



Organization for Security and Co-operation in Europe

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Sixteenth Meeting of the Ministerial Council

4 and 5 December 2008

Statements and declarations by the Ministerial Council

Decisions of the Ministerial Council

Perception papers by the Chairmanship

Statements by delegations

Reports to the Ministerial Council

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**I. STATEMENTS AND DECLARATIONS BY THE
MINISTERIAL COUNCIL**

MINISTERIAL STATEMENT

(MC.DOC/1/08 of 5 December 2008)

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

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

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

(MC.DOC/2/08 of 5 December 2008)

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

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

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

We stress that all human rights are universal.

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

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

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

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

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

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

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

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

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

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

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

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

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

**MINISTERIAL DECLARATION ON
THE 60th ANNIVERSARY OF THE CONVENTION ON THE
PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE**
(MC.DOC/3/08 of 5 December 2008)

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

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

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

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

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

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

II. DECISIONS OF THE MINISTERIAL COUNCIL

DECISION No. 1/08
APPOINTMENT OF THE DIRECTOR OF THE OFFICE FOR
DEMOCRATIC INSTITUTIONS AND HUMAN RIGHTS
(MC.DEC/1/08 of 14 May 2008)

The Ministerial Council,

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

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

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

Taking into account the recommendation of the Permanent Council,

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

Attachment to MC.DEC/1/08

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

By the delegation of Belarus:

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

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

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

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

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

We stress that the ODIHR is a specialized institution of the OSCE and, as such, is accountable to all participating States. We regard as inadmissible any ODIHR activity that is carried out without the approval of the OSCE's collective bodies or that circumvents its decisions.

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

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

DECISION No. 2/08
REAPPOINTMENT OF THE OSCE SECRETARY GENERAL
(MC.DEC/2/08 of 26 June 2008)

The Ministerial Council,

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

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

Taking into account the recommendation of the Permanent Council,

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

DECISION No. 3/08
PERIODS OF SERVICE OF THE OSCE SECRETARY GENERAL
(MC.DEC/3/08 of 22 October 2008)

The Ministerial Council,

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

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

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

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

DECISION No. 4/08
STRENGTHENING THE LEGAL FRAMEWORK OF THE OSCE
(MC.DEC/4/08 of 5 December 2008)

The Ministerial Council,

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

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

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

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

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

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

Attachment to MC.DEC/4/08

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

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

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

We are referring to the draft Charter of the OSCE elaborated and proposed on 18 September 2007 by the delegations of the Republic of Armenia, the Republic of Belarus, the Republic of Kazakhstan, the Kyrgyz Republic, the Russian Federation, the Republic of

Tajikistan and the Republic of Uzbekistan (PC.DEL/897/07), which may be taken as a basis for further work.

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

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

DECISION No. 5/08
ENHANCING CRIMINAL JUSTICE RESPONSES TO TRAFFICKING
IN HUMAN BEINGS THROUGH A COMPREHENSIVE APPROACH
(MC.DEC/5/08 of 5 December 2008)

The Ministerial Council,

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

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

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

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

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

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

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

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

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

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

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

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

10. Encourages the participating States to take measures in accordance with the conditions under their respective laws so that victims of human trafficking have the possibility of obtaining fair and appropriate compensation for damage they have suffered, and to claim damages during criminal and/or civil proceedings as appropriate;
11. Calls for increased co-operation by national law enforcement and prosecution agencies with relevant international bodies, including Interpol and Europol, and with the law enforcement agencies of other participating States, for example, through the use of liaison officers or joint investigative teams, where doing so would enhance the efficiency and effectiveness of criminal justice responses;
12. Urges the participating States to intensify measures to disrupt trafficking networks, including by means of financial investigations, investigations of money laundering connected to human trafficking and the freezing or confiscation of the assets of human traffickers;
13. Tasks the Special Representative within existing resources as a part of regular reporting to the Permanent Council to recommend, in co-operation with the participating States, ways to further enhance criminal justice responses to trafficking in human beings.

DECISION No. 6/08
ENHANCING OSCE EFFORTS TO IMPLEMENT THE ACTION PLAN
ON IMPROVING THE SITUATION OF ROMA AND SINTI WITHIN
THE OSCE AREA
(MC.DEC/6/08 of 5 December 2008)

The Ministerial Council,

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

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

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

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

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

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

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

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

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

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

1. Urges the participating States to provide for equal access to education and to promote early education for Roma and Sinti children, as an instrument for preventing social exclusion and marginalization and for effecting a long-term improvement in the situation of Roma and Sinti. In this context, underlines that educational policies should aim to integrate Roma and Sinti people into mainstream education;

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

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

(MC.DEC/7/08 of 5 December 2008)

The Ministerial Council,

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

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

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

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

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

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

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

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

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

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

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

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

- The role of constitutional courts or comparable institutions of the participating States as an instrument to ensure that the principles of the rule of law, democracy and human rights are observed in all state institutions;
 - The provision of effective legal remedies, where appropriate, and the access thereto;
 - The observation of rule of law standards and practices in the criminal justice system;
 - The fight against corruption;
5. Tasks the relevant OSCE executive structures, in close consultation and co-operation with participating States and within existing resources, to organize a seminar focussing on rule of law in 2009 which could serve as a platform for exchanging best practices between the participating States on issues related to the rule of law.

Attachment to MC.DEC/7/08

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

By the delegation of Georgia:

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

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

DECISION No. 8/08
OSCE CONTRIBUTION TO THE IMPLEMENTATION PHASE OF
THE ALLIANCE OF CIVILIZATIONS INITIATIVE
(MC.DEC/8/08 of 5 December 2008)

The Ministerial Council,

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

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

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

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

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

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

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

Decides, within existing resources, to:

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

DECISION No. 9/08
FOLLOW-UP TO THE SIXTEENTH ECONOMIC AND ENVIRONMENTAL FORUM ON MARITIME AND INLAND WATERWAYS CO-OPERATION
(MC.DEC/9/08 of 5 December 2008)

The Ministerial Council,

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

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

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

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

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

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

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

- Maritime pollution, in particular oil pollution and the need to develop effective oil spill response capacities,
- Combating the transfer of invasive species through ballast water,
- The transport of dangerous goods,
- Emergency situations and the need for joint emergency responses,
- Integrated river basin management,

- The development of efficient and secure multimodal transport corridors,
- The multifaceted aspects of maritime security, including supply chain security,

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

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

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

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

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

Decides to:

1. Urge participating States to strengthen dialogue and co-operation regarding the security, environmental and economic aspects of maritime and inland waterways;
2. Encourage participating States to consider becoming parties to relevant international legal instruments developed by the IMO and the UNECE, in particular the International Convention for the Control and Management of Ships' Ballast Water and Sediments, the International Convention for the Prevention of Pollution from Ships and its Annexes, the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, and the Convention on the Protection and Use of Transboundary Watercourses and International Lakes, and decides to support the full implementation by participating States of their obligations under these instruments;
3. Task the OSCE executive structures, within the framework of their mandates and existing resources, with supporting the participating States, upon their request, in the implementation of relevant commitments, taking into account the role played by relevant international organizations;
4. Urge participating States to endeavour to strengthen and further develop subregional, regional and inter-regional co-operation, where appropriate, in order to address the challenges mentioned above;
5. Encourage participating States to develop efficient and secure multimodal transport corridors including efficient and secure border crossings in order to facilitate access to the sea for landlocked countries, taking into account the relevant provisions of the OSCE Border

Security and Management Concept as well as the relevant OSCE commitments related to transport;

6. Encourage participating States to approach the issue of waterways co-operation in synergy with management of water resources;
7. Encourage participating States to apply and share best practices and technological solutions relevant to addressing security, environmental and economic challenges in the field of maritime and inland waterways co-operation;
8. Urge participating States to promote good governance and transparency and invite them to include all stakeholders, including the business community, civil society and academia, in the policy debate on maritime and inland waterways co-operation where applicable, and to promote public-private partnership;
9. Task the Secretariat with continuing, within existing resources, exploratory consultations with the IMO in order to define the scope and modalities for co-operation and with reporting to the Permanent Council by mid-2009 so that it can take appropriate decisions;
10. Encourage the OSCE field presences, within their mandates and existing resources, to promote awareness-raising and to facilitate training and capacity-building in close co-operation with the host countries.

DECISION No. 10/08
FURTHER PROMOTING THE OSCE'S ACTION
IN COUNTERING TERRORISM
(MC.DEC/10/08 of 5 December 2008)

The Ministerial Council,

Re-emphasizing the OSCE participating States' determination to combat terrorism in all its forms and manifestations, as a crime that has no justification, whatever its motivation or origin, and to conduct this fight with respect for the rule of law and in accordance with their obligations under international law, in particular international human rights, refugee and humanitarian law,

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

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

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

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

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

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

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

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

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

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

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

1. Calls upon the participating States and the OSCE executive structures to continue their efforts aimed at actively contributing to the implementation of the UN Global Counter-Terrorism Strategy and other UN counter-terrorism documents;
2. Calls upon the participating States to continue promoting public-private partnerships with civil society, media, the business community and industry in countering terrorism, including through the dissemination of lessons learned and exchange of relevant information and national best practices both at the OSCE and national, subregional and regional levels, where appropriate;
3. Tasks the Secretary General and relevant OSCE executive structures to support the organization in 2009 of expert-level seminars, workshops and simulations, within available resources, that would encourage public-private partnership initiatives in such areas as co-operating with civil society and the media in countering terrorism, promoting intercultural and interreligious dialogue in countering terrorism, protecting non-nuclear critical energy infrastructure from terrorist attacks, and combating the financing of terrorism and money laundering, especially with regard to the implementation of the Financial Action Task Force's (FATF) Special Recommendations on Terrorist Financing;
4. Calls upon the OSCE participating States to make use of the OSCE executive structures in countering violent extremism and radicalization that lead to terrorism in their respective countries. To this end, participating States are encouraged to continue to exchange ideas and national best practices about their strategies and measures to counter violent extremism and radicalization that lead to terrorism as well as to enhance their co-operation with media, the business community, industry and civil society;
5. Tasks the Secretary General, in consultation with relevant OSCE executive structures, to prepare a report, within existing resources, on their counter-terrorism activities. The report should reflect existing mandates and OSCE commitments in the counter-terrorism area and should assess OSCE counter-terrorism activities, taking into account OSCE capacities and resources, and be submitted to participating States by 1 April 2009 for further discussion in relevant bodies. Thereafter, as provided for in MC(10).DEC/3, the participating States will review implementation of OSCE commitments in combating terrorism at the 2009 Annual Security Review Conference;

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

Attachment to MC.DEC/10/08

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

By the delegation of Georgia:

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

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

DECISION No. 11/08
SMALL ARMS AND LIGHT WEAPONS AND STOCKPILES OF
CONVENTIONAL AMMUNITION
(MC.DEC/11/08 of 5 December 2008)

The Ministerial Council,

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

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

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

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

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

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

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

1. Welcomes, within the Forum for Security Co-operation:
 - The initiatives taken in 2008 related to assessing and updating the OSCE's normative commitments on SALW, including:
 - Decision No. 4/08 on the points of contact on small arms and light weapons and stockpiles of conventional ammunition;
 - Decision No. 5/08 on updating the OSCE Principles for Export Controls of Man-Portable Air Defence Systems;

- Decision No. 6/08 on the handbook of best practices on conventional ammunition;
 - Decision No. 11/08 on introducing best practices to prevent destabilizing transfers of small arms and light weapons through air transport and on an associated questionnaire; and
 - Decision No. 12/08 on an information exchange with regard to sample formats of end-user certificates and relevant verification procedures;
- The progress reports on the further implementation of the OSCE Document on Stockpiles of Conventional Ammunition and on the further implementation of the OSCE Document on Small Arms and Light Weapons, as submitted to the Sixteenth Meeting of the Ministerial Council pursuant to Decision No. 3/07, adopted at the Fifteenth Meeting of the Ministerial Council;
- The Synergy Conference for Regional Organizations on the Implementation of the UN Programme of Action on SALW, co-sponsored by the Euro-Atlantic Partnership Council (EAPC) and the OSCE and held in Brussels from 28 to 30 May 2008;
- The OSCE Workshop on the Implications of Technical, Managerial and Financial Issues on Existing and Planned OSCE Projects on Small Arms and Light Weapons, and Stockpiles of Conventional Ammunition, held in Vienna on 5 and 6 February 2008;
2. Requests the Forum for Security Co-operation to:
- Remain seized of matters related to SALW and stockpiles of conventional ammunition in 2009;
 - To organize an OSCE meeting on SALW to be held in 2009 to review the OSCE Document on SALW (FSC.DOC/1/00, 24 November 2000) and its supplementary decisions with a view to explore possible further actions;
 - Submit, through its Chairperson, progress reports to the Seventeenth Meeting of the Ministerial Council in 2009 on the continuing implementation of the OSCE Document on SALW and the OSCE Document on Stockpiles of Conventional Ammunition;
 - Continue its efforts to support OSCE participating States seeking assistance in the destruction of SALW and SCA stockpiles in surplus and/or awaiting destruction and to upgrade stockpile management and security practices of those participating States that request assistance, through effective co-ordination and co-operation with other actors where relevant;
3. Requests all OSCE participating States to establish or to reinforce, as necessary, a legal framework for lawful brokering activities within their national jurisdiction by the end of 2010 in accordance with FSC Decision No. 8/04 on OSCE Principles on the Control of Brokering in SALW;

4. Encourages all OSCE participating States to bring national laws, regulations and administrative procedures into line with the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, in particular regarding marking, record-keeping and co-operation in tracing;

5. Tasks the Secretary General to continue efforts to enhance co-ordination and co-operation with other international and regional organizations in order to develop synergies, increase effectiveness and promote a coherent approach to the implementation of the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

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

(MC.DEC/12/08 of 5 December 2008)

The Ministerial Council,

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

DECISION No. 13/08
ISSUES RELEVANT TO THE
FORUM FOR SECURITY CO-OPERATION
(MC.DEC/13/08 of 5 December 2008)

The Ministerial Council,

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

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

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

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

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

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

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

1. Welcomes, within the Forum for Security Co-operation:
 - The progress reports on efforts to further improve the implementation of the OSCE Code of Conduct on Politico-Military Aspects of Security and on efforts in the field of arms control agreements and confidence- and security-building measures in accordance with its mandate;
 - The active discussions in the Security Dialogue in 2008; especially the dialogue between participating States aimed at addressing the armed conflict in August 2008 as well as other conflict situations and security problems in the OSCE area in a consultative and constructive manner;
 - FSC decisions on improving the implementation of the Code of Conduct and existing confidence- and security-building measures;

— Progress made in implementing UNSCR 1540 (2004) and developing best practice guides on its implementation;

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

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

III. PERCEPTION PAPERS BY THE CHAIRMANSHIP

STATEMENT BY THE CHAIRMAN-IN-OFFICE

(Annex 1 to MC(16) Journal No. 2 of 5 December 2008)

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

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

Thank you.

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

(Annex 3 to MC(16) Journal No. 2 of 5 December 2008)

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

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

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

- We reaffirm our adherence to all OSCE principles and commitments. All OSCE commitments, without exception, apply equally to each participating State. Their implementation will remain the basis of our common work also in the future. We pledge that our States will be accountable to each other and to their citizens in implementing OSCE principles and commitments.
- We continue to support each other in working towards our common goals. We recognise the OSCE's continued contribution to the stability and consolidation of democracy in all its participating States. We will endeavour to further strengthen the effectiveness of the Organisation. We will deepen our practical efforts in support of OSCE participating States, further developing concrete programmes through OSCE institutions and field operations in close consultation with the host countries. We will continue OSCE activities in Kosovo in close co-operation with the United Nations and other international institutions.
- We are determined to address unresolved conflicts in the OSCE area as a matter of priority. We are seriously concerned over their negative consequences for regional and human security, and will re-invigorate our efforts to promote their settlement. Lasting solutions can only be based on a negotiated settlement in accordance with OSCE principles. We call on the parties to the Transnistrian settlement process to resume without preconditions constructive work in the 5+2 negotiating format to achieve a durable solution. We welcome the constructive and positive momentum in the peace process for the political settlement of the Nagorno-Karabakh conflict

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

established after the meetings of the Presidents of Armenia and Azerbaijan and the signing of the Moscow Declaration on 2 November 2008.

- We commend the prompt action by the Chairman-in-Office in response to the armed conflict in Georgia in August 2008. We call on all the parties to fulfil commitments in accordance with the agreements of 12 August and 8 September. We support a continued role for the OSCE in monitoring the ceasefire and working to restore confidence, and will strengthen OSCE field presence throughout the affected areas. The Geneva process, co-chaired by the EU, UN and OSCE, provides a useful platform for building security and stability in the region and addressing the question of refugees and displaced persons.
- We are convinced that action to safeguard arms control regimes negotiated within the OSCE framework is urgently needed. We call on all States Parties to the CFE Treaty to implement their treaty obligations and work together on conditions to enable all Parties to ratify the adapted CFE Treaty to restore the viability of the regime, a cornerstone of European security.
- We will assist participating States to address threats to their citizens and societies. We will strengthen OSCE action in countering terrorism and tackling problems related to small arms and light weapons, as well as combating trafficking in human beings and illicit drugs. We will fight intolerance and discrimination, advance gender equality and promote the development of our pluralistic societies. We will raise awareness of and enhance cooperation in addressing potential security implications of climate change as well as other global threats and challenges.
- We will further develop partnerships in a globalising and increasingly interconnected world. We will enhance our dialogue with the OSCE's Parliamentary Assembly as the Organization's parliamentary dimension. We value the OSCE's relations with our Mediterranean and Asian Partners, and are ready to share our experience in developing co-operative security with other regions. We will deepen our co-operation with other international and regional organisations and institutions on the basis of the Platform for Co-operative Security.

Renewing the spirit of Helsinki requires a willingness to consider new ways to strengthen security across the OSCE area. We take note of recent initiatives of Presidents of Russia and France regarding the strengthening of security from Vancouver to Vladivostok and consider the OSCE a natural forum to follow-up on them. We will engage in substantive exploratory talks building on the ideas and ambitions embodied in this declaration, taking into account the contribution of all existing security institutions in Europe. With a view to promoting our common values, strengthening comprehensive and indivisible security and contributing toward conflict settlement we will be ready to consider the possibility of convening an OSCE High Level meeting.

IV. STATEMENTS BY DELEGATIONS

STATEMENT BY THE DELEGATION OF THE NETHERLANDS

(Annex 2 to MC(16) Journal No. 2 of 5 December 2008)

Thank you, Mr. Chairperson,

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

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

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

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

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

(Annex 4 to MC(16) Journal No. 2 of 5 December 2008)

Mr. Chairperson,

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

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

“We place the highest value on the CFE Treaty regime with all its elements. We underscore the strategic importance of the CFE Treaty, including its flank regime, as a cornerstone of Euro-Atlantic Security. We reiterate the endorsement by Heads of State and Government at the Bucharest Summit of the statement of the North Atlantic Council of 28 March 2008. We reaffirm the Alliance’s commitment to the CFE Treaty regime, as expressed in the Alliance’s position contained in paragraph 42 of the 2006 Riga Summit Declaration, the final statement by Allies at the CFE Extraordinary Conference in Vienna and Alliance statements reflecting subsequent developments. We are deeply concerned that, for nearly a full year, since 12 December 2007, Russia has continued its unilateral “suspension” of its legal obligations under the CFE Treaty. Furthermore, Russia’s actions in Georgia have called into question its commitment to the fundamental OSCE principles on which stability and security in Europe are based: principles which underpin the CFE Treaty. These actions run counter to our common objective of preserving the long-term viability of the CFE regime and we call upon Russia to resume its implementation without further delay. Because of our commitment to cooperative security and fulfilment of international agreements as well as the importance we attach to the confidence that results from military transparency and predictability, we have continued fully to implement the Treaty despite Russia’s “suspension”. However, the current situation, where NATO CFE Allies implement the Treaty while Russia does not, cannot last indefinitely. Over a year ago, we offered a set of constructive and forward-looking proposals for parallel actions on key issues, including steps by NATO Allies on ratification of the Adapted CFE Treaty and by Russia on outstanding commitments related to Georgia and the Republic of Moldova. We continue to believe that these proposals address all of Russia’s stated concerns. We urge Russia to work cooperatively with us and other concerned CFE States Parties to reach agreement on the basis of the parallel actions package so that together we can preserve the benefits of this landmark regime.”

Mr. Chairperson,

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

STATEMENT BY THE DELEGATION OF MOLDOVA

(Annex 5 to MC(16) Journal No. 2 of 5 December 2008)

Mr. Chairperson,

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

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

Thank you.

STATEMENT BY THE DELEGATION OF MOLDOVA

(Annex 6 to MC(16) Journal No. 2 of 5 December 2008)

Thank you, Mr. Chairperson,

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

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

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

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

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

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

Thank you.

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

(Annex 7 to MC(16) Journal No. 2 of 5 December 2008)

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

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

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

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

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

V. REPORTS TO THE MINISTERIAL COUNCIL

**FSC CHAIRPERSON'S PROGRESS REPORT
TO THE MINISTERIAL COUNCIL ON FURTHER
IMPLEMENTATION OF THE OSCE DOCUMENT ON
SMALL ARMS AND LIGHT WEAPONS**

(MC.GAL/2/08/Rev.2 of 13 November 2008)

Executive summary

This progress report provides comprehensive factual information on the status of implementation of the OSCE Document on Small Arms and Light Weapons (SALW) for the period from December 2007 to November 2008¹. The report also indicates specific areas in which the Forum for Security Co-operation (FSC) initiated further work on normative SALW issues with a view to supporting UN processes and furthering the implementation of previous decisions. The results described below were achieved in 2008:

The FSC took SALW-related decisions on:

- Updating the OSCE Principles for Export Controls of Man-Portable Air Defence Systems (MANPADS);
- Updating the reporting categories of weapon and equipment systems subject to the information exchange on conventional arms transfers, which now also call on participating States to include exports and imports of small arms and light weapons in their national reports to the United Nations Register of Conventional Arms;
- Introducing best practices to prevent destabilizing transfers of small arms and light weapons through air transport and on an associated questionnaire;
- Information exchange with regard to sample formats of end-user certificates and relevant verification procedures.

The FSC contributed to the Third Biennial Meeting of States (BMS-3) in support of the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in All Its Aspects, by means of a report, a statement in the plenary meeting, an exhibition display, and a side event on OSCE activities with respect to SALW and stockpiles of conventional ammunition (SCA).

The FSC conducted a Workshop on the Implications of Technical, Managerial and Financial Issues of Existing and Planned Projects on SALW, and SCA in February 2008. It resulted in a wide array of proposals for further improving the OSCE response. Moreover, the Workshop emphasized the need for further enhancement of the co-ordination and co-operation between international organizations.

The Comprehensive SALW and SCA Programme was launched. In addition to providing regular donations to established projects, the Programme facilitates contributions to SALW and SCA projects under development.

1 The deadline for submitting inputs for this report was 12 November 2008.

An OSCE Directory of Points of Contact on SALW and SCA was established to facilitate exchange of information among OSCE participating States.

The practical assistance given to OSCE participating States through the implementation of SALW projects is a key component in the improvement of security and stability in the OSCE region. The focus for implementation could shift to a more cross dimensional approach integrating destruction, and stockpile and border management. This will require close co-operation and co-ordination with other international organizations.

The report notes two new requests for assistance by the Kyrgyz Republic and the Republic of Cyprus, and describes the progress achieved and future challenges in the ongoing projects in Belarus and Tajikistan. In 2008, the OSCE Office in Tajikistan finalized most of the Comprehensive Programme on SALW and Conventional Ammunition in Tajikistan, with the final completion expected in early 2009.

In 2008, the participating States pledged over 430,000 euros for OSCE SALW projects.

The report concludes that the implementation of the OSCE Document on SALW is continuing to play an important role as a norm-setting document in the OSCE area. Its level of implementation with regard to information exchanges is high, but there is room for improvement. The implementation of OSCE commitments relating to national legislation and procedures, especially with respect to exports and transfers of SALW, is still continuing in some participating States. The FSC is striving to improve the implementation of the existing SALW related commitments and is about to launch a review of these documents.

1. Introduction

At the Fifteenth Meeting of the Ministerial Council in Madrid, the OSCE Forum for Security Co-operation, through its Chairperson, was requested to submit to the Sixteenth Meeting of the Council a progress report on the continuing implementation of the OSCE Document on Small Arms and Light Weapons (SALW) (MC.DEC/3/07).

The OSCE Document on SALW was adopted on 24 November 2000 and distributed under the symbol FSC.DOC/1/00. It sets forth norms, principles and measures to address the threat posed to the international community by the excessive and destabilizing accumulation and uncontrolled spread of SALW. This was acknowledged by the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century, which regards the OSCE document on SALW as an important tool for combating threats caused by terrorism and organized crime, and underlines the importance of further strengthening its implementation. In accordance with Section VI, paragraph 2, of the Document, a review of the implementation of the OSCE Document on SALW is regularly undertaken during the Annual Implementation Assessment Meetings.

The OSCE Document on SALW also makes a substantial contribution to the implementation of the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in All Its Aspects (UN Programme of Action on SALW).

2. Objectives

This report aims to provide an overview of the implementation of OSCE commitments on SALW and also describes the progress on implementation of OSCE related SALW assistance projects. It is primarily designed to serve as a basis for determining the status of implementation of the OSCE commitments on SALW and to highlight the most challenging issues to be addressed in the future. The report covers the period from December 2007 until November 2008.

3. Normative aspects

The OSCE Document on SALW refers mainly to normative aspects and establishes an OSCE framework for the development and implementation of national legislation, rules and procedures. The review of these norms and the development of supplementary and/or complementary decisions by the Forum for Security Co-operation (FSC) constitute a core issue of the FSC's regular work. The work in 2008 centred around the following issues:

3.1 Updating of decisions on export control

In 2004, the OSCE Document on SALW was complemented and thereby reinforced by means of three additional FSC decisions with respect to export controls, export documentation, and transfers of SALW:

- OSCE Principles for Export Controls of Man-Portable Air Defence Systems (MANPADS)²;
- Standard elements of end-user certificates and verification procedures for SALW exports³;
- OSCE Principles on the Control of Brokering in Small Arms and Light Weapons⁴.

The OSCE participating States revisited these decisions and/or their implementation as follows:

3.1.1 OSCE Principles for Export Controls of MANPADS

FSC Decision No. 3/04 was updated in May 2008⁵, following the update of the corresponding document within the Wassenaar Arrangement in December 2007. The purpose of these amendments is to ensure their more effective implementation by making them more easily understandable for commercial exporters and licensing authorities. In addition, the

2 Adopted on 26 May 2004, FSC.DEC/3/04.

3 Adopted on 17 November 2004, FSC.DEC/5/04.

4 Adopted on 24 November 2004, FSC.DEC/8/04.

5 Updating the OSCE Principles for Export Controls of Man-Portable Air Defence Systems, adopted on 26 May 2008, FSC.DEC/5/08.

updated principles also cover issues related to the transfer of production technologies and stricter end-use assurances than the original principles of 2004.

3.1.2 Standard elements of end-user certificates

The decision relates to the content of end-user certificates (EUC) issued prior to approval of export licences for SALW (including SALW manufactured under licence) or the transfer of SALW-related technology. The decision contains a list of standard elements for end-user certificates and verification procedures for exports of SALW. This will allow participating States to develop a common approach regarding the application of end-user certificates, while taking due account of their respective national legislations. In addition, the decision foresees commitments that participating States should undertake to implement verification measures and to further strengthen transparency in this field.

Along with the review of the implementation of the decisions on control of exports of MANPADS and of brokering in SALW, the Forum undertook to examine further measures to facilitate the verification of end-user certificates and to prevent illicit transfers of SALW. This includes the utilization of an appropriate common website within the OSCE, which might include the sample format for end-user certificates issued by the participating States, as stipulated in FSC Decision No. 5/04 on EUC. With a view to assessing the level of implementation of existing commitments, FSC Decision No. 12/08 on an information exchange with regard to sample formats of end-user certificates and relevant verification procedures was adopted on 12 November 2008.

3.1.3 OSCE Principles on the Control of Brokering in Small Arms and Light Weapons

The OSCE was one of the first multilateral forums to acknowledge the critical need for regulations governing the activities of international brokers in small arms and to encourage its participating States to take action in this regard. Documents adopted by the FSC together with activities to support their implementation have made the OSCE a central actor in international controls in respect of brokering in SALW, even though the level of implementation of these documents varies among the participating States.

With these Principles, the OSCE participating States, building upon the relevant UN, OSCE, EU and Wassenaar Arrangement documents, have evolved principles that allow them to take all the necessary measures to control brokering activities taking place within their territories and to consider controlling brokering activities outside their territories carried out by brokers of their nationality or brokers who are established in their territories. As a concrete measure, the decisions foresee that States will endeavour to ensure that their existing or future national legislation is in conformity with agreed principles.

In October 2007, the FSC adopted Decision No. 11/07, whereby the participating States committed themselves to exchanging information, by 25 January 2008, on a one-off basis, on their current national regulations concerning brokering activities related to small arms and light weapons, in order to get a better picture of the current situation⁶. With a view to providing an overall picture of the situation, the decision also tasked the OSCE Conflict Prevention Centre (CPC) with producing a summary report on the replies. Its purpose was to

6 An information exchange with regard to OSCE Principles on the Control of Brokering in Small Arms and Light Weapons, FSC Decision No. 11/07, adopted on 17 October 2007.

help the participating States assess how current SALW brokering controls were functioning and how OSCE commitments were being implemented. It was hoped that this overview would serve as a basis for States to determine any possible further action. The report was finalized and circulated among OSCE delegations in May 2008⁷. Subsequent work, which might lead to further FSC decisions on brokering, is underway.

3.1.4 Reporting categories in respect of weapon and equipment systems

The FSC adopted a decision⁸ to update the reporting categories in respect of weapon and equipment systems subject to the information exchange on conventional arms transfers. While this decision is mainly a follow-up to the corresponding UN update, the FSC also decided to strengthen the relevant call contained in the UN General Assembly resolution (A/RES/61/77) to include SALW exports and imports in national reports to the UN Register on Conventional Arms. The OSCE participating States committed themselves to including this information in their national replies, if they were in a position to do so.

3.2 Trafficking of SALW by air

Pursuant to OSCE Ministerial Council Decision No. 9/06 and related FSC Decision No. 7/06, in order to support the implementation of the UN Programme of Action on SALW, as well as to implement the OSCE Document on SALW, the FSC held a Special FSC Meeting on Combating the Illicit Trafficking of Small Arms and Light Weapons by Air on 21 March 2007. During the meeting, experts and delegates from OSCE participating States, as well as representatives of the air transportation sector and international, governmental and non-governmental organizations, explored ways to improve controls over the air-cargo sector, through enhanced national implementation of the relevant international regulations, including the control over SALW transfers through the air-transportation channels.

Following this meeting, an initiative was launched, which led to the adoption of FSC Decision No. 11/08 on 5 November 2008 on introducing best practices to prevent destabilizing transfers of small arms and light weapons through air transport and on an associated questionnaire.

4. Implementation of existing commitments

4.1 Information exchanges on SALW

The OSCE Document on SALW commits the participating States to a number of standards, which, if fully implemented, will assist States in their efforts to abide by many of the paragraphs on national implementation in the UN Programme of Action on SALW. Among others, the OSCE Document established a mechanism of transparency measures aimed at raising confidence and security as well as further promoting trust among OSCE participating States.

7 Updated summary report on replies provided by participating States on the one-off information exchange with regard to the OSCE Principles on the Control of Brokering in Small Arms and Light Weapons, FSC.GAL/25/08/Rev.1, 26 May 2008.

8 Updating the reporting categories of weapons and equipment systems subject to the information exchange on conventional arms transfers, FSC Decision No. 8/08, adopted on 16 July 2008.

The OSCE participating States exchange annual and one-off information on various aspects related to transfer controls of SALW and conventional arms more generally. These information exchanges are confidential between the OSCE participating States, and are regularly discussed at FSC meetings, special seminars and conferences.

OSCE information exchanges relevant to SALW transfer controls include:

- Information exchange on conventional arms transfers (FSC.DEC/13/97 and FSC.DEC/8/98);
- Questionnaire on conventional arms transfers (FSC.DEC/20/95);
- Information exchange on small arms exports to, and imports from, other participating States during the previous calendar year (FSC.DOC/1/00, III(F)1).

In addition, the participating States have agreed to provide each other with updates, as follows, when necessary:

- Information exchange on national marking systems used in the manufacture and/or import of small arms and light weapons (FSC.DOC/1/00, II(D)1);
- Information exchange on national procedures for the control of manufacture of small arms and light weapons (FSC.DOC/1/00, II(D)1);
- Information exchange on national legislation and current practice in small arms export policy, procedures, documentation and brokering controls (FSC.DOC/1/00, III(F)2).

4.1.1 One-off information exchanges

Under the OSCE Document on SALW, the participating States agreed to share and submit updated information, when necessary, on national marking systems; national procedures for the control of manufacturing; national legislation and current practice in export policy, procedures and documentation, and control over brokering; small arms destruction techniques; and small arms stockpile security and management programmes. Detailed information about the number of participating States that exchanged this information can be found in Annex A.

4.1.2 Annual information exchanges

In addition to exchanging information about existing norms and regulations, the OSCE Document commits the participating States to exchanging data annually on exports to, and imports from, other OSCE participating States, as well as on small arms identified as surplus and/or seized and destroyed on their territories in the previous calendar year. An overview of this information exchange is displayed in Annex B.

According to the data exchanged, during the period from 2001 to 2007, OSCE participating States destroyed 7,685,424 pieces of SALW. Details are in Annex C.

4.2 Awareness-raising

In 2008, the Informal Group of Friends on SALW continued to assist the FSC Chairmanship on matters related to the implementation of the OSCE Document on SALW, as well as of FSC decisions related to SALW. In particular, the Group focused on discussing possible further steps that could be taken by the OSCE, including the development of further FSC decisions and possible co-operation with relevant international organizations. Several presentations on SALW were given as part of the FSC's Security Dialogue. Furthermore, the OSCE organized a number of training events and workshops. An overview of these activities as well as other activities related to the promotion of OSCE SALW initiatives is attached as Annex D.

5. Practical assistance on SALW

5.1 Overview

Implementation of the elements in the OSCE Document on SALW which deal with requests for assistance from participating States to tackle the issues of destruction, management and security of stockpiles of SALW remains an essential part of the efforts of the Forum for Security Co-operation in this field.

Since 2003, the OSCE has received 29 requests for assistance from 14 countries relating to enhancement of the management and security of stockpiles of SALW and of conventional ammunition, including melange, or destruction of surpluses of them. The requests from participating States for assistance in tackling the issues of destruction, management and security of stockpiles of SALW remain an essential part of the FSC's efforts in this field. In particular, assistance projects in Belarus and Tajikistan can be seen as examples of these activities in 2007–2008. In addition, the Kyrgyz Republic has submitted a request related to destruction of surplus SALW. Project implementation for this request is planned for 2009–2010.

5.2 National co-ordination bodies

In 2008, the FSC adopted Decision No. 4/08, establishing an OSCE Directory of Points of Contact on SALW and SCA as an additional tool for co-operation and co-ordination among participating States on assistance projects relating to SALW and SCA. The primary purpose of the Directory is to facilitate sharing of information between participating States on issues related to SALW and SCA projects. Thus, the network enhances the sharing of information on assistance requested and on project development and implementation; the seeking of additional information and clarifications within assistance requests; and the offering/requesting of technical expertise and financial resources.

The Directory of Points of Contact on SALW and SCA comprises of points of contact in the participating States and in the delegations in Vienna, point(s) of contact in the FSC Support Section of the OSCE CPC in Vienna, and points of contact in OSCE field operations, as appropriate. The annually updated list of points of contact is maintained by the CPC, which will also provide information to points of contact about the planned, current and completed projects. Finally, the Directory can serve as a forum for learning more about the assistance mechanism, funding opportunities and opportunities for providing expertise.

5.3 Memorandum of Understanding with the UNDP

In line with the UN Programme of Action on SALW, which encourages regional organizations to co-operate, and to develop and strengthen partnerships to share resources for combating illicit SALW, the OSCE developed a general framework for technical co-operation with the UNDP. A Memorandum of Understanding (MoU) was signed by the two organizations in June 2006 and is aimed at providing a non-exclusive framework for technical co-operation for the implementation of SALW and conventional ammunition projects. In 2007, two joint projects were launched in Belarus and Montenegro in the framework of the MoU.

In May 2008, the MoU was extended for two years, until June 2010. Both organizations have recently finalized financial and legal mechanisms that will facilitate the joint implementation of projects.

5.4 Comprehensive programme for donations

In addition to regular donations to established projects, the Comprehensive SALW and SCA Programme (FSC.GAL/104/08) provides a flexible, fast and supportive funding mechanism which enables the OSCE to promptly collect funds to provide assistance to participating States, at their request, in the areas of SALW and SCA. The Comprehensive Programme serves as a fund-raising mechanism — a type of trust fund — for SALW and SCA projects which are under development, and is managed by the OSCE Conflict Prevention Centre.

The Comprehensive Programme has been established to meet the growing demand for new projects, and it allows the OSCE to bridge the time and funding gap between the moment when donors' extrabudgetary contributions in response to a specific request for assistance are to be disbursed to the OSCE and the time when actual project implementation starts, in compliance with the OSCE financial rules and regulations.

Donors' funds may only be utilized to finance specific project(s), in compliance with the conditions defined by the donor(s) in their initial pledge(s).

5.5 Project workshop

On 5 and 6 February 2008, the FSC conducted a Workshop on the Implications of Technical, Managerial and Financial Issues of Existing and Planned Projects on Small Arms and Light Weapons, and Stockpiles of Conventional Ammunition in Vienna. It sought to review the requests for assistance, derive lessons learned and best practices from project implementation and further enhance the effectiveness of project planning and implementation through co-operation and co-ordination of efforts with other international organizations.

This Workshop was the first of its kind since 2004. It provided an excellent opportunity to assess the current situation in respect of all requests for assistance and project activities dealt with by the FSC in the last five years in co-operation with OSCE field operations and partner organizations. National experts, field operations, the Secretariat, other international organizations as well as OSCE Partners for Co-operation came together to share and discuss experiences in the development and implementation of such projects by the

OSCE, other international organizations and individual participating States. The Workshop focused on best practices and on lessons learned derived from all project stages. Many practical and forward-looking proposals were advanced on further enhancing the administrative, management and fund-raising aspects of OSCE involvement. The need for improving co-ordination and co-operation with other international organizations was also emphasized throughout the working sessions.

5.6 Assistance projects

5.6.1 Tajikistan

In 2008, the OSCE Centre in Dushanbe finalized most of the Comprehensive Programme on SALW and Conventional Ammunition in Tajikistan, with the final completion expected in early 2009. Following the successful completion of Phase I of the Programme in November 2006, the OSCE Centre in Dushanbe commenced Phase II, extending the scope of action from the capital to take in all the country's regions, including the area along the Tajik-Afghan border. Phase II of the Programme aimed at increasing regional stability, control over SALW and the anti-drug-trafficking capabilities of the law-enforcement authorities throughout the territory of Tajikistan. Phase II consisted of five tasks, of which Tasks III and V primarily deal with the physical security of stockpiles of SALW. For a more detailed description of the OSCE Comprehensive Programme on SALW and SCA in Tajikistan, see Annex G.

5.6.2 Belarus

In 2007, based on the Memorandum of Understanding between the OSCE Secretariat and the UNDP, the OSCE and the UNDP started the implementation of two joint projects, in Montenegro and Belarus. The joint project on capacity-building for SALW in Belarus dealt with SALW stockpile management and security. The first phase of the programme aiming at enhancing the capacity of the Ministry of Defence of Belarus to safely guard SALW at four storage sites is scheduled to be completed by the end of January 2009. Two donors' visits were conducted in 2008 to assess progress on the project and to endorse plans for the second phase. For a more detailed description of the OSCE-UNDP Capacity-Building Programme on SALW in Belarus, see Annex F.

5.6.3 Kyrgyz Republic

In February 2008, the Kyrgyz Republic submitted to the FSC a request for assistance in enhancing the management and security of stockpiles of SALW and conventional ammunition in southern Kyrgyzstan. In July 2008, the request was substantiated by the questionnaire that provided detailed information about the type of assistance requested, including details on surplus SALW. From 10 to 14 November 2008, the CPC conducted an assessment visit to the country with the participation of independent experts. In consultation with the Kyrgyz authorities and the OSCE Centre in Bishkek, a project plan will be developed and donors sought to provide the necessary budgetary assistance.

5.6.4 Republic of Cyprus

In October 2008, the Minister of Defence of the Republic of Cyprus made a specific request for OSCE assistance in the destruction of 324 MANPADS and associated grip stocks.

The scope of the task has been defined in more detail in the Republic of Cyprus' answers to the OSCE questionnaire. In summary this request seeks expert assistance to develop a destruction programme, and then when appropriate, to oversee its implementation. The costs of the destruction will be borne by the Republic of Cyprus. When potential donors are identified, the CPC will initiate the assessment phase.

5.7 Funding

Information on donors' assistance shows that, in 2008, approximately 430,000 euros was pledged for SALW projects. The OSCE participating States donated a total of almost 3 million euros for SALW projects from 2005 to November 2008. An overview is attached as Annex H.

6. Outreach and co-operation

6.1 Participation in the Biennial Meeting of States

The OSCE actively participated in and contributed to the UN Biennial Meeting of States (BMS), held in New York from 14 to 18 July 2008. The purpose of the BMS was to assess the implementation of the UN Programme of Action at the current stage and to discuss a way forward with a view to improving its implementation. The topics chosen for discussion were international co-operation and capacity-building, curbing of illicit brokering, stockpile management and disposal of surpluses. States also reviewed progress on the implementation of the international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons (ITI). On 16 July, in the context of the session devoted to the regional organizations, the Chairperson of the Informal Group of Friends on SALW delivered a statement on behalf of the FSC Chairperson on the OSCE's activities in implementing the UN Programme of Action at the regional level.

During the Meeting, the OSCE organized two side events, one on the Organization's work on small arms and light weapons, and the other on the recent Euro-Atlantic Partnership Council-OSCE Synergy Conference for Regional Organizations on the Implementation of the UN Programme of Action. In addition, the OSCE arranged an exhibition showcasing its SALW activities and distributed relevant documents. The OSCE had also submitted its report on implementation of the Programme of Action to the UN Office for Disarmament Affairs prior to the BMS.

The first side event, held on Wednesday, 16 July 2008, attracted almost 50 participants, which can be regarded as a success, given the number of simultaneous events organized as part of the Meeting. The side event was opened by the Permanent Representative of Estonia to the UN, Ambassador Tiina Intelman. At the side event, the OSCE presented both its normative SALW work and the projects.

The second side event, jointly organized by NATO and the OSCE, was held to brief participants about the recent Synergy Conference organized for regional organizations on the implementation of the UN Programme of Action on SALW in Brussels from 28 to 30 May 2008. The event witnessed good discussion and brainstorming about the implementation at the regional level of the Programme of Action and possibilities for improving co-ordination and co-operation between regional organizations.

6.2 Operational support and information exchange

The OSCE Secretariat organizes annual staff talks with the UN. Information about the latest initiatives, both norm-setting and by way of practical assistance on SALW, is shared between the two organizations.

Furthermore, the OSCE Secretariat conducts biannual staff talks with NATO. Issues related to the implementation of projects on SALW and conventional ammunition are discussed in detail. Such talks serve to share information, avoid possible duplication of effort, establish possible synergies and increase the effectiveness of projects.

Finally, the OSCE Secretariat holds biannual staff talks with the EU to exchange information and discuss a wide range of issues. In June 2008, for the first time, the issue of projects on SALW and conventional ammunition was included in the agenda.

6.3 Information brochure and documentary film

In order to raise awareness and promote the FSC's assistance projects on SALW and stockpiles of conventional ammunition, the FSC Support Section has published an information brochure about the projects. Also, a ten-minute documentary film describing recent projects on SALW and conventional ammunition, including rocket fuel component melange, has been produced in English and Russian. Both the brochure and the film were presented at the Ministerial Council meeting in Madrid. The film will be updated in 2009.

7. Conclusions

7.1 Normative work on SALW

The implementation of the OSCE Document on SALW continues to play an important role as a norm-setting document in the OSCE area. The level of implementation of the Document with regard to information exchanges is high, but still leaves room for improvement. The possibility of extending the role of the FSC Support Section of the Conflict Prevention Centre could be investigated, with a view to providing additional support to participating States, if required. One-off FSC information exchanges bring to light the fact that not all of the OSCE commitments have found their way into national legislation and procedures, especially with respect to export control and transfers of SALW. The FSC is striving to improve the implementation of existing SALW related commitments, in particular the OSCE Document on SALW and its supporting documents. Apart from the continuing implementation of these documents, a need for a thorough review of these documents seems to be emerging. The purpose would be to follow up on progress made in other forums and to identify a possible need for additional FSC decisions to supplement the existing framework and to further develop the OSCE norms, principles and measures to address the threat posed by the excessive and destabilizing accumulation and uncontrolled spread of SALW.

7.2 Practical assistance on SALW

A key OSCE activity has been implementation of the OSCE Document on SALW through practical measures to respond to participating States' requests for assistance.

Destruction of SALW, enhancement of stockpile management and security, together with capacity-building, all make a measurable difference to security in the OSCE area, and should continue to attract donors' assistance. A number of additional steps have been taken to enhance the effectiveness of activity on SALW, including: the establishment of the OSCE Directory of Points of Contact; the extension of the Memorandum of Understanding with the UNDP; and the FSC Workshop on Project Implementation. Important international co-operation was achieved through the OSCE's contribution to the BMS in New York, while the EAPC-OSCE Synergy Conference demonstrated a strong commitment to regional co-operation. The OSCE should seek to continue to develop its lead in this area.

There is a downward trend in the number of requests by participating States for support for SALW projects. While specific SALW destruction projects will continue to be identified by participating States, the focus of practical implementation could shift to a more cross-dimensional approach integrating destruction and stockpile and border management. Close co-operation and co-ordination with other international organizations is an implicit requirement. The FSC Support Section of the Conflict Prevention Centre should play a decisive role in this work.

8. Annexes

- Annex A: Overview of one-off information exchange on marking, export controls, stockpile management and destruction procedures in respect of SALW
- Annex B: Overview of annual information exchange on export-import of SALW, surplus SALW and/or SALW seized and destroyed
- Annex C: SALW destruction in the OSCE area
- Annex D: Meetings, seminars and conferences on SALW organized by the OSCE from November 2007 to November 2008
- Annex E: Participation in events organized by other international organizations and in jointly organized events
- Annex F: OSCE-UNDP Capacity-Building Programme on SALW in Belarus
- Annex G: OSCE Comprehensive Programme on SALW and SCA in Tajikistan
- Annex H: Donors to SALW projects

Annex A: Overview of one-off information exchange on marking, export controls, stockpile management and destruction procedures in respect of SALW

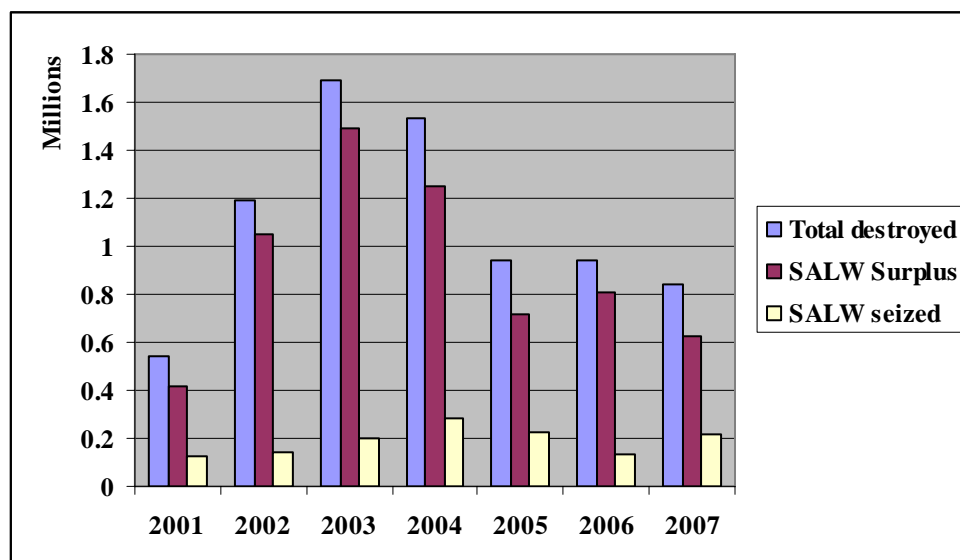
Reference (paragraph)	Quotation regarding implementation measures	Current status	
		Exchanged to date	Updates in 2008
Section II (D) 1 (starting from 30 June 2001)	The participating States agree to conduct an information exchange on their national marking systems used in the manufacture and/or import of small arms, as well as on national procedures for the control of the manufacture of such arms.	52 participating States	7 participating States
Section III (F) 2 (starting from 30 June 2001)	The participating States will exchange with each other available information on relevant national legislation and current practice on export policy, procedures, documentation and on control over international brokering in small arms in order to spread awareness of “best practice” in these areas.	52 participating States	8 participating States
Section IV (E) 2 (starting from 30 June 2002)	The participating States will exchange information of a general nature about their national stockpile management and security procedures. The FSC will consider developing a best practice guide designed to promote effective stockpile management and security.	50 participating States	7 participating States
Section IV (E) 3 (starting from 30 June 2001)	The participating States agree to exchange information on their techniques and procedures for the destruction of small arms. The FSC will consider developing a best practice guide of techniques and procedures for the destruction of small arms.	51 participating States	4 participating States

Annex B: Overview of annual information exchange on export-import of SALW, surplus SALW and/or SALW seized and destroyed

Reference (paragraph)	Quotation regarding implementation measures	Status by 2008	
		2007	2008
Section III (F) 1	The participating States agree to conduct an information exchange among themselves about their small arms exports to, and imports from, other participating States during the previous calendar year. They also agree to study ways to further improve the information exchange on transfers of small arms.	42 participating States	46 participating States

Reference (paragraph)	Quotation regarding implementation measures	Status by 2008	
		2007	2008
Section IV (C) 1	The participating States agree that the preferred method for the disposal of small arms is destruction.	40 participating States	35 participating States
Section IV (E) 1	The participating States agree to share available information on the category, sub-category and quantity of small arms that have been identified as surplus and/or seized and destroyed on their territories during the previous calendar year.		

Annex C: SALW destruction in the OSCE area⁹



Annex D: Meetings, seminars and conferences on SALW organized by the OSCE from November 2007 to November 2008

From 28 to 30 May 2008, the OSCE, together with the Euro-Atlantic Partnership Council (EAPC), organized a Synergy Conference for Regional Organizations on the Implementation of the UN Programme of Action. The Conference, which was also supported by the United Nations, was held at NATO Headquarters in Brussels. It brought together over a hundred representatives from 30 regional and international organizations, together with civil society organizations from all over the world, to discuss the implementation of the UN Programme of Action at the regional level. The primary aim of the Conference was to facilitate further co-operation and promote best practices between regional organizations.

⁹ It should be noted that, in cases where a participating State has not differentiated between surplus and seized weapons, the statistics are reflected as surplus.

On 5 and 6 February 2008, the FSC conducted a Workshop on the Implications of Technical, Managerial and Financial Issues of Existing and Planned Projects on Small Arms and Light Weapons, and Stockpiles of Conventional Ammunition in Vienna. It sought to review the requests for assistance, derive lessons learned and best practices from project implementation and further enhance the effectiveness of project planning and implementation through co-operation and co-ordination of efforts with other international organizations.

Other events

Presentations related to SALW in the context of the Security Dialogue of the FSC

FSC Chairpersons regularly invite guest speakers to address the Forum, also on issues related to SALW. In 2008, presentation topics related to SALW included the following briefings:

- Presentation by Ambassador Sune Danielsson, Head of the Secretariat of the Wassenaar Arrangement, on export controls for conventional arms and dual use goods and technologies;
- Presentation by the United Nations Institute for Disarmament Research (UNIDIR) on the Arms Trade Treaty (ATT) process, delivered by Ms. Sarah Parker;
- Presentation on the Geneva Declaration on armed violence and development, delivered by Ronald Dreyer, Permanent Mission of Switzerland to the United Nations Office at Geneva;
- Round table discussion on SALW issues: Presentations by the Small Arms Survey, Saferworld and the *Groupe de recherche et d'information sur la paix et la sécurité* (GRIP);
- Presentations on the ATT process by the Chairperson of the Group of Governmental Experts, Ambassador Moritan, and on implementation of norms in the field of arms transfers by the Deputy Director of the Department of Disarmament and Security Affairs, Ministry of Foreign Affairs (Russian Federation), Petr Litavrin;
- Presentation by Ambassador Dalius Čekuolis, Chair of the Third Biennial Meeting of States on the UN Programme of Action on Small Arms and Light Weapons in All Its Aspects.

Exhibitions and side event at the Ministerial Council meeting in Madrid

On the margins of the Ministerial Council meeting in Madrid in November 2007, the FSC Support Section presented photo exhibitions reflecting FSC assistance projects on SALW and conventional ammunition. The exhibition displayed different stages of project assessments and implementation in countries in which assistance was provided, including Belarus, Georgia, Kazakhstan, Montenegro, Tajikistan and Ukraine.

The Danish FSC Chairperson conducted a side event on SALW and conventional ammunition projects to raise public awareness about the problem of surplus and insecurely stored SALW and conventional ammunition, including rocket fuel melange, as well as to

attract more donors to OSCE projects. During the side event, the audience was able to learn more about OSCE assistance on SALW and ammunition, and the problem of neutralization of melange was highlighted in particular. In addition, a representative of the FSC Chairperson pledged support to OSCE activities on melange by announcing a contribution to the OSCE melange project in Ukraine.

Annex E: Participation in events organized by other international organizations and in jointly organized events

The OSCE continued active external co-ordination and co-operation with other regional and international organizations and civil society, including participation in events organized by other actors, as described below:

From 28 to 30 May 2008, the OSCE, together with the Euro-Atlantic Partnership Council (EAPC), organized a Synergy Conference for Regional Organizations on the Implementation of the UN Programme of Action. The Conference, which was also supported by the United Nations, was held at NATO Headquarters in Brussels. It brought together over a hundred representatives from 30 regional and international organizations, together with civil society organizations from all over the world, to discuss the implementation of the UN Programme of Action at the regional level. The primary aim of the Conference was to facilitate further co-operation and promote best practices between regional organizations, which hopefully will in turn support the Biennial Meeting of States, to take place in July.

From 22 to 24 April 2008, Col. Claes Nilsson, Military Adviser to the Permanent Delegation of Sweden to the OSCE and FSC Co-ordinator on SALW Projects, attended a Conference on Firearms Control Initiatives in Southeast Europe organized by RACVIAC, jointly with SEESAC and UNODC in Croatia and delivered a presentation on OSCE activities on SALW: the projects and the documents.

In 2008, representatives of the CPC continued to promote OSCE's outreach activities by participating in events organized by other international and regional organizations. Seminars and workshops at which presentations were given are listed below.

OSCE/FSC participation in SALW-related events organized by other international and regional organizations in 2008		
Date	Title	Place
12 and 13 March	Saferworld Seminar: Information Exchange, Transparency and Preventing Diversion of Arms to Unauthorized End-Users	Moscow
14 to 18 July	Third Biennial Meeting of States on the Implementation of the UN Programme of Action on SALW	New York
25 to 29 August	Expert Group Meeting on Model Legislation on the CTOC Firearms Protocol (UNODC)	Vienna
20 to 24 October	UN General Assembly's First Committee Meeting	New York

OSCE/FSC participation in SALW-related events organized by other international and regional organizations in 2008		
Date	Title	Place
13 to 14 November	Regional Meeting on Armed Violence and Development for the countries of Eastern and South-Eastern Europe and the Caucasus (Hosted by the Governments of Bosnia and Herzegovina and Switzerland with the UNDP)	Sarajevo
24 to 25 November	Broad-based Consultation on the Development of International Small Arms Control Standards	Geneva

Annex F: OSCE-UNDP Capacity-Building Programme on SALW in Belarus

The OSCE and the Government of Belarus agreed that the United Nations Development Programme (UNDP) would be the implementing agency for the pilot phase of the project to be implemented in 2007 and 2008 with a total budget of about 600,000 US dollars, focusing on four out of 16 SALW storage sites.

From 12 to 15 May 2008, a donors' visit was organized to Belarus. Representatives from Norway, Spain, Sweden and the United Kingdom, supported by the OSCE Conflict Prevention Centre and the UNDP Country Office in Belarus, had an opportunity to evaluate the progress on implementation and the compliance with the annual detailed work plan of the annual target of Phase I (development of sustainable and effective security systems and infrastructure at selected SALW stockpile storage locations). In view of the deteriorating condition of the storage sites and the price increases, the initial budget for the pilot phase of the project was revised. The amended budget for the pilot phase was agreed by the donors, the Ministry of Defence of Belarus and UNDP at the level of 872,000 US dollars. At the same time, the Ministry of Defence has pledged to increase its national contribution to the project to make possible its full implementation, and the time frame for completing Phase I was extended until the end of January 2009.

The donors had the opportunity to observe a SALW destruction process on one of the destruction sites of the Ministry of Defence in Minsk, and to discuss the status of the destruction process with the senior management of the Ministry of Defence department responsible. In view of the increased costs and of the need to revisit the initially planned budget, it was agreed to organize a staff assessment visit from 16 to 21 November 2008 to revisit the implementation plan for Phases II and III. Representatives of the OSCE Office in Minsk also took part in the visit.

The following contributions have been officially pledged by OSCE participating States to support the OSCE-UNDP project on SALW in Belarus:

Donor	Funds pledged (in euros)
Belgium	55,331
Norway	309,006
Spain (directly to the UNDP)	100,000
Sweden (directly to the UNDP)	524,846

Donor	Funds pledged (in euros)
United Kingdom (directly to the UNDP)	145,000
Total	1,134,183

Annex G: OSCE Comprehensive Programme on SALW and SCA in Tajikistan

In 2008, the OSCE Office in Tajikistan finalized most of the Comprehensive Programme on SALW and Conventional Ammunition in Tajikistan, with the final completion expected in early 2009. The implementation of this Programme consisting of two phases lasted from 2005 to 2008. Phase I of the Programme was designed to tackle problems of surplus SALW and conventional ammunition, as well as safe and secure management of the stockpiles of national holdings of the remaining SALW and ammunition in Dushanbe and its vicinity. Following the successful completion of Phase I in November 2006, the OSCE Centre in Dushanbe started the implementation of Phase II, extending the scope of action from the capital to cover all the regions of the country, including the area along the Tajik-Afghan border. Phase II of the Programme was designed to increase regional stability, SALW control and the anti-drug-trafficking capabilities of the law-enforcement authorities throughout the territory of Tajikistan.

Phase II, scheduled for implementation in 2006–2008, consisted of five tasks, of which Tasks III and V dealt primarily with the physical security of stockpiles of SALW at over 30 storage sites belonging to at least nine government agencies. Task III of the programme facilitated the national efforts that Tajikistan was undertaking with a view to actively developing the country's law-enforcement capabilities to combat modern threats and challenges, including organized crime and drug trafficking. In particular, it helped bring the existing storage capacities in line with the current operational needs and OSCE standards and best practices. Task III will be completed in early 2009 with an overall budget of 1,206,000 euros.

Task V provided enhanced training on SALW and ammunition for technicians and stockpile commanders. The main objective of this training was to give the trainees a clear understanding and knowledge of safety principles for the storage of military ammunition and explosives and to teach them management procedures for the storage of both CA and SALW. The training was based on the best available practices and involved trainees from all regions and from government agencies.

In 2008, the OSCE Centre in Dushanbe regularly reported to the FSC and the donors on the implementation of the project. In particular, progress reports on the implementation of the Programme were provided by the project manager.

The following contributions were pledged by participating States to support Phases I and II:

Donor	Funds pledged (in euros)
Phase I	
Finland	100,000
Norway	30,000

Donor	Funds pledged (in euros)
Phase I	
Norway	In kind (secondment of chief technical adviser)
Slovenia	40,000
Sweden	170,575
United States of America	In kind (physical security and stockpile management course)
United States of America	164,000
Total for Phase I	504,575
Phase II	
Austria	30,000
Belgium	50,000
Denmark	7,000
Finland	445,000
Luxembourg	25,000
Norway	In kind (secondment of chief technical adviser)
Norway	90,000
Sweden	100,000
Spain	150,000
Sweden (through the UNDP)	200,000
United States of America	235,800
United States of America	In-kind (physical security and stockpile management course)
Total for Phase II	1,332,800
Total for Phases I and II	1,837,375

Annex H: Donors to SALW projects

The table below indicates pledges of financial support made by delegations towards the implementation of projects on SALW received from 2005 to 2007.

Donor	Funds pledged (in euros)	Country assisted
2005		
Finland	100,000	Tajikistan, Phase I
Norway	30,000	Tajikistan, Phase I
Norway	In kind (secondment of chief technical adviser)	Tajikistan, Phase I (SALW and conventional ammunition)
Slovenia	40,000	Tajikistan, Phase I
Sweden	170,575	Tajikistan, Phase I
United States of America	In kind (physical security and stockpile management course)	Tajikistan, Phase I
United States of America	164,000	Tajikistan, Phase I
Total for 2005	504,575	
2006		
Belgium	50,000	Tajikistan, Phase II
Belgium	55,331	Belarus, OSCE-UNDP project

Donor	Funds pledged (in euros)	Country assisted
2006		
Finland	100,000	Tajikistan, Phase II
Norway	In kind (secondment of chief technical adviser)	Tajikistan, Phase II
Norway	60,000	Tajikistan, Phase II (SALW and conventional ammunition)
Spain	100,000	Belarus, OSCE-UNDP project
Sweden	100,000	Tajikistan, Phase II
Sweden	524,846	Belarus, OSCE-UNDP project
United Kingdom	145,000	Belarus, OSCE-UNDP project
United States of America	In kind (physical security and stockpile management course)	Tajikistan, Phase II
United States of America	235,800	Tajikistan, Phase II
Total for 2006	1,370,977	
2007		
Norway	309,006	Belarus
Norway	Secondment of chief technical adviser	Tajikistan, Phase II
Spain	150,000	Tajikistan, Phase II
Sweden (through the UNDP)	200,000	Tajikistan, Phase II
Total for 2007	659,006	
2008		
Austria	30,000	Tajikistan, Phase II
Denmark	7,000	Tajikistan, Phase II
Finland	345,000	Tajikistan, Phase II
2008		
Luxembourg	25,000	Tajikistan, Phase II
Norway	30,000	Tajikistan, Phase II
Total for 2008	437,000	
Total for 2005–2008	2,971,558	

FSC CHAIRPERSON'S PROGRESS REPORT TO THE MINISTERIAL COUNCIL ON FURTHER IMPLEMENTATION OF THE OSCE DOCUMENT ON STOCKPILES OF CONVENTIONAL AMMUNITION

(MC.GAL/3/08/Rev.2 of 13 November 2008)

Executive summary

This progress report provides comprehensive factual information on the status of implementation of the OSCE Document on Stockpiles of Conventional Ammunition (SCA) for the period from December 2007 to November 2008. The report also indicates the specific areas where most urgent action/assistance is needed. The following results were achieved in 2008:

The FSC Editorial Review Board finished its work on the two final best practice guides, namely, on physical security of stockpiles of conventional ammunition and on the destruction of conventional ammunition, following which the OSCE Conflict Prevention Centre (CPC) published the OSCE Handbook of Best Practices on Conventional Ammunition.

The Comprehensive SALW and SCA Programme was launched. In addition to providing regular donations to established projects, the Programme facilitates contributions to SALW and SCA projects under development.

The FSC conducted a Workshop on the Implications of Technical, Managerial and Financial Issues on Existing and Planned Projects on SALW, and SCA in February 2008. It resulted in a wide array of proposals for further improving the OSCE response. Moreover, the Workshop emphasized the need for further enhancement of the co-ordination and co-operation between international organizations.

The FSC adopted the decisions on the overview of disposal aspects of liquid rocket fuel in the OSCE area and on an OSCE Directory of Points of Contact on SALW and SCA to facilitate information exchange among OSCE participating States.

The report covers two new requests for assistance by Albania and the Kyrgyz Republic, and it describes the progress achieved and future challenges in the ongoing projects in Georgia, Kazakhstan, Moldova, Montenegro, Tajikistan and Ukraine. Most of the comprehensive programme on SALW and conventional ammunition in Tajikistan and the melange project in Albania were completed in 2008.

In particular, the melange project in Ukraine and the project in Montenegro on demilitarization of surplus ammunition have been a cause for concern. In Ukraine, even though more than 3.1 million euros have been donated, progress has slowed down due to unsettled legal issues. In Montenegro, the OSCE had a delay in releasing its contributions of 345,000 euros for the project before both organizations successfully finalized financial and legal mechanisms for transferring funds.

In 2008, the participating States pledged over 2 million euros for SCA projects — more than twice the amount pledged in 2007.

The report concludes that 2008 has been a year of many achievements, but it also reveals some problem areas. The doubling of contributions indicates an increased confidence in the OSCE, but it also sets high expectations for tangible results. Consequently, the report recommends that OSCE's efforts should be concentrated on resolving outstanding issues regarding the projects in Ukraine and Montenegro, while at the same time maintaining momentum in all other projects. Furthermore, the OSCE should enhance its co-ordination with other international organizations.

1. Introduction

At the last Ministerial Council meeting, in Madrid, the OSCE Forum for Security Co-operation, through its Chairperson, was requested to submit to the Sixteenth Meeting of the Ministerial Council a progress report on the continuing implementation of the OSCE Document on Stockpiles of Conventional Ammunition (SCA) (MC.DEC/3/07). The present report covers ongoing efforts to address the challenges posed by stockpiles of ammunition. The regulatory and procedural challenges confronting donors willing to support planned projects are also addressed. The report presents conclusions and suggests focus areas.

It has been acknowledged that surplus stockpiles of conventional ammunition, including rocket fuel component melange, not only adversely affect the security and stability of countries and regions, but may also lead to environmental and humanitarian catastrophe. Since 1995, the world has seen at least 158 known or suspected explosive events in ammunition storage areas¹, including two large explosions this year in Albania near Tirana and in Ukraine, and this underlines the need to further develop the co-operation on stockpiles of conventional ammunition. In addition to the human security and safety risks, environmental rehabilitation and renewal resulting from such explosions are generally costly, time consuming and socially unfriendly. Preventive action such as demilitarization and improvement of storage facilities are generally wiser and less costly courses of actions.

In 2008, the OSCE continued to provide practical assistance to participating States. The development of a body of "best practices" continued. As shown in the report, the OSCE has been able to respond to requests and assist participating States in building or strengthening their national capacities by providing expertise, mobilizing both technical and financial resources, and implementing projects, including through co-operation with other international organizations.

2. Objective

This report is intended to provide an update on the implementation of general principles regarding conventional ammunition agreed by all the participating States in the Document on SCA. It also describes the progress achieved in project activities on conventional ammunition carried out in response to assistance requests from participating States. The report covers the period from December 2007 to November 2008² (for full particulars on OSCE activities on conventional ammunition, see MC.GAL/4/05, MC.GAL/5/06 and MC.GAL/6/07).

1 Source: SEESAC Report on Recent Explosive Events in Ammunition Storage Areas (Edition 2008/1).

2 The deadline for submitting inputs for this report was 12 November 2008.

The report is primarily designed to provide an overview of the status of projects, and best practice guides, and to highlight the issues posing challenges to successful implementation of the OSCE projects under the Document on SCA in the near future.

3. National efforts

3.1 National efforts related to stockpiles of conventional ammunition

In this regard, the OSCE Document on SCA identifies areas of responsibility to be embraced by all participating States. These include management and security of national stockpiles of CA; management of explosive material and explosive devices and the identification and reduction of surpluses. The OSCE conducted a Workshop on Technical, Managerial and Financial Issues on Existing and Planned Projects on SALW, and SCA in Vienna on 5 and 6 February 2008. Kazakhstan, the Kyrgyz Republic, Moldova and Montenegro, along with other participating States, attended this Workshop. The Workshop offered participating States an opportunity to share national experiences in the assistance requesting process, project development and in the area of practical assistance and in-kind contributions to projects. (For additional information see section 5 of the report).

3.2 Development of best practice guides

The FSC Editorial Review Board completed its work in 2008 on developing the Handbook of Best Practice on Conventional Ammunition following the adoption of:

- The Best Practice Guide on Physical Security of Stockpiles of Conventional Ammunition (drafted by Sweden); and
- The Best Practice Guide on the Destruction of Conventional Ammunition (drafted by the Netherlands).

The FSC subsequently endorsed these documents for publication in FSC.DEC/7/08. In its Decision No. 6/08 the participating States also decided to include the best practice guides in the OSCE Handbook of Best Practices on Conventional Ammunition and encouraged making this Handbook available to all relevant national authorities for implementation as appropriate. In line with the decision, the Conflict Prevention Centre (CPC) is publishing the Handbook in all six OSCE official languages and circulating it among participating States, Partners for Co-operation and intergovernmental and non-governmental organizations dealing with issues relating to the stockpiling of conventional ammunition.

In addition to the mentioned best practice guides, in 2008 the FSC adopted Decision No. 13/08 welcoming the development of the document Liquid Rocket Fuel in the OSCE Area: Overview of Disposal Aspects, FSC.DEL/443/07/Rev.2 and tasking the Conflict Prevention Centre to ensure the widest possible distribution of this Overview.

4. OSCE assistance pursuant to the Document on SCA

Since 2003, the OSCE has received 24 requests for assistance in the SCA area from 13 participating States. Specifically, six requests for assistance in ensuring safe and secure stockpiles of ammunition; nine requests to assist with the destruction of ammunition; seven requests for assistance in the disposal of rocket fuel component (melange) and two requests for assistance with the disposal of unexploded ordnance (UXO) and explosive remnants of war (ERW).

In 2008, the OSCE continued the implementation of projects in response to requests for assistance on conventional ammunition submitted by participating States. Two new requests were submitted in 2008 by Albania and the Kyrgyz Republic, thus bringing the total number of requesting States to 13. The new requests are being processed by the CPC and relevant OSCE field operations in close co-ordination with the FSC.

4.1 Requests for assistance in disposing of conventional ammunition

4.1.1 Requests being assessed or in the project development phase

In 2008, the OSCE Mission to Georgia continued the implementation of the series of projects for the destruction of 9,000 warheads by TNT smelting. Following the destruction of the initial 6,000 in 2007, using the equipment procured by the OSCE Mission to Georgia, fund-raising efforts are underway to launch the implementation of the last project in the series, for the destruction of 3,000 warheads. At the same time, the OSCE Mission, in co-operation with the Ministry of Defence and the State Military, Scientific and Technical Centre "DELTA", is developing a three-year demilitarization plan for Georgia, as follows from the recommendations of the SEESAC³ experts on further action and optimization of OSCE support. The Memorandum of Understanding on a Joint Demilitarization Plan in 2008–2011 was signed by the OSCE Mission and the Ministry of Defence in July 2008.

In 2008, the OSCE continued discussing with Kazakhstan potential projects for supporting national demilitarization activities run by its Ministry of Defence. Based on the assessment results for 2005 (FSC.DEL/69/05), and the subsequent additional information provided by the Ministry of Defence of Kazakhstan, the OSCE conducted an assessment visit from 8 to 10 September to evaluate the list of equipment requested by Kazakhstan in order to enhance its capacity for testing of propellants. The assessment confirmed that the request for assistance was justified and within the scope of the assistance mechanism provided for in the OSCE Document on SCA. A Protocol of Intention defining the way ahead for the project has been signed, and a project proposal on possible assistance is being developed.

In December 2006, Moldova requested OSCE assistance for destroying surplus obsolete conventional ammunition and improving stockpile management and security of the army's holdings. The pilot project launched by the Mission to Moldova together with the Ministry of Defence of Moldova for destruction of some 350 tonnes of conventional ammunition was successfully completed in 2008. In parallel, following the assessment visit conducted by the OSCE in May 2007 to evaluate the current situation in respect of stockpile security, the Mission to Moldova and the CPC are currently considering a comprehensive programme that will enhance the capacity of the Ministry of Defence to ensure safe and

3 South Eastern and Eastern Europe Clearinghouse for the Control of SALW (SEESAC).

secure storage of SALW and ammunition. Furthermore, the assessment report (FSC.GAL/87/07) recommended reviewing the level of ammunition holdings required based on the OSCE criteria for surplus. In line with this recommendation, in July 2007, Moldova decided to destroy all cluster ammunition held by the armed forces. The OSCE Mission to Moldova is considering supporting national efforts in this respect by providing technical expertise and funds that would be part of the above programme. Finally, in 2008, Moldova made an additional request to the FSC asking for assistance in destroying air-to-air missiles.

The report of the assessment visit in 2007 recommended that training be organized on safe and secure stockpile management of ammunition. In this regard, the OSCE Mission to Moldova and the CPC arranged Physical Stockpile Security Training Modules I and II, provided by US specialists from the Defense Threat Reduction Agency (DTRA) in October and November 2007 and from 3 to 7 November 2008, respectively.

In 2007–2008, there was no significant progress with respect to Belarus' request for assistance.

4.1.2 Projects under implementation

Since 2003, the OSCE Mission has been supporting development of the national demilitarization capacities of the Georgian authorities and disposal of surplus ammunition. Based on the outcomes of the survey on contamination of former airfields conducted in 2007, the OSCE Mission to Georgia implemented two projects on decontamination of soil at former military airbases in Tbilisi (Tbilisi Arsenal Storage Base) and 11 other former military bases in Georgia that contained radioactive sources. These two projects have been funded from the unified budget⁴.

In February 2008, the Kyrgyz Republic submitted a request for assistance to the FSC for enhancing stockpile management and security of SALW and conventional ammunition in the southern part of the country, where an increase in the activity of radical extremist groups is putting the current storage facilities at risk. In July 2008, the request was substantiated by the questionnaire that provided detailed information about the type of assistance requested. The CPC conducted an assessment visit to the country from 10 to 14 November 2008, with the participation of independent experts and representatives of participating States. In consultation with the Kyrgyz authorities and the OSCE Centre in Bishkek, a project plan will be developed and donors sought to provide the necessary budgetary assistance.

As part of the OSCE response to the request of Moldova, the OSCE Mission to Moldova, supported by the CPC and SEESAC, developed a project for the destruction of about 350 tonnes of obsolete ammunition by open detonation. The implementation started in June 2007 and was successfully completed by the autumn of 2008. Detailed information on sources of funding can be found in Annex B.

In February 2007, Montenegro requested OSCE assistance in destroying surplus ammunition, improving stockpile management and security and eliminating toxic chemicals (rocket fuel components and napalm component). Based on the Memorandum of Understanding between the OSCE Secretariat and the UNDP, the Montenegro Demilitarization Programme (MONDEM) was established under UNDP management. The OSCE is providing political support, technical expertise in project implementation on the

4 The budget for the Tbilisi Arsenal Storage Base project was 15,000 euros, and the cost of decontamination of former military bases totaled 24,000 euros.

elimination of toxic chemicals and funding. The implementation of the Programme is planned for 2007–2009. Detailed information about the implementation of the MONDEM project on the disposal of toxic chemicals can be found in section 4.2.

The Ministry of Defence of Montenegro continued with the destruction of heavy weapons systems, as foreseen in the MONDEM Programme. Following the destruction of 61 tanks in July 2007, the Ministry of Defence was to destroy 7 armoured vehicles, 24 howitzers and 60 artillery guns by the end of 2008.

The second component of the MONDEM Programme is aimed at solving the problems of secure storage and management in the ammunition storage areas. The project will make it possible to bring the management and security of stockpiles of SALW (conventional ammunition) in Montenegro to a level corresponding both to national requirements and to recommendations set forth in the UN Integrated Disarmament, Demobilization and Reintegration Standards (IDDRS) and the OSCE SALW Best Practice Guide on Stockpile Management and Security. During 2007–2008, the UNDP project team made progress on improving the infrastructure and facilities at two storage sites. This MONDEM project has been funded through UNDP donors.

An OSCE donors' team that visited Montenegro from 21 to 23 October 2008 to verify progress in the implementation of the MONDEM Programme witnessed the destruction of heavy weapons on 23 October 2008. During the visit, representatives from Denmark, Sweden and Italy also visited the Bresovik storage site, where SALW and conventional ammunition belonging to the Ministry of Defence of Montenegro is stored. In addition, the team was briefed by the Chief of General Staff of Montenegro and the MONDEM team on new plans.

As concerns the project on the demilitarization of surplus conventional ammunition supported by the OSCE, the project was designed to dispose of (demilitarize) approximately 9,900 tonnes of conventional ammunition in a safe, efficient and effective way that complied with all relevant international and EU environmental and safety legislation, and hence with existing international "best practice". In 2007–2008, the UNDP project team visited two national disposal facilities in Albania and Bosnia and Herzegovina in order to derive lessons learned. Furthermore, two trucks for ammunition transportation were procured. Implementation is continuing based on a provisional list of ammunition for destruction provided by the Ministry of Defence of Montenegro.

It should be noted that the OSCE had a delay in releasing its contributions from 2007 and 2008 of 345,000 euros for the project before both organizations managed to finalize financial and legal mechanisms for transferring funds.

Detailed information on sources of funding can be found in Annex B.

In 2008, the OSCE Centre in Dushanbe, Tajikistan, finalized most of the Comprehensive Programme on SALW and Conventional Ammunition in Tajikistan, with the final completion being expected in early 2009. The implementation of this two-phase Programme extended over the period 2005–2008. Phase I of the Programme was designed to tackle problems of surplus SALW and conventional ammunition as well as safe and secure stockpile management of the national holdings of the remaining SALW and ammunition in Dushanbe and its vicinity. Following the successful completion of Phase I in November 2006, the OSCE Centre in Dushanbe started the implementation of Phase II, extending the scope of action from the capital to all the regions of the country, including the

Tajik-Afghan border. Phase II of the Programme is designed to increase regional stability, SALW control and the anti-drug-trafficking capabilities of the law-enforcement authorities throughout the territory of Tajikistan.

Phase II, scheduled for 2007–2008, includes four tasks relating to conventional ammunition:

Task I: Disposal of surplus C-75 rocket boosters

The rocket boosters were not stored in appropriate containers, but rather stacked in piles. Thus, the boosters represented a potential human and environmental threat. However, the Ministry of Defence of the Republic of Tajikistan, lacked specific expertise for the destruction of the C-75 boosters that were defined as surplus. The task was accomplished with the help of technical experts seconded by the Russian Federation in November 2007.

Task II: Capacity-building on the disposal of IED

The tendering process for procurement of equipment for the disposal of IED has been completed. An explosive ordnance disposal robot was delivered to Tajikistan and the relevant training was conducted in October 2008.

Task IV: Improving the security of stockpiles of conventional ammunition for the Ministry of Defence

Construction of the storage facility for conventional ammunition is in progress.

Task V: Training of ammunition technicians and training in physical security and management of stockpiles of conventional ammunition

A training curriculum has been developed in English and in Russian. Subject to the receipt of sufficient funding, a training course will be held.

In addition the United States of America provided in 2008, through the Comprehensive SALW and SCA Programme (see section 3.5) an extrabudgetary contribution of 180,000 US dollars to help dispose in a safe and secure manner a minimum of 5,000 122 mm rockets declared surplus by the Ministry of Defence of the Republic of Tajikistan. The project will complement Tajikistan and OSCE efforts to improve stockpile security, enhance regional stability, and build confidence in Tajikistan's EOD capacity.

Detailed information on sources of funding can be found in Annex B.

In October 2007, the Ministry of Emergency Response of Ukraine asked for assistance in providing equipment needed for ground and underwater clearance of explosive remnants of war left on its territory, especially in the area around the cities of Sevastopol and Kerch. The OSCE undertook an assessment visit with the participation of OSCE representatives and two experts seconded by Norway. The assessment confirmed the need for additional equipment in order to facilitate Ukrainian national efforts to clear the affected areas. A project proposal was developed by the Project Co-ordinator in Ukraine and the CPC that is designed to provide the necessary equipment for personal protection, and for searching for and destroying unexploded ordnance. The implementation is planned for 2009.

4.2 Requests for assistance on elimination of liquid rocket fuel components (melange and samin)

At the end of 2006, an informal “Group of Friends” for the elimination of rocket fuel component melange was established to discuss and speed up the implementation of projects in this field.

In February 2008, Albania submitted a request to the FSC for assistance in the disposal of about 30 tonnes of melange stored on its territory. Responding to the request, the OSCE initiated an assessment visit from 2 to 4 April 2008. The team visited three storage sites (all three — Maminas, Petrele and Surrel — located in the vicinity of Tirana) to assess the quantities, and the conditions of storage and for potential removal. The total amount of around 34 tonnes of rocket fuel (TG-02, Samin), melange (AK-20F) and nitrate-based propellant was found to be in precarious storage conditions, and to pose a threat to military personnel and the local environment, and was judged to be subject to elimination at the earliest convenience.

With the approval of the Government of Albania, the OSCE Presence in Albania launched a project to neutralize the dangerous chemicals. Following the signing of the trilateral agreement between the OSCE Presence, the Ministry of Defence of Albania and the contractor in October 2008, the project was implemented by transporting the melange to the industrial facilities in Sweden, where it will be processed in an environmentally friendly and safe manner under monitoring by international experts. Detailed information on sources of funding can be found in Annex C.

In Kazakhstan, the total amount of melange to be disposed of was decreased by the Ministry of Defence of Kazakhstan to 410 tonnes. Based on extensive consultations with the OSCE, the Government of Kazakhstan decided to take the lead in implementation of the project, while the OSCE is providing technical advice, expert monitoring and limited financial support. The Government assumes full responsibility and liability arising from the selection of the contractor and the implementation of the project. In 2008, the Government was not able to secure sufficient funding and to sign the implementation contract. Detailed information on sources of funding can be found in Annex C.

In Montenegro the most urgent MONDEM project on the elimination of toxic chemicals started in June 2007 and was completed in November 2008. The contractor, SAKAB, selected by the UNDP through a competitive bidding process, transported diluted chemical substances to its industrial facilities in Sweden, where they were processed in an environmentally safe manner.

The melange project in Ukraine is going to become one of the largest OSCE extrabudgetary projects. In 2008, the OSCE Secretariat, supported by the OSCE Project Co-ordinator in Ukraine, continued implementing Phase II of the project:

- Signing of the Memorandum of Understanding between the Cabinet of Ministers of Ukraine and the OSCE on the OSCE-Ukraine Project on eliminating stockpiles of melange and the relevant Terms of Reference. The MoU was finally signed in March 2008;

- Developing the contractual framework for project implementation and proceeding with an international tender to identify a duly qualified, competent and capable contractor for the elimination of an initial 3,000 tonnes of melange under Phase III-A.

An estimated budget for initiating Phase III-A is approximately 3.1 million euros. Detailed information on sources of funding can be found in Annex C.

Although the required 3.1 million euros is now available for the project, Phase III-A was delayed due to legal and contractual uncertainties. These relate primarily to the fact that the OSCE has no legal personality and to liability issues when melange is being transported outside of Ukraine. Neither Ukraine nor the OSCE can agree to assume the overall responsibility for transportation of melange in transit, and it is unclear whether liability can be accepted and guaranteed legally by the contracted operator.

Continuation of the project received strong support of the donors on the FSC meeting 22 October 2008 which is reflected in attachments to the FSC journal of the day (FSC.JOUR/567). On this basis, the Secretariat will proceed with the launching of the tender. In light of the results of the tender and of the environmental impact assessment, the tripartite contract will have to be agreed among the Government of Ukraine, the OSCE and the contractor.

During the OSCE-NATO biannual staff talks in 2008, NATO stated that it had completed the project on the disposal of 1,200 tonnes of melange in Azerbaijan. Furthermore, there were plans to move the mobile NATO facility to Uzbekistan in 2008–2009 to address the problem of melange in that country as well.

4.3 National co-ordination bodies

In 2008, the FSC adopted Decision No. 4/08 establishing an OSCE Directory of Points of Contact (POC) on SALW and SCA as an additional tool for co-operation and co-ordination among the participating States on assistance projects relating to SALW and SCA. The primary purpose of the Directory is to facilitate information-sharing between participating States on issues related to SALW and SCA projects. Thus, the network enhances sharing of information on assistance requested and on project development and implementation; seeking of additional information and clarifications within assistance requests; and offering/requesting of technical expertise and financial resources.

The POC directory on SALW and SCA is comprised of POCs in the participating States and in the delegations in Vienna; POC(s) in the FSC Support Section of the OSCE CPC in Vienna; and POCs in OSCE field operations, as appropriate. The list of POCs, updated annually, will be maintained by the CPC, which will also provide information to POCs about projects that are planned, running and completed. Finally, the Directory can serve as a forum for learning more about the assistance mechanism, funding opportunities and opportunities for providing expertise.

4.4 Donors

The overall list of donors to OSCE SCA projects, including melange, is provided in Annex D.

4.5 Comprehensive programme for donations

In addition to regular donations to established projects, the Comprehensive SALW and SCA Programme (FSC.GAL/104/08) provides a flexible, fast and supportive funding mechanism whereby the OSCE can promptly collect funds to provide assistance to participating States in the areas of SALW and SCA upon their request. The Comprehensive Programme serves as a fund-raising mechanism — a type of trust fund — for SALW and SCA projects which are under development.

The Comprehensive Programme has been established to meet the growing demand for new projects and it allows the OSCE to bridge the time and funding gap between the moment when donors' extrabudgetary contributions in response to a specific request for assistance are to be disbursed to the OSCE and the time when actual project implementation starts in compliance with the OSCE financial rules and regulations.

Donors' funds can only be utilized to finance specific project(s) in compliance with the conditions defined by the donor(s) in their initial pledge(s).

The Comprehensive Programme is managed by the OSCE Conflict Prevention Centre.

5. Co-operation and exchange of information

5.1 Co-operation within the OSCE

On 5 and 6 February 2008, the FSC conducted a Workshop on the Implications of Technical, Managerial and Financial Issues on Existing and Planned Projects on Small Arms and Light Weapons, and Stockpiles of Conventional Ammunition in Vienna. It sought to review the requests for assistance, derive lessons learned and best practices from project implementation and further enhance the effectiveness of project planning and implementation through co-operation and co-ordination of efforts with other international organizations.

This Workshop was the first of its kind since 2004. It provided an excellent opportunity to assess the current situation with respect to all requests for assistance and project activities dealt with by the FSC in the last five years in co-operation with OSCE field operations and partner organizations. OSCE delegates, national experts, field personnel, the Secretariat, other international organizations, as well as OSCE Partners for Co-operation, came together to share and discuss experiences of the OSCE, other international organizations and individual participating States in developing and implementing such projects. The Workshop focused on best practices and drew lessons learnt from all project stages. Many practical and forward-looking proposals were put forward on further enhancing the administrative, management and fund-raising aspects of OSCE involvement. The need for improving co-ordination and co-operation with other international organizations was also emphasized throughout the working sessions.

Further activities undertaken by the Organization to raise awareness and improve the implementation of commitments on SCA are reflected in Annex E.

5.2 Co-operation with the UNDP

In line with the UN Programme of Action on SALW that encouraged regional organizations to co-operate, develop and strengthen partnerships to share resources to combat illicit SALW, the OSCE developed a general framework for technical co-operation with the UNDP. A Memorandum of Understanding was signed by the two organizations in June 2006 and is designed to provide a non-exclusive framework for technical co-operation for the implementation of SALW and conventional ammunition projects. Two joint projects were launched in the framework of the MoU in Belarus and Montenegro in 2007.

In May 2008, the MoU was extended for two years until June 2010. Both organizations have recently finalized financial and legal mechanisms that will facilitate the joint implementation of projects.

5.3 Exchange of information with other international organizations

The OSCE exchanges information on OSCE project activities as well as on normative achievements in the area of SCA with other international organizations. In 2008, the OSCE has continued the regular practice of co-ordinating project activities with NATO in the framework of the biannual OSCE-NATO staff talks. Moreover, for the first time, the OSCE has included the topic of SALW and SCA in the annual staff talks held with the European Commission. Finally, OSCE representatives provide regular presentations on the subject at expert meetings organized by other international organizations and briefings organized for military representatives from other regions, and for other international organizations in Vienna.

6. Conclusions

The OSCE Document on Stockpiles of Conventional Ammunition (SCA) remains an effective and useful tool for addressing the problems arising from stocks of conventional ammunition. It continues to serve as an important framework for dealing with surpluses and stockpiles of ammunition with a view to reducing the risk of destabilizing accumulation and uncontrolled proliferation.

One of the most dynamic areas of implementation of the OSCE Document on SCA remains the one dealing with requests for assistance from the participating States in the field of destruction, and stockpile management and security. Participating States pledged over 2 million euros for the projects on conventional ammunition in 2008 — more than twice as much as in 2007.

To further facilitate contributions to OSCE projects, the Comprehensive Programme on Small Arms and Light Weapons and Stockpiles of Conventional Ammunition was launched in 2008. The Programme provides a flexible, fast and supportive mechanism whereby the OSCE can promptly collect funds to provide assistance to participating States in the areas of SALW and SCA upon their request. This timely initiative launched by the CPC may well turn out to significantly improve OSCE support actions.

Also, publication of the OSCE Handbook of Best Practices on Conventional Ammunition was an important step in the implementation of the OSCE Document on SCA.

This publication is a tangible contribution to the efforts to reduce surplus stockpiles of ammunition inside as well as outside of the OSCE area.

Another outreach initiative was the FSC Workshop on Technical, Managerial and Financial Implications of Existing and Planned Projects on SALW, and SCA, held on 5 and 6 February 2008. The Workshop brought together many international organizations and it proved to be a good opportunity to share and discuss experience in developing and implementing projects. It resulted in a wide array of proposals for further enhancing the administrative, management and fund-raising aspects of OSCE involvement. Moreover, the Workshop also emphasized the need for further enhancement of the co-operation between the international organizations in this field of work, and, as a follow-up, a co-ordination meeting with several international organizations was held on 27 November 2008 in Vienna.

Finally, the FSC adopted the decisions on the overview of disposal aspects of liquid rocket fuel in the OSCE area and on an OSCE Directory of Points of Contact on SALW and SCA to facilitate exchanges of information on SALW and SCA issues among participating States.

New requests for assistance were submitted by Albania and the Kyrgyz Republic, and the OSCE has successfully concluded projects in Tajikistan and Albania, as well as the melange project under the MONDEM programme in Montenegro. Furthermore, progress has been achieved in other ongoing projects such as in Kazakhstan, where the Protocol of Intentions defining the way ahead for the project on ammunition disposal has been signed.

Some projects, however, have not achieved significant progress. The melange project in Ukraine was delayed, although the necessary 3.1 million euros to start the implementation have been donated. Though the project is moving forward, progress has been less than expected.

In general, no or slow progress may jeopardize assistance projects, as donors could be forced to pull out due to national budgetary regulations.

In the MONDEM Programme, although success has been achieved in the melange project, a cause for concern was negotiation of legal and financial arrangements between the OSCE and the UNDP which would enable transfer of funds to this Programme, *inter alia*. Even though this situation has been unfavourable to the implementation of the project, both organizations have recently finalized the financial and legal mechanisms that will facilitate the joint implementation of projects.

In conclusion, 2008 has been a year of many achievements, but it has also revealed some problem areas. The doubling of contributions indicates an increased confidence in the OSCE, but it also sets high expectations for tangible results. Consequently, in the field of SCA, the OSCE's efforts should be concentrated on resolving outstanding issues regarding the projects in Ukraine and Montenegro as soon as possible, while at the same time maintaining momentum in all other projects. Furthermore, the OSCE should enhance its co-ordination with other international organizations.

7. Annexes

- Annex A: Original requests for assistance and current status
- Annex B: Donor funding for planned/running conventional ammunition projects
- Annex C: Donor funding for planned/running melange projects
- Annex D: Overall funding to all SCA projects
- Annex E: Co-operation within the OSCE

Annex A: Original requests for assistance and current status

Chart I. Original requests for assistance and current status
(Lists requests in the alphabetical order of participating States)

Requesting State	Scope of the problem (as specified in national requests)
Albania	Date of request: 20 February 2008 Elimination of 30 tonnes of rocket fuel component (melange). Status: In final stage of completion.
Armenia	Date of request: 22 April 2004 Elimination of 862 tonnes of stocks of rocket fuel component (melange). Status: Completed.
Azerbaijan	Date of request: 26 July 2005 Elimination of 1,200 tonnes of stocks of rocket fuel components (melange and samin) and site clean up. Status: Handed over to NATO and completed in 2008.
Belarus	Date of request: 9 March 2004 Disposal of 97,000 tonnes of surplus ammunition, increasing by 4,000–7,000 tonnes per year, including missiles and hexogen ammunition, through development of national capacity or transportation for disposal in a third country. (While there is an ongoing State programme for ammunition disposal (2.5 million US dollars), Belarus does not have the technical capacity to dispose of all types of surplus ammunition). Status: No activities.

Requesting State	Scope of the problem (as specified in national requests)
Georgia	<p>Date of request: 25 July 2007</p> <ol style="list-style-type: none"> 1. Demilitarization of 4,300 tonnes of surplus ammunition (artillery shells, guided and unguided missiles, aviation bombs, pyrotechnic ammunition and shells of various calibres). 2. Remediation of soil at five former military airfields. 3. Disposal of 9,000 warheads by smelting. 4. Destruction of 4,705 items of ammunition by open detonation. <p>Status: No. 1 and No. 2 were completed. Following the disposal of 6,000 warheads, a project to smelt TNT out of the remaining 3,000 warheads is ready for implementation (No. 3). Project to destroy 4,705 items of ammunition is ready for implementation (No. 4).</p>
Kazakhstan	<p>Date of request: 15 December 2004</p> <ol style="list-style-type: none"> 1. Assistance in the disposal of transportable conventional ammunition using industrial facilities in Arys and Kapchagai. 2. Assistance in the disposal of non-transportable conventional ammunition in their storage location (Ayaguz, Uch-Aral, Semi-palatinsk and Ust-Kamenogorsk). 3. Re-establishment of conventional ammunition test laboratory to carry out regular examination of conventional ammunition. 4. Establishment of a conventional ammunition management system as an integral part of a common armed forces procurement and management system. 5. Elimination of 1,550 tonnes of stocks of rocket fuel component (melange). <p>Status: Kazakhstan has taken the lead in ammunition disposal and the establishment of an ammunition management system. The OSCE provides some assistance in the melange project, under which the quantity of melange slated for elimination has now been reduced to 410 tonnes, and is developing a project proposal for the conventional ammunition test laboratory.</p>
Kyrgyz Republic	<p>Date of request: 5 February 2008</p> <p>Improvement of the security and management of stockpiles of SALW and CA.</p> <p>Status: An assessment visit was carried out, and a project proposal is under development.</p>
Moldova	<p>Date of request: 20 December 2006</p> <ol style="list-style-type: none"> 1. Destruction of surplus conventional ammunition. The pilot project focuses on the destruction of an initial 11,400 rounds of ammunition. 2. Improvement of the security and management of stockpiles of conventional ammunition. 3. Destruction of cluster ammunition. 4. Destruction of R60 rockets. <p>Status: The pilot project was completed. A programme covering items 2–4 has been finalized for implementation.</p>

Requesting State	Scope of the problem (as specified in national requests)
Montenegro	<p>Date of request: 28 February 2007</p> <ol style="list-style-type: none"> 1. Destruction of 9,900 tonnes of surplus conventional ammunition. 2. Elimination of 160 tonnes of stocks of rocket fuel components (melange, samin) and napalm. 3. Improvement of stockpile security and management. <p>Status: Melange stockpiles have been eliminated. Projects on the destruction of conventional ammunition and stockpile security are in progress.</p>
Russian Federation	<p>Date of request: 19 May 2004</p> <ol style="list-style-type: none"> 1. Request for the disposal of surplus ammunition in Kaliningrad Oblast (100,000 tonnes, including 20,000 tonnes in a dangerous condition). 2. Improvement of stockpile security and management. <p>Status: Request withdrawn on 28 March 2007 (FSC.DEL/111/07). The Russian Federation will provide information about national efforts towards destroying the ammunition in question.</p>
Tajikistan	<p>Date of request: 21 September 2004 (Phase I), 22 February 2006 (Phase II)</p> <p>Specific situation: Organic arsenicals stored together with unexploded ordnances (UXOs) collected from the battlefield. Storage locations and conditions are not acceptable and present a serious danger to staff, the local population and civil infrastructure.</p> <p>Status: Phase I was completed. Phase II is expected to end in early 2009.</p>
Ukraine	<p>Date of request: 29 September 2004, additional request 2 October 2007</p> <ol style="list-style-type: none"> 1. New destruction capacities for hexogen and part-hexogen charges in Western Ukraine. 2. Improvement of security system for ammunition stockpiles. 3. Disposal of 16,764 tonnes of liquid rocket fuel component (melange). Following the consultations between the Government of Ukraine and the OSCE, it is planned to eliminate 3,000 tonnes of melange as the pilot project. 4. Assistance in overcoming the consequences of the Novobohdanivka storage-site disaster (destruction of remaining ammunition, area clean up). 5. Assistance in clearing unexploded ammunition left on the territory of Ukraine. <p>Status: The Novobohdanivka project was completed. The melange project is being implemented. The UXO clearance project is ready for implementation.</p>
Uzbekistan	<p>Date of request: 25 February 2005</p> <p>Elimination of over 1,000 tonnes of stocks of rocket fuel component (melange).</p> <p>Status: NATO has taken the lead in this project.</p>

Annex B: Donor funding for planned/running conventional ammunition projects

Georgia

Donor	Funds pledged (in euros)	Project
2007		
Spain	95,000	Airfield survey and TNT destruction (Part 2)
2008		
Greece	30,000	TNT destruction (Part 3)
Total	125,000	2007 and 2008
Funds needed		59,325

Moldova

Donor	Funds pledged (in euros)	Phase
2006		
Finland	160,000	Destruction of obsolete ammunition
2007		
Lithuania	5,500	Visit to United Kingdom ammunition storage facilities
United Kingdom	In kind	Visit to United Kingdom ammunition storage facilities
United States of America	In kind	Physical security and stockpile management training, module I
2008		
United States of America	In kind	Physical security and stockpile management training, module II
Total	165,000	
Funds needed		0

Montenegro

Donor	Funds pledged (in euros)	Phase
2007		
Denmark	150,000	Destruction of surplus ammunition
Spain	75,000	Destruction of surplus ammunition
Sweden	285,714	MONDEM Programme General (directly to UNDP)
2008		
Belgium	25,000	Destruction of surplus ammunition

Donor	Funds pledged (in euros)	Phase
2008		
Italy	50,000	Destruction of surplus ammunition
Luxembourg	25,000	Destruction of surplus ammunition
Total	630,714	2007 and 2008
Funds needed		2,089,000

Tajikistan

Donor	Funds pledged (in euros)
Phase I	
France	In kind (EOD training programme — 60,000 euros)
Netherlands	266,812
Norway	30,000
Norway	In kind (secondment of chief technical adviser)
United States of America	In kind (physical security and stockpile management course)
Phase II	
Andorra	20,000
Norway	In kind (secondment of chief technical adviser)
Norway	110,370
Slovenia	19,808
Spain	100,000
Total for Phase I and Phase II	606,990
Funds needed	0
Comprehensive Programme	
United States of America	141,000

Annex C: Donor funding for planned/running melange projects

Albania

Donor	Funds pledged (in euros)
2008	
Denmark	15,000
Finland	15,000
Greece	20,000
Sweden	15,000
Total	65,000
Funds needed	0

Kazakhstan

Donor	Funds pledged (in euros)
2006	
Spain	150,000
Sweden	40,000
Total	190,000
Funds needed	N.A.

Montenegro

Donor	Funds pledged (in euros)
2007	
Liechtenstein	20,000
Total	20,000
Funds needed	0

Ukraine

Donor	Funds pledged (in euros)
2006	
Czech Republic	20,000
Finland	190,000
Poland	78,800
Spain	150,000
2007	
Czech Republic	63,635
Spain	200,000
2008	
Denmark	500,000
Norway	400,000
Sweden	1,000,000
Sweden (2009)	500,000 ⁵
Total	3,102,435
Funds needed (estimated)	0 ⁶

Annex D: Overall funding to all SCA projects

The table below indicates pledges of financial support made by delegations towards the implementation of projects on conventional ammunition, explosive material and detonating devices in the period 2005–2008.

5 Sweden has announced its intention to pledge 500,000 euros in 2009 (FSC.DEL/118/08).

6 More funds will be needed to continue the project.

Donor	Funds pledged (in euros)	Country assisted
2005		
France	In kind (EOD training programme — 60,000)	Tajikistan, Phase I
Luxembourg	20,000	Ukraine, Novobohdanivka
Netherlands	266,812	Tajikistan, Phase I
Norway	30,000	Tajikistan, Phase I
Norway	Secondment of chief technical adviser	Tajikistan, Phase I
Slovenia	25,000	Ukraine, Novobohdanivka
United States of America	Stockpile management course	Tajikistan, Phase I
Total	401,812	2005
2006		
Andorra	20,000	Tajikistan, Phase II
Belgium	25,000	Ukraine, Novobohdanivka
Czech Republic	30,000	Ukraine, Novobohdanivka
Finland	160,000	Moldova
France	In kind (EOD training programme — 60,000)	Tajikistan, Phase I
Lithuania	10,000	Ukraine, Novobohdanivka
Luxembourg	16,500	Ukraine, Novobohdanivka
Norway	60,000	Tajikistan, Phase II
Norway	110,250	Tajikistan, Phase II
Norway	Secondment of chief technical adviser	Tajikistan, Phase II
Poland	39,400	Ukraine, Novobohdanivka
Slovenia	19,808	Tajikistan, Phase II
Slovenia	15,000	Ukraine, Novobohdanivka
Spain	100,000	Tajikistan, Phase II
United States of America	59,100	Ukraine, Novobohdanivka
Total	725,058	2006
2007		
Denmark	150,000	Montenegro, destruction of surplus ammunition
Lithuania	5,500	Moldova, visit to the United Kingdom ammunition storage facility
Norway	Secondment of chief technical adviser	Tajikistan, Phase II
Spain	95,000	Georgia, demilitarization and airfield
Spain	75,000	Montenegro, destruction of surplus ammunition
Sweden	285,714	Montenegro MONDEM General (directly to UNDP)
United Kingdom	In kind (visit to the United Kingdom ammunition storage facility)	Moldova

Donor	Funds pledged (in euros)	Country assisted
2007		
United States of America	In kind (physical security and stockpile management, Module I)	Moldova
Total	611,214	2007
2008		
Belgium	25,000	Montenegro MONDEM, destruction of surplus ammunition
Greece	30,000	Georgia, TNT destruction (Part 3)
Italy	50,000	Montenegro MONDEM, destruction of surplus ammunition
Luxembourg	25,000	Montenegro MONDEM, destruction of surplus ammunition
Norway	Secondment of chief technical adviser	Tajikistan, Phase II
United States of America	In kind (physical security and stockpile management, Module II)	Moldova
United States of America	141,000	Tajikistan
Total	271,000	2008
Total, conventional ammunition	2,009,084	2005 + 2006 + 2007 + 2008

The table below indicates pledges of financial support made by delegations towards the implementation of projects on elimination of rocket fuel component (melange) in the period 2005–2007.

Donor	Funds pledged (in euros)	Country assisted
2005		
Finland	266,408	Armenia, melange
Germany	65,000	Armenia, melange
United States of America	903,454	Armenia, melange
Total	1,234,862	2005
2006		
Czech Republic	20,000	Ukraine, melange
Finland	190,000	Ukraine, melange
Poland	78,800	Ukraine, melange
Spain	150,000	Kazakhstan, melange
Spain	150,000	Ukraine, melange
Sweden	40,000	Kazakhstan, melange
Total	628,800	2006
2007		
Czech Republic	63,635	Ukraine, melange
Liechtenstein	20,000	Montenegro MONDEM, melange

Donor	Funds pledged (in euros)	Country assisted
2007		
Spain	200,000	Ukraine, melange
United States of America	70,000	Armenia, melange
Total	353,635	2007
2008		
Denmark	500,000	Ukraine, melange
Denmark	15,000	Albania
Finland	15,000	Albania
Greece	20,000	Albania
Norway	400,000	Ukraine, melange
Sweden	15,000	Albania
Sweden	1,000,000	Ukraine, melange
Sweden (2009)	500,000 ⁷	Ukraine, melange
Total	2,465,000	2008
Total, melange	4,682,297	2005 + 2006 + 2007 + 2008
Total, conventional ammunition and melange	6,691,381	2005 + 2006 + 2007 + 2008

Annex E: Co-operation within the OSCE

Presentations at meetings of the FSC by heads of OSCE missions

During 2008, the practice whereby heads of mission/project managers reported to the FSC and groups of friends on politico-military activities and projects continued. Project managers from the following countries/OSCE institutions reported on project planning/implementation: OSCE Secretariat, Belarus, Bosnia and Herzegovina, Georgia, Montenegro, Tajikistan and Ukraine⁸.

Regional Initial Course on Operational Management of Stockpiles of Conventional Ammunition and Ammunition Storage Sites, Danilovgrad, Montenegro, 9–13 June 2008

The course, jointly organized by the Ministries of Defence of Montenegro and of Germany and the OSCE Mission to Montenegro, was designed to increase the national capacity in operational management of stockpiles of conventional ammunition and ammunition storage sites. Specifically, the project will provide a basic knowledge of international standards and best practices for handling conventional ammunition. The course, in particular, covered NATO standards, and increased the participants' awareness of Montenegro's commitments stemming from the OSCE Document on Stockpiles of Conventional Ammunition. Finally, the project acquainted the participants with the OSCE Best Practice Guides on Conventional Ammunition.

7 Sweden has announced its intention to pledge 500,000 euros in 2009 (FSC.DEL/118/08).

8 Of these countries, Belarus, Georgia and Tajikistan provided updates in the framework of the OSCE Workshop on the Implications of Technical, Managerial and Financial Issues on Existing and Planned OSCE Projects on Small Arms and Light Weapons, and Stockpiles of Conventional Ammunition, held in Vienna on 5 and 6 February 2008.

Exhibitions and side event at the Ministerial Council meeting in Madrid

On the margins of the Ministerial Council meeting in Madrid in November 2007, the FSC Support Section presented photo exhibitions reflecting FSC assistance projects on SALW and conventional ammunition. The exhibition displayed different stages of project assessments and implementation in countries in which assistance was provided, including Belarus, Georgia, Kazakhstan, Montenegro, Tajikistan and Ukraine.

The Danish FSC Chairperson conducted a side event on SALW and conventional ammunition projects to raise public awareness about the problem of surplus and insecurely stored SALW and conventional ammunition, including rocket fuel melange, as well as to attract more donors to OSCE projects. During the side event, the audience was able to learn more about OSCE assistance on SALW and ammunition, and the problem of neutralization of melange was highlighted in particular.

Information brochure and documentary film

In order to raise awareness and promote FSC assistance projects on SALW and stockpiles of conventional ammunition, the FSC Support Section has published an information brochure about the projects. Also, a ten-minute documentary film describing recent projects on SALW and conventional ammunition, including rocket fuel component melange, has been produced in English and Russian. Both the brochure and the film were presented at the Ministerial Council meeting in Madrid. The film will be updated in 2009.

**FSC CHAIRPERSON'S PROGRESS REPORT
TO THE MINISTERIAL COUNCIL ON EFFORTS TO FURTHER
IMPROVE THE IMPLEMENTATION OF THE CODE OF CONDUCT
ON POLITICO-MILITARY ASPECTS OF SECURITY**

(MC.GAL/4/08/Rev.2 of 13 November 2008)

1. Introduction and objective

The OSCE Code of Conduct on Politico-Military Aspects of Security (hereafter referred to as the Code) is a normative document adopted by the OSCE participating States at the Budapest Summit in December 1994. The Code entered into force on 1 January 1995. By adopting it, the OSCE participating States agreed to reform their domestic politico-military affairs and to apply internationally agreed principles of democracy and rule of law to their national security policies and doctrines. The Code occupies a fundamental place among the body of commitments developed within the politico-military dimension of the OSCE, and is still today unique in its kind.

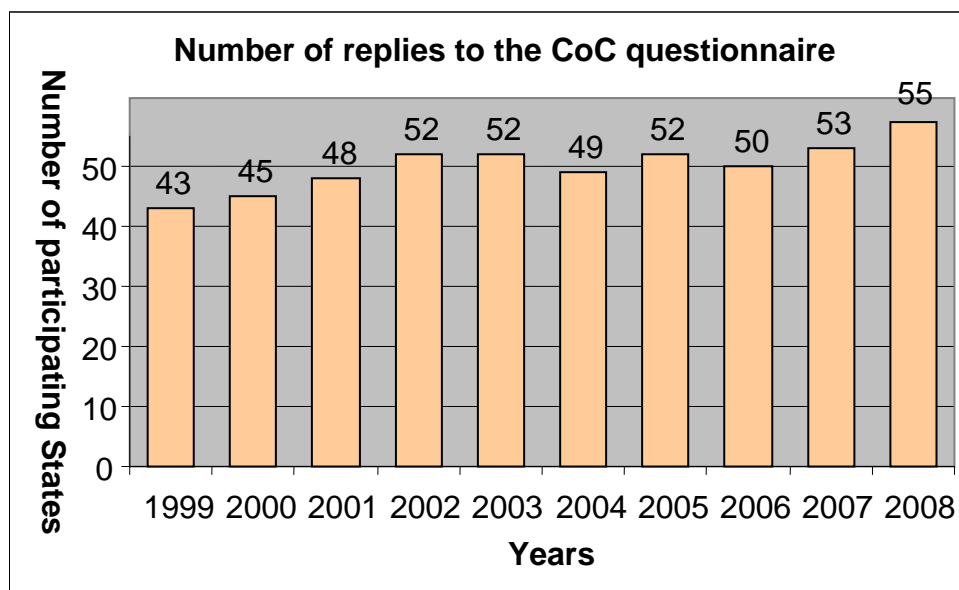
This report is intended, in line with Madrid Ministerial Council Decision No. 3/07, to report on the progress of efforts to further improve the implementation of the Code. It addresses the information exchange between participating States on the Code's implementation, efforts that have been undertaken since the Madrid Ministerial Council and other additional activities conducted within the Organization to further its implementation. The report covers the period from November 2007 until November 2008¹.

2. Information exchange

The participating States have agreed to exchange information on a regular basis on various aspects of their implementation of the Code (FSC.DEC/4/98). This exchange constitutes a unique mechanism for fostering international transparency with regard to armed forces and their control by constitutionally established authorities. The information exchange is conducted by means of a specific questionnaire, which was developed in 1998 and updated in 2003. In its current form, the questionnaire contains seven questions. The participating States have committed themselves to replying to this questionnaire not later than 15 April each year.

The level of commitment to the information exchange is high. The majority of the OSCE participating States have abided by their commitment and provide information about their implementation efforts annually. All the participating States have provided replies to the questionnaire at least once.

¹ The deadline for submitting input for this report was 12 November 2008.



The replies often provide quite detailed information regarding procedural and legislative issues governing the politico-military aspects of security in the participating States. Most participating States give updates on relevant laws and decision-making processes, and many also provide details on their practical activities related to the democratic control of armed forces, such as training programmes, awareness-raising activities and participation in international events.

The reports of participating States differ with regard to the substance and extent. Also some overlaps in the replies of participating States can be observed. While this results in part from the complexity of the issue and from differences in national practices, it also results from the general wording of the questions. For example, there are differences in the weight that the participating States assign in their replies to the legislative base of the democratic control of armed forces on the one hand, and to the actual procedures ensuring this control on the other.

3. Efforts by the FSC

During the special FSC meeting in September 2006 and the special meeting of Working Group A in May 2007 on the subject numerous proposals to improve the implementation of the Code were made. A FSC Co-ordinator on the Code was appointed to support the FSC Chair in dealing with these proposals. Subsequently, the proposals were divided into three clusters related to awareness-raising and outreach, updating of the questionnaire, and supplementary measures to allow for a more structured approach in discussing these proposals.

Consultations and discussions on the first cluster on awareness raising and outreach started in October 2007. Several informal and formal meetings were convened on this cluster and could be brought to a successful ending on 27 February 2008 by adopting a decision on awareness raising and outreach (FSC.DEC/1/08). In general the decision provides for facilitation of a better implementation, promotion of awareness and outreach of the Code by

posting the replies of participating States to the questionnaire on the OSCE's public website², requesting the OSCE Secretariat to organize at least one specialized seminar or workshop each year, and encouraging participating States to contribute extrabudgetary funds to enable such events. Furthermore, the decision calls upon the FSC Chair to engage the OSCE Partners for Co-operation in a process aiming at adopting the principles of the Code.

Based on this decision three meetings with the OSCE Partners for Co-operation were held during the first half of 2008. The first one, convened on 28 February 2008, was conducted at the ambassadorial level, and the second one, on 8 April 2008, at the working level. In preparation for these meetings, the FSC Chair asked participating States and the OSCE Partners to submit their views on the scope and possible content of future meetings, as well as to raise questions and requests for clarification, where relevant. In addition to these meetings and in order to involve representatives from capitals, a side event for the OSCE Partners for Co-operation on awareness-raising and outreach of the Code of Conduct was organized on 1 July 2008 on the margins of the Annual Security Review Conference (ASRC). Furthermore, a presentation on the Code of Conduct was given at the meeting of the Contact Group with the Mediterranean Partners for Co-operation on 19 September 2008.

Soon after the adoption of FSC Decision No. 1/08, work on the second cluster started with the general aim of updating the existing questionnaire on the Code by improving its structure and terminology. Building on previous food-for-thought papers and extensive consultations and negotiations, the Co-ordinator tabled a proposal for a draft decision on the update of the questionnaire. The draft comprised of a compilation form, which would allow for an overview of new information exchanged and the update of the questionnaire, which consists of three sections devoted to inter-State elements, intra-State elements and public access. It provides for a first comprehensive reporting exercise in 2009 and annual updates of changes starting with 2010. This proposal enjoys broad support among participating States, and is still under discussion.

In order to achieve an overview of ideas on the third cluster, on supplementary measures, the Co-ordinator invited representatives of participating States for informal consultations and is preparing to continue and complete the work on improving the implementation of the Code.

4. Additional activities

The Conflict Prevention Centre, in co-operation with Switzerland and the OSCE Centre in Astana, organized a Seminar on the Implementation of the OSCE Code of Conduct on Politico-Military Aspects of Security in Central Asia. The Seminar took place from 22 to 24 September 2008 in Almaty. It was directed at government representatives and senior military personnel from the five Central Asian countries and was designed to raise awareness about the implementation responsibilities outlined in the Code. It was attended by around 40 participants from Kazakhstan, Kyrgyzstan and Tajikistan, as well as from research institutes and OSCE institutions. Two seminars arranged by the OSCE Mission to Bosnia and Herzegovina (BiH) were also conducted as "train the trainers" events, in 2008.

2 Since April 2008, the replies of participating States are accessible on the public OSCE website, at <http://www.osce.org/fsc/22158.html>.

During 2007–2008, about 150 senior officers from the BiH Armed Forces and senior civil servants were trained.

5. Conclusions

In summary, efforts to further improve the implementation of the Code were intensified in 2008 compared to the previous years. They were divided into the main areas — exchanging information, improving the awareness, engaging in outreach and conducting seminars/workshops.

As regards the information exchange, a continuing high level of commitment in terms of the quantity of replies could be registered. Nevertheless the reports differ with regard to the substance and extent. Also some overlaps in the replies of participating States can be observed.

This year's regional and national seminars/workshops on the implementation of the Code not only provided a continuation of the endeavour already started, but also helped to raise awareness in and among participating States. Future seminars and workshops on the Code could also focus on outreach.

With regard to the efforts to further improve the implementation of the Code, a decision on awareness-raising and outreach was consulted on, discussed and adopted. The decision constitutes a successful outcome of an intensive debate on this matter and requires further attention as well as implementation by the participating States, the CPC and the FSC Chair. Although there is a broad support for the proposal on updating the Code's questionnaire, the adoption of the respective draft decision remains to be seen. On the supplementary measures, the participating States are at a stage in discussing proposed arrangements. The initial support by many participating States justifies continuing discussions and focussing our future work on this subject in the coming year.

**FSC CHAIRPERSON'S PROGRESS REPORT
TO THE MINISTERIAL COUNCIL ON EFFORTS IN THE FIELD
OF ARMS CONTROL AGREEMENTS AND CONFIDENCE- AND
SECURITY-BUILDING MEASURES IN ACCORDANCE
WITH ITS MANDATE**

(MC.GAL/5/08/Rev.2 of 13 November 2008)

1. Introduction and objective

This report is submitted in accordance with Decision No. 3/07 of the Fifteenth Meeting of the Ministerial Council, on issues relevant to the Forum for Security Co-operation. It provides an overview of efforts made in the Forum for Security Co-operation (FSC) in the field of arms control agreements and confidence- and security-building measures (CSBMs), in accordance with its mandate, during the period from December 2007 until November 2008, taking into account, *inter alia*, the outcome of deliberations at the Special FSC Meeting on Existing and Future Arms Control and Confidence- and Security-Building Measures in the OSCE Area, on 24 October 2007¹. It also addresses the information exchanged in the FSC between participating States on the implementation of agreed CSBMs, normative initiatives and developments in the Forum, and other related activities carried out in the Organization. The report reflects the discussions and decisions adopted in the Forum. Detailed information on implementation may be found in the Conflict Prevention Centre Summary Report on Recent Trends in the Implementation of the Vienna Document 1999 and Other Measures Addressed during the Annual Implementation Assessment Meeting².

2. Overview of arms control and CSBM implementation in 2008

During 2008, the OSCE participating States continued to implement their joint commitments under the Vienna Document 1999 (VD99)³. As requested by the FSC, the OSCE Conflict Prevention Centre (CPC) maintains records of exchanges of information that take place as part of these commitments. They are regularly reflected in the CPC Monthly Reports and CPC Quarterly and Annual Surveys on CSBM Information Exchanged. In addition, and at the request of the FSC, the CPC has since 2007 produced an annual summary report that reflects trends in the implementation of CSBMs.

As can be seen from the 2008 CPC Summary Report, the level of CSBM implementation in the OSCE region is relatively stable and high. Measured by the number of submissions under various information exchanges, such as the annual exchange of military information (AEMI) and the global exchange of military information (GEMI), the level of implementation has remained steady during the past five years. Overall, there have not been any major changes in the implementation of these CSBMs during the past years.

1 The deadline for submitting input for this report was 12 November 2008.

2 FSC.GAL/18/08, 11 February 2008.

3 Vienna Document 1999 of the Negotiations on Confidence- and Security-Building Measures, adopted at the 269th Plenary Meeting of the OSCE Forum for Security Co-operation in Istanbul on 16 November 1999, FSC.DOC/1/99.

Some smaller variations can, however, be detected. For example, all but one participating State provided their information on AEMI for 2008, compared with 54 submissions in 2007 and 51 in 2006. By 12 November 2008, 36 participating States had submitted information on their defence planning, which may result in a lower number of submissions than in 2007. Also, 2008 was an active year in terms of conducting inspections and evaluation visits under the VD99: By 12 November 2008, a total of 108 inspections and 75 evaluation visits had been conducted⁴.

In 2008, 50 participating States were technically connected to the Communications Network⁵. Over half (31) of the end-user stations were connected to the network over 99 per cent of the time, and a large majority (47 end-user stations) at least 95 per cent of the time. In 2008, the online time of two participating States was less than 80 per cent. One State was continuously offline despite having the technical capacity to be connected.

3. Efforts by the FSC since the Madrid Ministerial Council meeting

During 2008, many proposals were made regarding the improvement of implementation of the VD99 provisions. Two of these resulted in new FSC decisions. Also the Forum's Security Dialogue was revitalized. Implementing and strengthening the *acquis* of CSBMs remains high on the Forum's agenda.

On 19 December 2007, the FSC adopted Decision No. 17/07, on measures to improve the availability of exchanged FSC-related information. In the decision, the participating States recalled the importance of a timely and full implementation of all FSC-related information exchanges and recognized the need to have all FSC-related information exchanges readily available in one place, and decided to supplement current practice and provide all relevant FSC-related information exchanges also in an electronic format for further distribution.

The eighteenth Annual Implementation Assessment Meeting (AIAM), held on 4 and 5 March 2008, once again confirmed its importance as an annual event to review the implementation of CSBMs, which remains a main priority for the FSC. During the discussions in the AIAM, experts exchanged experiences, made suggestions, and gave their assessments of the implementation of the OSCE commitments in the field of CSBMs. However, some delegations referred to the need for more open discussion in the future and expressed their disappointment with the lack of such open and focused discussions at the 2008 Meeting.

A meeting of heads of verification centres was organized on 3 March 2008 for the second time, immediately prior to the AIAM. It was a unique opportunity to exploit the collective knowledge and expertise of the participating States in the practical implementation of CSBM measures, and to exchange experiences and recommendations on their

4 Includes both the VD99, paragraphs 74 and 107, and regional measures specified in Chapter X of the VD99.

5 Also the Conflict Prevention Centre (CPC) and the North Atlantic Treaty Organization (NATO) were connected to the OSCE Communications Network in 2008.

improvement. It thereby supported the goals of openness and transparency in the OSCE politico-military dimension.

On 16 April 2008, the FSC adopted Decision No. 2/08, on taking national holidays into account when planning verification activities. In the decision, the participating States decided, without prejudice to the right of each participating State under the VD99 to request and to conduct inspections and/or evaluations at a time determined by the inspecting/evaluating State, to take into account information on officially recognized national and religious holidays of the receiving State.

In addition, on 18 June 2008, the Chairperson of the FSC made a statement noting the willingness of participating States to underline the importance of complying strictly with the time frames established by the VD99 for requesting an inspection or evaluation visit.

The sixth OSCE Annual Security Review Conference (ASRC), held on 1 and 2 July 2008, allowed participants to take stock of the security situation in the OSCE area on the basis of the OSCE's comprehensive approach to security, and offered a forum for a dialogue on topical security issues. As part of its agenda, the Conference provided an opportunity to exchange views on current issues related to all arms control arrangements and CSBMs in the OSCE area. Discussions on the current politico-military situation and the value of the OSCE's security dialogue, arms control arrangements and the CSBMs in the OSCE area revealed the continuing relevance of the Treaty on Conventional Armed Forces in Europe (CFE). One delegation referred to a proposal made to draft a new treaty on European security. There was a prevailing view that the participating States should make full use of the FSC to respond to current challenges and, if necessary, to update and adapt existing OSCE documents and tools. According to the Chairmanship-in-Office (CiO), the 2008 ASRC provided sufficient substance for dialogue and offered a useful forum for the participating States to express their concerns on security-related issues. The Conference also generated various recommendations and suggestions for possible later work in appropriate OSCE bodies.

A number of specific proposals and initiatives were discussed in FSC working groups and plenary meetings between December 2007 and December 2008, including:

- A food-for-thought paper on possible FSC action toward improving the application of the compliance and verification measures in Vienna Document 1999 (FSC.DEL/51/08);
- A proposal for a draft decision on the specification of the dimensions (surface) of the "specified area" (FSC.DEL/493/07/Rev.2);
- A proposal for a draft decision on prior notification of major military activities (FSC.DEL/495/07/Rev.3);
- A food-for-thought paper on proposals for improving implementation of confidence- and security-building measures in accordance with the Vienna Document 1999 (FSC.AIAM/9/08);
- A food-for-thought paper on confidence- and security-building measures in the naval area (FSC.DEL/120/08);

- A proposal for a draft decision on a single deadline for submission of information on defence planning (FSC.DEL/494/07/Rev.3/Corr.1).

However, no agreement has so far been reached on these proposals. In addition, surveys of suggestions made at the seventeenth and eighteenth Annual Implementation Assessment Meetings were discussed in Working Group A (FSC.AIAM/34/07; FSC.AIAM/25/08/Corr.1).

The Forum's Security Dialogue on arms control and CSBMs was reinvigorated with presentations and discussions on several issues that are topical for the European security framework. These included, *inter alia*, presentations on possible confidence- and security-building measures in the naval area as proposed at the Special FSC Meeting on Existing and Future Arms Control and Confidence- and Security-Building Measures in the OSCE Area in October 2007, elaboration of an OSCE role in promoting cyber security, and a presentation on maritime security.

It is especially worth mentioning that the participating States conducted extensive dialogue in a consultative and constructive manner on security concerns surrounding increased tensions in Georgia. The dialogue in April and May concentrated on mitigating tensions following the incident of 20 April 2008 involving the unmanned aerial vehicle shot down over Abkhazia, Georgia. The discussions in September and October focused on addressing the armed conflict in Georgia in August 2008.

A related, significant OSCE politico-military activity in 2008 was the use of the VD99 risk reduction measures (Chapter III) to address the previously mentioned incident 2008 involving the unmanned aerial vehicle shot down over Abkhazia, Georgia. In the context of addressing the case, the provisions of Bucharest Ministerial Council Decision No.3, on fostering the role of the OSCE as a forum for political dialogue, were applied, when the Chairperson of the Permanent Council requested politico-military advice from the FSC⁶.

6 Letter of the representative of the Chairman-in-Office to the Chairperson of the FSC, CIO.GAL/67/08, 30 April 2008; reply of the Chairperson of the FSC to the representative of the Chairman-in-Office, FSC.DEL/115/08/Rev.1, 26 June 2008, PC.JOUR/719, annex 2.

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

(Annex 9 to MC(16) Journal No. 2 of 5 December 2008)

Your Excellency,

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

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

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

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

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

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

During 2008, the Informal Working Group on Sensors (IWGS) continued their work to update the Treaty on Open Skies with work on two major decisions: revision number one

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

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

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

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

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

(Annex 8 to MC(16) Journal No. 2 of 5 December 2008)

Your Excellency,

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

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

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

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

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

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

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

OSCE as a forum for political dialogue, were applied, when the Chairperson of the Permanent Council requested politico-military advice from the FSC.

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

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

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

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

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

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

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

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

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

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

A special Working Group A meeting was held on 23 January 2008 on a more active role of the OSCE in combating anti-personnel mines. The meeting was structured around

three groups of subjects: strengthening mine action and the possibility of supporting these efforts within the OSCE area through concrete measures; the possibility of carrying out public awareness campaigns and of organizing subregional seminars with regard to mine action; and finally discussion on a more active role for the OSCE in combating anti-personnel mines.

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

**REPORT TO THE SIXTEENTH MEETING OF THE OSCE
MINISTERIAL COUNCIL ON THE IMPLEMENTATION OF THE
AGREEMENT ON SUB-REGIONAL ARMS CONTROL
(ARTICLE IV, ANNEX 1-B, DAYTON PEACE ACCORDS)**

(MC.GAL/8/08 of 11 November 2008)

The Personal Representative of the Chairman-in-Office for Article IV promotes the fulfilment of some key aspects of the Dayton Peace Accords. Without reverting to the basic content of the aforementioned peace settlement, I would point out that under Annex 1-B the OSCE is charged with assisting the present four acting Parties — Bosnia and Herzegovina, the Republic of Croatia, Montenegro and the Republic of Serbia — in the implementation and verification of the agreed arms control measures. Broadly speaking, the Personal Representative's role is to broker political consensus, ensure that the process flows smoothly, and surmount obstacles to the Agreement's implementation.

The present report is a brief overall review of the implementation of the Agreement, firstly from a technical point of view and secondly from a political one.

As for the technical aspects, since the Agreement was signed in 1996, an impressive number of inspection missions have been conducted. On September 2008, the 300th mission was accomplished bringing the total number of inspections accomplished to 600. Furthermore, a total of 128 reduction inspections have been successfully conducted (including export inspections). These activities have been carried out by the contribution of more than 1,000 assistants, provided by 29 supporting OSCE countries. It is a tremendous achievement. Furthermore, apart from political obstacles and several procedural problems experienced especially during the initial phase of the process, which have been more and more smoothly solved, no significant or major problematic issue has occurred so far during the implementation of the Agreement in the field.

Equally relevant is the downward trend in the number of Objects of Inspection (OOIs), that is to say, the units in the declared sites subject to verification. This reflects the effectiveness of the successful reform process within the armed forces of the Parties. In total, the number of OOIs decreased from 244 in 1998 after the end of the reduction phase to 85 in 2008. This decrease of 65 per cent is echoed in the total number of quotas, which have decreased from 39 in 1998 to 19 in 2008.

Another relevant achievement is the decision taken voluntarily by the Parties to significantly downsize their military manpower. It is worth noting that, according to the latest Information Exchanges, the dimensions of the armed forces of the Parties have continuously decreased and can no longer be compared with those of 1996. Military manpower is now far below the statements on voluntary limitations declared by the Parties in Florence in 1996, and the Parties have agreed to make new statements based on the actual situation in the forthcoming period.

It is equally relevant to recall the impressive number of fruitful analyses and discussions carried out with the purpose of finding solutions to different problems during the numerous meetings both at the Sub-Regional Consultative Commission (SRCC) and at Permanent Working Group (PWG) level. I would like to highlight some of them:

- The successful completion of the reduction period and the subsequent voluntary reductions, which have led to the impressive total of 9,000 reduced heavy armaments during the implementation to date;
- The participation of BiH as a Party to the Agreement at State level, and the successful transfer of the rights, obligations and responsibilities from the Ministry of Defence of the entities (Federation of BiH and Republica Srpska) to the Ministry of Defence of Bosnia and Herzegovina. The new situation is reflected in six legally binding amendments to the original Article IV Agreement which the Parties approved and signed with the constant support of my Office;
- The successful negotiation of a bilateral agreement between Serbia and Montenegro for the accession of Montenegro as the fourth Party to the Agreement. In order to transfer the new entitlements contained in the bilateral agreement between the Republics of Serbia and Montenegro in the multilateral context of the Article IV agreement, new formal amendments to the Agreement were elaborated, approved and officially signed by the Parties on the occasion of the last SRCC meeting held in Montenegro in October 2008;
- The adoption of the OSCE Communication Network and of the Integrated Notification Application (INA) for the exchange of information and notifications, a one-off OSCE investment that will consistently reduce the operational costs and allow an efficient and secure exchange of information between the Parties and with the OSCE, using the English language;
- The process of producing a new updated version of the Agreement;
- The reorganization of SRCC and PWG meetings. In particular, by reason of the positive implementation of the Agreement, the numbers of SRCC meetings were reduced from 3 to 2 per year, which will bring about a saving of financial resources both for the OSCE and for the Parties;
- The process, now almost completed, of developing a Handbook and a Compendium to facilitate the direct work of the inspectors in the field and at staff level;
- The process, now under way, of developing new voluntary reduction procedures for the irreversible destruction of armaments, with the further aim of saving time and money.

As for the political aspects, the aforementioned excellent results are proof of the will of the acting Parties to the Agreement to fulfil their obligations in openness and transparency in the course of the last 12 years. Today, the four acting Parties, namely, Bosnia and Herzegovina, Montenegro, the Republic of Croatia and the Republic of Serbia, show full compliance with the spirit of the Agreement and conduct all the activities in an atmosphere of trust, friendship and co-operation.

One of the most important aspects of the Agreement on Sub-Regional Arms Control, as part of the Dayton Peace Accords, is that by promoting stability and by assisting the development of friendly and co-operative relations among the Parties, it makes a fundamental contribution towards building a bridge between the countries of the region and the

Euro-Atlantic institutions. Today, we can affirm that as a result of the ongoing successful implementation of Article IV among other things, all the Parties are closer to the EU, having signed the Stabilization and Association Agreement, while Croatia has already obtained a candidate status. Moreover, all Parties to the Agreement are officially in NATO's Partnership for Peace program and Croatia has already been invited to become a full member. Only 12 years ago, a very short period of time in global history, such a huge transformation in the geo-politics of the sub-region would have been unimaginable.

In conclusion, allow me to present some final considerations.

Today, we can proudly affirm that Article IV is the only arms control regime that is fully working in Europe. It provides a model that should be taken as an example and should possibly be exported into other areas of the world where regional, multilateral or bilateral situations are of global concern.

The subregion of south-east Europe is currently witnessing a delicate period. Many crucial events have taken place in the area that have had a worldwide impact and have raised new political issues. Thanks to the ability and the far-sightedness of the current political authorities, the military stability in the area continues to be indisputably solid and uncompromised. In this scenario, it is of fundamental importance to safeguard the validity of Article IV as an invaluable system through which friendship and co-operation among the countries is promoted.

In the course of so many years, the inspection teams of the Parties have conducted inspections in the whole sub-region. These activities are important not only as a means of fulfilling the aim of Article IV, namely, a balanced and controlled arms situation in the sub-region, but also, and I would say mainly, because they have been and continue to be a perfect and invaluable tool for developing confidence between the Parties and their military representatives. In the same way, the meetings in the political and working dimension, the SRCCs and PWGs, have been perfect opportunities for the Parties to meet and to strengthen their relations both on the political and on the technical level.

I think that this is the right moment to exploit the success of the Agreement in order to further consolidate the co-operation among the countries and to continue demonstrating that it represents an example of an efficient and constructive approach to solving multilateral issues.

Concerning the future, during the last Review Conference that took place in Vienna in July 2008, the Parties released in their final document some fundamental declarations that provide important recommendations. In particular, the Parties:

- Confirmed their commitment and readiness to continue the implementation of the Agreement with the assistance of the Personal Representative;
- Reaffirmed their readiness to explore, with the assistance of the Personal Representative, the modalities for further strengthening the ownership over the implementation of the Agreement for the purpose of a gradual achievement of full autonomy;
- Expressed their readiness to initiate an exchange of opinion with regard to considering the Adapted CFE Treaty as a possible suitable long-term alternative for the future.

Given the current positive achievements in the implementation of this important Agreement, the expectations of the Parties, and the overall political situation in the sub-region, it is a shared opinion, largely discussed with the Contact Group representatives and others, that for the near future the support given by the international community to the Parties will continue to be useful and that the strong relations between the OSCE and the Parties that have produced these important results should continue for a reasonable period of time.

At the same time, the main recommendation is that the OSCE, together with the Parties, should explore ways and means to broaden the latter's ownership so that, given further improvements in the stability and security of the region, full responsibility for the implementation of the Agreement may be transferred to the Parties themselves.

In conclusion, allow me to express my thanks to the OSCE Chairmanship, the 29 delegations providing assistants in the field, the OSCE mission in Sarajevo, and the Contact Group Countries for the invaluable support they have given to my Office, and in particular to Germany and Italy for continuing to provide me with staff officers.

**LETTER FROM THE HEAD OF THE HIGH-LEVEL PLANNING
GROUP TO THE MINISTER FOR FOREIGN AFFAIRS OF FINLAND,
CHAIRPERSON OF THE SIXTEENTH MEETING OF THE
OSCE MINISTERIAL COUNCIL**

(MC.GAL/9/08 of 13 November 2008)

Your Excellency,

As Head of the High-Level Planning Group (HLPG), it is my distinct pleasure and honour to inform you about the Group's activities during 2008.

The OSCE High-Level Planning Group (HLPG) was established in 1994 with an open-ended mandate, issued on 23 March 1995, to make recommendations to the Chairman-in-Office (CiO) on developing a plan for the establishment, force structure requirements and operation of a multinational OSCE peacekeeping force for the area of the conflict dealt with by the OSCE Minsk Conference. The Head of the HLPG is appointed by the CiO and receives instructions through directives from the CiO on an annual basis.

The post table of the HLPG shows eight seconded officers and one support staff member contracted by the OSCE Secretariat. However, two vacancies for seconded officers (personnel and finance) have not been filled. This will continue unless there are significant developments in the negotiating process.

All the HLPG's activities in 2008 were undertaken in accordance with its mandate of 1995 and Directive No. 10 of the OSCE Chairmanship-in-Office for the High-Level Planning Group.

During the year 2008, the Group has provided military advice to the CiO as required/requested on the military aspects of planning for a possible peacekeeping operation in the conflict area.

Under the direction of the Chairmanship, the HLPG has continued to develop plans for a peacekeeping operation, in accordance with its mandate, based on existing HLPG option plans, currently available information on the area of conflict, and recent developments in planning for crisis management/peacekeeping operations.

Over the years, the HLPG has produced four options (we refer to them as "option plans") for the possible deployment of a peacekeeping force in this conflict area. Three of these options are predominantly armed peacekeeping forces with varying troop strengths. A fourth option, which was developed in the year 2000, is the lightest of the four options and is predominantly made up of unarmed military observers. This option in my opinion may be the most feasible option, and is one which the OSCE would have the capacity to establish and conduct.

All four options have been revised at various intervals over the years. This year we have reviewed the concept of operations for the heaviest military option, in line with developments in military planning techniques and terminology. However, the essential elements of the option plans remain the same. These are primarily based on planning guidance issued by the OSCE Minsk Group Co-Chairs in 1996.

To ensure that the HLPG's operational planning is as thorough as possible, HLPG officers were available to participate in the monitoring activities on the line of contact carried out by the Personal Representative of the Chairman-in-Office on the Conflict Dealt with by the OSCE Minsk Conference. However, the HLPG did not participate in the monitoring activities on the line of contact due to circumstances beyond the Group's control.

Modern crisis management and peacekeeping operations have become increasingly complex, requiring a comprehensive approach to planning. There was a need for the Group to keep abreast of developments in this area so that they could be applied to the HLPG's operational planning. This was achieved by visits to and from international and regional organizations involved in crisis management and peacekeeping, which made it possible to establish contacts and facilitate the exchange of information on peacekeeping best practice. In this context, the HLPG liaised with the following international organizations:

- UN Department of Peacekeeping Operations;
- UN Department of Field Support;
- UN Logistics Base in Brindisi;
- UN Interim Force in Lebanon;
- EU Military Staff, Brussels;
- EU Force in Bosnia and Herzegovina.

The knowledge of planning procedures for crisis management and peacekeeping operations was further enhanced by participation in selected training courses which were considered particularly relevant to the achievement of the HLPG's objective and outcomes:

- International Institute of Humanitarian Law/Law of Armed Conflict and Workshop on Rules of Engagement;
- NATO/Peace Support Operations Course;
- NATO/Crisis Management Course;
- Greek Multinational Peace Support Operations Training Centre/Multinational Peace Support Operations Officers Advanced Course;
- Swedish Armed Forces Viking 08 Exercise;
- NATO Exercise Noble Light (CIMIC);
- Swedish National Defence College/Seminar on Security Policy;
- NATO Civil-Military Co-operation (CIMIC) Course.

The Group also prepared an estimate of the costs involved in the establishment and conduct of two selected option plans — the heaviest military peacekeeping option, and the lightest unarmed observer option — on the basis of the UN system of reimbursement.

During the year 2008, the HLPG briefed 33 delegations on its premises.

The Group co-ordinated its activities, through the CiO, with the Co-Chairs of the Minsk Group and the Personal Representative of the CiO on the Conflict Dealt with by the OSCE Minsk Conference. In addition, the HLPG attended weekly meetings of the Permanent Council, the Forum for Security Co-operation and the Conflict Prevention Centre in order to keep abreast of developments in the wider OSCE area of interest. The HLPG and the CPC also exchanged information at regular joint meetings throughout the year.

Any future crisis management or peacekeeping operation in the possible area of operations in relation to the conflict dealt with by the OSCE Minsk Conference is likely to be multidimensional and multinational. This may involve diplomatic, political, humanitarian, civil protection, reconstruction, development and co-operation assistance; trade and economic measures; and a mix of security sector instruments, such as police, judicial, and military operations. There is therefore a need for effective co-ordination between civilian and military actors at all levels and in all phases of crisis management operations, including the planning phase. It is our view, borne out by discussions with other security organizations, that there is now a requirement to initiate a more comprehensive approach to planning for a possible operation in the conflict area. Military planning is just one part of the overall planning process and should not be conducted in isolation. For example, in each of the HLPG's current option plans, there is provision for significant civilian and police components. Future planning for an operation of this size and complexity therefore should involve all the relevant bodies of the OSCE in an integrated planning process. While current HLPG plans remain feasible from a purely military point of view, they need to be reviewed within an overarching strategic framework that would include political guidance.

Finally, I would like to extend my sincere gratitude to you personally and in particular to the Finnish OSCE Chairmanship for the overall support and guidance which has enabled the HLPG to achieve meaningful progress throughout 2008.

REPORT TO THE SIXTEENTH OSCE MINISTERIAL COUNCIL ON ELECTION-RELATED ISSUES AND ELECTION OBSERVATION ACTIVITIES IN 2008

(MC.GAL/10/08 of 26 November 2008)

Introduction

The Finnish Chairmanship has stressed the implementation of commitments related to elections and election observation by the OSCE in all participating States and recognised the need expressed by the participating States to engage in dialogue on these issues. The Chairmanship has also encouraged all participating States to invite the OSCE to observe their elections in accordance with agreed OSCE commitments and established practice.

The purpose of the Finnish Chairmanship has been to open a dialogue and pave the way for consensus-building on election-related issues, including election observation. Such a dialogue will necessarily be a long-term process.

The work of the Finnish Chairmanship has been based on the fact that the existing election-related commitments of the OSCE — in particular the Copenhagen 1990 commitments¹, the Budapest 1994² and the Istanbul 1999³ commitments — form the basis of OSCE election-related activities.

Activities of the Special Envoy on Election-Related Issues

The Chairman-in-Office appointed MP Kimmo Kiljunen to act as his Special Envoy on Election-Related Issues in 2008 as a part of the Chairmanship's efforts to enhance dialogue between the participating States. The Special Envoy was tasked to seek the views of the participating States, the Office for Democratic Institutions and Human Rights (ODIHR) and the Parliamentary Assembly on election-related issues and to foster dialogue and build consensus on these issues. In addition, the Special Envoy made a survey of election-related activities of other international organisations and actors, amongst others the United Nations, the Council of Europe, the European Parliament, the EU Commission, the Commonwealth of Independent States (CIS) and the Organization of American States (OAS).

The Special Envoy conducted consultations through his visits in Vienna in May 2008, Moscow in June 2008 and Washington in September 2008. He consulted the Parliamentary Assembly and the ODIHR in April 2008. He has also met with representatives of the European Commission and the European Parliament in June 2008, the Council of Europe in June 2008, the OAS in September 2008 and the United Nations in September 2008 as well as with representatives of the CIS in the context of the Chairmanship Seminar on Election-Related Issues in July 2008. In addition, he participated as an observer in the discussions on OSCE election observation between the Parliamentary Assembly and the CIS

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- 1 Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, Copenhagen 1990.
 - 2 Budapest Document: Towards a Genuine Partnership in a New Era (Summit of Heads of State or Government), Budapest 1994.
 - 3 Istanbul Document (Summit of Heads of State or Government), Istanbul 1999.

Parliamentary Assembly in St. Petersburg in May 2008. He will participate in CIS round table discussions on election observation conducted by the CIS in December 2008.

Special Envoy Kimmo Kiljunen together with Ambassador Tom Grönberg, Representative of the Chairman-in-Office for Election Observation Missions, represented the Finnish Chairmanship at the Chairmanship Seminar on Election-Related Issues in Vienna in July 2008 and the Chairmanship Expert Seminar on Electronic Voting in Helsinki in October 2008.

Election-related events in 2008

The Chairmanship Seminar on Election-Related Issues was held in Vienna on 21 and 22 July. The participating States, the ODIHR and the Parliamentary Assembly actively participated in the seminar. A number of international election-related actors were invited to address the seminar, among them the United Nations, the European Commission and the CIS. The seminar covered a wide range of issues relating to the implementation of existing OSCE election-related commitments, election observation as well as follow-up to recommendations by OSCE election observation missions and technical assistance provided by the OSCE. The Netherlands, Albania and Ukraine presented their experiences in following up recommendations of OSCE election observation missions. Specific issues that were brought up for discussion were the importance of long-term observation and partnerships at all levels, including with civil society organisations, in the implementation of recommendations of election observation missions. The need to enhance the overall implementation of OSCE election-related commitments was also highlighted.

The Chairmanship Expert Seminar on Electronic Voting was held in Helsinki on 26 and 27 October. It provided an opportunity for experts from the participating States to exchange best practices and shortfalls of different e-voting systems. The Council of Europe gave a presentation of its recommendations on legal, operational and technical standards for e-voting. One of the conclusions of the seminar was that when choosing a model of e-voting, states should consider which model best suits the needs of voters and requirements of the electoral administration. The Copenhagen commitments as well as other OSCE commitments were considered equally important for e-voting as for traditional means of voting. The need to ensure their implementation was stressed. Efforts need to be taken to ensure transparency of the voting process on the one hand and the secrecy of the vote on the other hand. Accountability of the election administration to the voters was also considered central in ensuring the success of e-voting.

In addition, election-related issues were discussed during the session on democratic institutions, including democratic elections, in the Human Dimension Implementation Meeting in Warsaw in October 2008.

Activities of the Personal Representatives of the Chairman-in-Office in election observation missions

Following the example set by the Spanish Chairmanship in 2007, the Chairman-in-Office has sent his Personal Representative — either Ambassador Tom Grönberg, Representative of the Chairman-in-Office for Election Observation Missions or Special Envoy Heikki Talvitie — to participate in election

observation missions where both the ODIHR and the Parliamentary Assembly have participated. The Personal Representatives have not been involved in election observation, but their role has been to ensure co-operation in accordance with the 1997 Co-operation Agreement⁴, the Brussels 19/06⁵ decision and on the basis of established practice between the ODIHR and the OSCE Parliamentary Assembly.

The Chairmanship has fully respected the autonomous character in which OSCE election observation is carried out, and appreciates the roles of both ODIHR and the Parliamentary Assembly in OSCE election observation missions. The Chairmanship welcomes the co-operation of the ODIHR and the Parliamentary Assembly in election observation missions during 2008 in accordance with the 1997 Co-operation Agreement and the Brussels 19/06 decision and on the basis of established practice.

Special Envoy Heikki Talvitie participated in the election observation missions in the presidential elections in Georgia on 5 January, the presidential elections in Armenia on 19 February, the parliamentary elections in Serbia on 11 May and the parliamentary elections in Georgia on 21 May.

Ambassador Tom Grönberg participated in the election observation missions in the parliamentary elections in the former Yugoslav Republic of Macedonia on 1 June and 15 June (re-runs), the parliamentary elections in Belarus on 28 September, and the presidential and congressional elections in United States of America on 4 November. He also participated as the Chairman-in-Office's Personal Representative in the election observation mission to the presidential elections in Azerbaijan on 15 October. The OSCE Parliamentary Assembly did not observe these elections, but the ODIHR's election observation mission co-operated with the election observation missions of the Council of Europe Parliamentary Assembly (PACE) and the European Parliament.

Ambassador Tom Grönberg participated in a seminar on election observation organized by the Commonwealth of Independent States in St. Petersburg in February. In addition, he represented together with Special Envoy Kimmo Kiljunen the Finnish Chairmanship at the Chairmanship Seminar on Election-Related Issues in Vienna in July 2008 and the Chairmanship Expert Seminar on Electronic Voting in Helsinki in October 2008.

General remarks and conclusions

The dialogue on election-related issues during 2008 has been constructive and paved the way for further dialogue. It has been reaffirmed that the participating States consider OSCE election-related commitments binding and the need to continue efforts to intensify their implementation has been widely recognized.

Election observation is a tool to increase public confidence in the election system of a country. The majority of the participating States recognize the election observation methodology developed by the ODIHR as a way to make an objective assessment of

4 Co-operation Agreement between the OSCE Parliamentary Assembly and the OSCE Office for Democratic Institutions and Human Rights, Copenhagen, 2 September 1997.

5 Decision No. 19/06 on strengthening the effectiveness of the OSCE, MC.DEC/19/06, 5 December 2006.

compliance with OSCE commitments. It should be noted that several international election monitoring actors have adopted this methodology. However, some participating States have raised criticism towards this methodology. These participating States have suggested the adoption of a set of rules to regulate the conduct of OSCE election observation missions.

Participating States have brought up the need to broaden the scope of countries that are subject to election observation. Here it can be noted that the OSCE has observed elections across the OSCE area in 2008 — among them Georgia, Armenia, Spain, Montenegro, Italy, Serbia, the former Yugoslav Republic of Macedonia, Belarus, Azerbaijan and the United States of America.

Two particular cases stand out with respect to elections carried out in the OSCE area in 2008. The Chairmanship expressed its disappointment that the ODIHR and the Russian Central Election Commission did not reach an understanding on the terms of election observation in the Russian presidential elections on 2 March. At the same time the Chairmanship noted that the Parliamentary Assembly decided not to deploy an election observation mission to the Russian presidential elections. With respect to the presidential and congressional elections in the United States, the Chairmanship deplored the fact that there was no joint statement by the ODIHR and the Parliamentary Assembly, although both deployed an election observation mission to these elections.

The importance of long-term observation has been highlighted by many participating States. It ensures a comprehensive assessment of the electoral process as a whole, including the assessment of the realization of freedom of expression, freedom of assembly and freedom of association that are essential elements in democratic participation. Long-term observation forms the basis for targeted recommendations with a view to improve the electoral systems in the participating States. It would be useful to conduct further discussions on the aims and conduct of long-term observation.

OSCE election observation recommendations have given impetus for several participating States to reform their legislative and administrative frameworks for elections. During the OSCE Chairmanship Seminar on Election-Related Issues examples were presented on how recommendations have led to improvements also recognised by the countries in question. However, more needs to be done by the participating States to ensure a more coherent and effective follow-up to recommendations of OSCE election observation. In this context, the involvement of non-governmental organizations as well as other civil society actors is essential to ensure the transparency of the election process and the accountability of election administration.

The Finnish Chairmanship would like to encourage the participating States, the ODIHR and the Parliamentary Assembly to continue an open, constructive and future-oriented dialogue on election-related issues and activities.

Helsinki, 25 November 2008

MP Kimmo Kiljunen, Special Envoy on Election-Related Issues

Ambassador Tom Grönberg, Representative of the Chairman-in-Office for Election Observation Missions

Ambassador Heikki Talvitie, Special Envoy of the Chairman-in-Office

**REPORT BY THE CHAIRPERSON (GREECE) OF THE CONTACT
GROUP WITH THE OSCE MEDITERRANEAN PARTNERS FOR
CO-OPERATION AT THE OSCE**

(MC.GAL/11/08 of 2 December 2008)

Ministers,
Excellencies,
Ladies and Gentlemen,

I would like to begin by expressing my warmest thanks to all the OSCE Mediterranean Partners for Co-operation for their continuous engagement in the OSCE, through their active participation and their contributions to the OSCE's debate, throughout this year. We have strived to remain true to the commitments undertaken since the beginning of our Chairmanship of the OSCE Mediterranean Partners for Co-operation by stimulating interesting and provoking discussions in all three dimensions.

The 2008 rolling schedule regarding the agendas of the contact groups, as well as the agenda of the 2008 Mediterranean Conference demonstrate our willingness to maintain the principle of "cross-dimensionality", while achieving a balance among the three dimensions of the OSCE.

To date the Contact Group has held seven meetings on a regular basis, with an additional one scheduled to take place in December. Moreover, in line with the Ministerial Declaration on the OSCE partners for Co-operation (MC.DOC/1/07, 30 November 2007), we convened, on 25 July 2008, the Second Joint Meeting of the Contact Groups with the Mediterranean and Asian Partners, which constitutes an appropriate forum for exchanging views and ideas on issues of common interest.

Please allow me to refer briefly to some of the issues on which we have exchanged opinions and ideas during these past seven Meetings.

As far as the first dimension is concerned, the Mediterranean Partners for Co-operation had the opportunity to be informed in depth, by the Hungarian Permanent Representative, Ambassador Dr. György Molnár, Chairman of the Security Committee, about the work of the Committee on regular security-related matters, such as border security and management, anti-terrorism activities, police-related activities, including issues related to non-military aspects of security, as well as about the organization of the Annual Security Review Conference, held in Vienna, on 1 and 2 July 2008.

In addition, Mr. Misa Kangaste, Lieutenant Commander, Chair of the FSC, presented the Mediterranean Partners, FSC's and Chairmanship's priorities, stressing the unique place of the FSC to debate all European security issues, underlying that its mandate should be fully utilized, calling the Partners for closer dialogue between the FSC and the partner countries on the Code of Conduct on Politico-Military Aspect of Security (FSC Decision No. 1/08).

With regard to the second dimension, the Mediterranean Partners had a lively exchange of views with the Co-ordinator of OSCE's Economic and Environmental Activities on economic and environmental issues Mr. Bernard Snoy, with a focus on the follow-up to the Valencia and Rabat seminars of December 2007, which had provided the opportunity for

discussion on sensitive issues such as desertification, management of water resources and migration.

As regards the follow-up to the Valencia Seminar, organized on 10 and 11 December 2007, under the Spanish Chairmanship, in co-operation with NATO, Mr. Snoy emphasized the importance of implementing a survey or an assessment on water scarcity, land degradation, desertification and security in the Mediterranean region. He recommended the launch of an international initiative similar to the example of ENVSEC (Environmental and Security Initiative), which would be aimed at addressing environmental risks to security and fostering stability, through environmental co-operation. Throughout the launch seminar and follow-up in Rabat, on 12 and 13 December 2007, the OSCE participating States and southern Mediterranean countries conducted a constructive dialogue on the challenges of developing effective labour migration policies in destination, transit and origin countries, as well as on the importance of protection of migrant workers, with a focus on the needs of female migrant workers.

As for the third dimension, several discussions were held on issues ranging from the freedom of the media and tolerance and non-discrimination, to trafficking in human beings and gender issues.

The Special Representative for Combating Trafficking against Human Beings, Ms. Eva Biaudet, called the relevant actors at national and international level to step up their efforts, in order to tackle trafficking in human beings through data collection, information analysis and a self-reporting mechanism on both shores of the Mediterranean, simultaneously welcoming the progress that has been made to date in some Mediterranean States. The Senior Adviser on Gender Issues, Ms. Jamila Seftaoui, addressing the Contact Group, highlighted the linkage between gender equality and security and stability, while focusing on different possible areas of co-operation with the Mediterranean Partners, such as the implementation of mechanisms to protect women's rights, the prevention of gender-based violence and trafficking, a gender-sensitive labour migration policy, gender-mainstreaming in the police, civil society, governments and private sectors.

Also, the Personal Representative of the CiO on Combating Intolerance and Discrimination against Muslims, Ambassador Ömür Orhun, in his address to the Contact Group of 21 November 2008, emphasized the need for creating confidence between immigrant Muslim communities and mainstream communities, as well as between the Muslim world and the Western world. He also stressed that international and national standards and norms do exist, but that they will have to be implemented, through solidarity, integration and dialogue with a view to building bridges and partnerships of equals among different segments of societies. Moreover, he invited the Mediterranean Partners to offer their support to the three representatives of the CiO in their work.

In all of these issues, the Mediterranean Partners demonstrated a genuine interest, and contributed, by expressing their own perspectives and suggestions, to addressing all these challenges to security.

In line with the Madrid Ministerial Declaration on the OSCE Partners for Co-operation, the Greek Chair has concentrated its efforts on the implementation of the provisions pertaining to the above-mentioned Declaration for the enhancement of co-operation with the Partners. More specifically, in order to reflect the deeper and more meaningful engagement by the Mediterranean Partners in the OSCE, and also in line with the

tradition established with the Asian Partners, the Greek Chairmanship of the Mediterranean Group initiated the upgrading of the annual event with the Mediterranean Partners to be renamed “OSCE Mediterranean Conference”.

Within the scope of strengthening relations with the Mediterranean and Asian Partners for Co-operation, we welcomed the establishment of the Partnership Fund and provided a substantial contribution in March, when we sponsored a Seminar for Young Diplomats from all the Mediterranean Partners and the Quintet countries, which took place in June in Athens and in Vienna. This was the first project to be funded by this Fund. The first part was hosted by the Greek Diplomatic Academy, and provided 40 participants from the Mediterranean Partners and the Quintet countries with the opportunity to exchange ideas on European security issues and the broader development of the European security architecture. The second part, held in Vienna, provided the participants with the opportunity to learn in detail the scope and extent of the OSCE’s approach to security, both the doctrine and its practical implementation. It was an excellent opportunity for us to facilitate interaction among young diplomats throughout the Mediterranean. We are also working closely with the ATU on organizing a Workshop on Supply Chain Security in the Mediterranean ports, which will again be funded through the Greek contribution to the Partnership Fund.

This year’s highlight has been the organization of the 2008 Mediterranean Conference themed “The OSCE approach to regional security — a model for the Mediterranean”, which was held in Amman, on 27 and 28 of October 2008. We would like to express our deepest gratitude to the Hashemite Kingdom of Jordan for its excellent hospitality and for its strong commitment to holding a Conference which stimulated a lively debate on crucial security issues.

We deemed it necessary to prepare an agenda which would reflect OSCE’s “comprehensive approach” to security, while maintaining the principle of “cross-dimensionality” as a basis for any discussion. Given the cross-dimensional character of the Conference, the conclusions reached encompass all three dimensions of the Organization, in accordance to the spirit and the essence of the OSCE principles, in the field of anti-terrorism, CSBMs, water scarcity, land degradation and desertification in the Mediterranean region, combating intolerance and non-discrimination.

More specifically, in the field of CSBMs, their crucial role in establishing mutual trust, transparency and predictability in the OSCE area was highlighted. At the same time, participants discussed the usefulness of adopting regional CSBMs in the Mediterranean region, tailor-made for its specific needs, applicable on a voluntary basis, and developed in an incremental way. The adoption of regional CSBMs would complement international efforts for a genuine and result-oriented peace process in the Middle East, while establishing an atmosphere of trust and openness with a view to creating a more conducive climate for negotiations in the region.

With regards to terrorism, the United Nations, on the basis the UN Global Counter-Terrorism Strategy (2006), together with the OSCE, as a regional arrangement under Chapter VIII of the UN Charter, provide the global framework for an enhanced international co-operation in the fight against terrorism. OSCE’s contribution consists in providing assistance to participating States and the Mediterranean Partners in specific fields such as the promotion of the international legal framework against terrorism, the enhancement of legal co-operation in criminal matters, the improvement of passport and travel document security, the enhancement of container security as well as the combating of financing of terrorism.

Undoubtedly, besides the contribution of international organizations to the fight against terrorism, the active engagement of other actors, such as civil society and the business community — through the promotion of the public-private partnership — is required. In addition, participants agreed that there is not only a military solution to terrorist activity; therefore, a “cross-dimensional” approach is necessary in order to address both the phenomenon and its underlying causes.

On issues of the second dimension, water scarcity, land degradation and desertification in the Mediterranean region and the impact of environmental issues on security were analyzed. Some Partners presented their national policies in addressing environmental challenges in their respective countries. The phenomenon of globalization has led to the creation of a new kind of “bipolar” world, where the less advanced are facing military conflicts, population growth, food crisis, desertification and drought. In particular, in the Mediterranean region, political tensions and long-standing conflicts endanger regional security and environment, thus, becoming an obstacle to development. They mentioned, among other, the use of renewable and alternative energy sources as a way ahead. Nevertheless, they stressed that even environmentally-friendly policies are not fully deprived of environmental burdens. The Mediterranean region has been seriously affected by the phenomenon of global warming with a significant impact on environment — water scarcity, desertification, land degradation, rural poverty, irreversible loss of biodiversity — and, consequently, on security. To that end, both, Partners and participating States, agreed on the need for enhanced co-operation, at regional and inter-State level, aiming at sharing the natural resources of the area. They further stressed the need for sharing expertise and best practices as well as for transferring of technology.

With regard to the human dimension, the implementation of the OSCE commitments on combating intolerance and non-discrimination, by utilizing the appropriate tools developed by the OSCE, remains a priority. Moreover, the contribution of civil society and national human rights institutions was duly acknowledged in the debate. The need to bridge the gap between traditional cultural patterns and modernized societies, including women’s rights in education was noted. Religion was pinpointed as the enemy of exclusion and discrimination, while its important role in the establishment of peace was highlighted.

Additionally on the eve of the Conference, a side event on the topic “Co-operation with Mediterranean civil society and NGOs in promoting tolerance and non-discrimination” was held, which has also been financed by the Partnership Fund. The organization of this event was aimed at promoting more constructive dialogue between representatives of OSCE participating States, Mediterranean Partners for Co-operation and NGOs on the implementation of OSCE commitments in the field of tolerance and non-discrimination, while strengthening the capacity of various actors of civil society to exchange information and best practices and also to share their practical experience with other regional and international NGOs.

In conclusion, I would like to say that we had a very busy and intensive year. In a month, we will pass the torch to the incoming Kazakh Chair taking the lead of a vibrant, dynamic and committed group, such as the Mediterranean Contact Group. With the full support of the incoming Greek Chairmanship, I have full confidence that the Kazakh Chair will further build on past achievements and promote even more the co-operation with our Mediterranean Partners to the benefit of both the OSCE and the Mediterranean region.

**REPORT OF THE CHAIRMANSHIP OF THE
ASIAN CONTACT GROUP (SPAIN), TO THE HELSINKI
MINISTERIAL COUNCIL ON THE 2008 WORK WITH THE
ASIAN PARTNERS FOR CO-OPERATION**

(MC.GAL/12/08 of 2 December 2008)

This year has been a year of considerable achievement by the Asian Partners, given the interesting and productive dynamics that characterise the Asian Contact Group, and the stimulating contribution brought to the OSCE's debate by such a varied region.

The work of the Asian Contact Group, and the broader dialogue with the Asian Partners, this year has continued along three main pillars. First of all, the Spanish Chairmanship has endeavoured to continue deepening dialogue along the three dimensions of security. Secondly, it has sought to provide continuity with previous achievements and follow-up to recommendations made in previous years. Thirdly, it has continued to foster and support new initiatives for which the Asian Partners themselves brought full ownership.

The year started with important input from the Madrid Ministerial Council. Three major documents were adopted in Madrid, which dictated the main thrust of our work in 2008. First of all, the OSCE ministers had adopted the unprecedented decision on OSCE engagement with Afghanistan, whereby for the first time the OSCE participating States specifically decided on an assistance package to a Partner for Co-operation. Secondly, the Ministerial Declaration on the Partners for Co-operation whereby the participating States welcomed the increased engagement by the Partners for Co-operation in the OSCE, noting that, over the years, a solid foundation has been laid for a strengthened partnership. They further underlined the importance of dialogue and co-operation with the Partners for Co-operation, exploring the scope for wider sharing of OSCE norms, principles and commitments with them. Thirdly, the Permanent Council decision on the adoption of a Partnership Fund, an initiative that Spain had so supported against all odds and could only finally meet consensus after protracted and sensitive negotiations.

The Contact Group in 2008 held five meetings, concentrating on a number of issues in all three dimensions. These have ranged from counter-terrorism to border management and security, police activities and anti-trafficking. Following previous recommendations to strengthen relations with the ASEAN Regional Forum, discussion took place on the outcome of last March's ARF Seminar on CSBMs and preventive diplomacy, hosted by Germany and to which the Secretariat and the Chairmanship had contributed. This discussion was aimed at providing continuity with past discussion in the context of the Contact Group. Innovation was provided through an address to the Contact Group by the Head of the OSCE Centre in Dushanbe, to brief participants on the scope of the Centre's activities, with focus on those activities that were of relevance to Afghanistan and Mongolia as Asian Partners. This innovative address was universally praised and allowed to broaden the scope of dialogue and enter more concrete details of the OSCE's range of activities in the field. Hopefully, this also laid the foundations for more similar addresses in the future by other heads of OSCE field operations.

The Contact Group also held a solid discussion on the outcome of the Madrid Ministerial Council, focussing on the three decisions highlighted above. The Asian Partners indeed renewed the assurances of their determination to continue deepening dialogue with the

OSCE and make best use of the Partnership Fund. The fact that two Asian Partners have contributed to the Fund bears witness to their collegiate and co-operative spirit, in line with the OSCE's vision of co-operative security and the underlying notion of mutual assistance with which the participating States over the years have based the whole OSCE architecture.

The 2008 OSCE Afghanistan Conference on "Strengthening Co-operation between the OSCE and its Asian Partners for Co-operation to Address Challenges to Security" held in Kabul on 9 and 10 November 2008 was the highlight of the year's work. The Conference was articulated over three main substantive sessions: the OSCE's contribution to capacity-building in the OSCE region and the Asian Partners for Co-operation; threats to the common security and stability of the OSCE participating States and the Asian Partners for Co-operation, with particular attention to Central Asia and Afghanistan; and challenges and opportunities in border security and management, including customs modernization.

The Conference also brought together high level representatives of the Government of Afghanistan, the international community representatives based in Kabul as well as the representatives of participating States and the Asian Partners for Co-operation based in Vienna or in the national capitals. It was specifically this important mix of people that led to a lively discussion and added a much valued range of different perspectives.

To have had this conference in Kabul, focussing on Afghanistan but also on the broader security implications for the region of Central Asia was in itself of particular importance and high symbolic value. As our host H.E. Dr. Rangin Dadfar Spanta, Minister for Foreign Affairs of the Islamic Republic of Afghanistan, pointed out in his welcoming remarks, Afghanistan in the last few years has taken great strides on the path toward a stable and prosperous State. Despite such progress, however, many challenges continue facing this country and the Central Asian region, requiring continued international support.

Many of the issues included on the agenda are indeed threats to security that are trans-national, trans-boundary and trans-regional in their very nature. Threats such as trafficking in narcotics and terrorism are indeed a global threat affecting us all, and cannot be circumscribed within the boundaries of one country. At the same time, they cannot be faced by one single State or organization in isolation, they require solid and systematic co-operation. As has been rightly noted in the debate, there is a wealth of expertise and best practices that can be shared among all states in the region, both participating States and the Asian Partners.

The third main element that emerged from the debate is that regional co-operation also implies an exchange of experience between different regions. A number of concrete examples drawn from the recent experience in southeast Europe that have much relevance to Afghanistan and Central Asia were duly raised.

Concerning Afghanistan, the underlying thread throughout the conference was that the OSCE does have a role to play in Afghanistan. This rests on three pillars. First of all, the OSCE's co-operative and comprehensive approach to security is precisely what participants said is needed to address the challenges facing Afghanistan and this region. Secondly, Afghanistan's remarkable determination in espousing the OSCE's values ensures any OSCE endeavours would not be in vain. The third and most important pillar is the decision taken by our foreign ministers in Madrid on OSCE engagement with Afghanistan. The Afghan Government once again in Kabul expressed its wholehearted support to the package of

16 projects developed by the Secretariat aimed at supporting capacity-building in areas such as customs, border management and security, counter-narcotics and police.

Possible OSCE support to next year's elections in Afghanistan has also been mentioned. For the OSCE this is not an easy decision to make. However, Spain has full confidence that the Afghan Government's request will be considered with extreme seriousness by the participating States, as was the case in 2004 and 2005.

One can hardly speak about possible assistance to Afghanistan without thinking of the Partnership Fund. As noted in the Secretary General's report to the Permanent Council, in its first year of operation the fund has already proven its strong usefulness as a tool to assist deepening dialogue with the Partners for Co-operation. Concerning the Asian Partners, one project has been implemented aimed at supporting the Afghan election process. This is a contribution by the Secretariat, jointly with the ODIHR, to share the OSCE's vast experience and expertise on election monitoring, which hopefully will help strengthen the capacity of the Afghan Independent Central Election Commission to deliver a free and fair election next year. Spain remains ready to participate in further dialogue with the Partners for Co-operation on future use of the Fund for the purpose of assisting their efforts at promoting common security and stability.

Last year human security had made a prominent entry in the OSCE debate, thanks mostly to the good efforts of Japan, who had spearheaded an informal workshop in Vienna. A follow-up informal workshop was held after the summer break also in Vienna.

The workshop focused on concrete human security projects within the OSCE region in order to understand the concept in a practical way. The workshop was articulated in two main parts. In the first part, speakers identified the areas in which both the OSCE and UN have been active, the latter through its Human Security Trust Fund. Speakers highlighted the usefulness of the Fund in the OSCE region. They also highlighted that, in drawing on the expertise of the OSCE, participating States can ensure that their responses to issues affecting human security are timely, focused and appropriate.

In the second part, speakers pointed out how fields in which the OSCE possesses particular expertise, such as human trafficking and landmines, are also fields that have been extensively targeted by the Human Security Trust Fund, bringing the example of specific projects undertaken under it to make their case. These examples showed the concrete areas of common interest and concern between the OSCE and the UN Trust Fund and how mutual co-operation between the OSCE and UN was useful in these areas.

There was one issue in which progress was below the initial expectations. The implementation of FSC.DEC/1/08 on outreach concerning the Code of Conduct on Politico-Military Matters. In the decision, the participating States invited the Partners for Co-operation to start voluntarily implementing the Code of Conduct, and in particular participate in the share of information on their armed forces that is regulated by the Code. Despite the systematic efforts of subsequent chairmanships of the FSC and of the Austrian co-ordinator, regrettably an agreement could not be reached on the Partners' participation in the questionnaire. Spain stands ready in the future to continue supporting dialogue on this issue, hoping that a positive outcome can be determined. Far from limiting the sovereign rights of countries, the Code of Conduct provides increased transparency and confidence

among neighbouring states. Furthermore, the participation by the Partners for Co-operation would be on an entirely voluntary basis, therefore not affecting their sovereign rights.

This year has been a year of important achievements. The gratitude of the Chair of the Contact Group goes to the Finnish OSCE Chairmanship for its regular support and also to the Secretary General and the Secretariat for their tireless efforts. Our work depends on them. Most importantly, though, our gratitude goes to the Asian Partners themselves for their determination to make our dialogue a success. In just one month Finland will be taking over the leadership of a healthy and vibrant group.