accordance with our obligations under international law, in particular international human rights, refugee and humanitarian law.

2. We underscore the leading role of the United Nations in the comprehensive fight against terrorism.

We reaffirm obligations and commitments adopted by our States in the field of combating terrorism within the United Nations, including resolutions 1267 (1999), 1373 (2001), 1456 (2003), 1535 (2004), 1540 (2004) and 1566 (2004) of the United Nations Security Council, as well as resolution 58/187 of the United Nations General Assembly, and we support the resolution 2004/87 of the United Nations Commission on Human Rights. We also reaffirm obligations and commitments adopted within other international organizations of which we are members.

We welcome the importance attributed by UN Security Council resolution 1566 (2004) to the role of relevant international, regional and subregional organizations in

strengthening international co-operation in the fight against terrorism and the call for intensified interaction with the United Nations.

We underline our determination to support the important efforts of the UN Security Council Counter-Terrorism Committee and of its Executive Directorate. We commit to hold ourselves to the highest possible standards of implementation of the 12 United Nations conventions and protocols related to terrorism. We also renew our call for co-operation on an expedited basis in resolving all outstanding issues with a view to adopting by consensus the draft comprehensive convention on international terrorism and the draft international convention for the suppression of acts of nuclear terrorism.

We remain committed to the anti-terrorism OSCE decisions, in particular the commitments contained in the Bucharest Plan of Action for Combating Terrorism, the OSCE Charter on Preventing and Combating Terrorism and the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century.

Our countries reaffirm their commitment to swift and full implementation of these decisions and arrangements throughout the OSCE area.

3. We welcome the OSCE's efforts in the field of combating terrorism, including the decisions adopted in 2004, and support the work of the Action against Terrorism Unit of the OSCE Secretariat.

We are convinced that the package of practical decisions that we adopt and welcome today<sup>1</sup>, and their further implementation will increase the level of security and stability in the OSCE area. These decisions will help ensure implementation of our obligations under international law to prevent and combat terrorism.

4. We intend to step up OSCE activities and measures to prevent and combat terrorism and to address all the factors which engender conditions in which terrorist organizations are able to recruit and win support.

We reaffirm that the OSCE efforts to counter terrorist threats should be taken in all OSCE dimensions, the security dimension, including the politico-military area, the economic and environmental dimension, and the human dimension. Based on the common, comprehensive and indivisible approach to security, our Organization could make further substantial contributions to global anti-terrorist efforts.

We are convinced that respect of human rights and fundamental freedoms is an important element of ensuring peace and stability and prevention of terrorism. We acknowledge that effective prevention of and fight against terrorism require the involvement of civil society in our countries.

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1 Permanent Council Decision No. 617 on Further Measures to Suppress Terrorist Financing (1 July 2004)  
Permanent Council Decision No. 618 on Solidarity with Victims of Terrorism (1 July 2004)  
Ministerial Decision on Combating the Use of the Internet for Terrorist Purposes  
Ministerial Decision on Enhancing Container Security  
Ministerial Decision on Reporting Lost/Stolen Passports to Interpol's ASF-STD

We are determined to further strengthen our interaction at both bilateral and multilateral levels in various formats in order to forestall the threat of terrorism in the OSCE area and in the world. We will actively co-operate to find and bring to justice the perpetrators, organizers, supporters and sponsors of terrorist acts.

We also will continue to develop interaction and dialogue on the issues of preventing and combating terrorism with the Mediterranean and Asian Partners for Co-operation.





**Organization for Security and Co-operation in Europe  
Ministerial Council  
Sofia 2004**

MC(12).JOUR/2  
7 December 2004  
Annex 2

Original: ENGLISH

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**2nd day of the Twelfth Meeting**  
MC(12) Journal No. 2, Agenda item 8

## **MINISTERIAL DECLARATION ON THE SIXTIETH ANNIVERSARY OF THE END OF WORLD WAR II**

The year 2005 marks the sixtieth anniversary of the end of the battles of World War II. We mourn the tens of millions of people who lost their lives, as victims of the war, the Holocaust, occupations and acts of repression. We honour all those who fought for the victory of humanity against dictatorship, oppression and aggression. Time will not diminish the meaning of their sacrifice. We welcome the UN General Assembly resolution on the commemoration of the sixtieth anniversary of the end of World War II.

Reflecting on our desire to prevent the recurrence of such a European and international catastrophe, we hail the progress that has been made in the past sixty years in overcoming the tragic legacy of World War II, towards achieving global peace and security, reconciliation, international and regional co-operation and the promotion of democratic values, human rights and fundamental freedoms, in particular through the United Nations and the establishment of regional organizations. We stress the important role that the CSCE and OSCE have played in this regard in the past three decades.

Recalling the Helsinki Final Act, the Charter of Paris for a New Europe, the Charter for European Security, and other agreed OSCE documents we shall spare no effort to avoid the emergence of new dividing lines in the OSCE area, and to eliminate sources of hostility, tensions and confrontation. We are determined to continue our collective efforts with a view of creating a common and indivisible space of security in the OSCE area, based on democracy, the rule of law, economic prosperity, social justice, and respect for human rights and fundamental freedoms, including the rights of persons belonging to national minorities.

We have learned from history the danger of intolerance, discrimination, extremism and hatred on ethnic, racial and religious grounds. We are committed to combat these threats, including through the OSCE, and we reject any attempts to justify them.

We strongly condemn any denial of the Holocaust. We condemn all forms of ethnic cleansing. We confirm our adherence to the UN Convention on the Prevention and Punishment of the Crime of Genocide adopted on 9 December 1948. We call on the participating States to take every possible action to ensure that attempts to commit genocide

are prevented today and in the future. The perpetrators of such crimes should be brought to justice.

New times have brought new threats and challenges, one of the most dangerous of which is terrorism. We will fight this threat together, by uniting our efforts and resources, and defending common principles. We will work, *inter alia*, through the OSCE, to combat terrorism and other threats and challenges to security.

We are convinced that the peaceful resolution of all existing conflicts, the observance of the norms of international law, the aims and principles of the UN Charter, the fulfilment of commitments contained in the Helsinki Final Act and other agreed OSCE documents are the best way to pay tribute to those who struggled for peace, freedom, democracy and human dignity, to commemorate all victims of World War II, to overcome the past, and to save present and future generations from the scourge of war and violence.



**Organization for Security and Co-operation in Europe  
Ministerial Council  
Sofia 2004**

MC(12).JOUR/2  
7 December 2004  
Annex 3

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**2nd day of the Twelfth Meeting**  
MC(12) Journal No. 2, Agenda item 8

## **STATEMENT OF THE MINISTERIAL COUNCIL ON THE NAGORNO-KARABAKH CONFLICT**

We commend the progress achieved in the settlement of the Nagorno-Karabakh conflict in 2004, in particular, the three meetings of the Presidents of Armenia and Azerbaijan under the auspices of the Co-Chairmen of the OSCE Minsk Group. We also welcome the creation of the so-called “Prague Process”, through which four meetings between the Foreign Ministers of both countries allowed the methodical re-examination of all the parameters of a future settlement. We note that, building on the results of the “Prague Process”, the Co-Chairmen of the OSCE Minsk Group presented to both Presidents in September in Astana a framework that could serve as a basis for a settlement. We invite the Presidents of Armenia and Azerbaijan to take that framework into account and to go forward based on it. We strongly urge the parties to redouble their efforts toward the rapid settlement of the Nagorno-Karabakh conflict in the framework of the OSCE Minsk Group.



**Organization for Security and Co-operation in Europe  
Ministerial Council  
Sofia 2004**

MC(12).JOUR/2  
7 December 2004  
Annex 4

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**2nd day of the Twelfth Meeting**  
MC(12) Journal No. 2, Agenda item 8

**STATEMENT BY DR. SOLOMON PASSY,  
CHAIRMAN-IN-OFFICE OF THE ORGANIZATION FOR SECURITY  
AND CO-OPERATION IN EUROPE, AT THE THIRD PLENARY  
SESSION OF THE TWELFTH MEETING OF THE  
OSCE MINISTERIAL COUNCIL**

1. The Ministers for Foreign Affairs of the OSCE participating States, met in Sofia at a time of momentous change in Europe. This change has created new opportunities and challenges. At the same time they stressed that participating States face common threats to their security. The Ministers expressed their resolve to remain united and promote security for States and individuals through co-operation. This unity would give the strength to meet the challenges identified in the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century, to adopt collective responses and innovative approaches, and to improve the ability of participating States to uphold common principles.
2. Recalling that the CSCE was created to overcome deep divisions in Europe, and that the Helsinki process contributed significantly to promoting security and co-operation from Vancouver to Vladivostok, the Ministers remain committed to creating a common and indivisible OSCE area free of dividing lines and zones with different levels of security.
3. The Ministers recognized the need to build on common ground in order to provide a strategic orientation for the OSCE area in the years to come. They confirmed that they will spare no effort to ensure that the OSCE and its operational instruments remain relevant to the needs and interests of all participating States taking note of the different views on the means and ways to accomplish this task.
4. 2005 will mark the thirtieth anniversary of the Helsinki Final Act and the fifteenth anniversary of the Charter of Paris. This will provide a useful opportunity to recall the important role of the CSCE/OSCE for promoting dialogue and confidence-building, democracy, rule of law and market economy. The Ministers stated that this would give a chance to reinforce the common commitment made in Paris in 1990 to create a Europe whole and free.
5. The Ministers adopted a Ministerial Declaration on the Sixtieth Anniversary of the End of World War II in order to solemnly mark this event in 2005. This will be a time to recall the horrors of war, the dangers of extremism and all forms of intolerance, and the need

to constantly work for peace and security in order not to repeat the suffering and destruction of the past. The conviction was expressed that the observance of the norms of international law, the aims and principles of the United Nations Charter as well as the principles to which participating States have all subscribed within the OSCE are the best way to save the present and future generations from the scourge of war and violence.

6. A strong bond that unites the OSCE participating States is consensus on common goals, principles and commitments. These are the foundation of relations between participating States, between people and their governments, as well as between the organizations of which participating States are members. The Ministers stated that they remain committed to their equal and unbiased application across the entire OSCE area and that they value the OSCE assistance in their implementation, including through the important contribution of its institutions and field activities.

7. The Ministers underlined their commitment to the protection of human rights. All participating States will intensify efforts to strengthen pluralist democracy, civil society and the rule of law, and ensure full respect and protection of human rights and fundamental freedoms. Ministers underlined the importance of free and fair elections. They reaffirmed the commitment to free and independent media. They call upon the participating States to undertake further steps to effectively protect the rights of persons belonging to national minorities in accordance with international commitments and obligations in order to sustain efforts at ensuring equal opportunities for persons belonging to national minorities.

8. Most Ministers welcomed the will of the Ukrainian people to live in free, open and democratic society. Developments in Ukraine highlight its role in building a secure and stable Europe, based upon democratic values. Most Ministers appealed to all parties and institutions in Ukraine to co-operate fully in the implementation of the 3 December 2004 decision of the Supreme Court and to ensure that the rerunning of the second round of the presidential elections reflects the will of the Ukrainian people. They praised the commitment of all sides to avoid violence. They noted the valuable assistance provided by the international facilitators and called upon all parties of the Round Table to fully implement agreements reached with their participation. They encouraged the participating States to provide OSCE/ODIHR with all necessary resources for the forthcoming voting in the presidential elections. They noted with appreciation the continuous close co-operation between the Government of Ukraine and the OSCE Election Observation Mission. They reiterated their support of the independence, sovereignty, territorial integrity and inviolability of frontiers of Ukraine and objected any attempts to interfere into its internal affairs.

9. The Ministers stated they value the OSCE's increasing expertise and operational capacity in addressing new threats and challenges to security, *inter alia*, in counter-terrorism, policing, anti-trafficking, border management and security as well as the increased attention being paid to the politico-military and economic and environmental dimensions. They underlined the importance of a cross-dimensional approach to the OSCE's work in these fields.

10. The Ministers pledged to further enhance OSCE counter-terrorism efforts. Terrorist attacks in the OSCE area grimly confirm that terrorism remains a real and immediate threat to all participating States. Ministers were committed to intensify practical and effective action,

including in the framework of the Action against Terrorism Unit. The Ministers have adopted the Sofia Ministerial Statement on Preventing and Combating Terrorism and an extensive package of practical decisions that not only deepen counter-terrorism efforts, but strengthen collaboration with other international, regional and subregional organizations in the process. They pledged that efforts to fight terrorism will be in accordance with obligations under international law, in particular international human rights, refugee and humanitarian law.

11. The Ministers recognized that combating intolerance and discrimination in the whole OSCE area was an integral part of the OSCE's comprehensive concept of security and was vital for integrating diversity. They were therefore resolved to promote inter-cultural, inter-ethnic and inter-religious dialogue, respect and mutual understanding, and to combat hate crimes, including manifestations of aggressive nationalism, racism, chauvinism, xenophobia, discrimination, anti-Semitism, intolerance and discrimination against Christians, Muslims and members of other faiths, as well as other forms of intolerance. They were resolved to build on the successful outcome of the OSCE events in Berlin, Paris and Brussels held in 2004. They welcomed the intention of the Chairman-in-Office to appoint three personal representatives as part of the overall fight of the OSCE in combating discrimination and promoting tolerance and also welcome ODIHR's increased activities in implementing its new tasks in the area of tolerance and non-discrimination, and look forward to the OSCE Conference on Anti-Semitism and on Other Forms of Intolerance in Cordoba, Spain, in June 2005.

12. The Ministers reaffirmed their strong commitment to preventing and combating trafficking in human beings. Trafficking is a heinous crime. The Ministers pledged to do their utmost to actively implement the OSCE Action Plan to Combat Trafficking in Human Beings based on co-ordination and co-operation between countries of origin, transit and destination working together with the Special Representative in an alliance against trafficking. They recognized the special needs for protection and assistance of child victims of trafficking, and had decided to task the Permanent Council to elaborate an addendum to the OSCE Action Plan to Combat Trafficking in Human Beings, contributing to its implementation.

13. The Ministers reiterated their commitment to promote open and secure borders, *inter alia*, through the elaboration of an OSCE Border Security and Management Concept, recognizing the need to address, among others, the threats stemming from cross-border movements related to terrorist and other criminal activities. They therefore welcomed the work carried out by the informal Working Group of the Permanent Council on Borders in 2004 and the Decision on the Elaboration of an OSCE Border Security and Management Concept.

14. Policing provides a key link between security and human rights. The Ministers encouraged the further development of OSCE police-related activities for the purpose of capacity- and institution-building to help participating States, upon their request, to strengthen the rule of law.

15. The Ministers regard migration as related to the core OSCE work in human rights, freedom of movement, borders, integration and economic dimension. They declared their intention to further develop activities in this field, including combating the smuggling of migrants.

16. The Ministers reconfirmed their commitments in the field of arms control and confidence- and security-building measures, as reflected in the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century, adopted in December 2003 and other agreed OSCE documents. They welcomed the decisions of the Forum for Security Co-operation on small arms and light weapons, establishing principles for controlling brokering, improving export controls of MANPADS and setting standard elements for end-user certificates. These are a valuable contribution to preventing terrorism. They also welcomed the Forum's decisions to improve information exchange on anti-personnel mines and explosive remnants of war. They stated that requests from participating States under the OSCE Documents on Small Arms and Light Weapons and Stockpiles of Conventional Ammunition for assistance in carrying out their responsibilities in these areas will continue to be addressed.

17. The Ministers welcomed the continued successful implementation of the Treaty on Open Skies and recognized its contribution to promoting openness, transparency and stability in the OSCE area. They also welcomed the accession to the Treaty of a number of OSCE participating States, and took note that the applications of others have already been approved, or were on the agenda of the Open Skies Consultative Commission. They look forward to the forthcoming First Review Conference of the Treaty on Open Skies from 14 to 16 February 2005.

18. Arms control and confidence- and security-building measures remain indispensable for a comprehensive approach to security. The Treaty on Conventional Armed Forces in Europe (CFE) continues to make a significant contribution to security and stability and remains a cornerstone of European security. Most Ministers recalled that some of the commitments made at the 1999 Istanbul Summit on Georgia and Moldova have not yet been fulfilled. Their fulfillment without further delay, would, in their view, create the conditions for States Parties to move forward on ratification of the adapted CFE Treaty.

19. The Ministers welcomed the increased activities in the economic and environmental dimension. These activities should aim at the full implementation of the OSCE Strategy Document for the Economic and Environmental Dimension in order to enhance co-operation, good governance, sustainable development and protection of the environment. They expressed their commitment to further improve the effectiveness of the Economic Forum.

20. As a regional arrangement under Chapter VIII of the UN Charter, the OSCE is a key instrument for early warning, conflict prevention, crisis management and post-conflict rehabilitation in its region. Ministers remain concerned over the persistence of conflicts in various regions in the OSCE area that threaten the observance of the OSCE principles and have an impact on peace and stability. Ministers expressed resolve to redouble efforts to promote negotiated solutions to these conflicts based on norms and principles of international law particularly those enshrined in the UN Charter and the Helsinki Final Act as well as other OSCE documents.

21. Most Ministers stand ready to give a fresh impulse towards a political settlement of the Transdniestrian problem in the Republic of Moldova. They condemned Transdniestrian actions on freedom of movement, on the Moldovan railways and against the Moldovan

schools teaching in the Latin script, and commended the efforts by the OSCE Mission to resolve these issues. Above all, they called upon the two sides, with the increased support of the international community, to undertake additional efforts to resume a working dialogue in all available negotiation frameworks. The Ministers urged further steps under the auspices of the OSCE towards stability, security and a lasting political settlement fully respecting the sovereignty and territorial integrity of the Republic of Moldova while providing a special status for Transdnistria. Most Ministers supported the further development of the OSCE initiative on Border and Customs Monitoring at the Moldovan-Ukrainian border.

22. The Ministers reaffirmed their commitment to the sovereignty and territorial integrity of Georgia. Most Ministers highly appreciated recent OSCE efforts to defuse tensions in the Tskhinvali region/South Ossetia and welcomed the recent meeting of the parties' high-level representatives in Sochi. The agreement on a phased demilitarization of the region, to be carried under the active monitoring by the Joint Peacekeeping Force and the OSCE Mission in Georgia, should be conducive to re-establishing confidence. Most Ministers encouraged reinforcement of the OSCE team of observers in this context. They expressed hope that the agreement of the Joint Control Commission to conduct a high-level meeting, with the assistance of the international community, will give a new impetus to a lasting peaceful resolution of this conflict in Georgia. Most Ministers acknowledged the very significant contribution to stability and confidence in the region made by the Border Monitoring Operation and urged extension of its mandate. Further co-operation between the OSCE and the United Nations on the UN-led conflict settlement process on Abkhazia (Georgia) was strongly recommended.

23. The Ministers commended the OSCE's significant and long-standing engagement in Kosovo/Serbia and Montenegro and underlined the importance of the OSCE's role as an integral part of the UN-led effort to create a democratic multi-ethnic society in Kosovo/Serbia and Montenegro in accordance with UNSCR 1244, particularly through capacity-building. The principles of democratic and multi-ethnic life embodied in the "Standards for Kosovo" have and will continue to guide the OSCE work as an important pillar of UNMIK.

24. The Ministers expressed their awareness of the necessity of a broad and thorough debate on strengthening the role of the OSCE. They expressed their belief that the OSCE could be more effective. They have decided to establish a Panel of Eminent Persons on Strengthening the Effectiveness of the OSCE to be followed by specially convened High Level OSCE Consultations in 2005 in order to provide strategic vision for the Organization in the twenty-first century.

25. The Ministers welcomed the discussion on reforming the OSCE and tasked the Permanent Council to continue the process of reform by reviewing and improving the functioning of the Organization, the effectiveness of field missions, and inter-institutional co-operation. They took a decision on the role of the Secretary General. In order to diversify venues for OSCE meetings across the OSCE area, participating States will hold one of the human dimension meetings in 2005 in Georgia, responding to the invitation of the Government of Georgia to hold the Human Dimension Implementation Meeting in Tbilisi. Ministers also look forward to hold in the future the OSCE Economic Forum in sites other



than Prague, and welcome to this end the invitations extended by Tajikistan and Turkmenistan.

26. The Ministers commended the increasingly important role of the OSCE Parliamentary Assembly, which also enhances the visibility of our Organization. They welcomed the close interaction with the OSCE Parliamentary Assembly that has developed in recent years.

27. The Ministers endorsed the 2004 Action Plan for the Promotion of Gender Equality. They recognized that achieving gender equality through gender-mainstreaming was of crucial importance in order to make full use of the human capital in the OSCE area. A gender perspective should be taken into account in the OSCE activities in order to achieve gender equality for the Organization.

28. The Ministers reaffirmed that OSCE's interaction with other international organizations and institutions is based on the Platform for Co-operative Security and the Strategy to Address Threats to Security and Stability in the Twenty-First Century. They encouraged a broadening of contacts and a further dialogue between the OSCE and international, regional and subregional organizations in order to share information, exchange ideas, and benefit from each other's experience and capabilities.

29. The Ministers acknowledged the importance of the multifaceted co-operation with the Council of Europe and endorsed the decision to enhance this co-operation in order for our two organizations to complement and reinforce each other in pursuing the strategic objective of building a continent without dividing lines.

30. The Ministers welcomed the valuable contribution that non-governmental organizations were making to the work of the OSCE's three dimensions.

31. The Ministers valued relations with the Partners for Co-operation and expressed appreciation for the report on "The OSCE and its Partners for Co-operation" concerning the implementation of Permanent Council Decision No. 571. Participating States will continue to promote closer dialogue and co-operation with Partners for Co-operation in the politico-military, economic and environmental, and human dimensions of the OSCE. The support the OSCE provided to the presidential election in Afghanistan was welcomed as contributing to this country's stability. Ministers are looking forward to further co-operation with this partner in building democratic Afghanistan. The Ministers welcomed Mongolia as a new Partner for Co-operation.



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## **STATEMENT BY THE EUROPEAN UNION**

Despite lengthy negotiations and determined efforts, it was — yet again — not possible to reach agreement on some key issues facing the Organization. The EU regrets that we find ourselves in this situation and that no reference to regional issues concerning Moldova and Georgia could be agreed upon. While regrettable, by itself this is a true reflection of the lack of progress made this year in the search for solutions with regard to both regional conflicts.

On the other hand, we should recognize that all the Ministers did agree on a number of important issues. The European Union fully supports the statement just made by the Chairman-in-Office, both where he refers to issues of agreement and where he refers to those on which agreement was not possible. Throughout the consultation process, the EU has made the maximum effort to help reach consensus.

The EU remains committed to the OSCE and has prepared an assessment report on the EU's role vis-à-vis the OSCE to be endorsed by the General Affairs and External Relations Council on 13 December. The EU continues to be prepared to invest in the Organization.

On the few outstanding issues, the EU's position are as follows:

On Moldova, we confirm our support for the role of the OSCE and other mediators in the resolution of this conflict, in full respect of the sovereignty and territorial integrity of Moldova. The EU remains ready to engage in discussions with all parties concerned on a declaration of principles concerning the stability and security of Moldova. Regarding the withdrawal of Russian troops and equipment, we exhort the Russian Federation to honour without delay the commitments made in Istanbul in 1999.

As regards Georgia, we hope that resumption of the dialogue on the conflict with regard to South Ossetia will gain further momentum through a high-level meeting of the Joint Control Commission with the support of the international community, to be convened soon. We expect an early deployment of additional OSCE monitors, as agreed in principle. We attach great importance to a continued, albeit reduced, Border Monitoring Operation. On Abkhazia, we remain convinced that a peaceful solution through the UN-led process should be pursued on the basis of the sovereignty and territorial integrity of Georgia. In accordance

with the 1999 Istanbul commitments, we reaffirm the need to reach an early agreement between the parties on the duration and modalities of the functioning of the Russian military bases.

The European Union congratulates all parties concerned in Ukraine on working their way out of a complicated and politically tense situation in a peaceful and constructive atmosphere. The rerun of the second round of Presidential elections is planned for 26 December. It continues to be of the utmost importance to ensure the integrity of the election process. The EU urges all OSCE participating States to heed the call of the ODIHR to send election observers and to make available the necessary resources. The EU stands ready to contribute its share. The events since 21 November have, for the EU, underlined the relevance of the Helsinki principles and the OSCE *acquis*, to which we are all committed. The EU deplors very much that it has not been possible to adopt a joint declaration at this Ministerial Council on the situation in Ukraine. This is even more deplorable given the fact that the text of such a declaration was supported by the Government of Ukraine. Mr. Chairman, the efforts of the EU continue to be directed at helping to find a way out of this crisis in a non-violent manner, while ensuring that democratic principles prevail, the sovereignty and territorial integrity of Ukraine are preserved and the will of the Ukrainian people is reflected.

Free and fair elections in which the electorate has confidence are vital to the development and consolidation of democracy in every country in the OSCE region. In this respect, the EU expresses its strong support for the election-related activities of the OSCE/ODIHR, as conducted in accordance with the provisions of the 1990 Copenhagen Document.

Looking to the future, the EU is interested in early establishment of a Panel of Eminent Persons, which is to address the need for strengthening the effectiveness of the Organization. We look forward to a creative and constructive discussion on its recommendations by the middle of next year.

The EU urges all participating States to do their utmost to come to a resolution of the scales issue before the end of the year.

Mr. Chairman, I ask that this statement be attached to the Journal of the Day.

The candidate countries Bulgaria, Romania, Turkey and Croatia<sup>1</sup> align themselves with this statement.

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<sup>1</sup> Croatia continues to be part of the Stabilization and Association Process.



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## **STATEMENT BY THE DELEGATION OF GREECE**

With reference to the Chairman's statement on the question of the 1999 Istanbul commitments, I would like to make a statement on behalf of the following countries: Belgium, Bulgaria, Canada, the Czech Republic, Denmark, Estonia, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Turkey, the United Kingdom and the United States of America.

The text of the statement reads as follows:

“We remain committed to the CFE Treaty as a cornerstone of European security, and reaffirm our attachment to the early entry into force of the Adapted Treaty. It is essential for the Russian Federation to complete withdrawal of its military forces from the Republic of Moldova as soon as possible. We also urge a swift resolution of the outstanding issues between Georgia and Russia as set out in their Istanbul Joint Statement of 17 November 1999, and to this end, call upon the parties to resume negotiations. Fulfilment of these remaining Istanbul commitments, undertaken in 1999, on the Republic of Georgia and the Republic of Moldova will create the conditions for NATO Allies and other States Parties to move forward on ratification of the Adapted CFE Treaty. We will continue to assist in this process.”

The countries subscribing to this statement request for its inclusion to the official documents of this Ministerial Meeting.



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**STATEMENT BY  
THE DELEGATION OF MOLDOVA**

The Delegation of the Republic of Moldova regrets that the Twelfth Meeting of the OSCE Ministerial Council failed to adopt a set of important documents, including the draft Ministerial declaration. Notwithstanding the relevance of all the other documents, this Delegation considers that the adoption of a Ministerial declaration would have been instrumental in objectively reflecting the activities of the OSCE throughout the year and in streamlining our work in 2005. The Republic of Moldova has been constructively engaged in the negotiations process and making its contribution towards finding consensus solutions to all controversial problems. We would like to thank all the delegations that joined our efforts in this regard. However, it is unfortunate that the lack of due political will prevailed over the overwhelming drive to reach an agreed text.

The Delegation of the Republic of Moldova considers it necessary to reiterate a number of provisions that we consider it would have been pertinent to reflect in the Ministerial declaration.

There never was a freely expressed consent of the Moldovan constitutional authorities to the presence of Russian troops on the territory of the Republic of Moldova. We are concerned about the lack of progress in the withdrawal process during the past year, and call upon the Russian Federation to show firm political will to complete the withdrawal in the earliest possible timeframe. The complete and unconditional withdrawal of the Russian troops from the Republic of Moldova in conformity with the Istanbul commitments is a prerequisite for moving forward with the ratification of the adapted CFE Treaty.

We consider it important that an international assessment should be made of the stocks of armaments of the Russian Federation and of those belonging to the illegal military units from the eastern districts of the Republic of Moldova.

We reiterate the importance of finding a political solution to the conflict, defining the status of the eastern regions as an integral part of the sovereign and territorially integral State — the Republic of Moldova. We appeal for the increased involvement of the international community, in particular the EU and the USA, in the conflict settlement process.

The Republic of Moldova regrets that it was not possible to endorse the Declaration on the Stability and Security of the Republic of Moldova on the margins of the Sofia Ministerial Meeting. The President of the Republic of Moldova has launched this initiative in an effort to enhance stability in this region of Europe. The Declaration was meant to ensure the sovereignty and territorial integrity of the Republic of Moldova as well as the inviolability of its borders and internationally recognized control over them. It also called for the respect of the principles of democracy, the rule of law and the market economy throughout the territory of the Republic of Moldova. At the same time, the signing of the Declaration could have significantly facilitated the process of the settlement of the Transdnistrian conflict, mobilizing the efforts of all partners involved within a broader framework. We call on all potential signatories to continue the consultations with a view to signing the Declaration as soon as possible.

The fundamental principles enshrined in the Declaration will help to further the policy of European integration of the Republic of Moldova.

Ensuring the proper control and safety of the border between the Republic of Moldova and Ukraine would represent an important step towards settlement of the conflict. We appreciate the OSCE's initiative on the Border and Customs Monitoring Operation along the Moldovan-Ukrainian border and welcome further EU involvement in providing assistance to both countries on border issues. We expect constructive co-operation from the Ukrainian authorities in order to resolve all outstanding border problems.

The Republic of Moldova expresses its commitment to co-operate with all the OSCE participating States in reforming the Organization with a view to enhancing its ability to implement our common decisions. We consider that the credibility and authority of the OSCE is dependent on the political will of all the participating States to constructively engage in this process.



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## **STATEMENT BY THE DELEGATION OF NORWAY**

Mr. Chairman,

In accepting the many important documents that we have just agreed on, Norway would like to align itself with the statement just made by the EU. We deeply regret that, again this year, we did not manage to reach agreement on references to regional issues facing this Organization, and that we did not reach consensus on a ministerial declaration.

Mr. Chairman,

As we speak, we are witnessing important developments taking place in Ukraine, developments which highlight that country's role in building a secure and stable Europe based on democratic values.

A great number of delegations, including the Ukrainian delegation itself, would have welcomed a declaration on Ukraine. We deplore that this was not possible.

I ask that this statement be annexed to the Journal of the Day.



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## **STATEMENT BY THE DELEGATION OF THE RUSSIAN FEDERATION**

In connection with the statement made by the Chairman-in-Office, the delegation of the Russian Federation would like to make the following statement.

1. The Russian Federation agrees with many of the positions reflected in that statement, including those concerning a number of documents adopted today by the ministers on the work of the OSCE in all three dimensions. First and foremost, this concerns the efforts to counter and combat terrorism, politico-military aspects of security, practical aspects of the reform of the OSCE and several questions regarding the economic and human dimensions. These decisions are designed to reflect the political priorities of the Organization in specific practical undertakings.
2. However, some of the chairmanship's assessments do not reflect the consensus-based point of view. The Russian Federation does not feel bound by those conclusions and recommendations and does not find it possible for them to be taken into account in the work of the OSCE and its structures.

Unfortunately, it was not possible to reach a consensus on such a pressing matter as the improvement of election practices. Nevertheless, Russia does not consider this matter closed and hopes that next year the OSCE will be able to conduct a comprehensive analysis of election laws in the participating States and to draw up unified standards, common criteria and a methodology for objective election monitoring and unbiased evaluations of election results. It is on the basis of that work that we shall judge the effectiveness of the activities of the Office for Democratic Institutions and Human Rights and the OSCE as a whole.

Owing to the position taken by certain countries, it was not possible to reach agreement on a number of regional issues, something that cannot but cause regret.

3. The Russian Federation is disappointed that the artificial linkages and misguided political bargaining employed by a number of delegations thwarted approval by the Ministerial Council of such objectively timely initiatives as the holding of a seminar on military doctrines and a conference on energy issues. This can only worsen the imbalance between the three dimensions of the OSCE.



4. We regret that the initiatives proposed by the countries of the Commonwealth of Independent States for improving the state of affairs within the Organization, as set out in the Moscow Declaration of 3 July 2004 and the Appeal to the OSCE Partners adopted in Astana on 15 September 2004, did not receive appropriate attention during the Sofia Ministerial Council Meeting. The Russian Federation emphasizes that, in the light of the thematic and geographical distortions persisting in the work of the Organization and the widespread application of “double standards”, the usefulness of the OSCE and its ability to respond appropriately to modern-day challenges and to meet the real interests and needs of the participating States are yet more seriously called into question.

5. This being the case, the Russian Federation believes that the priority area of work for the OSCE in 2005 must be a comprehensive reform of its structures, specialized institutions, field activities and system of financing.

6. In connection with the position taken by some States regarding a supposed linkage between the so-called Istanbul commitments and ratification of the Agreement on Adaptation of the Treaty on Conventional Armed Forces in Europe (CFE), the Russian Federation does not consider this linkage to be legitimate. The Russian-Georgian and Russian-Moldovan agreements reached in November 1999 are of a bilateral nature and do not imply any obligations for Russia with regard to third countries. The Russian Federation has fulfilled all the provisions relative to the CFE Treaty and intends, provided necessary conditions are in place, to continue its implementation of these agreements subject to Georgia’s and Moldova’s compliance with the commitments they made when concluding the agreements.

States delaying ratification of the Agreement on Adaptation of the CFE Treaty on groundless pretexts are failing to comply with the commitment undertaken by them in Istanbul “to move forward expeditiously to facilitate completion of national ratification procedures so that the Agreement on Adaptation can enter into force as soon as possible” and bear full responsibility for the fate of the Treaty — the cornerstone of European security.

We request that this statement be attached to the Journal of the day.



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## **STATEMENT BY THE DELEGATION OF CANADA**

Mr. Chairman,

Canada thanks the Chair, Foreign Minister Passy, for all his efforts.

We welcome the decisions just adopted, which represent important steps forward in a number of areas and chart a course for the next year.

We express our great regret at the participating States' inability, once again, to find a common ground on the joint political declaration.

At a time when this group of nations should be building bridges to address common challenges, some seem more focused on finding divides.

What most of us see as the strength and backbone of this Organization, namely, election monitoring, governance, rule of law and human rights, others see as a problem.

Our frozen regional conflicts remain frozen. We call again on Russia to fulfil its Istanbul commitments.

We deeply regret that it was not possible to agree on a separate Sofia ministerial statement on Ukraine.

This is a serious missed opportunity, especially given that this initiative came from Ukraine.

This outcome diminishes our collective resolve to engage in an area of core activity for the OSCE.

Canada will assist the ODIHR with observing the election in Ukraine on 26 December to help ensure that the will of the Ukrainian people is respected.

Mr. Chairman,

Canada asks that this statement be added to the official documents for this OSCE conference.



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## **STATEMENT BY THE DELEGATION OF GEORGIA**

Mr. Chairman,

I would like to express our profound disappointment at the failure of the OSCE community to find a common ground on the political declaration of the Organization, which would have been the pivotal document of the Ministerial Council.

The absence of consensus for the second year in a row on the document, which purports to reflect the very essence of the OSCE, undoubtedly undermines our Organization's credibility and raises serious concern over its future.

My delegation did its best to facilitate the adoption of the political declaration, having no idea that its fate had been predetermined from the very beginning.

Mr. Chairman,

Having no common blueprint for action, my Delegation would like once again to reiterate its main points of concern:

We strongly believe that the OSCE border monitoring operation (BMO) in Georgia is one of our Organization's most successful missions, simultaneously making a tremendous contribution to Georgia's border security along the most volatile and controversial segments of the Georgian-Russian border. Therefore, we strongly support the BMO's extension for the sake of peace and stability in the region.

We extend our gratitude to the Chairman-in-Office for his initiative to relocate some of the activities of the OSCE to different subregions of the OSCE area. In particular, we welcome the proposal to hold the Human Dimension Implementation Meeting — the largest OSCE human dimension forum — in 2005 in Tbilisi, Georgia. The Government of Georgia is committed to undertaking all necessary steps to make this event a major success.

There is no doubt that the cornerstone of our common security is the Treaty on Conventional Armed Forces in Europe (CFE Treaty). The timely ratification of the adapted CFE Treaty and its entry into force will be a major achievement in the Euro-Atlantic security architecture. We have more than once reiterated that the main obstacle to the ratification

process is the overdue international commitment of the Russian Federation, particularly the withdrawal of its military forces from Georgia and Moldova. We wish to express once again our strong confidence that, through meaningful negotiations and for the sake of our mutual security, the Russian Federation will carry out its international obligations and thereby foster a lasting peace on the European continent.

Mr. Chairman,

Despite this setback, we hope that the OSCE participating States will seriously reflect on the causes that disrupt a common understanding of the major issues of our Organization.

Georgia views the OSCE as the sentinel of democracy and security on the European continent and stands ready to contribute, wherever it can, to the Organization's effective functioning.

In closing, let me once again thank the organizers of the Twelfth Ministerial Council and express the hope for our Organization's every success in its responsible work.

Thank you.



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**LETTER FROM THE CHAIRPERSON OF THE  
FORUM FOR SECURITY CO-OPERATION TO THE MINISTER FOR  
FOREIGN AFFAIRS OF THE REPUBLIC OF BULGARIA,  
CHAIRPERSON OF THE TWELFTH MEETING OF THE  
MINISTERIAL COUNCIL OF THE OSCE**

Your Excellency,

As Chairperson of the Forum for Security Co-operation, it is my pleasure to inform you about the Forum's activities since the Eleventh Meeting of the Ministerial Council.

The work of the Forum in 2004 under the successive Chairmanships of Andorra, Armenia and Austria was based on the commitment to improve security, stability and transparency in the area of the OSCE through full and comprehensive implementation, timely adaptation and further development of the work of the FSC on arms control, disarmament and confidence- and security-building measures.

The implementation of the substantial number of documents adopted by the FSC gained additional focus through the tasks given to the FSC by recent decisions of the Ministerial Council. Implementing the OSCE Documents on Stockpiles of Ammunition and on Small Arms and Light Weapons appears to be a new challenge as measures have to be considered to support ongoing efforts of participating States in addressing the threat of dangerous surplus stockpiles of ammunition.

The assessment of the implementation of the security work undertaken by the OSCE and of the agreed commitments by participating States is a regular task of the FSC and an essential confidence-building measure in itself. It has, however, also proved to be an opportunity to develop proposals for adapting existing instruments and mechanisms to evolving requirements.

The further development of the work of the FSC was assured by adopting new decisions and by addressing the changing security environment and its consequences in the Security Dialogue. The most important decisions create new politically binding OSCE principles and standards aimed at impeding the diversion of SALW to terrorists and to the illegal market (and concern the holding of a seminar on military doctrine next year).

Efforts were also made to further improve the co-operation with other bodies and institutions of the OSCE in order to address cross-dimensional aspects of the tasks of the FSC and to promote the use of the FSC *acquis* by Partners for Co-operation and in areas adjacent to the OSCE.

The task of implementing decisions and commitments was given a new focus in 2004 through decisions of the Maastricht Ministerial Council which had a direct bearing on the work of the FSC.

The OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century is an important guideline for the work of the FSC. It deals with many aspects of a politico-military nature, and confirms in its paragraph 19 that the FSC, together with the Permanent Council, has a central role in the OSCE as a forum for political and security dialogue, for setting consensus-based, politically binding norms and principles and for promoting their implementation. It also tasks the FSC with contributing to the implementation of and follow-up to the OSCE Strategy, and this therefore permeated the work of the FSC in many aspects.

One example is afforded by paragraph 51 of the Strategy, on the expansion of OSCE principles, norms and measures contained in politico-military documents to adjacent regions and the involvement of the Partners for Co-operation in the framework of the CSBMs of the OSCE, which was elaborated on in PC Decision No. 571. As the FSC was directly concerned, all the Partners for Co-operation were invited for a special Security Dialogue in the FSC to evaluate areas of specific interest on their side for co-operation or for voluntary implementation of politico-military decisions or commitments. The FSC developed a comprehensive paper, containing a great variety of options for possible forms of politico-military co-operation and for voluntary implementation of FSC instruments and commitments. This paper was forwarded to the chairperson of the informal group on implementing PC Decision No. 571, with a view to its integration into the relevant ministerial decision as a specific contribution of the FSC.

The OSCE Document on Stockpiles of Conventional Ammunition endorsed by the Eleventh Ministerial Council in Maastricht contains the option that participating States may present requests through the OSCE for assistance in securing or eliminating such stockpiles. Since the 2003 Ministerial Council Ukraine, Belarus, the Russian Federation and Tajikistan have presented such requests.

This opened up a new phase in the work of the FSC, and of the OSCE, namely, the question of support for participating States willing to provide assistance in implementing huge projects in the field of securing or destroying such stockpiles.

The requests and a one-day special FSC meeting on 29 September 2004 devoted to this question gave participating States an idea of the urgency and the magnitude of the problem and of its potential to threaten people, the infrastructure and the environment. The requests so far submitted also indicate that — considerable — financial means are required to solve the problem.

Initial efforts to address it are encouraging, but it appears that substantive progress would require strong support by all the interested participating States for strengthening public awareness, gaining experience with handling such projects and to use lessons learned in this field by other international bodies (UN, NATO/PfP, EU) and creating synergies by co-operating in the framework of the OSCE. This could be achieved, by pooling expertise and technology or by developing best practice guides and consideration of common advisory structures for planning, administering or financing projects.

The OSCE Document on Small Arms and Light Weapons (SALW), endorsed by the Ministerial Council in 2000, has since remained the essential tool for preventing illicit trafficking of SALW and has become a permanent focus for the FSC. In 2004, however, implementation of the SALW document entered a new phase, when the first steps were undertaken by the participating States to address the requests made by Belarus and Tajikistan for assistance with the control or the elimination of surplus SALW, in accordance with Section V of the SALW document.

Progress was achieved in addressing both requests.

The work of the FSC on assessing implementation was focused on two events: the Annual Security Review Conference (ASRC) and the Annual Implementation Assessment Meeting (AIAM), as well as on the regular exchange of information on a variety of data concerning confidence- and security-building measures and relevant military data.

The Annual Security Review Conference (ASRC), established in 2003 by the Porto Ministerial Council to provide a framework for enhancing security dialogue and for reviewing security work undertaken by the OSCE and participating States, is of specific importance for the FSC, since it is the instrument for reviewing the work of the first dimension of the OSCE, namely security. The FSC has an important role to play in the Conference: It should be involved in the chairmanship, in making recommendations on the date, the agenda and the modalities for the Conference, in making its contribution to the Conference and — together with the PC — in addressing its recommendations.

The 2004 ASRC (23/24 June) was focused on preventing and combating terrorism, border security and management and on comprehensive security. It not only provided an opportunity to look back and review the ongoing security work, but also to look at the way forward, since more than 30 proposals of substance were made which fall into the direct competence of the FSC. A number of them, substantiated by food-for-thought papers, have already been integrated into the work programme of the FSC.

The 14th Annual Implementation Assessment Meeting (AIAM) took place on 9 and 10 March 2004 in the presence of high-ranking officials and experts from capitals, and proved to be the most effective tool to assure transparency by debating all aspects of the implementation of agreed CSBMs, as well as of defence policies, military structures, armaments, deployments and other military activities of participating States, and to assess the implementation of those commitments.

It is noteworthy that positive trends have continued since the last AIAM not only in the area of inspections and evaluation visits. A situation where all the OSCE participating

States provide the full information required by the Vienna Document 1999 has, however, not yet been reached. In this regard, the use of the Reminding Mechanism and the conduct of several seminars and training projects achieved positive results.

At the Meeting, no less than 48 proposals were made for further improving the implementation of OSCE commitments, including some which suggested a review of the structure of exchange and of the evaluation of the information exchanged.

The forward-looking approach of the FSC became manifest through the elaboration of several new documents and decisions of importance.

As SALW and terrorism are among the major concerns of the OSCE, it is no surprise that the FSC placed special emphasis on closing important loopholes allowing terrorists and international crime to acquire SALW, and in particular of MANPADS.

Three major documents: The OSCE Principles for Export Controls of Man-Portable Air Defence Systems (MANPADS), The OSCE Principles on the Control of Brokering in SALW, and The Standard Elements of End-User Certificates and Verification Procedures for SALW Exports were negotiated and adopted by the FSC. All of them concern SALW and all of them have a positive contribution to make in preventing and combating terrorism by hindering transfers to illegitimate destinations. It is a remarkable achievement that all participating States were able to accept those high standards.

Recognizing the need for simplification of the 1997 questionnaire on anti-personnel mines, the FSC adopted an updated questionnaire which streamlines questions and minimizes duplication with international conventions relating to anti-personnel mines and explosive remnants of war.

A decision on upgrading the OSCE Communications Network architecture was adopted. Implementation of Vienna Document 1999, was improved by two useful supplements to this document which were introduced in the form of statements by the FSC Chairperson:

- On interpreters as auxiliary personnel during verification activities; and
- On the reassignment of former army helicopter units to the air forces.

(The possibility that the OSCE might hold a high-level military doctrines seminar has been raised on a number of occasions over the last year, most notably at the AIAM and the Annual Security Review Conference (ASRC). Such seminars are encouraged in paragraph 15.7 of the Vienna Document 1999.

The FSC therefore decided to hold such a seminar in May 2005 in Vienna.)

The further development of the work of the FSC was also one of the main concerns of the regular Security Dialogue in the FSC.



This Dialogue allows the FSC to address security-related issues of a more general nature and to present not only new developments in defence policy and military doctrine, but also cross-dimensional aspects or new proposals for initiatives or documents to be developed. A broad range of items was addressed in 2004.

Presentations by participating States concerned among other questions, defence planning (France, Uzbekistan and the Russian Federation), reform of armed forces (Germany, Austria), international missions (Austria) non-proliferation (United States of America), stockpiles of ammunition (Ukraine, Belarus, the Russian Federation, Tajikistan and Albania), bilateral CSBMs (Belarus/Poland) and trafficking in human beings and armed forces (United States of America).

A considerable number of experts from other international bodies were invited to address specific questions of interest, ranging from terrorism, weapons of mass destruction (WMD), brokering in SALW and the European security and defence policy to links between terrorism, WMD and military doctrine, armed forces and human rights, cross-dimensional aspects of security, trafficking in human beings and armed forces and links between arms imports and sustainable development.

But there are also other important aspects of the work of the FSC worth mentioning.

Special focus was given by the FSC on further intensifying the close co-operation not only with the Conflict Prevention Centre, its permanent essential partner, but also with other bodies and institutions of the OSCE with a view to addressing cross-dimensional aspects of its task.

Co-operation with the Permanent Council is essential, since many issues are of a cross-dimensional nature or require common action, such as implementation of the Stockpiles and the SALW documents. Excellent relations were assured by three meetings of the Joint Troikas of the FSC and the PC as well as by a joint plenary meeting of both bodies on 10 November, devoted to preparing for the Sofia Ministerial Council and to addressing common interests in implementing the Stockpiles and SALW documents.

Cross-dimensional aspects of security were addressed in the FSC by the Director of the ODIHR and by the Co-ordinator of OSCE Economic and Environmental Activities.

As several field missions are involved in politico-military projects, the heads of missions from Moldova, Serbia and Montenegro, Bosnia and Herzegovina and Armenia, as well as experts from the missions in Georgia and Moldova, were invited to the FSC to provide information about their activities and to use the lessons learned to improve the implementation of politico-military projects in the future.

Contacts with other international bodies concerning the implementation of projects relating to responding to requests for assistance made with regard to the OSCE documents on Stockpiles and on SALW have indicated potential areas of co-operation which should be further pursued.

The FSC's broad range of tasks in the politico-military dimension and the progress achieved in the framework of its mandate reaffirm its important role and demonstrate the significant contribution it has made and will continue to make to enhancing security across the OSCE region and to contributing thereby to the comprehensive task of the OSCE.

Your Excellency, you might deem it useful to reflect these developments in the appropriate documents of the Ministerial Council.



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**LETTER FROM THE CHAIRPERSON OF THE OPEN SKIES  
CONSULTATIVE COMMISSION TO THE MINISTER FOR  
FOREIGN AFFAIRS OF THE REPUBLIC OF BULGARIA,  
CHAIRPERSON OF THE TWELFTH MEETING OF THE  
MINISTERIAL COUNCIL OF THE OSCE**

Your Excellency,

In my capacity as Chairperson of the Open Skies Consultative Commission (OSCC), I have the honour to inform you of the activities of the OSCC in 2004.

During the reported period, since the Ministerial Council Meeting in Maastricht the work of the OSCC concentrated on the one hand on regular issues essential for the effective implementation of the Treaty, and on the other on the preparation for the first Review Conference.

The Review Conference is to be held from 14 to 16 February 2005, and will be the first opportunity to comprehensively assess the initial three years of implementation of the Treaty provisions, after its entry into force on 1 January 2002. To date the OSCC has agreed on the rules and procedures and provisional agenda of the Conference.

As far as routine work of the OSCC and its informal working groups is concerned, the OSCC has adopted decision on changes to OS airfields and associated maximum flight distances and on the certification of new C-130 aircraft models. In the Informal Working Group on Rules and Procedures several other issues concerning the implementation of the Treaty are currently under consideration.

In order to improve the distribution process of active quotas for observation flights the OSCC adopted the revised version of the previous year's decision in this regard. The active quota distribution for the year 2005 has been conducted. Unlike the previous year's distribution process, consensus with respect to one country's passive quota was not achieved.

Since the last reported period, States Parties have conducted a significant number of observation flights whose vast majority has, admittedly, been carried out to the complete satisfaction of observers and observed. States Parties have also continued to carry out training observation flights on a bilateral basis. During the joint certification event Russia, Sweden

and Turkey successfully certified their observation aircraft along with sensor configurations and performance in accordance with the provisions of the Treaty and related documents.

The importance and relevance of the Treaty was further recognized by accession of two OSCE participating State: the Republic of Slovenia and the Republic of Croatia (the latter to take effect on 1 January 2005), thus bringing the number of total members to 32 from the initial 24. The OSCC took necessary steps to ensure that all technical arrangements with respect to the accession of these States were in place. The application of Cyprus remains on the agenda of the OSCC.

The successful implementation of the Treaty has encouraged members to consider the entire scope of its application, in accordance with the Preamble of the Treaty. The OSCC organized a seminar devoted to the possible use of the Open Skies regime for environmental and ecological purposes. It turned out to be a useful opportunity to present views, ideas and experiences from international and national perspectives. The seminar provided the OS community with good background to examine further these issues during regular OSCC work and the upcoming Review Conference.

The Treaty on Open Skies remains a crucial instrument of confidence- and security-building in the OSCE area, proving to be effective in enhancing stability and promoting further transparency and openness among States Parties. In light of prospects for further enlargement of the area of application of the Treaty and strengthening its implementation, those States which are able and ready to fulfil the Treaty's goals are encouraged to consider the possibility of contributing to the Open Skies objectives.

Your Excellency, you might deem it useful to reflect these developments in the appropriate documents of the Ministerial Council Meeting.



**Organization for Security and Co-operation in Europe  
Ministerial Council**

MC.DEC/1/04  
25 June 2004

Original: ENGLISH

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**DECISION No. 1/04  
EXTENSION OF THE MANDATE OF THE  
OSCE HIGH COMMISSIONER ON NATIONAL MINORITIES**

The Ministerial Council,

Recalling the decision of the CSCE Helsinki Summit 1992 to establish a High Commissioner on National Minorities,

Considering that, according to Decision No. 2 of the Eighth Meeting of the OSCE Ministerial Council, the mandate of Mr. Rolf Ekéus as OSCE High Commissioner on National Minorities expires on 30 June 2004,

Taking into account the recommendation of the Permanent Council,

Decides to extend the mandate of Mr. Rolf Ekéus as OSCE High Commissioner on National Minorities for a period of three years with effect from 1 July 2004.



**2nd day of the Twelfth Meeting**  
MC(12) Journal No. 2, Agenda item 8

**DECISION No. 2/04  
ELABORATION OF AN OSCE BORDER  
SECURITY AND MANAGEMENT CONCEPT**

The Ministerial Council,

Guided by the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century and, in particular, its paragraph 35,

Committed to promoting open and secure borders in a free, democratic and more integrated OSCE area without dividing lines,

Recalling the principles and commitments of the Helsinki Final Act, all of which apply equally and unreservedly, each of them being interpreted taking into account the others,

Recalling the principles and commitments contained in the Helsinki Document 1992 and in the Charter for European Security 1999,

Recalling the action plans, decisions and other relevant agreed OSCE documents, including documents in the politico-military, economic and environmental, and human dimensions addressing, among others, border issues,

Reaffirming that border security and management is a matter of national sovereignty and should be in accordance with international law, in particular international human rights, refugee and humanitarian law, and relevant OSCE commitments, as a prerequisite for good-neighbourly relations,

Welcoming the work carried out in 2004 by the Permanent Council informal Working Group on Borders,

Decides as follows:

- That the Permanent Council will continue its work on the elaboration of an OSCE Border Security and Management Concept with the firm intention to complete it by the Ministerial Council in 2005;

- That, in developing the Concept, the OSCE participating States will be guided, *inter alia*, by the following objectives:
  - To promote the free and secure movement of persons, goods, services and investments across borders in conformity with relevant legal frameworks, international law and OSCE commitments;
  - To reduce the threat of terrorism, including by preventing cross-border movement of persons, weapons and funds connected with terrorist and other criminal activities;
  - To prevent and repress organized crime, illegal migration, corruption, smuggling, and trafficking of weapons, drugs and human beings;
  - To promote co-operation between border services, and between specialized national authorities and agencies of participating States;
  - To encourage high standards of their border services and specialized national authority and agency structures;
  - To ensure a dignified treatment of all individuals wanting to cross borders, in conformity with relevant national legal frameworks, international law, in particular human rights, refugee, and humanitarian law, and relevant OSCE commitments;
- That the work on the Concept will be carried out in a special working group of the Permanent Council. The Forum for Security Co-operation will make its own contribution to this work within its competencies and mandate, and in accordance with Bucharest Ministerial Council Decision No. 3 on Fostering the Role of the OSCE as a Forum for Political Dialogue. Progress on the work will be reviewed, as required, at joint meetings of the Permanent Council and the Forum for Security Co-operation;
- That the work on developing the Concept to be carried out by the special working group will be guided by the common considerations contained in annex to this Decision.

## **COMMON CONSIDERATIONS OF THE INFORMAL WORKING GROUP ON BORDERS FOR THE DEVELOPMENT OF AN OSCE BORDER SECURITY AND MANAGEMENT CONCEPT**

The participating States agree on the common objectives of promoting freedom of movement of people, goods, services and investments, and to jointly address the problems related to these movements.

The border services of participating States, acting in conjunction with their respective specialized national authorities and agencies, will co-operate towards this objective.

Issues of a regulatory nature raised by cross-border movements can be addressed through direct co-operation between the specialized national authorities and agencies of the participating States, based on bilateral agreements. In particular, circumstances that would allow liberalization of visa regimes deserve to be encouraged.

Direct contacts between border services and between specialized authorities and agencies of participating States may take place bilaterally or multilaterally, including on a regional basis, depending on specific border-related issues.

Pursued along these lines, border management can improve the prospects for joint economic development. It would also help establish common spaces of freedom, security and justice in which participating States can share the benefits of integration processes in the OSCE area.

Sovereign national authorities and in particular the border services responsible on each side of the border have the best knowledge of the issues at hand. Cross-border dialogue, transparency and confidence building constitute the first step required to generate solutions with added value for the benefit of all.

Borders in the OSCE are not uniform. Every border has a particular character and may require specific policy choices. Each participating State has the sovereign right to choose how to secure and manage its borders, taking into account relevant political, military, economic and social considerations.

In keeping with its concept of common, comprehensive, co-operative and indivisible security, the OSCE constitutes an appropriate political framework and offers the services of its structures and institutions for contributions if participating States so request.

International assistance and co-operation could benefit from a more target-oriented and co-ordinated approach. The OSCE should therefore contribute to political and operational co-ordination with other international organizations and institutions promoting open and secure borders.



As a regional arrangement under Chapter VIII of the United Nations Charter, the OSCE is also a forum for co-operation with other regional organizations in its area. Increased co-ordination between States on border security and management at a regional level may constitute a stepping stone towards the OSCE-wide establishment of open and secure borders.

Commitments of the OSCE participating States related to border security and management may also be shared by the Partners for Co-operation, on a voluntary basis.

**2nd day of the Twelfth Meeting**  
MC(12) Journal No. 2, Agenda item 8

**DECISION No. 3/04  
COMBATING THE USE OF THE INTERNET FOR  
TERRORIST PURPOSES**

The Ministerial Council,

Recognizing United Nations Security Council resolutions 1373 (2001) and 1566 (2004) as milestones of the international legal framework for the fight against terrorism,

Determined to further intensify efforts in the implementation of existing OSCE commitments on combating terrorism, as reflected in the OSCE Charter on Preventing and Combating Terrorism, Porto Ministerial Council Decision No. 1 on implementing the OSCE commitments and activities on combating terrorism, the Bucharest Plan of Action for Combating Terrorism and the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century,

Recalling the Council of Europe Convention on Cybercrime (November 2001), and other relevant works developed in this forum, as well as the results of the Council of Europe Conference on the Challenge of Cybercrime,

Recalling the OSCE Meeting on the Relationship Between Racist, Xenophobic and Anti-Semitic Propaganda on the Internet and Hate Crimes (Paris, 15 and 16 June 2004),

Concerned by the extent of use of the Internet by terrorist organizations:

- To identify and to recruit potential members,
- To collect and transfer funds,
- To organize terrorist acts,
- To incite terrorist acts in particular through the use of propaganda,

Decides that participating States will exchange information on the use of the Internet for terrorist purposes and identify possible strategies to combat this threat, while ensuring respect for international human rights obligations and standards, including those concerning the rights to privacy and freedom of opinion and expression;

Tasks the Secretary General to organize in 2005, in co-operation with Interpol and other interested international organizations, an expert workshop to exchange information on the extent of this threat, as well as on the existing legal framework and institutional tools, and to consider concrete measures to enhance international co-operation on this issue.



**2nd day of the Twelfth Meeting**  
MC(12) Journal No. 2, Agenda item 8

**DECISION No. 4/04**  
**REPORTING LOST/STOLEN PASSPORTS TO INTERPOL'S**  
**AUTOMATED SEARCH FACILITY/STOLEN TRAVEL DOCUMENT**  
**DATABASE (ASF-STD)**

The Ministerial Council,

Recalling that the OSCE participating States have committed to prevent and combat terrorism, and in particular to enhance travel document security, through the Bucharest Plan of Action for Combating Terrorism and the Maastricht Ministerial Council Decision on Travel Document Security (MC.DEC/7/03),

Acknowledging the importance of cross-border communication and co-operation in combating global organized crime and terrorism,

Reaffirming its commitment to implement effective and resolute measures against terrorism and to prevent the movement of terrorist individuals or groups through effective border controls and controls relating to the issuance of identity papers and travel documents,

Decides that the OSCE participating States should rapidly report all instances of lost and stolen international travel documents<sup>\*</sup>, either individually personalized or blank (unassigned), to Interpol's Automated Search Facility/Stolen Travel Document Database (ASF-STD), in accordance with Interpol's data protection guidelines and agreements between Interpol and the participating States concerned.

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\* Except for internal passports of Uzbekistan and the Russian Federation.



**2nd day of the Twelfth Meeting**  
MC(12) Journal No. 2, Agenda item 8

**DECISION No. 5/04**  
**FURTHER IMPLEMENTING THE OSCE DOCUMENT ON**  
**STOCKPILES OF CONVENTIONAL AMMUNITION**

The Ministerial Council,

- Acknowledging the need to raise awareness throughout the OSCE area of the problems related to the management, security and disposal of stockpiles of conventional ammunition, explosive material, and detonating devices in surplus and/or awaiting destruction,
- Reaffirming the principles and procedures agreed to by the OSCE participating States in the OSCE Document on Stockpiles of Conventional Ammunition (FSC.DOC/1/03, 19 November 2003),
- Recognizing the risk of diversion and the risks and challenges to human security and the environment caused by the presence in the OSCE area of these stockpiles,
- Noting with interest the decision taken by the First Committee of the fifty-ninth United Nations General Assembly to include the problems resulting from surplus stockpiles of conventional ammunition in the provisional agenda of its sixtieth session,
- Welcoming the concrete steps undertaken so far in the framework of the OSCE to implement the OSCE Document on Stockpiles of Conventional Ammunition,
- Encouraging participating States to continue in their efforts to address this issue, *inter alia*, by working in co-operation with other international fora,

Decides:

- To task the FSC to submit, through the FSC Chair, a progress report on the further implementation of the OSCE Document on Stockpiles of Conventional Ammunition to the Thirteenth Meeting of the Ministerial Council in 2005.



**Organization for Security and Co-operation in Europe  
Ministerial Council  
Sofia 2004**

MC.DEC/6/04  
7 December 2004

Original: ENGLISH

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**2nd day of the Twelfth Meeting**  
MC(12) Journal No. 2, Agenda item 8

**DECISION No. 6/04**  
**OSCE STANDARD ELEMENTS OF END-USER CERTIFICATES AND  
VERIFICATION PROCEDURES FOR SALW EXPORTS**

The Ministerial Council,

Willing to complement and reinforce the implementation of the OSCE Document on Small Arms and Light Weapons (SALW), in particular with regard to export documentation,

Determined to contribute to reducing the risk of diversion of SALW into the illicit market,

Recognizing the need of strict export controls to prevent the destabilizing accumulation and uncontrolled spread of SALW, and the usefulness of developing standard elements among the participating States for application to end-user certificates which could be useful to other United Nations Member States,

Endorses and underlines the importance of FSC Decision No. 5/04 of 17 November 2004 on Standard Elements of End-User Certificates and Verification Procedures for SALW Exports.



**Organization for Security and Co-operation in Europe  
Ministerial Council  
Sofia 2004**

MC.DEC/7/04  
7 December 2004

Original: ENGLISH

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**2nd day of the Twelfth Meeting**  
MC(12) Journal No. 2, Agenda item 8

**DECISION No. 7/04**  
**OSCE PRINCIPLES ON THE CONTROL OF BROKERING IN**  
**SMALL ARMS AND LIGHT WEAPONS**

The Ministerial Council,

Willing to build upon the OSCE Document on Small Arms and Light Weapons (SALW), in particular with regard to control over arms-brokering, and to reinforce its implementation,

Determined to improve the control of arms-brokering in order to avoid circumvention of sanctions adopted by the Security Council of the United Nations, decisions taken by the OSCE, other agreements on small arms and light weapons, or other arms-control and disarmament agreements, to minimize the risk of diversion of SALW into illegal markets, *inter alia*, into the hands of terrorists and other criminal groups, and to reinforce the export control of SALW,

Endorses and underlines the importance of FSC Decision No. 8/04 of 24 November 2004 on OSCE Principles on the Control of Brokering in Small Arms and Light Weapons.



**Organization for Security and Co-operation in Europe  
Ministerial Council  
Sofia 2004**

MC.DEC/8/04  
7 December 2004

Original: ENGLISH

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**2nd day of the Twelfth Meeting**  
MC(12) Journal No. 2, Agenda item 8

**DECISION No. 8/04  
OSCE PRINCIPLES FOR EXPORT CONTROLS OF  
MAN-PORTABLE AIR DEFENCE SYSTEMS**

The Ministerial Council,

Recognizing the threats posed by unauthorized proliferation and use of man-portable air defence systems (MANPADS), especially to civilian aviation, peacekeeping, crisis management and anti-terrorist operations,

Willing to complement and thereby reinforce the implementation of the OSCE Document on Small Arms and Light Weapons (SALW) in order to enhance effective export control of SALW in the OSCE area,

Bearing in mind that the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century adopted at Maastricht in December 2003 notes that the OSCE is using all the tools at its disposal to address proliferation of MANPADS,

Determined to contribute to reducing the risk of diversion of MANPADS into the illicit market by implementing strict export controls,

Endorses and underlines the importance of FSC Decision No. 3/04 of 26 May 2004 on OSCE Principles for Export Controls of Man-Portable Air Defence Systems (MANPADS).





**Organization for Security and Co-operation in Europe  
Ministerial Council  
Sofia 2004**

MC.DEC/9/04  
7 December 2004

Original: ENGLISH

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**2nd day of the Twelfth Meeting**  
MC(12) Journal No. 2, Agenda item 8

**DECISION No. 9/04  
ENHANCING CONTAINER SECURITY**

The Ministerial Council,

Reaffirming the OSCE participating States' commitment to prevent and combat terrorism,

Recalling the participating States' obligations under United Nations Security Council resolutions 1373 (2001) and 1566 (2004), as well as the commitments in the Bucharest Plan of Action for Combating Terrorism and the OSCE Charter on Preventing and Combating Terrorism,

Recognizing the vulnerability of transport networks, the important role container shipping plays in the global economy, the OSCE's ability to work effectively with governments, representatives of business and civil society, and the importance of enhancing container security,

Recognizing the need to minimize any adverse effects on the free flow of commerce of enhanced container security, and that enhanced container security will promote international trade and economic co-operation,

Decides that OSCE participating States will act without delay in accordance with their domestic legislation, and necessary resources available, to enhance container security, based on best practices and on norms and standards to be agreed internationally;

Tasks the Secretary General to organize an experts' workshop in early 2005 to discuss container security developments, raise awareness, exchange information on best practices and explore possibilities for the OSCE participating States to promote and enhance container security, in co-operation with other relevant international organizations;

Tasks the Permanent Council to follow up on the results of the experts' workshop with a view to recommend further action, if appropriate, in co-ordination with the International Maritime Organization, the World Customs Organization, the International Air Transport Association and the International Civil Aviation Organization and other relevant international organizations, and to report to the 2005 Ministerial Council.



**Organization for Security and Co-operation in Europe  
Ministerial Council  
Sofia 2004**

MC.DEC/10/04  
7 December 2004

Original: ENGLISH

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**2nd day of the Twelfth Meeting**  
MC(12) Journal No. 2, Agenda item 8

**DECISION No. 10/04  
IMPROVING THE EFFICIENCY AND EFFECTIVENESS  
OF THE ECONOMIC FORUM**

The Ministerial Council,

Reaffirming its commitment to strengthening the OSCE economic and environmental dimension (EED),

Recalling the relevant provisions of the Strategy Document for the Economic and Environmental Dimension (Strategy Document),

Welcomes the progress achieved in the ongoing process of improving the efficiency and effectiveness of the Economic Forum, as outlined in the Annex.

Tasks the Permanent Council, through its Economic and Environmental Subcommittee and with the support of the Office of the Co-ordinator of OSCE Economic and Environmental Activities (OCEEA), to continue its work on enhancement of the OSCE economic and environmental dimension and to periodically review the progress achieved. In particular, a report of the Economic and Environmental Subcommittee focusing on issues of further improvement of the efficiency and effectiveness of the Economic Forum should be submitted to the Permanent Council preferably not later than by 15 June 2005.

The Economic Forum should become a more effective tool for promoting the implementation of the Strategy Document and other EED documents. The structure, format and content of the Economic Forum should reflect the provisions of the Strategy Document and other EED documents.

The theme(s) of each meeting of the Economic Forum should focus on issues where the OSCE can provide added value and should be selected among the priority areas defined by the Strategy Document, allowing thus for better and more comprehensive, thorough, streamlined and result oriented discussions. The Economic Forum will endeavour to treat economic and environmental subjects in a balanced manner.

The Economic Forum should strengthen its role in providing a framework for political dialogue among the participating States on key issues regarding the economic and environmental dimension of the OSCE and should become more policy oriented and focus on practical proposals, building upon the work done during the preparatory process.

The Economic Forum should provide a framework for a more effective participation of officials and experts from the participating States, relevant international, regional and subregional organizations, financial institutions, representatives of academic and business circles, as well as NGOs.

The relationship between the Forum and the preparatory seminars has to be improved, with due attention to the number of seminars, their location and format. Special attention should be given to translating ideas and proposals voiced at the Forum into reality.

The Economic and Environmental Subcommittee, under the guidance of the Permanent Council, has a leading role in providing guidance for the substantive preparation of the Forum as well as for the follow-up activities.

The review of the implementation of the OSCE commitments should be substantially updated and improved. Relevant provisions of the Strategy Document and other EED documents should be applied. The review of commitments should be done in co-operation with other international organizations, as appropriate, and in particular with the United Nations Economic Commission for Europe, in accordance with the OSCE/UNECE Memorandum of Understanding. A more comprehensive and forward looking report should be prepared and distributed well in advance of the Forum. It should address the status of implementation of a specific cluster of commitments, obstacles encountered, best practices identified, follow-up action needed and possible OSCE assistance to participating States. Given the importance of this session, the time allocated to the review part of the Forum should be increased up to two working days.

In planning and conducting the meetings of the Economic Forums as well as of the preparatory seminars, the Chairmanship and the OCEEA, following the guidance of the Economic and Environmental Subcommittee, will pay due attention to further improving the quality of deliberations.



**2nd day of the Twelfth Meeting**  
MC(12) Journal No. 2, Agenda item 8

## **DECISION No. 11/04**

### **COMBATING CORRUPTION**

The Ministerial Council,

Reiterating that corruption represents one of the major impediments to the prosperity and sustainable development of the participating States, that undermines their stability and security and threatens the OSCE's shared values,

Determined to further intensify efforts in the implementation of existing OSCE commitments on combating corruption, as reflected in the Charter for European Security adopted at the 1999 OSCE Istanbul Summit and the OSCE Strategy Document for the Economic and Environmental Dimension adopted in Maastricht in 2003,

Reaffirming its commitment to make the elimination of all forms of corruption a priority and to implement effective and resolute measures against corruption, including through the implementation of relevant national legislation and programmes,

Recalling that the fight against corruption requires the adoption by the participating States of a comprehensive and long-term anti-corruption strategy,

Acknowledging the important work on this issue done by other international organizations, in particular by the United Nations Office on Drugs and Crime (UNODC), the Council of Europe (CoE) and the Organisation for Economic Co-operation and Development (OECD),

Recognizing that the United Nations Convention against Corruption, adopted by the General Assembly of the United Nations on 31 October 2003 in New York, marks a major step forward in international co-operation against corruption and provides the opportunity for a global response to the problem,

Encourages the OSCE participating States, which have not yet done so, to sign and ratify the United Nations Convention against Corruption as soon as possible, in order to ensure its rapid entry into force, and implement it fully.

Tasks the OSCE Secretariat, in particular the Office of the Co-ordinator of OSCE Economic and Environmental Activities (OCEEA), upon the request of the OSCE

participating States, to provide support in mobilizing technical assistance, including necessary expertise and resources, from relevant competent international organizations, with due regard to their respective mandates, in the ratification or/and the implementation of the United Nations Convention against Corruption.

**2nd day of the Twelfth Meeting**

MC(12) Journal No. 2, Agenda item 8

**DECISION No. 12/04  
TOLERANCE AND NON-DISCRIMINATION**

The Ministerial Council,

Recognizing that respect for human rights and fundamental freedoms, democracy and the rule of law are at the core of the OSCE comprehensive concept of security,

Recalling its commitments in the field of the human dimension, enshrined in the Helsinki Final Act, the Charter of Paris for a New Europe, the Charter for European Security (Istanbul Summit, 1999) and all other relevant OSCE documents and decisions,

Recalling Decision No. 4/03 on Tolerance and Non-Discrimination, adopted at the Eleventh Meeting of the Ministerial Council in Maastricht on 2 December 2003,

Welcoming the work done by the OSCE during 2004 in promoting tolerance and non-discrimination,

1. Appreciates the Declaration made by the OSCE Chairman-in-Office at the OSCE Conference on Anti-Semitism held in Berlin on 28 and 29 April 2004 — “Berlin Declaration” and the Declaration made by the OSCE Chairman-in-Office at the OSCE Conference on Tolerance and the Fight Against Racism, Xenophobia and Discrimination held in Brussels on 13 and 14 September 2004 — “Brussels Declaration”;
2. Endorses the Permanent Council Decisions on Combating Anti-Semitism (PC.DEC/607) and on Tolerance and the Fight against Racism, Xenophobia and Discrimination (PC.DEC/621) and the Permanent Council Decision on Promoting Tolerance and Media Freedom on the Internet (PC.DEC/633), annexed to this decision;
3. Further decides to intensify efforts for the implementation of these three decisions, which include commitments in the fields of, *inter alia*, education, media, legislation, law enforcement, migration and religious freedom;
4. Decides to follow up the work started in 2003 and continued with the OSCE Conference on Anti-Semitism, (Berlin on 28 and 29 April 2004), the OSCE Meeting on the Relationship Between Racist, Xenophobic and anti-Semitic Propaganda on the Internet and Hate Crimes, held in Paris on 16 and 17 June 2004, and the OSCE Conference on Tolerance and the Fight against Racism, Xenophobia and Discrimination, (Brussels on 13 and

14 September 2004). Also welcomes the offer by Spain to host in Cordoba in June 2005 the OSCE Conference on anti-Semitism and on Other Forms of Intolerance;

5. Welcomes the intention of the Chairman-in-Office to appoint, in accordance with Porto Ministerial Council Decision No. 8, three personal representatives as part of the overall fight of the OSCE in combating discrimination and promoting tolerance. The personal representatives will have their costs covered by extra-budgetary contributions.

MC.DEC/12/04  
7 December 2004  
Annex



**Organization for Security and Co-operation in Europe  
Permanent Council**

PC.DEC/607  
22 April 2004

Original: ENGLISH

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**504th Plenary Meeting**  
PC Journal No. 504, Agenda item 4

## **DECISION No. 607 COMBATING ANTI-SEMITISM**

The Permanent Council,

Taking into account the forthcoming OSCE Conference on Anti-Semitism in Berlin on 28 and 29 April 2004,

Reaffirming the participating States' existing commitments related to combating anti-Semitism, and

In order to reinforce our common efforts to combat anti-Semitism across the OSCE region,

Decides,

1. The participating States commit to:
  - Strive to ensure that their legal systems foster a safe environment free from anti-Semitic harassment, violence or discrimination in all fields of life;
  - Promote, as appropriate, educational programmes for combating anti-Semitism;
  - Promote remembrance of and, as appropriate, education about the tragedy of the Holocaust, and the importance of respect for all ethnic and religious groups;
  - Combat hate crimes, which can be fuelled by racist, xenophobic and anti-Semitic propaganda in the media and on the Internet;
  - Encourage and support international organization and NGO efforts in these areas;
  - Collect and maintain reliable information and statistics about anti-Semitic crimes, and other hate crimes, committed within their territory, report such information



periodically to the OSCE Office for Democratic Institutions and Human Rights (ODIHR), and make this information available to the public;

- Endeavour to provide the ODIHR with the appropriate resources to accomplish the tasks agreed upon in the Maastricht Ministerial Decision on Tolerance and Non-Discrimination;
  - Work with the OSCE Parliamentary Assembly to determine appropriate ways to review periodically the problem of anti-Semitism;
  - Encourage development of informal exchanges among experts in appropriate fora on best practices and experiences in law enforcement and education;
2. To task the ODIHR to:
- Follow closely, in full co-operation with other OSCE institutions as well as the United Nations Committee on the Elimination of Racial Discrimination (UNCERD), the European Commission against Racism and Intolerance (ECRI), the European Monitoring Centre on Racism and Xenophobia (EUMC) and other relevant international institutions and NGOs, anti-Semitic incidents in the OSCE area making use of all reliable information available;
  - Report its findings to the Permanent Council and to the Human Dimension Implementation Meeting and make these findings public. These reports should also be taken into account in deciding on priorities for the work of the OSCE in the area of intolerance;
  - Systematically collect and disseminate information throughout the OSCE area on best practices for preventing and responding to anti-Semitism and, if requested, offer advice to participating States in their efforts to fight anti-Semitism;
3. To ask the Chairman-in-Office to bring this decision to the attention of the participants of the upcoming Conference in Berlin and to incorporate it into his declaration concluding the Conference;
4. To forward this decision to the Ministerial Council for endorsement at its Twelfth Meeting.



**Organization for Security and Co-operation in Europe  
Permanent Council**

PC.DEC/621  
29 July 2004

Original: ENGLISH

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**520th Plenary Meeting**

PC Journal No. 520, Agenda item 3

**DECISION No. 621  
TOLERANCE AND THE FIGHT AGAINST RACISM,  
XENOPHOBIA AND DISCRIMINATION**

The Permanent Council,

Taking into account the forthcoming OSCE Conference on Tolerance and the Fight against Racism, Xenophobia and Discrimination in Brussels on 13 and 14 September 2004,

Recalling the Maastricht Ministerial Council Decision on Tolerance and Non-Discrimination (MC.DEC/4/03), the OSCE Conference on anti-Semitism in Berlin on 28 and 29 April 2004 as well as the OSCE Meeting on the Relationship between Racism, Xenophobic and anti-Semitic Propaganda on the Internet and Hate Crimes in Paris on 16 and 17 June 2004 and their results,

Reaffirming the participating States' existing commitments related to the promotion of tolerance and non-discrimination, and

In order to reinforce our common efforts to fight manifestations of intolerance across the OSCE region,

Decides,

1. The participating States commit to:
  - Consider enacting or strengthening, where appropriate, legislation that prohibits discrimination based on, or incitement to hate crimes motivated by, race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status;
  - Promote and enhance, as appropriate, educational programmes for fostering tolerance and combating racism, xenophobia and discrimination;
  - Promote and facilitate open and transparent interfaith and intercultural dialogue and partnerships towards tolerance, respect and mutual understanding and ensure and facilitate the freedom of the individual to profess and practice a religion or belief,

alone or in community with others, including through transparent and non-discriminatory laws, regulations, practices and policies;

- Take steps to combat acts of discrimination and violence against Muslims in the OSCE area;
- Take steps, in conformity with their domestic law and international obligations, against discrimination, intolerance and xenophobia against migrants and migrant workers;
- Consider undertaking activities to raise public awareness of the enriching contribution of migrants and migrant workers to society;
- Combat hate crimes, which can be fuelled by racist, xenophobic and anti-Semitic propaganda in the media and on the Internet, and appropriately denounce such crimes publicly when they occur;
- Consider establishing training programmes for law enforcement and judicial officials on legislation and enforcement of legislation relating to hate crimes;
- Encourage the promotion of tolerance, dialogue, respect and mutual understanding through the Media, including the Internet;
- Encourage and support international organization and NGO efforts in these areas;
- Collect and maintain reliable information and statistics about hate crimes motivated by racism, xenophobia and related discrimination and intolerance, committed within their territory, report such information periodically to the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and make this information available to the public;
- Examine the possibility of establishing within countries appropriate bodies to promote tolerance and to combat racism, xenophobia, discrimination or related intolerance, including against Muslims, and anti-Semitism;
- Endeavour to provide the ODIHR with the appropriate resources to accomplish the tasks agreed upon in the Maastricht Ministerial Decision on Tolerance and Non-Discrimination;
- Work with the OSCE Parliamentary Assembly to determine appropriate ways to review periodically the problems of racism, xenophobia and discrimination;
- Encourage development of informal exchanges among experts in appropriate fora on best practices and experiences in law enforcement and education;

2. To task the ODIHR to:
  - Follow closely, in full co-operation with other OSCE institutions as well as the United Nations Committee on the Elimination of Racial Discrimination (UNCERD), the United Nations Office of the High Commissioner for Human Rights (UNHCHR), the European Commission against Racism and Intolerance (ECRI), the European Monitoring Centre on Racism and Xenophobia (EUMC) and other relevant international institutions and NGOs, incidents motivated by racism, xenophobia, or related intolerance, including against Muslims, and anti-Semitism in the OSCE area making use of all reliable information available;
  - Report its findings to the Permanent Council and to the Human Dimension Implementation Meeting and make these findings public. These reports should also be taken into account in deciding on priorities for the work of the OSCE in the area of intolerance;
  - Systematically collect and disseminate information throughout the OSCE area on best practices for preventing and responding to racism, xenophobia and discrimination and, if requested, offer advice to participating States in their efforts to fight racism, xenophobia and discrimination;
  - Support the ability of civil society and the development of partnerships to address racism, xenophobia, discrimination or related intolerance, including against Muslims, and anti-Semitism;
3. To ask the Chairman-in-Office to bring this decision to the attention of the participants of the upcoming Conference in Brussels and to incorporate it into his declaration concluding the Conference;
4. To forward this decision to the Ministerial Council for endorsement at its Twelfth Meeting.



**Organization for Security and Co-operation in Europe  
Permanent Council**

PC.DEC/633  
11 November 2004

Original: ENGLISH

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**532nd Plenary Meeting**  
PC Journal No. 532, Agenda item 5

**DECISION No. 633  
PROMOTING TOLERANCE AND MEDIA FREEDOM  
ON THE INTERNET**

The Permanent Council,

Reaffirming the commitments made at the Ministerial Council Meeting in Maastricht to combat hate crimes, which can be fuelled by racist, xenophobic and anti-Semitic propaganda on the Internet,

Reaffirming the importance of fully respecting the right to the freedoms of opinion and expression, which include the freedom to seek, receive and impart information, which are vital to democracy and in fact are strengthened by the Internet,

Recalling the commitments to collect and maintain reliable information and statistics about hate crimes motivated by racism, xenophobia, anti-Semitism and related discrimination and intolerance, to report such information periodically to the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and to make this information available to the public, as contained in the Permanent Council Decisions on Combating Anti-Semitism (PC.DEC/607) and on Tolerance and the Fight against Racism, Xenophobia and Discrimination (PC.DEC/621),

Stressing the importance of promoting tolerance, mutual respect, dialogue and understanding, including through the Media and the Internet within strategies based on a variety of measures,

Decides that:

1. Participating States should take action to ensure that the Internet remains an open and public forum for freedom of opinion and expression, as enshrined in the Universal Declaration of Human Rights, and to foster access to the Internet both in homes and in schools;
2. Participating States should investigate and, where applicable, fully prosecute violence and criminal threats of violence, motivated by racist, xenophobic, anti-Semitic or other related bias on the Internet;

3. Participating States should train law enforcement agents and prosecutors on how to address crimes motivated by racist, xenophobic, anti-Semitic or other related bias on the Internet and should share information on successful training programmes as part of the exchange of best practices;
4. The OSCE Representative on Freedom of the Media will continue an active role in promoting both freedom of expression and access to the Internet and will continue to observe relevant developments in all the participating States. The Representative will advocate and promote OSCE principles and commitments. This will include early warning when laws or other measures prohibiting speech motivated by racist, xenophobic, anti-Semitic or other related bias are enforced in a discriminatory or selective manner for political purposes which can lead to impeding the expression of alternative opinions and views;
5. Participating States should study the effectiveness of laws and other measures regulating Internet content, specifically with regard to their effect on the rate of racist, xenophobic and anti-Semitic crimes;
6. Participating States should encourage and support analytically rigorous studies on the possible relationship between racist, xenophobic and anti-Semitic speech on the Internet and the commission of crimes motivated by racist, xenophobic, anti-Semitic or other related bias;
7. The OSCE will foster exchanges directed toward identifying effective approaches for addressing the issue of racist, xenophobic and anti-Semitic propaganda on the Internet that do not endanger the freedom of information and expression. The OSCE will create opportunities, including during the annual Human Dimension Implementation Meeting, to promote sharing of best practices;
8. Participating States should encourage the establishment of programmes to educate children and youth about expression motivated by racist, xenophobic, anti-Semitic or other related bias they may encounter on the Internet. Also, as appropriate, participating States and Internet service providers should take steps to increase parental awareness of widely available filtering software that enables parents to exercise greater supervision and control over their children's use of the Internet. Materials on successful educational programmes and filtering software should be widely disseminated as part of the exchange of best practices;
9. Participating States should welcome continued and increased efforts by NGOs to monitor the Internet for racist, xenophobic and anti-Semitic content, as well as NGOs' efforts to share and publicize their findings.



**2nd day of the Twelfth Meeting**  
MC(12) Journal No. 2, Agenda item 8

**DECISION No. 13/04**  
**THE SPECIAL NEEDS FOR CHILD VICTIMS OF**  
**TRAFFICKING FOR PROTECTION AND ASSISTANCE**

The Ministerial Council,

Reaffirming the strong commitments of participating States in the field of combating trafficking in human beings, in particular the 2000 Vienna Ministerial Council Decision No. 1, the 2002 Porto Ministerial Declaration on Trafficking in Human Beings and the 2003 Maastricht Ministerial Decision No. 2/03 which endorses the OSCE Action Plan to Combat Trafficking in Human Beings, and establishes, under the aegis of the Permanent Council, an OSCE mechanism to provide assistance to participating States to combat trafficking in human beings, consisting of a Special Representative appointed by the Chairman-in Office, and a special unit in the Secretariat,

Recalling the 1990 Conference on the Human Dimension of the CSCE in Copenhagen, which *inter alia* declared that: “The participating States decide to accord particular attention to the recognition of the rights of the child, his civil rights and his individual freedoms, his economic, social and cultural rights, and his right to special protection against all forms of violence and exploitation”,

Recalling the principles of protection and respect for human rights as reflected in the 1989 United Nations Convention on the Rights of the Child, and its related 2000 Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, the 2000 United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, as well as the 1993 Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption,

Mindful of the primary responsibility of participating States in combating trafficking based on an integrated and co-ordinated approach which includes prevention of trafficking, protection of victims and prosecution of traffickers and their accomplices,

Reaffirming that the general principles of, *inter alia*, the best interests of the child, non-discrimination, participation and survival and development provide the framework for all actions concerning children,

Dedicated to further strengthening the efforts by the OSCE to combat trafficking in human beings, and to continue an active implementation of the Action Plan to Combat Trafficking in Human Beings, as well as to continue the Organization's support to the participating States, on their request, in carrying out their respective national activities in this field,

Taking into account in particular the recommendations in the OSCE Action Plan to Combat Trafficking in Human Beings that the OSCE shall give special attention to the issue of trafficking in children, and also recognizing the vulnerability of unaccompanied and separated children,

Mindful that participating States are committed to protect children from all forms of violence, including sexual exploitation of children, and stressing the importance of respecting their special needs for protection and assistance, and the opportunity for the child to be heard,

Stressing that measures to combat trafficking in children should have a gender perspective and be non-discriminatory,

Underlining that the best interests of the child shall be the primary consideration in decisions taken with regard to trafficked children, including through ensuring representation, as appropriate, for child victims,

Aware of the need for an effective child assistance and protection framework as well as awareness-raising to counter the demand that fosters all forms of exploitation of persons, especially women and children, and which makes children more vulnerable to being trafficked,

1. Decides to enhance OSCE efforts aimed at preventing children from being trafficked, protecting and assisting child victims of trafficking, and prosecuting those who traffic in children, taking into account the OSCE Action Plan to Combat Trafficking in Human Beings;
2. Encourages participating States to strengthen relevant governmental structures for children. Also encourages participating States to intensify actions, as appropriate, in line with the relevant recommendations for participating States in the OSCE Action Plan on Combating Trafficking in Human Beings to counter factors which contribute to making children particularly vulnerable to trafficking in human beings including: discrimination, based, *inter alia*, on race, sex, religion or belief, national or social origin, birth or other status; exploitation, as defined in the OSCE Action Plan on Combating Trafficking in Human Beings; poverty; lack of education and displacement;
3. Agrees to strengthen countering demand, including combating child sex tourism. In this context, also invites the participating States to consider, *inter alia*, elaboration of legal measures aimed at prosecution of their citizens for the sexual exploitation of children, including if such exploitation has taken place in another country;
4. Task the Permanent Council through the Informal Working Group on Gender Equality and anti-Trafficking, with support provided, *inter alia*, by the Special Representative on Combating Trafficking in Human Beings, and other relevant OSCE structures to elaborate an addendum to the OSCE Action Plan to Combat Trafficking in Human Beings, contributing to its



implementation, on addressing the special needs of child victims of trafficking for protection and assistance, including a summary of best practices, by 31 July for further appropriate action;

5. Invites the Informal Working Group to start this work based on commitments made by participating States under existing international conventions to which they are Parties, in order to address appropriately the need to provide special protection measures for children, taking into account the best interests and welfare of the child.



**2nd day of the Twelfth Meeting**  
MC(12) Journal No. 2, Agenda item 8

**DECISION No. 14/04**  
**2004 OSCE ACTION PLAN FOR THE**  
**PROMOTION OF GENDER EQUALITY**

The Ministerial Council,

Recalling that at the OSCE Istanbul Summit in 1999, the Heads of State or Government declared that “The full and equal exercise by women of their human rights is essential to achieve a more peaceful, prosperous and democratic OSCE area. We are committed to making equality between men and women an integral part of our policies, both at the level of our States and within the Organization,”<sup>1</sup>

Recalling the 2000 Action Plan for Gender Issues<sup>1</sup> which was established “in order to ensure that the OSCE commitments concerning equality in rights and equality of opportunity for women and men are taken into account by participating States and in the practical work of OSCE institutions and field mission,”

Recognizing that equal rights of women and men and the protection of their human rights are essential to peace, sustainable democracy, economic development and therefore to security and stability in the OSCE region,

Recalling the Beijing Platform for Action adopted by the Fourth World Conference on Women and the outcomes of the twenty-third special session of the General Assembly in 2000, entitled “Women 2000: gender equality, development and peace for the twenty-first century”,

Recalling UN Security Council resolution 1325 (2000)<sup>2</sup>, which calls for full and equal participation of women in decision making with regard to conflict prevention as well as in post-conflict reconstruction, and stressing the importance of their full and equal participation and involvement in all efforts for the maintenance and promotion of peace and security,

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1 Charter for European Security, paragraph 23.

1 PC.DEC/353 of 1 June 2000.

2 Adopted by the Security Council at its 4213th meeting, on 31 October 2000.

Mindful of the need to appropriately reflect a gender perspective in the activities conducted under the auspices of the OSCE, and for participating States to take all necessary measures to encourage gender awareness raising and to promote equality in rights and full and equal participation of women and men in society, the aim being to promote the practice of gender equality and gender-mainstreaming<sup>3</sup> in the OSCE area, which is essential to comprehensive security,

Stressing the need for the OSCE to develop further and strengthen a continuous and sustainable gender-mainstreaming process, to promote a gender-sensitive and professional working environment and management culture, and efforts towards gender balance in staffing in particular on a professional level, in accordance with the OSCE Staff Regulations,

Decides to endorse the 2004 Action Plan for the Promotion of Gender Equality adopted by the Permanent Council in its Decision No. 638 on 2 December 2004, and annexed to this Decision.

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3 “Mainstreaming a gender perspective is the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women’s as well as men’s concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality.” See Official Records of the General Assembly, Fifty-Second Session, Supplement No. 3 (A/52/3/Rev.1), chapter IV, paragraph 4.

## 2004 OSCE ACTION PLAN FOR THE PROMOTION OF GENDER EQUALITY

*“The peace and welfare of the world require maximum participation of women on equal terms with men in all fields.<sup>1</sup>”*

1. Respect for human rights and fundamental freedoms, democracy, and the rule of law is at the core of the OSCE’s comprehensive concept of security. The Charter for European Security adopted at the OSCE Istanbul Summit declares that: “The full and equal exercise by women of their human rights is essential to achieve a more peaceful, prosperous and democratic OSCE area. We are committed to making equality between men and women an integral part of our policies, both at the level of our States and within the Organization.”

2. As a regional arrangement under Chapter VIII of the Charter of the United Nations, the OSCE is a key instrument for early warning, conflict prevention, crisis management and post-conflict rehabilitation in its region. In the OSCE area, it has become increasingly evident that security, democracy, and prosperity are closely linked. Economic liberty, social justice, and environmental responsibility are indispensable for prosperity. For the Organization to carry out its tasks and achieve its goals it is crucial that, in co-operation with participating States, it invests in its human capital.

3. Effective gender-mainstreaming<sup>2</sup> with the goal of achieving gender equality, is important if full use is to be made of the human capital in the OSCE area. Gender equality contributes to comprehensive security, which is a goal of OSCE activities in all three dimensions. Gender-mainstreaming is a way of contributing to attaining this goal. The gender perspective should therefore be taken into account in the Organization’s activities, projects and programmes, in order for the Organization to achieve gender equality within its own operations as well as in the participating States. It is the joint responsibility of the participating States, the Chairman-in-Office, the Secretary General, and the Heads of institutions and missions to promote equality between women and men as an integral element of policies and practices of the OSCE. In this effort it shall be borne in mind that if gender equality is to become a reality in any area and at any level of society, both men and women will benefit from such a change.

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1 United Nations General Assembly resolution 34/180 of 18 December 1979 (CEDAW).

2 “Mainstreaming a gender perspective is the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women’s as well as men’s concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality.” See Official Records of the General Assembly, Fifty-Second Session, Supplement No. 3 (A/52/3/Rev.1), chapter IV, paragraph 4.

## I. GENERAL CONTEXT

### Status of implementation of the 2000 Action Plan

4. The 2000 OSCE Action Plan for Gender Issues<sup>3</sup> called for increased efforts to achieve equal treatment of women and men within the Organization in all areas, including personnel recruitment, and the inclusion of a gender perspective in the activities of the Organization. It succeeded in raising awareness of the need to promote gender equality within the OSCE through the activities by the Secretariat, institutions and field operations, and by participating States.

There are nevertheless shortcomings in the implementation of the 2000 Action Plan, especially in the fields of training, management, and recruitment, and in the overall practice of gender-mainstreaming throughout the OSCE as well as within participating States.

5. The 2000 Gender Action Plan stipulated that opportunities for women in the OSCE should be enhanced and a professional working environment should be promoted. The Chairman-in-Office, participating States and the Secretariat were asked to take positive action to promote and appoint women candidates in the OSCE's institutions and also in the field activities, and all participating States were called upon to make substantial efforts to nominate women, particularly at management level.

Representation of women in the OSCE continues, however, to be low, in particular at senior and policy-making levels, and has in fact decreased in recent years. There is a continuing lack of representation or under-representation of women from certain countries, in particular from participating States with economies in transition. Statistics indicate that women candidates may have less chance of being employed by the Organization than men<sup>4</sup>. The biannual statistics and annual reports issued by the Secretary General on the implementation of the 2000 Action Plan for Gender Issues have not been addressed by the Permanent Council, and the implementation of the 2000 Action Plan has not been adequately monitored.

6. Another priority set in the 2000 Gender Action Plan was that all new mission staff should receive training on gender issues, and that OSCE institutions were to incorporate a gender perspective in their staff training. General training on gender awareness has been

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3 Decision No. 353 by the Permanent Council on 1 June 2000 (PC.DEC/353).

4 Gender-Disaggregated Statistics of the OSCE Secretariat, institutions and missions, SEC.GAL/208/03, 21 November 2003. Concerning post-table posts, women make up 44 per cent of the general service level staff, on the professional level the overall representation is 25 per cent and has in fact decreased over the last years. Of all the candidates who applied for fixed-term posts in the period of January 2003 to September 2003 (9,566) 69 per cent were men and 31 per cent women; in the same period, however, of all selected candidates (50) 72 per cent were men and only 28 per cent were women. For the 34 vacancies issued for P-posts, women constituted 33 per cent of applicants, 23 per cent of interviewed candidates and 12 per cent of selected candidates. Of all nominated candidates for secondment in the first six months of 2003 (2,135), 30 per cent (641) were women and 70 per cent (1,494) were men. However, only 10 per cent (62) of these women were deployed to Missions, while 18 per cent (272) of the nominated men were accepted and deployed.

implemented and efforts have been made to provide for a professional working environment. Since 2000, every mission has nominated a mediator and annual training has been organized for these persons by the Secretariat. Nevertheless, training and sensitization of managers on gender issues, and on the responsibilities of all staff within their tasks and subject areas in this regard, has not produced the expected results, nor has the goal of a professional environment yet been attained.

7. The 2000 Gender Action Plan furthermore stipulated that a comprehensive framework would be established for gender-mainstreaming projects, and that data and research materials on gender issues would be analysed and used in the design of new programmes.

This process has not been developed with due continuity. Moreover, gender advisers and focal points have not been sufficiently involved in the development of new policies and programmes.

8. Gender-mainstreaming requires consistent, systematic, attention to gender perspectives in the activities of the Organization based on a cross-dimensional approach, and also adequate monitoring and review mechanisms. A new and strengthened Action Plan is called for, setting out goals and clearly assigned accountabilities, in order to reinforce the dedicated efforts of participating States to implement their commitments.

## **II. GOALS AND OBJECTIVES**

9. The 2004 Action Plan for the Promotion of Gender Equality aims to set out the priorities of the OSCE in promoting gender equality, in the Organization and in all participating States, and to ensure the monitoring of its implementation.

In order to achieve these goals, the plan will address the activities, policies, projects and programmes of the Organization concerning gender-mainstreaming, as well as assistance by the OSCE to participating States in promoting gender equality. Such assistance could be directed at the implementation of international commitments in the gender area, as well as the development of national programmes and policies.

10. The following objectives will be given priority:

(a) Within the OSCE:

- Providing specific training programmes for OSCE staff on gender awareness and sensitization to gender equality in their daily work, and programmes to strengthen efforts to ensure consistent gender-mainstreaming in policies and programmes, as well as review and assessment mechanisms;
- Promoting a professional and gender-sensitive management culture and working environment;
- Applying strengthened and innovative recruitment strategies in the OSCE to promote equal opportunities for all, and to ensure that well-qualified women

are identified and attracted, in conformity with the Staff Regulations, reference PC.DEC/550/Corr.1 of 27 June 2003, the aim being to increase the number of women working in the OSCE at senior levels;

- Encouraging participating States to submit more female candidates for positions in the OSCE, in particular at senior and policy-making levels<sup>5</sup>, the aim being to achieve a continuous improvement in the ratio between men and women at all levels;
- Achieving the effective gender-mainstreaming of OSCE activities and policies, as well as of the activities and policies of participating States.

(b) To assist the participating States in:

- Defining priority areas for OSCE structures to assist OSCE States in implementing their respective commitments;
- Outlining some best practices for the promotion of the equality of women and men in participating States;
- Highlighting and promoting the role of women in conflict prevention and peace reconstruction processes;
- Providing a framework structure to ensure that gender issues, including the implementation of this Action Plan, are regularly discussed and reviewed.

### **III. PROMOTING GENDER EQUALITY IN THE OSCE**

#### **(A) Gender-mainstreaming the structures and working environment, and gender-mainstreaming in recruitment**

##### **Training**

11. In order to achieve the objectives outlined in this Action Plan, the OSCE shall expand existing training opportunities and institute new training programmes in accordance with the OSCE training strategy for 2005–2007<sup>6</sup> and the OSCE Action Plan to Combat Trafficking in Human Beings<sup>7</sup>. In this context, the General Orientation Programme at the Secretariat, the

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5 P-5 and above.

6 SEC.GAL/118/04/Rev.5, 27 July 2004.

7 MC.DEC/2/03 Annex, p.12, Awareness-raising. 8.4.: “The OSCE Training Co-ordinator, the Senior Adviser on Gender Issues and the Senior Security Co-ordinator will continue to use the induction course to develop and implement staff training on gender issues, trafficking in human beings and on relevant regulations and guidelines, in co-operation with the ODIHR, and to organize special workshops in the field. Heads of field operations will ensure that attendance at such training courses will be compulsory for all staff.”

Human Dimension Induction Course at the ODIHR and additional induction courses or workshops in the field shall contain two specifically tailored modules, as appropriate:

- The first module shall deal with the training of all OSCE officials in gender awareness and mainstreaming a gender perspective in their everyday work. This module, appropriately tailored to each staff category in order to meet their specific needs, shall explain the principle of gender equality, the tools that exist to achieve this goal, and the reasons why it is important for the Organization to mainstream a gender perspective in its activities. The module shall be action-oriented and interactive and include information regarding tasks and responsibilities described in this Action Plan as well as in relevant provisions, in particular those regarding accountability of all staff. All categories of staff shall be included in such training. Training can also be provided in the field if necessary, to ensure that locally-hired staff are able to attend.
    - (a) Specific modules on combating domestic violence and trafficking in human beings will be included in training programmes, in particular those designed for police and border monitors.
    - (b) Heads of institutions and missions and Directors, shall exercise leadership in facilitating staff training, to ensure equal opportunities for both women and men to participate. They will also receive information on OSCE policies concerning gender issues, in particular complaint procedures.
  - The second module shall address the gender-mainstreaming of OSCE programmes, projects, and technical co-operation activities in order to ensure consistent integration of a gender equality perspective. This means reviewing and enacting policies and measures specifically for the purpose of achieving equality by actively taking gender perspectives into account at the planning, reporting, implementation and evaluation stages.
12. Review and assessment provisions shall be included in all training programmes in order to measure their effectiveness at regular intervals.
13. The OSCE Training Co-ordinator is tasked to design and implement the staff training dimension of this action plan in close co-operation with gender units and gender focal points in the Organization and supported by the network of focal points responsible for training.

## **Management**

14. The Secretary General, and Heads of institutions and missions shall exercise strong and active leadership in building sustainable gender awareness in the Organization and shall intensify their efforts towards achieving a gender-sensitive and professional working environment and management culture. Such a working environment shall also be promoted by all OSCE officials, in particular by staff in a supervisory role. When management positions are being filled, importance should be attached to finding people who demonstrate gender-sensitive attitudes and understanding of the importance of an inclusive corporate culture. The Director for the Department of Human Resources shall be responsible for



reviewing and if necessary strengthening the policy of the OSCE against harassment, including sexual harassment. He/she will disseminate information and raise staff awareness of the problem of harassment in working life and of the measures available to combat and prevent it, and will encourage victims to come forward with their complaints.

15. Performance appraisals of managers will include an evaluation of their sensitivity to gender equality. For this purpose a gender-equality scoreboard, containing details of measures that can be compared across all services, shall be developed by the Department of Human Resources.

16. The OSCE's organizational regulations, rules, directives, and instructions shall be reviewed by participating States and/or the Secretariat, to incorporate gender-mainstreaming aspects, when called for.

17. Heads of institutions, heads of missions and directors in the Secretariat will chair regular meetings with staff to review the integration of and consideration to be paid to gender aspects in the work of their respective structure and to encourage all staff to gender-mainstream their work.

18. The Secretariat and ODIHR will continue to engage in the active exchange of information on gender-sensitive management policies with relevant international, intergovernmental and regional organizations. In particular the Secretariat will intensify interaction with the OSCE Parliamentary Assembly on gender equality. The Secretariat, institutions and missions will make this Action Plan visible.

## **Recruitment**

19. Recruitment in the OSCE shall be based on a transparent process, subject to open competition among nationals of participating States, thereby securing the highest standards of efficiency, competence and integrity.

20. On recruitment, Regulation 3.01 of the OSCE Staff Regulations shall be fully implemented, including the principle of recruiting staff from all OSCE Participating States on a fair basis.

21. Participating States are encouraged to submit more women candidates for positions in the OSCE, in particular in higher-level positions where women are underrepresented; measures to this end shall include the identification of additional national recruitment sources, and the establishment of networks with professional organizations that will assist in seeking suitable candidates. More nationals of participating States, notably women from participating States with economies in transition, should be made aware of the OSCE vacancies and encouraged to make applications.

22. Participating States are to be encouraged to develop rosters of potential women candidates with a special emphasis on fields of expertise in which women are underrepresented.

23. The Chairman-in-Office and the Secretariat will be proactive in promoting the nomination of women candidates, in particular in higher-level positions, taking into account the OSCE Staff Regulations.
24. The Secretariat shall strengthen the wording of the statement in its vacancy notices encouraging women to apply.
25. The Secretariat will furthermore enhance its human resource planning in order to inform participating States as early as possible of upcoming vacancies, in order for them to be given sufficient time to search for and present qualified female candidates.
26. The Chairman-in-Office, the Secretary General, heads of institutions, and heads of missions shall seek to improve the ratio of men and women at all levels on a continuous basis. This, including the statistics on women candidates selected, will be reviewed in the annual evaluation report on gender issues in the OSCE to be presented by the Secretary General in accordance with paragraph 47 below.
27. The Department of Human Resources shall conduct regular gender-mainstreamed reviews of recruitment procedures and job specifications, in order to identify possible prejudices and obstacles against female applicants, and if necessary revise the procedures as appropriate.
28. The Department of Human Resources will seek to ensure that in recruitment for management posts, applicants of both sexes are invited for interview where possible, and that a gender-balanced shortlist is drawn up as appropriate. The shortlist of candidates invited for interview should contain information about the number of men and women who actually applied for the job.
29. Interview panels should, where possible, be gender-balanced.
30. The Department of Human Resources in the Secretariat will convene an annual co-ordination meeting with delegations and training/recruitment experts from capitals, to share information on profiles and skills in demand, and best practice on pre-mission training. These meetings will also discuss efforts to achieve gender balance in recruitment.
31. The Secretariat shall continue to prepare annual statistics showing the current distribution of women and men by category of posts at each level. These statistics will include institutions and missions as well as each Department and Unit in the Secretariat, and will be annexed to the Secretary General's annual evaluation report on gender issues referred to in paragraph 47 below.

**(B) Mainstreaming a gender perspective into OSCE activities, policies, programmes and projects.**

32. Participating States, the Secretariat, institutions and missions shall ensure that a gender perspective is integrated into OSCE activities, programmes and projects. The aim shall be to promote the practice of gender equality in the OSCE area, which is essential to comprehensive security; they shall focus in particular on women's empowerment and the participation of women as well as men in public, political and economic life in the context of democratic and economic processes in participating States. The gender-mainstreaming process shall also aim at overcoming negative stereotypes and at changing perceptions, as well as developing attitudes conducive to bringing about equality between women and men in all participating States.

33. Gender advisers in the Secretariat, institutions, and field operations shall be involved at an early stage when new directives, rules and regulations are being developed. In their regular reports to the Permanent Council, missions and institutions shall inform the Council on progress in their gender-mainstreaming efforts where appropriate, and also on problems, when they arise.

34. The Conflict Prevention Centre (CPC), and in particular the Project Co-ordinating Cell (PCC) will assist in ensuring that gender-equity analyses are made of new projects being developed by missions, institutions, and units in the Secretariat, and of existing projects when they are being evaluated.

35. The Secretariat and the institutions, when developing projects and programmes for participating States which are not hosting OSCE missions, shall take a gender perspective into account.

36. Gender-mainstreaming of OSCE activities, policies, projects and programmes in the politico-military dimension shall also take into account obligations embodied in Security Council resolution 1325 calling for increased participation of women in, *inter alia*, conflict prevention and post-conflict reconstruction processes.

37. The participating States, assisted by the Chairmanship, the Secretary General and heads of institutions, shall ensure that the planning of OSCE conferences and seminars across all three dimensions will take the gender aspect into account and, as appropriate, include related topics.

38. Institutions and missions working on gender issues should, in order to make tangible progress on gender-mainstreaming in OSCE activities, projects and programmes, develop concrete follow-up mechanisms in co-operation with participating States.

39. Missions will, where appropriate, establish internal gender working groups led by the gender focal point to design gender-mainstreaming strategies, monitor their implementation and enhance the visibility of their gender-related activities. It is the responsibility of the heads of mission to position gender focal points on a sufficiently high level and to make sure that they enjoy full access to senior management.

40. The Press and Public Information Section of the Secretariat, institutions and missions will encourage gender-balanced reporting, and highlight, as appropriate, meetings, seminars, special events, reports, case stories and developments related to the implementation of OSCE commitments on gender equality.

#### **IV. PROMOTING GENDER EQUALITY IN PARTICIPATING STATES**

41. Participating States, individually and collectively, bear the primary responsibility and are accountable to their citizens for the implementation of their commitments on equality of rights and equal opportunities for women and men. They have committed themselves to making equality between women and men an integral part of policies both at State level and within the Organization. They will ensure the full use of the appropriate OSCE fora for reviewing the implementation of OSCE commitments on equality between women and men.

42. Participating States are therefore recommended to:

- Ensure that the Organization develops policies which effectively promote gender equality and that new proposals and initiatives take a gender perspective into account;
- Establish or strengthen existing mechanisms for ensuring gender equality, *inter alia* by making available the services of an impartial and independent person or body, such as an Ombudsman/Human Rights Commissioner, to address gender related discrimination against individual citizens;
- Adhere to and fully implement the international standards and commitments they have undertaken concerning equality, non-discrimination and women's and girls' rights;
- Comply with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), if they are parties, or, if they have not already done so, consider ratifying or acceding to this Convention. States that have ratified or acceded to this Convention with reservations will consider withdrawing them. States parties to the CEDAW are also called upon to consider ratifying the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women;
- If they are parties to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the International Covenant on Civil and Political Rights (ICCPR), and/or the International Covenant on Economic, Social and Cultural Rights (ICESCR), report regularly and on time to the respective bodies, and include women's organizations in the preparation of their reports;
- Take further action where necessary in order to ensure a safe environment for their citizens and the right to equal protection under the law, notably by increasing activities aimed at eliminating all forms of violence against women, including

trafficking in human beings<sup>8</sup>, and encourage those who have not already done so to ratify and implement the UN Convention against Transnational Organized Crime, and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;

- Support national and international efforts to bring to justice those who have perpetrated crimes against women which under applicable rules of international law are recognized as war crimes or crimes against humanity, and ensure that existing national legislation on violence against women is enforced, and that new legislation is drafted where necessary;
- As recommended in the Guidelines on International Protection on Gender-Related Persecution within the context of Article 1A (2) of the 1951 Convention relating to the Status of Refugees and/or its 1967 Protocol relating to the Status of Refugees, introduce procedural practices, if States have not already done so, that ensure that proper consideration is given to women claimants in refugee status determination procedures and that the range of claims of gender-related persecution are accorded due recognition;
- Draw on the experience of the OSCE to develop cross-dimensional gender equality policies and strategies, and include in the follow-up to such policies, *inter alia*, the utilization of gender analysis and monitoring mechanisms to assess the impact of gender policies and strategies, so that constraints on their full implementation may be identified and addressed.

## **V. SUPPORTING OSCE PARTICIPATING STATES IN IMPLEMENTING RELEVANT COMMITMENTS TO PROMOTING EQUALITY BETWEEN WOMEN AND MEN**

### **Areas of special interest to all OSCE participating States**

43. The following priority areas are laid down as a basis for the OSCE Secretariat, institutions and missions to use when developing plans and programmes to assist participating States, upon their request, in implementing relevant commitments. All OSCE structures should endeavour to respect these priorities, as appropriate within their mandates. Countries not hosting missions are also urged to make full use of the expertise of the OSCE structures to assist them in promoting gender equality, as there is no country where full equality has been reached.

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8 Reference is made to the Permanent Council Decision No. 557 of 24 July 2003 on the adoption of the OSCE Action Plan to Combat Trafficking in Human Beings.

44. Priorities

(a) Developing projects in OSCE States not hosting missions

- In countries without missions, the ODIHR will identify projects to support measures in the areas of prevention of violence against women, promotion of women in the public, political, and economic spheres, and support for national gender-mainstreaming.

(b) Ensuring non-discriminatory legal and policy frameworks

- The ODIHR, in co-operation with other international organizations and relevant national bodies and institutions, will assist OSCE participating States in complying with international instruments for the promotion of gender equality and women's rights, and in reviewing legislation to ensure appropriate legal guarantees for the promotion of gender equality in accordance with OSCE and other commitments;
- The ODIHR will assist in the development and implementation of specific programmes and activities to promote women's rights, to increase the role of women at all levels of decision-making, and to promote equality between women and men throughout the OSCE area, particularly through education in gender awareness;
- The ODIHR will assist in the implementation and assessment of national strategies and action plans on measures to promote gender equality and gender-mainstreaming;
- The OSCE Secretariat, institutions and field operations will also assist the participating States in implementing the relevant provisions and recommendations contained in the OSCE Action Plan to Combat Trafficking in Human Beings, and the OSCE Action Plan on Improving the Situation of Roma and Sinti in the OSCE Area.

(c) Preventing violence against women<sup>9</sup>

- OSCE structures will continue to assist participating States in developing programmes and activities aimed at the prevention of all forms of gender-based violence<sup>10</sup>;

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9 Article 2(b) of the United Nations Declaration on Elimination of Discrimination Against Women states: "Violence against women shall be understood to encompass but not be limited to, the following: [...] physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution."

10 The United Nations resolution on "Further actions and initiatives to implement the Beijing Declaration and Platform for Action" (A/RES/S-23/3) of 16 November 2000, states (paragraph 59): "Gender-based violence, such as battering and other domestic violence, sexual abuse, sexual slavery and exploitation,

- OSCE structures will assist participating States with legislative initiatives to prevent violence against women, and will foster institution-building, strengthen co-ordination between government institutions and civil society, and raise awareness of the problem in general;
  - OSCE structures will, in co-operation with participating States, address the gender dimension of proliferation of small arms and light weapons (SALW). SALW proliferation exacerbates violence against women, and a gender perspective should thus be taken into account in related endeavours;
  - The Strategic Police Matters Unit (SPMU) will enhance its project development to assist participating States in reacting to sexual violence offences and in including such elements as special investigation techniques, and interview skills designated for use with victims of sexual assault including children, and information on referral mechanisms for victim assistance, in the police training curriculum;
  - The Office of the Co-ordinator of Economic and Environmental Activities (OCEEA), and the Anti-Trafficking Assistance Unit (ATAU), while addressing underlying causes of trafficking in human beings, shall in co-ordination with relevant OSCE institutions and structures, assist participating States in tackling the lack of opportunities for women, female unemployment, and other gender aspects of trafficking, including the demand side of sexual and other forms of exploitation;
  - The Action against Terrorism Unit (ATU) will upon request take action on the issue of the exploitation of women by terrorists to serve their own ends and propagate extremist ideologies;
  - As negative gender stereotypes contribute to the persistence of violence against women, OSCE programmes, projects, and activities should aim at women's empowerment.
- (d) Ensuring equal opportunity for participation of women in political and public life
- The ODIHR will assist participating States in developing effective measures to bring about the equal participation of women in democratic processes and will assist in developing best practices for their implementation;
  - The ODIHR and the OSCE field operations will assist, as appropriate, in building up local capacities and expertise on gender issues as well as networks linking community leaders and politicians;

- The ODIHR will continue to assist participating States in promoting women's political participation. It will continue, as a part of its Election Observation Mission, to monitor and report on women's participation in electoral processes. When possible, additionally, the ODIHR will commission and publish reports specifically analysing the situation of women in electoral processes;
  - The High Commissioner on National Minorities (HCNM) will address specific issues relating to the participation in public and private life of women belonging to national minorities and, in policies and projects developed by his/her office, take steps necessary to counter the double discrimination suffered by these women, as appropriate within the context of his/her conflict prevention mandate;
  - The OSCE Representative on Freedom of the Media (RFOM) will be alert to allegations of serious intolerance towards women and incitement to gender discrimination in or by the media in participating States in accordance with Chapter 6 of the mandate of the RFOM. The Representative will inform the participating States of such cases in his/her regular reports.
- (e) Encouraging women's participation in conflict prevention, crisis management and post-conflict reconstruction
- OSCE structures will, as appropriate within their mandate, promote the implementation of Security Council resolution 1325 (2000) on the role of women in, *inter alia*, the prevention of conflicts and post-conflict reconstruction;
  - OSCE structures will, as appropriate, assist participating States in developing programmes and projects aimed at bringing about equal opportunities for women to participate in efforts for the promotion of peace and security, including those conducted at grass-roots and regional levels. The empowerment of women in the political-military dimension is also essential to comprehensive security.
- (f) Promoting equal opportunity for women in the economic sphere
- The OCEEA will take initiatives to increase awareness of women's rights in the economic sphere as described in paragraph 40.6 of the Moscow Document and, as appropriate, develop projects to implement the same;
  - The OCEEA should take a gender perspective into account when implementing its tasks as outlined in the OSCE Strategy Document for the Economic and Environmental Dimension, adopted by the Ministerial Council in Maastricht in 2003, and the Document of the Bonn Conference on Economic Co-operation in Europe;



- The OCEEA will upon request assist participating States in formulating their economic policies on the basis of the principles set forth in the Bonn Document and the OSCE Strategy for the Economic and Environmental Dimension. In this respect the OSCE should continue and strengthen its co-operation with the United Nations Economic Commission for Europe and other organizations;
  - The OCEEA will, together with participating States and missions, analyse obstacles preventing women from fulfilling their potential in the economic sphere, and develop projects that will enhance the role of women in economic activities and ensure that they are not discriminated against in this field, notably regarding access to and control over such economic and financial resources as loans, property and inheritance rights;
  - The OCEEA and, as appropriate, missions should promote the development of women's entrepreneurial and other work-related skills by supporting training, retraining and special education facilities, and promoting the education and training of women and men in non-traditional subjects and jobs;
  - The OCEEA will encourage international donor organizations and lending institutions to support projects designed to enhance the role of women in economic activities or to ensure equality in employment. Projects on employment issues should highlight the principle that maternity and paternity arrangements are a key element in promoting equal opportunities and responsibility-sharing between women and men;
  - OSCE structures will assist participating States in ensuring that girls and boys, as well as women and men, have equal opportunities to receive education and training.
- (g) Building national mechanisms for the advancement of women
- The ODIHR will continue to provide know-how and support for the building-up of democratic institutions for advancing gender equality, such as Ombudsman's offices at local and national levels, as appropriate;
  - The ODIHR will facilitate dialogue and co-operation between civil society, media and government in promoting gender-mainstreaming.
- (h) The Parliamentary Assembly is encouraged to:
- Continue to have on its agenda the issue of equal opportunities for men and women in national parliaments as well as within the OSCE and the OSCE Parliamentary Assembly, having mainstreamed the discussion of gender equality in the agenda of the Assembly's Plenary Meetings;
  - Further develop the current network of women parliamentarians through the work of the OSCE PA Special Representative on the Gender Issue, in order to

promote the participation of women in political and public life at both the national and international levels;

- Ensure, with the assistance of the Special Representative, that it continues to put forward recommendations with regard to gender equality in its annual Declarations;
- Continue to produce, through the Gender Unit at the OSCE PA Secretariat, reports on the status of women in the OSCE area and seek to raise awareness by making such material available to all participating parliaments.

## **VI. GENERAL FOLLOW-UP**

45. The Secretary General, heads of missions and heads of institutions, shall be accountable to the Permanent Council for the implementation of the relevant parts of this Action Plan, in accordance with their respective responsibilities.

46. The Secretary General shall before 1 October 2005, develop a plan for the implementation of measures for achieving the overall aims of this Action Plan. Heads of institutions shall also develop their own separate implementation plans by that date. These plans shall include concrete measures for implementing the 2004 Action Plan for the Promotion of Gender Equality, measures concerning training programmes on gender-mainstreaming of the work of OSCE officials, measures for cross-dimensional gender-mainstreaming in OSCE policies, projects and programmes, and finally management and recruitment strategies, aimed at achieving gender balance at all levels.

47. The Secretary General shall report on progress in work on gender issues in the Annual Report for 2004. The Secretary General shall thereafter present an annual evaluation report on gender issues in the OSCE. This report will be presented to the Permanent Council in June each year starting in 2006. These evaluation reports will contain contributions from Departments, and from institutions and missions, on developments related to gender equality and gender-mainstreaming in the OSCE structures, including information on the plans dealt with in paragraph 46 above. They will include analysis of achievements in light of the requirements of this Action Plan.

48. Starting in June 2006, the Permanent Council will, on the basis of the Secretary General's annual evaluation report on gender issues, hold an annual discussion especially devoted to gender issues, covering the review and if necessary the updating of policies and strategies on gender-mainstreaming and the promotion of gender equality. This discussion should also monitor implementation of this Action Plan.

49. The need to include in co-operation with host countries a gender perspective in the mandate of the respective missions may be considered as and when appropriate.

50. The next revision of the 2004 Action Plan for the Promotion of Gender Equality will take place when the Permanent Council so decides.

51. The implementation of this Action Plan requires provision of adequate resources.



**2nd day of the Twelfth Meeting**  
MC(12) Journal No. 2, Agenda item 8

**DECISION No. 15/04**  
**ROLE OF THE OSCE SECRETARY GENERAL**

The Ministerial Council,

Confirming the mandate of the Secretary General as decided at the Ministerial Council Meeting in Stockholm in 1992,

Wishing to improve the effectiveness of the OSCE and, to that end, wishing to clarify and strengthen the role and responsibilities of the OSCE Secretary General,

Recalling that the Secretary General derives his/her authority from the collective decisions of the participating States and acts under the guidance of the Chairman-in-Office,

Taking into account subsequent decisions of the meetings of Heads of State or Government, the Ministerial Council and the Permanent Council, *inter alia*, MC(10).DEC/8, MC.DEC/1/03, Permanent Council Decisions Nos. 485, 486, 550/Corr.1, 552 and 553,

Reaffirms that, among other tasks, the Secretary General:

1. Ensures implementation of the decisions of the OSCE;
2. Acts as the representative of the Chairman-in-Office and supports him/her in all activities aimed at fulfilling the goals of the OSCE by, *inter alia*:
  - Providing expert, advisory, material, technical and other support which may include background information, analysis, advice, draft decisions, draft statements, summary records and archival support;
  - Having the responsibility to publicize OSCE policy and practices and being entitled to make public statements on behalf of the Organization as a whole;
  - Ensuring the effective and continuous working contacts with other international organizations and institutions;
3. As Chief Administrative Officer of the OSCE:

- Assists the Permanent Council and is responsible to it for the efficient use of the Organization's resources;
- Is responsible for proper implementation of the Financial Regulations and Financial Rules which govern the budgetary and financial administration of the OSCE. On administrative matters and for the efficient use of resources, Fund managers are accountable to the Permanent Council through the Secretary General;
- Is responsible and accountable to the Permanent Council for the proper application of the Staff Regulations and Staff Rules. In this regard, Heads of institution and heads of mission shall exercise their responsibility to the Permanent Council in respect of their institutions/missions, through the Secretary General;

Further decides that the Secretary General:

4. Supports the process of political dialogue and negotiations among participating States, in particular through the preparation and implementation of decisions and through assisting the Chairmanship in the preparation and conduct of meetings;
5. May bring to the attention of the decision-making bodies, in consultation with the Chairmanship, any matter relevant to his/her mandate;
6. Contributes to the preparation of and participates in the meetings of the OSCE and FSC Troikas;
7. Oversees the management of OSCE field operations and co-ordinates their operational work;
8. Countersigns letters of appointment for heads of mission as Chief Administrative Officer of the OSCE and informs the appointed head of mission of the applicable rules and regulations. The appointment of heads of mission is the responsibility of the Chairmanship;
9. As head of the OSCE Secretariat, is responsible for its effective and efficient management;
10. Appoints directors in the Secretariat with the consent of the Chairmanship. All Secretariat staff are accountable to the Secretary General, and he/she will answer for their performance;
11. Through the unified budget process, supports all Fund managers in implementing the mandates and policy guidance from the participating States. In this regard, he/she supports the co-ordinated planning, implementation and evaluation of the OSCE programmatic activities by facilitating co-operation among all OSCE Funds;
12. Is the focal point for co-ordination and consultations among OSCE institutions, while respecting their mandates. Heads of institutions are fully responsible and accountable to the Permanent Council;

Further requests the Permanent Council to align Staff Regulations 1.05, 3.04(a) and 3.07 with clauses 3 (c), 8 and 10 of this Ministerial Decision, not later than 1 March 2005.



**2nd day of the Twelfth Meeting**  
MC(12) Journal No. 2, Agenda item 8

**DECISION No. 16/04**  
**ESTABLISHMENT OF A PANEL OF EMINENT PERSONS ON**  
**STRENGTHENING THE EFFECTIVENESS OF THE OSCE**

The Ministerial Council,

Determined to enhance the OSCE's capacity to address the challenges of the twenty-first century as one of the pillars of the Euro-Atlantic security architecture,

Recognizing that the thirtieth anniversary of the Helsinki Final Act, the fifteenth anniversary of the Charter of Paris for a New Europe and the tenth anniversary of the OSCE provide with a unique opportunity to reflect on the role of the Organization in a transforming Europe,

Realizing that there is a need to improve the Organization's functioning as well as its capabilities for collective action, without diminishing its strengths and flexibility,

Mindful of the need to proceed further with this work in 2005 by taking broad and forward-looking approach to strengthening the overall capacity of the OSCE:

**I.**

1. Decides to establish a Panel of Eminent Persons on Strengthening the Effectiveness of the OSCE, in order to give new impetus to political dialogue and provide strategic vision for the Organization in the twenty-first century;
2. Further decides that the Panel will review the effectiveness of the Organization, its bodies and structures and provide an assessment in view of the challenges ahead. The Panel will make recommendations on measures in order to meet these challenges effectively;
3. Tasks the Chairman-in-Office to appoint the members of the Panel after consultations with all participating States. The composition of the Panel, which shall have up to seven eminent persons with knowledge of the OSCE, will take into account the diversity of the OSCE community, including from participating States hosting field presences. Members of the Panel will have their costs covered by extrabudgetary contributions. Secretariat support shall be provided by the OSCE Secretariat through existing resources. The

Chairman-in-Office shall act as Focal Point for the Panel during its work. The Panel shall present its report with recommendations no later than the end of June 2005 to the participating States through the Chairman-in-Office. Specially convened High Level OSCE Consultations will be held as a follow-up. The Permanent Council shall take a decision on the organizational modalities and the timetable of such a specially convened High Level OSCE Consultation by the end of July 2005;

4. The Consultations will examine the report of the Panel as well as other possible contributions, and will forward their conclusions and recommendations through the Permanent Council to the Ministerial Council meeting in 2005 for appropriate action.

## **II.**

The Ministerial Council further tasks the Permanent Council, through the Working Group on Reform and the Informal Group of Friends of the Chair on Improving the Functioning and Effectiveness of OSCE Field Operations, to continue consideration of issues pertaining to improving the functioning of the Organization. The Chairpersons of the Groups will be available for consultations with the Panel of Eminent Persons when necessary.





**Organization for Security and Co-operation in Europe  
Ministerial Council  
Sofia 2004**

MC.DEC/17/04  
7 December 2004

Original: ENGLISH

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**2nd day of the Twelfth Meeting**  
MC(12) Journal No. 2, Agenda item 8

**DECISION No. 17/04  
OSCE AND ITS PARTNERS FOR CO-OPERATION**

The Ministerial Council,

Recognizing the increasing importance of the well-established co-operation between the OSCE and its Mediterranean and Asian Partners for Co-operation,

Recalling Permanent Council Decision No. 571/Corr.1, by which the Permanent Council decided to submit a report to the Ministerial Council meeting in 2004 on further dialogue and co-operation with the Partners for Co-operation and exploring the scope for wider sharing of OSCE norms, principles and commitments with others, and which requested the Forum for Security Co-operation to make its own contribution to this work,

Underlines the importance of the report PC.DEL/366/04/Rev. 4, which is based on an exchange of various views, including with the OSCE Partners for Co-operation;

Tasks the Permanent Council and the Forum for Security Co-operation to remain seized of the matter.



**Organization for Security and Co-operation in Europe**  
**Ministerial Council**  
**Sofia 2004**

MC.DEC/18/04  
7 December 2004

Original: ENGLISH

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**2nd day of the Twelfth Meeting**  
MC(12) Journal No. 2, Agenda item 8

**DECISION No. 18/04**  
**OSCE CHAIRMANSHIP IN THE YEAR 2007**

The Ministerial Council,

Decides that Spain will exercise the function of the OSCE Chairmanship in the year 2007.



**Organization for Security and Co-operation in Europe  
Ministerial Council  
Sofia 2004**

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**2nd day of the Twelfth Meeting**  
MC(12) Journal No. 2, Agenda item 8

**DECISION No. 19/04  
TIME AND PLACE OF THE NEXT MEETING OF THE  
OSCE MINISTERIAL COUNCIL**

The Thirteenth Meeting of the OSCE Ministerial Council will be convened in Slovenia on 5 and 6 December 2005.