

Chairmanship: Ukraine

949th PLENARY MEETING OF THE COUNCIL

1. Date: Thursday, 25 April 2013

Opened: 10.05 a.m.

Closed: 11.15 a.m.

2. Chairperson: Ambassador I. Prokopchuk

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

Agenda item 1: DECISION ON THE APPOINTMENT OF THE EXTERNAL AUDITOR

Chairperson

Decision: The Permanent Council adopted Decision No. 1080 (PC.DEC/1080) on the appointment of the External Auditor, the text of which is appended to this journal.

Agenda item 2: DECISION ON THE AGENDA, TIMETABLE AND OTHER ORGANIZATIONAL MODALITIES OF THE OSCE HIGH-LEVEL CONFERENCE ON TOLERANCE AND NON-DISCRIMINATION (INCLUDING HUMAN RIGHTS YOUTH EDUCATION ON TOLERANCE AND NON-DISCRIMINATION)

Chairperson

Decision: The Permanent Council adopted Decision No. 1081 (PC.DEC/1081) on the agenda, timetable and other organizational modalities of the OSCE High-Level Conference on Tolerance and Non-Discrimination (including Human Rights Youth Education on Tolerance and Non-Discrimination), the text of which is appended to this journal.

Ireland-European Union (with the acceding country Croatia; the candidate countries the former Yugoslav Republic of Macedonia, Iceland, Montenegro

and Serbia; the countries of the Stabilisation and Association Process and potential candidate countries Albania and Bosnia and Herzegovina; as well as San Marino, in alignment) (interpretative statement, see attachment 1 to the decision), United States of America (interpretative statement, see attachment 2 to the decision), Russian Federation (interpretative statement, see attachment 3 to the decision), Holy See (Annex), Chairperson

Agenda item 3: REVIEW OF CURRENT ISSUES

- (a) *Belgrade-Pristina agreement on the principles for the normalization of relations*: Ireland-European Union (with the acceding country Croatia; the candidate countries the former Yugoslav Republic of Macedonia, Iceland and Montenegro; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association country Liechtenstein, member of the European Economic Area; as well as Andorra and San Marino, in alignment) (PC.DEL/283/13), United States of America (PC.DEL/266/13), Switzerland (PC.DEL/277/13), Albania (PC.DEL/274/13), Norway (PC.DEL/270/13), Canada (PC.DEL/275/13 OSCE+), Turkey (PC.DEL/272/13), Russian Federation (PC.DEL/280/13), Chairperson, Serbia (PC.DEL/273/13 OSCE+)
- (b) *Attack on Mr. Makhmadali Khait in Tajikistan*: United States of America (PC.DEL/267/13), Tajikistan
- (c) *Commemoration of the 27th anniversary of the disaster at the Chernobyl nuclear power plant*: Belarus (PC.DEL/271/13), Russian Federation (PC.DEL/279/13), Chairperson

Agenda item 4: REPORT ON THE ACTIVITIES OF THE
CHAIRPERSON-IN-OFFICE

- (a) *Visit by the President of the OSCE Parliamentary Assembly, H.E. W. Grossruck, to Kyiv on 22 and 23 April 2013*: Chairperson (CIO.GAL/48/13), OSCE Parliamentary Assembly
- (b) *Visit by the Special Representative of the OSCE Chairperson-in-Office for Protracted Conflicts, Ambassador A. Deshchytzia, to Moldova from 23 to 25 April 2013*: Chairperson (CIO.GAL/48/13)

Agenda item 5: REPORT OF THE SECRETARY GENERAL

- (a) *Announcement of the distribution of a written report of the Secretary General*: Director of the Conflict Prevention Centre
- (b) *Visit by the Secretary General to Geneva, Switzerland, on 22 April 2013*: Director of the Conflict Prevention Centre
- (c) *Visit by the Secretary General to the headquarters of the Central European Initiative in Trieste, Italy, on 19 April 2013*: Director of the Conflict Prevention Centre

- (d) *Meeting of the Open-ended Working Group on the Conflict Cycle, held on 23 April 2013*: Director of the Conflict Prevention Centre
- (e) *Expert Workshop on Sustainable Energy in the Southern Mediterranean, to be held in Vienna on 29 April 2013*: Director of the Conflict Prevention Centre

Agenda item 6: ANY OTHER BUSINESS

- (a) *Release by the US Department of State of the Country Reports on Human Rights Practices for 2012*: United States of America (PC.DEL/268/13)
- (b) *Extrabudgetary activities in the OSCE*: Russian Federation (PC.DEL/281/13), United States of America (PC.DEL/269/13), Canada (also on behalf of Iceland, Liechtenstein, Norway and Switzerland) (PC.DEL/276/13 OSCE+), Ireland-European Union, Belarus
- (c) *Meeting of the Contact Group with the Mediterranean Partners for Co-operation, held in Vienna on 19 April 2013*: Switzerland (PC.DEL/278/13), Turkey
- (d) *Meeting of the Contact Group with the Asian Partners for Co-operation, to be held in Vienna on 26 April 2013*: Ireland, Chairperson
- (e) *Selection process for the position of High Commissioner on National Minorities*: Chairperson
- (f) *Supplementary Human Dimension Meeting on Freedom of Movement and Human Contacts, to be held in Vienna on 25 and 26 April 2013*: Chairperson
- (g) *Human Dimension Seminar, to be held in Warsaw from 13 to 15 May 2013*: Chairperson

4. Next meeting:

Thursday, 2 May 2013, at 10 a.m., in the Neuer Saal



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

PC.JOUR/949
25 April 2013
Annex

Original: ENGLISH

949th Plenary Meeting

PC Journal No. 949, Agenda item 2

**STATEMENT BY
THE DELEGATION OF THE HOLY SEE**

Mr. Chairperson,

My delegation wishes to make the following statement:

The Holy See welcomes the consensus approval of the decision on the agenda, timetable and other organizational modalities of the OSCE High-Level Conference on Tolerance and Non-Discrimination (including Human Rights Youth Education on Tolerance and Non-Discrimination) which will be held in Tirana next month.

We would also like to express our appreciation for the work accomplished by the Ukrainian Chairmanship in Office in this regard as well as for the patience generously shown by the host country of the High-Level Conference. We sincerely hope that the Conference will have its place among great events of our Organization.

As for the attempts to introduce, *de jure*, new commitments or to extend or modify existing OSCE commitments, which are agreed to by all participating States, in the field of tolerance and non-discrimination, the delegation of the Holy See is of the view that it is amply clear that adherence to OSCE agreed commitments, while assuring the efficiency of the work of the Organization in favour of promoting peace and stability, does not exclude any person from the protection of their human rights. The need to introduce new categories that uncover deep differences among participating States, rather than facilitate consensus, is, therefore, not justified.

The agenda of the High-Level Conference, as it stands, does not exclude any of the consensually agreed forms of intolerance and discrimination. The Delegation of the Holy See wishes to underline that more attention should be given, both by participating States and by the OSCE with all its components, to the already numerous consensually agreed commitments within the Human Dimension of the OSCE and, in particular, in the field of tolerance and non-discrimination.

I would kindly ask that this statement is attached to the journal of the day.

Thank you, Mr. Chairperson!



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

PC.DEC/1080
25 April 2013

Original: ENGLISH

949th Plenary Meeting

PC Journal No. 949, Agenda item 1

**DECISION No. 1080
APPOINTMENT OF THE EXTERNAL AUDITOR**

The Permanent Council,

Recalling Article VIII of the Financial Regulations of 27 June 1996 (DOC.PC/1/96) concerning the OSCE external auditors,

Taking note of the offers of the Federal Court of Auditors (*Bundesrechnungshof*) of the Federal Republic of Germany and the Court of Audit (*Tribunal de Cuentas*) of Spain to provide external audit services to the OSCE,

Recalling Financial Regulation 8.01 on the appointment and tenure of Office of the External Auditor,

Accepts the kind offer of the Federal Republic of Germany and appoints the German Federal Court of Auditors for the period of three years, starting on 1 May 2013 and expiring on 30 April 2016;

Accepts the kind offer of Spain and appoints the Court of Audit of Spain for the period of three years, starting on 1 May 2016 and expiring on 30 April 2019.

Pursuant to Regulation 8.01, the costs for travel and daily subsistence allowance (DSA) will be reimbursed from the OSCE Unified Budget.



949th Plenary Meeting

PC Journal No. 949, Agenda item 2

**DECISION No. 1081
AGENDA, TIMETABLE AND OTHER ORGANIZATIONAL
MODALITIES OF THE OSCE HIGH-LEVEL CONFERENCE ON
TOLERANCE AND NON-DISCRIMINATION (INCLUDING HUMAN
RIGHTS YOUTH EDUCATION ON TOLERANCE AND
NON-DISCRIMINATION)**

Tirana, 21 and 22 May 2013

I. Agenda and timetable

Tuesday, 21 May 2013

Morning Opening ceremony: Welcoming remarks and formal opening of the Conference

Morning Opening plenary session

- Combating intolerance and discrimination in the OSCE area. Implementation of the relevant OSCE commitments

Part 1. Comprehensive approach to combating intolerance and discrimination

Morning Plenary session 1: Combating intolerance and discrimination against any person, including racism, xenophobia and aggressive nationalism, in accordance with the existing OSCE commitments

Afternoon Plenary session 2: Combating intolerance and discrimination against Christians and members of other religions

Afternoon Plenary session 3: Combating anti-Semitism

Afternoon Plenary session 4: Combating intolerance and discrimination against Muslims

Wednesday, 22 May 2013

Part 2. The way forward: Preventing and responding to intolerance and discrimination, including hate crimes. Promoting mutual respect and understanding

Morning Plenary session 5: The role of human rights youth education in promoting mutual understanding and respect for diversity in accordance with the existing OSCE commitments

Morning Plenary session 6: The role of political leadership, legislation, law enforcement, data collection, and civil society in combating and preventing intolerance and discrimination, including hate crimes

Afternoon Closing plenary session

- Reports by the rapporteurs of the plenary sessions
- Conclusions and recommendations
- The way ahead: Consolidating progress and facing new challenges

II. Organizational modalities of the Conference

The Conference will take place in Tirana on 21 and 22 May 2013.

The Rules of Procedure of the OSCE will be applied at the Conference. Also, the guidelines for organizing OSCE meetings (PC.DEC/762) will be taken into consideration.

The opening and closing sessions will be chaired by the OSCE Chairperson-in-Office or a representative of the Chairperson-in-Office.

Each session will have one moderator and at least one rapporteur.

The participating States are encouraged to be represented by high-level officials as well as senior experts responsible for tolerance and non-discrimination issues.

The OSCE institutions, the Secretary General and the Secretariat will participate in the Conference. The Parliamentary Assembly and Partners for Co-operation will be also invited to participate.

Participation of representatives from international and regional organizations, as well as other relevant actors of civil society and NGOs, would be welcome.

Representatives of civil society and NGOs will be able to attend and contribute to the Conference in accordance with relevant OSCE provisions.

The discussions in the plenary sessions will be interpreted from and into all six working languages of the OSCE.

The opening and closing sessions will be open to the media.

PC.DEC/1081
25 April 2013
Attachment 1

ENGLISH
Original: FRENCH

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

By the European Union:

“The European Union has agreed to join the consensus on the adoption of the agenda of the High-Level Conference on Tolerance and Non-Discrimination that is to take place in Tirana on 21 and 22 May 2013 because this agenda makes it possible to cover all forms of intolerance and discrimination while mentioning the fight against intolerance and discrimination against all persons.

We believe that holding a conference on tolerance and non-discrimination while deliberately putting aside in the agenda the fight against certain forms of discrimination such as discrimination on the basis of gender, social origin, age or any other status, including sexual orientation and gender identity, would be contrary to the very objectives of this conference and to the fundamental values of the OSCE, one of the basic principles of which is the equal dignity of every human being, regardless of their characteristics.

As for the language adopted for the agenda, the European Union regrets that the title chosen for the first plenary session to address all forms of discrimination deviates from the agreed language, even though the existing Copenhagen commitments (1990) but also the Madrid commitments (2007), to name only two, represent clear and explicit references to the importance of combating all forms of discrimination, regardless of the reasons.

These existing commitments, like the other commitments undertaken within the human dimension since the Helsinki Final Act, constitute the basis of the OSCE’s mandate in the fight against intolerance and discrimination. Generally speaking, we reiterate our concern regarding the tendency of certain participating States to question existing commitments in the human dimension, something that can only weaken the concept of comprehensive security as well as our Organization.

We request that this statement be attached to that decision and to the journal of this meeting.”

The acceding country Croatia¹, the candidate countries the former Yugoslav Republic of Macedonia¹, Montenegro¹, Iceland² and Serbia¹, the countries of the Stabilisation and Association Process and potential candidate countries Albania and Bosnia and Herzegovina, as well as San Marino, align themselves with this statement.

1 Croatia, the former Yugoslav Republic of Macedonia, Montenegro and Serbia continue to be part of the Stabilisation and Association Process.

2 Iceland continues to be a member of the European Free Trade Association.

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

By the delegation of the United States of America:

“Mr. Chairperson, I would like to express United States Government’s appreciation for your patient efforts to facilitate a compromise enabling participating States to reach a consensus on the agenda for a high-level OSCE Conference on Tolerance and Non-Discrimination. We also extend our thanks to the Government of Albania for its generous offer to host this important event.

As we have underscored on numerous occasions, the United States believes that it is essential that participating States intensify efforts to strengthen the OSCE’s capacity to combat intolerance and discrimination in all of its ugly forms and to implement more effectively the commitments we have undertaken. We believe that the upcoming conference can provide impetus and inspiration for our work in this area.

I would also like to take this opportunity to clarify the United States Government’s position on the title of Panel One of the Conference: “Combating intolerance and discrimination against any person, including racism, xenophobia and aggressive nationalism, in accordance with the existing OSCE commitments.”

Combating intolerance and discrimination in any form against any person is in complete accordance with existing OSCE commitments. Guiding Principle VII of the Helsinki Final Act states that: “The participating States will promote and encourage the effective exercise of civil, political, economic, social, cultural and other rights and freedoms all of which derive from *the inherent dignity of the human person* and are essential for his free and full development.”

Combating intolerance and discrimination is critical to the protection of the human rights, fundamental freedoms and inherent dignity of all. We regret that some participating States construe the body of OSCE commitments narrowly, asserting that the *acquis* addresses only certain forms of intolerance and discrimination and that, in effect, only certain categories of human beings are to be treated with dignity and only certain categories of human beings have rights that are to be protected. We utterly reject this narrow interpretation.

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

Thank you, Mr. Chairperson.”

PC.DEC/1081
25 April 2013
Attachment 3

ENGLISH
Original: RUSSIAN

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

By the delegation of the Russian Federation:

“While we have joined the consensus on the Permanent Council decision on the agenda and organizational modalities of the OSCE High-Level Conference on Tolerance and Non-Discrimination that is to take place in Tirana on 21 and 22 May 2013, I should like to make the following statement.

We assume that questions concerned with tolerance and non-discrimination of those categories of persons envisaged by existing OSCE commitments will be examined during the conference.

We firmly believe that the criteria defining the kind of people who are subject to discrimination must meet the provisions contained in consensus-based OSCE documents, beginning with the Helsinki Final Act. The broadest list of such criteria and grounds is contained in the decision of the Ljubljana Ministerial Council meeting (2005). The inclusion of additional questions on which there is no consensus within the OSCE seems counter-productive.

The Russian Federation assumes that during the first session of the conference due attention will be paid to the discussion of questions concerned with combating manifestations of racism, xenophobia and aggressive nationalism, and also neo-Nazism, as envisaged by decisions contained in OSCE documents, including the decisions of the Ministerial Council meeting in Brussels (2006) and Madrid (2007).

I request that this statement be attached to the Permanent Council decision adopted and also to the journal of today’s meeting of the Permanent Council.”