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**VIENNA DECLARATION
OF THE CSCE PARLIAMENTARY ASSEMBLY**

8 JULY 1994

VIENNA, 4 - 8 JULY 1994

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**The Parliamentary Assembly of the CSCE, meeting in Vienna from 4 to 8 July 1994,
adopts the following resolutions:**

Chapter I: Political Affairs and Security

Chapter II: Economic Affairs, Science, Technology and Environment

Chapter III: Democracy, Human Rights and Humanitarian Questions

Chapter IV: The Former Yugoslavia

**CHAPTER I
(POLITICAL AFFAIRS AND SECURITY)**

The CSCE Parliamentary Assembly,

- 1. Affirming the centrality of freely-elected and fully representative parliaments to the building of genuine security and co-operation in the CSCE space;**
- 2. Aware of the role that members of parliament can play in the process of maintaining peace and security in Europe;**
- 3. Considering that it is important that national parliaments of CSCE participating States take into consideration to the greatest possible extent the resolutions adopted by the Parliamentary Assembly;**
- 4. Noting the decisive conflict-preventing role of the CSCE;**
- 5. Determined to keep close watch on the activities of government bodies in this field, and, to this end, develop its relations with the Chairman-in-Office and with the Secretary-General of the CSCE;**
- 6. Aware that the role of the CSCE Parliamentary Assembly is advisory;**
- 7. Considering that it is important that the Council of Ministers takes into consideration to the greatest possible extent the resolutions adopted by the Parliamentary Assembly;**
- 8. Concerned that there is no established procedure for consideration by the CSCE Council of Ministers of CSCE Parliamentary Assembly resolutions;**
- 9. Pointing out that other international bodies, for example the Council of Europe, have established formal procedures for taking into consideration the views of the respective parliamentary assemblies in the work of the governmental bodies;**

10. **Firmly intending** to use continuously the fora and the committees of the CSCE Parliamentary Assembly for the process of peace and security in and for Europe;
11. **Deploring** the continuing violation of CSCE principles and obligations in a number of individual regions of the CSCE;
12. **Recognizing** that the unwillingness of participating States to make full and effective use of existing CSCE mechanisms to check compliance and contribute to the peaceful settlement of disputes calls for a rational streamlining of procedures and a thorough review of CSCE decision-making procedures;
13. **Recognizing** that for the CSCE to become a central forum for conflict prevention in the CSCE region, effective continuous and transparent relations must be forged with other organizations directly concerned with questions of security in Europe, each acting upon its own authority and avoiding duplication;
14. **Noting** the constructive role played by the CSCE in protecting the rights of national minorities, which is an important means of early conflict prevention;
15. **Being conscious** of the fact that, in the process of settling conflicts in the CSCE region, the strengths of third parties under the close political control of the CSCE and with the consent of all parties concerned may play a role;
16. **Anticipating** that the CSCE Budapest Review Conference will constitute a further landmark in the development of the CSCE as an organization of co-operative security and the definition of its place in the European security order;
17. **Convinced** that the CSCE must increasingly base its work on early warning and early prevention of conflicts;
18. **Considering** that this could be achieved - as has also been foreseen in the Paris Charter - by expanding the responsibilities and duties of the Conflict Prevention Centre (CPC) in Vienna;
19. **Reaffirming** the significance of political consultations at the highest level to shape relations and further goals among CSCE participating States;
20. **Recalling** the Charter of Paris agreement to convene meetings of Heads of State or Government on the occasion of follow-up meetings;
21. **Convinced** that the importance of summits is such that they should not be convened for their own sake;
22. **Convinced** that greater speed in decision-making is required if the CSCE is to meet the pressing challenges with which it is confronted;

23. **Considering** it desirable further to develop the comprehensive concept of security which necessitates the co-ordination CSCE activities in all three fundamental dimensions;
24. **Convinced** that the security of Europe is indivisible and that its principles, norms and standards must be applied with the same measure throughout the CSCE region;
25. **Convinced** that the CSCE has a central role to play in promoting all aspects of European security among all participating States, together with other regional organizations. They all act in a mutually reinforcing way. Each makes its own contribution;
26. **Convinced** that the CSCE contributes to the maintenance of peace and stability as does the European Union through its initiative for a Pact for Stability;
27. **Having taken cognizance** of the documents adopted by the Paris Inaugural Conference for the conclusion of the Pact for Stability in Europe;
28. **Convinced of** the importance for stability and security in Europe of the objectives of this initiative taken by the European Union;
29. **Noting with satisfaction** that the guiding principles of the Conference are, inter alia, those of the CSCE;
30. **Noting** that the CSCE will be called upon to participate both in the process of diplomatic negotiations of the Conference on Stability in Europe and in ensuring the follow-up of the implementation of the Pact for Stability;
31. **Welcoming** the support expressed at the Paris Inaugural Conference for launching the process of diplomatic negotiations which will lead to the conclusion of the Pact for Stability;
32. **Encouraged** by the NATO decision to create the Partnership for Peace and by the WEU decision to create the status of Associate Partner, both of which, together with the concept of Combined Joint Task Forces, can promote responsive peacekeeping missions under CSCE authority, implementation of United Nations Security Council resolutions, and prepare for NATO and WEU enlargement for those democratic States seeking entry;
33. **Remaining concerned** over the continued presence of Russian military personnel and equipment in Estonia and Latvia in the absence of bilateral agreements approved by the parliaments of the countries concerned;

- 34. Noting that the Nagorno-Karabakh conflict has raged since 1988, causing thousands of casualties and creating well over one million refugees;**
- 35. Recalling that the CSCE created the Minsk Group in March 1992 for the express purpose of promoting a cease-fire and then of preparing the ground for negotiations on a political resolution of the conflict;**
- 36. Recognizing that the Minsk Group has been the CSCE's central forum and process for ending the bloodshed in Nagorno-Karabakh and has laboured diligently since then in pursuit of these objectives, despite the discouraging continuation of hostilities;**
- 37. Aware that, apart from Armenia and Azerbaijan, Belarus, France, Germany, Hungary, Italy, Russia, Sweden, the United States of America and Turkey are members of the Minsk Group and have consistently taken an active part in its work and in formulating its proposals;**
- 38. Welcoming the fact that the CSCE's Minsk Group, under Co-ordinator Jan Eliasson, has put forward a plan that envisages a cease-fire, the disengagement of combatants, the return of refugees, and international observers of the cease-fire, leading to negotiations to resolve the conflict;**
- 39. Noting the information concerning the withdrawal of the Fourteenth Army of the Russian Federation from the territory of the Republic of Moldova and calling for its most rapid, continuing, unconditional and full withdrawal;**
- 40. Noting the signature on 28 April 1994 of the General Declaration of the Government of Moldova and the leadership of Transdniestria; hoping that this step will allow both parties to make progress in solving the problem of Transdniestria and calling on the parties concerned to use this instrument to attain, with the assistance of the CSCE Mission, a peaceful solution to the conflict based on respect for the independence, sovereignty and full integrity of Moldova and also on the principles of the CSCE concerning human rights, including the rights of national minorities;**
- 41. Considering the circumstance that, in the history of the CSCE, agreements have been concluded between countries with different political systems; and convinced that these agreements have contributed to the regulation of State relations regardless of the nature of their political orientations; and also persuaded that stability of European relations still depends today on the succession of these existing agreements;**
- 42. Calls upon the CSCE and its participating States and, in particular, the Budapest Review Conference;**

43. To consider the creation of a formal procedure for the consideration of the resolutions and recommendations by the Parliamentary Assembly:

- as a first step - **to direct** the CSCE Committee of Senior Officials and the Permanent Committee in Vienna to put Assembly resolutions and recommendations on their agendas;

- **to put** the Assembly resolutions and recommendations on its own agenda, as part of the formal procedure to be created;

- **to advise** the Chairman-in-Office of the Council of Ministers to report back to the Assembly at its annual sessions on the conclusions and results of the considerations by the governmental bodies concerned;

44. To reaffirm participating States' commitment to the principles of the Charter of Paris which established the principles of co-operative security between sovereign States;

45. To reaffirm that each participating State has the right to join regional organizations of its choice, according to its security and economic requirements;

46. To create the conditions conducive to the success of the negotiations leading to a Pact for Stability;

47. To strengthen the potential of the CSCE as a regional security arrangement in accordance with its own character and within the goals of Chapter VIII of the Charter of the United Nations, to endeavour to resolve disputes and conflicts exclusively on the soil of CSCE participating States;

48. To contribute actively to the speedy withdrawal of troops and military equipment which are illegally stationed on or occupy the territory of another CSCE participating State;

49. To reaffirm that, in those circumstances, there is no need to duplicate in Europe the structures of the United Nations. The CSCE is well equipped for conflict prevention and ongoing political consultations;

50. To note that enforcement actions are the exclusive prerogative of the United Nations Security Council in accordance with Chapter VII of the Charter. Should such measures be required or should disputes among its Members prove to be intractable, the CSCE should refer the issue to the Security Council, without prejudice to the right of every State to have recourse to the United Nations;

51. To consider the proposal by Germany and the Netherlands, a joint Agenda for Budapest, as an efficient method to strengthen the political importance of the CSCE;

52. To consider the possibility of leaving the dispute or conflict at any of their stages and on an obligatory basis to the United Nations Security Council at a time when CSCE reserves are exhausted and if enforcement action is required - if necessary without the consent of the parties involved in the dispute or conflict;

53. To agree that, in exceptional cases, when a participating State is called upon to deploy an interposition force, the CSCE should monitor the implementation of the agreement between the parties to the conflict and compliance by the forces with internationally agreed standards;

54. To establish a primary responsibility of the CSCE for conflict prevention in the CSCE area and make better use of the comparative advantages of the CSCE in this field;

55. To develop and strengthen the operational activities of the CSCE, in particular through closer co-operation between the Chairman-in-Office and the Secretary General;

56. To improve the efficiency of CSCE mechanisms and of the decision-making process of the CSCE by making CSCE mechanisms more action-oriented and to foresee the possibility of adopting recommendations and statements, if necessary without the consent of the violators of CSCE commitments;

57. To ensure that the High Commissioner on National Minorities has sufficient resources and political support from participating States to fulfil his mandate;

58. To sustain, strengthen and extend the operations of the CSCE's missions of long duration;

59. To emphasize the importance of making progress through the Forum for Security Cooperation to achieve agreement among CSCE States on stabilizing and confidence-building measures to reduce tension and to prevent the outbreak of fighting, including the development and acceptance of the Code of Conduct for the civilized use and democratic control of military power and to secure the harmonization of the control of arms upon a regional as well as a wider basis;

60. To focus attention on the preparation of a charter of the rights of national minorities which might include, for the whole CSCE region, agreed principles and standards and a mechanism for their full implementation;

61. To include in the Conflict Prevention Centre activities the following elements:

- a system for surveillance - in co-operation with research institutions, NGOs, etc. - of political developments within the entire CSCE area with the purpose of early identification of tendencies that, in the long run, could lead to violent conflicts;
- intensive studies of conditions that have been identified as potential crisis sources;
- a programme of measures to reconcile differences and to eliminate reasons for conflicts at the earliest possible stage;
- vigorous attempts to bring about reconciliation in cases where a conflict already exists;
- a programme of measures to re-create functional social patterns and to resolve remaining conflicts when the course of the conflict has been stopped, e.g. by intervention of a third party;

62. To co-operate with NATO and the NACC to ensure their support for CSCE initiatives;

63. To develop close and co-operative working relations with the United Nations, permitting the more effective involvement of the United Nations in European situations if circumstances require;

64. To abandon the practice of biannual CSCE summits. The Assembly recommends that summits henceforth be called by the Council of Ministers as developments dictate, and no less frequently than once every four years;

65. To adopt a decision-making procedure which no longer requires consensus or consensus-minus-one. A starting-point for discussion could be a rule requiring a consensus of 90% of both membership and financial contributions;

66. To convene seminars at the Conflict Prevention Centre on the participating States' humanitarian law obligations, drawing on the expertise of the International Committee of the Red Cross;

67. To develop and support, on a more general level, adequate measures to promote peace, security and co-operation with the Mediterranean and Middle East countries;

68. To support the activities of Ambassador Eliasson and of the Minsk Group unequivocally, including making available necessary resources in personnel and financing;

69. To urge strongly the complete withdrawal of Russian troops from all Baltic countries by the 31 August 1994;

70. To urge politicians and the press to refrain from using for the independent Baltic and other Russian neighbouring countries the offensive term "near abroad";

71. With regard to the strengthening of the CSCE system of standards:

- The CSCE Budapest Review Conference should adopt a Code of Conduct in the field of political and military security which broadens and refines the basic principles of the CSCE. The principle of non-use of force is to be defined more clearly through international rules for limitations on the deployment of armed forces (harmonization of former military doctrines with the principles of the Code of Conduct; compliance with international humanitarian law; ban on the deployment of armed forces to limit the exercise of human rights, etc.), through agreements on the exercise of strict restraint in arms transfers and through the obligation to exert democratic control over armed forces;

- Further rules are needed on co-operation in CSCE peacekeeping missions. Suggestions to that effect are contained in the European Union's proposal but also in proposals of other States. Consideration should be given to the Polish proposal on the adjustment of armed forces for defensive purposes;

- The adoption of such a Code of Conduct in the field of political and military security can contribute to greater stability in Europe. In the long term the Code should also include wider aspects in accordance with the broadened CSCE security concept;

- This applies particularly to environmental safety. The relevant proposals of the Austrian and Hungarian delegations should be given consideration in this regard;

72. With regard to disarmament, arms control and regional security :

- Disarmament and arms control can make a significant contribution to the early prevention of armed conflicts. In establishing a new security order based on co-operation and mutual trust, the CSCE's task will consist in erecting effective barriers to the use of military force. In this context, particular support should be given to those CSCE activities that are directed towards preventing the proliferation of weapons of mass destruction and restricting the transfer of conventional weapons;

- The Budapest Summit must give more political weight to the CSCE Forum for Security Co-operation (FSC) and should give fresh impetus to conventional arms control and disarmament. Governments are urged to take an appropriate initiative in the Forum for Security Co-operation;

- The "harmonization of obligations concerning arms control and disarmament" within the framework of the CSCE is the immediate task before the Forum. Harmonization, which must involve information exchange, verification and arms limitation, would represent a significant step towards a common CSCE security area. This does not affect the CSCE Treaty on Conventional Armed Forces in Europe, extending from the Atlantic to the Urals. Indeed, as the cornerstone of European stability, it must be kept intact;
- However, today we must look ahead. Since the obligations concerning disarmament under the CFE Treaty must be met by the end of 1995, the ground must be prepared in the coming year for negotiations on future disarmament measures. Budapest should pave the way for such negotiations within the FSC and outline the framework for these negotiations;
- This will entail comprehensive, radical cuts in conventional weapons, military expenditure and armed forces extending beyond the scope of the CFE Treaty and encompassing as far as possible all CSCE participating States;
- Agreements on the limitation of air forces are particularly urgent. The CSCE should set negotiations in train in this regard, irrespective of the equally necessary global arrangements;
- This involves a restructuring of conventional armed forces that further limits their transboundary strike capability and includes the issue of qualitative arms control;
- Questions of regional stability will be of the utmost importance in the future. More attention should therefore be given as of now to the establishment of regional forums. In particular there is a need to develop regional disarmament concepts for the Balkan region as part of a comprehensive peace settlement;
- Other suggestions, for instance for the establishment of a regional "Baltic" forum, are on the table. Steps should be taken without delay to put them into effect, bearing in mind the interests of all participating States. It should be ascertained whether regional forums could be useful in other areas;

73. Urges national parliaments:

- To consider the creation of a formal procedure for consideration of the resolutions adopted by the Parliamentary Assembly of the CSCE;
- To organize debates, as appropriate, on CSCE matters to highlight the work of the Parliamentary Assembly of the CSCE as an integral part of the CSCE process;

74. The CSCE Parliamentary Assembly:

- regards the Helsinki-sponsored progress in Slovene-Italian relations started already in 1975 as a relatively successful model for the resolution of problems between neighbouring States with a complex history of minorities in respective countries;
- welcomes the succession of the "Osimo Treaties", accomplished by Italy and Slovenia, as a positive example of co-operation between countries some of which have recently achieved independence and experienced a disintegration of the former multinational countries;
- urges the Governments of Italy and Slovenia to continue their basically friendly relations and eventually add to the existing agreements new ones which would improve the present economic and political co-operation in the spirit of Helsinki and Osimo;
- expresses its appreciation of the efforts made by the Minsk Group in respect of the Nagorno-Karabakh conflict and voices its support for the CSCE plan and efforts in support of it aimed at a negotiated settlement of the conflict consistent with CSCE principles.

CHAPTER II

(ECONOMIC AFFAIRS, SCIENCE, TECHNOLOGY AND ENVIRONMENT)

The CSCE Parliamentary Assembly,

1. **Convinced** of the interdependence of the three baskets of Helsinki, and especially the linkages which exist between common security, the human dimension, and economic co-operation in the process of democratic change in the countries of Central and Eastern Europe and the newly independent States of the former Soviet Union;
2. **Recognizing** the importance of economic transformation, development and co-operation to the realization of the comprehensive concept of security, including economic and social well-being;
3. **Aware** that the specific conditions obtaining in each reforming country differ markedly and preclude any universal process, strategy or pace of restructuring;

4. **Convinced** that an active private sector, an effective market economy and efficient public services are critical to economic restructuring and require appropriate political, legal and administrative institutions, structures and practices;

5. **Recognizing** that the speed of economic transition must take account of the political, economic and social conditions of each country, including the existence of effective social support systems;

6. **Aware** that deteriorating levels of public health, high levels of unemployment and poverty in combination with the erosion of the social safety net are among the most difficult problems during the transitional period;

7. **Convinced** that a social policy is a key element of economic reforms in countries moving towards a market economy, and that reforms should be carried out in socially acceptable forms;

8. **Convinced** of the importance of the human factor in the transition process and of the need for popular support for economic reforms if the process is to be sustained in democratic societies;

9. **Recognizing** the vital role that foreign investment plays in economic restructuring through the transfer of capital, modern technology, know-how and management skills, and through facilitating market access;

10. **Convinced** of the need to preserve the environment of the countries of Central and Eastern Europe and of the newly independent States of the former Soviet Union;

11. **Recognizing** that the successful conversion of defence industries will be necessary to achieve a reduction in the export of weapons,

12. **Appeals** to the Western countries participating in the CSCE to recognize that it is in their political and economic interest to assist the States of Central and Eastern Europe and the former Soviet Union in reforming their economies and implementing their social programmes, and that this process can only be achieved gradually;

13. **Calls** upon the Western countries, and in particular European Union countries, to develop and transfer to the countries of Central and Eastern Europe and the former Soviet Union, technologies enabling them to produce goods and services by using smaller quantities of energy and raw materials;

14. **Calls** upon the countries of Central and Eastern Europe and the former Soviet Union to implement within their means social policy reforms to ease the social cost of economic restructuring;

15. Calls upon the reforming countries in developing their economic and industrial policies to pay careful attention to the important environmental dimension, and recommends the development of comprehensive programmes to address ground, air and water pollution, hazardous waste disposal and environmental degradation generally, and to implement internationally recognized safety standards at nuclear power facilities;

16. Calls upon the reforming countries to implement sustainable development strategies aimed at achieving an economic growth that is sound from the social point of view and protecting their basic resources and the environment for the sake of future generations;

17. Urges Western countries, in recognition of the international implications of environmental degradation, resulting in particular from nuclear installations, to co-operate with and assist the countries of Eastern Europe in addressing these environmental problems - to which the European Union has decided to devote particular efforts - paying special attention to eliminating the consequences of the planetary radiation catastrophe of Chernobyl, it being understood, however, that environmental aspects and the rights of indigenous peoples are duly taken into account by countries receiving Western assistance;

18. Aware of the disastrous consequences for Europe and the gene pool of mankind of the Chernobyl tragedy and of the further operation of the Chernobyl atomic plant, recommends that the Western countries of the CSCE Parliamentary Assembly create new constructive mechanisms of economic and scientific-technical co-operation and also of financial assistance and compensation to the Ukraine for the cost of closing the Chernobyl atomic plant and of solving the urgent ecological and medical problems connected with it;

19. Urges the countries of Central and Eastern Europe and the former Soviet Union to give priority to the establishment of appropriate legal frameworks, including the definition of property rights and obligations, these frameworks being crucial to successful privatization and to attracting foreign investment, especially from medium-sized companies;

20. Urges strong co-operation among all CSCE participating States in addressing the growing threat of international organized crime to the social structure and peoples of all countries, and to foreign investment and growth of domestic companies in the reforming countries;

21. Draws the attention of the reforming States to the urgent need to strengthen all legal and other mechanisms involved in the fight against crime and in the first place

against organized crime and other aspects of crime with a view to ensuring the security of citizens and private enterprises;

22. **Urges** the countries of Central and Eastern Europe and the former Soviet Union to also give priority to the promotion of sound and efficient banking systems to support both the development of domestic private enterprise and the encouragement of foreign investment;

23. **Urges** the reforming countries to create new mechanisms for regional economic cooperation as an effective means of assisting economic development and building stable political structures;

24. **Welcomes** the conclusion of Europe Agreements and partnership and co-operation agreements with the European Union and urges the European Union and other European associations to conclude such agreements with the European Union with other aspiring countries as will contribute to the political and economic integration of the reforming countries of Central and Eastern Europe into Europe;

25. **Calls** upon the Western countries, and in particular European Union countries, to support the economic transition process by reducing barriers to trade, and in this respect welcomes the economic liberalization effort implied by the signing of the GATT Uruguay Round Agreements, and calls upon the Western countries to carry out a correct implementation by means of the World Trade Organization, and to promote the rapid joining of GATT by the reforming countries;

26. **Appeals** to Western countries to continue to support the efforts of the countries of Central and Eastern Europe and the former Soviet Union to undertake economic and political reform by providing significant, targeted and co-ordinated financial and technical assistance;

27. **Takes note** of the proposal concerning co-operation in the provision of economic assistance to small newly independent States (such as the Republic of Moldova and others) and investment in their economies and supports the preparation of a draft programme for the implementation of this proposal;

28. **Appeals** to the Western countries and the international financial institutions to target technical and financial assistance to small and medium-sized businesses and programmes which support entrepreneurship and domestic business development in the countries of Central and Eastern Europe and the former Soviet Union;

29. **Calls** upon the international financial institutions to improve their co-ordination in the provision of technical, scientific and financial assistance to the reforming countries of Central and Eastern Europe and the former Soviet Union with a view to accelerating their economic, scientific and social development in conformity with the basic environmental protection rules;

30. **Urges** the international financial institutions, in accomplishing their assistance programmes, to take fully into account social welfare aspects of the assistance as an integral part of their total responsibilities and commitments;

31. **Urges** the CSCE to continue to play an active role in promoting dialogue and in trying to bring about greater co-operation amongst all who are giving economic, financial and development aid, and **recognizes** the work carried out by other major agencies;

32. **Appeals** to the parliaments of the CSCE participating States to continue their efforts to support economic transformation in the reforming countries and encourages member governments to include members of parliament in their delegations to meetings of the CSCE Economic Forum, and further urges the regular attendance of a member of the Economic Committee of the Parliamentary Assembly at the meetings of the CSCE Economic Forum.

CHAPTER III (DEMOCRACY, HUMAN RIGHTS AND HUMANITARIAN QUESTIONS)

SELF-DETERMINATION

The CSCE Parliamentary Assembly,

1. **Recalling** Principle VIII of the Helsinki Final Act, "Equal Rights and Self-Determination of Peoples," which the participating States of the CSCE declared their determination to respect and put into practice;
2. **Recalling** also Article I of the International Covenants on Economic, Social and Cultural Rights and on Civil and Political Rights as well as the relevant provisions of the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in Accordance with the Charter of the United Nations and of the Vienna Declaration and Programme of Action of the World Conference on Human Rights;
3. **Recalling** further that force of any kind cannot be used as a means of achieving or realizing the right to self-determination;
4. **Acknowledging** that the right of peoples to self-determination is a part of the human dimension of the CSCE, and that respect for this right is vital to enhancing security and co-operation in Europe;

5. **Noting** that Principle VIII includes the right of all peoples, in full freedom, to determine, when and as they wish, their internal and external political status, without external interference, and to pursue as they wish their political, economic, social and cultural development;
6. **Recognizing** that Principle VIII is qualified by Principles IV and VI of the Helsinki Final Act which call for self-determination to be qualified by respect for the territorial integrity and the preservation of existing boundaries of member States;
7. **Considering** a fully democratic political system as an essential and integral aspect of the right to self-determination and its effective exercise;
8. **Aware** that issues concerning the self-determination of peoples may affect on-going crises in certain participating States of the CSCE;
9. **Recognizing** that the pursuit of a common understanding of self-determination and its relationship to the territorial integrity and stability of States within the CSCE could contribute to the resolutions of differences concerning the rights of people to self-determination;
10. **Convinced** that preserving the linguistic and cultural identity as an integral part of cultural heritage of mankind means strengthening the preconditions for peaceful relations and coexistence between different ethnic groups;
11. **Noting** that the systematic denial of human rights and rights of national minorities is an obstacle to peaceful and democratic developments in the participating States of the CSCE;
12. **Noting** also that, in some cases, inter-ethnic intolerance and violence is spurred by demagogues exploiting latent prejudices and manipulating information;
13. **Noting** the special role of women in promoting education programmes for peace, implementing values of tolerance, humanity and justice which are fundamental to peaceful coexistence within the CSCE area;
14. **Convinced** that the development of a general concept of self-determination should involve taking into account universally recognized approaches adopted by the institutional mechanisms of the United Nations system,
15. **Calls upon** CSCE participating States to provide ways and means for peoples to exercise peacefully their right to self-determination, in particular to support independent media which strive for objectivity;

- 16. Calls upon CSCE participating States to co-operate with all parties willing to work within the framework of democratically-passed laws, in finding a just resolution of differences concerning the right of peoples to self-determination;**
- 17. Recalls that the right to free speech does not cease when used to express the goals of groups, rather than individuals;**
- 18. Calls upon the CSCE participating States to offer to their peoples the right to choose the ways and means of peacefully exercising their right to self-determination;**
- 19. Affirms that where the legal pursuit of self-determination is met with repression, or where the rights of national minorities are denied, the full range of CSCE responses should be considered, including political dialogue, recourse to the Human Dimension Mechanism, and the dispatch of expert or rapporteur missions;**
- 20. Affirms that measures provided within the framework of self-determination, once achieved, shall not be revoked without the clearly and democratically expressed consent of those directly affected;**
- 21. Calls upon the Council of Ministers to place discussion of self-determination and the related issues of territorial integrity and the stability of States on the agenda of the Permanent Committee, with a view to defining the reasonable limits to the pursuit of self-determination and setting guidelines so as to enable the territories where different national groups coexist to implement innovative forms of self-government and guarantee, at the institutional level, the maintenance and development of the linguistic-cultural identities in those territories;**
- 22. Encourages CSCE participating States to make further efforts to promote transfrontier economic and cultural co-operation as an instrument to achieve solidarity among bordering ethnic-linguistic communities and among the respective minorities, as well as the strengthening of peaceful relations among States;**

REFUGEES

The CSCE Parliamentary Assembly,

- 23. Emphasizing that migration and refugee issues are of paramount concern in the CSCE participating States;**
- 24. Noting in particular that large, sudden and destabilizing mass movements of people often result from tensions among diverse groups within a society;**
- 25. Also noting that large and destabilizing movements are engendered by economic problems;**

26. Convinced that the CSCE should respond to this threat to security and stability by developing a comprehensive, regional approach to deal with mass movements,

27. Recommends a CSCE approach with four main objectives: (1) to prevent involuntary movements, through combined efforts such as democratic institution-building, attention to compliance with human dimension commitments, and use of early warning, conflict prevention, and preventive diplomacy tools; (2) to help countries that are sources of mass migrations to set up economic and social structures likely to prevent these movements of populations; (3) in those situations in which preventive efforts have failed, to ensure protection of the forcibly displaced, and to seek durable long-term solutions for their well-being; (4) refugees have the inalienable right to return safely to their homes and properties and the CSCE Organization and participating States should use the CSCE process to facilitate the exercise of this right;

28. Calls on CSCE participating States which have not acceded to the international agreements on refugee questions to show their good will by recognizing the standards worked out in these agreements;

The CSCE Parliamentary Assembly,

29. Urges that the following CSCE tools be rigorously applied with the aim of preventing involuntary movements:

- The body of shared human dimension commitments and values, and the process of implementation review. By conducting rigorous examinations of the compliance records of participating States, the CSCE can identify potential areas of tensions at the earliest possible stage, and can send important political signals to any State concerned. Alerting governments to the scrutiny of the international community may encourage them to resolve internal differences through peaceful means, including the regional round tables provided for in the final document of the Inaugural Conference for a Pact for Stability in Europe;

- The democratic institution-building component of the CSCE, specifically the Office of Democratic Institutions and Human Rights (ODIHR). The ODIHR's human dimension seminars, travelling seminars, and resource lists of experts are all designed to help States in transition develop the framework in which human rights and the rule of law can be respected;

- The various investigative, early warning and conflict prevention mechanisms of the CSCE, including the High Commissioner on National Minorities (HCNM), the Human Dimension Mechanism, and the various ad hoc missions to participating States, including those conducted by the CSCE Parliamentary Assembly. These mechanisms can be used to identify and respond to violations of CSCE commitments and other threats to security, long before they degenerate into mass flight situations. The Parliamentary Assembly remains convinced, however, that it is

critical that early warning be accompanied by a political commitment to early intervention;

The CSCE Parliamentary Assembly,

30. **Convinced** that, when preventive efforts fail, the CSCE must be prepared to respond to a mass flight situation;

31. **Recommends** that the CSCE participating States grant temporary asylum in conformity with their national laws to persons who have fled their homes as a result of armed conflicts or other serious disturbances, and are in need of protection until the disturbance is resolved;

32. **Recommends** that the CSCE develop rapid response methods for burden-sharing, including financial and technical assistance to those front-line countries hosting substantial numbers of displaced persons, and/or commit themselves to accepting displaced individuals in their own countries, as well as assistance in assuring the eventual repatriation, or, if necessary, resettlement of the displaced;

INTERNATIONAL WAR CRIMES TRIBUNAL

The CSCE Parliamentary Assembly,

33. **Committed** to ensuring that those responsible for violations of international humanitarian law in the former Yugoslavia are held personally accountable for their actions;

34. **Acknowledging** that under the statute establishing the International Criminal Tribunal for the Former Yugoslavia, adopted on 6 May 1993 by the United Nations Security Council in accordance with Chapter VII of the Charter of the United Nations, all United Nations Member States have an immediate and legally binding obligation to surrender indicted persons when so directed by the Tribunal;

35. **Aware** that most CSCE participating States will require the adoption of implementing legislation to bring their national legal systems into conformity with their international obligations,

36. **Recognizes** the Assembly as a forum for exchanging information regarding the adoption of implementing legislation necessary to ensure harmony between their national legal systems and their international obligations;

37. **Urges** CSCE parliamentarians to work towards the passage of national implementing legislation on an expedited basis and to ensure that the International

Criminal Tribunal for the Former Yugoslavia is informed of the status of such legislation if this has not already been done;

38. Supports the establishment of an international tribunal with general jurisdiction to prosecute genocide and other crimes against humanity, including murder, extermination, enslavement, expulsion, imprisonment, torture, rape, persecution on political, racial and religious grounds and other inhumane acts directed against any civilian population and grave breaches of the Geneva Conventions of 1949 and the Additional Protocols of 1977 thereto;

39. Recognizes the need to adopt a European Charter on the rights of national minorities;

40. Calls on the Council of Ministers to ensure full co-operation by CSCE governments through the adoption by national legislatures of conforming legislation;

41. Calls upon the parliaments of the participating States to inform the International Secretariat on steps taken towards such conforming legislation;

42. Agrees to review, at future meetings, steps that CSCE participating States have taken to bring their national legal systems into conformity with their international obligations.

43. Calls on the Heads of State and Government meeting in Budapest in December 1994 to appoint a Special Rapporteur on the War Crimes Tribunal. He or she should be tasked with monitoring compliance by CSCE States with the orders of the Tribunal and reporting back to the CSCE Committee of Senior Officials, the Council of Ministers, and meetings of Heads of State and Government;

RACISM, XENOPHOBIA, ANTI-SEMITISM AND AGGRESSIVE NATIONALISM

The CSCE Parliamentary Assembly,

44. Considering that the elimination of racism and racial discrimination is a primary objective for the CSCE participating States and the international community as a whole;

45. Expressing concern that foreigners, migrant workers and other vulnerable groups are increasingly becoming the target of racist violence and racial discrimination;

46. Noting that racism, xenophobia, anti-semitism and aggressive nationalism create ethnic, political and social tensions within and between States and undermine

international stability and efforts to consolidate respect for human rights and fundamental freedoms,

47. **Recalling** the Stockholm and Rome decisions of the CSCE Council of Ministers in which the Ministers, inter alia, decided to keep this issue high on the agenda of the CSCE;

48. **Recommends** that the Council pursue follow-up action paying special attention to all aspects of these problems, with the concrete contributions of the High Commissioner on National Minorities and the ODIHR;

MIGRANT WORKERS

The CSCE Parliamentary Assembly,

49. **Recalling** the relevant paragraphs of the Helsinki Declaration of the Parliamentary Assembly which, inter alia, expressed the serious concern "that a climate of intolerance and anti-foreigner sentiment is growing in many CSCE States, including those with considerable democratic experience, resulting at times in violence or discrimination against immigrants, refugees, asylum-seekers, migrant workers, persons belonging to minorities, persons with disabilities, and others perceived as different or foreign" (paragraph 23) as well as its emphasis "that measures must be taken by all member States to integrate fully those legal migrants and resident foreigners who will be staying permanently, including the granting of political rights and citizenship" (paragraph 16);

50. **Considering** that foreigners, permanent residents of foreign nationality, as well as migrant workers and their families are becoming targets of unacceptable practices resulting in the violation of their rights;

51. **Recognizing** that problems of integration and protection of these groups can more effectively be solved by granting them rights of citizenship;

52. **Noting also** that the conventions on the rights of migrant workers have not been signed and ratified by several countries which host considerable numbers of migrant workers;

53. **Welcoming** the Seminar on Migrant Workers organized by the CSCE,

54. **Recommends** that the relevant CSCE bodies and, in particular, the Committee of Senior Officials, in co-operation with the Office for Democratic Institutions and Human Rights (ODIHR), monitor developments in this respect and inform the Parliamentary Assembly of the results;

IMMUNITY OF CERTAIN MEMBERS OF THE TURKISH PARLIAMENT

The CSCE Parliamentary Assembly,

55. Taking note of the commitments of Turkey as a member of various international organizations to respect basic democratic values, to respect human rights and fundamental freedoms and to act according to the principles of a state of law;

56. Acknowledging the right of the Turkish Government to act against terrorism and safeguard the sovereignty, territorial integrity and unity of Turkey;

57. Considering that lifting the immunity of members of the Turkish Parliament undermines the democratic functioning of the Turkish State,

58. Invites the President of the Parliamentary Assembly of the CSCE to take initiatives to promote the immediate release of the six arrested Kurdish parliamentarians;

59. Suggests that a CSCE parliamentary delegation, headed by the President of the Parliamentary Assembly of the CSCE, visit Turkey on a mission to appeal to the Turkish authorities to release the arrested parliamentarians and restore the immunity of the six Kurdish parliamentarians;

TURKEY

The CSCE Parliamentary Assembly,

60. Condemning terrorism in all forms and urging international co-operation to combat such terrorism and to bring about peaceful solutions to problems of minorities of all countries;

61. Concerned that escalating violence between Turkish security forces and PKK terrorists has claimed thousands of lives and that over 1,000 villages have been evacuated and destroyed for security reasons;

62. Recalling that the Turkish Constitutional Court banned the pro-Kurdish Democratic Party (DEP) and stripped thirteen duly elected members of the Turkish Grand National Assembly of their parliamentary status because of the contents of their speech and/or writings;

63. Noting that prosecutors seek death penalties for all 13 parliamentarians, including Ahmet Turk, Leyla Zana, Hatip Dicle, Orhan Dogan and Sirri Sakik, who have been jailed without being indicted since 3 March 1994; Sedat Yurtas and Selim Sadak, who were detained on 1 July; and deputies Remzi Kartal, Mahmut Kiline, Naif Gunes, Nizamettin Toguc, Ali Yigit and Zubeyir Aydar, who are seeking refuge in Europe;

64. Remembering that the 1990 CSCE Copenhagen Document reaffirms the commitment of participating States to free expression, the right of peaceful assembly, the right of association, and the right of individuals and groups to establish their own political parties or other political organizations with the necessary legal guarantees to enable them to compete on a basis of equal treatment before the law;

65. Condemns all acts of terrorism and expresses its concern over the loss of life as a result of PKK terrorist actions;

66. Supports the efforts of the Government of Turkey to combat terrorism;

67. Notes the deteriorating situation in Turkey in regard to CSCE commitments to free speech, association and movement and the right to form non-violent political parties;

68. Calls upon Turkey to release all prisoners currently detained solely for non-violent expression of their views;

69. Calls upon the President of the CSCE Parliamentary Assembly to appoint and co-ordinate delegations to visit the region to examine the human rights situation in south-east Turkey.

70. Calls upon the President of the CSCE Parliamentary Assembly to appoint a fact-finding delegation to examine the human rights situation in south-east Turkey and to prepare a report based on their findings to be submitted to the Standing Committee and the Parliamentary Assembly.

71. Calls upon the CSCE to consider dispatching an expert or monitoring mission to Turkey, to be developed in the framework of the so-called Moscow Mechanism.

CHAPTER IV (THE FORMER YUGOSLAVIA)

The CSCE Parliamentary Assembly,

1. Reaffirming the provisions of its 1992 Budapest Declaration and its 1993 Helsinki Declaration;

- 2. Endorsing the recommendations of the CSCE Parliamentary Assembly's June 1994 Delegation to the former Yugoslavia;**
- 3. Regretting that grave violations of CSCE principles continue, in particular in Bosnia-Herzegovina and in Serbia;**
- 4. Expressing particular concern about the armed conflicts in the former Yugoslavia which are threatening peace and stability, not only in the Balkans but throughout Europe;**
- 5. Deploring that the international community has failed in its efforts to bring about a lasting peace in the region;**
- 6. Considering it essential that a just and lasting peace be established in Bosnia-Herzegovina in a context acceptable to its internationally recognized government, ensuring the territorial integrity of the country;**
- 7. Welcoming the agreement of the Croats and Muslims in Bosnia-Herzegovina as a step towards a just and lasting peace;**
- 8. Welcoming the decision of participating States to establish a CSCE mission in Sarajevo to help in rebuilding civic society in Bosnia-Herzegovina;**
- 9. Considering that there will be no definitive solution in Bosnia-Herzegovina unless all exiles can return to their homes;**
- 10. Condemning the acts of violence against the UNPROFOR forces and humanitarian personnel in Bosnia-Herzegovina;**
- 11. Expressing its deep concern that parts of Croatia remain occupied and isolated from the rest of the country;**
- 12. Remaining deeply concerned by the attempts to isolate the Former Yugoslav Republic of Macedonia;**
- 13. Expressing its serious concern about the increasingly frequent incidents on the border of the Former Yugoslav Republic of Macedonia with the Federal Republic of Yugoslavia (Serbia and Montenegro) and aware of the high risk of spill-over of conflicts into other States of South-Eastern Europe;**
- 14. Deploring the lack of dialogue between the Belgrade authorities and the legitimate representatives of the Albanians of Kosovo, as well as the national minorities, in particular the Muslims in Sandjak and the Hungarians in Vojvodina;**
- 15. Considering that the safety of those Albanian political refugees who are returning to Kosovo cannot be guaranteed;**

16. Aware of the grave violation of human, national and other rights and fundamental freedoms and CSCE principles and commitments on the part of the authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro);

17. Recalling its Helsinki Declaration on former Yugoslavia, which, inter alia, called upon the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) to allow the CSCE Missions of Long Duration in Kosovo, Sandjak and Vojvodina to monitor human rights violations;

18. Considering that the repressive practices of the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro), in particular in Kosovo, Sandjak and Vojvodina, will further aggravate the tense situation in these regions;

19. Reiterating that the refusal to readmit and ensure unobstructed operation of the CSCE missions can only impede the readmission of the Federal Republic of Yugoslavia (Serbia and Montenegro) to the international community and to the CSCE in particular;

20. Recognizing that the sanctions imposed by the United Nations Security Council on the Federal Republic of Yugoslavia (Serbia and Montenegro) have very serious consequences on the socio-economic situation of the neighbouring States,

The Assembly

21. Urges the CSCE participating States to take action to:

- bring about a just and lasting peace in Bosnia-Herzegovina on the basis of an agreement ensuring the territorial integrity of the country, acceptable to the internationally recognized Government of Bosnia-Herzegovina, and fully in accord with CSCE principles;

- support United Nations and other international efforts to bring about peace and also to strengthen UNPROFOR;

- guarantee the safe delivery of humanitarian aid to all the civilian population in Bosnia-Herzegovina;

- ensure that effective arms control arrangements are agreed to secure the peace settlement;

- draw up, in particular, a conceptual framework for the negotiations on arms control and disarmament and on the adoption of confidence-building measures and security in the South-Eastern European region;

- 22. Emphasizes the importance of United Nations efforts to investigate the alleged war crimes in Bosnia-Herzegovina and to bring those who are responsible for such crimes to justice;**
- 23. Urges those Croatian Serbs who hold parts of that country under occupation and isolation from the rest of Croatia to respect the territorial integrity of that country and to negotiate with the Croatian Government on a peaceful settlement;**
- 24. Calls upon the Croatian Government to agree on the continuation of UNPROFOR's mandate;**
- 25. Insists that all steps and measures should be taken to prevent the war from spreading to other parts of the former Yugoslavia, like Kosovo and the Former Yugoslav Republic of Macedonia;**
- 26. Reiterates its call that the Former Yugoslav Republic of Macedonia be admitted into the CSCE as a fully participating Member and that all CSCE States recognize and develop normal relations with that country;**
- 27. Insists that Greece should lift its unilateral trade embargo on the Former Yugoslav Republic of Macedonia, without delay, and calls on all the CSCE countries to develop normal relations with that country;**
- 28. Recognizes that the Federal Republic of Yugoslavia (Serbia and Montenegro) has so far failed to create conditions for lifting the sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) and therefore the sanctions must be scrupulously observed by all States in order to pressure the Federal Republic of Yugoslavia (Serbia and Montenegro) to change its conduct;**
- 29. Calls for practical measures to be taken to ensure that the participating States in the CSCE and the competent international organizations provide appropriate financial and technical assistance to the neighbouring States most affected by the application of the United Nations sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) and to promote their transition towards a market economy and a democratic society;**
- 30. Urges the Serbian authorities to actively promote dialogue with all national minorities in their country, in particular with those living in Kosovo, Sandjak and Vojvodina, and to respect their rights;**
- 31. Recommends to all Governments of the CSCE States not to repatriate the Albanian asylum-seekers to Kosovo;**
- 32. Condemns the police brutality and other human rights violations and discrimination practised by the Serbian authorities against the Albanians in Kosovo,**

as well as against national minorities, in particular against the Muslims in Sandjak and Hungarians in Vojvodina;

33. Calls for the Federal Republic of Yugoslavia (Serbia and Montenegro) to agree to the unconditional and immediate reopening of the CSCE Missions of Long Duration in Kosovo, Sandjak and Vojvodina. These Missions are essential, inter alia, for obtaining reliable information, monitoring the observance of CSCE principles and helping to promote dialogue between the authorities and different ethnic and other communities.