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**STATEMENT BY MS. MICHELINE CALMY-REY, PRESIDENT OF
THE SWISS CONFEDERATION AND HEAD OF THE FEDERAL
DEPARTMENT OF FOREIGN AFFAIRS, AT THE FIFTEENTH
MEETING OF THE MINISTERIAL COUNCIL**

Madrid, 29 and 30 November 2007

Mr. Chairman,

I want to thank you, Mr. Chairman — dear colleague — for the warm welcome you have given us here in Madrid. And I want to pay homage to the tireless efforts you have devoted to the search for viable solutions to the long-lasting conflicts in South Ossetia, Nagorno-Karabakh and Transdniestria. As a reliable barometer of tensions, the OSCE cannot possibly treat lightly the question of frank political dialogue between States. That is precisely why we are so concerned about the future of the Organization and the pressing problems of our time; and we have left behind us now the phase of intense introspection.

The OSCE is anxious to proceed further at the institutional level, a conclusion borne out by the new working structure in three committees, particularly useful to small countries and in perfect conformity with the principle of equal status for all States. We have likewise made progress thanks to the analysis recently undertaken by the Conflict Prevention Centre of existing mechanisms and early warning procedures, as well as mechanisms for conflict prevention and crisis management. The mechanism for peaceful settlement of disputes between participating States is based, for example, on the international law convention relating to conciliation and arbitration within the OSCE which provides for two procedures, one obligatory and the other optional. The Court of Conciliation and Arbitration with headquarters in Geneva has not so far received the attention it deserves. Switzerland, a country which traditionally favours the peaceful settlement of disputes, wishes to remind you all of the existence and usefulness of this procedure and hopes that participating States will make use of it.

We have another important decision to take for the future, a decision regarding the legal personality with which the OSCE should, at long last, be endowed. After more than 15 years of discussions, Switzerland is very much in favour of the draft convention submitted today. It represents the fruit of intense work which should at long last enable the OSCE to enjoy the benefits of a proper statute and adequate legal protection, particularly through the privileges and immunities with which its field operations are now to be endowed. Switzerland hopes that this text will be adopted today, without reservation and without reference to the existence of any other instrument. This convention is going to fill a need which has long been urgent, and Switzerland hopes that the necessary decision will be taken today. Switzerland believes that it is not necessary at present for the OSCE to have a charter. Without opposing

the charter in principle, we consider that the added value of such a document is not yet obvious. Today absolute priority should be given to the convention, the adoption of which should not be further delayed. Switzerland supports the establishment of a group of experts whose task it will be to consider the appropriateness and, if that is found to exist, the content of an OSCE charter.

It seems to me that concern for the future of our Organization requires us to consider in a spirit of open-mindedness the candidature of Kazakhstan for the Chairmanship of the OSCE. I would be in favour of a compromise solution likely to win consensus. To be sure, Kazakhstan is aware of the obligations which its future chairmanship would entail. It knows that, if its pioneer role in the region is to be confirmed, it will have to redouble its efforts to make progress with the introduction of essential political and social reforms. What is at issue here is the credibility and the capacity for action of the OSCE, both of which are very important to me.

I have the greatest respect for the OSCE's comprehensive conception of security, but the security of human beings is what I have personally at heart. To indulge in trafficking in human beings, or to call for hatred and discrimination on the basis of criteria related to race, ethnic background or religion, are punishable acts, to be sure. If we were able to take decisions on these questions here today, I would consider that a welcome step forward. Switzerland appreciates the specific support provided by the OSCE in these areas and considers the OSCE a valuable partner. Thus, a representative of the Organization, Mr. Ömür Orhun, Personal Representative of the OSCE Chairman-in-Office for Combating Intolerance and Discrimination against Muslims, recently spent some time in Switzerland. Anti-Semitism and discrimination against Muslims and Christian minorities are, in my opinion, deviations which call for a comprehensive approach. I would accordingly suggest that the Finnish Chairmanship should consider harmonizing the work of the three representatives responsible for combating intolerance and discrimination.

As regards the human dimension in the broader sense, the Office for Democratic Institutions and Human Rights (ODIHR, Warsaw) monitored our legislative elections for the first time this year. I am convinced that even a confirmed democracy like ours can legitimately be an object of critical analysis. When about to receive a visit from the ODIHR it is essential that every State should guarantee that Office, in good time, conditions which will enable it to carry out its mission in full independence, without conditions, and in accordance with the practices that have been well established for some years. The situation that we are experiencing at present should never again be repeated.

Apart from the human dimension, our Organization is responsible for politico-military security. The Treaty on Conventional Armed Forces in Europe, the Treaty on Open Skies, the Vienna Document 1999 on Confidence- and Security-Building Measures as well as the Code of Conduct together constitute the comprehensive framework of security architecture and make a real contribution to our common stability. These acquis must in any event be safeguarded. I appeal to the sense of responsibility of all States to continue with the implementation of these instruments in order to avoid a new conventional arms race. The OSCE, through its co-operative approach, offers every participating State a unique platform enabling it to deal with security concerns; what we need to do now is to pursue more effectively the security dialogue.

The organization of the elections in Kosovo showed that the OSCE's savoir-faire remains irreplaceable as a means of ensuring continuity in the transition to completely democratic institutions. In this region as elsewhere the role of our Organization must serve to guarantee full respect for the rights of minority groups. In the view of Switzerland, the OSCE's work in Kosovo is of particularly great importance and should be continued, whatever happens with the negotiations on its status. It is thus imperative that the mandate of the OSCE Mission in Kosovo should be extended.

I wish every possible success to the Finnish Chairmanship, of which we all expect so much next year.

Thank you, Mr. Chairman — dear colleague.