

**SECOND DAY OF THE SIXTEENTH MEETING OF THE  
MINISTERIAL COUNCIL****THIRD PLENARY SESSION (CLOSED)**

1. Date: Friday, 5 December 2008  
  
Opened: 9.40 a.m.  
Suspended: 2.15 p.m.  
Resumed: 3 p.m.  
Closed: 3.20 p.m.
  
2. Chairperson: H.E. Dora Bakoyannis, Minister for Foreign Affairs of Greece  
H.E. Alexander Stubb, Minister for Foreign Affairs  
of Finland, Chairman-in-Office of the OSCE  
H.E. Christos Zacharakis, Special Envoy of the Minister for  
Foreign Affairs of Greece
  
3. Subjects discussed — Statements — Decisions/documents adopted:  
  
Agenda item 7: STATEMENTS BY HEADS OF DELEGATIONS (continued)  
  
Croatia (MC.DEL/46/08), Moldova (MC.DEL/55/08), the former Yugoslav  
Republic of Macedonia (MC.DEL/71/08), Latvia (MC.DEL/50/08), Tajikistan  
(MC.DEL/54/08), Iceland (MC.DEL/56/08), Armenia (MC.DEL/78/08),  
Malta (MC.DEL/57/08), Norway (MC.DEL/60/08), Denmark  
(MC.DEL/65/08), Monaco, Belarus (MC.DEL/81/08), Cyprus  
(MC.DEL/76/08), Turkey (MC.DEL/67/08), Portugal (MC.DEL/68/08), San  
Marino (MC.DEL/49/08), Russian Federation (MC.DEL/66/08/Rev.1),  
Uzbekistan, Albania (MC.DEL/69/08), Algeria (Partner for Co-operation),  
Egypt (Partner for Co-operation), Jordan (Partner for Co-operation)  
(MC.DEL/70/08), Israel (Partner for Co-operation) (MC.DEL/45/08), Tunisia  
(Partner for Co-operation) (MC.DEL/6/08), Afghanistan (Partner for  
Co-operation) (MC.DEL/62/08), Morocco (Partner for Co-operation)  
(MC.DEL/63/08), Mongolia (Partner for Co-operation) (MC.DEL/48/08),  
Japan (Partner for Co-operation) (MC.DEL/72/08), Thailand (Partner for

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\* Incorporates the addition of a statement by the Chairman-in-Office (Annex 1).

Co-operation) (MC.DEL/52/08), Korea (Partner for Co-operation) (MC.DEL/75/08), Finland, Secretariat

Contributions by: United Nations (MC.DEL/74/08), North Atlantic Treaty Organization (MC.DEL/58/08), Council of Europe (MC.DEL/85/08)

Point of order: Netherlands

Agenda item 8: ADOPTION OF MINISTERIAL COUNCIL DOCUMENTS

Chairperson (Finland)

The Chairperson (Finland) announced that Decision No. 1/08 (MC.DEC/1/08) on the appointment of the Director of the Office for Democratic Institutions and Human Rights, the text of which is appended to this journal, had been adopted by the Ministerial Council on 14 March 2008 through a silence procedure.

The Chairperson (Finland) announced that Decision No. 2/08 (MC.DEC/2/08) on the reappointment of the OSCE Secretary General, the text of which is appended to this journal, had been adopted by the Ministerial Council on 26 June 2008 through a silence procedure.

The Chairperson (Finland) announced that Decision No. 3/08 (MC.DEC/3/08) on the periods of service of the OSCE Secretary General, the text of which is appended to this journal, had been adopted by the Ministerial Council on 22 October 2008 through a silence procedure.

**Document adopted:** The Ministerial Council adopted the Ministerial Statement (MC.DOC/1/08), the text of which is appended to this journal.

**Document adopted:** The Ministerial Council adopted the Ministerial Declaration on the Occasion of the 60th Anniversary of the Universal Declaration of Human Rights (MC.DOC/2/08), the text of which is appended to this journal.

**Document adopted:** The Ministerial Council adopted the Ministerial Declaration on the Occasion of the 60th Anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide (MC.DOC/3/08), the text of which is appended to this journal.

**Decision:** The Ministerial Council adopted Decision No. 4/08 (MC.DEC/4/08), the text of which is appended to this journal, on strengthening the legal framework of the OSCE.

Armenia (also on behalf of Belarus, Kazakhstan, Kyrgyzstan, Uzbekistan, the Russian Federation and Tajikistan) (interpretative statement, see attachment to the decision)

**Decision:** The Ministerial Council adopted Decision No. 5/08 (MC.DEC/5/08), the text of which is appended to this journal, on enhancing criminal justice responses to trafficking in human beings through a comprehensive approach.

**Decision:** The Ministerial Council adopted Decision No. 6/08 (MC.DEC/6/08), the text of which is appended to this journal, on enhancing OSCE efforts to implement the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area.

**Decision:** The Ministerial Council adopted Decision No. 7/08 (MC.DEC/7/08), the text of which is appended to this journal, on further strengthening the rule of law in the OSCE area.

Georgia (interpretative statement, see attachment to the decision)

**Decision:** The Ministerial Council adopted Decision No. 8/08 (MC.DEC/8/08), the text of which is appended to this journal, on the OSCE contribution to the implementation phase of the Alliance of Civilizations Initiative.

**Decision:** The Ministerial Council adopted Decision No. 9/08 (MC.DEC/9/08), the text of which is appended to this journal, on the follow-up to the Sixteenth Economic and Environmental Forum on Maritime and Inland Waterways Co-operation.

**Decision:** The Ministerial Council adopted Decision No. 10/08 (MC.DEC/10/08), the text of which is appended to this journal, on further promoting the OSCE's action in countering terrorism.

Georgia (interpretative statement, see attachment to the decision)

**Decision:** The Ministerial Council adopted Decision No. 11/08 (MC.DEC/11/08), the text of which is appended to this journal, on small arms and light weapons and stockpiles of conventional ammunition.

**Decision:** The Ministerial Council adopted Decision No. 12/08 (MC.DEC/12/08), the text of which is appended to this journal, on the time and place of the next meeting of the OSCE Ministerial Council.

**Decision:** The Ministerial Council adopted Decision No. 13/08 (MC.DEC/13/08), the text of which is appended to this journal, on issues relevant to the Forum for Security Co-operation.

Chairperson (Finland) (Annex 1)

Agenda item 9: ANY OTHER BUSINESS

*Organizational matters:* Netherlands (Annex 2)

4. Next meeting:

Friday, 5 December 2008, at 3.30 p.m., in the plenary hall

## **CLOSING SESSION (OPEN)**

1. Date: Friday, 5 December 2008

Opened: 3.30 p.m.

Closed: 4.15 p.m.

2. Chairperson: H.E. Alexander Stubb, Minister for Foreign Affairs  
of Finland, Chairman-in-Office of the OSCE

3. Subjects discussed — Statements — Decisions/documents adopted:

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

Chairperson (Finland) (Annex 3), Minister for Foreign Affairs of Greece (incoming Chairperson-in-Office) (MC.DEL/73/08), France-European Union (with the candidate countries Croatia and the former Yugoslav Republic of Macedonia; the countries of the Stabilisation and Association Process and potential candidate countries Albania, Bosnia and Herzegovina and Montenegro; the European Free Trade Association countries Iceland and Norway, members of the European Economic Area; as well as Moldova, in alignment) (MC.DEL/80/08), Romania (also on behalf of Germany, the United States of America, Belgium, Bulgaria, Canada, Denmark, Spain, Estonia, France, the United Kingdom, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, Norway, the Netherlands, Poland, Portugal, Slovakia, Slovenia, the Czech Republic and Turkey) (Annex 4), Moldova (Annex 5) (Annex 6), Switzerland (also on behalf of Liechtenstein), Russian Federation (Annex 7), Ukraine, United States of America (MC.DEL/82/08)

The letter from the Chairperson of the Forum for Security Co-operation to the Chairman-in-Office is annexed hereto (Annex 8).

The letter from the Chairperson of the Open Skies Consultative Commission to the Chairman-in-Office is annexed hereto (Annex 9).

The Chairperson formally declared the Sixteenth Meeting of the Ministerial Council closed.

4. Next meeting:

1 and 2 December 2009, to be held in Athens



**Organization for Security and Co-operation in Europe  
Ministerial Council  
Helsinki 2008**

MC(16).JOUR/2/Rev.1  
5 December 2008  
Annex 1

Original: ENGLISH

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**Second day of the Sixteenth Meeting**  
MC(16) Journal No. 2, Agenda item 8

## **STATEMENT BY THE CHAIRMAN-IN-OFFICE**

In this connection I would like to draw your attention to the Moscow statement of 2 November 2008 by the Presidents of Armenia, Azerbaijan and Russian Federation on the state and prospects for the political settlement of the conflict in Nagorno-Karabakh. In the statement they:

1. Declared that they will facilitate improvement of the situation in the South Caucasus and establish stability and security in the region through political settlement of the Nagorno-Karabakh conflict based on the principles of international law and the decisions and documents approved within this framework, thus creating favourable conditions for economic growth and all-round co-operation in the region.
2. Affirmed the importance of having the co-chairs of the OSCE Minsk Group continue their mediation efforts, including based on the outcome of the meeting between the parties in Madrid on 29 November 2007, and subsequent discussions on further steps to agree on the basic principles for political settlement.
3. Agreed that peace settlement should be accompanied by legally binding guarantees for every aspect and stage of the settlement process.
4. Noted that the Presidents of Azerbaijan and Armenia have agreed to continue work, including through further contacts at the highest level, on reaching a political settlement to the conflict and have instructed the heads of their respective foreign ministries to work together with the co-chairmen of the OSCE Minsk Group to activate the negotiation process.
5. Considered it important to encourage the establishment of conditions for carrying out confidence-building measures in the context of work on a peace settlement.

Thank you.



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5 December 2008  
Annex 2

Original: ENGLISH

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**Second day of the Sixteenth Meeting**  
MC(16) Journal No. 2, Agenda item 9

## **STATEMENT BY THE DELEGATION OF THE NETHERLANDS**

Thank you, Mr. Chairperson,

First of all I would like to thank the Finnish Chairmanship for all the work done during this year.

Mr. Chairperson, referring to the point of order, made this morning by the Netherlands Minister of Foreign Affairs, Maxime Verhagen, we appreciate that his concern has been taken care of.

We recall that the Netherlands considers partnerships between different stakeholders in the promotion and protection of human rights a key element of this organization.

Mr. Chairperson, we request that this statement be included in the journal of today's meeting.

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**Second day of the Sixteenth Meeting**  
MC(16) Journal No. 2, Agenda item 10

## **PERCEPTION PAPER OF THE CHAIRMAN-IN-OFFICE ON RENEWING THE SPIRIT OF HELSINKI\***

We, the Foreign Ministers of participating States of the Organization for Security and Co-operation in Europe, meet in the birthplace of the Helsinki process to set a course for our future action. We underscore the role that our Organization has played in erasing the lines that once divided our countries. We also recognise the indispensable contribution of our Organization to the establishment of unique arms control and confidence building regimes. We are committed to use the OSCE to promote security and co-operation in its region, guided by the UN Charter and the Universal Declaration of Human Rights.

We reaffirm that the Helsinki Final Act and subsequent jointly agreed OSCE documents remain the foundation of our work. We will apply the OSCE principles in a consistent manner and in keeping with international law, contributing to the formation of a common and indivisible security space free of dividing lines. We remain dedicated to a co-operative and comprehensive approach to security based on our common values of human rights, democracy and the rule of law.

We undertake to reconfirm common purpose as the basis for our action. In order to respond to today's challenges in the spirit of Helsinki:

- We reaffirm our adherence to all OSCE principles and commitments. All OSCE commitments, without exception, apply equally to each participating State. Their implementation will remain the basis of our common work also in the future. We pledge that our States will be accountable to each other and to their citizens in implementing OSCE principles and commitments.
- We continue to support each other in working towards our common goals. We recognise the OSCE's continued contribution to the stability and consolidation of democracy in all its participating States. We will endeavour to further strengthen the effectiveness of the Organisation. We will deepen our practical efforts in support of OSCE participating States, further developing concrete programmes through OSCE institutions and field operations in close consultation with the host countries. We will

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\* The Chairman-in-Office requested this perception paper be attached to the journal of the day on 5 December 2008. The text is identical to Rev.3/Corr.1 of the draft Ministerial declaration.



continue OSCE activities in Kosovo in close co-operation with the United Nations and other international institutions.

- We are determined to address unresolved conflicts in the OSCE area as a matter of priority. We are seriously concerned over their negative consequences for regional and human security, and will re-invigorate our efforts to promote their settlement. Lasting solutions can only be based on a negotiated settlement in accordance with OSCE principles. We call on the parties to the Transnistrian settlement process to resume without preconditions constructive work in the 5+2 negotiating format to achieve a durable solution. We welcome the constructive and positive momentum in the peace process for the political settlement of the Nagorno-Karabakh conflict established after the meetings of the Presidents of Armenia and Azerbaijan and the signing of the Moscow Declaration on 2 November 2008.
- We commend the prompt action by the Chairman-in-Office in response to the armed conflict in Georgia in August 2008. We call on all the parties to fulfil commitments in accordance with the agreements of 12 August and 8 September. We support a continued role for the OSCE in monitoring the ceasefire and working to restore confidence, and will strengthen OSCE field presence throughout the affected areas. The Geneva process, co-chaired by the EU, UN and OSCE, provides a useful platform for building security and stability in the region and addressing the question of refugees and displaced persons.
- We are convinced that action to safeguard arms control regimes negotiated within the OSCE framework is urgently needed. We call on all States Parties to the CFE Treaty to implement their treaty obligations and work together on conditions to enable all Parties to ratify the adapted CFE Treaty to restore the viability of the regime, a cornerstone of European security.
- We will assist participating States to address threats to their citizens and societies. We will strengthen OSCE action in countering terrorism and tackling problems related to small arms and light weapons, as well as combating trafficking in human beings and illicit drugs. We will fight intolerance and discrimination, advance gender equality and promote the development of our pluralistic societies. We will raise awareness of and enhance cooperation in addressing potential security implications of climate change as well as other global threats and challenges.
- We will further develop partnerships in a globalising and increasingly interconnected world. We will enhance our dialogue with the OSCE's Parliamentary Assembly as the Organization's parliamentary dimension. We value the OSCE's relations with our Mediterranean and Asian Partners, and are ready to share our experience in developing co-operative security with other regions. We will deepen our co-operation with other international and regional organisations and institutions on the basis of the Platform for Co-operative Security.

Renewing the spirit of Helsinki requires a willingness to consider new ways to strengthen security across the OSCE area. We take note of recent initiatives of Presidents of Russia and France regarding the strengthening of security from Vancouver to Vladivostok and consider the OSCE a natural forum to follow-up on them. We will engage in substantive

exploratory talks building on the ideas and ambitions embodied in this declaration, taking into account the contribution of all existing security institutions in Europe. With a view to promoting our common values, strengthening comprehensive and indivisible security and contributing toward conflict settlement we will be ready to consider the possibility of convening an OSCE High Level meeting.



**Organization for Security and Co-operation in Europe  
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**Second day of the Sixteenth Meeting**  
MC(16) Journal No. 2, Agenda item 10

**STATEMENT BY THE DELEGATION OF ROMANIA (ALSO ON  
BEHALF OF GERMANY, THE UNITED STATES OF AMERICA,  
BELGIUM, BULGARIA, CANADA, DENMARK, SPAIN, ESTONIA,  
FRANCE, THE UNITED KINGDOM, GREECE, HUNGARY, ICELAND,  
ITALY, LATVIA, LITHUANIA, LUXEMBOURG, NORWAY, THE  
NETHERLANDS, POLAND, PORTUGAL, SLOVAKIA, SLOVENIA,  
THE CZECH REPUBLIC, AND TURKEY)**

Mr. Chairperson,

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

On 3 December 2008, the North Atlantic Council at the level of Ministers of Foreign Affairs issued a final communiqué which contains the following paragraph concerning the Treaty on Conventional Armed Forces in Europe:

“We place the highest value on the CFE Treaty regime with all its elements. We underscore the strategic importance of the CFE Treaty, including its flank regime, as a cornerstone of Euro-Atlantic Security. We reiterate the endorsement by Heads of State and Government at the Bucharest Summit of the statement of the North Atlantic Council of 28 March 2008. We reaffirm the Alliance’s commitment to the CFE Treaty regime, as expressed in the Alliance’s position contained in paragraph 42 of the 2006 Riga Summit Declaration, the final statement by Allies at the CFE Extraordinary Conference in Vienna and Alliance statements reflecting subsequent developments. We are deeply concerned that, for nearly a full year, since 12 December 2007, Russia has continued its unilateral “suspension” of its legal obligations under the CFE Treaty. Furthermore, Russia’s actions in Georgia have called into question its commitment to the fundamental OSCE principles on which stability and security in Europe are based: principles which underpin the CFE Treaty. These actions run counter to our common objective of preserving the long-term viability of the CFE regime and we call upon Russia to resume its implementation without further delay. Because of our commitment to cooperative security and fulfilment of international agreements as well as the importance we attach to the confidence that results from military transparency and

predictability, we have continued fully to implement the Treaty despite Russia's "suspension". However, the current situation, where NATO CFE Allies implement the Treaty while Russia does not, cannot last indefinitely. Over a year ago, we offered a set of constructive and forward-looking proposals for parallel actions on key issues, including steps by NATO Allies on ratification of the Adapted CFE Treaty and by Russia on outstanding commitments related to Georgia and the Republic of Moldova. We continue to believe that these proposals address all of Russia's stated concerns. We urge Russia to work cooperatively with us and other concerned CFE States Parties to reach agreement on the basis of the parallel actions package so that together we can preserve the benefits of this landmark regime."

Mr. Chairperson,

The countries subscribing to this statement request its inclusion in the journal of this Ministerial Meeting.



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MC(16).JOUR/2/Rev.1  
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**Second day of the Sixteenth Meeting**  
MC(16) Journal No. 2, Agenda item 10

## **STATEMENT BY THE DELEGATION OF MOLDOVA**

Mr. Chairperson,

The delegation of the Republic of Moldova aligns itself with the statement delivered on behalf of the 26 States with regard to the Final Communiqué of the Ministerial Meeting of the North Atlantic Council from 3 December.

I kindly ask you to attach this statement to the journal of the meeting.

Thank you.



**Second day of the Sixteenth Meeting**  
MC(16) Journal No. 2, Agenda item 10

## **STATEMENT BY THE DELEGATION OF MOLDOVA**

Thank you, Mr. Chairperson,

I would like to join previous speakers in expressing deep regret that this Council was not able to adopt the Ministerial Declaration and the Statement on Moldova at its annual meeting. The Moldovan delegation has worked in a constructive and result oriented manner. Despite the tireless efforts from the part of my Delegation and the most of the involved actors we failed for the sixth year in a row to reach consensus on these important documents.

We are determined to find a political settlement exclusively by peaceful means, based on respect for the sovereignty and territorial integrity of the Republic of Moldova within its internationally recognized borders. We stand ready to resume constructive work in the 5+2 negotiating format in order to achieve at the earliest possibility a sustainable, final and comprehensive settlement, which will define a special, legal status of the Transnistrian region within the Republic of Moldova.

We express our appreciation for the role of the European Union and the United States of America in determining positive developments both in the conflict settlement and in the broader regional context. In particular, we would like to commend the activity of the EU Border Assistance Mission to Moldova and Ukraine and look forward to its extension.

We call once again on all involved actors to engage actively in the discussions for the substitution of the military contingents in the Security Zone by a multinational civil mission under an international mandate. We reiterate our position concerning the full, early and unconditional withdrawal of the all military forces and ammunition of the Russian Federation from the territory of the Republic of Moldova in compliance with the obligations undertaken in the framework of the OSCE Summits. This will provide the necessary ground for the ratification by the Republic of Moldova of the Adapted CFE Treaty.

We invite all interested actors to provide assistance for the democratization of the transnistrian region of Moldova and call on the transnistrian authorities to remove all obstacles in the way of free movement of persons and goods between both banks of the Nistru River, and to start the demilitarization process in the context of confidence and security-building measures.

Mr. Chairperson, I ask that this statement be attached to the journal of the day.

Thank you.



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MC(16).JOUR/2/Rev.1  
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Annex 7

ENGLISH  
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**Second day of the Sixteenth Meeting**  
MC(16) Journal No. 2, Agenda item 10

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

In connection with the statement by the NATO member States on the Treaty on Conventional Armed Forces in Europe (CFE Treaty), the Russian delegation in its turn feels it to be necessary to make the following interpretative statement.

Russia supports the preservation and development of an effective conventional arms control regime in Europe, which we regard as the most important way of strengthening confidence and security on the continent.

The refusal on implausible grounds by the NATO countries to fulfil their Istanbul commitment to ratify the Agreement on Adaptation as soon as possible prevented the CFE Treaty regime from being brought into line with the changed realities and ultimately was one of the reasons that compelled the Russian Federation to declare a moratorium on implementation of the Treaty.

The well-known draft “package solution” could be an important way of extracting the CFE Treaty from the crisis but it requires serious and high-quality revision. This has not been possible in the past year because of the lack of willingness on the part of our partners in NATO to participate in intensive dialogue using all available formats, as we have repeatedly proposed.

We should like to hope that the appeal in the NATO statement to work together with Russia on the CFE Treaty is an indication of an attitude within the Alliance to make greater efforts to break the deadlock. If this is really the case, we are ready to act.



**Organization for Security and Co-operation in Europe  
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**Second day of the Sixteenth Meeting**  
MC(16) Journal No. 2, Agenda item 10

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

Your Excellency,

As the Chairperson of the Forum for Security Co-operation (FSC), it is a pleasure for me to inform you about the activities of the FSC since the Fifteenth Meeting of the Ministerial Council in Madrid in 2007.

In preparing this letter, I have consulted this year's FSC Chairmanship troika, which in addition to Finland consists of Spain and Estonia. During 2008, the Chairmanships have continued working in close co-operation with each other to ensure continuity, balance and efficiency in the Forum's annual work programme.

The focus of the FSC's work in 2008 has continued to be on the core politico-military issues, such as arms control and confidence- and security-building measures (CSBMs), small arms and light weapons (SALW), stockpiles of conventional ammunition (SCA), and the Code of Conduct on Politico-Military Aspects of Security (CoC). Separate progress reports on further implementation of the documents on these issues have been forwarded to the Ministerial Council and contain more detailed information about developments in the FSC during the year regarding these aspects of its work.

During the year, the OSCE participating States continued to implement their joint commitments under the Vienna Document 1999. Implementing and strengthening the *acquis* of CSBMs remains high on the Forum's agenda.

Overall, 2008 was a challenging and active year for the FSC. Initiatives put forward by delegations had by November led to the adoption of 15 new decisions, some of which are updated supplementary measures to support already existing commitments, while others introduce new areas of work for the Forum. During the year, the FSC also provided significant contributions to, *inter alia*, the Helsinki Ministerial Council, the Annual Security Review Conference (ASRC) and the UN Third Biennial Meeting of States to Consider the Implementation of the UN Programme of Action on SALW.



Events throughout the year led to an intensified dialogue on confidence- and security-building measures and emphasized the FSC's importance as a platform to address and discuss security issues. The Forum's security dialogue on arms control and CSBMs was reinvigorated, with presentations and discussions on several issues that are topical for the European security framework.

It is especially worth mentioning that the participating States conducted a consultative and constructive dialogue on increased tensions and the armed conflict in August 2008. A significant OSCE politico-military activity in 2008 was the use of the VD99 risk reduction measures (Chapter III) to address the incident of 20 April 2008 involving the unmanned aerial vehicle shot down over Abkhazia, Georgia. In the context of addressing the case, also the provisions of Bucharest Ministerial Council Decision No. 3, on fostering the role of the OSCE as a forum for political dialogue, were applied, when the Chairperson of the Permanent Council requested politico-military advice from the FSC.

One of the most important annual FSC events, the Annual Implementation Assessment Meeting (AIAM), was held for the 18th time on 4 and 5 March 2008. As established in Chapter XI of the Vienna Document 1999, the Meeting provided an opportunity for participating States to discuss present and future implementation of agreed CSBMs, and allowed experts to exchange experiences, make suggestions and assess the implementation of the OSCE commitments in the field of CSBMs. On 3 March 2008, immediately prior to the AIAM, a meeting of heads of verification centres was organized for the second time. It proved a valuable opportunity to bring together the collective knowledge and expertise of participating States in the practical implementation of CSBM measures, and gave rise to an exchange of experiences and recommendations on their improvement.

Following the AIAM, the FSC prepared its contribution to the OSCE Annual Security Review Conference, held on 1 and 2 July. Following the practice of previous years, the contribution consisted of a list of politico-military elements that served as suggestions for topics of discussion at the Conference. Discussions at the ASRC on the current politico-military situation and the value of the OSCE's security dialogue, arms control arrangements and the CSBMs in the OSCE area revealed the continuing relevance of the Treaty on Conventional Armed Forces in Europe (CFE).

In 2008, discussion on several proposals regarding the improvement of implementation of the VD99 provisions continued in the FSC working groups and plenary meetings and resulted in two new decisions: one on measures to improve the availability of FSC-related information exchanged, and another on taking national holidays into account when planning verification activities.

In addition, the Forum adopted a decision on organizing an OSCE Workshop on a Comprehensive OSCE Approach to Enhancing Cyber Security, to be held on 17 and 18 March 2009 in Vienna, with the participation of relevant international organizations. The decision was a follow-up to an initiative introduced by the Estonian FSC Chairmanship, which was also extensively discussed during a joint FSC-PC meeting.

The OSCE Documents on Small Arms and Light Weapons and Stockpiles of Conventional Ammunition continued to receive considerable attention at the Forum, and participating States noted especially the need for their continued and enhanced

implementation. In accordance with the OSCE Chairmanship's programme, attention was equally paid to further development of the OSCE's normative work in this area and to continue project activities. The intensified work on the normative side is reflected in various activities during the year and the adoption of new decisions on updating the OSCE principles for export controls of man-portable air defence systems; updating the reporting categories of weapon and equipment systems subject to the information exchange on conventional arms transfers; introducing best practices to prevent destabilizing transfers of small arms and light weapons through air transport and an associated questionnaire; information exchange with regard to the sample formats of end-user certificates and relevant verification procedures; and the overview of disposal aspects of liquid rocket fuel in the OSCE area. The OSCE also published the Handbook of Best Practices on Conventional Ammunition.

In May 2008, Working Group A held a special meeting on SALW, at which two main issues were discussed: the OSCE's contribution and participation at the Third Biennial Meeting of States to Consider the Implementation of the UN Programme of Action on SALW (held from 14 to 18 July 2008 in New York); and future actions by the OSCE in the field of SALW and SCA.

In 2008, the OSCE continued the implementation of projects in response to requests for assistance on SALW and SCA. Dealing with these requests from participating States in regard to destruction and stockpile management and security of SALW and SCA remains one of the most dynamic areas of implementation of the Documents on SALW and SCA. During the year, the OSCE continued the implementation of two joint assistance programmes with the UNDP, one in Montenegro and the other one in Belarus. The second phase of the comprehensive assistance programme on SALW and conventional ammunition in Tajikistan is close to being finalized, with the final completion expected in early 2009. In the field of SCA special attention should be paid on resolving outstanding issues regarding the projects in Ukraine and Montenegro. The FSC also launched a comprehensive SALW and SCA programme. In addition to regular donations to established projects, this programme facilitates contributions to SALW and SCA projects under development. In addition, the FSC received three new requests for assistance on SALW and/or SCA.

On 5 and 6 February 2008, the FSC conducted a Workshop on the Implications of Technical, Managerial and Financial Issues of Existing and Planned Projects on SALW and SCA. The Workshop resulted in a wide array of proposals for further improving the OSCE response and emphasized the need for further enhancement of co-ordination and co-operation within the OSCE and between it and other international organizations. An OSCE Directory of Points of Contact on SALW and SCA was established to facilitate information exchange among the OSCE participating States.

The OSCE Code of Conduct on Politico-Military Aspects of Security is a normative document adopted by the OSCE participating States with a view to enhancing the norms of responsible and co-operative behaviour in the field of security and the responsibilities of States towards each other, as well as the democratic control of armed forces in the OSCE region. During 2008, food-for-thought papers and proposals for draft decisions were introduced by participating States, also related to the OSCE Code of Conduct, more specifically concerning the update of its questionnaire, suggestions to promote public awareness, publication and outreach, and supplementary measures designed to further the

implementation of the Code. A new decision was adopted on awareness raising and outreach of the Code. There is strong support for updating the questionnaire on the Code of Conduct.

Work also continued on supporting the implementation of UN Security Council resolution 1540 (2004) on non-proliferation of weapons of mass destruction. The participating States are currently discussing the preparation of a best practices guide for implementation of UNSCR 1540. Such a guide would constitute a compendium of suggested implementation practices and could assist in the continuing development of national action plans by participating States. A representative of the OSCE and FSC troikas attended the Organization of American States (OAS) Workshop on UNSCR 1540 Implementation held in Buenos Aires on 13 and 14 May 2008.

A special Working Group A meeting was held on 23 January 2008 on a more active role of the OSCE in combating anti-personnel mines. The meeting was structured around three groups of subjects: strengthening mine action and the possibility of supporting these efforts within the OSCE area through concrete measures; the possibility of carrying out public awareness campaigns and of organizing subregional seminars with regard to mine action; and finally discussion on a more active role for the OSCE in combating anti-personnel mines.

Finally, in line with the Finnish OSCE Chairmanship's priorities, all three FSC Chairmanships in 2008 continued working on strengthening co-operation between the FSC and the Permanent Council (PC) as part of the OSCE's concept of comprehensive and indivisible security. Three Joint FSC-PC and three Special Joint FSC-PC meetings (VD 99 Chapter III) were held to address cross-dimensional issues relevant to the work of both the FSC and the PC.



**Organization for Security and Co-operation in Europe  
Ministerial Council  
Helsinki 2008**

MC(16).JOUR/2/Rev.1  
5 December 2008  
Annex 9

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**Second day of the Sixteenth Meeting**  
MC(16) Journal No. 2, Agenda item 10

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

Your Excellency,

In my capacity as Chairperson of the Open Skies Consultative Commission (OSCC), I have the honour, on behalf of the chairmanships of the Federal Republic of Germany, United States of America and the Republic of Belarus, to inform you of the activities of the OSCC in 2008.

During the reporting period, following the Ministerial Council meeting in Madrid, the OSCC focused on current issues essential to the effective implementation of the Treaty on Open Skies, in the framework of the continuing implementation of the Treaty during the second phase of its implementation, which started on 1 January 2006.

The overall number of States Parties to the Treaty has remained at 34. In 2008, no new applications for accession to the Treaty have as yet been registered. The Chairperson encourages and welcomes accession to the Treaty by more OSCE participating States. The application of Cyprus remains on the agenda of the OSCC.

Since the previous reporting period, the States Parties have conducted about 100 observation flights that by and large have been judged successful and have been conducted in an atmosphere of mutual co-operation between the observing and the observed parties. In the course of these observation flights, the States Parties made wide use of such forms of co-operation as shared observation flights, in which two or more observing parties participated in an observation mission over the observed party. Furthermore, the States Parties continued the practice of conducting training observation flights on a bilateral basis. During the reporting period, the certification of one national Open Skies platform was successfully conducted.

On 14 July a ceremony to commemorate the approaching 500th observation flight under the Treaty of Open Skies took place in Vienna. The actual 500th observation flight was conducted by Benelux over Bosnia and Herzegovina on 18 August.

The OSCC continues to address the issues arising in relation to the day to day implementation of the Treaty through the Informal Working Group on Rules and Procedures (IWGRP). At present time the IWGRP is continuing the discussion on the decision on alternate airfields which aims at ensuring flight safety as well as at establishing administrative and financial procedures in case of landings of observation aircraft at alternate airfields. The IWGRP is also working on a revision five of Decision Number One to the Treaty on Open Skies which governs the distribution of costs arising under the Treaty. The issue of the influence of hazardous airspace on observation flights was also discussed during the reporting period.

During 2008, the Informal Working Group on Sensors (IWGS) continued their work to update the Treaty on Open Skies with work on two major decisions: revision number one to Decision Fourteen (the video decision) and the digital image processing decision. Due to changes in technology over the last 15 years, aerial imaging has largely switched from film-based cameras to digital electro-optical cameras. Film-based systems are moving toward obsolescence. To remain cost-effective and viable, the Treaty on Open Skies must adapt to current commercial imagery technology. Once these two decisions are adopted, States Parties can move forward into the next decade with clear guidance for modern, cost-effective Treaty sensors which comply with original Treaty resolution parameters.

A meeting on active quota distribution was held on 9 and 10 October and resulted in an agreement on the distribution of active quotas for 2009. The meeting was regarded as very successful and in accordance with the spirit of the Treaty. The Chairperson is hopeful that this vital instrument of co-operation will continue to function effectively. The OSCC adopted a decision on distribution of active quotas for observation flights in the year 2009.

The Treaty on Open Skies continues to enhance openness and transparency among the States Parties and contributes to maintaining a climate of co-operation in their territories, from Vancouver to Vladivostok. Moreover, the Treaty is making a substantial contribution to achieving the goals and objectives of the OSCE, in particular to that of promoting confidence, stability and security in Europe.

Your Excellency, you may deem it useful to reflect this information in the relevant documents of the Ministerial Council meeting.



**Organization for Security and Co-operation in Europe  
Ministerial Council  
Helsinki 2008**

MC.DOC/1/08  
5 December 2008

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**Second day of the Sixteenth Meeting**  
MC(16) Journal No. 2, Agenda item 8

## **MINISTERIAL STATEMENT**

We welcome the constructive and positive momentum in the peace process for the political settlement of the Nagorno-Karabakh conflict established after the two meetings of the Presidents of Armenia and Azerbaijan in 2008, in Saint Petersburg on June 6, and especially in Moscow on November 2.

The Moscow Declaration signed by the Presidents of Armenia, Azerbaijan and Russia opened a promising phase in the process of settling the conflict. We strongly encourage the sides in their aspiration to intensify efforts in the negotiation process, in accordance with the provisions of the Moscow Declaration and in co-ordination with the Co-Chairs of the OSCE Minsk Group, to further elaborate the Basic Principles proposed in Madrid on November 29, 2007 and then begin drafting a comprehensive Peace Agreement. We highly appreciate their intention to develop confidence building measures and to consolidate the ceasefire.



**Organization for Security and Co-operation in Europe  
Ministerial Council  
Helsinki 2008**

MC.DOC/2/08  
5 December 2008

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**Second day of the Sixteenth Meeting**  
MC(16) Journal No. 2, Agenda item 8

**MINISTERIAL DECLARATION ON  
THE OCCASION OF THE 60th ANNIVERSARY OF THE UNIVERSAL  
DECLARATION OF HUMAN RIGHTS**

We, the members of the Ministerial Council of the OSCE, reaffirm our strong commitment to the Universal Declaration of Human Rights (“the Universal Declaration”), adopted by the United Nations General Assembly on 10 December 1948.

On the occasion of the 60th anniversary of the adoption of the Universal Declaration, we recommit ourselves to act in conformity with the purposes and principles of the Charter of the United Nations and with the Universal Declaration of Human Rights.

In the spirit of the Helsinki Final Act, we underline the principles guiding relations between participating States enshrined therein, in particular the respect for human rights and fundamental freedoms.

We stress that all human rights are universal.

We remain committed to respecting the inherent dignity of the human being, as recognized in the Universal Declaration and relevant OSCE documents to which we have agreed.

We declare that the rights contained in the Universal Declaration remain relevant.

We reaffirm to ensure the full implementation of the OSCE human dimension commitments. All OSCE commitments without exception apply equally to each participating State.

We reaffirm the inseparable connection between ensuring respect for human rights and maintaining peace, justice, well-being for peoples and stability, as recognized by the OSCE concept of common and comprehensive security.

Taking into account the principles guiding relations between participating States enshrined in the Helsinki Final Act, we reaffirm that the commitments undertaken in the field of the OSCE human dimension are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned as stipulated in the 1991 Moscow document.

We recognize the valuable contribution of the OSCE in promoting and protecting the rights enshrined in the Universal Declaration. We recognize, in particular, the work of the Office for Democratic Institutions and Human Rights (ODIHR) in assisting the participating States, in accordance with its mandate, in implementing human dimension commitments.

On the occasion of the tenth anniversary of the Office of the Representative on Freedom of the Media, we recognize the work of this institution in promoting independent and pluralistic media essential to a free and open society and accountable systems of government. We call on participating States and Partners for Co-operation to create an environment where free and independent media can flourish.

On the occasion of the 15th anniversary of the High Commissioner on National Minorities, we recognize the role played by the High Commissioner.

We remain committed to undertake to build, consolidate and strengthen democracy in our countries.

We remain committed to the rule of law and equal protection under the law for all, based on respect for human rights and effective, accessible and just legal systems.

We stress that everyone has the right to life, liberty and security of person; no one shall be held in slavery, and no one shall be subjected to torture or cruel, inhuman or degrading treatment or punishment.

We recognize that human rights are best respected in democratic societies, where decisions are taken with maximum transparency and broad participation. We support a pluralistic civil society and encourage partnerships between different stakeholders in the promotion and protection of human rights.

We reiterate that everyone has the right to freedom of thought, conscience, religion or belief; freedom of opinion and expression, freedom of peaceful assembly and association. The exercise of these rights may be subject to only such limitations as are provided by law and consistent with our obligations under international law and with our international commitments.





**Organization for Security and Co-operation in Europe  
Ministerial Council  
Helsinki 2008**

MC.DOC/3/08  
5 December 2008

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**Second day of the Sixteenth Meeting**  
MC(16) Journal No. 2, Agenda item 8

**MINISTERIAL DECLARATION ON  
THE 60th ANNIVERSARY OF THE CONVENTION ON THE  
PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE**

We, the members of the Ministerial Council of the OSCE, mark the 60th anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide, adopted by the United Nations General Assembly on 9 December 1948 (hereinafter referred to as the Convention).

We acknowledge that the Universal Declaration of Human Rights recognized the inherent dignity and the equal and inalienable rights of all members of the human family as the foundation of freedom, justice and peace in the world and we also reiterate relevant commitments enshrined in the Helsinki Final Act.

We reaffirm the significance of the Convention as an important international instrument for the prevention and punishment of the crime of genocide.

We call upon the participating States, which have not yet done so, to consider becoming Parties to the Convention as early as possible and be part of this global framework to prevent and punish the crime of genocide. We further call upon the State-Parties to increase and intensify their activities aimed at the full implementation of their obligations under the Convention.

We note that in adopting the Convention, the United Nations recognized that the crime of genocide was an odious scourge which had inflicted great losses on humanity and was convinced that international co-operation was required to facilitate the speedy prevention and punishment of the crime of genocide.

We recognize that genocide is one of the most serious crimes under international law which is condemned by international community as a whole and can never be justified.



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

MC.DEC/1/08  
14 May 2008

Original: ENGLISH

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**DECISION No. 1/08  
APPOINTMENT OF THE DIRECTOR OF THE OFFICE FOR  
DEMOCRATIC INSTITUTIONS AND HUMAN RIGHTS**

The Ministerial Council,

Recalling the decision of the Ministerial Council taken at its second meeting in Prague in 1992 concerning the development of the Office for Democratic Institutions and Human Rights (ODIHR),

Considering that, according to Ministerial Council Decision No. 1/06, the term of office of the currently Acting Director of the ODIHR, Mr. Christian Strohal, will expire on 30 June 2008,

Expressing its gratitude to the outgoing Director of the ODIHR, Mr. Christian Strohal,

Taking into account the recommendation of the Permanent Council,

Decides to appoint Mr. Janez Lenarčič as Director of the ODIHR for a period of three years with effect from 1 July 2008.

MC.DEC/1/08  
14 May 2008  
Attachment

ENGLISH  
Original: RUSSIAN

**INTERPRETATIVE STATEMENT UNDER  
PARAGRAPH IV.1(A)6 OF THE RULES OF PROCEDURE  
OF THE ORGANIZATION FOR SECURITY AND  
CO-OPERATION IN EUROPE**

By the delegation of Belarus:

“In connection with the adoption of the OSCE Ministerial Council decision concerning the appointment of Ambassador Janez Lenarčič to the post of Director of the OSCE Office for Democratic Institutions and Human Rights (ODIHR), our delegation is authorized to make the following interpretative statement.

Having joined the consensus regarding the candidacy of Ambassador Janez Lenarčič, we recall the need to continue the reform of the OSCE ODIHR for the purposes of enhancing the transparency of its activities and strengthening its accountability to the OSCE’s collective bodies. We expect the Office’s new Director to make the relevant proposals and carry out the relevant actions, including those necessary for the full implementation of Decision No. 19/06, adopted at the Meeting of the OSCE Ministerial Council in Brussels, in its section concerning the ODIHR. At the same time, we confirm our willingness to engage in constructive co-operation with the new Director of the ODIHR.

We believe that as a first priority the problems of introducing order in the area of election observations and the organization of the OSCE’s human dimension events should be solved. In particular, it is necessary to take specific steps to standardize the election observation procedures and convert them into uniform rules agreed on by all participating States, as well as to adjust the modalities for holding the OSCE’s human dimension events.

In this connection, we recall the proposals introduced by a number of participating States in 2007 concerning the adoption of ‘Basic principles for the organization of OSCE ODIHR observation of national elections’ and ‘Modalities of NGO participation in OSCE meetings’.

It is also important to continue the efforts to enhance the transparency of the ODIHR’s extrabudgetary financing. We take the position that the Office, in accordance with its mandate, is called upon to assist participating States in fulfilling commitments within the OSCE at their request, and not to foist such ‘assistance’ on them.

We stress that the ODIHR is a specialized institution of the OSCE and, as such, is accountable to all participating States. We regard as inadmissible any ODIHR activity that is

carried out without the approval of the OSCE's collective bodies or that circumvents its decisions.

We will structure our further co-operation with the ODIHR, and will also revise our position within the framework of the discussion of the Office's programme activities and budget, depending on the degree to which the Office's leadership takes into account in its activities the approaches set forth above.

I request that this statement be attached to the decision adopted and included as an annex to the journal of the day."



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

MC.DEC/2/08  
26 June 2008

Original: ENGLISH

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**DECISION No. 2/08  
REAPPOINTMENT OF THE OSCE SECRETARY GENERAL**

The Ministerial Council,

Recalling the decision of the Third Meeting of the OSCE Ministerial Council in Stockholm in 1992 to establish the post of Secretary General and Ministerial Council Decision No. 15/04 of 7 December 2004 (MC.DEC/15/04) on the role of the OSCE Secretary General,

Recalling Ministerial Council Decision No. 1/05 of 10 June 2005 (MC.DEC/1/05) on the appointment of Mr. Marc Perrin de Brichambaut as Secretary General of the OSCE for a period of three years with effect from 21 June 2005,

Taking into account the recommendation of the Permanent Council,

Decides to reappoint Mr. Marc Perrin de Brichambaut as Secretary General of the OSCE for a term of three years with effect from 1 July 2008 as an exception to the periods of service set out in the decision of the Third Meeting of the OSCE Ministerial Council in Stockholm in 1992.



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

MC.DEC/3/08  
22 October 2008

Original: ENGLISH

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**DECISION No. 3/08  
PERIODS OF SERVICE OF THE OSCE SECRETARY GENERAL**

The Ministerial Council,

Recalling the decision of the Third Meeting of the CSCE Ministerial Council in Stockholm in 1992 to establish the post of Secretary General and Ministerial Council Decision No. 15/04 of 7 December 2004 (MC.DEC/15/04) on the role of the OSCE Secretary General,

Taking into account the strengthened role and responsibilities of the Secretary General in providing continuity and facilitating the long-term planning of OSCE activities,

Aiming to further improve the effectiveness of the OSCE and ensure consistent implementation of the OSCE rules governing periods of service,

Decides that the OSCE Secretary General shall be appointed for a term of three years, which may be extended for a second and final term of three years.



**Organization for Security and Co-operation in Europe  
Ministerial Council  
Helsinki 2008**

MC.DEC/4/08  
5 December 2008

Original: ENGLISH

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**Second day of the Sixteenth Meeting**  
MC(16) Journal No. 2, Agenda item 8

**DECISION No. 4/08  
STRENGTHENING THE LEGAL FRAMEWORK OF THE OSCE**

The Ministerial Council,

Guided by our common goal to strengthen the legal framework of the OSCE,

Pursuant to the relevant decisions of the 1992 Helsinki Summit, of the 1992 Stockholm Council Meeting and of the 1993 Rome Council Meeting,

Referring to Brussels Ministerial Decision No. 16/06 on Legal status and privileges and immunities of the OSCE and the attachments to it,

Expressing its appreciation to the informal working group at expert level tasked by that Ministerial Decision for its valuable work in 2007, as well as taking note of the Round Table discussion on 22 October 2008 in Vienna under the auspices of the Finnish Chairman-in-Office,

Stressing the importance of the OSCE's acquiring international legal status,

Tasks the Chairman-in-Office, in consultation with the participating States, to pursue a dialogue on strengthening the legal framework of the OSCE and to report to the Ministerial Council meeting in Athens in 2009.

MC.DEC/4/08  
5 December 2008  
Attachment

ENGLISH  
Original: RUSSIAN

**INTERPRETATIVE STATEMENT UNDER  
PARAGRAPH IV.1(A)6 OF THE RULES OF PROCEDURE  
OF THE ORGANIZATION FOR SECURITY AND  
CO-OPERATION IN EUROPE**

By the delegation of Armenia (also on behalf of Belarus, Kazakhstan, Kyrgyzstan, Uzbekistan, the Russian Federation, Tajikistan):

“The delegations of the Republic of Armenia, the Republic of Belarus, the Republic of Kazakhstan, the Kyrgyz Republic, the Russian Federation, the Republic of Tajikistan and the Republic of Uzbekistan joined the consensus on the decision on strengthening the legal framework of the OSCE on the understanding that the tasking of the OSCE Chairman-in-Office to pursue dialogue on strengthening the legal framework of the Organization meant that work would begin on the draft Charter of the OSCE.

We are referring to the draft Charter of the OSCE elaborated and proposed on 18 September 2007 by the delegations of the Republic of Armenia, the Republic of Belarus, the Republic of Kazakhstan, the Kyrgyz Republic, the Russian Federation, the Republic of Tajikistan and the Republic of Uzbekistan (PC.DEL/897/07), which may be taken as a basis for further work.

We confirm our position that the draft Charter of the OSCE and the convention on the legal personality, legal capacity and privileges and immunities of the OSCE should be adopted at the same time.”

We request that this interpretive statement be attached to the decision adopted and be included in the journal of the meeting of the OSCE Ministerial Council.





**Second day of the Sixteenth Meeting**  
MC(16) Journal No. 2, Agenda item 8

**DECISION No. 5/08**  
**ENHANCING CRIMINAL JUSTICE RESPONSES TO TRAFFICKING  
IN HUMAN BEINGS THROUGH A COMPREHENSIVE APPROACH**

The Ministerial Council,

Highlighting its serious concern that trafficking in human beings remains widespread in the OSCE region,

Considering that trafficking in human beings is a grave and heinous crime that violates human dignity and undermines the enjoyment of human rights and fundamental freedoms, and that feeds organized criminal networks,

Taking note of the Council of Europe Convention on Action against Trafficking in Human Beings,

Reaffirming all OSCE commitments to combat trafficking in human beings with special regard to the OSCE Action Plan to Combat Trafficking in Human Beings, including its Addendum on Addressing the Special Needs of Child Victims of Trafficking for Protection and Assistance (the OSCE Action Plan), and the need for their implementation,

Reiterating the important role of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings (Special Representative) in assisting the participating States to implement the OSCE commitments on combating human trafficking,

Reiterating its concern that, despite sustained measures taken at the international, regional and national levels, the number of victims of human trafficking which have been identified and assisted remains limited, and few traffickers have been brought to justice,

Recognizing that providing victims of human trafficking with adequate protection and assistance and enhancing victim identification are among the prerequisites for an effective criminal justice response, including the prosecution of traffickers and their accomplices, to human trafficking,

Reiterating that the commitment to combat this crime applies equally to countries of origin, transit and destination,

Reaffirming our support for efforts by the participating States in co-operation with international and regional organizations, non-governmental organizations and other relevant bodies to consider a comprehensive, co-ordinated and integrated approach to combating trafficking in human beings, which includes, *inter alia*, measures for preventing trafficking in human beings, protecting and assisting victims, with full respect for their human rights, and prosecuting traffickers, as well as to combating the activities of transnational criminal organizations and others that profit from the trafficking in human beings,

Taking note of the OSCE Conference on Successful Prosecution of Human Trafficking: Challenges and Good Practices that took place in Helsinki, on 10 and 11 September 2008,

Determined to enhance effective criminal justice responses to trafficking in human beings,

1. Encourages those participating States that have not yet done so to ensure that all forms of trafficking in human beings as defined in the OSCE Action Plan are criminalized in their national legislation and that perpetrators of human trafficking do not enjoy impunity;
2. Encourages the participating States to ensure that training on combating trafficking in human beings is included in the curricula for law enforcement personnel and that specialized anti-trafficking training is provided for relevant officials in national prosecution services and the judiciary. Each participating State will take into account policies and consequences regarding trafficking in human beings when instructing its military and civilian personnel to be deployed abroad;
3. Urges the participating States to ensure that law enforcement agencies and where appropriate the judiciary co-operate with each other and with other bodies including social services, and where appropriate with relevant civil society organizations in order to enhance identification of victims of human trafficking;
4. Encourages the participating States where appropriate and where provided for by their respective laws to ensure that civil society organizations engaged in protecting the rights of victims of trafficking have a possibility to provide assistance and support to victims also during criminal proceedings, and in this context, to consider establishing co-operation between law enforcement agencies and civil society organizations;
5. Calls on the participating States to ensure that, when authorities have reasonable grounds to believe that a person is a victim of human trafficking, that person will not be deported until the identification process has been adequately completed, and that person has been given appropriate assistance, including, if required under domestic law, an appropriate recovery and reflection period during which deportation shall not be enforced;
6. Encourages the participating States to ensure that victims of human trafficking have access without undue delay to secure accommodation, psychological and medical treatment and counselling regarding their legal rights and the services available to them;
7. Calls on the participating States that have not yet done so to provide for special measures of protection and assistance for child victims of human trafficking throughout

criminal proceedings, in accordance with the principles of the best interest of the child, non-discrimination, participation and the opportunity for the child to be heard;

8. Urges the participating States that have not yet done so to ensure that investigations into or prosecution of human trafficking shall not be dependent upon a report or accusation by a victim;
9. Calls on the participating States to continue their efforts to ensure that victims of human trafficking are treated in a manner that respects the full enjoyment of human rights without threat of intimidation or harassment, and to recognize victims' need to have adequate time to recover from trauma;
10. Encourages the participating States to take measures in accordance with the conditions under their respective laws so that victims of human trafficking have the possibility of obtaining fair and appropriate compensation for damage they have suffered, and to claim damages during criminal and/or civil proceedings as appropriate;
11. Calls for increased co-operation by national law enforcement and prosecution agencies with relevant international bodies, including Interpol and Europol, and with the law enforcement agencies of other participating States, for example, through the use of liaison officers or joint investigative teams, where doing so would enhance the efficiency and effectiveness of criminal justice responses;
12. Urges the participating States to intensify measures to disrupt trafficking networks, including by means of financial investigations, investigations of money laundering connected to human trafficking and the freezing or confiscation of the assets of human traffickers;
13. Tasks the Special Representative within existing resources as a part of regular reporting to the Permanent Council to recommend, in co-operation with the participating States, ways to further enhance criminal justice responses to trafficking in human beings.



**Organization for Security and Co-operation in Europe  
Ministerial Council  
Helsinki 2008**

MC.DEC/6/08  
5 December 2008

Original: ENGLISH

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**Second day of the Sixteenth Meeting**  
MC(16) Journal No. 2, Agenda item 8

**DECISION No. 6/08**  
**ENHANCING OSCE EFFORTS TO IMPLEMENT THE ACTION PLAN**  
**ON IMPROVING THE SITUATION OF ROMA AND SINTI WITHIN**  
**THE OSCE AREA**

The Ministerial Council,

Reaffirming the OSCE's commitments regarding Roma and Sinti, especially those in the 2003 Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area,

Recognizing the important framework the Action Plan provides for the promotion and protection of the human rights of Roma and Sinti people by the participating States,

Calling upon the participating States to enhance their efforts to ensure that Roma and Sinti people are able to participate fully in societies and to take measures to eradicate discrimination against them,

Reminding that racism and discrimination continue to affect Roma and Sinti across the OSCE area and that participating States have committed themselves to strengthen their policies and the practical measures they undertake to counter these phenomena,

Recalling the importance of Roma culture and language as a part of the cultural heritage of many countries and as an integral element of Roma and Sinti identity,

Noting the ODIHR's Status Report 2008 (Status Report) on the Implementation of the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area as a means for supporting the effective implementation of OSCE commitments related to Roma and Sinti,

Reiterating the input of the ODIHR Contact Point for Roma and Sinti Issues in the process of regular review and assessment of the implementation of the Action Plan,

Recalling the importance of relevant OSCE institutions and structures in supporting the implementation of the Action Plan and also stressing the importance of effective co-ordination and co-operation within the OSCE,

Taking note of the Supplementary Human Dimension Meeting that took place on 10 and 11 July 2008 on sustainable policies for Roma and Sinti integration,

Determined to enhance OSCE efforts to implement the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area,

1. Urges the participating States to provide for equal access to education and to promote early education for Roma and Sinti children, as an instrument for preventing social exclusion and marginalization and for effecting a long-term improvement in the situation of Roma and Sinti. In this context, underlines that educational policies should aim to integrate Roma and Sinti people into mainstream education;
2. Calls upon the ODIHR, within existing resources, to assist participating States upon their request in promoting access of Roma and Sinti children to early education. In this regard, urges participating States when appropriate to undertake awareness raising initiatives, also including Roma and Sinti communities, on the benefits of early education;
3. Calls on the participating States, in co-operation with Roma and Sinti people to step up their efforts in raising awareness among Roma and Sinti of the importance of school enrolment and continuous school attendance;
4. Encourages the participating States to take into consideration Roma and Sinti issues when reviewing their legislation and policies affecting Roma and Sinti, especially in the priority areas of the 2003 Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area;
5. Calls for appropriate national authorities relevant to the situation of Roma and Sinti, such as those relating to minorities, access to health services, education, housing, anti-discrimination work, police and media, to enhance their efforts to ensure the implementation of OSCE commitments within national legislation on equality and non-discrimination. In this context, special attention should be paid to the situation of Roma women and girls;
6. Encourages the participating States who have not yet done so to put in place institutional frameworks involving Roma and relevant governmental bodies, at appropriate levels in order to facilitate the implementation of policies and programmes aimed at improving the situation of Roma and Sinti;
7. Encourages participating States to reinforce their efforts to actively engage Roma and Sinti communities in policy making concerning Roma and Sinti and to promote effective participation by Roma and Sinti in public and political life;
8. Calls for continued co-ordination and co-operation within existing resources within the OSCE and with relevant international actors such as the Council of Europe and the European Union when appropriate;
9. Calls for enhanced efforts to raise awareness of OSCE commitments on Roma and Sinti and in this regard stresses the value of reporting by the Director of ODIHR as part of his regular reporting to the Permanent Council on the status of implementation of the Action Plan, as stipulated in Chapter X, articles 133 and 134 of the Action Plan itself.



**Second day of the Sixteenth Meeting**  
MC(16) Journal No. 2, Agenda item 8

**DECISION No. 7/08**  
**FURTHER STRENGTHENING THE RULE OF LAW**  
**IN THE OSCE AREA**

The Ministerial Council,

Reaffirming the OSCE participating States' commitments to the rule of law and to the Principles Guiding Relations between participating States in the 1975 Helsinki Final Act, as well as to the fulfilment in good faith of obligations under international law and reiterating the OSCE participating States' determination to foster strict respect for these principles,

Recalling the OSCE documents adopted in Vienna 1989, Copenhagen 1990, Moscow 1991, Budapest 1994 and Istanbul 1999 and Ljubljana Ministerial Council Decision No. 12/05 on Upholding human rights and the rule of law in criminal justice systems,

Recalling also the Universal Declaration of Human Rights and taking note of the International Covenant on Civil and Political Rights,

Recalling also other relevant United Nations documents affirming, *inter alia*, the need for universal adherence to and implementation of the rule of law at both the national and international levels, the commitment to an international order based on the rule of law and international law,

Underlining the importance we attach to human rights, the rule of law and democracy, which are inter-linked and mutually reinforcing,

Underlining also the importance of the rule of law as a cross-dimensional issue for ensuring the respect for human rights and democracy, security and stability, good governance, mutual economic and trade relations, investment security and a favourable business climate as well as its role in the fight against corruption, organized crime and all kinds of illegal trafficking including in drugs and weapons as well as trafficking in human beings, thus serving as a basis for political, economic, social and environmental development in the participating States,

Underlining also the importance of the rule of law in the implementation of OSCE decisions and documents in the politico-military sphere,

Taking into account activities related to the rule of law of relevant OSCE executive structures, in particular, the Secretariat, the ODIHR and the OSCE field operations, to assist participating States to enhance rule of law capacities, and taking also into account the role of the OSCE Parliamentary Assembly to promote respect for the rule of law in the OSCE area,

Taking into account relevant OSCE events concerning rule of law, in particular the 2008 OSCE Human Dimension seminar on the issue of Constitutional Justice as well as relevant Supplementary Human Dimension Meetings,

Taking into account participating States' ongoing and envisaged bilateral activities regarding the rule of law,

Underlining the importance of providing the OSCE with a legal personality, legal capacity, privileges and immunities and thus strengthening the legal framework of the OSCE,

1. Calls on the OSCE participating States to honour their obligations under international law and to observe their OSCE commitments regarding the rule of law at both international and national levels, including in all aspects of their legislation, administration and judiciary;
2. Calls on participating States to contribute, where appropriate, to OSCE projects and programmes supporting the rule of law;
3. Encourages the relevant OSCE executive structures, in accordance with their mandates and within existing resources, in cooperation with relevant international organizations, to further identify and use synergies in assisting participating States, upon their request, in strengthening of the rule of law;
4. Encourages participating States, with the assistance, where appropriate, of relevant OSCE executive structures in accordance with their mandates and within existing resources, to continue and to enhance their efforts to share information and best practices and to strengthen the rule of law, *inter alia* in the following areas:
  - Independence of the judiciary, effective administration of justice, right to a fair trial, access to court, accountability of state institutions and officials, respect for the rule of law in public administration, the right to legal assistance and respect for the human rights of persons in detention;
  - Honouring obligations under international law as a key element of strengthening the rule of law in the OSCE area;
  - Adherence to the principle of peaceful settlement of disputes;
  - Respect for the rule of law and human rights in the fight against terrorism according to their obligations under international law and OSCE commitments;
  - Prevention of torture and other cruel, inhuman or degrading treatment or punishment, including through co-operation with the applicable intergovernmental bodies;
  - Efficient legislation and an administrative and judicial framework in order to facilitate economic activities, trade and investments in participating States and between them;

- Respect for the rule of law with regard to the protection of the natural environment in the OSCE area;
  - Awareness-raising for issues related to the rule of law in courts, law enforcement agencies, police and penitentiary systems as well as in training for legal professionals;
  - Education on the rule of law as well as interaction and exchange opportunities for legal professionals, academics and law students from different participating States in the OSCE region;
  - The role of constitutional courts or comparable institutions of the participating States as an instrument to ensure that the principles of the rule of law, democracy and human rights are observed in all state institutions;
  - The provision of effective legal remedies, where appropriate, and the access thereto;
  - The observation of rule of law standards and practices in the criminal justice system;
  - The fight against corruption;
5. Tasks the relevant OSCE executive structures, in close consultation and co-operation with participating States and within existing resources, to organize a seminar focussing on rule of law in 2009 which could serve as a platform for exchanging best practices between the participating States on issues related to the rule of law.



MC.DEC/7/08  
5 December 2008  
Attachment

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**INTERPRETATIVE STATEMENT UNDER  
PARAGRAPH IV.1(A)6 OF THE RULES OF PROCEDURE  
OF THE ORGANIZATION FOR SECURITY AND  
CO-OPERATION IN EUROPE**

By the delegation of Georgia:

“While it has joined the consensus on the Ministerial Council decision on Further Strengthening the Rule of Law in the OSCE Area, Georgia regrets the fact that, during the Ministerial Council meeting in Helsinki, the participating States were not able to reach consensus on the implementation of rule of law on the territories in the OSCE area, affected by the unresolved conflicts, where the absence of legitimate governance, democracy, respect for human rights and lack of transparency at both national and international levels have led to absolute lawlessness on these territories in some cases, resulting in severe and detrimental conditions of life of the citizens of the OSCE Member States residing there. Adequate reflection of this issue in the Ministerial Council decision would be crucial for ensuring universal adherence to and implementation of the rule of law and observing the commitment to an international order based on the rule of law and international law, affirmed by the relevant OSCE and UN documents.

We request that this statement be attached to the decision adopted and be included in the journal of today’s meeting.”



**Second day of the Sixteenth Meeting**  
MC(16) Journal No. 2, Agenda item 8

**DECISION No. 8/08**  
**OSCE CONTRIBUTION TO THE IMPLEMENTATION PHASE OF**  
**THE ALLIANCE OF CIVILIZATIONS INITIATIVE**

The Ministerial Council,

Recognizing the need to promote mutual understanding and co-operative relations among nations across cultures and civilizations,

Resolved to counter radicalization and violent extremism that lead to terrorism,

Underlining the role of the OSCE as a regional arrangement under Chapter VIII of the United Nations Charter,

Highlighting the continued interest of the OSCE in the “Alliance of Civilizations” initiative, established under the auspices of the United Nations, in line with the Ljubljana, Brussels and Madrid Ministerial Council decisions,

Reiterating our commitments to combating intolerance and discrimination and to promoting mutual respect and understanding,

Recalling the initial contribution of the OSCE to the Alliance of Civilizations initiative, presented to the UN Secretary General in 2006,

Taking into account the Implementation Plan prepared by the United Nations High Representative for the Alliance of Civilizations initiative,

Decides, within existing resources, to:

1. Authorize the OSCE Secretary General to follow the evolution of the Alliance of Civilizations, to consider co-operation on Alliance of Civilizations projects in areas of common interest and mutual benefit that advance implementation of OSCE commitments, and tasks him to report to participating States;
2. Recommend that the OSCE Secretary General, in consultation with the Chairman-in-Office, attends the upcoming Second Forum Meeting of the Alliance of Civilizations initiative, to be held on 2 and 3 April 2009 in Istanbul, and reports on its outcome to the participating States.



**Second day of the Sixteenth Meeting**  
MC(16) Journal No. 2, Agenda item 8

**DECISION No. 9/08  
FOLLOW-UP TO THE SIXTEENTH ECONOMIC AND  
ENVIRONMENTAL FORUM ON MARITIME AND INLAND  
WATERWAYS CO-OPERATION**

The Ministerial Council,

Taking into account the Strategy Document for the Economic and Environmental Dimension adopted by the Ministerial Council in Maastricht (2003),

Drawing upon the outcome of the Sixteenth OSCE Economic and Environmental Forum “Maritime and inland waterways co-operation in the OSCE area: Increasing security and protecting the environment”, in particular the recommendations made in Vienna in January 2008 and in Prague in May 2008, and also those made at the two preparatory conferences held in Helsinki in September 2007 and in Ashgabat in March 2008,

Bearing in mind the importance of appropriate follow-up to the Economic and Environmental Forums and noting the recommendations of the Chairmanship follow-up conference held in Odesa in June 2008,

Recognizing the importance of maritime and inland waterways co-operation to the enhancement of regional economic and environmental co-operation, security and stability in the OSCE area,

Emphasizing that maritime and inland waterways co-operation is best enhanced through an integrated approach taking account of security, economic and environmental aspects,

Recognizing the specific challenges of landlocked developing countries and stressing the opportunities that maritime and inland waterways co-operation bring with regard to facilitating their access to the sea and seaports,

Acknowledging the growing challenges related to the environment and security aspects of maritime and inland waterways co-operation, and the need to step up regional, subregional and inter-regional efforts, in particular in addressing the challenges and opportunities related to:

- Maritime pollution, in particular oil pollution and the need to develop effective oil spill response capacities,
- Combating the transfer of invasive species through ballast water,
- The transport of dangerous goods,
- Emergency situations and the need for joint emergency responses,
- Integrated river basin management,
- The development of efficient and secure multimodal transport corridors,
- The multifaceted aspects of maritime security, including supply chain security,

Convinced that increased transboundary waterways co-operation can foster dialogue and serve as a further confidence-building measure, and noting the work carried out by the OSCE and the Environment and Security Initiative (ENVSEC) in this field,

Acknowledging that waterways co-operation can also contribute to the management of water resources,

Recognizing the importance of continuing co-operation with relevant international organizations, especially the International Maritime Organization (IMO) and the United Nations Economic Commission for Europe (UNECE), and with relevant regional organizations, in close consultation with participating States,

Acknowledging that co-operation at all levels, both between States and between all relevant stakeholders, including the business community, civil society and academia, is important to addressing maritime and inland waterways co-operation challenges adequately,

Considering that the OSCE, within its comprehensive approach to security and co-operation, may support and complement existing initiatives in the field of maritime and inland waterways co-operation, as appropriate and within its capacity and resources,

Decides to:

1. Urge participating States to strengthen dialogue and co-operation regarding the security, environmental and economic aspects of maritime and inland waterways;
2. Encourage participating States to consider becoming parties to relevant international legal instruments developed by the IMO and the UNECE, in particular the International Convention for the Control and Management of Ships' Ballast Water and Sediments, the International Convention for the Prevention of Pollution from Ships and its Annexes, the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, and the Convention on the Protection and Use of Transboundary Watercourses and International Lakes, and decides to support the full implementation by participating States of their obligations under these instruments;

3. Task the OSCE executive structures, within the framework of their mandates and existing resources, with supporting the participating States, upon their request, in the implementation of relevant commitments, taking into account the role played by relevant international organizations;
4. Urge participating States to endeavour to strengthen and further develop subregional, regional and inter-regional co-operation, where appropriate, in order to address the challenges mentioned above;
5. Encourage participating States to develop efficient and secure multimodal transport corridors including efficient and secure border crossings in order to facilitate access to the sea for landlocked countries, taking into account the relevant provisions of the OSCE Border Security and Management Concept as well as the relevant OSCE commitments related to transport;
6. Encourage participating States to approach the issue of waterways co-operation in synergy with management of water resources;
7. Encourage participating States to apply and share best practices and technological solutions relevant to addressing security, environmental and economic challenges in the field of maritime and inland waterways co-operation;
8. Urge participating States to promote good governance and transparency and invite them to include all stakeholders, including the business community, civil society and academia, in the policy debate on maritime and inland waterways co-operation where applicable, and to promote public-private partnership;
9. Task the Secretariat with continuing, within existing resources, exploratory consultations with the IMO in order to define the scope and modalities for co-operation and with reporting to the Permanent Council by mid-2009 so that it can take appropriate decisions;
10. Encourage the OSCE field presences, within their mandates and existing resources, to promote awareness-raising and to facilitate training and capacity-building in close co-operation with the host countries.



**Organization for Security and Co-operation in Europe  
Ministerial Council  
Helsinki 2008**

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**Second day of the Sixteenth Meeting**  
MC(16) Journal No. 2, Agenda item 8

**DECISION No. 10/08  
FURTHER PROMOTING THE OSCE'S ACTION  
IN COUNTERING TERRORISM**

The Ministerial Council,

Re-emphasizing the OSCE participating States' 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 their obligations under international law, in particular international human rights, refugee and humanitarian law,

Reaffirming the existing OSCE counter-terrorism commitments and the intention to maintain counter-terrorism activities among the priorities of the OSCE,

Reaffirming the OSCE participating States' support for the UN Global Counter-Terrorism Strategy,

Welcoming the G8 Leaders' Statement on Counter-Terrorism adopted on 9 July 2008 at the Hokkaido Toyako Summit,

Reiterating the need to address conditions that may foster and sustain terrorism, in particular by fully respecting democracy and the rule of law, by allowing all citizens to participate fully in political life, by preventing discrimination and encouraging intercultural and inter-religious dialogue in their societies, by engaging civil society in finding common political settlement for conflicts, by promoting human rights and tolerance and by combating poverty,

Recalling, *inter alia*, the Sofia Ministerial Statement on Preventing and Combating Terrorism (2004), the Brussels Ministerial Statement on Supporting and Promoting the International Legal Framework against Terrorism (MC.DOC/5/06) and the Madrid Ministerial Statement on Supporting the United Nations Global Counter-Terrorism Strategy (MC.DOC/3/07),

Recalling the Madrid Ministerial Council Decision No. 5/07 on Public-Private Partnerships in Countering Terrorism and the Madrid Ministerial Council Decision No. 6/07 on Protecting Critical Energy Infrastructure from Terrorist Attack,

Taking note of the Follow-up OSCE Public-Private Partnership Conference: Partnership of State Authorities, Civil Society and the Business Community in Combating Terrorism, organized in Vienna on 15 and 16 September 2008, which contributed to identifying possible areas for further co-operation in the field of public-private partnerships in countering terrorism,

Taking note of the Workshop on Preventing Violent Extremism and Radicalization that Lead to Terrorism, held on 24 October 2008 in Vienna which identified a need for better understanding of the phenomena and for multi-dimensional responses,

Taking note of the Workshop on Enhancing Legal Co-operation in Criminal Matters related to Terrorism, held on 1 and 2 April 2008 in Ankara, Turkey, which underlined the need to enhance co-operation in this regard,

Taking note also of the 2008 OSCE Sub-Regional Central Asian Public Private Partnership Conference, held on 4 and 5 November 2008 in Bishkek, Kyrgyz Republic, which showed the importance of the development of public-private partnerships for countering terrorism at the regional and subregional level,

Taking note of the review carried out in the UN system of the implementation of the UN Global Counter-Terrorism Strategy, which provides guidance for the OSCE's counter-terrorism activities, and its contribution to invigorating global counter-terrorism efforts,

1. Calls upon the participating States and the OSCE executive structures to continue their efforts aimed at actively contributing to the implementation of the UN Global Counter-Terrorism Strategy and other UN counter-terrorism documents;
2. Calls upon the participating States to continue promoting public-private partnerships with civil society, media, the business community and industry in countering terrorism, including through the dissemination of lessons learned and exchange of relevant information and national best practices both at the OSCE and national, subregional and regional levels, where appropriate;
3. Tasks the Secretary General and relevant OSCE executive structures to support the organization in 2009 of expert-level seminars, workshops and simulations, within available resources, that would encourage public-private partnership initiatives in such areas as co-operating with civil society and the media in countering terrorism, promoting intercultural and interreligious dialogue in countering terrorism, protecting non-nuclear critical energy infrastructure from terrorist attacks, and combating the financing of terrorism and money laundering, especially with regard to the implementation of the Financial Action Task Force's (FATF) Special Recommendations on Terrorist Financing;
4. Calls upon the OSCE participating States to make use of the OSCE executive structures in countering violent extremism and radicalization that lead to terrorism in their respective countries. To this end, participating States are encouraged to continue to exchange ideas and national best practices about their strategies and measures to counter violent extremism and radicalization that lead to terrorism as well as to enhance their co-operation with media, the business community, industry and civil society;

5. Tasks the Secretary General, in consultation with relevant OSCE executive structures, to prepare a report, within existing resources, on their counter-terrorism activities. The report should reflect existing mandates and OSCE commitments in the counter-terrorism area and should assess OSCE counter-terrorism activities, taking into account OSCE capacities and resources, and be submitted to participating States by 1 April 2009 for further discussion in relevant bodies. Thereafter, as provided for in MC(10).DEC/3, the participating States will review implementation of OSCE commitments in combating terrorism at the 2009 Annual Security Review Conference;

6. Encourages the Partners for Co-operation to voluntarily implement the provisions of this decision and invites them to participate in the activities to be carried out in the framework of this decision.



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Attachment

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**INTERPRETATIVE STATEMENT UNDER  
PARAGRAPH IV.1(A)6 OF THE RULES OF PROCEDURE  
OF THE ORGANIZATION FOR SECURITY AND  
CO-OPERATION IN EUROPE**

By the delegation of Georgia:

“While it has joined the consensus on the Ministerial Council decision on Further Promoting the OSCE’s Action in Countering Terrorism, Georgia regrets the fact that, during the Ministerial Council meeting in Helsinki, the participating States were not able to reach consensus on appropriately addressing the issue of existing unresolved conflicts and territories lacking legitimate governance within the OSCE area. Absence of the rule of law, democracy, respect for human rights, lack of transparency at both national and international levels and growing trends of violent extremism and radicalisation in some of those territories provide favourable conditions for spreading of international terrorism. Therefore, adequate reflection of this issue in the Ministerial Council decision would be utmost essential for ensuring full and effective implementation of all OSCE counter-terrorism commitments.

We request that this statement be attached to the decision adopted and be included in the journal of today’s meeting.”



**Second day of the Sixteenth Meeting**  
MC(16) Journal No. 2, Agenda item 8

**DECISION No. 11/08  
SMALL ARMS AND LIGHT WEAPONS AND STOCKPILES OF  
CONVENTIONAL AMMUNITION**

The Ministerial Council,

Recognizing the importance of OSCE measures in combating illicit trafficking in small arms and light weapons (SALW) in all its aspects and in contributing to the reduction and prevention of the excessive and destabilizing accumulation and uncontrolled spread of SALW,

Also recognizing the importance of OSCE measures aimed at addressing security risks posed by the presence of stockpiles of conventional ammunition, explosive materials and detonating devices in surplus and/or awaiting destruction in some States in the OSCE area,

Taking note of the active role taken by the OSCE in international efforts based on the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects,

Reaffirming its commitment to the full implementation of the OSCE Document on SALW (FSC.DOC/1/00, 24 November 2000), the OSCE Document on Stockpiles of Conventional Ammunition (FSC.DOC/1/03, 19 November 2003), and related FSC decisions,

Recognizing the importance of improving the management, security and safety of stockpiles of small arms, light weapons and conventional ammunition,

Also reaffirming the voluntary nature of the assistance provided by OSCE participating States in the reduction of SALW, in the destruction of surplus stockpiles of conventional ammunition and in upgrading stockpile management and security practices of participating States that request assistance in this regard,

Noting the crucial importance of co-ordination and co-operation between different organizations and other relevant actors to the effective addressing of the aforementioned challenges, and with the intention of strengthening the OSCE's contribution to these efforts within existing resources and/or extrabudgetary contributions,

1. Welcomes, within the Forum for Security Co-operation:
  - The initiatives taken in 2008 related to assessing and updating the OSCE's normative commitments on SALW, including:
    - Decision No. 4/08 on the points of contact on small arms and light weapons and stockpiles of conventional ammunition;
    - Decision No. 5/08 on updating the OSCE Principles for Export Controls of Man-Portable Air Defence Systems;
    - Decision No. 6/08 on the handbook of best practices on conventional ammunition;
    - Decision No. 11/08 on introducing best practices to prevent destabilizing transfers of small arms and light weapons through air transport and on an associated questionnaire; and
    - Decision No. 12/08 on an information exchange with regard to sample formats of end-user certificates and relevant verification procedures;
  - The progress reports on the further implementation of the OSCE Document on Stockpiles of Conventional Ammunition and on the further implementation of the OSCE Document on Small Arms and Light Weapons, as submitted to the Sixteenth Meeting of the Ministerial Council pursuant to Decision No. 3/07, adopted at the Fifteenth Meeting of the Ministerial Council;
  - The Synergy Conference for Regional Organizations on the Implementation of the UN Programme of Action on SALW, co-sponsored by the Euro-Atlantic Partnership Council (EAPC) and the OSCE and held in Brussels from 28 to 30 May 2008;
  - The OSCE Workshop on the Implications of Technical, Managerial and Financial Issues on Existing and Planned OSCE Projects on Small Arms and Light Weapons, and Stockpiles of Conventional Ammunition, held in Vienna on 5 and 6 February 2008;
2. Requests the Forum for Security Co-operation to:
  - Remain seized of matters related to SALW and stockpiles of conventional ammunition in 2009;
  - To organize an OSCE meeting on SALW to be held in 2009 to review the OSCE Document on SALW (FSC.DOC/1/00, 24 November 2000) and its supplementary decisions with a view to explore possible further actions;
  - Submit, through its Chairperson, progress reports to the Seventeenth Meeting of the Ministerial Council in 2009 on the continuing implementation of the OSCE Document on SALW and the OSCE Document on Stockpiles of Conventional Ammunition;

- Continue its efforts to support OSCE participating States seeking assistance in the destruction of SALW and SCA stockpiles in surplus and/or awaiting destruction and to upgrade stockpile management and security practices of those participating States that request assistance, through effective co-ordination and co-operation with other actors where relevant;
- 3. Requests all OSCE participating States to establish or to reinforce, as necessary, a legal framework for lawful brokering activities within their national jurisdiction by the end of 2010 in accordance with FSC Decision No. 8/04 on OSCE Principles on the Control of Brokering in SALW;
- 4. Encourages all OSCE participating States to bring national laws, regulations and administrative procedures into line with the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, in particular regarding marking, record-keeping and co-operation in tracing;
- 5. Tasks the Secretary General to continue efforts to enhance co-ordination and co-operation with other international and regional organizations in order to develop synergies, increase effectiveness and promote a coherent approach to the implementation of the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.



**Organization for Security and Co-operation in Europe  
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**Second day of the Sixteenth Meeting**  
MC(16) Journal No. 2, Agenda item 8

**DECISION No. 12/08  
TIME AND PLACE OF THE NEXT MEETING OF THE  
OSCE MINISTERIAL COUNCIL**

The Ministerial Council,

Decides that the Seventeenth Meeting of the OSCE Ministerial Council will be convened in Athens on 1 and 2 December 2009.



**Second day of the Sixteenth Meeting**  
MC(16) Journal No. 2, Agenda item 8

**DECISION No. 13/08  
ISSUES RELEVANT TO THE  
FORUM FOR SECURITY CO-OPERATION**

The Ministerial Council,

Recalling Decision V of the CSCE Helsinki Document 1992, which established the Forum for Security Co-operation, and reaffirming that the participating States will ensure that the efforts they make in the Forum to advance arms control, disarmament, confidence- and security-building, security co-operation and conflict prevention are coherent, interrelated and complementary,

Recalling Ministerial Council Decision No. 3 adopted in Bucharest in 2001 on fostering the role of the OSCE as a forum for political dialogue, which *inter alia* enjoined the FSC to be more closely connected with the overall OSCE work on current security issues,

Desirous of further building upon the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century, adopted in 2003 by the Eleventh Meeting of the Ministerial Council,

Determined to continue enhancing the implementation of the existing confidence- and security-building measures in the framework of the Vienna Document 1999, taking into account the evolving nature of threats to security and stability in the OSCE area,

Also determined to continue enhancing the implementation of the OSCE Code of Conduct on Politico-Military Aspects of Security,

Wishing to further demonstrate the commitment of the OSCE participating States to fulfilling the obligations of United Nations Security Council resolution (UNSCR) 1540 (2004) and of UNSCR 1810 (2008),

Taking note of Ministerial Council Decision No. 11/08 adopted in Helsinki in 2008 on small arms and light weapons and stockpiles of conventional ammunition,

1. Welcomes, within the Forum for Security Co-operation:
  - The progress reports on efforts to further improve the implementation of the OSCE Code of Conduct on Politico-Military Aspects of Security and on efforts in the field of

arms control agreements and confidence- and security-building measures in accordance with its mandate;

- The active discussions in the Security Dialogue in 2008; especially the dialogue between participating States aimed at addressing the armed conflict in August 2008 as well as other conflict situations and security problems in the OSCE area in a consultative and constructive manner;
- FSC decisions on improving the implementation of the Code of Conduct and existing confidence- and security-building measures;
- Progress made in implementing UNSCR 1540 (2004) and developing best practice guides on its implementation;

2. Calls upon the Forum for Security Co-operation to further intensify the Security Dialogue and to continue its efforts to address issues within its mandate in a comprehensive manner, reflecting the OSCE's concept of co-operative security and also working in concert with other international forums when appropriate;

3. Requests the Forum for Security Co-operation to submit, through its Chairperson, progress reports to the Seventeenth Meeting of the Ministerial Council in 2009 on its work. These reports should include efforts to further improve the implementation of the OSCE Code of Conduct on Politico Military Aspects of Security, efforts in the field of arms control agreements and confidence- and security-building measures in accordance with the FSC's mandate, and other areas, as appropriate.