

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

1. Date: Tuesday, 6 December 2005

Opened: 9.35 a.m.
Suspended: 1 p.m.
Resumed: 1.15 p.m.
Closed: 2.20 p.m.

2. Chairperson: H.E. Karel De Gucht, Minister for Foreign Affairs of Belgium
H.E. Dr. Dimitrij Rupel, Minister for Foreign Affairs of Slovenia,
Chairman-in-Office of the OSCE

3. Subjects discussed — Statements — Decisions:

Agenda item 7: STATEMENTS BY HEADS OF DELEGATION (continued)

Chairperson (Belgium), Poland (MC.DEL/54/05), Georgia, Uzbekistan (MC.DEL/60/05), Lithuania (MC.DEL/77/05), Holy See (MC.DEL/46/05), Finland (MC.DEL/53/05), Hungary (MC.DEL/52/05), Kazakhstan (MC.DEL/58/05), Malta, the former Yugoslav Republic of Macedonia (MC.DEL/55/05), Sweden (MC.DEL/57/05), Norway (MC.DEL/56/05), Turkmenistan, Estonia (MC.DEL/74/05), San Marino (MC.DEL/35/05), Afghanistan (Partner for Co-operation) (MC.DEL/48/05), Japan (Partner for Co-operation) (MC.DEL/61/05), Mongolia (Partner for Co-operation) (MC.DEL/41/05), Thailand (Partner for Co-operation) (MC.DEL/39/05), Jordan (Mediterranean Partner for Co-operation) (MC.DEL/68/05), Algeria (Mediterranean Partner for Co-operation) (MC.DEL/59/05), Morocco (Mediterranean Partner for Co-operation), Israel (Mediterranean Partner for Co-operation) (MC.DEL/51/05/Corr.1), Egypt (Mediterranean Partner for Co-operation) (MC.DEL/63/05)

Contributions by: United Nations (MC.IO/6/05), Council of Europe (MC.IO/8/05), North Atlantic Treaty Organization, Stability Pact for South Eastern Europe (MC.IO/9/05)

Ukraine (also on behalf of Georgia and Moldova) (MC.DEL/62/05)

Agenda item 8: ADOPTION OF MINISTERIAL COUNCIL DOCUMENTS

Chairperson (Slovenia)

The Chairperson announced that Decision No. 1/05 (MC.DEC/1/05) on the appointment of the OSCE Secretary General, the text of which is appended to this journal, had been adopted by the Ministerial Council on 10 June 2005 through the silence procedure.

The Chairperson announced that the Ministerial Statement on the International Convention for the Suppression of Acts of Nuclear Terrorism, the text of which is appended to this journal as document MC.DOC/1/05, had been adopted by the Ministerial Council on 20 June 2005 through the silence procedure.

The Ministerial Council adopted the Border Security and Management Concept, the text of which is appended to this journal as document MC.DOC/2/05.

Georgia (interpretative statement, see attachment to the document)

The Ministerial Council adopted the Ministerial Declaration on the 20th Anniversary of the Disaster at the Chernobyl Nuclear Power Plant, the text of which is appended to this journal as document MC.DOC/3/05.

The Ministerial Council adopted the Statement on Georgia, the text of which is appended to this journal as document MC.DOC/4/05.

The Ministerial Council adopted the Statement on the Conflict Dealt with by the OSCE Minsk Group, the text of which is appended to this journal as document MC.DOC/5/05.

Decision: The Ministerial Council adopted Decision No. 2/05 (MC.DEC/2/05), the text of which is appended to this journal, on migration.

Decision: The Ministerial Council adopted Decision No. 3/05 (MC.DEC/3/05), the text of which is appended to this journal, on combating transnational organized crime.

Turkey (interpretative statement, see attachment to the decision)

Decision: The Ministerial Council adopted Decision No. 4/05 (MC.DEC/4/05), the text of which is appended to this journal, on enhancing legal co-operation in criminal matters to counter terrorism.

Turkey (interpretative statement, see attachment to the decision)

Decision: The Ministerial Council adopted Decision No. 5/05 (MC.DEC/5/05), the text of which is appended to this journal, on combating the threat of illicit drugs.

Turkey (interpretative statement, see attachment to the decision)

Decision: The Ministerial Council adopted Decision No. 6/05 (MC.DEC/6/05), the text of which is appended to this journal, on further measures to enhance container security.

Switzerland (interpretative statement, see attachment to the decision),
United Kingdom-European Union (Annex 1)

Decision: The Ministerial Council adopted Decision No. 7/05 (MC.DEC/7/05), the text of which is appended to this journal, on supporting the effective implementation of United Nations Security Council resolution 1540 (2004).

Decision: The Ministerial Council adopted Decision No. 8/05 (MC.DEC/8/05), the text of which is appended to this journal, on further efforts to implement the OSCE Documents on Small Arms and Light Weapons and Stockpiles of Conventional Ammunition.

Decision: The Ministerial Council adopted Decision No. 9/05 (MC.DEC/9/05), the text of which is appended to this journal, on the OSCE Seminar on Military Doctrine.

Decision: The Ministerial Council adopted Decision No. 10/05 (MC.DEC/10/05), the text of which is appended to this journal, on tolerance and non-discrimination: promoting mutual respect and understanding.

Azerbaijan (interpretative statement, see attachment to the decision)

Decision: The Ministerial Council adopted Decision No. 11/05 (MC.DEC/11/05), the text of which is appended to this journal, on the promotion of human rights education and training in the OSCE area.

Decision: The Ministerial Council adopted Decision No. 12/05 (MC.DEC/12/05), the text of which is appended to this journal, on upholding human rights and the rule of law in criminal justice systems.

Decision: The Ministerial Council adopted Decision No. 13/05 (MC.DEC/13/05), the text of which is appended to this journal, on combating trafficking in human beings.

Decision: The Ministerial Council adopted Decision No. 14/05 (MC.DEC/14/05), the text of which is appended to this journal, on women in conflict prevention, crisis management and post-conflict rehabilitation.

United States of America (interpretative statement, see attachment 1 to the decision), Holy See (interpretative statement, see attachment 2 to the decision)

Decision: The Ministerial Council adopted Decision No. 15/05 (MC.DEC/15/05), the text of which is appended to this journal, on preventing and combating violence against women.

United States of America (interpretative statement, see attachment 1 to the decision), Holy See (interpretative statement, see attachment 2 to the decision)

Decision: The Ministerial Council adopted Decision No. 16/05 (MC.DEC/16/05), the text of which is appended to this journal, on ensuring the highest standards of conduct and accountability of persons serving on international forces and missions.

Decision: The Ministerial Council adopted Decision No. 17/05 (MC.DEC/17/05), the text of which is appended to this journal, on strengthening the effectiveness of the OSCE.

Moldova (also on behalf of Azerbaijan, Georgia and Ukraine) (interpretative statement, see attachment 1 to the decision), Belarus (interpretative statement, see attachment 2 to the decision)

Decision: The Ministerial Council adopted Decision No. 18/05 (MC.DEC/18/05), the text of which is appended to this journal, on the OSCE Chairmanship in the year 2008.

Decision: The Ministerial Council adopted Decision No. 19/05 (MC.DEC/19/05), the text of which is appended to this journal, on the time and place of the next meeting of the OSCE Ministerial Council.

Chairperson (Slovenia) (Annex 2), Norway (also on behalf of Belgium, Bulgaria, Canada, the Czech Republic, Denmark, Estonia, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Turkey, the United Kingdom and the United States of America) (Annex 3), United Kingdom-European Union (with the acceding countries Bulgaria and Romania; the candidate countries Croatia and Turkey; the countries of the Stabilisation and Association Process and potential candidate countries Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia and Serbia and Montenegro; the European Free Trade

Association country Iceland, member of the European Economic Area; as well as Moldova and Ukraine, in alignment) (Annex 4), Russian Federation (Annex 5), Moldova (Annex 6), United States of America (Annex 7), Canada (Annex 8)

Agenda item 9: ANY OTHER BUSINESS

- (a) *Settlement of the Kosovo conflict*: Azerbaijan (also on behalf of Ukraine) (Annex 9)
- (b) *Response to the written contribution by the Executive Committee of the Commonwealth of Independent States (MC.IO/3/05)*: Azerbaijan (Annex 10)

4. Next meeting:

Tuesday, 6 December 2005, at 2.25 p.m., in the plenary hall

CLOSING PLENARY MEETING (OPEN)

1. Date: Tuesday, 6 December 2005

Opened: 2.25 p.m.

Closed: 2.45 p.m.

2. Chairperson: H.E. Dr. Dimitrij Rupel, Minister for Foreign Affairs of Slovenia,
Chairman-in-Office of the OSCE

3. Subjects discussed — Statements — Decisions:

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

Chairperson (MC.DEL/67/05), Minister for Foreign Affairs of Belgium
(MC.DEL/76/05)

The letter from the Chairperson of the Forum for Security Co-operation to the
Minister for Foreign Affairs of Slovenia, Chairperson of the Thirteenth
Meeting of the OSCE Ministerial Council, is appended to this journal as
Annex 11.

The letter from the Chairperson of the Open Skies Consultative Commission
to the Minister for Foreign Affairs of Slovenia, Chairperson of the Thirteenth
Meeting of the OSCE Ministerial Council, is appended to this journal as
Annex 12.

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

4. Next meeting:

4 and 5 December 2006, to be held in Belgium



**Organization for Security and Co-operation in Europe
Ministerial Council
Ljubljana 2005**

MC(13).JOUR/2
6 December 2005
Annex 1

Original: ENGLISH

Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

STATEMENT BY THE EUROPEAN UNION

The OSCE participating States that are Members of the European Union draw the attention of the other participating States to the institutional structure of the European Union. Insofar as there are Community or European Union rules governing the particular subject covered by the World Customs Organization (WCO) Framework of Standards to Secure and Facilitate Global Trade referred to in the Ministerial Council draft decision on further measures to enhance container security (MC.DD/4/05/Rev.1), participating States that are Members of the European Union will apply amongst themselves the Community and European Union rules governing the particular subject concerned, without prejudice to the object and purpose of the above-mentioned draft decision, namely, to encourage the implementation of the WCO Framework of Standards to Secure and Facilitate Global Trade.



**Organization for Security and Co-operation in Europe
Ministerial Council
Ljubljana 2005**

MC(13).JOUR/2
6 December 2005
Annex 2

Original: ENGLISH

Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

**STATEMENT BY DR. DIMITRIJ RUPEL,
CHAIRMAN-IN-OFFICE OF THE OSCE**

The Ministers for Foreign Affairs of the OSCE participating States have met in Ljubljana in the year of the 30th anniversary of the Helsinki Final Act and the 15th anniversary of the Charter of Paris to reaffirm the continued relevance of all OSCE norms, principles and commitments, and to strengthen the effectiveness of the Organization in dealing with contemporary threats to security and stability.

The Ministers have in the course of the last 30 years established and developed by consensus a comprehensive set of OSCE commitments. While the world is changing, the common principles that unite us remain the same. All the OSCE commitments, as our common achievement, apply equally and to all the participating States. The Ministers encourage their full implementation and consider them to be matters of immediate and legitimate concern to all the participating States. The participating States are accountable to their citizens, and responsible to each other for implementation of these OSCE commitments.

The OSCE must continue to adapt in order to meet evolving security challenges and to strengthen the Organization's functioning. The Ministers welcome the report and take into account the recommendations of the Panel of Eminent Persons. The Ministers acknowledge the positive contribution of the High-Level Consultations in that regard. The Ministers are resolved to strengthen the effectiveness of the Organization and have therefore agreed on a roadmap to that end. The Ministers also welcome the adoption of the Permanent Council Decision on Scales of Contributions for 2005–2007, which is an essential component for ensuring the Organization's financial stability.

The OSCE's comprehensive approach to security across the three dimensions is as relevant as ever. The Ministers are determined to fully utilize the potential of the OSCE in its politico-military, economic and environmental, and human dimensions, while ensuring greater cross-dimensional co-operation.

The Ministers call for a systematic and consistent implementation throughout the Organization of the 2004 OSCE Action Plan for the Promotion of Gender Equality, as well as of UN Security Council resolution 1325 (2000).

The Ministers reaffirm the important role, expertise and experience of the OSCE institutions — the Office for Democratic Institutions and Human Rights, the High Commissioner on National Minorities and the Representative on Freedom of the Media — in assisting all the participating States to implement their OSCE commitments.

The Ministers recognize the positive role and contribution of OSCE field operations as an innovative and operational instrument of the OSCE's work in putting into practice the goals and principles of our Organization, in full co-operation with host States and in accordance with their mandates. The effectiveness of field operations should be strengthened.

The Ministers stand united and are determined to take further decisive measures to prevent and combat terrorism, one of the greatest threats to our security. In reiterating our commitment, the Ministers also wish to emphasize their determination to conduct this fight with respect for the rule of law and in accordance with our obligations under international law, in particular international human rights, refugee and humanitarian law. The Ministers reaffirm their profound solidarity with victims and their families, as well as their need for access to the mechanisms of justice, and to prompt redress as provided for by national legislation, for the harm they have suffered.

Most Ministers are concerned by the persistence of unresolved conflicts in the OSCE area. Such conflicts generate instability and hinder regional co-operation and development. They support OSCE conflict-resolution efforts. Furthermore, they encourage all States having influence over the parties to use their good offices to seek peaceful and just solutions based on international norms and principles.

Most Ministers welcome the determination of CFE States Parties to fulfil the commitments undertaken at the 1999 Istanbul Summit and the progress made in 2005 in respect of Georgia. They note also the lack of movement in 2005 on withdrawal of Russian forces from Moldova. They reaffirm their shared determination to promote the fulfilment of that commitment as soon as possible, and to entry into force of the adapted CFE Treaty.

The OSCE's work in arms control, disarmament and confidence- and security-building measures continues to play an important role in fostering security, peace and co-operation in the OSCE area. The Ministers emphasize that full compliance with and implementation of the politico-military commitments by all the participating States are important for the common benefit of reliable security and stability in an OSCE area without dividing lines. The Ministers welcome the FSC decisions on holding a high-level seminar on military doctrine in February 2006 and UN Security Council resolution 1540 (2004), and the Chairperson's statement on prior notification of major military activities. The Ministers take note of the discussions on non-proliferation. The Ministers encourage further work on implementing the OSCE Documents on Small Arms and Light Weapons and on Stockpiles of Conventional Ammunition, including on assisting in addressing the risks arising from excessive stockpiles.

The CFE Treaty continues to make a significant contribution to security and stability in Europe. Most Ministers stress the importance of the Third CFE Review

Conference, to take place in 2006, and underline their commitment to use that Conference to further strengthen the Treaty regime.

Most Ministers welcome the completion of the first phase of implementation of the Treaty on Open Skies and the positive assessment given to it by the 2005 First Treaty Review Conference. The Ministers stress the importance of the process of accession remaining open in the spirit of 1992 Helsinki Ministerial Declaration.

The Ministers believe that the OSCE's institution- and capacity-building expertise is important in assisting States to effectively uphold the rule of law, including in combating transnational organized crime and trafficking in human beings, drugs and arms. The Ministers recall that the fight against organized crime requires a coherent and comprehensive OSCE approach. The Ministers remain concerned about trafficking in the OSCE area, and in particular call for a strengthening of protection and assistance efforts in combating trafficking in human beings, including addressing the special needs of child victims of trafficking, as well as for measures to discourage demand.

The Ministers reaffirm their commitment to promote open and secure borders in a free, democratic, secure, prosperous and more integrated OSCE area without dividing lines. The Ministers therefore welcome the adoption of the Border Security and Management Concept and look forward to its implementation.

The Ministers are determined to better utilize the potential of the OSCE in the economic and environmental dimension of security. The OSCE's response to economic and environmental challenges and threats to security should focus on further developing economic co-operation, strengthening good governance, ensuring sustainable development and protecting the environment. In this context, the Ministers welcome the choice of transportation as the main theme of the Fourteenth Economic Forum.

The Ministers reaffirm that respect for human rights and fundamental freedoms, democracy and the rule of law is the essential element of the OSCE's comprehensive concept of security. The Ministers recognize the importance of fully implementing OSCE commitments on democratic elections. The Ministers are determined to continue promoting tolerance and non-discrimination, mutual respect and understanding and to implement their commitments in this field. In this regard, the Ministers appreciate the "Cordoba Declaration" by the OSCE Chairman-in-Office, issued at the OSCE Conference on Anti-Semitism and on Other Forms of Intolerance.

The Ministers are aware of the challenges and opportunities that migration presents to participating States. The Ministers are determined to fight illegal migration and to address its root causes. The Ministers reaffirm their commitment to protect the human rights of migrants and to continue to promote their integration into the societies in which they are lawfully residing. The Ministers encourage the use of the OSCE as one of the forums for facilitating a dialogue and co-operation among participating States and with the Partners for Co-operation and Mediterranean Partners for Co-operation, in the search for mutually beneficial solutions to migration-related issues, through a cross-dimensional and concerted approach.

The Ministers underline the important role of the OSCE Parliamentary Assembly and appreciate the close interaction with it that has developed in recent years.

The Ministers reaffirm the essential role that civil society and non-governmental organizations (NGOs) play and have played in promoting OSCE principles, norms and commitments during the 30 years of the Helsinki process. The Ministers also recognize that the relationship with NGOs should be further promoted with a view to strengthening democracy and prosperity.

The Ministers value the OSCE's role as a regional arrangement of the United Nations under Chapter VIII of the UN Charter and believe that this relationship should be further strengthened, in line with UN Security Council resolution 1631 (2005). The Ministers welcome the Declaration of Co-operation between the OSCE and the Council of Europe and encourage practical follow-up, while respecting the different memberships of the two organizations. The Ministers appreciate the co-operation between the OSCE and the International Criminal Tribunal for the former Yugoslavia (ICTY) Prosecutor's Office regarding the monitoring of war crimes trials in the countries concerned. Recalling the Platform for Co-operative Security, the Ministers encourage further strengthening and development of relations with other relevant international organizations.

The Ministers are convinced that security in the OSCE area should be considered in the broader context of global security. The Ministers therefore value their intensified relations with the Partners for Co-operation and the Mediterranean Partners for Co-operation and look forward to further strengthening them.



**Organization for Security and Co-operation in Europe
Ministerial Council
Ljubljana 2005**

MC(13).JOUR/2
6 December 2005
Annex 3

Original: ENGLISH

Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

STATEMENT BY THE DELEGATION OF NORWAY

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

The text of the statement reads as follows:

“We reiterate our commitment to the CFE Treaty as a cornerstone of European security and to the early entry into force of the Adapted treaty, which would permit accession by new States Parties. We recall that fulfilment of the remaining Istanbul commitments on the Republic of Georgia and the Republic of Moldova will create the conditions for NATO Allies and other States Parties to move forward on ratification of the Adapted CFE Treaty. In this context, we welcome the important progress achieved by Russia and Georgia in their Joint Statement of 30 May 2005 on issues related to the withdrawal of Russian forces, and look forward to resolution of the remaining issues. However, we note with regret the lack of progress on withdrawal of Russian military forces from the Republic of Moldova and we call upon Russia to resume and complete its withdrawal as soon as possible.”

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



**Organization for Security and Co-operation in Europe
Ministerial Council
Ljubljana 2005**

MC(13).JOUR/2
6 December 2005
Annex 4

Original: ENGLISH

Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

STATEMENT BY THE EUROPEAN UNION

The EU fully endorses the statement made by the Chairman-in-Office. We warmly thank the Chairmanship for the excellent organization and hospitality at this Ministerial Council Meeting and for their tireless efforts to seek consensus.

The EU welcomes the consensus statement on Georgia, in particular, the expression of support for the peace plan built upon the initiatives of the President of Georgia.

The EU welcomes agreement on the statement on the conflict dealt with by the OSCE Minsk Group that the parties are now poised to make the transition from negotiation to decision. There are serious benefits within reach for all.

The EU welcomes the adoption of the OSCE Border Security and Management Concept, which will lead us to more secure and open borders and also provides us with a framework for enhancing co-operation among participating States in the fight against the scourges of terrorism and organized crime.

The EU regrets that, in the absence of agreement on the priority issue of fulfilment of the remaining commitments concerning the Republic of Georgia and the Republic of Moldova, made at the OSCE's Istanbul Summit in 1999, the Ministerial Council was again unable to conclude a ministerial declaration.

The EU remains concerned about the ongoing conflicts in the Republic of Georgia and the Republic of Moldova. We urge all parties involved to search for ways to bring an end to these conflicts. Fulfilment of the remaining commitments made at the OSCE's Istanbul Summit in 1999 and reflected in the CFE Final Act, remains key. The EU welcomes the important progress achieved by the Russian Federation and the Republic of Georgia, reflected in their joint statement of 30 May 2005, on issues related to the withdrawal of Russian forces in the Republic of Georgia and looks forward to resolution of the remaining issues. We believe that this statement, and the concrete actions taken since, represent encouraging steps towards the fulfilment of one of the remaining Istanbul commitments. We call upon both sides to take all necessary measures to implement the obligations stipulated in this joint statement as soon as possible.

We note with regret the continued lack of progress on withdrawal of Russian military forces and equipment from the Republic of Moldova and we urge the Russian Federation to resume and complete this process as soon as possible.

We confirm our support for the role of the OSCE and other mediators in the resolution of the conflict in the Republic of Moldova, fully respecting the sovereignty and territorial integrity of the Republic of Moldova. The EU has joined the process as observers. We are determined to contribute to the successful outcome of negotiations.

The EU is pleased that we have been able to reach agreement on a decision on a roadmap to guide our work in 2006 on strengthening the effectiveness of our Organization. We look forward to working in a constructive spirit with all other delegations to take this important work forward.

We welcome all the other important decisions that have been taken at this Ministerial Council Meeting.

On elections, the EU recalls that commitments freely entered into by participating States remain the basis for dialogue and co-operation in the OSCE. Binding political commitments must not be called into question. Autonomous OSCE institutions — operating within mandates agreed by all the participating States — help us to meet our commitments. Free and fair elections, which reflect the will of the people, and in which the electorate has confidence, are vital to the development and maintenance of stable democratic processes in every country in the OSCE region. The EU reaffirms its strong support for the ODIHR's work in the field of elections. We have every confidence in the ODIHR's professionalism and impartiality in this crucial area of the OSCE's activities.

The EU commends the OSCE's continued active involvement in Kosovo. The OSCE Mission in Kosovo (OMIK) is continuing to make an important contribution to UN-led efforts to foster stability in Kosovo. We reconfirm our commitment to United Nations Security Council resolution 1244 (1999) and support all efforts to develop a multi-ethnic and tolerant society in Kosovo.

Mr. Chairperson,

We have already thanked the Slovenian Chairmanship for their dedicated efforts in support of this Organization, which is of such great importance to the European Union. We now look forward with confidence to the Belgian Chairmanship. The EU will work closely with the Belgian Chairmanship in the year ahead to strengthen the OSCE still further.

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

The Acceding Countries Bulgaria and Romania, the Candidate Countries Turkey and Croatia^{*}, the Countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia and Serbia and Montenegro, EFTA country Iceland, member of the European Economic Area, as well as Ukraine and the Republic of Moldova align themselves with this declaration.

*

Croatia continues to be part of the Stabilisation and Association Process.



**Organization for Security and Co-operation in Europe
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MC(13).JOUR/2
6 December 2005
Annex 5

ENGLISH
Original: RUSSIAN

Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

STATEMENT BY THE DELEGATION OF THE RUSSIAN FEDERATION

Mr. Chairperson,

We are grateful to you for your ceaseless efforts and the efforts of all the members of your team which, along with our excellent working conditions, made it possible to achieve substantial results and to adopt quite a number of important documents.

To be sure, not all of the serious problems which are causing concern to many today, which directly affect the OSCE's sphere of activity and which feature prominently in reports by the international media, have been reflected in our set of decisions. But we were acting in accordance with the principle of consensus and believe that the result achieved is an entirely worthy one.

I should like to single out in particular the decision on reform. With regard to this decision, as with regard to our other documents, the Russian delegation has no interpretative statement to make. We supported what was written in these documents and our position is adequately reflected in the consensus reached.

In their concluding comments, a number of our colleagues felt it necessary to touch on subjects that were not reflected in our decisions and on which, accordingly, no consensus has been reached. I should like to say a few words about the Treaty on Conventional Armed Forces in Europe (CFE Treaty). I might recall something which we not only discussed with our colleagues during the negotiations over the last two days, but which we have also confirmed in documents, namely that the Russian Federation has fulfilled without exception all of its commitments related to the CFE Treaty. We trust that the relevant commitments of all the other countries, notably the commitment adopted at the level of Heads of State to ratify as soon as possible the adapted CFE Treaty (so far only four participating States have done so), will be fulfilled in the near future. All the more so, since the pretexts for not doing this are diminishing.

Our thanks, of course, go also to those who have expressed kind words regarding the consensus reached on the Ministerial Council document on Georgia. Certainly, we are pleased with this as are our Georgian colleagues. But we are doing this as part of our bilateral

agreements and assure all those who are sympathetic that we are implementing these agreements, as arranged, directly in a bilateral format.

It is a pity that it proved impossible to reach consensus on the document on Moldova. A number of our colleagues insisted on formulations that simply contradicted the facts. They proposed, for example, supporting solutions which rule out the possibility of an agreement being reached between the Government of Moldova and Transdniestria and which call for a settlement to be sought without the involvement of Transdniestria, something which in general was criticized quite recently by many in the capitals of the States present here. But, let me repeat this, if everyone fulfils their commitments, I believe it will be possible to make progress in dealing with this problem, too.

It is also a pity that the document on Kosovo was not adopted, because the OSCE plays and, we are convinced, will continue to play an important role in the common efforts of the international community under the auspices of the United Nations to settle this extremely difficult conflict with its serious consequences. One of the main reasons why it proved impossible to adopt this document was the refusal of some delegations to back up our common adherence to the Helsinki Final Act. This seems to be quite a worrying symptom to me.

In conclusion, I should like to say that the decisions we have approved today set out a clear path for reforming and strengthening the OSCE.

Once again, I should like to congratulate you, Mr. Chairperson, from the heart. I believe that you can indeed be genuinely satisfied with and proud of the work that has been accomplished. Today, we have done a great deal to strengthen the Organization for Security and Co-operation in Europe.



**Organization for Security and Co-operation in Europe
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Ljubljana 2005**

MC(13).JOUR/2
6 December 2005
Annex 6

Original: ENGLISH

Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

STATEMENT BY THE DELEGATION OF MOLDOVA

I regret that the Council was not able to adopt the ministerial declaration and the statement on Moldova at its annual meeting. The Moldovan delegation worked in a constructive and results-oriented manner to reach consensus on these important documents. However, owing to the position of one country, we do not have a final political document for the third year in a row.

Let me briefly state the main issues that Moldova perceives as very important for the Council to take into consideration.

Moldova is determined to find a political settlement for the Transnistrian problem based on respect for the sovereignty and territorial integrity of my country. The Transnistrian problem can be resolved by the democratization and demilitarization of the region. The final goal of negotiations should be the definition of the special legal status of the Transnistrian region within the Republic of Moldova.

The documents adopted by the Moldovan Parliament on 10 June and the Law on Basic Principles of the Special Legal Status of the Localities from the Left Bank of the Nistru River (Transnistria) of 22 July represent the framework for the settlement of the Transnistrian problem.

The participation of the EU and the United States of America in the negotiation process is of paramount importance for a fair and just solution to this regional security problem.

The destabilizing actions of the Tiraspol separatist regime taken against the local population of the Security Zone should be condemned by all of us.

The need for the transformation of the existing peacekeeping mechanism into an international mission of military and civilian observers under an OSCE mandate is imperative.

The Republic of Moldova greatly appreciates the involvement of the EU in securing the Moldovan-Ukrainian frontier by deploying the Border Assistance Mission. This Mission will contribute to the process of the political settlement of the Transnistrian problem.

We are concerned about the delay in organizing an international inspection of the ammunition depots of the Russian Federation. The monitoring of the military-industrial enterprises in the eastern region of the Republic of Moldova should be expedited.

The Republic of Moldova deeply regrets that the Russian Federation has not fulfilled its Istanbul commitments. In this regard, we urge the Russian Federation to resume without delay and complete the process of withdrawal of its troops and ammunition from the territory of the Republic of Moldova, in line with the OSCE Istanbul Summit Decisions of 1999. The complete implementation of these Decisions will facilitate the entry into force of the adapted CFE Treaty.

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



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Annex 7

Original: ENGLISH

Second day of the Thirteenth Meeting
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**STATEMENT BY THE DELEGATION OF
THE UNITED STATES OF AMERICA**

Thank you, Mr. Chairperson,

Before I go to my statement on another matter, I want to thank you on behalf of the United States for a hugely constructive two days. You mentioned in your remarks that we were aiming high. One of the great hallmarks of this Organization is that it continues to aim high. When it stops aiming high, then we really need to worry about it. But it is, in my opinion, thanks to your leadership for these past two days, that this Organization is in a very, very healthy situation. To sit here with 55 nations discussing and wrestling with multiple and diverse issues has been — from a personal standpoint — an extraordinarily moving experience for me.

The United States thanks Slovenia for these past two days and definitely thanks Slovenia very much for its Chairmanship this last year. We look forward with increasing enthusiasm to the Chairmanship in 2006 by Belgium, as we have worked together these past two days more and more. So thank you, and thank you, colleagues, for all your understanding and for the very wise decisions you have taken and the thought you have put into the work we have all gone through over these past two days.

Mr. Chairperson,

The United States regrets that it has not been possible to reach agreement on a ministerial political declaration, or on a regional statement on Moldova.

In light of the lack of progress in regard to efforts to resolve the Transnistrian conflict and to complete the withdrawal of Russian Federation forces from Moldova, the United States holds the view that it would have been highly appropriate in a ministerial declaration and regional statement to have:

Reiterated our support for the sovereignty, independence and territorial integrity of the Republic of Moldova,

Reiterated the OSCE's willingness to support a political settlement acceptable to all the people of Moldova,

Welcomed the expanded format of the political settlement negotiation process, which now includes the participation of observers from the European Union and the United States, and which we hope will give an added impetus to the process to find a sustainable model for a comprehensive settlement that will define a special legal status for the Transdniestrian region within the Republic of Moldova,

Welcomed the initiatives of the President of Ukraine and the complementary efforts of the Republic of Moldova to advance the negotiation process,

Noted with great concern the unilateral actions taken by local Transdniestrian authorities against the population in the Security Zone by restricting access to land and demanded the restoration of freedom of movement,

Welcomed the deployment by the European Union of a border assistance mission, and hoped that it would enhance transparency and combat negative phenomena on the Moldovan-Ukrainian border,

Noted the progress in negotiations on possible monitoring of military-industrial enterprises in the Transdniestrian region, and taken note of the package of confidence- and security-building measures presented by the mediators to the conflict negotiation in July 2005.

And, of course, Mr. Chairperson, it would have been of the utmost importance for a ministerial declaration and regional statement to have regretted the lack of progress in 2005 on fulfilment of the 1999 Istanbul Summit commitment on the withdrawal of Russian Federation military forces from the Republic of Moldova and urged its prompt resumption and completion.

Thank you. I ask that this statement be attached to the journal of the day.



**Organization for Security and Co-operation in Europe
Ministerial Council
Ljubljana 2005**

MC(13).JOUR/2
6 December 2005
Annex 8

Original: ENGLISH

Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

STATEMENT BY THE DELEGATION OF CANADA

Mr. Chairperson,

Canada deeply thanks the Chairman-in-Office and his team for all their indefatigable efforts, not just in the past two days, but over the whole year.

We welcome the decisions just adopted in a number of areas of interest to Canada, in particular the “roadmap”, which charts a course of action for the next year to strengthen the effectiveness of the OSCE.

We express our deep regret at the inability, once again, of the participating States to reach consensus on a joint ministerial declaration.

The fulfilment of the remaining Istanbul commitments is clearly a pre-requisite for allowing us to move forward on some key issues.

Canada asks that this statement be attached to the journal of the day.



**Organization for Security and Co-operation in Europe
Ministerial Council
Ljubljana 2005**

MC(13).JOUR/2
6 December 2005
Annex 9

Original: ENGLISH

Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 9(a)

STATEMENT BY THE DELEGATION OF AZERBAIJAN

Discussions took place and references were made to the issue of the Kosovo problem in the Council. In this connection, the Delegation of Azerbaijan, also on behalf of Ukraine, would like to state the following:

Next year will be a decisive one in the process of the settlement of the Kosovo conflict. This process should be carried out in full accordance with UN Security Council resolution 1244 (1999) and on the basis of the Helsinki Final Act, and regardless of its outcome, it must not establish any precedent whatsoever.

Mr. Chairperson,

I request that this statement be attached to the journal of the day.

Thank you, Mr. Chairperson.



**Organization for Security and Co-operation in Europe
Ministerial Council
Ljubljana 2005**

MC(13).JOUR/2
6 December 2005
Annex 10

Original: ENGLISH

Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 9(b)

STATEMENT BY THE DELEGATION OF AZERBAIJAN

Mr. Chairperson,

I would like to make a statement on behalf of our Delegation in response to the written contribution by the Executive Committee of the Commonwealth of Independent States, distributed at this Meeting of the OSCE Ministerial Council under reference number MC.IO/3/05, which allegedly expresses the position of the CIS with regard to the activities of the ODIHR/OSCE in the election observation sphere.

I would like to draw your attention to the fact that the Republic of Azerbaijan joined neither the statement by the CIS participating States of 3 July 2004 regarding the situation in the OSCE, nor the appeal by the CIS participating States to the OSCE partners of 15 September 2004.

Mr. Chairperson,

I request that this statement be attached to the journal of the day.



**Organization for Security and Co-operation in Europe
Ministerial Council
Ljubljana 2005**

MC(13).JOUR/2
6 December 2005
Annex 11

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Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 10

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

Your Excellency,

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

In 2005, the FSC continued to devote attention to a wide range of arms control issues, and confidence- and security-building measures (CSBMs) and other politico-military issues. The Forum was successively chaired by Azerbaijan, Belarus and Belgium. The three chairpersons had consulted on their respective programmes, with a view to making them as coherent and mutually complementary as possible. This "ministerial-to-ministerial approach" is commendable.

The 15th AIAM was held on 8 and 9 March. In open and constructive discussions, the experts exchanged experiences, made suggestions and gave their assessments of the implementation of OSCE commitments in the field of CSBMs. While the main focus was a detailed review of implementation of the Vienna Document 1999, all the other FSC politico-military commitments were also addressed.

One delegation picked up on one of those suggestions and introduced in the FSC a proposal concerning counting of the 12-hour period during evaluation visits in the Vienna Document 1999. Negotiations on the proposal are not easy and will need to be continued.

The Forum agreed to the text of a statement by the Chairperson of the FSC on "prior notification of major military activities" below the notification thresholds of the Vienna Document 1999 (FSC.JOUR/467), concluding a process of two years of extensive consultations. This statement was complemented by written statements of two delegations (FSC.JOUR/467). The Chairperson's statement is a modest but an important step in the context of CSBMs aimed at enhancing openness and transparency. Implementation of this voluntary measure will be assessed during the regular annual implementation assessment meetings (AIAMs).

Furthermore, the Forum agreed in 2005 (FSC.DEC/3/05 and 4/05) to hold a high-level seminar on military doctrine on 14 and 15 February 2006. The agenda focuses on discussions of changes in doctrine and technology and their impact. The seminar aims at an active participation of the Chiefs of Defence, General Staff and senior officials.

The Forum prepared its contribution to the Annual Security Review Conference (ASRC), held on 21 and 22 June. This contribution was offered as a guideline to the keynote speakers, in particular those in the segment devoted to the politico-military aspects of security, under the title comprehensive security.

Non-proliferation of weapons of mass destruction was a subject of great interest to the Forum in 2005. A special meeting on this subject organized by the Chairperson was held on 15 June. Aware of the supportive role of the OSCE in this field and conscious of the need to avoid duplication of efforts, several tracks were suggested by delegations. One was chiefly concerned with finding ways to support and encourage the implementation of UN Security Council resolution 1540 (2004), another with a possible update of the 1994 OSCE Principles Governing Non-Proliferation. The possibility of a comprehensive political declaration on non-proliferation was also discussed.

Given the ever shortening timeframe before the Ljubljana ministerial, the 1540 track was pursued exclusively. The Forum took a decision on 30 November (FSC.DEC/7/05) to encourage dialogue, also in the Forum, on how to support implementation of UNSC resolution 1540, and to examine the possible recommendations of the 1540 Committee.

Implementation work on the OSCE Documents on Small Arms and Light Weapons (2000) and Stockpiles of Conventional Ammunition (2003) received considerable attention.

Progress reports on both issues have been submitted to the Ministerial Council under references MC.GAL/4/05 and MC.GAL/5/05.

In 2005, several participating States made new requests for assistance, including requests aiming at the destruction of dangerous surpluses of liquid rocket fuel ("melange"). In all cases, initial assessment of the request has taken place. For one project (Tajikistan) implementation is under way. Several project proposals were also presented resulting from requests made in 2003 and 2004.

Raising awareness regarding the safety and security risks posed by stockpiles of conventional ammunition remains a key challenge. To this end, the Chairperson of the Forum, addressed the winter session of the Parliamentary Assembly.

Another implementation measure is the development of best practice guides by a number of delegations.

Issues relating to small arms and light weapons (SALW) will remain on the agenda of the Forum. We continue to actively follow up on the implementation of the OSCE Document on SALW and consider a contribution to the review conference on the UN Programme of Action on the illicit trade in SALW, scheduled to take place in New York in July 2006. In

this context, some delegations mentioned improvement of national implementation and shoring up export controls.

The security dialogue function of the Forum was extensively used. Some participating States informed on their defence policies. The Chairperson arranged for presentations on topical issues related to the current agenda, such as SALW and non-proliferation.

The tenth year of existence of the Code of Conduct on Politico-Military Aspects of Security was one of the main motivations for the Geneva Centre for the Democratic Control of Armed Forces (DCAF) to sponsor a workshop to take stock of the Code's substance and implementation. The Forum welcomed this workshop, held in January 2005. Papers by several delegations have served to bring points introduced during the workshop to the Forum's attention. Discussions on proposals to hold the fourth follow-up conference in 2006, revealed general willingness to reach consensus on a decision, comprising dates and agenda.

The Forum has made its contribution to the OSCE Border Security and Management Concept (FSC.DEL/446/05/Rev.1) in line with the tasking received from the Twelfth Ministerial Council (MC.DEC/2/04).

The Forum has engaged further in activities outside the confinements of its weekly meetings. In addition to the presentation to the Parliamentary Assembly mentioned above, the FSC Chairperson helped to represent the OSCE at the The Second Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

Two first-time developments concerning the Partners for Co-operation are particularly noteworthy. A side event was held during the ASRC, aimed at promoting dialogue and co-operation in the politico-military sphere. The Forum met on 23 November in the format of 66 countries united around one table, around one theme (in this case the illicit trade in SALW).

On co-operation with other international organizations, it was agreed that information-sharing should be pursued more systematically, while options for co-operation or co-ordination of efforts with other international actors could be examined on a case-by-case basis.

The Forum expanded its co-operation with the Permanent Council through joint meetings and presentations by several chairpersons of informal groups of friends on thematic issues. Furthermore, the briefings (four) by representatives of OSCE field presences to the Forum were considered particularly useful. This practice should be continued.

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

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



**Organization for Security and Co-operation in Europe
Ministerial Council
Ljubljana 2005**

MC(13).JOUR/2
6 December 2005
Annex 12

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Second day of the Thirteenth Meeting
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**LETTER FROM THE CHAIRPERSON OF THE
OPEN SKIES CONSULTATIVE COMMISSION TO THE
MINISTER FOR FOREIGN AFFAIRS OF SLOVENIA,
CHAIRPERSON OF THE THIRTEENTH MEETING
OF THE OSCE MINISTERIAL COUNCIL**

Your Excellency,

In my capacity as Chairperson of the Open Skies Consultative Commission (OSCC), I have the honour to inform you of the activities of the OSCC in 2005.

During the reporting period, following the Ministerial Council meeting in Sofia, the OSCC focused, on the one hand, on current issues essential to the effective implementation of the Treaty on Open Skies, and, on the other hand, on the preparation for the second phase of its implementation, which will start on 1 January 2006.

An important event in the life of the OSCC was the first Review Conference on the Implementation of the Treaty on Open Skies, held in Vienna from 14 to 16 February 2005, which took stock of both the provisional and the first phases of the operation of the Treaty. The participants in the Conference gave a positive assessment of the first phase of operation of the Treaty since its entry into force on 1 January 2002, noting that it significantly enhanced openness and transparency among the States Parties and thus contributed to maintaining a climate of co-operation on 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, the promotion of confidence, stability and security in Europe.

The accession to the Treaty of the Republic of Lithuania and the Republic of Estonia was seen as demonstrating the attractiveness of the Treaty's goals and objectives to OSCE participating States and the positive dynamic of the Treaty's evolution. Thus, the overall number of States Parties to the Treaty has reached 34. The OSCC has carried out all the necessary procedures related to the accession of these 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 to be successful and 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, whereby two or more observing parties participated in a single observation mission over the observed party. Furthermore, the States Parties continued the practice of conducting training observation flights on a bilateral basis. The OSCC is continuing to address issues related to the day-to-day implementation of the Treaty through the Informal Working Group on Rules and Procedures (IWGRP). In particular, the Commission took an important decision on transit flights and flights to the point of entry and from the point of exit.

The Informal Working Group on Sensors (IWGS) resumed its work in 2005. This was necessitated, above all, by the fact that the second phase of the Treaty's operation allows for employing the entire set of sensors specified by the Treaty and that three OSCC decisions regulating the use of several categories of sensors expire in 2005. The OSCC is working on the adoption of revision one of Decision Number Seventeen on recording formats and the exchange of data recorded on media other than photographic film. The IWGS has been able to reach agreement on the draft OSCC decision on logical formats for the exchange of digital data among States Parties. The effort to revise the two other expiring decisions will continue.

Since the second phase of the Treaty's implementation is to begin next year, the OSCC was for the first time tasked with full distribution of the States Parties' active quotas for 2006. This task has been successfully completed. The preparatory work for the transition toward the second phase of the Treaty's implementation makes us hopeful that this vital instrument of co-operation will continue to function effectively.

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**

MC.DOC/1/05
20 June 2005

Original: ENGLISH

**MINISTERIAL STATEMENT ON THE
INTERNATIONAL CONVENTION FOR THE SUPPRESSION OF
ACTS OF NUCLEAR TERRORISM**

1. We, the Ministers for Foreign Affairs of the OSCE participating States, welcome the adoption by the United Nations General Assembly of the International Convention for the Suppression of Acts of Nuclear Terrorism.
2. We pledge to apply all efforts to sign this International Convention on the day of its opening for signature at the United Nations Headquarters in New York on 14 September 2005.
3. We encourage the implementation of all the necessary measures to ratify, accept, approve or otherwise become parties to this International Convention in the shortest possible time.
4. We urge the OSCE Secretary General and the Office for Democratic Institutions and Human Rights to offer to the requesting participating States, on their formal demand and where appropriate, technical assistance/advice on the swift ratification, acceptance or approval of this International Convention, in close co-operation with the United Nations Office on Drugs and Crime.
5. We invite the OSCE Partners for Co-operation and the Mediterranean Partners for Co-operation to join our initiative.



Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

BORDER SECURITY AND MANAGEMENT CONCEPT

Framework for Co-operation by the OSCE Participating States

Chapter I: The OSCE participating States' commitments

1. Recognizing that border security and management is a matter of the national sovereignty and responsibility of States, the OSCE participating States reaffirm their commitment to promoting open and secure borders in a free, democratic and more integrated OSCE area without dividing lines. In doing so, they also commit themselves to co-operate following the principles of international law, mutual confidence, equal partnership, transparency and predictability, and pursuing a comprehensive approach in a spirit that would facilitate friendly relations between States.

2. The OSCE participating States reaffirm the obligations and commitments on border-related issues that they have undertaken at all levels:

- 2.1 At the global level: On border security and management issues, the participating States reaffirm their commitments under international law, in particular international human rights, refugee and humanitarian law, and may consider as well standards and recommendations laid down by the World Customs Organization, the International Organization for Migration, the International Labour Organization, the United Nations High Commissioner for Refugees and other relevant international organizations;
- 2.2 At the OSCE level: The participating States reaffirm the norms, principles, commitments and values enshrined in the Helsinki Final Act, all of which apply equally and unreservedly, each of them being interpreted taking into account the others. They reaffirm the principles and commitments contained in the Copenhagen Document 1990, the Helsinki Document 1992 and the Charter for European Security 1999. They recall the action plans, decisions and other relevant agreed OSCE documents which address border-related issues. In particular, strengthening OSCE capacities to promote open and secure borders and enhancing mutually beneficial inter-State co-operation are means to address the threats of terrorism, organized crime, illegal migration, and the illicit trafficking in weapons, drugs and human beings, as identified in

paragraph 35 of the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century;

- 2.3 At the regional and subregional levels: In the same spirit, the participating States reaffirm their obligations and commitments in all regional and subregional formats in which they are members and undertake to promote their co-operation in all relevant organizations and agencies in order to ensure consistency in policies and standards and to avoid duplication of efforts;
- 2.4 Bilaterally: In a spirit of solidarity, and aiming at good neighbourly relations, the participating States will respect their bilateral agreements on border-related issues and undertake efforts to promote sharing of experience and good practices.

Chapter II: Main objectives of co-operation

3. Co-operation by the participating States is aimed at promoting the implementation of border-related commitments. It should foster compliance with border-related security and management standards recognized by the participating States, as well as their improvement, *inter alia*, based on sharing of good practices.

4. The participating States will promote co-operation between their border services, customs authorities, agencies issuing travel documents and visas, and law enforcement and migration agencies, as well as other competent national structures, with a view to achieving the following aims:

- 4.1 To promote free and secure movement of persons, goods, services and investments across borders, in conformity with relevant legal frameworks, international law and OSCE commitments, *inter alia*, through enhancing the security of travel documents and encouraging, as appropriate, circumstances that could allow liberalization of visa regimes, in the spirit of the commitments under the documents mentioned above;
- 4.2 To reduce the threat of terrorism, including by preventing cross-border movement of persons, weapons and funds connected with terrorist and other criminal activities;
- 4.3 To prevent and repress transnational organized crime, illegal migration, corruption, smuggling and trafficking in weapons, drugs and human beings;
- 4.4 To promote high standards in border services and competent national structures;
- 4.5 To promote dignified treatment of all individuals wanting to cross borders, in conformity with relevant national legal frameworks, international law, in particular human rights, refugee, and humanitarian law, and relevant OSCE commitments;

- 4.6 To create beneficial conditions for social and economic development in border territories, as well as for the prosperity and cultural development of persons belonging to all communities residing in border areas, with access to all opportunities;
- 4.7 To foster prospects for joint economic development and help in establishing common spaces of freedom, security and justice in the OSCE area;
- 4.8 To ensure the security of the international transport circuit for supply of commodities.

Chapter III: Principles of co-operation by the OSCE participating States on border-related issues

Guided by the OSCE co-operative approach,

5. The participating States agree that their common prosperity and security can be enhanced through an increase in beneficial cross-border movements of people, goods, services and investments.
6. Issues of a regulatory nature raised by cross-border movements can best be addressed through direct co-operation between the border services and competent national structures of the participating States, based on relevant agreements. This co-operation should take place at the bilateral, regional and multilateral levels.
7. Sovereign national authorities, and in particular the border services responsible on each side of the border, have the best knowledge of the issues at hand. Cross-border dialogue, transparency and confidence-building constitute the first logical steps towards generating solutions with added value to the benefit of all.
8. Borders in the OSCE are not uniform. Every border has a particular character and may call for specific policy choices. Each participating State has the sovereign right to choose how to secure and manage its borders, taking into account relevant political, military, economic and social considerations.

Chapter IV: OSCE contribution

9. In keeping with its concept of common, comprehensive, co-operative and indivisible security, the OSCE constitutes an appropriate political framework and offers the services of its structures and institutions for contributions. It acts upon the request of participating States and in a spirit of solidarity and partnership, based on mutual interest and respect. In case the OSCE offers its contribution in border areas between participating States it will act after close consultation with and taking into account the views expressed by these participating States.
10. OSCE work in support of border security and management will be based on realism and pragmatism. It will make the best use of OSCE structures and institutions, the

strengthening of which should be considered. OSCE border-related activities are subject to ongoing periodic review and monitoring by the OSCE decision-making bodies and through the budgetary process.

11. The OSCE will ensure a continued political dialogue on border-related issues, through discussions in an appropriate consultative working structure on the implementation of the commitments and the future development of co-operation by the participating States in this area, as well as on providing guidance regarding border activities to the OSCE structures and institutions.

12. The OSCE remains a forum for dialogue and conflict-resolution through peaceful dialogue. The OSCE Court of Conciliation and Arbitration is in this respect a tool available to States recognizing its jurisdiction, to be consulted and to provide confidential legal opinion upon request.

13. The possible OSCE contribution may be put into practice, *inter alia*, through the following methods:

- Exchange of information, experience and best practices;
- Establishment of “points of contact” and national focal points;
- Holding of workshops and conferences, including with the participation of experts;
- Maintaining contacts and interaction with the competent international and regional organizations.

A more detailed list of possible OSCE contributions is contained in the Annex.

Chapter V: OSCE external co-operation with international organizations and partners

14. The OSCE can offer its organizational framework for interaction on border-related issues with international regional and subregional organizations, in accordance with the Platform for Co-operative Security.

15. International co-operation and assistance could benefit from a more target-oriented and co-ordinated approach. The OSCE should continue political and operational co-ordination with other international organizations and institutions in promoting open and secure borders. Complementarity, comparative advantage and added value should guide the co-ordinated approach, *inter alia*, through concerted actions and joint deployment of international resources.

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

17. The provisions of this Concept will be shared by the Partners for Co-operation, on a voluntary basis.

POSSIBLE OSCE CONTRIBUTIONS

Upon the request of interested participating States and where they can provide comparative advantage and added value, the contributions of the OSCE, based on lessons learned from border-related programmes, could take, *inter alia*, the following forms:

A. Facilitation:

1. Political dialogue between participating States on border-related issues, including OSCE good offices;
2. Confidence-building measures in border areas, as referred to by relevant OSCE documents, as well as by decisions elaborated by the Forum for Security Co-operation;
3. Technical dialogue between national border services and competent national structures, through exchanges of information at all levels;
4. Possible mobilization and co-ordination of assistance.

B. General forms of contribution:

1. Technical assistance in the development and implementation of national strategies and action plans, based on the vision of national authorities and their existing commitments, if a State so requests;
2. Technical assistance in development, adaptation and harmonization of relevant legislation;
3. Technical assistance in enhancing the effectiveness of border structures through the sharing of best practices;
4. Technical assistance in the development and implementation of training plans and programs through the sharing of good practices and international exchanges;
5. Overall information sharing by creating, *inter alia*, an awareness of resources that comprise all available international experience, including new technologies and know-how, for example on rapid but effective border controls, border checkpoint construction, etc.;
6. Identification of sources for available equipment and supplies appropriate to border services, with the aim of their possible mobilization.

C. Possible specialized assistance in the following fields:

1. Combating terrorism, transnational organized crime, illegal migration and illicit trafficking in nuclear, biological, chemical and conventional weapons and their means of delivery and related materials, hazardous wastes, drugs and human beings:
 - (i) Strengthening of international exchange networks and information-sharing on the above-mentioned threats and challenges to security;
 - (ii) Crime-specific training for border services and competent national structures;
 - (iii) Identification of sources for crime-specific equipment and supplies and, if possible, mobilization of available resources;
 - (iv) Technical and non-technical means of detection of illegal or false documents aiming at improving the security of travel documents and visas;
 - (v) Encouragement for the conclusion and implementation of agreements on cross-border co-operation;
 - (vi) Promotion of the implementation and development of multilateral international norms and practices, in conformity with international legal frameworks, regarding extradition and other forms of legal co-operation on criminal matters related to terrorism and other serious crimes, on aspects related to border security and management;
 - (vii) Enhancement of co-operation aimed at preventing and countering the threat of illicit trafficking in drugs.
2. Free and secure movement of persons:
 - (i) Technical assistance and expert advice on exit and entry procedures, including on simplification of visa procedures, as appropriate;
 - (ii) Expert advice on enhancing the security of travel documents;
 - (iii) Facilitation of free and secure movement of persons across borders;
 - (iv) Promotion and expert advice by the OSCE structures and institutions on the rights and development interests of persons belonging to all communities living in border areas without prejudice toward persons belonging to national minorities;
 - (v) Awareness-raising on the rights of migrants and asylum seekers.

3. Economic and environmental field:

- (i) Sharing of best practices on border-crossing and customs procedures for import, export and transit, in particular to ensure the security of the international transport circuit;
- (ii) Promotion of economic cross-border co-operation and facilitation of local border trade;
- (iii) Fostering of cross-border co-operation on environmental issues that have an impact on local community development;
- (iv) Facilitation of cross-border co-operation in case of natural disasters or serious accidents in border zones;
- (v) Ensuring of the security of the international transport circuit for the supply of commodities, including through the establishment of a system for providing preliminary information on goods and vehicles transferred across borders.

MC.DOC/2/05
6 December 2005
Attachment

Original: ENGLISH

**INTERPRETATIVE STATEMENT UNDER PARAGRAPH 79
(CHAPTER 6) OF THE FINAL RECOMMENDATIONS OF THE
HELSINKI CONSULTATIONS**

By the Delegation of Georgia:

“In regard to the adoption of the OSCE Border Security and Management Concept, the Delegation of Georgia would like to make an interpretative statement under paragraph 79, Chapter 6, of the Final Recommendations of the Helsinki Consultations.

Having joined others on the consensus regarding the adoption of the OSCE Border Security and Management Concept, Georgia underlines that all possible OSCE contributions mentioned in the Annex to the OSCE Border Security and Management Concept may be carried out only in full respect of the national sovereignty and taking fully into account the concerns of the country that is offered such possible OSCE contributions.

Mr. Chairperson,

We request that this statement be attached to the just adopted OSCE Border Security and Management Concept.

Thank you.”



**Organization for Security and Co-operation in Europe
Ministerial Council
Ljubljana 2005**

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OSCE MINISTERIAL DECLARATION ON THE 20TH ANNIVERSARY OF THE DISASTER AT THE CHERNOBYL NUCLEAR POWER PLANT

26 April 2006 will mark the 20th Anniversary of the disaster at the Chernobyl nuclear power plant (NPP).

Commemorating this tragic day, we once again remember all the victims, including all emergency and recovery operation workers, of the twentieth century's major technological catastrophe, in terms both of scope and of consequences.

This disaster resulted in large-scale radioactive contamination of vast areas in Europe, most heavily affecting the territories of Belarus, the Russian Federation and Ukraine. The accident has had an adverse impact on the lives and health of millions of people, in particular children, and has imposed a massive burden on the economy and environment of the most affected States.

We appreciate the enormous efforts made by the national governments concerned to address the effects of the Chernobyl accident. These endeavours have been supplemented to a significant degree by the involvement of the international community, including organizations of the United Nations system, the World Bank and the European Bank for Reconstruction and Development (EBRD), aimed at providing assistance to mitigate the consequences of the Chernobyl disaster. We also commend the contribution made by non-governmental organizations, private initiatives and individuals.

However, even today, the long-term consequences of the disaster, which include humanitarian, environmental, social, economic and health problems, continue to persist. Therefore, efforts need to continue to alleviate these consequences, focusing primarily on such vitally important issues as economic and environmental rehabilitation and sustainable development of the territories affected.

We are also aware that the Chernobyl NPP continues to pose a potential threat in the centre of Europe. In this regard, special attention should be focused on completing the Shelter Implementation Plan by constructing the main remaining component, the New Safe Confinement Arch. We appreciate the effort of the international community to increase financial commitments to the EBRD Chernobyl Shelter Fund to over USD 1 billion this year.

Environmental matters have always been a part of the OSCE's mandate, reflecting the Organization's comprehensive approach to security and co-operation. In the Helsinki Final Act we agreed to study, with a view to their solution, those environmental problems that, by their nature, are of a multilateral, bilateral, regional or subregional dimension; as well as to encourage the development of an interdisciplinary approach to environmental problems.

In this context, the OSCE will continue to contribute to international co-operation efforts to alleviate the consequences of the Chernobyl accident, including through participation in and support of relevant projects, and to provide appropriate assistance and expertise in consultation with the States concerned.

In commemorating this tragic event we believe that the Chernobyl disaster demonstrated how important it is for the international community to develop and apply commonly agreed policies and strategies to ensure that appropriate arrangements are in place for the prevention of, and response to, technological accidents and their consequences for human beings and the environment. We also believe that, in order to effectively tackle such challenges, concerted efforts are needed between the States concerned, the relevant international organizations, financial institutions and other interested donors.



Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

STATEMENT ON GEORGIA

1. We express our firm commitment to support the sovereignty and territorial integrity of Georgia. We reiterate our support of the ongoing democratic reforms in Georgia and encourage the authorities to continue their efforts in this regard. We support efforts for peaceful settlement of the conflicts and reaffirm previous OSCE Summit and Ministerial Council documents regarding Georgia.
2. We welcome the initiatives taken towards the peaceful resolution of the conflict in the Tskhinvali region/South Ossetia, Georgia. However, we regret that in recent months the positive dynamics of the peace process have been disrupted by violent actions and note the importance of adherence to the principles of peaceful settlement of the conflict, as set forth in the Sochi Agreement of 24 June 1992. We call for full implementation of agreed measures for stabilization of the situation in the Tskhinvali region/South Ossetia in Georgia, in particular the early and complete demilitarization of the zone of conflict. We welcome the steps taken by the Georgian side to address the peaceful resolution of the conflict and believe that the recent proposals, in particular the Peace Plan built upon the initiatives of the President of Georgia presented at the 59th United Nations General Assembly and supported by the sides, will serve as a basis for the peaceful settlement of the conflict. We are of the view that an early meeting of the Prime Minister of Georgia with the leader of South Ossetia would be an important step towards intensification of the peace process. We support further OSCE involvement in the conflict-resolution process. We underline the need to increase the effectiveness of existing negotiation mechanisms, including the Joint Control Commission, and to fully implement the decisions agreed within their framework. We call upon all sides to promote dialogue and increase efforts at all levels to facilitate political negotiations and the return of refugees and internally displaced persons. In this context, we express our satisfaction with the quadrilateral co-operation between the OSCE, the EU, UNHCR and UNDP in the framework of the rehabilitation programme in the zone of conflict funded by the European Commission, which is directed at the creation of the conditions required for such a return. We look forward to the report of the OSCE Needs Assessment Study and to the implementation of the projects it identifies for improving conditions and building confidence between the sides in the conflict. We remain ready to support the development of joint policing activities in the zone of conflict.
3. We reconfirm the leading role of the United Nations in the negotiations aimed at a peaceful settlement of the conflict in Abkhazia, Georgia. We stand ready to continue co-operation between the OSCE and the United Nations and support the efforts of the

United Nations Secretary-General and his Special Representative, with the assistance of the Russian Federation in its capacity as facilitator as well as of the United Nations Secretary-General's Group of Friends. We are prepared to enhance our involvement in the region, particularly by increasing project activities in the human and economic and environmental dimensions. We regret that the opening of a joint UN-OSCE human rights office in the Gali district has not been possible so far and we call upon the Abkhaz side to agree to its opening as soon as possible and to provide security conditions for its unhindered functioning. We are convinced that such an office would contribute to the improvement of the human rights situation in the region and thus promote the creation of conditions for the return of refugees and internally displaced persons in safety and dignity. We note the positive role of confidence-building measures and the importance of non-resumption of hostilities. We support the deployment of the United Nations civilian police component in the Gali district and call on the Abkhaz side to allow its swift deployment.

4. We welcome the Joint Statement issued by the Ministers of Foreign Affairs of the Russian Federation and Georgia on 30 May in Moscow. In this respect we note with satisfaction the negotiations carried out on the agreement to be signed shortly on the time frame, mode of functioning and withdrawal of the Russian military bases Batumi and Akhalkalaki and the Russian military facilities on the territory of Georgia foreseen by the Joint Statement of the Russian Federation and Georgia made on 17 November 1999 annexed to the Final Act of the Conference of the States Parties to the Treaty on Conventional Armed Forces in Europe. We welcome the withdrawal of part of the Russian heavy military equipment from Georgian territory. We look forward to further progress in the ongoing negotiation process both to enable a multinational mission to Gudauta and to establish its purpose.

5. We acknowledge the important contribution of the OSCE training assistance programme in improving the capacity and capability of the Georgian Border Guards.



**Organization for Security and Co-operation in Europe
Ministerial Council
Ljubljana 2005**

MC.DOC/5/05
6 December 2005

Original: ENGLISH

Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

STATEMENT ON THE CONFLICT DEALT WITH BY THE OSCE MINSK GROUP

We take note with satisfaction of the progress in the Nagorno-Karabakh negotiations through the "Prague Process" in 2005, and in particular the two meetings of the Presidents of Armenia and Azerbaijan in Warsaw and Kazan under the auspices of the Co-Chairs of the OSCE Minsk Group. We believe that the Parties are now poised to make the transition from negotiation to decision and that there are serious benefits within reach for all. We encourage the Presidents of Armenia and Azerbaijan to use the current promising window of opportunity in order to attain within the coming year significant achievements in the settlement of the conflict in the framework of the OSCE Minsk process.



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

MC.DEC/1/05
10 June 2005

Original: ENGLISH

**DECISION No. 1/05
APPOINTMENT 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 Permanent Council Decision No. 294 taken on 20 May 1999 which recommended that the Ministerial Council appoint Ambassador Ján Kubiš as Secretary General of the OSCE for a period of three years with effect from 15 June 1999, and noting that Ambassador Ján Kubiš commenced the first of his two three-year terms as Secretary General of the OSCE on 21 June 1999,

Recalling Bucharest Ministerial Council Decision No. 13 (MC(9).DEC/13/Corr.1), reappointing Ambassador Ján Kubiš for a period of three years,

Expressing its gratitude to the outgoing Secretary General, Ambassador Ján Kubiš, for his invaluable contributions to strengthening the OSCE and to developing its activities and for his dedication and integrity in the discharge of his duties,

Taking into account the recommendation of the Permanent Council,

Decides to appoint Mr. Marc Perrin de Brichambaut as Secretary General of the OSCE for a period of three years with effect from 21 June 2005.



Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

DECISION No. 2/05 MIGRATION

The Ministerial Council,

Reaffirming the commitments related to migration, and in particular regarding migrant workers, and other relevant commitments, especially those recognized in the Helsinki Final Act (1975), the Madrid Document (1983), the Vienna Final Document (1989), the Copenhagen Document (1990), the Charter of Paris for a New Europe (1990), the Moscow Document (1991), the Helsinki Document (1992), the Budapest Document (1994) and documents adopted by the Ministerial Council in Maastricht (2003) and Sofia (2004),

Recognizing the increasing importance of migration, as well as the challenges and opportunities that it presents to participating States,

Further recognizing that migration is becoming a more diverse and complex phenomenon, which needs to be addressed in a comprehensive manner and therefore requires a cross-dimensional approach at the national, regional and international levels,

Recognizing that all States should adopt effective national frameworks in order to manage migration,

Underlining that migration is inherently a transnational issue requiring co-operation between States,

Acknowledging that migration constitutes an important economic, social and human factor for host countries as well as for countries of origin,

Acknowledging also that successful integration policies that include respect for cultural and religious diversity and promotion and protection of human rights and fundamental freedoms are a factor in promoting stability and cohesion within our societies,

Determined to fight illegal migration and to address its root causes,

Bearing in mind the different approaches to migration issues by the OSCE participating States, and drawing on their experience and best practices,

Taking into account the initiatives taken and the work done by the OSCE during 2005 in addressing the issue of migration and integration, in particular, the Human Dimension Seminar on Migration and Integration, the Thirteenth OSCE Economic Forum and the 2005 Mediterranean Seminar,

Welcoming the existing co-operation between the OSCE, in particular, the Office for Democratic Institutions and Human Rights (ODIHR) and the Office of the Co-ordinator of OSCE Economic and Environmental Activities (OCEEA), and relevant international organizations and institutions,

Considering that the OSCE, within its comprehensive approach to security, could contribute, *inter alia*, by:

- Working in synergy and developing a stronger partnership with international bodies having a specific focus on migration,
- Facilitating dialogue and co-operation between participating States, including countries of origin, transit and destination in the OSCE area, as well as the OSCE Partners for Co-operation and Mediterranean Partners for Co-operation,
- Assisting the participating States, upon their request, to develop effective migration policies and to implement their relevant OSCE commitments,
- Inviting participating States to consider becoming parties to relevant international instruments,

Tasks the Permanent Council to follow up the work initiated in 2005 and to report to the Fourteenth Meeting of the Ministerial Council;

Tasks the Secretary General as well as relevant OSCE institutions and structures, to continue their work on migration issues in all three dimensions.

Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

DECISION No. 3/05
COMBATING TRANSNATIONAL ORGANIZED CRIME

The Ministerial Council,

1. Reaffirming the participating States' commitment to preventing and combating organized crime, in particular as recognized in the Charter for European Security (1999), the Bucharest Plan of Action for Combating Terrorism (2001), the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century (2003) and the OSCE Strategy Document for the Economic and Environmental Dimension (2003),
2. Reiterating the grave concern expressed in the Follow-up to the Outcome of the Millennium Summit (2005 World Summit Outcome) over the negative effects of organized crime on peace, security and stability, which is a major impediment to the prosperity and sustainable development of the participating States,
3. Underscoring links that exist between transnational organized crime and other threats, such as illicit drugs, terrorism, illicit trade in small arms and light weapons, as well as in sensitive materials and technologies, trafficking in human beings, smuggling of migrants, cyber crime, corruption and illegal migration in the context of organized crime and money laundering,
4. Recognizing that the United Nations Convention against Transnational Organized Crime, and its Protocols, adopted by the General Assembly of the United Nations on 15 November 2000 in New York, mark a major step forward in international co-operation against transnational organized crime and provide the opportunity for a global response,
5. Recognizing the ongoing work of the OSCE in the areas linked to combating organized crime,
6. Convinced that the OSCE concept of comprehensive security is well placed to enhance the ability of all participating States to tackle the threat of organized crime, and that the OSCE may provide a relevant framework for promoting the fight against organized crime and acknowledging the important work done by relevant international organizations and institutions, in particular United Nations Office on Drugs and Crime,

- Urges participating States to enhance co-operation between themselves and the UNODC, the Council of Europe and other relevant international organizations;
- Invites the OSCE participating States that have not yet done so to consider becoming parties to the United Nations Convention against Transnational Organized Crime and its Protocols, adopted by the General Assembly of the United Nations on 15 November 2000 in New York, and to fully implement their obligations under these instruments thereafter;
- Tasks the Secretary General with providing the requesting participating States with support for the mobilization of technical assistance, including the necessary expertise and resources, from relevant competent international organizations for the implementation of the United Nations Convention against Transnational Organized Crime and its Protocols in support of and in close consultation with the Conference of Parties and the UNODC;
- Recalls that preventing and combating organized crime require a coherent approach by the participating States, in promoting the implementation of their own relevant national legislation and programmes, in particular in the field of criminal justice, consistent with the rule of law and OSCE participating States' commitments;
- Tasks the Permanent Council to carry forward co-operation between participating States and to work on designing, with the support of the Secretary General and the relevant OSCE institutions, possible measures and forms of assistance that could be available to requesting participating States with a view to improving and promoting the functioning of criminal justice systems, *inter alia*, legislation, law enforcement, prosecution, administration of justice, international legal co-operation, including extradition, and the penal system, in consultation with the UNODC, the Council of Europe and other pertinent international organizations;
- Invites the OSCE Partners for Co-operation and Mediterranean Partners for Co-operation to voluntarily implement the relevant provisions of this decision.

MC.DEC/3/05
6 December 2005
Attachment

Original: ENGLISH

**INTERPRETATIVE STATEMENT UNDER PARAGRAPH 79
(CHAPTER 6) OF THE FINAL RECOMMENDATIONS OF THE
HELSINKI CONSULTATIONS**

By the Delegation of Turkey:

“Turkey wishes to make the following interpretative statement under paragraph 79 (Chapter 6) of the Final Recommendations of the Helsinki Consultations:

We have joined the consensus in order to make possible the adoption of this decision which, *inter alia*, addresses an important component of our collective fight against terrorism, namely, the links between terrorism and organized crime. The language in the decision seeks to reaffirm these links by means of formulations that are at variance with the OSCE agreed documents. Turkey regards the context in which this decision is elaborated to be inappropriate for a competent and thorough consideration of the nature of these links. Therefore, the adoption of the decision in no way alters, either in letter or spirit, the binding character, or mitigates the operational impact, of the participating States’ earlier policy statements contained in the Bucharest Plan of Action for Combating Terrorism (2001) and the OSCE Charter on Preventing and Combating Terrorism (Porto, 2002), and more importantly, United Nations Security Council resolution 1373 (2001).

Turkey requests that this statement be attached to the journal of the day.”



Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

**DECISION No. 4/05
ENHANCING LEGAL CO-OPERATION IN CRIMINAL MATTERS
TO COUNTER TERRORISM**

The Ministerial Council,

Determined to reinforce OSCE counter-terrorism activities in accordance with international law and in line with existing OSCE commitments,

Recalling United Nations Security Council resolutions 1373 (2001), 1566 (2004) and 1624 (2005), which call upon all States to become party as soon as possible to the relevant international conventions and protocols relating to terrorism, and to co-operate fully in the fight against terrorism, as well as relevant OSCE counter-terrorism commitments,

Recalling also United Nations Security Council resolution 1631 (2005), in particular where it urges “all relevant regional and subregional organizations to enhance the effectiveness of their counter-terrorism efforts within their respective mandates, including with a view to develop their capacity to help Member States in their efforts to tackle the threats to international peace and security posed by acts of terrorism”,

Welcoming the ongoing efforts within the United Nations to finalize, on an expedited basis, the draft comprehensive convention on terrorism,

Recognizing that the above-mentioned conventions and protocols represent a universal legal regime against terrorism and, in the absence of bilateral treaties on mutual legal assistance and extradition, could together with the UN Convention against Transnational Organized Crime (Palermo convention) serve as a basis for legal co-operation,

Noting links that exist between terrorism and transnational organized crime,

Noting the importance of the UN Convention against Transnational Organized Crime,

Noting with appreciation the OSCE Secretariat’s initiative taken at the request of the UN Counter-Terrorism Committee Executive Directorate in developing a programme on enhancing legal co-operation in criminal matters related to terrorism in the OSCE area and organizing as the first step the Expert Workshop on this issue, held in Vienna on 15 April 2004,

Noting also the good working collaboration between the OSCE and the UN Office on Drugs and Crime (UNODC), as well as the valuable technical assistance tools developed by the UNODC for implementing the universal anti-terrorism conventions and protocols and promoting legal co-operation in criminal matters, in particular those related to terrorism,

Taking into account the recommendations made by participants in the 2005 Annual Security Review Conference with regard to further developing co-operation with the UNODC, supporting its efforts aimed at strengthening the legal regime against terrorism and promoting its technical assistance tools, in particular the Mutual Legal Assistance Request Writer Tool software, including through facilitating training and disseminating best practices for caseworkers,

Decides that the participating States should co-operate actively and fully among themselves, in accordance with applicable rules under domestic and international law, in efforts to find and to bring to justice perpetrators, organizers, supporters and sponsors of terrorist acts, on the basis of the principle to extradite or prosecute;

Invites participating States to consider the expert suggestions contained in the report on the OSCE Expert Workshop on Enhancing Legal Co-operation in Criminal Matters Related to Terrorism (SEC.GAL/111/05 of 18 May 2005), as a scale of options for improving international legal co-operation;

Tasks the Secretary General and relevant institutions to assist requesting participating States to fulfil their commitments related to the fight against terrorism. The OSCE will continue to collaborate with the UNODC in strengthening the legal regime against terrorism by promoting implementation of the universal anti-terrorism instruments, and facilitating international legal co-operation in criminal matters;

Tasks the Secretary General to organize in 2006, in co-ordination with the Chairmanship-in-Office and in co-operation with the UNODC, an OSCE expert workshop in Vienna, with the aim to promote the UNODC technical assistance tools for advancing international legal co-operation in criminal matters casework, in particular the Mutual Legal Assistance Request Writer Tool software, including through facilitating training and disseminating best practices for caseworkers;

Tasks the Secretary General to organize for requesting participating States, in close co-operation with the UNODC, national training workshops for prosecutors and judicial officials on issues of extradition and mutual legal assistance in criminal matters, in particular those related to terrorism.

MC.DEC/4/05
6 December 2005
Attachment

Original: ENGLISH

**INTERPRETATIVE STATEMENT UNDER PARAGRAPH 79
(CHAPTER 6) OF THE FINAL RECOMMENDATIONS OF THE
HELSINKI CONSULTATIONS**

By the Delegation of Turkey:

“Turkey wishes to make the following interpretative statement under paragraph 79 (Chapter 6) of the Final Recommendations of the Helsinki Consultations:

We have joined the consensus in order to make possible the adoption of this decision which, *inter alia*, addresses an important component of our collective fight against terrorism, namely, the links between terrorism and organized crime. The language in the decision seeks to reaffirm these links by means of formulations that are at variance with the OSCE agreed documents. Turkey regards the context in which this decision is elaborated to be inappropriate for a competent and thorough consideration of the nature of these links. Therefore, the adoption of the decision in no way alters, either in letter or spirit, the binding character, or mitigates the operational impact, of the participating States’ earlier policy statements contained in the Bucharest Plan of Action for Combating Terrorism (2001) and the OSCE Charter on Preventing and Combating Terrorism (Porto, 2002), and more importantly, United Nations Security Council resolution 1373 (2001).

Turkey requests that this statement be attached to the journal of the day.”



Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

DECISION No. 5/05
COMBATING THE THREAT OF ILLICIT DRUGS

The Ministerial Council,

Seriously concerned about the trafficking in illicit drugs that pose a threat to stability and security, both inside and outside the OSCE area,

Recalling the Charter for European Security (1999), the Bucharest Plan of Action for Combating Terrorism (2001), the OSCE Charter on Preventing and Combating Terrorism (2002), and the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century (2003), which underline, *inter alia*, the threat of illicit drugs,

Recognizing links that exist between the threats of illicit drugs, terrorism and transnational organized crime, and reaffirming the commitment to explore synergetic approaches to deal with them,

Reaffirming that an effective and comprehensive international approach to dealing with the issue of trafficking in illicit drugs in the whole OSCE area needs to be developed,

Noting the role of the United Nations Office on Drugs and Crime (UNODC) in supporting international co-operation in the field of drug control, *inter alia*, through the Paris Pact Initiative,

Stressing the need to continue the collaborative efforts already underway between the OSCE and the UNODC on drug-related issues,

1. Urges the participating States to enhance their co-operation in preventing and countering the threat of production of and trafficking in illicit drugs;
2. Tasks the Secretary General to organize in 2006, in co-ordination with the participating States concerned and the Chairmanship-in-Office, and in co-operation with the UNODC, an expert workshop for practitioners from participating States, Mediterranean Partners for Co-operation and Partners for Co-operation, and representatives of relevant international organizations, designed to facilitate the exchange of information on the production of and trafficking in illicit drugs and to identify possibilities for further co-ordinated actions;

3. Tasks the Secretary General to enhance co-operation with the UNODC and other relevant organizations in combating the trafficking of illicit drugs, to inform the participating States regularly of the results of such co-operation and to propose further measures in this direction;
4. Encourages the Partners for Co-operation and the Mediterranean Partners for Co-operation to voluntarily implement the OSCE commitments to combat the threat of illicit drugs in order to contribute to OSCE efforts in this field.

MC.DEC/5/05
6 December 2005
Attachment

Original: ENGLISH

**INTERPRETATIVE STATEMENT UNDER PARAGRAPH 79
(CHAPTER 6) OF THE FINAL RECOMMENDATIONS OF THE
HELSINKI CONSULTATIONS**

By the Delegation of Turkey:

“Turkey wishes to make the following interpretative statement under paragraph 79 (Chapter 6) of the Final Recommendations of the Helsinki Consultations:

We have joined the consensus in order to make possible the adoption of this decision which, *inter alia*, addresses an important component of our collective fight against terrorism, namely, the links between terrorism and organized crime. The language in the decision seeks to reaffirm these links by means of formulations that are at variance with the OSCE agreed documents. Turkey regards the context in which this decision is elaborated to be inappropriate for a competent and thorough consideration of the nature of these links. Therefore, the adoption of the decision in no way alters, either in letter or spirit, the binding character, or mitigates the operational impact, of the participating States’ earlier policy statements contained in the Bucharest Plan of Action for Combating Terrorism (2001) and the OSCE Charter on Preventing and Combating Terrorism (Porto, 2002), and more importantly, United Nations Security Council resolution 1373 (2001).

Turkey requests that this statement be attached to the journal of the day.”



Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

**DECISION No. 6/05
FURTHER MEASURES TO ENHANCE CONTAINER SECURITY**

The Ministerial Council,

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

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

Recalling its Decision No. 9/04 on enhancing container security, in which it recognized the vulnerability of transport networks, the important role container shipping plays in the global economy, OSCE's ability to work effectively with governments, representatives of business and civil society, and the importance of enhancing container security, as well as the need to minimize any adverse effects on the free flow of commerce of enhanced container security, and that enhanced container security will promote international trade and economic co-operation,

Welcoming the results of the OSCE Technical Experts Workshop on Container Security, held in Vienna on 7 and 8 February 2005 and the work subsequently carried out by the Informal Group of Friends of the Chair on Combating Terrorism,

Recognizing the work of the World Customs Organization (WCO) in creating global standards to enhance the security and facilitation of the international supply chain,

Noting that certain participating States are not members of the WCO and that some participating States have customs union agreements with other participating States by which responsibilities are assigned,

Decides:

- That all OSCE participating States should take measures recommended in the WCO Framework of Standards to Secure and Facilitate Global Trade as soon as possible. To this end participating States that have not already done so, are encouraged to sign and

submit to the WCO Secretary General the declaration regarding implementation of the Framework of Standards to Secure and Facilitate Global Trade^{*} as soon as possible;

- That, in taking measures foreseen by the Framework of Standards to Secure and Facilitate Global Trade, the OSCE participating States will in particular aim to promptly incorporate into their national procedures and regulations the Seal Integrity Programme for Secure Container Shipments, contained in the Appendix to Annex 1 of the Framework;
- That all OSCE participating States will inform each other on the measures taken to implement the above commitment;

Tasks the Secretary General to facilitate, as appropriate and within existing financial resources, technical assistance in this field by the WCO and other relevant international organizations to requesting participating States;

Tasks the Secretary General to promote, through and within the OSCE's existing organizational and logistic abilities, co-operation with the WCO and other relevant organizations in their efforts to enhance understanding of the objectives of the WCO Framework of Standards to Secure and Facilitate Global Trade;

Encourages the OSCE Partners for Co-operation and the Mediterranean Partners for Co-operation to voluntarily implement this decision.

*

The declaration regarding implementation of the Framework of Standards to Secure and Facilitate Global Trade, signed by the director general of the customs administration, records a State's intention to begin the process of implementing the Framework. It also records the fact that in implementing the Framework the administration may require capacity-building assistance.

MC.DEC/6/05
6 December 2005
Attachment

Original: ENGLISH

**INTERPRETATIVE STATEMENT UNDER PARAGRAPH 79
(CHAPTER 6) OF THE FINAL RECOMMENDATIONS OF THE
HELSINKI CONSULTATIONS**

By the Delegation of Switzerland:

“In connection with the decision just adopted by the OSCE Ministerial Council, the Delegation of Switzerland wishes to make the following interpretative statement under paragraph 79 (Chapter 6) of the Final Recommendations of the Helsinki Consultations:

Switzerland welcomes the efforts of the OSCE to enhance container security. In implementing the Decision on Further Measures to Enhance Container Security, Switzerland will respect the terms and conditions of any agreement providing for closer regional co-operation in the field of container security.

Switzerland requests that this interpretative statement be attached to the journal of today’s meeting of the Ministerial Council.”



**Organization for Security and Co-operation in Europe
Ministerial Council
Ljubljana 2005**

MC.DEC/7/05
6 December 2005

Original: ENGLISH

Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

**DECISION No. 7/05
SUPPORTING THE EFFECTIVE IMPLEMENTATION OF
UN SECURITY COUNCIL RESOLUTION 1540 (2004)**

The Ministerial Council,

Gravely concerned by the threat of proliferation of weapons of mass destruction and their means of delivery and by the risk that non-State actors such as terrorists and other criminal groups may acquire, develop, traffic in or use nuclear, chemical and biological weapons and their means of delivery and related materials,

Recalling OSCE commitments, in particular the OSCE Principles Governing Non-Proliferation adopted on 3 December 1994,

Noting that the Forum for Security Co-operation (FSC) discusses ways in which to support and add value to the global efforts on non-proliferation of nuclear, chemical and biological weapons and their means of delivery and related materials,

Welcoming the adoption of resolution 1540 (2004) by the Security Council of the United Nations as an important step towards preventing the proliferation of nuclear, chemical and biological weapons, their means of delivery and related materials,

Recognizing that the FSC has taken steps to contribute to the implementation of this resolution, as appropriate and in co-ordination with the relevant UN fora, based on the OSCE concept of comprehensive and co-operative security and the OSCE mandate as a regional organization under Chapter VIII of the UN Charter,

Endorses FSC Decision No. 7/05, on Supporting the Effective Implementation of UN Security Council Resolution 1540 (2004).



**Organization for Security and Co-operation in Europe
Ministerial Council
Ljubljana 2005**

MC.DEC/8/05
6 December 2005

Original: ENGLISH

Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

**DECISION No. 8/05
FURTHER EFFORTS TO IMPLEMENT THE
OSCE DOCUMENTS ON SMALL ARMS AND LIGHT WEAPONS
AND STOCKPILES OF CONVENTIONAL AMMUNITION**

The Ministerial Council,

Willing to further build upon the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century adopted by the Eleventh Meeting of the Ministerial Council, the OSCE Document on Small Arms and Light Weapons, the OSCE Document on Stockpiles of Conventional Ammunition, and other relevant decisions adopted in the framework of the OSCE,

Determined to contribute to the reduction, and prevention of, the excessive and destabilizing accumulation and uncontrolled spread of SALW, including the risk of their diversion into illicit markets, the hands of terrorists and other criminal groups,

Recognizing the security and safety risks posed by the presence of stockpiles of conventional ammunition, explosive material and detonating devices, including liquid rocket fuel (*mélange*), in surplus and/or awaiting destruction in some States in the OSCE area, and reaffirming the will of the OSCE to consider providing assistance regarding the destruction of these stockpiles and/or upgrading of stockpile management and security practices for States that request it,

Welcomes the progress achieved so far in the framework of the OSCE to implement the OSCE Document on Small Arms and Light Weapons and the OSCE Document on Stockpiles of Conventional Ammunition, including the development of projects with the aim of containing and reducing the dangers emanating from surplus stockpiles of SALW, as well as stockpiles of conventional ammunition, explosive material and detonating devices, including liquid rocket fuel (*mélange*);

Takes note with appreciation of the ongoing work in the Forum for Security Co-operation to develop Best Practice Guides related to Stockpiles of Conventional Ammunition, as well as best practice guidance on national procedures for stockpile management and security of man-portable air defence systems (MANPADS);

Takes note of the progress report on the further implementation of the OSCE Document on Stockpiles of Conventional Ammunition, as submitted to the Thirteenth Ministerial Council pursuant to Ministerial Council Decision No. 5/04;

Also takes note of the continuing work by the FSC to review implementation of the OSCE Document on Small Arms and Light Weapons, including the development of a progress report on implementation;

Encourages FSC deliberations prior to the First Review Conference of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, to be held in 2006, and OSCE efforts at furthering its regional implementation;

Calls upon the Forum for Security Co-operation to continue its efforts to address these issues in a comprehensive way, reflecting the OSCE's concept of co-operative security and working in concert with other international fora;

Tasks the FSC to submit, through its Chairperson, a progress report on the continuing implementation of the OSCE Document on Small Arms and Light Weapons and the OSCE Document on Stockpiles of Conventional Ammunition to the Fourteenth Meeting of the Ministerial Council in 2006.



**Organization for Security and Co-operation in Europe
Ministerial Council
Ljubljana 2005**

MC.DEC/9/05
6 December 2005

Original: ENGLISH

Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

**DECISION No. 9/05
OSCE SEMINAR ON MILITARY DOCTRINE**

The Ministerial Council,

Recognizing the need to address the challenges identified in the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century,

Recalling paragraph 15.7 of the Vienna Document 1999, which encourages participating States to hold periodic high-level military doctrine seminars, and noting that such seminars seek to improve mutual relations between participating States by fostering the process of transparency, openness and predictability, and

Recognizing the value of conclusions and recommendations issuing from the military doctrine seminar being considered by the OSCE/FSC,

Welcomes the military doctrine seminar as a means to enhance the security dialogue and the work of the FSC; and

Endorses and underlines the importance of FSC Decision No. 3/05 of 29 June 2005 to hold a high-level military doctrine seminar in Vienna on 14 and 15 February 2006, to examine changes in military doctrine derived from evolving threats, changing forms of conflict and the emergence of new technologies.



Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

**DECISION No. 10/05
TOLERANCE AND NON-DISCRIMINATION:
PROMOTING MUTUAL RESPECT AND UNDERSTANDING**

The Ministerial Council,

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

Recalling its commitments in the field of tolerance and non-discrimination enshrined in the 1975 Helsinki Final Act, the 1990 Charter of Paris for a New Europe, the 1999 Charter for European Security, Decision No. 4/03 on tolerance and non-discrimination, adopted at the 11th Ministerial Council Meeting (Maastricht, 2003), and Decision No. 12/04 on tolerance and non-discrimination, adopted at the 12th Ministerial Council Meeting (Sofia, 2004),

Recalling the OSCE's focus on promoting tolerance and non-discrimination, embodied in the 2003 Vienna Conferences on Anti-Semitism and on Racism, Xenophobia and Discrimination, the April 2004 Berlin Conference on Anti-Semitism, the June 2004 Paris Meeting on the Relationship Between Racist, Xenophobic and Anti-Semitic Propaganda on the Internet and Hate Crimes, the September 2004 Brussels Conference on Tolerance and the Fight Against Racism, Xenophobia and Discrimination, and the June 2005 Cordoba Conference on Anti-Semitism and on Other Forms of Intolerance and recalling the outcomes of those conferences,

Reaffirming its determination to implement the existing OSCE commitments in the fields of tolerance and non-discrimination and freedom of thought, conscience, religion or belief, and recalling other relevant international obligations,

Emphasizing the need for consistently and unequivocally speaking out against acts and manifestations of hate, particularly in political discourse, and working in favour of tolerance, mutual respect and understanding,

Recalling the importance of promoting and facilitating intercultural and inter-faith dialogue and partnerships aimed at tolerance, mutual respect and understanding, at both the national and the international levels,

Noting with appreciation the announcement of the Secretary-General of the United Nations on the establishment of the “Alliance of Civilizations”, as well as the establishment of the Alliance of Civilizations High-Level Group of Eminent Persons and expressing interest in the outcome of this initiative,

Recalling Permanent Council Decisions Nos. 607, 621 and 633 and the declarations made by the OSCE Chairman-in-Office in 2004 — “Berlin Declaration”, “Brussels Declaration” and “Paris Conclusions”,

Appreciating the work of the three Personal Representatives of the Chairman-in-Office as part of the overall effort of the OSCE in combating discrimination and promoting tolerance, mutual respect and understanding and in awareness-raising,

1. Appreciates the declaration made by the OSCE Chairman-in-Office at the OSCE Conference on Anti-Semitism and on Other Forms of Intolerance held in Cordoba on 8 and 9 June 2005 — “Cordoba Declaration”;
2. Welcomes the creation of the ODIHR Programme on Tolerance and Non-Discrimination;
3. Rejects the identification of terrorism and violent extremism with any religion or belief, culture, ethnic group, nationality or race;
4. Decides that the OSCE should continue to raise awareness and develop measures to counter prejudice, intolerance and discrimination, while respecting human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to *inter alia* race, colour, sex, language, religion or belief, political or other opinion, national or social origin, property, birth or other status;
5. Decides that the participating States while implementing their commitments to promote tolerance and non-discrimination will focus their activities in such fields as, *inter alia*, legislation, law enforcement, education, media, data collection, migration and integration, religious freedom, inter-cultural and inter-faith dialogue, and commit to:
 - 5.1 Consider increasing their efforts to ensure that national legislation, policies and practices provide to all persons equal and effective protection of the law and prohibit acts of intolerance and discrimination, in accordance with relevant OSCE commitments and their relevant international obligations;
 - 5.2 Strengthen efforts to provide public officials, and in particular law enforcement officers, with appropriate training on responding to and preventing hate crimes, and in this regard, to consider setting up programmes that provide such training, and to consider drawing on ODIHR expertise in this field and to share best practices;
 - 5.3 Encourage public and private educational programmes that promote tolerance and non-discrimination, and raise public awareness of the existence and the unacceptability of intolerance and discrimination, and in this regard, to

consider drawing on ODIHR expertise and assistance in order to develop methods and curricula for tolerance education in general, including:

- Fighting racial prejudice and hatred, xenophobia and discrimination;
- Education on and remembrance of the Holocaust, as well as other genocides, recognized as such in accordance with the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, and crimes against humanity;
- Education on anti-Semitism in order to ensure a systematic approach to education, including curricula related to contemporary forms of anti-Semitism in participating States;
- Fighting prejudice, intolerance and discrimination against Christians, Muslims and members of other religions;

5.4 Consider developing, in close co-operation with civil society, concrete measures which do not endanger freedom of information and expression, in order to counter xenophobic stereotypes, intolerance and discrimination in the media and to encourage programmes to educate children and youth about prejudice or bias they may encounter in the media or on the Internet;

5.5 Strengthen efforts to collect and maintain reliable information and statistics on hate crimes and legislation within their territories, to report such information periodically to the ODIHR, and to make this information available to the public and to consider drawing on ODIHR assistance in this field, and in this regard, to consider nominating national points of contact on hate crimes to the ODIHR;

5.6 Continue, with the support of relevant OSCE structures, institutions and field operations if necessary, to address the issue of migration and integration with respect for cultural and religious diversity as part of the overall efforts by the OSCE to promote tolerance, mutual respect and understanding and to combat discrimination, as well as to promote respect for human rights and fundamental freedoms;

5.7 Follow up on the work done so far by the OSCE to promote tolerance and non-discrimination, including through expert-level implementation-focused thematic meetings in 2006, and to consider the possibility of an OSCE conference in 2007;

6. Tasks the ODIHR to:

6.1 Assist participating States upon their request in developing appropriate methodologies and capacities for collecting and maintaining reliable information and statistics about hate crimes and violent manifestations of intolerance and discrimination, with a view to helping them to collect comparable data and statistics;

- 6.2 Continue its co-operation with other OSCE structures and institutions, as well as with the United Nations Committee on the Elimination of Racial Discrimination (UNCERD), the United Nations Office of the High Commissioner for Human Rights (UNHCHR), the European Commission against Racism and Intolerance (ECRI), the European Monitoring Centre on Racism and Xenophobia (EUMC), the Task Force for International Co-operation on Holocaust Education, Remembrance and Research, and with other relevant institutions and civil society, including non-governmental organizations;
 - 6.3 Through its Advisory Panel of Experts on Freedom of Religion or Belief, to continue providing support to the participating States, upon their request, in their efforts to promote freedom of religion or belief, and to share the Panel's conclusions and opinions with OSCE participating States, both bilaterally and at relevant OSCE conferences and events;
7. Decides to make an appropriate contribution to the "Alliance of Civilizations" initiative through the promotion of inter-cultural and inter-religious dialogue and the advancement of mutual understanding and respect as well as human rights throughout the OSCE area and in this regard tasks:
- 7.1 The OSCE Chairman-in-Office to inform the Secretary-General of the United Nations of this decision and of the interest of the OSCE to support the "Alliance of Civilizations" initiative;
 - 7.2 The Secretary General, drawing on the expertise of the OSCE structures and institutions, in particular the ODIHR, to provide in co-operation with participating States an OSCE contribution to the "Alliance of Civilizations" initiative and to bring it to the attention of the Alliance of Civilizations High-Level Group by the end of June 2006.

MC.DEC/10/05
6 December 2005
Attachment

Original: ENGLISH

**INTERPRETATIVE STATEMENT UNDER PARAGRAPH 79
(CHAPTER 6) OF THE FINAL RECOMMENDATIONS OF THE
HELSINKI CONSULTATIONS**

By the Delegation of Azerbaijan:

“With regard to the decision just adopted by the Thirteenth Meeting of the OSCE Ministerial Council on Tolerance and Non-Discrimination: Promoting Mutual Respect and Understanding, I would like to make an interpretative statement in accordance with paragraph 79, Chapter 6, of the Final Recommendations of the Helsinki Consultations.

By the adoption of this Decision, the Ministerial Council sends a strong political message on the role of the OSCE in promoting tolerance and non-discrimination, both to the OSCE community and to the wider international audience. It is particularly important in view of recent manifestations of discrimination and prejudice against Muslim communities that we have been witnessing in participating States. We must not remain indifferent to these violent incidents, as they have devastating effects not only on the societies where Muslims live, but also on the credibility of this Organization, which preaches respect for human rights in the vast area from Vancouver to Vladivostok.

There are nine OSCE participating States and seven OSCE Partners for Co-operation which are also members of the Organization of the Islamic Conference (OIC). Azerbaijan, in its capacity as incoming Chair of the OIC Conference of Foreign Ministers, aware of the great privilege and responsibility that that entails, attempted to restore the balance in the OSCE approach to the issues of tolerance and non-discrimination in the present Decision. It is regrettable that Azerbaijan’s proposed amendment to the text, which was aimed at educating and increasing awareness regarding Islam and its true values, was not acceptable.

Acting in a spirit of compromise, the Delegation of the Republic of Azerbaijan has agreed to join the consensus on the Decision on Tolerance and Non-Discrimination: Promoting Mutual Respect and Understanding. However, we wish to express our firm determination to ensure that the OSCE approach to the issues of religious and cultural diversity, which are among the key prerequisites for promoting respect of human rights and fundamental freedoms, recognizes the reality and the seriousness of Azerbaijan’s concerns.

We believe that the best remedy to prejudice, discrimination and intolerance against Muslims is to develop and implement sound strategies and educational approaches, supported by adequate resources. In this regard, we count on the support of the incoming Chairman-in-Office and hope for co-operation with the participating States, the ODIHR and the Personal Representative of the OSCE Chairman-in-Office on Combating Intolerance and Discrimination against Muslims.

I request that this statement be attached to the journal of the day.”



**Organization for Security and Co-operation in Europe
Ministerial Council
Ljubljana 2005**

MC.DEC/11/05
6 December 2005

Original: ENGLISH

Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

**DECISION No. 11/05
PROMOTION OF HUMAN RIGHTS EDUCATION
AND TRAINING IN THE OSCE AREA**

The Ministerial Council,

Reaffirming the commitments of the participating States in the field of human rights education and training, in particular the commitments deriving from the 1975 Helsinki Final Act, the 1990 Copenhagen Document, the 1991 Moscow Document, the 1999 Charter for European Security, the 2003 OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century and all other relevant OSCE agreed documents and decisions,

Recognizing that the promotion of human rights through education and training in the whole OSCE area could be viewed in the context of the OSCE's comprehensive concept of security and is vital for the strengthening of respect for human rights and fundamental freedoms, as well as for the promotion of tolerance and non-discrimination,

Acknowledging the added value of multifaceted co-operation, including consultation, co-operation and co-ordination with relevant international and regional organizations, as well as the benefits that countries can derive from each other's experiences and capabilities in the field of human rights education and training,

Taking into account the efforts of other international organizations, including the UN's World Programme for Human Rights Education, the Council of Europe's Programme on Education for Democratic Citizenship as well as its youth programme All Different, All Equal, and the EU's European Initiative for Democracy and Human Rights, as well as programmes undertaken at the national level,

Recognizing the contribution of the ODIHR and other OSCE structures, institutions and field operations, in promoting human rights education and training, in co-operation with participating States,

Dedicated to further strengthening the efforts by the OSCE to promote human rights education and training programmes in the OSCE area, as well as to extend the Organization's support to participating States upon their request in carrying out their respective national programmes in the field of human rights education,

Invites participating States with the involvement of civil society to further enhance systematic human rights education and training programmes designed to promote respect for the inherent dignity of all human beings, and to make human rights a reality for each person in every community and in society at large;

Decides to enhance the OSCE's efforts in co-operation with other international organizations and non-governmental organizations in taking necessary measures aimed at promoting human rights education and training, with special emphasis on the young people in the OSCE area;

Tasks the ODIHR, drawing on the relevant expertise and experience acquired by the OSCE structures, institutions and field operations, as well as the OSCE participating States:

- To produce a compendium of best practices for participating States on enhancing the promotion of human rights education and training, including the promotion of tolerance, mutual respect and understanding, and non-discrimination in the OSCE area.



Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

**DECISION No. 12/05
UPHOLDING HUMAN RIGHTS AND THE RULE OF LAW
IN CRIMINAL JUSTICE SYSTEMS**

The Ministerial Council,

Recognizing that full respect for human rights and fundamental freedoms and the development of societies based on pluralistic democracy and the rule of law is a prerequisite for achieving a lasting peace, security, justice and stability,

Reaffirming the rule of law commitments contained in the 1975 Helsinki Final Act, the 1989 Concluding Document of Vienna, the 1990 Copenhagen Document, and the 1991 Moscow Document, those undertaken at the 1994 OSCE Summit in Budapest, and other relevant OSCE commitments and recalling relevant international obligations, including the International Covenant on Civil and Political Rights and the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,

Reiterating that the activity of the government and the administration as well as that of the judiciary will be exercised in accordance with the system established by law and in line with relevant OSCE commitments and international obligations of the participating States, and that respect for that system must be ensured,

Considering that the rule of law does not mean merely a formal legality which assures regularity and consistency in the achievement and enforcement of democratic order, but justice based on the recognition and full acceptance of the supreme value of the human personality and guaranteed by institutions providing a framework for its fullest expression,

Recognizing that rule of law must be based on respect for internationally recognized human rights, including the right to a fair trial, the right to an effective remedy, and the right not to be subjected to arbitrary arrest or detention,

Recognizing that an impartial and independent judiciary plays a vital role in ensuring due process and protecting human rights before, during and after trials,

Recognizing that defence lawyers play a critical role in ensuring the right to a fair trial and in the furtherance and protection of other human rights in the criminal justice system,

Underlining the need to speak out publicly against torture, and recalling that all forms of torture and other cruel, inhuman or degrading treatment or punishment are and shall remain prohibited at any time and in any place whatsoever and can thus never be justified, and stressing the need to strengthen procedural safeguards to prevent torture as well as to prosecute its perpetrators, thereby preventing impunity for acts of torture, and calling upon participating States to give early consideration to signing and ratifying the Optional Protocol to the Convention against Torture,

Decides to:

- Increase attention to and follow up on the issues of the rule of law and due process in criminal justice systems in 2006, *inter alia*, by encouraging participating States to improve the implementation of existing commitments, also drawing on the expertise of the ODIHR, and in close co-operation with other relevant international organizations in order to avoid unnecessary duplication;

Tasks the ODIHR and other relevant OSCE structures to:

- Assist the participating States to share with one another successful examples, expertise and good practices to improve criminal justice systems;
- Assist the participating States upon their request to strengthen the institutional capacity of defence lawyers to protect and defend the rights of their clients.



**Organization for Security and Co-operation in Europe
Ministerial Council
Ljubljana 2005**

MC.DEC/13/05
6 December 2005

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Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

DECISION No. 13/05 COMBATING TRAFFICKING IN HUMAN BEINGS

The Ministerial Council,

Reaffirming Ministerial Council Decisions Nos. 2/03 and 13/04, as well as other OSCE commitments to combat trafficking in human beings in all its forms and for all purposes, by adhering to which, the participating States have clearly demonstrated a political will to eliminate this contemporary form of enslavement that violates human dignity and undermines the enjoyment of human rights and fundamental freedoms,

Recalling the international obligations taken by those OSCE participating States which have signed and ratified the United Nations Convention against Transnational Organized Crime and its Supplementary Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, as well as other relevant international treaties to which they are parties,

Noting the Council of Europe Convention on Action against Trafficking in Human Beings as the first regional treaty in this field which is mainly focused on the protection of victims of trafficking, as well as on the prevention of this horrendous crime and the prosecution of its perpetrators,

Welcoming progress achieved by participating States in the implementation of the OSCE Action Plan to Combat Trafficking in Human Beings as a comprehensive tool-kit for assisting both authorities and civil society to prevent such trafficking, prosecute perpetrators of the crime and protect its victims,

Drawing attention to the need to enhance the above-mentioned measures, develop strong anti-trafficking networks which would function multilaterally, regionally and bilaterally, and effectively implement the commitments taken, with full support and assistance provided to the participating States, upon their request, by the OSCE structures, institutions and field operations,

Reiterating the unique role of the OSCE as a catalyst in joint efforts by international organizations aimed at combating trafficking in human beings of all forms, and commending

the initiatives taken by the OSCE Special Representative on Combating Trafficking in Human Beings under the auspices of the “Alliance against Trafficking in Persons”,

Decides:

1. To endorse the Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: Addressing the Special Needs of Child Victims of Trafficking for Protection and Assistance, adopted by Permanent Council Decision No. 685 on 7 July 2005, thus effectively responding to the needs of the most vulnerable and unprotected victims of trafficking in human beings;
2. To continue to pay closer attention to the escalating threat of human trafficking, and to pursue a multidimensional and victim-centred approach to issues related to combating trafficking in human beings as an aspect of organized crime, criminality and corruption, within the OSCE concept of comprehensive security;
3. To task the OSCE anti-trafficking mechanism to report to the Permanent Council in June each year, starting in June 2006, on progress achieved in work on trafficking issues in the OSCE. These reports will also contain contributions from other OSCE structures, institutions and field operations on developments related to trafficking in human beings throughout the OSCE region and will include an analysis of achievements in the light of the objectives set out in the 2003 OSCE Action Plan to Combat Trafficking in Human Beings.



Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

**DECISION No. 14/05
WOMEN IN CONFLICT PREVENTION, CRISIS MANAGEMENT
AND POST-CONFLICT REHABILITATION**

The Ministerial Council,

Recalling the OSCE's comprehensive approach to security in addressing new threats and challenges and its commitment to gender mainstreaming, in line with the 2004 OSCE Action Plan for the Promotion of Gender Equality,

Recalling that the OSCE, as a regional arrangement under Chapter VIII of the Charter of the United Nations, is a key instrument for early warning, conflict prevention, crisis management and post-conflict rehabilitation in its region,

Recognizing that the knowledge, skills and experience of both women and men are essential to peace, sustainable democracy, economic development and therefore to security and stability in the OSCE region,

Further recognizing that United Nations Security Council resolution 1325 (2000) on women, peace and security links gender equality and security, focusing on the role of women in matters of peace and security at all levels,

Reaffirming the Beijing Declaration and Platform for Action adopted at the Fourth World Conference on Women and the outcome of the twenty-third special session of the General Assembly,

Emphasizing the importance of women's full and equal participation in all phases of conflict prevention, resolution and peace-building,

Acknowledging the need for concrete action by the OSCE to integrate women into conflict prevention, crisis management and post-conflict rehabilitation through its activities, *inter alia*, by:

1. Ensuring proactive implementation throughout the Organization of the 2004 OSCE Action Plan for the Promotion of Gender Equality, adopted by Permanent Council Decision No. 638 of 2 December 2004,

2. Integrating into the activities of the OSCE, as appropriate, the relevant parts of UN Security Council resolution 1325 (2000) on the role of women in all levels of conflict prevention, crisis management and resolution, and post-conflict rehabilitation,
3. Encouraging participating States to develop national rosters of potential women candidates (as called for in the 2004 OSCE Action Plan for the Promotion of Gender Equality, paragraph 22) and take active steps to ensure that women are fully informed of and encouraged to apply for positions in the area of conflict prevention and post-conflict rehabilitation processes, in particular for senior management positions,
4. Calling on participating States to nominate more women as heads of institutions and missions, and to other senior positions in the OSCE,
5. Actively encouraging the recruitment of women to OSCE field presences, in particular to management positions, with the goal of having a substantial number of field presences headed by women,
6. Calling on participating States and OSCE structures, as appropriate, to support and encourage training and educational programmes focusing on women and girls, as well as projects aimed at women's participation in building sustainable peace; to empower women's organizations; to support women's peace initiatives through the media and workshops on human rights and gender equality; and to raise awareness among women concerning the importance of their involvement in political processes,
7. Calling on participating States and OSCE structures, as appropriate, to develop specific policies to encourage the full and equal participation of women and women's organizations in conflict prevention, conflict resolution and post-conflict rehabilitation, as well as to encourage and support the sharing of experiences and best practices and, further, to engage with women's peace initiatives,
8. Calling on participating States to take into account the important role and the particular needs of women and girls in implementing government policies on protection and durable solutions including voluntary return, resettlement, rehabilitation, (re)integration or repatriation of refugees and internally displaced persons in safety and dignity,
9. Recommending that participating States regularly evaluate their efforts at gender mainstreaming in conflict prevention, conflict management and rehabilitation processes, and make such evaluations public, to be used for gender-sensitive training purposes, and in implementation of relevant commitments as well as to increase awareness of their importance,

Decides to:

- Task the Secretary General in his annual progress report on the implementation of Permanent Council Decision No. 638 on the 2004 OSCE Action Plan for the Promotion of Gender Equality with making specific references to the implementation in the Organization of the parts of UN Security Council resolution 1325 (2000) that are relevant to the OSCE;

- Task the Secretariat, in the context of the objectives of the 2004 OSCE Action Plan for the Promotion of Gender Equality, with developing in co-operation with participating States, further measures to substantially increase the number of women in the OSCE Secretariat, institutions and field operations, in particular at senior and policy-making levels;
- Task the OSCE structures and institutions with developing or adjusting relevant projects, strategies and initiatives, and conducting other activities, including exchanging information with the UN in order to fulfil the commitments contained in this decision;
- Invite OSCE participating States and the OSCE institutions to report at the Annual Security Review Conference also on the progress achieved in implementing the commitments contained in this decision.

MC.DEC/14/05
6 December 2005
Attachment 1

Original: ENGLISH

**INTERPRETATIVE STATEMENT UNDER PARAGRAPH 79
(CHAPTER 6) OF THE FINAL RECOMMENDATIONS OF THE
HELSINKI CONSULTATIONS**

By the Delegation of the United States of America:

“Thank you. The United States supports the adoption of this decision. We would, however, like to clarify our views in relation to the reference in the text to the Beijing Declaration and Platform for Action.

The United States is firmly committed to the empowerment of women and the promotion of women’s fullest enjoyment of universal human rights and fundamental freedoms.

The Beijing Declaration and Platform for Action express important political goals that the United States endorses. We reaffirm the goals, objectives, and commitments of the Beijing Declaration and Platform for Action based on several understandings. We understand these documents constitute an important policy framework that does not create international legal rights or legally binding obligations on States under international law.

During the 2005 meeting of the United Nations Commission on the Status of Women (CSW), there was international consensus that the Beijing documents create no new international rights, including a right to abortion, and this was confirmed by the CSW Chairperson.

Our reaffirmation of the goals, objectives, and commitments of these documents does not constitute a change in the position of the United States with respect to treaties we have not ratified.

The United States fully supports the principle of voluntary choice regarding maternal and child health and family planning. We have stated clearly and on many occasions, consistent with the ICPD, that we do not recognize abortion as a method of family planning, nor do we support abortion in our reproductive health assistance.

The United States understands that there is international consensus that the terms “reproductive health services” and “reproductive rights” do not include abortion or constitute support, endorsement, or promotion of abortion or the use of abortifacients.

The United States supports the treatment of women who suffer injuries or illnesses caused by legal or illegal abortion, including for example post-abortion care, and does not place such treatment among abortion-related services.

We are glad to join the nations assembled here in committing ourselves to tangible efforts on the ground devoted to continually helping women enjoy better, more free lives throughout the world.

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

Thank you.”

**INTERPRETATIVE STATEMENT UNDER PARAGRAPH 79
(CHAPTER 6) OF THE FINAL RECOMMENDATIONS OF THE
HELSINKI CONSULTATIONS**

By the Delegation of the Holy See:

“1. The Holy See is firmly committed to safeguarding and promoting women’s dignity, their human rights and fundamental freedoms, also in matters of peace and security, and therefore in all levels of conflict prevention, crisis management and post-conflict rehabilitation.

2. In joining the consensus on the OSCE Ministerial Council Decision on Women in Conflict Prevention, Crisis Management and Post-Conflict Rehabilitation, the Holy See reaffirms its reservations and statement of interpretation on the documents of the Fourth World Conference on Women, as included in the report of that Conference, and its statement of interpretation on the final documents of the twenty-third special session of the UN General Assembly. The Holy See, therefore, understands the references to the Beijing documents and the outcome of the twenty-third special session of the General Assembly in accordance with those reservations and statements. There are no changes in the position of the Holy See regarding the issues addressed therein.

3. The Holy See also understands that the Beijing documents do not establish any new human rights, or legally binding obligations.

4. The Holy See reserves its position regarding references to other international instruments mentioned in the Decision, consistent with its international obligations.

5. We request that this interpretative statement be attached to the journal of the day.”



**Organization for Security and Co-operation in Europe
Ministerial Council
Ljubljana 2005**

MC.DEC/15/05
6 December 2005

Original: ENGLISH

Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

**DECISION No. 15/05
PREVENTING AND COMBATING VIOLENCE AGAINST WOMEN**

The Ministerial Council,

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

Reaffirming the United Nations Declaration on the Elimination of Violence against Women, the Beijing Declaration and Platform for Action, adopted at the Fourth World Conference on Women and the outcome of the twenty-third special session of the General Assembly,

Reaffirming that States have an obligation to exercise due diligence to prevent, investigate and punish the perpetrators of violence against women and girls and to provide protection to the victims, and that failure to do so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms,

Recalling UN Security Council resolution 1325 (2000) on women, peace and security, which calls for, *inter alia*, the full respect for and protection of the rights of women and girls during and after armed conflict and an end to impunity for perpetrators of gender-based violence,

Reaffirming the strong commitments of the OSCE participating States in the fields of human rights, gender equality, tolerance and non-discrimination, combating trafficking in human beings and improving the situation of Roma and Sinti,

Deeply concerned at the particular targeting or vulnerability to violence and hence the need for protection of girls and some groups of women, such as women belonging to minority groups, indigenous women, refugee and internally displaced women, migrant women, women living in rural or remote communities, destitute women, women in institutions or in detention, women with disabilities, elderly women, widows, women in situations of armed conflicts and women who are otherwise discriminated against, including on the basis of HIV status,

Emphasizing the commitment to gender mainstreaming in the OSCE Action Plan of 2004 for the Promotion of Gender Equality and the specific provisions regarding the prevention and elimination of violence against women in participating States,

Expressing its deep concern at the persisting level of violence against women and girls in the OSCE region, as well as the human and political costs of this phenomenon and recognizing that violence against women constitutes a threat to human security,

1. Urges participating States, with the support and assistance of the OSCE, to take all necessary legislative, policy and programmatic monitoring and evaluation measures to promote and protect the full enjoyment of the human rights of women and to prevent and combat all forms of gender-based violence against women and girls;
2. Calls on participating States to comply with the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child, if they are parties, and, if they have not already done so, to consider ratifying or acceding to these Conventions; and calls upon States that have ratified or acceded to these Conventions to withdraw reservations that are contrary to the object and purpose of the Conventions;
3. Calls on participating States to consider signing and ratifying or acceding to the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime, the Optional Protocol to the Convention on the Rights of the Child, on the Sale of Children, Child Prostitution and Child Pornography and, where appropriate, the Council of Europe Convention on Action against Trafficking in Human Beings;
4. Notes with regret that female victims of violence are too often left without protection and assistance and urges participating States:
 - (i) To ensure that all female victims of violence will be provided with full, equal and timely access to justice and effective remedies; medical and social assistance, including emergency assistance; confidential counselling; and shelter;
 - (ii) To adopt and implement legislation that criminalizes gender-based violence and establishes adequate legal protection;
 - (iii) To provide in a timely manner physical and psychological protection for victims, including appropriate witness protection measures;
 - (iv) To investigate and prosecute the perpetrators, while addressing their need for appropriate treatment;
 - (v) To promote the full involvement of women in judicial, prosecutorial and law enforcement institutions and to ensure that all relevant public officials are fully trained and sensitized in recognizing, documenting and processing cases of violence against women and children;

- (vi) To meet the special needs for protection and assistance of girl victims of violence;
5. Notes that violence against women and girls often remains unreported and unrecorded and is therefore not adequately reflected in statistics, and encourages participating States to support efforts to raise awareness; to make significant additional efforts to collect, analyse and disseminate comparable data; and to support specialized NGOs and research on the issue;
6. Calls upon participating States to take measures to strengthen the economic independence of women, including ensuring non-discriminatory employment policies and practices, providing equal access to education and training, equal remuneration for equal work, increased work and educational opportunities, equal access to and control over economic resources with a view to reducing women's vulnerability to all forms of violence, including domestic violence and trafficking in human beings;
7. Urges participating States to take all necessary steps to prevent gender-based violence against women and girls during and after armed conflict and emergencies, including the bringing to justice of perpetrators of crimes, and to take special measures to address the needs of women and girls in the post-conflict environment;
8. Acknowledges the inclusion of gender-related crimes in the Rome Statute of the International Criminal Court and in the Elements of Crimes, adopted by the Assembly of State Parties to the Rome Statute in September 2002, and the elaboration of the circumstances in which such crimes can constitute crimes against humanity and/or war crimes;
9. Encourages the dissemination of the relevant case-law of the existing *ad hoc* International Criminal Tribunals for the former Yugoslavia and Rwanda and full co-operation with those jurisdictions;
10. Decides to intensify the co-operation of the OSCE with the relevant structures of the United Nations, the Council of Europe, the European Union and other international organizations, as well as with civil society and relevant non-governmental organizations, to promote the prevention of and the fight against all forms of violence against women and girls;
11. Tasks the Permanent Council to encourage the development by relevant OSCE institutions and structures of programmes, projects and policies to assist participating States, at their request, in combating violence against women and girls and providing assistance for victims;
12. Requests that the Secretary General pay specific attention to reporting on the implementation of this decision in the Annual Report to the Permanent Council on the 2004 Action Plan for the Promotion of Gender Equality.

MC.DEC/15/05
6 December 2005
Attachment 1

Original: ENGLISH

**INTERPRETATIVE STATEMENT UNDER PARAGRAPH 79
(CHAPTER 6) OF THE FINAL RECOMMENDATIONS OF THE
HELSINKI CONSULTATIONS**

By the Delegation of the United States of America:

“Thank you. The United States supports the adoption of this decision. We would, however, like to clarify our views in relation to the reference in the text to the Beijing Declaration and Platform for Action.

The United States is firmly committed to the empowerment of women and the promotion of women’s fullest enjoyment of universal human rights and fundamental freedoms.

The Beijing Declaration and Platform for Action express important political goals that the United States endorses. We reaffirm the goals, objectives, and commitments of the Beijing Declaration and Platform for Action based on several understandings. We understand these documents constitute an important policy framework that does not create international legal rights or legally binding obligations on States under international law.

During the 2005 meeting of the United Nations Commission on the Status of Women (CSW), there was international consensus that the Beijing documents create no new international rights, including a right to abortion, and this was confirmed by the CSW Chairperson.

Our reaffirmation of the goals, objectives, and commitments of these documents does not constitute a change in the position of the United States with respect to treaties we have not ratified.

The United States fully supports the principle of voluntary choice regarding maternal and child health and family planning. We have stated clearly and on many occasions, consistent with the ICPD, that we do not recognize abortion as a method of family planning, nor do we support abortion in our reproductive health assistance.

The United States understands that there is international consensus that the terms “reproductive health services” and “reproductive rights” do not include abortion or constitute support, endorsement, or promotion of abortion or the use of abortifacients.

The United States supports the treatment of women who suffer injuries or illnesses caused by legal or illegal abortion, including for example post-abortion care, and does not place such treatment among abortion-related services.

We are glad to join the nations assembled here in committing ourselves to tangible efforts on the ground devoted to continually helping women enjoy better, more free lives throughout the world.

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

Thank you.”

**INTERPRETATIVE STATEMENT UNDER PARAGRAPH 79
(CHAPTER 6) OF THE FINAL RECOMMENDATIONS OF THE
HELSINKI CONSULTATIONS**

By the Delegation of the Holy See:

- “1. The Holy See deeply respects and promotes the dignity of women and girls, their human rights and fundamental freedoms, and therefore it is strongly committed to preventing and combating violence against women and girls.
2. In joining the consensus on the OSCE Ministerial Council Decision on Preventing and Combating Violence Against Women, the Holy See reaffirms its reservations and statement of interpretation on the documents of the Fourth World Conference on Women, as included in the report of that Conference, and its statement of interpretation on the final documents of the twenty-third special session of the UN General Assembly. The Holy See, therefore, understands the references to the Beijing documents and the outcome of the twenty-third special session of the General Assembly in accordance with those reservations and statements. There are no changes in the position of the Holy See regarding the issues addressed therein.
3. The Holy See also understands that the Beijing documents do not establish any new human rights, or legally binding obligations.
4. The Holy See reserves its position regarding references to other international instruments mentioned in the Decision, consistent with its international obligations. Furthermore, the fact that the Holy See is joining the consensus on this Decision does not imply in any way a change in its position regarding the international instruments to which it is not a party.
5. We request that this interpretative statement be attached to the journal of the day.”



Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

**DECISION No. 16/05
ENSURING THE HIGHEST STANDARDS OF CONDUCT
AND ACCOUNTABILITY OF PERSONS SERVING ON
INTERNATIONAL FORCES AND MISSIONS**

The Ministerial Council,

Reaffirming the OSCE commitments to combat trafficking in human beings, in particular 2000 Vienna Ministerial Council Decision No. 1, 2002 Porto Ministerial Declaration and Maastricht Ministerial Decision No. 2/03 and the OSCE Action Plan to Combat Trafficking in Human Beings, as well as its addendum “Addressing the Special Needs of Child Victims of Trafficking for Protection and Assistance”,

Recalling the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime, and its comprehensive definition of trafficking in persons,

Reiterating that trafficking in human beings, a contemporary form of slavery, seriously undermines the enjoyment of human rights and fundamental freedoms,

Concerned that military and civilian personnel serving on international peacekeeping forces or other international missions, including contractors, as well as field presences of international organizations including the OSCE could be a contributing factor to the demand side of the trafficking cycle,

Welcoming the efforts of the United Nations as well as other international organizations to develop and enforce “zero-tolerance” policies to prevent trafficking in human beings by both forces and other staff, which, combined with education and training, are required,

Recalling the ongoing activities in all relevant international organizations aimed at the development of common standards and best practices to prevent and combat trafficking in human beings,

Concerned about reports of misconduct by military and civilian personnel serving on international peacekeeping forces or other international missions, including reports of

engaging in trafficking in human beings as defined in the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, strongly condemning such acts, and noting that they have a detrimental effect on the fulfilment of mission mandates,

Concerned also about reports of misconduct by military and civilian personnel serving on international peacekeeping forces or other international missions including reports of sexually exploiting and abusing local and refugee populations, as well as reports of cases of forced labour, strongly condemning such acts, and noting that they have a detrimental effect on the fulfilment of mission mandates,

Emphasizing the need for more information and awareness-raising concerning these issues among personnel serving on international missions,

Taking note of efforts by the United Nations aimed at ensuring that personnel serving on peacekeeping forces or other international missions are held to the highest standard of conduct and accountability,

1. Calls on participating States to improve, where necessary, measures to prevent military and civilian personnel deployed abroad to peacekeeping forces or other international missions, as well as OSCE officials, from engaging in trafficking in human beings or exploiting victims of trafficking. In this regard, the participating States will seek to ensure that their national laws, regulations, and other relevant documents can be enforced with respect to their nationals who are serving on peacekeeping forces or other international missions, with a view to ensuring the highest standards of conduct and accountability;
2. Calls on participating States with deployed military and civilian personnel to assist, within their competence and respective mandates, responsible authorities in the host country in their efforts to combat trafficking in human beings. 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. Calls on participating States to take appropriate action necessary to prevent sexual exploitation and abuse, as well as cases of forced labour, by military and civilian personnel deployed by them who are serving on peacekeeping forces or other international missions, to enforce relevant standards of conduct in this regard, and to ensure that any such cases are properly investigated and appropriately punished;
4. Reaffirms the importance of implementing the Code of Conduct for OSCE Officials and Staff Instruction 11 addressing trafficking in human beings, and instructs the Secretary General, drawing on the expertise of the OSCE Special Representative on Combating Trafficking in Human Beings and the Anti-Trafficking Assistance Unit, to update these documents to make them in line with this decision, and to circulate them to the participating States for comments and discussion prior to issuance;
5. Invites the governments of the OSCE Partners for Co-operation also to commit to the same principles as are set forth in this decision and to that end tasks the OSCE Special Representative on Combating Trafficking in Human Beings and the OSCE Secretary General to share relevant information and materials with the OSCE Partners for Co-operation;

6. Tasks the OSCE Special Representative on Combating Trafficking in Human Beings to share with relevant international organizations OSCE training materials and other information that could assist in combating trafficking in human beings;

7. Tasks the OSCE Secretary General to report annually to the Permanent Council on the implementation of this decision in regard to the Code of Conduct for OSCE Officials and Staff Instruction 11, in accordance with provision III 11.1 of the OSCE Action Plan to Combat Trafficking in Human Beings.



**Organization for Security and Co-operation in Europe
Ministerial Council
Ljubljana 2005**

MC.DEC/17/05
6 December 2005

Original: ENGLISH

Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

**DECISION No. 17/05
STRENGTHENING THE EFFECTIVENESS OF THE OSCE**

The Ministerial Council,

Reaffirming its full adherence to the norms, principles and commitments in all three dimensions of the OSCE comprehensive approach to security agreed since the 1975 Helsinki Final Act and the 1990 Charter of Paris for a New Europe,

Recognizing the role of the Organization as a regional arrangement under Chapter VIII of the United Nations Charter,

Recalling that all OSCE commitments apply equally, and to all participating States,

Emphasizing the role of the Organization as a forum for political dialogue, as a key instrument for early warning, conflict prevention, crisis management and post-conflict rehabilitation, and as a norm-setting body with its institutions and field operations, as well as its instruments and mechanisms,

Reaffirming the importance of all three dimensions of the OSCE approach to security as well as its cross-dimensional character,

Determined to strengthen confidence between participating States and to reinforce the sense of common purpose, by means of inclusive political dialogue on an equal footing, as well as assistance provided in a co-operative manner,

Recognizing the need to further focus the work of the Organization in those areas, where it has comparative advantages and can add value, while retaining its comprehensive approach to security,

Bearing in mind the need to ensure that basic priorities and action plans have a long-term perspective and are in line with the evolving security environment,

Determined to strengthen the effectiveness of the Organization operating on the basis of sovereign equality of States and of decision-making by consensus, in order to improve transparency and to foster the sense of ownership of all participating States,

Determined to make an effective gender mainstreaming an integral part of all policies, activities and programmes in the OSCE,

Recalling the Ministerial Council Decision No. 16/04 on the Establishment of a Panel of Eminent Persons on Strengthening the Effectiveness of the OSCE,

Commending the Panel for its determination and efforts, resulting in the report titled Common Purpose, Towards a More Effective OSCE (CIO.GAL/100/05 of 27 June 2005), and taking into account recommendations contained therein,

Taking also into account other contributions, including those by the Parliamentary Assembly, as well as the outcome of the High-Level Consultations held in Vienna on 12 and 13 September 2005, as set out by the Chairmanship in its Perception Paper (CIO.GAL/132/05 of 16 September 2005),

Considering that further efforts are needed for appropriate action on recommendations of the Panel of Eminent Persons,

1. Tasks the Permanent Council with continuing work on the basis of the report of the Panel of Eminent Persons and the outcome of the High-Level Consultations and reporting to the Ministerial Council in 2006 on:

- Rules of procedure;
- Improving the consultative process, including considering a committee structure;
- Considering ways to improve the planning and efficiency of OSCE conferences;
- Strengthening the efficiency, effectiveness and transparency of the Organization's activities, including their budgetary and extra-budgetary financing, and their evaluation and assessment;
- Considering ways to further enhance the role of the Secretary General, while supporting him in the full use of his mandate, including through further strengthening the co-operation with the heads of institutions and of field operations;
- Modernizing the Secretariat, taking into account also proposals by the Secretary General and participating States, to further improve its capacity to support the Chairmanship-in-Office and the participating States and to co-ordinate OSCE activities;
- Strengthening the effectiveness of the OSCE institutions and field operations;
- Examining the possibility of providing the OSCE with legal status and granting privileges and immunities, taking into consideration advice of legal experts;
- Further improving the programme planning, so that it may better reflect the Organization's priorities;

- Considering ways of further improving the professionalism of OSCE personnel and the management of its human resources, with due regard to the gender and geographical balance;
- Considering the possibility of thematic missions in an OSCE-wide or subregional context;

2. Tasks the ODIHR to submit, for discussion, to the next Ministerial Council, a report on:

- Implementation of existing commitments,
- Possible supplementary commitments,
- Ways of strengthening and furthering its election-related activities,
- Improving the effectiveness of its assistance to participating States,

taking into account and answering questions put by participating States and in close consultation with them.

MC.DEC/17/05
6 December 2005
Attachment 1

Original: ENGLISH

**INTERPRETATIVE STATEMENT UNDER PARAGRAPH 79
(CHAPTER 6) OF THE FINAL RECOMMENDATIONS OF THE
HELSINKI CONSULTATIONS**

By the Delegation of Moldova:

“In connection with the Decision on Strengthening the Effectiveness of the OSCE, the Delegation of Moldova would like to make an interpretative statement on behalf of the GUAM member States under paragraph 79, Chapter 6, of the Final Recommendations of the Helsinki Consultations.

Having joined others on the consensus regarding the adoption of the Ljubljana Ministerial Council Decision on Strengthening the Effectiveness of the OSCE, the GUAM countries consider the establishment of the special mechanism within the OSCE dealing with issues regarding the settlement of unresolved conflicts (as foreseen by the GUAM position document circulated under PC.DEL/1223/05/Rev.1) as a necessary component of the activities to be undertaken for “strengthening the efficiency, effectiveness and transparency of the Organization’s activities, including their budgetary and extra-budgetary financing, and their evaluation and assessment”, as fixed in the fourth operative tirect of the above-mentioned Decision.

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

MC.DEC/17/05
6 December 2005
Attachment 2

ENGLISH
Original: RUSSIAN

**INTERPRETATIVE STATEMENT UNDER PARAGRAPH 79
(CHAPTER 6) OF THE FINAL RECOMMENDATIONS OF THE
HELSINKI CONSULTATIONS**

By the Delegation of Belarus:

“In connection with the adoption of the Decision on Strengthening the Effectiveness of the OSCE, the Delegation of the Republic of Belarus has been authorized to make the following interpretative statement with regard to paragraph 2 of that decision.

The fact that Belarus has joined the consensus on this decision does not mean that it agrees with the working methods of the OSCE Office for Democratic Institutions and Human Rights (ODIHR).

The Belarusian delegation proceeds from the understanding that when preparing the report for the Ministerial Council meeting in 2006 the ODIHR will take into account all the comments and proposals made and will also answer all the questions of all participating States without exception.

Belarus believes that the report of the ODIHR to the Ministerial Council should contain as integral elements:

- A comparative analysis of election laws and practices in all OSCE participating States;
- A list of objective criteria for the assessment of elections;
- A methodology for election monitoring, based on the recommendations of the Panel of Eminent Persons and aimed at ensuring objectivity, transparency, professionalism and equal treatment of all participating States.

In the event that the ODIHR report does not meet these requirements, Belarus will not consider itself bound by its conclusions and proposals, and reserves the right to raise the question of the Office’s work again in the political bodies of the OSCE.

We request that this interpretative statement be attached to the journal of the day.”



**Organization for Security and Co-operation in Europe
Ministerial Council
Ljubljana 2005**

MC.DEC/18/05
6 December 2005

Original: ENGLISH

Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

**DECISION No. 18/05
OSCE CHAIRMANSHIP IN THE YEAR 2008**

The Ministerial Council,

Decides that Finland will exercise the function of the OSCE Chairmanship in the year 2008.



**Organization for Security and Co-operation in Europe
Ministerial Council
Ljubljana 2005**

MC.DEC/19/05
6 December 2005

Original: ENGLISH

Second day of the Thirteenth Meeting
MC(13) Journal No. 2, Agenda item 8

**DECISION No. 19/05
TIME AND PLACE OF THE NEXT MEETING OF THE
OSCE MINISTERIAL COUNCIL**

The Fourteenth Meeting of the OSCE Ministerial Council will be convened in Belgium on 4 and 5 December 2006.