



German Presidency of the Council of the European Union

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Statement of the European Union in response to the Report by the Secretary General on the Wallnerstrasse premises

The European Union warmly welcomes the Secretary General, Marc Perrin de Brichambaut, and thanks him for the comprehensive presentation on the planned move of the Secretariat to new premises. We also thank him and his staff for their untiring efforts to prepare that undertaking.

Further to Porto Ministerial Council Decision No. 9 of 7 December 2002 we welcome the planned **move** of the OSCE Secretariat to new premises in Wallnerstraße and hope that the time frame envisaged can be kept.

The Porto Decision of 2002 tasked the SG “to work out with the host country as soon as possible detailed provisions”. Although negotiations on these provisions started only in 2006, we are pleased to note that significant progress has been made in recent months. We therefore encourage the parties to come to agreement on the outstanding provisions as soon as possible. According to MC Dec. 9/02 this agreement should grant to the OSCE “**terms and conditions not less favourable** than those accorded by the host country to other international organisations having their seat in Vienna”. We also underline that nothing in this Agreement shall be interpreted as an explicit or implicit waiver of the privileges and immunities enjoyed by the OSCE.

Whether this agreement should take the form of a Headquarters Agreement or a User Agreement is a complicated question and will have to be thoroughly examined. We have learned that the host country would be ready to conclude a headquarters

agreement under international law with the OSCE. It is in the clear interest of the OSCE that any provisions under a Headquarters' Agreement should by no means be less favourable for the organisation than those that would be granted in the case of a User Agreement.

Turning to the **financial aspects**, we should like to recall that in PC Decisions 559, 759 and 774 the participating States allocated 3.96 Mio EUR for required building adjustments and security arrangements specified by the OSCE and 1.1 Mio EUR for refurbishment, renovation and moving.

PC.DEC 559 of 2003 encouraged the Secretary General “to make every effort to ensure the most cost-efficient and timely use of the OSCE’s resources”. In the discussions leading to this Decision delegations were advised that the annual running costs in Wallnerstrasse were estimated to be lower than in Kärntnerring. Today we note that the Secretariat estimates the annual running costs for Wallnerstrasse at about 1.7 M EUR, compared to 0.8 M EUR in Kärntnerring. However, we understand that at this time the exact costs can not be specified. Hence we look forward to more reliable estimates once the functioning of the building has been tested.

We would be interested to learn more about possible consequences of tenant’s responsibilities under Austrian law, in particular in relation to possible costs arising from protection of historical monuments.

Without going into detail about the submitted cost estimates, we note that a significant share of the additional costs might be dedicated to **Security** measures. Any agreement should state clearly who is responsible for providing various aspects of security. While we agree that Security is of paramount importance, we feel that the security model and associated cost estimates submitted should be subject to further review, in order to find a fair balance between necessary security requirements and pragmatic arrangements.

In conclusion, we would like to reiterate our support to the planned move of the secretariat. We once again would like to thank the host country for its efforts in providing the OSCE Secretariat with its new premises. The participating States share

a common duty to ensure that the move of the OSCE Secretariat to its new premises can take place under the best possible conditions for the benefit of the Organization as a whole, in line with the previously adopted decisions.

The Candidate Countries Turkey, Croatia and the former Yugoslav Republic of Macedonia*, the Countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro, and Serbia, EFTA countries Iceland and Norway, members of the European Economic Area, as well as Ukraine, the Republic of Moldova, Armenia and Georgia align themselves with this statement.

* Croatia and the former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process.