



**Organization for Security and Co-operation in Europe
Review Conference**

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Conference Services

2010 REVIEW CONFERENCE

Warsaw, 30 September to 8 October 2010

Vienna, 18 to 26 October 2010

Astana, 26 to 28 November 2010

CONSOLIDATED SUMMARY

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I. PERMANENT COUNCIL DECISIONS



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

PC.DEC/952
29 July 2010

Original: ENGLISH

825th Plenary Meeting

PC Journal No. 825, Agenda item 6

**DECISION No. 952
AGENDA, ORGANIZATIONAL FRAMEWORK, TIMETABLE AND
OTHER MODALITIES OF THE 2010 REVIEW CONFERENCE**

I. Agenda

(A) Review Conference in Warsaw (30 September–8 October 2010)

1. Formal opening
2. Statement by Mr. Kanat Saudabayev, OSCE Chairperson-in-Office
Statement by a high representative of the host country
Statement by the President of the OSCE Parliamentary Assembly
Statement by the OSCE Secretary General
3. Reports by:
 - (a) Director of the ODIHR
 - (b) OSCE High Commissioner on National Minorities
 - (c) OSCE Representative on Freedom of the Media
 - (d) President of the Court of Conciliation and Arbitration
 - (e) Chairperson of the Human Dimension Committee of the Permanent Council
4. General debate among the participating States
5. Contributions by:
 - (a) OSCE Partners for Co-operation
 - (b) United Nations
 - (c) Other international organizations, institutions and entities

6. Working sessions for review of implementation of OSCE principles and commitments, including a focus on recommendations for future action and greater co-operation among participating States:
 - (a) Review of the implementation of all OSCE principles and commitments in the human dimension (HDR)
 - (b) Forward-looking discussion of the three topics specifically selected by PC.DEC/933 (HDF)
7. Reports by the rapporteurs and the Chairperson's summary
8. Formal closure

(B) Review Conference in Vienna (18 October–26 October 2010)

1. Formal opening
2. Statement by a representative of the OSCE Chairperson-in-Office
Statement by the President of the OSCE Parliamentary Assembly
Statement by the OSCE Secretary General
3. Reports by:
 - (a) OSCE High Commissioner on National Minorities
 - (b) Chairperson of the Forum for Security Co-operation
 - (c) Chairperson of the Security Committee of the Permanent Council
 - (d) Chairperson of the Economic and Environmental Committee of the Permanent Council
 - (e) Director of the Conflict Prevention Centre
4. General debate among the participating States
5. Contributions by:
 - (a) OSCE Partners for Co-operation
 - (b) United Nations
 - (c) Other international organizations, institutions and entities

6. Working sessions for review of implementation of OSCE principles and commitments, including a focus on recommendations for future action and greater co-operation among participating States:
 - (c) Review of the implementation of all OSCE principles and commitments in the politico-military dimension (PMS)
 - (d) Review of the implementation of all OSCE principles and commitments in the economic and environmental dimension (EED)
 - (e) Review of OSCE structures and their activities, including consideration of proposals designed to enhance the role of the OSCE and further strengthen its capabilities (OSA)
7. Reports by the rapporteurs and the Chairperson's Summary
8. Formal closure

(C) Review Conference in Astana (26–28 November 2010)

1. Formal opening by a representative of the OSCE Chairperson-in-Office and a high representative of the host country
2. Working sessions for review of implementation of OSCE principles and commitments, including a focus on recommendations for future action and greater co-operation among participating States:
 - Forward-looking discussion of the three topics specifically selected by PC.DEC/933 (HDF)
3. Reports by the rapporteurs and the Chairperson's Summary
4. Formal closure of the entire Review Conference

II. Organizational framework, timetable and other modalities

1. The Review Conference shall be held in accordance with the OSCE Rules of Procedure (MC.DOC/1/06 of 1 November 2006), in particular its Section (A) OSCE meetings, and will be governed by the following provisions. The modalities of annual Human Dimension Implementation Meetings (HDIMs), as set out in PC.DEC/476, will be, *mutatis mutandis*, reflected in the human dimension parts of the Review Conference in Warsaw and Astana as outlined below. In case of contradiction between provisions of PC.DEC/476 and provisions of this decision, the latter shall take precedence.

Under agenda item 3, at the Review Conference in Vienna, the Chairperson of the Joint Consultative Group (JCG) and the Chairperson of the Open Skies Consultative Commission (OSCC) may provide information on the functioning of the CFE regime and the

functioning of the Open Skies Treaty, respectively. Similarly, the Chairperson of the Forum for Security Co-operation (FSC) will be invited to report to the plenary on Monday, 18 October 2010.

2. All items of the agenda of the Review Conference, except for item 6 of the agenda in Warsaw and Vienna and item 2 of the agenda in Astana, will be dealt with in plenary sessions. Item 6 of the agenda in Warsaw and Vienna and item 2 of the agenda in Astana will be dealt with in working sessions, arranged in parallel working sessions in Vienna and in consecutive working sessions in Warsaw and Astana. The working hours of the Review Conference: from 10 a.m. to 1 p.m. and from 3 to 6 p.m.

Those making reports or contributions under any agenda item are encouraged to submit them in writing. Oral presentations under any agenda item should not exceed five minutes.

3. The OSCE Parliamentary Assembly and the OSCE Partners for Co-operation may attend all sessions of the Review Conference and make both oral and written contributions under item 6 in Warsaw and Vienna and item 2 in Astana. All OSCE executive structures, in particular field operations, are encouraged to designate representatives to participate in the Review Conference.

4. An indicative work programme for the working sessions under item 6 in Warsaw and Vienna and item 2 in Astana will be agreed upon by the participating States before, if possible, or at the first plenary session of the Review Conference in Warsaw, after open-ended informal consultations among the participating States in Vienna that are to be concluded prior to the opening of the Review Conference. For practical and organizational reasons, the deliberations at the Review Conference will be organized according to the three traditional areas of OSCE activity; at the same time, sessions will be organized in such a way as to permit a discussion of OSCE structures and their activities:

Politico-military dimension

Agenda item 6(c): Review of the implementation of all OSCE principles and commitments relating to the politico-military and non-military aspects of security (PMS)

Chair: Representative of Greece
(8 sessions)

Economic and environmental dimension

Agenda item 6(d): Review of the implementation of all OSCE principles and commitments in the economic and environmental dimension (EED)

Chair: Representative of Lithuania
(7 sessions)

Human dimension

Agenda item 6(a): Review of the implementation of all OSCE principles and commitments in the human dimension (HDR)

Chair: moderators, as per PC.DEC/476
(8 sessions)

Agenda item 6(b) (agenda item 2 in Astana): Forward-looking discussion of the three topics specifically selected by PC.DEC/933 (HDF)

Chair: moderators, as per PC.DEC/476
(6 sessions)

OSCE structures and their activities

Agenda item 6(e): Review of OSCE structures and their activities, including consideration of proposals designed to enhance the role of the OSCE and further strengthen its capabilities, of OSCE co-operation with the Partners for Co-operation and international organizations and initiatives and of lessons learned from field activities (OSA)

Chair: Representative of the Chairperson-in-Office
(7 sessions)

5. The plenary sessions of the Review Conference will provide direction to the deliberations in the working sessions and will conclude each part of the Review Conference.
6. In keeping with the increasing openness of OSCE activities, representatives of non-governmental organizations (NGOs) with relevant experience in the area under discussion are free, on the basis of the procedures set out in the Annex, to attend and contribute to the working sessions of the Review Conference dealing with the human and the economic and environmental dimensions (EED, HDR and HDF) and the part of working sessions on OSCE structures and their activities dealing with lessons learnt from field activities (part of OSA).
7. The plenary sessions of the Review Conference will be open unless otherwise agreed upon by the participating States at a plenary session.
8. The plenary sessions and working sessions of the Review Conference will be held in accordance with the schedule of sessions contained in this document. This schedule will be subject to constant review and possible readjustment by the participating States at a plenary session.
9. The following international organizations, institutions and initiatives will be invited to attend and make written contributions at all sessions of the Review Conference:
Adriatic-Ionian Initiative; African Union; Asian Development Bank; Association of Southeast Asian Nations (ASEAN); ASEAN Regional Forum; Barents Euro-Arctic Council; Central Asian Regional Information and Coordination Centre for Combating Illicit Trafficking of Narcotic Drugs, Psychotropic Substances and their Precursors; Central

European Initiative; Collective Security Treaty Organization; Commonwealth of Independent States; Commonwealth of Nations; Community of Democracies; Community of Portuguese Speaking Countries; Conference on Interaction and Confidence-Building Measures in Asia; Council of the Baltic Sea States; Council of Europe; Economic Cooperation Organization; Energy Charter Secretariat; Eurasian Economic Community; European Bank for Reconstruction and Development; European Investment Bank; Europol; Financial Action Task Force; International Atomic Energy Agency; International Committee of the Red Cross; International Criminal Court; International Criminal Police Organization; International Criminal Tribunal for the former Yugoslavia; International Energy Agency; International Fund for Saving the Aral Sea, International Labour Organization; International Monetary Fund; International Organization for Migration; League of Arab States; North Atlantic Treaty Organization; Non-Aligned Movement; Organization of American States; Office of the United Nations High Commissioner for Human Rights; Office of the United Nations High Commissioner for Refugees; Organisation for Economic Co-operation and Development; Organization for Democracy and Economic Development – GUAM; Organisation internationale de la Francophonie; Organization of the Black Sea Economic Cooperation; Organization of the Islamic Conference; Organization for the Prohibition of Chemical Weapons; Preparatory Commission for the Comprehensive Nuclear-Test-Ban; Regional Cooperation Council; Shanghai Cooperation Organisation; South-East European Cooperation Process; Southeast European Cooperative Initiative; Union for the Mediterranean; United Nations Alliance of Civilizations; United Nations Children’s Fund; United Nations Conference on Trade and Development; United Nations Development Fund for Women; United Nations Development Programme; United Nations Economic and Social Commission for Asia and the Pacific; United Nations Economic Commission for Europe; United Nations Educational, Scientific and Cultural Organization; United Nations Environment Programme; United Nations Institute for Disarmament Research; United Nations Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States; United Nations Office on Drugs and Crime; United Nations Regional Centre for Preventive Diplomacy for Central Asia; World Bank and the World Customs Organization.

The above international organizations, institutions and initiatives will be invited to make their contributions to plenary sessions and at appropriate working sessions of the Review Conference in the context of relevant agenda items.

10. The Chair at the plenary sessions of the Review Conference will be a representative of the Chairperson-in-Office, except for the plenary session in Warsaw to conclude discussion of agenda item 6(a), which will be chaired by the Director of the ODIHR, in accordance with PC Decision No. 476. The discussions during the working sessions in Vienna will be chaired by representatives of the other two OSCE Troika countries: Greece and Lithuania. The discussions during the working sessions in Warsaw and Astana will be chaired by moderators as stipulated in PC Decision No. 476, who will be appointed by the Chairmanship.

The representative of the Chairperson-in-Office will, after consultations with the participating States, appoint appropriate number of rapporteurs for the working sessions. The reports of the rapporteurs, which will not be regarded as binding documents, will be presented in the last plenary meeting of each part of the Review Conference, and will serve as a basis for subsequent deliberations at the Astana part of the Review Conference.

11. This decision will enter into effect as from the date of adoption of the Ministerial Council decision on the time and venue of the next OSCE Summit and Review Conference.

Schedule of sessions

1. Warsaw

Week 1	Thursday 30 September	Friday 1 October
Morning	Plenary	HDR 1
Afternoon	Plenary	HDR 2

Week 2	Monday 4 October	Tuesday 5 October	Wednesday 6 October	Thursday 7 October	Friday 8 October
Morning	HDR 3	HDR 5	HDR 7	Plenary*	HDF 2
Afternoon	HDR 4	HDR 6	HDR 8	HDF 1	HDF 3

2. Vienna

Week 3	Monday 18 October	Tuesday 19 October	Wednesday 20 October	Thursday 21 October	Friday 22 October
Morning		PMS 1 EED 1	PMS 3 EED 3	PMS 5 OSA 1	PMS 7 OSA 3
Afternoon	Plenary	PMS 2 EED 2	PMS 4 EED 4	PMS 6 OSA 2	PMS 8 OSA 4

Week 4	Monday 25 October	Tuesday 26 October
Morning	EED 5 OSA 5	EED 7 OSA 7
Afternoon	EED 6 OSA 6	Plenary

3. Astana

Week 4	Friday 26 November	Saturday 27 November	Sunday 28 November
Morning		HDF 5	Reinforced plenary
Afternoon	HDF 4	HDF 6	

PMS	Agenda item 6(c)	8 sessions
EED	Agenda item 6(d)	7 sessions
OSA	Agenda item 6(e)	7 sessions
HDR	Agenda item 6(a)	8 sessions
HDF	Agenda item 6(b) (item 2 in Astana)	6 sessions
*	Session chaired by the D/ODIHR	

Concerning Section II, paragraph 6:

Representatives of NGOs are invited to make written presentations through the OSCE Secretariat in close co-operation with the ODIHR, on the basis of which they may address specific questions orally as appropriate. NGOs will have equal access to the list of speakers to allow them to make their contributions under each agenda item addressed by the meeting as specified below. Contributions should not exceed five minutes each.

All NGOs wishing to attend the working sessions of the Review Conference dealing with the agenda items 6(d) – EED, 6(a) – HDR, 6(b) – HDF (item 2 in Astana) and the part of working sessions dealing with lessons learnt from field activities under agenda item 6(e) – OSA will be admitted subject to the provisions contained in Chapter IV, paragraphs 15 and 16 of the Helsinki Document 1992. Prior to the meetings, the OSCE Secretary General, in consultation with the ODIHR, will distribute to all participating States a list of the NGOs intending to participate. The Secretary General, in close co-operation with the ODIHR, will keep participating States regularly informed of additional NGOs wishing to attend the working sessions and plenary meetings. Should questions arise concerning the application of Chapter IV, paragraph 16 of the Helsinki Document 1992, the Secretary General, assisted by the ODIHR, will undertake consultations to ensure that any decision on the matter is in conformity with the said provisions and is based on the views of the interested participating States.



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

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830th Plenary Meeting

PC Journal No. 830, Agenda item 4

**DECISION No. 956
INDICATIVE WORK PROGRAMME FOR THE WORKING SESSIONS
OF THE 2010 REVIEW CONFERENCE**

The Permanent Council,

Recalling paragraph 4 of its Decision No. 952 on the agenda, organizational framework, timetable and other modalities of the 2010 Review Conference,

Agrees upon the indicative work programme for the working sessions of the 2010 OSCE Review Conference, as enclosed in the annex.

REVIEW OF THE IMPLEMENTATION OF ALL OSCE PRINCIPLES AND COMMITMENTS

In line with Permanent Council Decision No. 952 on the Agenda, Organizational Framework, Timetable and Other Modalities of the 2010 Review Conference, the working sessions will provide an opportunity to review the implementation of existing OSCE principles and commitments and to focus on recommendations for future action and greater co-operation among participating States.

I. Indicative work programme for the politico-military dimension (PMS)

Review sessions (Vienna)

Monday, 18 October 2010

3 p.m. Plenary session

Tuesday, 19 October 2010

10 a.m. Session 1: Transnational threats and challenges I

Mandates, programmes/tools, resources/capacities and external co-operation regarding OSCE contributions to counter transnational threats from 1999 to 2010

- Combating terrorism;
- Police-related activities;
- Combating organized crime/drug trafficking;
- Border security/management;
- Cyber security;
- Countering proliferation;
- Cross-dimensional issues.

3 p.m. Session 2: Transnational threats and challenges II

- Continuation (see above)
- Conclusions regarding the OSCE profile, activities and structures on issues pertaining to transnational threats in the coming several years

Wednesday, 20 October 2010

- 10 a.m. Session 3: Role of the OSCE in early warning, conflict prevention and resolution, crisis management and post-conflict rehabilitation I
- Role, activities and capabilities of the OSCE in the entire conflict cycle;
 - OSCE mechanisms and procedures;
 - Peaceful settlement of disputes and conflicts on the basis of norms and principles of international law and provisions of the Helsinki Final Act;
 - Lessons learned.
- 3 p.m. Session 4: Role of the OSCE in early warning, conflict prevention and resolution, crisis management and post-conflict rehabilitation II
- Continuation (see above)

Thursday, 21 October 2010

- 10 a.m. Session 5: Threats and challenges emanating from the territory of Afghanistan and the OSCE's contribution to stability in the region
- OSCE role in international assistance to Afghanistan as a regional organization with a comprehensive mandate covering the three dimensions;
 - Co-operative approach with other international organizations and regional structures.
- 3 p.m. Session 6: The role and perspectives of arms control and confidence- and security-building regimes in building trust in the evolving security environment I
- OSCE 1996 Framework for Arms Control and CSBM regime;
 - Vienna Document 1999;
 - OSCE Code of Conduct on Politico-Military Aspects of Security;
 - SALW and SCA, including rocket fuel components and explosive remnants of war;
 - Role of the OSCE in non-proliferation;
 - Other agreed CSBMs.

Friday, 22 October 2010

- 10 a.m. Session 7: The role and perspectives of arms control and confidence- and security-building regimes in building trust in the evolving security environment II

Continuation (see above)

3 p.m. Session 8: The role and perspectives of arms control and confidence- and security-building regimes in building trust in the evolving security environment III

Continuation (see above)

II. Indicative work programme for the economic and environmental dimension (EED)*

Tuesday, 19 October 2010

10 a.m. Session 1

- From Bonn to Maastricht and beyond: Adapting the OSCE economic and environmental dimension to changing challenges.

3 p.m. Session 2

- The OSCE's role, including its field presences, in fostering stability and security and enhancing co-operation and integration in the area of its responsibility through co-operation with other international, regional, subregional organizations and initiatives as well as NGOs and the business community;
- The way forward.

Wednesday, 20 October 2010

10 a.m. Session 3: Economic cluster

- Strengthening good governance, including through promoting transparency, combating corruption, money laundering and the financing of terrorism;
- Transport security;
- The way forward.

3 p.m. Session 4: Economic cluster (continued)

- Migration;
- Energy security;
- The way forward.

* Open to NGOs.

Monday, 25 October 2010

- 10 a.m. Session 5: Environmental cluster
- Ensuring sustainable development and economic growth through promoting technological innovation and modernization in the economies, fostering social development, capacity-building for environmental governance;
 - Protecting the environment;
 - The way forward.
- 3 p.m. Session 6: Environmental cluster (continued)
- Promoting co-operation on security aspects of the environment by, *inter alia*, sustainable use and management of natural resources and preventing pollution, land degradation, ecological risks, natural and man-made disasters;
 - The way forward.

Tuesday, 26 October 2010

- 10 a.m. Session 7: The way forward and recommendations for future action

III. Indicative work programme for the human dimension (HD)*

Review sessions (Warsaw)

Thursday, 30 September 2010

- 10 a.m. Plenary session (formal opening of the 2010 OSCE Review Conference)
- 3 p.m. Plenary session (continued)

Friday, 1 October 2010

- 10 a.m. Session 1: Democratic institutions, including:
- Democratic elections;
 - Democracy at the national, regional and local levels;
 - Citizenship and political rights.
- 3 p.m. Session 2: Fundamental freedoms I, including:
- Freedom of thought, conscience, religion or belief;

* Open to NGOs.

- Presentation of activities of the ODIHR and other OSCE institutions and field operations to implement priorities and tasks contained in the OSCE decisions and other documents.

Monday, 4 October 2010

10 a.m. Session 3: Fundamental freedoms II, including:

- Freedom of assembly and association;
- National human rights institutions and the role of civil society in the protection of human rights;
- Freedom of movement.

3 p.m. Session 4: Rule of law I, including:

- Legislative transparency;
- Independence of the judiciary;
- Right to a fair trial.

Tuesday, 5 October 2010

10 a.m. Session 5: Rule of law II, including:

- Exchange of views on abolition of capital punishment;
- Prevention of torture;
- Protection of human rights and fighting terrorism.

3 p.m. Session 6: Humanitarian issues and other commitments, including:

- Refugees and displaced persons;
- Treatment of citizens of other participating States;
- Human rights education.

Wednesday, 6 October 2010

10 a.m. Session 7: Tolerance and non-discrimination I, including:

- Implementation of the OSCE Action Plan on Roma and Sinti;
- National minorities;
- Preventing aggressive nationalism, racism and chauvinism.

3 p.m. Session 8: Tolerance and non-discrimination II, including:

- Promotion of gender balance and implementation of the OSCE Action Plan and relevant commitments;
- Prevention and response to hate crimes in the OSCE area;
- Combating intolerance and discrimination.

Thursday, 7 October 2010

10 a.m. Plenary session

Forward-looking discussions (Warsaw)

Thursday, 7 October 2010

3 p.m. Session 1: Freedom of media

Friday, 8 October 2010

10 a.m. Session 2: Intolerance against migrants

3 p.m. Session 3: Combating trafficking in human beings, with a particular focus on trafficking in children

Forward-looking discussions (Astana)

Friday, 26 November 2010

3 p.m. Session 4: Freedom of media (continued)

Saturday, 27 November 2010

10 a.m. Session 5: Intolerance against migrants (continued)

3 p.m. Session 6: Combating trafficking in human beings, with a particular focus on trafficking in children (continued)

Sunday, 28 November 2010

10 a.m. Reinforced plenary session (including formal closure of the entire 2010 OSCE Review Conference)

IV. Indicative work programme for OSCE structures and their activities (OSA)

Review sessions (Vienna)

Thursday, 21 October 2010

10 a.m. Session 1: Enhancing the role and further strengthening capabilities of the OSCE executive structures

- Part 1: Effectiveness of the Secretariat and institutions

3 p.m.* Session 2: Enhancing the role and further strengthening capabilities of the OSCE executive structures

- Part 2: Lessons learned from field activities

Friday, 22 October 2010

10 a.m. Session 3

- Co-operation with the Mediterranean Partners for Co-operation;
- Co-operation with the Asian Partners for Co-operation.

3 p.m. Session 4: Co-operation with international, regional, subregional organizations, institutions, and initiatives

Monday, 25 October 2010

10 a.m. Session 5

- Decision-making process;
- Role of the Chairmanship;
- OSCE meetings;
- The role of the OSCE Parliamentary Assembly.

3 p.m. Session 6: Administrative, financial and human resource management issues

Tuesday, 26 October 2010

10 a.m. Session 7: The OSCE's legal framework

* Open to NGOs.

**II. REVIEW OF THE IMPLEMENTATION OF OSCE
PRINCIPLES AND COMMITMENTS, INCLUDING A FOCUS
ON RECOMMENDATIONS FOR FUTURE ACTION AND
GREATER CO-OPERATION AMONG
PARTICIPATING STATES**

(A) Reports of the rapporteurs on the review of the implementation of all OSCE principles and commitments in the politico-military dimension (PMS)

PMS SESSIONS 1 AND 2: TRANSNATIONAL THREATS AND CHALLENGES I AND II

Report by the rapporteur

In his introductory remarks, Ambassador Heiner Horsten observed that, in the post-9/11 world, security vulnerabilities were no longer characterized by classical military threats, but rather by non-military challenges that threatened all equally and were interlinked. The OSCE had a role to play in the international response, but only if its aims and means were clearly delineated.

Existing capabilities

The first segment looked at the mandates, programmes/tools, resources/capacities and external co-operation regarding OSCE contributions to counter transnational threats from 1999 to 2010. Starting with combating terrorism, the Head of the Action against Terrorism Unit outlined the nature of the threat, the record of the OSCE's response and the outlook for the OSCE's work in that area, including fixing of the appropriate level of financial resources.

The most significant point emerging from the discussion on the segment was the view that the transnational, cross-border and cross-dimensional nature of the new threats called for a sustained commitment on the part of all the OSCE participating States. The need for further strengthening of co-operation within the OSCE and between the OSCE and other international organizations was generally confirmed.

A number of statements linked national and international counter-terrorism efforts with the fight against organized crime and drug trafficking. One delegation, in particular, stressed the importance of linking the OSCE's efforts to support for the implementation of UN Security Council resolutions. Socio-economic factors that drove or enabled terrorism, such as the Internet, methods of financing, and porous borders, must also be addressed. Another delegation highlighted the value of better and more consistent follow-up evaluation of OSCE activities. Other statements expressed the view that the OSCE was well placed to ensure respect for human rights in the fight against terrorism, stressed the importance of not singling out any religion or ethnic group, and discussed whether disputed territories contributed to the fight against terrorism.

Addressing the OSCE's policing function, the Head of the Strategic Police Matters Unit said that the OSCE's police-related activities were founded on promotion of the rule of law and the principles of democratic policing. An important contribution of OSCE police-related activities to the fight against transnational threats lay in promotion of regional law enforcement co-operation to more effectively confront threats such as trafficking in persons and drugs and cybercrime.

Several delegations advocated a systematic approach to the OSCE's police-related activities, particularly in countering transnational organized crime and drug trafficking, and urged more direct support for existing UN initiatives. One delegation referred to a draft counter-narcotics strategy document it and several other participating States had developed and expressed the view that the OSCE could lend support to that initiative through additional conferences and workshops and the establishment of a network of contact points. Several

delegations offered specific national capabilities that could be employed for OSCE purposes. Many referred to the OSCE's multidimensional approach, noting how concern for human rights could be successfully integrated into police training and development.

The Head of the Borders Unit within the Secretariat's Conflict Prevention Centre pointed out that border security and management were also key tools in the OSCE toolbox against transnational threats. She noted that the OSCE afforded an unparalleled forum for exchanging ideas on how to build on the OSCE's border management concept with a view to arresting trade in illicit products while facilitating the exchange of licit goods and activities.

Most delegations acknowledged that enhanced border management was a core OSCE competency and that it also embodied the OSCE's cross-dimensional approach. Several welcomed the success of the National Focal Point network, but one lamented its perceived geographic imbalance and the fact that it was not used for natural disasters.

Looking ahead

The second session focused on how the OSCE could usefully enhance its efforts and adjust its priorities to better adapt to the challenges posed by modern transnational threats. Many felt that a principal task for the Astana Summit would be to chart a way ahead for the Organization's capabilities and work in the area of transnational threats. Comments centred on the possible development of new OSCE capabilities in the emerging areas of cyber security and non-proliferation of weapons of mass destruction, along with a general discussion of how to better integrate the Organization's overall work in the sphere of transnational threats.

On cyber security, a number of delegations noted its complexity and global aspects and approved of further OSCE work in this area, particularly with respect to cybercrime. Many urged the development of a mandate to guide the OSCE's approach and activity. A number of delegations considered that the OSCE's added value could lie in exchanging ideas on best practices and developing international norms. Several delegations cited the recommendations of the UN Group of Global Experts, with one suggesting that they could point the way towards determining the OSCE's value added in the area of cyber security. Another delegation referred to international agreements based in other organizations and urged agreement to a universal document that would focus on cybercrime but cover all aspects of information security. Several delegations also considered that the OSCE's established record on fostering public-private partnerships was quite relevant in that respect, along with its cross-dimensional vocation ensuring the protection of fundamental freedoms.

With regard to efforts relating to non-proliferation of weapons of mass destruction, a few delegations applauded efforts to enhance the OSCE's work in support of UN Security Council resolution 1540, while others preferred to keep the discussion on that topic focused in the arms control sessions. All who spoke agreed that, again, the OSCE's cross-dimensional nature was an asset in the area of non-proliferation.

During the more general discussion on transnational threats, a representative from the office of the Secretary General and a number of delegations referred to Athens Ministerial Council Decision No. 2/09 and the resulting report of the Secretary General, as well as the ongoing guidance provided by the Strategy to Address Threats to Security and Stability in the Twenty-First Century, adopted at Maastricht in 2003. Discussion concentrated on the

possibility of a formalized process to update the 2003 Maastricht Strategy, to develop an analytical capacity within the Secretariat, and to review existing specific mandates for police-related activities and the fight against organized crime and drug trafficking. There was universal agreement on the desirability of enhancing internal co-ordination on transnational threats, as well as co-operation with other relevant international actors. Many delegations also urged flexibility in developing and implementing a way forward, citing that as a key OSCE strength.

The delegations concluded the session by agreeing that transnational threats represented an important area for advancing OSCE principles and goals in the years ahead, but that strategic direction, starting with the Astana action plan, was urgently needed.

Recommendations

The following are needed:

- Long-term preventive measures for assuring regional security, including a prioritization of tasks;
- Updating of the 2003 Maastricht Strategy to reflect new threats;
- Better internal and external collaboration and ability to adapt to a shifting picture of threats;
- Rapid implementation of UN Security Council resolutions to implement universal norms and apply conventions and UN strategy;
- Better development of public-private partnerships for confronting the full range of transnational threats;
- More consistent assessment and follow-up of OSCE programmatic activities, including a better understanding of outcomes;
- Development of strategic, comprehensive and consolidated mandates in a range of functional areas, including police, the fight against organized crime, counter-narcotics, counter-terrorism, and cyber security;
- Stepped up conferences and regional seminars on combating drug trafficking and the establishment of a network of contact points;
- Development within the Secretariat of an analytical capacity on transnational threats;
- A straightforward conversation on matching resources to goals to assure the right priorities;
- More consideration to transnational threats emanating from the territory of Afghanistan.

PMS SESSION 3: THE ROLE OF THE OSCE IN EARLY WARNING, CONFLICT PREVENTION AND RESOLUTION, CRISIS MANAGEMENT AND POST-CONFLICT REHABILITATION I

Report by the rapporteur

In her introductory remarks, the Chairperson said that early warning, conflict prevention and resolution, crisis management and post-conflict rehabilitation were at the core of the OSCE's foundation. Indeed, the OSCE's engagement in the whole conflict cycle was the one issue area that all the participating States had been willing to discuss within the Corfu Process. She called upon the participating States to leave aside individual perceptions and not to widen existing gaps. Political will was needed to resolve protracted conflicts and respond to emerging crises. In the run-up to the Astana Summit, there seemed to be more questions that remained open than there were available answers. Institutional flexibility was needed to close the gap between early warning and early action. However, upgrading the OSCE's capacity and adapting existing mechanisms and procedures needed to go hand in hand with the steps required to operationalize the political will of participating States. Willingness should be shown to transform existing stumbling blocks into concrete stepping stones.

In his introductory remarks, Ambassador György Molnár characterized the issues at stake as crucial and complex. He restated the four thematic areas related to the conflict cycle, which were identified in the Corfu Interim Report of the Chairperson-in-Office (CiO). First, rather than emphasizing the false dichotomy of choosing between the consensus principle and early action, the focus should be on establishing a capability to overcome the existing deficiency in moving from early warning to early action. A more operational and quicker OSCE response could result from a re-examination and broadening of the authority of the Chairmanship and the Secretary General by a consensus decision. Second, the Permanent Council should be in a more operational and effective position to make possible the prevention and resolution of crisis situations. Third, OSCE mechanisms and procedures required a comprehensive review. The OSCE toolbox was not being used effectively due to a lack of political will, and it might also not be adequate in the new security environment. Fourth, all the participating States agreed that the analytical and operational capacity of the OSCE executive structures, in particular the Conflict Prevention Centre (CPC), should be increased through reprioritization and/or the provision of additional financial resources. A strengthening of the OSCE's capabilities in all three dimensions across the conflict cycle should be one of the deliverables of the Astana Summit.

Ambassador Bolat Nurgaliyev recalled the recent efforts of the OSCE in the settlement of protracted conflicts and post-conflict rehabilitation. Two months before the end of the Kazakh Chairmanship, the search for mutually acceptable solutions in the settlement of protracted conflicts was marked by accomplishments and inadequacies. That reflected the complexity of the problems, the contentious character of the contradicting positions of principle among the direct participants and the limitations of the mediators when faced with a lack of political will by the sides to the conflict to bring about a lasting, comprehensive settlement. Nevertheless, there was no alternative for the Organization to a continuation of its efforts to reconcile the conflicting values and interests of the sides in protracted conflicts. The duty of the OSCE was not to support the status quo, but rather to continue working on an agreed strategy to ensure that those protracted conflicts did not occur again and could be taken off the OSCE agenda.

In his introductory comments, Ambassador Herbert Salber highlighted three fundamental issues. First, there was no shortage of available tools, but some mechanisms might need adjustment and strengthening. Second, the gap between early warning and early action needed to be bridged. Third, preventive action and early crisis management could be put into practice in a timely manner through the OSCE's well-known instruments, as long as there was the political will to do so. The Astana Summit was a unique opportunity to do the necessary political work, but it required an honest and constructive approach. The key issue was how to expand the Organization's "political room for manoeuvre" in parallel with the appropriate framework. Another matter that should be tackled was how to address issues in a participating State that had no field operation. A strengthened analytical capacity of the Secretariat, as suggested by some, would only be effective for early warning and conflict prevention if it was matched with more political will and political courage.

Discussion

During the meeting, 14 delegations took the floor. One of the delegations also spoke on behalf of a group of States. Subsequent to the meeting, two written interventions were circulated with the request that they be considered as if they had been delivered during the session. Those interventions are included in the following overview.

There was a general consensus that the issues related to the session were at the heart of the OSCE's activities and that the Organization was the best possible regional framework for conflict prevention and crisis management and for action aimed at sustainable peace. The OSCE should, therefore, serve as a primary instrument for conflict settlement within its area of operations and it was in the common interest of all to strengthen the OSCE's capacities in all phases of the conflict cycle. Since the topic of the session reflected one of the vital topics of the OSCE as a whole, a call was issued to look again at the proposals previously submitted.

Some delegations stated that the Organization did not need any new mechanisms or institutions. However, while a range of commitments and a toolbox of instruments, mechanisms and procedures had been developed, their implementation had fallen short. That was because the existing tools were ineffective, underused or subject to a lack of political will. The initiatives of the current and the previous three OSCE Chairmanships seemed to bear out the impression that the existing cross-dimensional tools and mechanisms were ineffective without the political will to use them. It was, therefore, no longer enough just to reaffirm commitments. While mechanisms aimed at influencing the situation on the ground might need to be refreshed and revisited, concrete ways must be found to operationalize the political will of the participating States. In that respect, according to one delegation, instituting artificial time frames might hamper the process.

At the same time, a number of delegations identified the need to improve the OSCE's capacities to act more swiftly and effectively throughout all phases of the conflict cycle. The Organization already had significant instruments, but the initiatives aimed at strengthening the analytical and mediation capacities of the CPC in particular were welcomed. Better information sharing could also contribute to better identification of critical situations, and thus to a better reaction to them. Nevertheless, one delegation stressed the importance of avoiding a broad definition of "crisis", as well as voluntary actions by Chairmanships. According to that delegation, preserving the consensus principle was important, as it reflected the sovereign equality of all the participating States.

Many delegations highlighted the importance for conflict prevention of the High Commissioner on National Minorities (HCNM), based on his independence, flexibility and silent diplomacy. Through the work of the HCNM, the integration of national minorities and the recognition of the links between societal diversity and conflicts were promoted. In that respect, some delegations expressed the view that the Bolzano/Bozen recommendations were valuable and the hope that they would be discussed at the Astana Summit.

Delegations agreed that it was important that the Astana Summit should spell out that protracted conflicts remained the outstanding security problem in the OSCE area. Renewed efforts to settle them were imperative, since such conflicts continued to dominate the OSCE's agenda. Despite all the ambitions in the twentieth century, stability had deteriorated in the OSCE area since the Istanbul Summit, and the commitments of that Summit had not been entirely implemented, since the danger of conflicts between States had not been eliminated. Experiences with the existing protracted conflicts, as well as the crisis in Kyrgyzstan in 2010, showed the need for early warning, early action and rapid response. One delegation referred to the OSCE's efforts to solve the Transdnestrian conflict and expressed the hope that current international attention could bring positive results on the issue at the Astana Summit. Another delegation stressed the need for the situation in Georgia also to be one of the main topics in Astana.

Numerous other delegations stressed the importance of the principle of peaceful conflict settlement in more general terms. The main requirement for an environment conducive to a political solution was the principle of non-use of force. A sustainable peace could only be achieved through a peaceful and mutually acceptable agreement. Reference was made to the good example of the OSCE as an impartial and trustworthy partner. Conflict resolution should be based on the will and consent of all the parties to a conflict and not on the interest of third parties. Furthermore, in the absence of consent by the host country to receiving a field mission, no result would be achieved. Reliable security guarantees, particularly for the populations of unrecognized entities, and the upholding of the principles of human rights were paramount. Confidence- and security-building measures (CSBMs) could play a decisive role in creating trust after peace and thus could lead to a viable settlement. Hence, CSBMs should be implemented in the right conditions, which included the respect for territorial integrity, the non-acceptance of any unilateral declaration of independence, and the return of displaced persons. Any attempt at conflict resolution must be based on a transparent and a consecutive approach to addressing the root causes and the sequences of a conflict.

One speaker reminded the other participants of his organization's mandate and the importance of respecting international humanitarian law (IHL) and integrating it into domestic legislation. The OSCE's efforts in conflict prevention could be seen as complementary to his organization's work. He also underlined the importance of neutral humanitarian space and the need to dissociate military operations from humanitarian activities. Any military forces engaged in humanitarian activities should be clearly identified, and he requested the OSCE to continue making that distinction. Finally, he emphasized his organization's efforts regarding missing persons during and after the end of a conflict, and pointed out that IHL included an obligation for States to provide information on missing persons.

One delegation said that one could have the impression that the OSCE only dealt with conflicts in the post-Soviet area. Therefore, since the OSCE covered an area from Vancouver

to Vladivostok, domestic issues “west of Vienna”, including those related to inter-ethnic tensions, should not be forgotten.

One participant noted that the issue of the conflict cycle was directly relevant for the Parliamentary Assembly, particularly as the report on the Washington Colloquium urged that better use be made of parliamentarians in crisis situations. Parliamentarians could represent an added value in the management of crisis situations.

In general, delegations expressed high expectations with regard to the substance and deliverables of the Astana Summit, due to the long time span that had elapsed since the Istanbul Summit. The Astana Summit should agree on a comprehensive programme of action to improve the matters at issue, as long as consensus could be reached. Delegations expected clear guidance from the Summit on those issues and a road map, including benchmarks, to promote, for instance, the peaceful settlement of protracted conflicts.

In concluding, the three introducers and the Chairperson made the following remarks: that all the brainstorming should now be translated into essential and tangible results, and thus States should be called upon to demonstrate their political will to proceed with the next steps; that the task for the participating States was now to put concrete proposals into practice; and that not only political will but also political courage was necessary.

Recommendations from the discussions

The OSCE executive structures, as the primary OSCE structures dealing with crises, should be strengthened and their work reprioritized:

- The Chairmanship should be provided with more flexibility to act quickly and decisively. A new mechanism should be created allowing the Chairperson-in-Office to make political statements, to offer his good offices to negotiate or promote an agreement on a ceasefire, and/or to deploy limited missions to conduct impartial monitoring and factual reporting and to act as a liaison for humanitarian relief;
- The role of the Secretary General to alert participating States to potential threats and suggest steps for early action should be strengthened;
- The Chairmanship and/or the Secretary General should be allowed to augment field operations or to deploy expert teams for limited periods;
- The Troika’s conflict prevention activities should be strengthened;
- Interaction and co-operation between the OSCE executive structures, and with the Chairperson-in-Office’s special and personal representatives, should be enhanced, as should lessons learned activities;
- The possibility of multi-year appointments of special representatives on protracted conflicts could be explored in order to strengthen the effectiveness and continuity of OSCE conflict resolution engagement.

Improvements should be made in the role of the decision-making bodies in relation to their activities in emerging and ongoing conflicts. Once the Secretariat and the Chairperson-in-Office provided their assessment of a situation on the ground, the Permanent

Council should be convened to discuss the recommendations regarding concrete actions. According to one delegation, the concept of “crisis” must be determined, as a minimum, at the level of the Permanent Council.

The framework for early warning and conflict prevention needed to be strengthened. The capacity to move from early warning to early action should be enhanced, in particular:

- The operational, analytical and mediation capacities of the OSCE’s executive structures needed to be strengthened. An increase in mediation-facilitation efforts should take place, including by providing enough space for a bottom-up approach. A comprehensive early warning system should be established;
- A crisis prevention capability able to respond more swiftly to upcoming crisis situations should be created. That capability could also offer rapid humanitarian relief and impartial monitoring and facilitate negotiations;
- Better co-operation should take place between all the OSCE institutions involved in the conflict cycle. In particular, field operations could play an important role in identifying critical situations;
- Co-operation with international organizations and actors through the Platform for Co-operative Security should be improved, also for burden-sharing reasons;
- More attention to the role of the media was required.

New tools should be developed to improve the Organization’s response capabilities:

- A civilian post-conflict rehabilitation and peace-support capacity should be developed, as suggested in the Corfu Process food-for-thought paper on civilian operations/missions;
- A special authority for CSBMs should be established;
- “Track two” diplomacy should also be explored and, accordingly, a “track two” point of contact should be set up in the CPC;
- A mechanism to monitor the implementation of the existing commitments was recommended;
- The mandate of the HCNM could be enhanced, for example, by instituting HCNM participation in mediation processes. The Bolzano/Bozen recommendations should be considered as important contributions to the OSCE’s role in conflict prevention. Those recommendations should be discussed at the Astana Summit or, in case that was not agreed upon, the topic should receive further attention after Astana;
- Small fact-finding teams should include a representative of the President of the Parliamentary Assembly. The Parliamentary Assembly could also be directly invited to organize fact-finding missions and to offer good offices to facilitate negotiations among the sides.

The relevance and practical applicability of OSCE mechanisms and procedures should be reviewed:

- The Astana Summit must address the immutability of the consensus rule;
- The heads of institutions and field operations could be given an alarm-bell function for the Permanent Council to be convened;
- The ODIHR, HCNM and RFoM could deploy teams of experts, and the ODIHR and HCNM could be granted full authority to report on the issues of concern, without explicit authorization by the Chairperson-in-Office;
- The potential of the Court of Conciliation and Arbitration should be explored, since it could play an important role in conflict resolution. All the participating States that had not ratified the Stockholm Convention on Conciliation and Arbitration were urged to do so;
- A catalogue of response mechanisms available to the Chairperson-in-Office could be prepared for future Chairmanships.

PMS SESSION 5: THREATS AND CHALLENGES EMANATING FROM THE TERRITORY OF AFGHANISTAN AND THE OSCE'S CONTRIBUTION TO STABILITY IN THE REGION

Report by the rapporteur

The first introducer, the British Ambassador Ian Cliff, focused on how the OSCE's activities on Afghanistan fitted into the overall international context. 2010 had been an exceptional year for Afghanistan in terms of a number of international events. The London and Kabul conferences (January and July 2010 respectively) had witnessed enhanced international commitment to a stable and secure Afghanistan and to Afghan ownership, and had also underlined the importance of the regional dimension. The OSCE's comparative strengths and geographical location made it a natural contributor to overall international support to Afghanistan. The OSCE's engagement was seen in two ways: as defensive and as proactive. With regard to the defensive aspect, it was working to combat threats emanating from Afghanistan and affecting the security of participating States, especially neighbouring countries. Of particular relevance were border management and police training activities, and the tackling of threats deriving from proliferation of arms, illegal narcotics trafficking, and organized crime. The OSCE could do more to counter radicalization and extremism, promote inter-cultural understanding, and support people who might be vulnerable to being recruited by terrorists. With regard to the proactive aspect, the OSCE was contributing to the stabilization efforts of other international actors. The OSCE shouldn't overlap or compete with them but, rather, focus on added value in such areas as transport links, water management, licit trade, and long-term electoral reform. Meanwhile, there was no consensus among participating States on the involvement of the OSCE inside Afghanistan.

The second introducer, Paul Fritch, Director of the Office of the Secretary General/Secretariat, reported on the work of the executive structures on the implementation of the Madrid Ministerial Council Decision No. 4/07 on OSCE engagement with Afghanistan. Pursuant to this decision, the Secretariat had elaborated and had been implementing the Programme of Activities (16 extrabudgetary projects) in the areas of border security and management, training of police and customs officers, and facilitation of cross-border co-operation and networking. Tangible activities had been pursued by the ODIHR to support election processes in Afghanistan. All these programmes were co-ordinated with international and regional actors and with the Afghan Government.

At the same time, Mr. Fritch continued, the OSCE's capacities for assisting Afghanistan were underused. So far, OSCE engagement was largely limited to the politico-military dimension and to election support provided by the ODIHR. While political constraints remained the main obstacle, there were also gaps in co-ordination. Three key areas were suggested for enhanced OSCE engagement with Afghanistan: expansion of existing activities to strengthen the borders between Central Asian participating States and Afghanistan through the training of police, border guards and customs personnel, and cross-border co-operation; continuation of election support by the OSCE/ODIHR, including more concrete forms of follow-up to election support teams; and development of new activities. These new activities might include: sharing OSCE experience in reconciliation; combating trafficking in human beings; civilian capacity-building; economic and environmental rehabilitation; cross-border trade facilitation; election support, also with a

view to electoral reform; promoting the rule of law; human rights, particularly women's rights; and training for legislators.

During the discussion most States agreed that security in Afghanistan was inextricably linked to the security of all participating States, particularly in Central Asia. The evolving and cross-dimensional security threats emanating from the Afghan territory were a source of growing concern. The Organization should confront these challenges through enhanced engagement with Afghanistan as a Partner for Co-operation and pursue increased co-operation with international and regional actors under the guidance of the United Nations. There was overwhelming agreement that OSCE was well placed to contribute to international efforts within areas of its expertise. One participant recalled that Afghanistan had been made a priority of the current Chairmanship-in-Office and had been a main topic at a number of the OSCE-related events, including high-level meetings. Many participating States provided information on their bilateral assistance to Afghanistan in such fields as economic, technical and financial support and education and other humanitarian areas, as well as through involvement in the regional initiatives.

The discussion showed that there was growing support for enhanced OSCE co-operation with Afghanistan. In the opinion of many participating States, the potential of the Madrid Ministerial Council Decision No. 4/07 was far from exhausted and the OSCE should build upon this decision in order to enhance its assistance to Afghanistan. Some countries strongly advocated an increased focus on civilian aspects, including economic and social rehabilitation, with a view to transforming the country into a peaceful and self-sustained democratic society. Many States supported broadening the scope of co-operation with Afghanistan in such areas as countering transnational threats, border security and management, drugs control, policing, good governance, and regional economic and environmental co-operation, as well as in the promotion of the rule of law and human rights, including women's rights. The potential OSCE role in facilitating cross-border co-operation with a view to promoting economic and people-to-people ties and licit trade was underlined by many speakers. Afghan participation in OSCE events was viewed as an important part of the OSCE's assistance. The OSCE network of field operations in Central Asia, the Bishkek Academy, and the Border Management Staff College were seen as indispensable assets. Many States underlined the "regional dimension" as an important part of the OSCE agenda on Afghanistan.

One participating State suggested that the OSCE should develop a new set of activities embracing all three dimensions in order to supplement the ongoing ones. Among the key priorities in the three dimensions, the following were highlighted: border security and counter-narcotics training (politico-military dimension); transportation security and integrated border management, combating corruption and the facilitation of licit trade, energy security, water and resource management (economic and environmental dimension); and support for electoral reform, legislation review, training for legislators and journalists, civil society development, women's empowerment programmes, and promotion of tolerance and human rights (human dimension).

Some States expressed concern over the deterioration of security in Afghanistan resulting from increased insurgency and terrorist activity by the Taliban and Al-Qaida, particularly in the north of the country. The increased illicit trafficking of drugs and precursors from and into Afghanistan was becoming a growing threat for all OSCE States, requiring a stronger response from the Organization. Currently the OSCE was conducting a

limited number of projects on training Afghan counter-narcotics officers at training centres in some participating States, also building on capacities in Central Asia. This activity could be expanded. One delegation maintained that all the OSCE's Afghanistan-related activities should be based on the needs of Afghanistan and neighbouring countries. At the same time, one participating State repeated its objections to OSCE activities inside Afghanistan and to large-scale economic projects on Afghan territory that went beyond the OSCE's mandate and capacities. The same State questioned the need to create a Chairperson-in-Office's Special Representative on Afghanistan or establish a separate Afghan-related cell in the Secretariat.

Many States welcomed the increased attention being paid to Afghanistan by the 2010 Chairmanship. In the opinion of many, the OSCE Summit in Astana ought to provide a political impulse for sustained efforts to tackle threats from the territory of Afghanistan, and a commitment to reviewing and where necessary broadening current activities. One State believed that the Astana Summit could task the participating States with elaborating a new programme of activities on Afghanistan, a so-called "Madrid 2". A number of States explicitly expressed support for the Chairmanship's Perception paper "On further efforts to intensify cooperation with Afghanistan" (CIO.GAL/121/10 of 7 July 2010) as providing a good basis for new OSCE activities.

Recommendations

1. In order to avoid overlapping with international organizations, the OSCE's Afghanistan-related efforts should focus on added value and specific areas of expertise in all three dimensions;
2. The OSCE should develop new activities in the area of engagement with Afghanistan to supplement the existing programmes, with an enhanced focus on civilian aspects of post-conflict rehabilitation, including selected areas in the second and third dimensions, these being the ones where the OSCE enjoys recognized experience. The OSCE Summit in Astana could be crucial to generating political support;
3. To pursue the presence and participation of more Afghan officials at OSCE events, with the involvement of other partner States;
4. Measures should be taken to improve co-ordination and synergy, both within the OSCE family and also among States, interested organizations, and the Afghan authorities; and
5. Regional co-operation on Afghanistan is becoming an important part of assistance to stabilization efforts, and the OSCE must build on its inherent strengths as the largest regional organization, including its web of field operations in Central Asia.

PMS SESSION 6: THE ROLE AND PERSPECTIVES OF ARMS CONTROL AND CONFIDENCE- AND SECURITY-BUILDING REGIMES IN BUILDING TRUST IN THE EVOLVING SECURITY ENVIRONMENT I

Report by the rapporteur

The session was introduced and chaired by Ambassador Mara Marinaki, Permanent Representative of Greece, who detailed the reasons why she intended to back the discussion on the two conceptual frameworks on which the existing arrangements for arms control and CSBMs were based: the Lisbon 1996 Framework for Arms Control and the 1994 Code of Conduct. Ambassador Marinaki also made a short assessment of the ongoing CFE Treaty process, on which a constructive round of consultations had been held the very same day¹.

Colonel Eischer, Co-ordinator of the FSC Chair for the Code of Conduct, then provided a brief abstract of the developments and achievements on the Code of Conduct (CoC) since the last review conference, before focusing on the relevance of the CoC to today's security environment and highlighting future activities and possible actions related to this matter.

While reaffirming their commitment to the two above-mentioned instruments, 13 participating States and the European Union stated positions, gave appraisals, and expressed concerns, focusing mainly on the following topics.

The 1994 Code of Conduct

One delegation suggested making a better analysis of the CoC questionnaire updated in 2009, and verifying the ways in which the CoC is implemented; the same delegation supported the idea proposed by the Co-ordinator of a CoC review conference. Another called for the prompt adoption of the Reference Guide on the Questionnaire on the CoC². One participating State called for constant efforts to make the CoC better known.

The ongoing process of the updating of the Vienna Document 1999³

Many participating States expressed their appreciation of the ongoing discussions on updating the Vienna Document 1999 (VD 99) and related CSBMs, and on the designation of an FSC Co-ordinator⁴. Some of them also supported the idea of a mandate to continue updating the VD 99 to be given to the FSC by the heads of States in Astana⁵. Several called

1 See RC.DEL/213/10.

2 FSC.DEL/14/10/Rev.3.

3 Which was the central topic of PMS session 7, on the morning of Friday, 22 October.

4 For instance, see RC.DEL/ 258/10, 283/10 and 289/10. One participating State recalled its four priority areas for updates to the VD 99 (see RC.DEL/208/10).

5 See RC.DEL/274/10 (with a tasking for the Ministerial Council 2011).

for increased efforts before the Summit in order to achieve some concrete results and deliverables.

One delegation suggested that the financial restraints faced by many participating States should be taken into account in future deliberations⁶, while another warned against the risk that these restraints could threaten the VD process⁷. Two delegations emphasized the use of CSBMs as early warning, conflict prevention, and crisis management instruments, and suggested that more attention should be paid to Chapter III, Risk Reduction, which one speaker considered had been neglected⁸. One delegation also focused on issues of non-compliance, which it considered that the VD 99 should address in a more effective way⁹. One participating State asked that there should be no establishing of a linkage between the VD 99 and the CFE regime out of some desire to offset the existing crisis in the implementation of the latter¹⁰.

The CFE process

Many delegations expressed their satisfaction with the ongoing discussions¹¹, and called for an impetus to be given by the Summit. They also acknowledged the fact that while the CFE regime was not part of the OSCE mechanisms, its situation had many repercussions on the Organization's activities¹². However, one delegation stressed that the CFE regime was dealt with by a forum other than the OSCE, and that neither the Review Conference nor the Summit should primarily focus on this issue.

Towards a Summit decision on an action plan

Several delegations expressed strong support for the idea of having an action plan that would give guidance to the negotiations and set up a schedule¹³.

Other issues

Several delegations focused on the OSCE contribution on non-proliferation and the implementation of UNSC resolution 1540, and mentioned the OSCE workshop to be held in January 2011 in Vienna¹⁴.

6 See RC.DEL/258/10.

7 See RC.DEL/263/10.

8 See RC.DEL/258/10 and 263/10.

9 See RC.DEL/258/10.

10 See RC.DEL/274/10.

11 One participating State summarized the spirit and substance of the concrete proposals put on the table regarding the CFE process (see RC.DEL/208/10).

12 See, for instance, RC.DEL/258/10 and 266/10.

13 See, for instance, RC.DEL/274/10.

14 See RC.DEL/208/10, 258/10, 266/10 and 289/10.

Two delegations underlined the successful implementation of the Open Skies Treaty¹⁵. One other delegation expressed its disappointment at the fact that this legal regime had been omitted on the agenda of the session in progress, and that no report had been made on it.

The OSCE contribution in the field of small arms and light weapons and the recently adopted OSCE Plan of Action also received positive assessments from a few delegations¹⁶.

The “OSCE programme for further actions in the field of arms control and CSBMs”, circulated by one delegation¹⁷, was mentioned by two participating States¹⁸.

In concluding the debates, the Chairperson emphasized the following aspects of the matter in hand:

- A new impetus had been given to work in the politico-military dimension in 2010, notably through the Corfu Process;
- The delegations’ evaluation of ongoing work in this field had been positive;
- The assessment of the 1996 Framework and the 1994 CoC constituted a solid basis for this work.

She also mentioned three matters calling for particularly focused attention before Astana:

- A possible breakthrough in the CFE crisis, in the framework of the renewed commitment and efforts launched in June;
- The updating of the Vienna Document 1999;
- The “OSCE programme for further actions in the field of arms control and CSBMs”.

15 See RC.DEL/208/10 and 289/10.

16 See RC.DEL/208/10 and 258/10.

17 PC.DEL/300/10/Rev.1.

18 See RC.DEL/208/10.

PMS SESSION 7: THE ROLE AND PERSPECTIVES OF ARMS CONTROL AND CONFIDENCE- AND SECURITY-BUILDING REGIMES IN BUILDING TRUST IN THE EVOLVING SECURITY ENVIRONMENT II

Report by the rapporteur

Mathew Geertsen, Senior FSC Support Officer, outlined some of the general trends in the implementation of confidence- and security-building measures (CSBMs) since the last revision of the Vienna Document in 1999.

The newly appointed co-ordinator for the Vienna Document 1999, Dr. Pierre von Arx, outlined his role and his views on discussions to date. He aimed to facilitate co-ordination on updates to the Vienna Document to assist the FSC Chair and Troika. Furthermore, he aimed to ensure that the mechanisms for updating the Vienna Document were utilized without any loss in positive momentum en route to the Summit. He would engage in weekly informal consultations with all participating States in an open and transparent manner. This would seek to complement rather than duplicate the FSC; the weekly meeting would prioritize and order proposals to allow the FSC to deal with more detailed negotiations. Dr. von Arx stressed that the long-term viability of the Vienna Document depended largely on its ability to stay relevant and up-to-date. He summed up by saying that he believed updates should improve transparency, be cost-neutral, not prejudice the Summit final document, and take into account modern realities.

The appointment of a Vienna Document co-ordinator was broadly welcomed. A number of delegations saw it as a strong sign of progress. Furthermore, there was a broad consensus on the need to reinforce and increase military transparency and update the Vienna Document to reflect modern realities. However, some noted that transparency was not a goal in itself: participating States needed to consider sustainability and cost efficiency as well. Although some delegates emphasized that linkages between regimes were unhelpful, most others noted the interlocking and complementary nature of CSBM and arms control mechanisms and stressed the need to maintain the individual elements.

It was acknowledged that progress had been modest, but that the softening of positions and the increasing depoliticization of updates were politically significant. It was broadly agreed that participating States should seek to capitalize on this momentum. A number of delegations expressed their support for a mandate being sought in Astana for negotiations in 2011 on the “big tickets items” in Chapters V and IX, while in the period remaining before the Summit it would be possible to maintain the political momentum by focusing on achievable technical updates.

Some speakers believed that the Organization had lost sight of the Vienna Document’s role in conflict prevention and that this political link to other elements of the Corfu Process should be strengthened. Others noted the opportunities for progress in this area before the Summit.

PMS SESSION 8: THE ROLE AND PERSPECTIVES OF ARMS CONTROL AND CONFIDENCE- AND SECURITY-BUILDING REGIMES IN BUILDING TRUST IN THE EVOLVING SECURITY ENVIRONMENT III

Report by the rapporteur

In her introductory remarks, the Chairperson pointed out that the OSCE *acquis*, including the OSCE Document on Small Arms and Light Weapons (SALW) and its supplementary decisions, the OSCE Document on Stockpiles of Conventional Ammunition (SCA), the OSCE Principles Governing Non-Proliferation, the Global Exchange of Military Information, the OSCE Principles Governing Conventional Arms Transfers and the Stabilizing Measures for Localized Crisis Situations, were part of the comprehensive framework for arms control that constituted an integral element of the European security architecture. Thus, discussion of those confidence- and security-building measures had an influence on the current security environment.

Since 1999, the OSCE had undertaken serious efforts to establish the Organization as a key player in fighting the proliferation of illicit SALW. One participating State noted that, especially in times of economic crisis, further work on SALW control was important, as the Organization had already developed a comparative advantage in the area. The importance of SALW was also mentioned in the context of cross-dimensionality.

The development of the OSCE Document on SALW and supplementary decisions had established a comprehensive set of measures, norms and principles to control SALW at every stage. New ideas, such as an update of the OSCE Document on SALW, could be considered in the future. There was an overwhelming agreement among the participating States that the recently adopted OSCE Plan of Action on SALW provided a road map for the Organization's further action on SALW in the coming two years. Its full implementation was identified as a priority, and thus active participation by the participating States in the implementation of the Plan was stressed as being key in that regard. In that context, the first proposal on exchange of information on brokering in SALW, put forward under the aegis of the Plan of Action, was supported by many participating States.

Transparency among participating States on SALW remained at a high level. At the same time, some deficiencies with regard to annual and one-off information exchanges were identified, related to the comparability of one-off information and rules for including and categorizing SALW imports/exports. In that regard, there was a proposal by some States to establish clear rules for compiling an annual information exchange on SALW imports to/exports from other participating States during the previous calendar year.

The OSCE had developed capacities to successfully implement large and complex assistance projects on SALW and SCA, including rocket fuel component melange. Overall, the OSCE had received 33 requests for assistance from 14 participating States. The examples of practical assistance ranged from a short-term and large-impact project on destruction of MANPADS in Cyprus to a long-term and technologically complex project in Ukraine on the elimination of melange.

Funding of projects was identified as the main challenge in implementing such assistance initiatives. Proposals were advanced on ways of enhancing and expanding the fund-raising efforts, including reaching out to Partners for Co-operation and exploring funding possibilities with trusts, foundations and development agencies, as well as various State agencies, including ministries of environment or emergency. In that context, the recent intensive contacts of the Conflict Prevention Centre with the European Union on the subject were supported. Furthermore, the necessity of increasing the visibility of the OSCE's work, particularly relating to SALW and SCA projects, was noted.

In addition, in order to streamline OSCE assistance activities on SALW, it was proposed that participating States review their holdings as compared with their strategic requirements, with a view to identifying surpluses. Furthermore, the storage of the required stockpiles had to conform to the standards outlined in the OSCE Best Practices Guides on SALW. In that regard, it was also proposed that the national use of the OSCE Best Practice Guides on SALW and SCA should be reviewed in order to evaluate their impact on raising standards in respect of SALW and SCA in OSCE participating States.

With regard to the non-proliferation of weapons of mass destruction, many participating States stressed that the OSCE should play a role complementing global efforts and, in that context, welcomed the appointment of a UN Security Council resolution 1540 adviser within the OSCE Secretariat. States also welcomed the upcoming OSCE workshop to identify the proper role of the OSCE in facilitation of UN Security Council resolution 1540. Furthermore, an updating of the Principles Governing Non-Proliferation was identified by some States as a possible contribution to strengthening the global non-proliferation regime.

With regard to stabilizing measures for localized crisis situations, it was noted that mechanisms contained in that unique document had not as yet been invoked. In that regard, it was proposed that the reasons why the document was never applied could be discussed. With regard to the Global Exchange of Military Information and the Questionnaire on Anti-Personnel Landmines (APL), it was noted that the levels of submission of information had remained stable and high. Furthermore, it was proposed that consideration could be given to updating the Questionnaire on APLs to reflect the Convention on Cluster Munitions that had recently entered into force.

(B) Reports of the rapporteurs on the review of the implementation of all OSCE principles and commitments in the economic and environmental dimension (EED)

EED SESSION 1: FROM BONN TO MAASTRICHT AND BEYOND – ADAPTING THE OSCE ECONOMIC AND ENVIRONMENTAL DIMENSION TO CHANGING CHALLENGES

Report by the rapporteur

Session 1 focused on the following theme: “From Bonn to Maastricht and beyond: Adapting the OSCE economic and environmental dimension to changing challenges”. It was moderated by Ambassador Renatas Norkus, Permanent Representative of Lithuania, holder of the incoming OSCE Chairmanship.

At the beginning of the session one delegation raised a point of order concerning the registration and participation in the Review Conference of certain NGO representatives who at the request of another participating State had not been allowed to attend. A group of delegations raised the same issue. These delegations appealed for a rapid and positive solution. The delegation concerned replied that there were good reasons for not allowing the participation of the NGOs in question and stressed the importance of dialogue among Government representatives in the OSCE context.

In his opening remarks, the Chair emphasized the importance of the economic and environmental dimension (EED) as an integral aspect of the OSCE’s comprehensive mandate. He recalled a number of milestone documents and developments that had provided guidelines for the OSCE’s actions in the EED, *inter alia*, the Helsinki Final Act (1975), the Bonn Document (1990), the OSCE Strategy Document for the Economic and Environmental Dimension (Maastricht, 2003), the Final Report and Recommendations of the Panel of Eminent Persons on Strengthening the Effectiveness of the OSCE (2005), and the Chairmanship’s report on the future orientation of the second dimension (2009). He stated that the efforts to increase efficiency and effectiveness in the EED would continue in 2011. Furthermore, he recalled the proposal of the Kazakh Chairmanship to consider the possibility of reviewing and updating the Maastricht Strategy for the EED and hoped that the Review Conference could contribute in this connection by generating ideas and identifying priority areas. He concluded that the recommendations emerging from discussions in every session would be presented to the final session on 26 October. He gave the floor to the introducers.

Ambassador Dr. Wilhelm Höynck, former Secretary General of the OSCE (1993–1996), gave a historical perspective on the political context of the adoption of the Bonn Document and discussed its significance. He referred to a number of specific relevant elements, namely, the link between market economies and political pluralism, the steps towards the institutionalization of the CSCE through the idea of organizing regular meetings, and the importance attached to a participatory approach involving civil society and the business community. He concluded that further efforts were needed to support progress towards the development of an “all-European economic space”. Looking forward to the Astana Summit, he expressed his appreciation of the OSCE as a unique platform that was wide and comprehensive in terms of mandate and participation.

Mr. Vladimir Shimov, Rector of the Belarus State Economic University and former Minister for the Economy of Belarus (1996–2002) (RC.DEL/189/10), referred to the importance of the Bonn Document in supporting transformation in transition economies and

the integration of those economies into the world economy. He also commented on a number of new ideas introduced by the Maastricht Strategy Document, in particular the importance attached to environment and security and the need for modernization and sustainable development. He also attached great importance to energy security. He concluded by stating that the OSCE could play a useful role in addressing the challenges of globalization by acting as a political catalyst and by providing early warning when necessary.

Following the introducers' statements the session continued with a panel debate.

Mr. Yerbolat Sembayev, Deputy Head of the OSCE Task Force, Ministry of Foreign Affairs of Kazakhstan, recalled the attention paid to EED issues in the course of the Corfu Process discussions and stressed the importance of a comprehensive approach to security. He then referred to the Chairmanship's initiative to initiate a review of the Maastricht Strategy Document and to other ideas included in the food-for-thought paper "From Bonn to Astana via Maastricht" (CIO.GAL/128/10). Among current challenges he mentioned the consequences of the financial/economic crisis, food security, the issues linked to the Aral Sea, transport links and security, and Eurasian integration and trade development. There was a need for an efficient new strategy in the second dimension that would take the post-crisis situation into consideration and emphasize integration.

Mr. Goran Svilanović, Co-ordinator of OSCE Economic and Environmental Activities, starting by saying that the OSCE had come a long way since the adoption of the Bonn Document and that unprecedented changes had transformed our way of life. He also drew attention to persistence of threats and the emergence of new ones, non-traditional and mainly transnational in nature, including trafficking of all kinds, piracy, terrorism, scarcity of resources (water, land), accumulation of waste (hazardous, nuclear), money-laundering, corruption, organized crime, critical energy infrastructure, climate change, illegal migration, financial crime, public debt, and cybercrime. All these had a global dimension, produced transboundary effects and might involve non-State actors. We were witnessing a change in international politics: issues such as ensuring energy security, fighting terrorism or addressing climate change had become legitimizing factors in international relations. This new context required enhanced co-operation, a new way of thinking, and maybe new commitments. The OSCE's comprehensive approach made it well equipped to address these challenges. It should make better use of its existing tools, including its field presences, and consider new tools such as a regular annual EED meeting and new revised or updated documents. The OSCE should continue to focus on early warning, conflict prevention, confidence-building, and post-conflict rehabilitation.

Mr. Miodrag Pesut, Economic Affairs Officer, Transport Division, United Nations Economic Commission for Europe (UNECE), highlighted the complementarity between the UNECE and the OSCE in the EED and the strong partnership developed during the long history of their co-operation. He referred to the Memorandum of Understanding between the two organizations signed in 2004, and the UNECE's contribution to the review of implementation of commitments in the context of the annual OSCE Economic and Environmental Forum. He also gave some concrete examples of co-operation in areas such as transport and cross-border facilitation, water management, and environment and security (through the Environment and Security Initiative). He looked forward to further strengthening this co-operation.

Professor Yury A. Shcherbanin, Head of the Department of World Economy and International Economic Relations, Diplomatic Academy, Ministry of Foreign Affairs of the Russian Federation, highlighted two main elements from the Bonn Document – market economy and integration – and discussed their links with regional security. In the same vein, he stressed the relevance of efficient and secure transportation and said that both required some technical prerequisites as well as political will. He also emphasized the importance of dialogue with the private sector and the need to involve representatives from the world of industry. As two examples of other economic and environmental aspects the OSCE should address he mentioned energy and migration.

Dr. Frank Evers, Deputy Head, Centre for OSCE Research (CORE), Institute for Peace Research and Security Policy, Hamburg, Germany, said that given its mandate the OSCE should address economic and environmental issues relevant for security but noted that the Organization had limited resources and that sometimes countries had the tendency to tackle sensitive matters without reference to the OSCE. He observed a positive trend in the evolution of the EED, in particular with regard to connecting modern economic thinking to five basic values of the OSCE – freedom, sustainability, democracy, rule of law, and respect for human rights. He considered that reaffirming this connection at the Astana Summit would be relevant. There might be a need for reassessing the OSCE approach in the EED, in particular for cross-dimensional action to address emerging and cross-cutting instabilities. On the one hand there was a need to broaden the context, on the other hand a need to strengthen the capacities of both the Secretariat and the field presences.

A group of delegations (RC.DEL/216/10) reiterated its strong commitment to the EED review process, which should not only assess work so far but also look forward and provide guidance for the future. The Chairmanship's food-for-thought paper "From Bonn to Astana via Maastricht" could represent a starting point, as could other ideas put forward during the Corfu Process. The areas in which the OSCE should remain involved included good governance, transparency and the rule of law, combating corruption, addressing climate change, land degradation, water scarcity, reduced access to natural resources and related forced migration, and issues linked to early warning and conflict prevention. The OSCE should work with other organizations and build synergies in the spirit of the Platform for Co-operative Security. The Office of the Co-ordinator of Economic and Environmental Activities (OCEEA) should identify fields where the OSCE can add value to the work of other organizations. It was noted that the Office had the mandate to present regular reports on economic and environmental risks to security in the OSCE area for discussion in the Permanent Council; similarly, OSCE activities in the EED should be more closely linked to the Organization's core mandate: ensuring peace and stability.

One delegation (RC.DEL/209/10/Corr.1) stressed that the OSCE had a strong security-related mandate and role, and also highlighted the linkages between its three dimensions. The fact that the OSCE provided a comprehensive platform for dialogue, also with civil society, was important in the context of the debate on future orientation in the EED. It expressed support for a number of recommendations from the 2009 Chairmanship's report on the future orientation of the second dimension, such as the one related to an annual review meeting. It also highlighted some immediate priority areas, namely: endorsing the Extractive Industry Transparency Initiative (EITI) principles, formalizing a process to address energy issues, and establishing an OSCE Academy in Central Asia focused on the second dimension.

Another delegation stated that the Astana Summit represented an opportunity to strengthen the EED. In its view, the OSCE should play a stronger role in early warning and conflict prevention, also with regard to energy issues, in promoting good governance, and in the field of subregional co-operation on addressing transnational threats. The OSCE should build further upon success stories such as the Environment and Security Initiative (ENVSEC).

A further delegation (RC.DEL/236/10) recalled the achievements in the EED since the historic Bonn Document and noted that some commitments had not been fully implemented. Furthermore, the Maastricht Strategy for the EED included some important elements that required more systematic attention, such as addressing trade restrictions and co-operation on finance, education, investment and infrastructure. It concluded that the OSCE needed an enhanced balance between dimensions and interests.

An NGO representative referred to the issue of improving quality of life as a potential focus for OSCE activities and presented the result of a survey conducted in its country.

Another NGO representative stressed the importance of civil society involvement for countering the risk of monopolies developing in the area of political decision-making. It also pointed out the need to tackle corruption.

A further NGO representative raised the issue of preventing ecological disaster in the Caspian Sea region in the context of increased oil extraction activities by both domestic and foreign companies. It called for the introduction and enforcement of clear standards, penalties for those not applying such standards, and a clear division and identification of responsibilities.

A delegation stated that the EED was an integral part of the OSCE general *aquis* and called for reinforced efforts in the EED towards early warning, conflict prevention and confidence-building. The OSCE could provide a neutral, inclusive and independent framework to discuss such issues. This should be a priority ahead of the Astana Summit and could contribute to the further revitalization of the OSCE's role in the EED.

Responding to an issue raised previously by an NGO, Mr. Pesut of the UNECE stated there were some UN analytical documents that could be used to assess quality of life and monitor its development, such as the Millennium Development Goals and the Human Development Report (prepared by the UNDP).

Ambassador Höynck commented that both before and after the Astana Summit the OSCE should set positive targets that were attractive and appealing to all participating States, such as working towards improving the effectiveness of European, Eurasian and Euro-Atlantic economic co-operation.

The Chairperson closed the session.

EED SESSION 2: THE OSCE'S ROLE, INCLUDING ITS FIELD PRESENCES, IN FOSTERING STABILITY AND SECURITY AND ENHANCING CO-OPERATION AND INTEGRATION IN THE AREA OF ITS RESPONSIBILITY THROUGH CO-OPERATION WITH OTHER INTERNATIONAL, REGIONAL, SUBREGIONAL ORGANIZATIONS AND INITIATIVES AS WELL AS NGOs AND THE BUSINESS COMMUNITY; THE WAY FORWARD

Report by the rapporteur

Working session 2 addressed the role of the OSCE, including its field presences, in fostering stability and security and enhancing co-operation and integration in the area of its responsibility through co-operation with other international, regional and subregional organizations and initiatives and also with NGOs and the business community, while also discussing possible ways forward.

Session 2 was moderated by Ambassador Renatas Norkus, Permanent Representative of Lithuania, holder of the incoming Chairmanship. In his opening, Ambassador Norkus pointed out the important role of the second dimension in regional and subregional co-operation. He reminded participants of the relevance of the food-for-thought papers discussed in the framework of the Corfu Process: "Developing an Effective Early Warning Tool and Analysis Capacity on Economic and Environmental Threats, Increasing the OSCE's Capacity to Respond an Emerging Crisis in This Field and Using the Economic and Environmental Dimension as Confidence Measures" and "Revitalizing the OSCE role as a forum for subregional co-operation". Before giving the floor to the speakers, he reiterated the exceptional role of the OSCE field presences as a trademark of the organization and a key factor for success.

Four introducers presented their views on the subject and successful examples of regional co-operation:

Mr. Audrius Bruzga, Director of the Economic Security Policy Department, Ministry of Foreign Affairs of Lithuania, reaffirmed the essential role of the OSCE and its partner organizations in promoting regional and subregional co-operation. He continued with a presentation of successful examples of regional co-operation in the Nordic and Baltic region. He expressed his wish to see a continuation of common efforts in areas such as development of regional transport frameworks and protection of the environment. He also suggested devoting adequate attention during the following year's Economic and Environmental Forum to the topic of regional co-operation on sustainable energy and transport.

Ambassador Dragana Radulovic, Permanent Representative of Montenegro to the OSCE, addressed delegations on behalf of the Montenegrin Chairmanship of the South-East European Co-operation Process (SEECP). She introduced the goals and priority areas of the SEECP and some activities of its operational body, the Regional Co-operation Council (RCC). She particularly highlighted activities related to the strengthening of regional ownership of SEECP initiatives, the fostering of institutional dialogue with the EU, and the promotion of the overall European integration process of SEECP countries.

Ms. Marta Szigeti Bonifert, Executive Director, Regional Environmental Centre (REC), Hungary, gave an overview of the historic development of the REC and of its focus and partnership programmes. She provided information on its long and fruitful co-operation with the OSCE and gave concrete examples of related co-operation initiatives, such as ENVSEC, the project “Green pack”, and activities related to the implementation of the Aarhus Convention. She concluded her presentation with a survey of the REC’s future activities. Upcoming projects would focus on the development of mitigation measures to deal with such negative implications of climate change as ecological disasters, desertification and water scarcity.

Mr. Miroslav Papa, Regional Co-operation Council (RCC), followed up on the presentation of Ambassador Dragana Radulovic and gave a well-elaborated and insightful account of the work of the RCC within the SEECP. He provided information on the current negotiation process for the RCC work programme 2011–2013, and presented an excerpt of future areas of work. In conclusion he expressed his hope for a continuation of close collaboration with the OSCE, referring to possible activities related to such things as the development of infrastructure and the transport sector.

A group of delegations stressed the role of the EED in restoring trust and promoting dialogue among participating States. As a wide regional co-ordinating body, the OSCE contributed greatly to comprehensive security. Sustainable development in the area of economy and environment was presented as an important prerequisite to stability and security. Numerous references were made to the success and unique character of the ENVSEC initiative and the work of the OSCE Aarhus Centres, as well as to good co-operation with OSCE partner organizations, academia, NGOs and the business community.

The role and areas of work of the OSCE field operations were discussed thoroughly during the session. The field presences could play an important role in indicating possible security threats related to the economy and environment. They also had a critical role to play in early warning and conflict prevention. In addition, the field presences could perform an important facilitating function between host governments and both the international community and local stakeholders on the ground.

Several interventions touched upon the future role of field operations. On the one hand, representatives from field presences appealed for an enhancement of the role of the Office of the Co-ordinator of Economic and Environmental Activities (OCEEA) to enable it to support and contribute more to the full implementation of field presences’ mandates. It was also deemed necessary for their mandates to be interpreted in the light of the OSCE’s core tasks and priorities. On the other hand, activities of field operations ought to be driven by demands expressed by host governments. Likewise, consultation should be sought on an inter-dimensional level, including other OSCE bodies and institutions. In this respect, it was suggested that improvements should be made to the mechanisms of exchange of best practices and the overall flow of information between the OSCE Secretariat, OSCE field presences, delegations and host governments. Suggested possibilities included: a) annual EED review meetings, b) regular meetings of the economic and environmental officers (EEOs), and c) regular reports to the delegations from the offices of the heads of mission.

In this light, there was a discussion of the added value of OSCE activities to existing international expertise in certain areas of work. Some delegations expressed their disagreement with the idea of setting up entirely new mechanisms of early warning and conflict prevention. Solutions needed to be sought on the basis of the principle of consensus and without duplicating measures already in place.

A group of NGOs expressed thanks for the support they received from OSCE, confirming the confidence-building character of the EED and the role played by EEOs and the OCEEA as facilitators of measures related to the improvement of national transparency and decision-making processes. One NGO suggested the review of the OSCE Bonn Document and the inclusion of more detailed and concrete indicators.

It was noted at the session that economic and environmental threats did not baulk halt at national borders. For future activities it was recommended that an even stronger focus should be placed on the transboundary component.

It was furthermore recommended that project activities on the subregional and regional level should be based on the following criteria: a) close co-ordination with the OCEEA, b) reference to OSCE Ministerial Council decisions and other OSCE documents, c) reference to international conventions, and d) co-ordination with other relevant international organizations and specialized agencies.

The Co-ordinator of OSCE Economic and Environmental Activities updated participants on recent events related to transboundary co-operation in water management and on achievements related to the International Fund for Saving the Aral Sea. He expressed his gratitude to the parties involved, including delegations, the European Commission, the GTZ (Deutsche Gesellschaft für Technische Zusammenarbeit GmbH), the World Bank, and thanked them for their constructive work.

The Chair summarized the main ideas and recommendations, once again confirming the strong role of field missions in the implementation of the OSCE comprehensive security mandate. He reminded his listeners of the interconnection of all three OSCE dimensions and the need for efficient communication among the OSCE institutions and between the OSCE Secretariat, the OSCE field operations, delegations and host governments. He concluded that, starting from the field, transboundary and regional co-operation acted as a strong catalyst for dialogue and confidence-building among participating States, and should be a cornerstone of the strategy for the way ahead.

EED SESSION 3: ECONOMIC CLUSTER – STRENGTHENING GOOD GOVERNANCE, INCLUDING THROUGH PROMOTING TRANSPARENCY, COMBATING CORRUPTION, MONEY-LAUNDERING AND THE FINANCING OF TERRORISM; TRANSPORT SECURITY; THE WAY FORWARD

Report by the rapporteurs

Session 3 focused on the following topics:

- Strengthening good governance, notably by promoting transparency and combating corruption, money-laundering and the financing of terrorism;
- Transport security;
- The way forward.

It was moderated by Ambassador Renatas Norkus, Permanent Representative of Lithuania, holder of the incoming OSCE Chairmanship.

Good governance

The Chairperson introduced the good governance part of the session by saying that endeavours against corruption, money-laundering, the financing of terrorism, and organized crime had had a place in the OSCE dialogue and had formed part of the Organization's activities for quite some time. In the economic and environmental dimension, good governance was discussed more comprehensively during the 2001 OSCE Romanian Chairmanship. Since then, work in these areas had evolved quite significantly in response to a number of Ministerial and Permanent Council decisions and to the OSCE Strategy Document for the Economic and Environmental Dimension.

Mr. Demosthenes Chryssikos, Crime Prevention and Criminal Justice Officer, Corruption and Economic Crime Section, United Nations Office on Drugs and Crime (UNODC), focused his presentation on the potential and the dynamics of synergies and partnership between the UNODC and the OSCE in the anti-corruption and anti-money-laundering (AML) fields. He started his presentation by discussing OSCE MC Decision No. 11/04 on combating corruption, which encourages OSCE participating States to sign and ratify the UN Convention against Corruption (UNCAC) and to implement it fully. It also tasks the OSCE Secretariat, in particular the Office of the Co-ordinator of Economic and Environmental Activities (OCEEA), with assisting in this process on request.

He then turned to discussing the implementation of the UNCAC and in particular the Mechanism for the Review of Implementation. The implementation of UNCAC provisions by the countries would be reviewed through a peer review process based on a self-assessment. This review process would show how far the OSCE participating States that have ratified the UNCAC have reached in their implementation of its provisions. He saw several areas for

continued close co-operation between the two organizations related to the review process that would also be in line with MC Decision No. 11/04 on combating corruption:

- The OSCE could assist by encouraging its participating States to be actively involved and by showing political commitment towards the ratification and implementation of the UNCAC;
- The OSCE could also participate in the proceedings of the Implementation Review Group;
- The OSCE could support regional training workshops for government experts involved in the review process;
- The OSCE could take part in working groups established by the Conference of States Parties (COSP) to UNCAC dealing with prevention and asset recovery, in order to assist in maintaining the prominence of these issues on the anti-corruption agenda.

On the issue of synergies, Mr. Chryssikos also saw a number of areas where the OSCE and the UNODC could strengthen joint co-operation for the benefit of more efficient and sustainable anti-corruption measures:

- The OSCE could act as a broker for the collection of anti-corruption legislation from the OSCE participating States, which it could submit to the UNODC's electronic repository (UNCAC Legal Library), thus contributing to the accumulation of knowledge;
- The OSCE and its field operations could take into account the information gathered through the review process's self-assessment checklist when developing relevant national anti-corruption projects;
- Joint events could be organized to share experiences and best practices in the delivery of anti-corruption projects/activities;
- Joint training could be held in the areas of prevention, investigation, prosecution and asset recovery, and new/updated training materials could be developed.

In the area of prevention, joint work could be launched on organizing awareness-raising and anti-corruption campaigns in order to promote greater involvement on the part of civil society.

Mr. Chryssikos then turned to examining the main challenges faced by the OSCE participating States in meeting their OSCE commitments in the AML field. He identified four basic challenges: developing/updating AML legislation; strengthening criminal justice responses and confiscation regimes for laundered proceeds of crime; improving law enforcement co-operation in the area of asset seizure, confiscation and recovery; and strengthening prevention of money-laundering through the enhancement of financial intelligence units (FIUs) and building capacity to carry out financial investigations. He considered that future co-operation in the field of AML training would be very beneficial, for example, on training criminal justice officials in the investigation of financial crimes and FIU analysts in detecting suspicious monetary transactions. He also saw a definite role for the

OSCE in providing a regional platform for discussion of the links between money-laundering and trafficking in human beings.

Mr. Kurmangali Aldabergenov, Head of Division of the Customs Control Committee, Ministry of Finance of Kazakhstan, gave a presentation on new technologies as an instrument for trade facilitation and transit potential. He talked about the recently established customs union between Belarus, Kazakhstan and the Russian Federation and about how the new common customs tariffs, a common Customs Code (since July 2010) and common transit documents were helping to facilitate trade, reduce delays and increase transparency. He also talked about the technology enhancement introduced at the borders, such as the creation of a Center of Operative Management as a Single Center of Distant Monitoring and electronic border check points. These new measures have resulted in a minimization of the influence of the human factor, reductions in time and costs for traders, and more comprehensive and effective border management and security.

Dr. Michael Haltzel, Senior Fellow at the Center for Transatlantic Relations of John Hopkins University School of Advanced International Studies, United States of America, delivered introductory remarks on good governance in which he stated that the principles embodied in the Helsinki Final Act, the Copenhagen Document and the Charter of Paris were still as relevant today as they were 20 years ago, and that the goals had not yet been reached. He emphasized that advancing good governance, transparency and accountability was a high priority for the United States, as these were fundamentals for a healthy economy. In this context he mentioned his country's new Wall Street Reform and Consumer Protection Act, which would help prevent future financial crises like the one the world had just experienced. He stated it was the lack of transparency in financial transactions and of adequate financial regulations that allowed unscrupulous lenders and criminal actors to "game the system".

Dr. Haltzel stressed the importance of deepening good governance co-operation within the OSCE and said that the tools were already there in the form of the UNCAC, the Convention against Transnational Organized Crime, and the Financial Action Task Force 40+9 Recommendations. He also underlined the role of an independent judiciary, a free media sector and an active civil society in combating corruption and protecting human rights. He concluded by emphasizing the importance of a more comprehensive approach to combating corruption being adopted in the OSCE, including all three dimensions, and of incorporating it as an element in different thematic discussions.

The Chairperson thanked the introducers and opened the floor for discussion.

A group of delegations stated that good governance contributed to peace, economic prosperity and a climate of confidence, which were essential to ensuring positive socio-economic development. Good governance, transparency, rule of law and the combating of corruption were important areas of OSCE work. The OSCE field operations were especially commended for their anti-corruption and anti-money-laundering activities. The group also said that the EED Strategy Document remained valid and that much work still needed to be done to fulfil its commitments, which, however, could be updated if deemed necessary after a formal review of implementation of OSCE commitments in this area. The group underlined the importance of a free media sector in ensuring transparency.

One delegation stressed that corruption and money-laundering also posed a threat in the context of the financing of terrorism. It said that the EED Strategy Document provided an “unblinking approach” to good governance and to the fight against corruption. It also stressed that governments could not fight corruption alone; they needed an active civil society and an energetic media sector to uncover corrupt practices. It also urged the OSCE participating States to utilize existing anti-corruption frameworks that provide road maps for legislation and institutions, such as the UNCAC, the OECD anti-bribery convention, the Financial Action Task Force on Money-laundering (FATF), and the GRECO Group (Group of States against Corruption) in the Council of Europe. It also welcomed the UNCAC peer review and said that its country would take part in this year’s review. It stated that it wanted to see the pursuit of a more comprehensive approach to combating corruption in the OSCE area through the integration of the discussion on good governance in all EED topics.

Another delegation pointed out the need to develop effective macro-economic and structural policies in order to combat corruption, including the appropriate legal framework. The OSCE should continue to provide a platform for exchange of experience and best practices on fighting corruption and combating money-laundering and the financing of terrorism. Further work could be done on preventing the use of NGOs for the financing of terrorism. The work should be done in close co-operation with relevant international and regional bodies – the UNODC, the Council of Europe (Select Committee of Experts on the Evaluation of Anti-Money-Laundering Measures or MONEYVAL), and the Eurasian Group on Combating Money-laundering and Financing of Terrorism (EAG).

A representative of an NGO stressed the importance of civil society having access to information on the State budget and its implementation for the ensuring of transparency and accountability in the use of public funds. The representative suggested that the OSCE could support the participation of civil society organizations in the monitoring of government actions and policy implementation.

A representative of the OSCE Parliamentary Assembly (PA) noted that good governance and fighting corruption were high on the PA’s agenda. The topics had been addressed both at their July meeting in Oslo and at their October meeting in Palermo. It had also featured quite prominently in their 2008 Astana Declaration.

One delegation emphasized that the economic and environmental dimension was an important pillar of the OSCE’s comprehensive security concept and that good governance, transparency, anti-corruption work and AML/CFT are among their main priorities. The OSCE could assist in supporting States in implementing changes in their legislation and facilitating co-operation on tax and judicial matters. It also encouraged closer ties with MONEYVAL and GRECO.

Another delegation stated that good governance was a long-standing priority area. Particularly public sector reform, corporate governance, transparency in public affairs, anti-corruption measures, and AML/CFT work should remain primary activities of the OSCE. The OSCE field operations played a vital role in implementing concrete activities and they could in particular assist in implementing public sector reform and in fighting corruption. The OSCE should also promote greater transparency and could, for example, promote the Extractive Industries Transparency Initiative (EITI). The delegation would also welcome activities fostering enhanced economic links in the Central Asian region including Afghanistan.

A further delegation emphasized that the concept of good governance should remain tied to the common good and that an increase in wealth should be an increase in the well-being of society as a whole. Special attention should be paid to respect for human dignity: good governance should not only be practised in the economic and political spheres but also in the social sphere, thus taking care of the weaker individuals in society. The delegate also mentioned the importance of educational programmes for citizens and the involvement of civil society as means of prevention.

A Partner for Co-operation asked the OSCE to promote the introduction of legislation on payments of ransom for hostages, which were often used for terrorist activities.

The OSCE Office in Baku said that they were supporting anti-corruption and AML activities and that in particular they had supported the Government's anti-corruption programme by assisting anti-corruption centres and in training citizens on anti-corruption measures. They had also done awareness-raising for civil society. In 2011 they planned to assist the Government to implement the AML/CFT law, and support the FIU.

A representative of another NGO underlined that the media sector had an important role to play in monitoring governance and reporting on corruption and money-laundering practices. The Anti-Corruption Council set up in its country had been helpful in providing information on corruption and in promoting anti-corruption values. It had provided a channel for civil society participation.

Another representative of an NGO from the same State proposed that an OSCE anti-corruption event with the participation of NGOs should be held in its country in 2011.

The OSCE Office in Tajikistan stated that they would be focusing their anti-corruption activities on prevention measures. They suggested that in promoting the UNCAC, the OSCE could encourage independent anti-corruption agencies and the implementation of preventive action. They emphasized the importance of anti-corruption education for civil society as a means of pursuing long-term national improvements. They also considered that the OSCE could play a catalytic role in facilitating dialogue between government and civil society on various anti-corruption issues.

One delegation introduced the work of the SECI (Southeast European Cooperative Initiative) Regional Center for Combating Trans-Border Crime, describing its work of identifying, investigating and prosecuting crimes in the anti-terrorism, anti-fraud and anti-smuggling (including migrants) fields and of combating environmental crimes. The delegation suggested that this model could be of interest to other OSCE regions. It also suggested developing stronger cross-dimensional co-operation between the OSCE and the SECI Center on the above-mentioned issues.

The OSCE Project Co-ordinator in Uzbekistan stated that they had implemented a project supporting the AML/CFT structure in Uzbekistan. Their project could serve as a best practice example on compliance with the FATF 40+9 Recommendations and on steps taken to qualify for membership with the Egmont Group.

It was reported that the OSCE Centre in Astana gave high priority to anti-corruption and AML/CFT activities and had provided legislative assistance and training for journalists

and civil society. They were also working with Financial Police to raise standards on national anti-corruption efforts. Together with the UNDP they were looking at how they can promote the Extractive Industries Transparency Initiative (EITI) in Kazakhstan.

Transport security

Ambassador Vytautas Nauduzas, Personal Representative of the Chairman-in-Office on Transport in the OSCE, introduced the topic of transport security. He started off by emphasizing the high importance of the transportation sector, which is rapidly improving in terms of speed and efficiency. However, there were a number of remaining challenges and obstacles related to a lack of harmonized legal frameworks and regulations, as well as financing and operational issues.

The speaker then continued by emphasizing the importance of the OSCE globally. He pointed out that no less than 11 OSCE participating States were G-20 members, which basically meant that the Organization represented 65 per cent of the world's GDP, 20 per cent of the global population and 40 per cent of the world's territory. In addition to the financing needs in the transport infrastructure development sector, the other challenges were the safety and security issues. 1.3 million people died in traffic accidents annually with 50 million suffering injuries, with damage costs amounting to up to 500 billion USD. Other major obstacles were the high costs of transport operations and the fact that 40 per cent of transportation time along the ancient Silk Road countries was being lost at border crossings.

The representative also referred to the need to develop efficient and green transport corridors and the need for increased regional co-operation in those areas. He also spoke about the necessity to diversify existing routes, to simplify customs and border-crossing procedures, and to tackle corruption in border services. As an example, reference was made to the Klaipeda-Illichivsk container block train connecting the Baltic Sea region with the Black Sea countries and ultimately with the Caspian Sea region. At the end of his presentation he emphasized that the best engine for increased transport integration was political will fuelled by economic interests. He added that the OSCE had a role to play in providing training, stimulating better regulation and governance, allowing for the sharing of best practices, and contributing to confidence-building efforts and conflict prevention. The speaker also said that transport security should be discussed at the national and regional levels and that the OSCE offered the right platform for this. Finally he announced that the incoming 2011 Lithuanian Chairmanship would pay particular attention in its work in the second dimension to the development of integrated transport networks, environmentally friendly transportation, Euro-Asian transport links, and the development of inter-regional container block trains.

In his introductory statement, Mr. Manat Bibasov, Director of Department, Ministry of Transport and Communications of the Republic of Kazakhstan, emphasized that transport was crucial for trade and economic development and that co-operation in this field should be intensified. The representative supported the idea of an annual forum that would discuss transport security and also mentioned the need to look into environmental aspects of transport and security. In his view, the OSCE should continue assisting landlocked developing countries in overcoming their specific transit transportation challenges, in the framework of the UN Almaty Programme of Action and otherwise. Countries in Central Asia had the potential to provide a land transport bridge connecting the European and Asian continents. In this regard a project consisting of the construction of an international road corridor "Western Europe – Western China" has started. The partners in this endeavour are Russia, China, the

European Commission and the International Road Transport Union (IRU). The representative emphasized the time and distance advantages of using inter-continental road transport as an alternative to seaways and railways.

Minister Takehi Kamiyama, Deputy Head of Mission, Embassy of Japan, informed participants about the Japanese view regarding the ongoing review process. He drew the attention of participants to a food-for-thought paper which had been circulated by his delegation in March 2010 (PC.DEL/146/10). This proposal aimed at using IT technology to provide input to the ongoing activities on the facilitation and development of trans-Asian and Euro-Asian transit transportation and on the optimization of clearance procedures at border crossings. It consisted of promoting an integrated approach of combining construction of roads or railways with introduction of optical fibre cables in the future. As an optional idea, a human and institutional capacity-building component as well as a computer software development component could be envisaged in the framework of such construction projects. The representative concluded that the OSCE's contribution in this field would be no duplication but perfectly in line with its cross-dimensional approach, thereby offering multi-dimensional added value leading to a reduction of smuggled drugs and arms as well as decreased transport costs and free movement of goods, persons and information. It was also announced that in the next Economic and Environmental Committee of 10 November 2010 a Japanese expert would give a more detailed presentation on this proposal.

A delegation indicated that it had a great interest in the facilitation of transport both for cargo and also for passengers. It emphasized the importance of transport infrastructure in this regard and said that the OSCE was well placed to exchange experiences on current achievements and thereby contribute to harmonizing national legislations. It also referred to the Conference on Prospects for Trans-Asian and Eurasian Transit Transport Development, which the OSCE had organized jointly with the Government of Tajikistan in Dushanbe in October 2007. The representative expressed support for the idea of holding an annual OSCE-UNECE forum for transport security and for continuing work with the International Maritime Organization (IMO) in the area of maritime safety and security. The connection between efficiency of transport operations and the trade and economic climate was also emphasized, particularly for landlocked developing countries in the region.

Another delegation pointed out that transport security encompassed so many elements that it would be impossible to address them all in one session. Nevertheless, it emphasized the need to discuss the topic in full transparency, particularly given the inter-linkages with other security issues. The representative also stated that transportation should be looked at as an integral component of OSCE participating States' national economies. He added that there was a renewed interest in transport in his country, especially at the domestic level. Recognizing that OSCE countries were at different levels of development in their transport infrastructure, the delegate also stressed the importance of sharing best practices and forging stronger ties for bilateral and multilateral co-operation in this field. The idea of green transportation corridors to be covered in the course of next year's Forum process was also applauded by the speaker. Finally he mentioned that the OSCE should work co-operatively to ensure maximum efficiency in transportation links, not just in their energy consumption but also in the time and administrative burden they impose on the movement of people and goods. The OSCE's role would be to provide training and a forum for the sharing of best practices on border management, harmonizing customs policies, and maintenance of existing infrastructure. The OSCE should also continue to give support to participating States in

becoming parties to relevant international legal instruments developed by the UNECE and the IMO.

A group of delegations started by referring to the Brussels and Helsinki Ministerial Council decisions adopted in previous years and covering a wide range of transport-related issues. The group also said that transport indeed was a priority for some participating States and that work on transport and transport-related issues was ongoing in a number of networks and international organizations. The specific role of the OSCE should therefore be carefully identified and the Organization should take stock of its commitments made in the respective Brussels and Helsinki Ministerial Council decisions. This stocktaking exercise could then serve as the basis for follow-up to this year's Forum. The group also highlighted the importance of regional and subregional co-operation particularly in the context of landlocked developing countries in Central Asia, including Afghanistan. Another issue that was stressed was the role transport and border-crossing facilitation can play in building confidence. In this regard reference was made to the re-opening of the Odessa-Chisinau railway link through Transdnistria. Increased transboundary waterways co-operation was also referred to as an issue that could foster dialogue and serve as a further confidence-building measure. The group added that promoting good governance at border crossings remained a challenge to transport security and trade and that tools such as the OSCE Border Security and Management Concept could make a useful contribution.

An NGO representative highlighted the importance of stable transport systems and added that transport costs had gone up under pressure from the global recession. Reference was also made to the necessity to stop the illegal shipping of goods: governments, the private sector, and international organizations should join forces in harmonizing existing standards and facilitating multi-modal transport. The representative also mentioned that high priority should be attached to facilitating transit and trade operations, thereby allowing a continuous import and export flow. Not only should new infrastructure be built but procedures should be harmonized. In this context reference was made to the newly established customs union between Belarus, Kazakhstan and the Russian Federation, an effort that had taken over two years to realize and had led to a harmonized set of tariffs. The representative also mentioned that a number of new maritime routes connecting Europe and Asia were being tested.

EED SESSION 4: ECONOMIC CLUSTER – MIGRATION; ENERGY SECURITY; THE WAY FORWARD

Report by the rapporteur

The themes discussed during session 4 were migration, energy security and the way forward. The session was moderated by Ambassador Renatas Norkus, Permanent Representative of Lithuania, incoming OSCE Chairmanship.

Migration

Ambassador Ioannis Raptakis, Director of G4, Directorate for Justice and Home Affairs, Ministry of Foreign Affairs of Greece, highlighted the importance of migration in the current political agendas of the EU, as well as during the OSCE Greek Chairmanship of the OSCE and the Economic and Environmental Forum (EEF) of May 2009. He stated that, in order to effectively manage migration, it was necessary to implement the agreed international migration commitments that strengthened non-discrimination policies, and to ensure technical co-operation and exchange of best practices. He pointed out that Athens Ministerial Council Decision No. 5/09 on migration management incorporated important elements that should lead the OSCE forward, and as a result the Greek delegation, in co-operation with other OSCE delegations, proposed the creation of a migration issues network (PC.DEL/487/10/Rev.2). This network would serve as a cross dimensional platform for dialogue to promote exchange of best practices and enhance information sharing. He also emphasized the relevance of the newly produced IOM-OSCE Trainer's Manual on Labour Migration, which was supported by the Greek Government.

Ambassador Raptakis described the situation of irregular migration and asylum-seekers in Greece, which, given the country's geographical situation, remained extremely problematic. He indicated that Greece was currently dealing with 75 per cent of the irregular migrants, and ranked sixth in the list of countries with the greatest numbers of applications for asylum. Therefore, he concluded that the Greek Government needed more assistance from the EU to effectively implement the national immigration-management flow system. He highlighted the need to pay particular attention to the signing of more readmission agreements and specific agreements with non-EU countries. He also mentioned the OSCE Mediterranean Conference that had taken place in Malta, which had set an example of useful ongoing regional dialogue on migration.

Mr. Andreas Halbach, Chief of Mission and Permanent Representative, International Organization for Migration in Vienna, indicated that 80 per cent of all international migrants were moving for economic and family reasons, and it was essential to know that in order to understand the need to deal with the phenomenon in a comprehensive manner. After briefly presenting the long-standing co-operation between the OSCE and IOM, he referred to the importance of placing the discussion on migration in the regional context, thereby allowing for more focused and concrete dialogue.

He then focused on a few key points reflected in reviews and food-for-thought papers in the context of the second dimension and the Corfu Process:

1. Labour migration: Currently, 80 per cent of mobility, either regular or irregular in nature, was related to economic motives. That was why regional labour markets required innovative regulatory frameworks (such as bilateral labour agreements and regulation of recruitment agencies and information centres).
2. Protection of migrants' human rights: That should include correct payment, adequate shelter, and so on – in a word, “decent work”.
3. Effective border management: Regional integration might render the management of certain borders obsolete, and shift responsibility to new external borders.
4. Identity documents: The authenticity and civil register systems would demand a lot of attention in the future.
5. Environmental factors: Such factors could lead to massive population displacements.
6. Irregular migration, smuggling of migrants, and trafficking in persons: More prevention strategies were needed.
7. Statistical and comparable data: in spite of the fact that there were different national interests, and therefore different ways of collecting different data, common standards needed to be put into place.

Mr. Halbach concluded his intervention by stressing that, given the fact that the world population was expected to grow (mostly in developing countries), while developed societies would age, the pulls and pushes of migration would become more important in the long run. Migrants were the human face of globalization. Therefore, the implementation of Athens Ministerial Council Decision No. 5/09 on migration management, and the provision of a platform for dialogue, for example, through the implementation of a migration issues network, as proposed in the “Food For Thought Paper for the Corfu process” (PC.DEL/487/10/Rev.2) circulated by the Delegations of Greece, Slovenia, Malta, Serbia and Cyprus, were essential. Such a network could integrate the three OSCE dimensions.

Ambassador Omar Zniber, Permanent Representative of Morocco to the OSCE (RC.DEL/241/10), focused his intervention on the contributions the Mediterranean Partners could make to the OSCE's discussions on migration management. He first briefly outlined the way the OSCE focus on migration issues had developed from the Helsinki Final Act until the adoption of Athens Ministerial Council Decision No. 5/09 on migration management. He also stressed the need to understand irregular migration, not as a transnational threat, but as a common challenge, always bearing in mind the importance of identifying the most effective ways of developing economic co-operation. He also recommended that the OSCE participating States should manage migration: (1) by taking a balanced approach and considering the pull and push factors that defined it, (2) by strengthening the aspects of migration linked to confidence-building measures, (3) by ensuring effective measures for cultural and religious diversity, (4) by encouraging the exchange of good practices amongst the OSCE participating States, (5) by contributing to the fight against illegal migration, (6) by elaborating tools that would contribute to more effective migration policies with the help of the OCEEA, the ODIHR, and the OSCE Office of the Representative on Freedom of the Media, (7) by conducting more relevant research, (8) by conducting training that would help participating States meet their needs, and (9) by refocusing on savings by migrants and the

ways in which they could help to further economic development, particularly in countries of origin.

He concluded his statement by calling for the Astana Summit to lend impetus to action on migration issues in the context of the OSCE Partners for Co-operation.

Mr. Yeset Karamendin, Head of the Migration Division, Ministry of Internal Affairs of Kazakhstan (RC.DEL/207/10), explained how migration policies in Kazakhstan, one of the most multi-ethnic countries in the OSCE, were based on the economic and ethnic realities of the country and policies that always respected the existing ethnic diversity. Given Kazakhstan's favourable economic development, it was becoming more and more a country of destination. He indicated how new mechanisms had been put in place to ensure that the different categories of migrants, the provision for returning expatriates, and other relevant issues were covered. He also pointed out that, in 2006, Kazakhstan had initiated the legalization of irregular migrants, who were given a legal status, in that way avoiding the multiple dangers linked to irregular migration, such as xenophobia, ethnic conflicts, human trafficking, and negative economic consequences.

Some delegations (RC.DEL/231/10) acknowledged the importance migration had for the OSCE. Moreover, those delegations stated that security aspects of migration should remain on the OSCE's agenda, as they considered it to be the appropriate platform for facilitating dialogue. Specific fields where the OSCE could provide added value were mentioned, such as the tackling of illegal migration, encouragement of synergies between migration and economic development, promotion of regional co-operation in the area of migration management, implementation of gender-sensitive migration policies, promotion of migrants' human rights, encouragement of migration and mobility as positive forces for economic and cultural development, fostering of legal migration, and analysis of the links between migration and climate change.

One delegation (RC.DEL/282/10) pointed out that migration should be a topic for discussion in all three OSCE dimensions. That delegation indicated that relevant stakeholders such as the IOM, the Transatlantic Council on Migration, or political entities such as the EU, should be involved in the broad regional platform for dialogue on migration and security issues recommended by the Athens Ministerial Council decision. In addition, it called attention to the dangers of xenophobic political platforms demonizing migrants, as well as of the recent expulsions of Roma and other persons in the OSCE region. It called for a focus on initiatives supporting regular migration. It concluded by mentioning useful OSCE mechanisms such as the Economic and Environmental Forum, the Annual Review Meeting concept, or the newly proposed migration information network (PC.DEL/487/10/Rev.2).

Another delegation (RC.DEL/239/10) highlighted the need to maximize gains and minimize losses resulting from migration, and indicated the important role the OSCE could play in assisting States in drawing up models to implement more effective migration policies. It expressed its support for the Greek-Slovenian initiative on setting up an OSCE migration issues network (PC.DEL/487/10/Rev.2).

One delegation (RC.DEL/229/10) underlined the need to look upon migration as an opportunity, not as a problem. It pointed out that the OSCE, with its cross-dimensional approach, was a natural forum for ongoing dialogue on migration management amongst countries of origin, transit and destination. It stressed the importance of sharing responsibility

and solidarity amongst countries when dealing with migration-related issues. In addition, the economic and environmental aspects of migration were mentioned as being essential aspects to take into consideration. In that regard, the usefulness of the Gender and Labour Migration Trainer's Manual produced by the OSCE for implementing effective labour migration policies was highlighted.

Another delegation (RC.DEL/226/10/Rev.1) pointed out that, given the difficult financial and economic times, all aspects of migration should be carefully studied. Migration was one of the motors of growth of the global economy and it was also a great source of human concern, since it touched the lives and dignity of millions of migrants and their families. In that regard, all migrants' human rights, including the right of family reunification, should be respected and be taken into consideration.

A representative of the OSCE Parliamentary Assembly noted that the Astana Declaration of 2008 by the OSCE Parliamentary Assembly on recognizing the economic, cultural, political and social contributions of migrants complemented Athens Ministerial Council Decision No. 5/09 on migration management.

Some NGOs criticized certain policies and practices regarding refugees, and regular and irregular migrants.

Another delegation referred to the need, given the nature of the OSCE, to analyze the security dimension of migration, although it should not be overemphasized. In addition, it stated that migration flows needed to be orderly and effectively managed, in order to make sure that migrants who were integrated in the countries of destination had the rights they deserved.

One delegation outlined the cross-dimensional nature of migration, which needed to be recognized in the OSCE, and called for improved co-operation at the regional level to augment the efforts to combat irregular migration flows, which were increasing.

One delegation encouraged the OSCE to continue to address migration-related issues and suggested that, in order to increase its added value, the Organization could direct its efforts towards illegal migration and subregional initiatives related to migration.

Another delegation noted that, recently, many countries of origin had become countries of destination and vice versa. In that regard, it noted that some OSCE participating States were now receiving huge flows of migrants that were extremely difficult to manage, and therefore the phenomenon, which represented the human face of globalization, was becoming increasingly important.

Energy security

The Chairperson recalled the history of OSCE's involvement in the field of energy co-operation and related commitments. He noted that the increasing output of the Organization in terms of relevant Ministerial Council decisions, conferences and other concrete activities in that regard reflected the Organization's ability to respond in a timely fashion.

The first introducer, Mr. Goran Svilanovic, Co-ordinator of OSCE Economic and Environmental Activities, introduced the report by the Secretary General “Concerning the Complementary Role of the OSCE in the Field of Energy Security”. Mr. Svilanovic described the genesis of the report, referring to the various sources used in compiling it, including the OSCE’s conferences on energy security, proposals made during the Corfu Process, and the outcome of the recent Vilnius meeting of energy experts.

The report was based on a comprehensive notion of energy security, going beyond sustainability, competitiveness and security of demand, supply and transport. Energy security was a multidimensional issue, and in addressing it, the OSCE needed to make full use of its security mandate and expertise related to early warning, conflict prevention, and confidence- and security-building measures. The OSCE’s approach to energy security built on promoting co-operation aimed at the identification of mutually beneficial solutions, management of interdependence and adoption of a comprehensive approach, taking into account political, security, legal, economic and environmental considerations.

The Co-ordinator then outlined the conclusions and recommendations of the report:

- The OSCE could promote good governance and transparency in the energy sector. That would be a means of confidence-building contributing to trust in energy relations in the OSCE region;
- The OSCE should promote sustainable energy solutions, holding seminars and conferences on the issue;
- In that context, the OSCE should also promote increased awareness of the linkages between energy security and climate change;
- The OSCE should continue to focus on addressing various threats to critical energy infrastructure, and facilitate capacity-building in that field and support the co-ordination of government and corporate energy-security strategies;
- The OSCE should also make better use of the meetings of the Permanent Council and the Economic and Environmental Committee in the dialogue on energy security;
- The OSCE could envisage establishing a task force on energy security, or a network of energy-security focal points connecting the political and the expert levels, supported by the OCEEA;
- The OSCE Secretariat should further strengthen its co-operation with other organizations in the field of energy security. A meeting bringing together all the regional and subregional organizations active on energy security in the OSCE area could be convened during 2011.

The second introducer, Ambassador Marcel Pesko, Permanent Representative of the Slovak Republic to the OSCE, recalled the OSCE’s long history of involvement in the field of energy co-operation, which dated back to the Helsinki Document. Energy security had a profound impact on sovereignty, security and the well-being of citizens. It required transparency, market stability and a sound investment climate across the energy value chain.

He noted that a number of international organizations were active in energy security in the OSCE region, including the Energy Charter Secretariat, the UN Economic Commission for Europe, NATO, and the energy community, and that the challenge for the OSCE therefore was to find its unique role without duplicating existing efforts.

Looking back on implementation, it could be seen that concrete action had lagged behind the comprehensive aspiration of the OSCE. The Organization's failure to respond to the gas delivery crisis in 2009 was in his view illustrative of that fact.

He praised the report of the Secretary General and urged consideration of many of the conclusions and proposals put forward, *inter alia* in the framework of the Corfu Process. He mentioned the proposal to make more efficient use of the formats of the Permanent Council, the Economic and Environmental Committee and the Economic and Environmental Forum process for dialogue on energy security. Furthermore, he called attention to the proposal for the creation of an early-warning mechanism for energy security, the proposals on strengthening the anti-terrorism element in the energy-security dialogue, the proposals for the development of best practices in energy efficiency, and the proposals for taking into account the security impacts of climate change.

He proposed increasing the Secretariat's capacity with a view to enabling it to assume co-ordination of new responsibilities. That would include developing a network of energy experts, providing support to participating States in the development of energy policies and other duties. The OCEEA should act as an energy-security focal point in those matters and should be strengthened in terms of human and financial resources so as to enable it to perform those functions.

The third introducer, Mr. Birsham Alshimbayev, Director of the Department of the Ministry of Oil and Gas of Kazakhstan, stressed the need to find a balance between the interests of supplier, transit and consumer countries in energy co-operation. For that purpose, the reliability and sustainability of energy arrangements were of paramount importance. A predictable energy policy relying on long-term arrangements was needed to prevent disruptions to supplies and market volatility and to secure adequate investment in the energy sector. Since 80 per cent of Kazakhstan's exports in oil and gas went to the OSCE area, the country had a strong interest in being a reliable partner. Kazakhstan had committed itself to the Extractive Industries Transparency Initiative (EITI), the implementation of which was helping to promote energy security in the region.

In the ensuing discussions, many delegations noted that the OSCE should adopt a comprehensive approach to energy security that would be based on the Organization's security expertise. There was general agreement that the OSCE should not duplicate the efforts of other organizations and that its actions should be demand-driven. All delegations furthermore welcomed the report of the Secretary General.

The incoming Chairmanship stressed that energy security would be at the top of the agenda of the economic and environmental dimension in 2011.

A number of delegations stressed the importance of transparency for energy security. In that context, several delegations called for the formal endorsement of the EITI at the Summit in Astana.

Several delegations touched upon the need for a comprehensive regulatory framework for energy relations. While one delegation favoured updating the Energy Charter Treaty to that effect, another delegation proposed basing discussions on a new draft energy treaty, as had been proposed by the President of the Russian Federation, Dmitry Medvedev.

Several delegations supported the recommendation contained in the report by the Secretary General for the establishment of a task force of experts on energy security with the OSCE.

Several delegations also noted that, in view of its security mandate and expertise, the OSCE had a role to play in the protection of critical energy infrastructure.

One delegation noted that the OSCE should be prepared to offer itself as a platform for dialogue on and mediation of energy disputes, in cases where bilateral solutions were not possible.

One delegation (RC.DEL/231/10) suggested that a mechanism for the prevention and settlement of energy disputes should be developed within the OSCE and should be anchored in the OSCE action plan to be adopted at the Summit in Astana.

A representative of the Energy Charter Secretariat offered his organization's expertise in setting up such a mechanism in the OSCE.

Another delegation (RC.DEL/239/10) opposed the idea of developing an OSCE energy-security early-warning mechanism, noting that the EU-Russia energy dialogue was sufficient in that context.

**EED SESSION 5: ENVIRONMENTAL CLUSTER –
ENSURING SUSTAINABLE DEVELOPMENT AND ECONOMIC
GROWTH THROUGH PROMOTING TECHNOLOGICAL
INNOVATION AND MODERNIZATION IN THE ECONOMIES,
FOSTERING SOCIAL DEVELOPMENT, CAPACITY-BUILDING FOR
ENVIRONMENTAL GOVERNANCE; PROTECTING THE
ENVIRONMENT; THE WAY FORWARD**

Report by the rapporteur

Session 5 focused on how to ensure sustainable development and economic growth through promoting technological innovation and modernization in the economies, fostering social development, capacity-building for environmental governance, and protecting the environment. It was moderated by Ambassador Renatas Norkus, Permanent Representative of Lithuania, incoming holder of the OSCE Chairmanship.

The Chairperson introduced the objectives of the session by recalling the main OSCE documents that set commitments in the environmental sphere. He stressed that the session should aim at finding recommendations for how the OSCE participating States might refocus their commitments in order to make a tailored contribution to sustainable development without duplicating existing efforts.

Ambassador Betanzos Roig, Spanish Ambassador to the OSCE, provided an overview of the Spanish commitments in areas such as public participation, sustainable development and renewable energy (RC.DEL/296/10). In that regard, she pointed out that renewable energy in Spain was a source of growth and had generated more than 100,000 jobs in the previous 10 years.

Spain stood ready to share its experience in all these fields with countries that wished to advance the objectives of the Maastricht Strategy. Concrete projects such as study visits on watershed management, drought prevention or the development of renewable energy legislative and regulatory frameworks could be replicated in the future.

Ms. Roig stressed that when it adopted the Madrid Declaration on Environment and Security, the OSCE became the first international organization to emphasize that environmental co-operation was a key factor in reducing tensions and preventing conflicts. In addition to the Madrid Declaration, the Spanish Chairmanship had proposed an action plan which contained a set of possible actions for the OSCE's sustainability and security agenda. The action plan still remained largely valid.

The Ambassador stressed the need for the OSCE to co-ordinate with other actors. Specifically, the OSCE should participate in the UN process aimed at the preparation of the Ministerial Conference "Environment for Europe" to be held in Astana in 2011. The two priorities of the conference were water management and the concept of green economy, understood as the integration of the environment in economic development.

A second event calling for OSCE input was the United Nations Conference on Sustainable Development to be held in Rio de Janeiro in 2012, which would focus on the

implementation of the green economy as a way to reconcile economic growth and environmental sustainability.

Ambassador Roig proposed the concept of green security as the recognition of the environment as a factor for peace and co-operation, and stressed the need to develop an OSCE programme on the environment, sustainable development and security, based on a work plan on sustainable development and security.

Mr. Marco Keiner, Director of the Environment Housing and Land Management Division, United Nations Economic Commission for Europe (UNECE), gave an overview of the UN concept of green economy and explained that the OSCE/UNECE region was facing a series of increasingly convergent challenges, namely, insecurity about food, water and energy supplies, persistent economic uncertainty, and climate change impacts.

Mr. Keiner affirmed that the causes and impacts of climate change were now also very well anchored within the OSCE's broad range of activities and stressed that addressing climate change and sustainable development in connection with global energy security was an excellent approach. As a result, political leadership and awareness must be strengthened; the OSCE, in co-operation with other international organizations, could play a key role in rising to that challenge.

Mr. Keiner agreed with the previous speaker on the important role the OSCE could play in the UN discussions on sustainable development, and encouraged the OSCE to actively participate in the preparations for the Astana and Rio conferences. The OSCE's added value was the ability to promote transboundary green economy activities related to environmental security.

Mr. Keiner encouraged the OSCE to continue supporting participating States in implementing relevant UNECE conventions such as the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, and the Espoo Convention on Environmental Impact Assessment in a Transboundary Context.

As a practical example, he highlighted the establishment of OSCE Aarhus Centres and Public Environmental Information Centres aimed at further increasing the participation of civil society and the private sector and at strengthening the role of local government.

Finally, the OSCE, particularly through the Environment and Security Initiative (ENVSEC), should go on actively supporting local environmental governance processes in participating States, including the development of local environmental action plans.

Mr. Olzhas Rayev, Deputy Director of Department, Ministry of Industry and New Technologies of Kazakhstan, gave a detailed presentation of the policies pursued in Kazakhstan on technological, industrial and economic development and on energy conservation and the prospects for renewable energy sources. Kazakhstan had initiated a series of reforms aimed at bringing about a radical modernization of the economy. He presented the State programme of forced industrial-innovative development, which was calculated to contribute to sustainable economic growth by accelerating diversification through industrialization, introducing new emerging technologies and increasing the competitiveness of human capital.

These efforts would focus on several priority sectors, but special attention would be paid to the economy of the future, understood as those branches which were set to play a dominant role in the global economy over the next 15–20 years, namely information and communication technology, biotechnology, and alternative energy.

Mr. Rayev explained in detail the four pilot programmes designed to support complex business: Roadmap Business – 2020, Performance – 2020, Export – 2020 and Investor – 2020.

Speaking about energy security, Mr. Rayev stressed the large reserves possessed by Kazakhstan, both minerals and hydrocarbons. Moreover, he explained that Kazakhstan was promoting the use of environmentally sound technologies for resource extraction and already investing in alternative sources of energies. In that connection, Kazakhstan had a great potential to develop wind energy power and small-scale hydroelectric power. Solar power was feasible in the south of the country.

Kazakhstan was also making advances in developing the legislation framework needed for the deploying of renewable sources of energy: in July 2009, for instance, it had adopted a law providing support for the use of renewable energy sources. The law encouraged the use and production of renewable energy by providing incentives to grid operators to purchase electricity produced from renewable energy sources and by providing tax exemptions.

A group of delegations stressed the importance of sustainable development for peace and stability, and the complementary role of the OSCE to various UN processes. The Aarhus Centres were singled out as a very valuable example of OSCE complementarity.

Another delegation proposed that the OCEEA should be empowered to give better support to the field missions and that the OSCE should consider adding sustainable development training to the programme of the OSCE Academy in Bishkek.

A further delegation (RC.DEL/291/10) stressed the role of the OSCE in the promotion of technology and innovation.

Another delegation (RC.DEL/294/10) pointed out that the environmental crisis was a moral challenge confronting us with our responsibilities towards the environment and future generations.

A further delegation proposed that the OSCE should be a platform for exchange of expertise on renewable energy.

Finally, two delegations (RC.DEL/287/10) summarized their accomplishments in implementing sustainable development commitments.

**EED SESSION 6: ENVIRONMENTAL CLUSTER –
PROMOTING CO-OPERATION ON SECURITY ASPECTS OF THE
ENVIRONMENT BY, *INTER ALIA*, SUSTAINABLE USE AND
MANAGEMENT OF NATURAL RESOURCES AND PREVENTING
POLLUTION, LAND DEGRADATION, ECOLOGICAL RISKS,
NATURAL AND MAN-MADE DISASTERS; THE WAY FORWARD**

Report by the rapporteur

Session 6 was dedicated to the theme of promoting co-operation on security aspects of the environment by, *inter alia*, sustainable use and management of natural resources and preventing pollution, land degradation, ecological risks, natural and man-made disasters. It was moderated by Ambassador Renatas Norkus, Permanent Representative of Lithuania, incoming holder of the OSCE Chairmanship.

The Chairperson introduced the session with reference to the Maastricht Strategy Document and the Madrid Declaration on Environment and Security. He referred to the Environment and Security Initiative (ENVSEC) and the role of OSCE in this respect.

In his capacity as the 2010 Chair of the ENVSEC Initiative, Mr. Christophe Bouvier, Director of the Regional Office for Europe of the United Nations Environment Programme (UNEP), provided a brief overview of ENVSEC's objectives, partnership structure and donors, together with concrete examples of project activities led by the OSCE in each of the four regions. He particularly referred to joint OSCE-UNEP environmental assessment missions to the conflict zones. He also highlighted the OSCE's efforts to promote co-operation on management of transboundary water resources; on building capacities for natural and man-made disaster preparedness and response, as in the case of forest fires; on facilitating safe disposal of mélange rocket fuel; and on increasing public awareness of environment and security risks and promoting increased participation, mainly through Aarhus Centres. He stressed the potential role of the OSCE in drawing attention to the security implications of climate change. In concluding, Mr. Bouvier emphasized that the OSCE brought strong added value to the field of environment and security from the political security dimension and that this added value should be captured and reflected in the OSCE Summit document.

Ambassador Timo Kantola, Permanent Representative of Finland to the OSCE, elaborated on the environment and security framework, on the OSCE's current standpoint, and on the further role that the OSCE could play in this field. Ambassador Kantola stressed that the OSCE should continue to serve as a platform for political dialogue in the economic and environmental dimension and benefit from the policies and practices of other organizations. He referred to the ENVSEC Initiative as a good example of such co-operation and underlined both the role of OSCE as the Chair of the Management Board in 2011 and the role of Finland as the lead donor of the Initiative with responsibility for donor co-ordination. Underlining the use of economic and environmental activities as confidence-building measures, the Ambassador emphasized the need to further strengthen the capacities of the OSCE and its field missions for risk analysis, early warning and response. Ambassador Kantola concluded by stating that the Astana Summit should give guidance for further developing the OSCE's comprehensive approach to conflict prevention and crisis

management, which should include an effective early warning tool and capacity for risk analysis on economic and environmental threats.

In her introductory statement, Ms. Ana Novak of the Ministry of Foreign Affairs of Slovenia focused on water security and water management. She emphasized the need for transboundary water management and identified four priorities, namely: ratification and implementation of international legal instruments, in particular the UNECE Water Convention; enhancing water governance by establishing joint river commissions; capacity-building in adapting to climate change, and preparedness for natural disasters; and partnerships at all levels that involve civil society, local authorities and the private sector. Ms. Novak emphasized that water security was an essential pillar of the OSCE's economic and environment dimension and that it required further co-operation and co-ordination with other international organizations, including the United Nations Economic Commission for Europe (UNECE), the United Nations Environment Programme (UNEP), the United Nations Development Programme (UNDP), and the EU.

Ms. Galiya Karibzhanova of the Ministry of Environment Protection of Kazakhstan informed the meeting on the outcomes of the Sixth Ministerial Meeting for Asia and Pacific, which had taken place from 27 September to 2 October in Astana. The Ministerial Meeting had led to the Astana Green Bridge Initiative aiming to promote partnership between Europe and Asia-Pacific in implementing green growth programmes; a ministerial declaration on environmental protection and development; and a regional action plan for 2011–2015. Ms. Karibzhanova also provided an overview of Kazakhstan's Strategic Plan of Development (until 2020) and Programme on Green Development (2010–2014), both of which are aimed at the protection of natural resources, the reduction of energy use, and the promotion of renewable energy resources.

Mr. Struan Stevenson, Personal Representative of the OSCE Chairman-in-Office on Environmental Issues, underlined the importance of environmental issues in Central Asia and their health and security implications. He highlighted particularly the nuclear test sites in Kazakhstan, uranium tailings in four countries of Central Asia, management and use of transboundary water resources, problems associated with the Aral Sea, and the storage sites for biological and chemical weapons. Mr. Stevenson called for increased co-operation and partnership to address these challenges collectively and gave the example of the recent Aral Sea Conference that had been recently organized at the European Parliament as a good step forward.

A group of delegations drew attention to the need for close co-operation between the OCEEA and other OSCE structures and field operations. It was emphasized that access to and management of natural resources, in particular water, the potential security implications of climate change, and the reinforcement of the confidence-building potential of the economic and environmental dimension should be priority areas for the future streamlined work of the OCEEA and should be reflected in both the Summit declaration and the action plan.

A delegation referred to the OSCE's comprehensive security approach, its regional scope and its field presence, and stated that the OSCE had unique strengths that placed it in a prime position to lead on environmental security issues. The growing importance of water for security and stability was also highlighted.

Another delegation underlined the importance of green technology and the OSCE's possible role in the development of emergency response mechanisms. The delegation continued by stating that the OSCE should not be involved in climate change issues, as there were many specialized institutions and mechanisms charged with such responsibilities.

A delegation highlighted environmental governance and water as the priority issues for the OSCE and stressed the need for the establishment of synergies with other regional initiatives such as the Black Sea Environmental Partnership and the Danube Strategy.

Another delegation referred to respect for human life, the need for solidarity between nations, and the sharing of responsibilities as significant elements in promoting a peaceful and healthy environment. Foremost amongst the issues mentioned as having great implications for security were climate change, desertification, deterioration and loss of agricultural land, pollution of rivers, loss of biodiversity, environmental refuges, and conflicts for access to natural resources. They should be addressed by the OSCE.

A further delegation underlined the human security implications of industrial accidents and referred to the Chernobyl accident. The delegation informed the meeting on their commitment in the field of climate change and underlined the OSCE support that they had been receiving in this respect.

One delegation referred to the linkages between environment and security and the importance of co-ordination and co-operation in this field. The representative also referred to the support that they had given to ENVSEC and identified ENVSEC as the most comprehensive example of partnerships among international organizations.

Another delegation referred to the food-for-thought paper on climate change that was co-sponsored by a group of countries during the Corfu Process. The representative emphasized that the security implications of climate change should be practically incorporated into the general concept and the tool box of the OSCE Security Strategy, and that the subject of climate change should be included in the Astana Summit documents and in the future work of the respective OSCE bodies.

A number of OSCE field mission representatives took the floor and highlighted the importance of their work to assist their respective host countries in addressing issues in the area of transboundary water management, security implications of climate change, and implementation of the UNECE Aarhus Convention. Several OSCE field mission representatives stressed the need for: increased co-ordination and sharing of best practices among field missions, additional resources to sustain activities (in particular in support of Aarhus Centres), and increased involvement of civil society and youth.

Mr. Goran Svilanovic, Co-ordinator of OSCE Economic and Environmental Activities, provided information about the work of the UK-led "High-Level Stakeholder Group" for the Global Environmental Migration Project and the OSCE's involvement in this initiative.

EED SESSION 7: THE WAY FORWARD AND RECOMMENDATIONS FOR FUTURE ACTION

Report by the rapporteur

Session 7 focused on the theme: “The way forward and recommendations for future action”. It was moderated by Ambassador Renatas Norkus, Permanent Representative of Lithuania, holder of the incoming OSCE Chairmanship.

In his opening remarks, the Chairperson said that the aim of the session was to identify new ways forward in the economic and environmental dimension (EED), particularly in areas which could pose a risk to stability and security in the OSCE region. The suggestions made for future directions and streamlining of activities during the Review Conference could form the basis for new OSCE documents. However, that should not deflect attention from fulfilling existing commitments related to the EED.

He then gave the floor to the introducers.

Ambassador Alyaksandr Sychov, Permanent Representative of Belarus to the OSCE and Chairperson of the Economic and Environmental Committee (RC.DEL/323/10), gave his perspective on the way forward, based on the discussions that had taken place both at the Review Conference and in the Economic and Environmental Committee. He supported a strengthening of the EED within the OSCE’s comprehensive concept of security, but also said that there was a lack of clear consensus among the participating States as to how that should best be achieved. For the dimension to make a strong contribution, agreement needed to be reached on a clear, focused vision for it. A good starting point would be a progressive implementation of the recommendations of the 2009 Chairmanship’s report on the Future Orientation of the Economic and Environmental Dimension of the OSCE (the Verbeek report). He also called for “out-of-the-box” thinking and referred to the ideas and suggestions made in connection with the Corfu Process discussions and related food-for-thought papers on the second dimension. He suggested elevating the dialogue on the EED to a higher level by convening a ministerial conference or a meeting of a council of ministers for economy and environment to discuss urgent economic and environmental threats and challenges in the OSCE region. Such a meeting could also give impetus to the development and adoption of a “Maastricht-plus” document that could be launched at the Astana Summit. He also supported a strengthening of the OCEEA’s analytical capabilities through the infusion of additional human and financial resources and hoped that the participating States would support the budget proposals of the OCEEA. He concluded by referring to the Secretary General’s report on energy security (RC.GAL/21/10) and stressed the importance of a continued dialogue on the issue in the OSCE.

Mr. Goran Svilanovic, Co-ordinator of OSCE Economic and Environmental Activities (RC.GAL/33/10), gave an account of the main ideas and recommendations that had been put forward in the different EED sessions. Further to his presentation, the rapporteurs’ reports on the different sessions would be circulated to all the delegations. He also commended the richness of the discussions that had taken place and thanked all who had contributed. Some of the ideas and suggestions could be reflected in the Astana Summit document, while others could be reflected in more detailed working-level documents, to be developed in close co-operation with the participating States. Careful examination was

needed, in particular, of the suggestions on the strengthening of the early-warning and risk-assessment capacity of the second dimension; the establishment of an OSCE academy in Central Asia on EED issues; and the setting up of thematic networks. In conclusion, he referred once again to the Verbeek report and said that a decision by the Permanent Council on strengthening the economic and environmental dimension would already be a positive step forward.

Following the introducers' presentations, the session continued with statements from the floor.

A group of delegations (RC.DEL/333/10) stressed the importance of the second dimension in the OSCE's concept of comprehensive security and its role in early warning, conflict prevention, crisis management and post-conflict rehabilitation. The group emphasized in particular that the following issues should be reflected in the Astana Summit document: endorsement of the Extractive Industries Transparency Initiative; reinforcement of the confidence-building potential of the EED and development of an effective early-warning capacity; the need to address transnational threats through a comprehensive approach to security that would include economic and environmental aspects; and a role for the OSCE in energy security and in action to tackle the security implications of climate change. They also called for the organization of a workshop on confidence-building activities. They concluded by reiterating their view that the Lisbon Document (1996), the Charter for European Security (1999), the Platform for Co-operative Security and the OSCE Strategy Document for the Economic and Environmental Dimension remained valid documents and that their full implementation was a priority for the group.

One delegation (RC.DEL/332/10) said that the discussions had shown that the work in the context of the EED contributed to security in the OSCE region. Transparency and good governance were principles that applied to all OSCE activities across the dimensions. Combating corruption and money-laundering and effectively prosecuting such practices would not only build public trust in government institutions but would also disrupt international crime and terrorism. As one concrete step towards greater transparency and confidence-building, it suggested that more participating States should consider endorsing the Extractive Industries Transparency Initiative. It called for political will to devise workable solutions to complex problems in the area of EED; such solutions should be reflected in the Summit documents. Regarding migration, it acknowledged that poor management could lead to instability, but well managed migration could have significant economic and cultural benefits. In that context, it also reaffirmed its commitment to the fundamental rights of migrants. Furthermore, it welcomed the incoming Chairmanship's proposed focus on energy issues. It also supported the setting up of an ad hoc working group on energy issues and the possible inclusion of some proposals in the action plan that would emerge from the Summit. The Organization's unique strengths lay in its geographical scope, its comprehensive and indivisible security concept and its field operations network. It reiterated its proposal for the establishment of an academy in Central Asia dedicated to EED issues. It also called for formalization of the involvement of the economic and environmental officers in the Economic and Environmental Forum (EEF) and other meetings. In concluding, it stressed the importance of reaching agreement on reforming the EEF process and establishing an annual meeting which would review all the commitments in the second dimension.

Another delegation (RC.DEL/322/10) emphasized the importance of reinstating a dialogue in the second dimension on issues related to scientific and technical co-operation,

and first and foremost, on exchange of innovative technologies, including in the environmental sphere. The OSCE, in its view, should pay more attention to the establishment of positive investment climates, development of networks of research centres and introduction of modern IT technologies. Furthermore, it would be important to strengthen collective efforts to prevent and respond to natural and man-made disasters and catastrophes that had cross-border effects and could have a negative impact on Euro-Atlantic and Euro-Asian security. It supported the EED work in the areas of migration management, transport security and anti-money-laundering/countering the financing of terrorism (AML/CFT). In the area of energy security, it emphasized the need for increased dialogue on energy efficiency and energy savings. Introducing the above-mentioned measures would help to enhance the work in the second dimension and would contribute to overall security and stability in the OSCE region.

A further delegation (RC.DEL/327/10) stressed the importance of early action to agree on a new calendar of events for the EED, which would clearly signal priorities and the intention to give the dimension the proper weight within the OSCE. The delegation also stated that it considered economic and environmental governance as a core theme of its OSCE Chairmanship.

A Partner for Co-operation said that migration management should be included in the Summit document, following the spirit of the Athens and Ljubljana documents. Migration management should be examined in a comprehensive and multidimensional fashion, giving due attention to the positive contributions by migrants to host societies. That aspect should also be reflected in the integration discourse/measures. It would be willing to reinforce its co-operation with OSCE participating States and relevant international organizations in addressing the challenges associated with irregular migration. However, it requested the participating States to refrain from linking illegal migration to transnational threats and not to include such language in the Summit document.

The Chairperson concluded the session by thanking all the participants for their active participation and valuable contributions, and invited them all to return in the afternoon for the closing plenary of the Vienna segment of the Review Conference. The session was closed.

(C) Reports of the rapporteurs on the review of the implementation of all OSCE principles and commitments in the human dimension (HDR)

HDR SESSION 1: DEMOCRATIC INSTITUTIONS

Report by the rapporteur

The session underlined the importance of democratic institutions for the development of democracies. Democratic elections were recognized as being central to this endeavour. States reaffirmed their election-related commitments, making specific reference to the Copenhagen Document, and the necessity to implement them.

The ODIHR presented its approach to election observation before, during and after elections, taking into consideration, *inter alia*, mass-media during election campaigns and pointed out that the election observation methodology is set out in the Election Observation Handbook. The ODIHR encouraged the participating States to implement the Istanbul Summit commitment to carry out prompt follow-up to recommendations contained in election observation reports. The OSCE Parliamentary Assembly highlighted the commitment of parliamentarians, as elected officials, to clear standards and impartiality in election observation. Both institutions referred to the observation of elections as a common endeavour of the ODIHR and the OSCE Parliamentary Assembly in accordance with the Copenhagen Agreement of 1997. Several States mentioned improvement of electoral frameworks as part of their governmental agenda and enumerated measures taken to this end in co-operation with the ODIHR.

The following were some of the elements mentioned as being important for the safeguarding of democracy and democratic processes, including the conduct of democratic elections: respect for human rights and fundamental freedoms, political pluralism, an independent judiciary, a vibrant civil society, rule of law and separation of powers in the State, freedom of expression, pluralistic and independent mass media, and freedom of assembly. Several participants mentioned the importance of democracy at the local level for the overall state of democracy in any given country.

Mention was made of challenges in the following more specifically election-related fields, and of the necessity to address them: the right to stand for elections and be elected; a level playing field for all election candidates, notably with respect to equal access to mass media; accuracy of the lists of voters; equality and secrecy of the vote; the correct counting and tabulation of votes; effective mechanisms for election disputes that ensure remedies to complaints, and provisions designed to enable both domestic and international observers to monitor elections.

The majority of speakers commended the ODIHR's election observation methodology, including its long-term observation and monitoring of the mass media. One State suggested the adoption by the participating States of a joint document regulating the work of international observers.

Many States referred to the need for better follow-up to election report recommendations, notably for the purpose of better peer review of the implementation of commitments. They made concrete suggestions to this end.

Recommendations

1. Enhance efforts to fully implement OSCE election-related commitments;
2. Call on participating States to issue invitations for election-monitoring without restrictions;
3. Carry out concrete follow-up to election observation reports, with participating States presenting their endeavours to the PC and/or the Human Dimension Committee;
4. Education for young voters on the importance and conduct of democratic elections;
5. Continue co-operation between the ODIHR and the Parliamentary Assembly in election observation in accordance with the 1997 Copenhagen Agreement and Ministerial Council Decision No. 19/06;
6. Ensure sufficient resources for the ODIHR to carry out its election observation activities;
7. Continue to develop the capacity of national observers to monitor domestic electoral processes;
8. Consider the possibility of adopting new election-related commitments to reflect the development of new technologies, notably in the mass media.

HDR SESSION 2: FUNDAMENTAL FREEDOMS I

Report by the rapporteur

The first introducer, Prof. Malcom Evans, underlined that the most profound change over the previous ten years concerning the enjoyment of the freedom of religion or belief had been the heightened importance of the role that belief, whether religious or non-religious, plays in the public and political life of communities. The manner in which these issues were addressed had become a matter of critical political importance both domestically and internationally; furthermore, it tended to give rise to clashes and controversy, rather than compromise, causing the issues in question to become invested with a significance beyond their true importance.

Prof. Evans identified some major areas of difficulties: firstly, legitimate security concerns that should not be used to justify improper restrictions upon the enjoyment of freedom of religion or belief; secondly, the misuse of laws relating to the recognition of religious organizations to limit, restrict or even prohibit the free exercise of religion or belief; and finally, the relationship between freedom of religion and freedom of expression, the latter being hampered by such things as increased legislative activity seeking to restrict the wearing or display of religious clothing and symbols. The introducer emphasized that it was through the idea of “respect” that these issues could best be addressed; furthermore, participating States should ensure that all forms of religion or belief be able to secure their proper space in public life, and that the belief communities be allowed a place in public and political debate.

Many participating States and NGOs underlined that freedom to express and to change one’s religion or belief was an integral part of this freedom, and that the failure to protect the rights of members of religious communities contributed to the erosion of the right not only to religious freedom but also to free assembly and expression, and other human rights and fundamental freedoms.

Several statements voiced concern that in an increasing number of participating States the level of freedom of religion or belief had worsened, while worrying new tendencies were undermining the rights of individuals and communities to profess and practise their religion or belief freely. They pointed out that security concerns, though often legitimate, were utilized to restrict this freedom, in particular with respect to minority or non-traditional religious groups.

In this connection, several participating States and NGOs noted the tendency of introducing restrictive policies and laws imposing difficult registration requirements and placing severe restrictions on religious education, proselytizing, religious publications, and property or building permits for places of worship.

Strong views were expressed on the question of the legal measures seeking to restrict the wearing or display of religious clothing and symbols.

Some NGOs mentioned the existence in some participating States of “anti-sect” policies not in line with OSCE commitments. In reply to this criticism, representatives of several participating States gave explanations regarding the exact nature of such policies.

Some NGOs also referred to the right to conscientious objection; one of them defended the view that it should not be limited to the military services.

Finally, many participating States and NGOs commended the work carried out in close collaboration with other international organizations by the OSCE and ODIHR in protecting freedom of religion or belief.

The recommendations from the discussion can be summarized as follows:

- Participating States should adhere more closely to OSCE commitments on freedom of thought, conscience, religion or belief;
- Participating States should respect and protect people who belong to any religious community – and indeed those who prefer a secular approach – and investigate and prosecute cases of bias-motivated violence against individuals and property associated with religious communities;
- The recommendations of participating States and representatives of civil society gathered at the upcoming Supplementary Human Dimension Meeting on freedom of religion or belief should be taken into account in the work of the OSCE;
- The ODIHR’s panel of experts on freedom of religion was encouraged to draw up an independent report on the laws on extremism and their implementation;
- The OSCE’s institutions and field operations were encouraged to mainstream freedom of religion or belief in human dimension work.

The second introducer, Ambassador Douglas Wake, First Deputy Director of the ODIHR, presented some observations about ODIHR activities, underlining that over the previous 11 years the ODIHR and its activities had gone through important changes. Notably, the expansion of its mandate and structures had further developed its capacity to monitor and report on matters within its mandate and to assist participating States in implementing their commitments. The ODIHR was currently carrying out its mandate through programmes on elections, democratization, human rights, tolerance and non-discrimination, and through a Contact Point for Roma and Sinti issues. It constantly sought to ensure that its work was closely linked with the engagement of host governmental institutions, civil society, other OSCE structures, and international community partners. Ambassador Wake also stressed that the ODIHR’s activities were carried out in an increasingly wide range of participating States and were not limited to any geographical region or subregion within the OSCE area.

A large group of participating States suggested that the forthcoming OSCE Summit provided an important opportunity to revitalize the organization and stressed that the Summit should have a substantial agenda, with the Corfu Process being central to discussions. Along with this, speakers underlined the autonomy and expertise of OSCE institutions in helping participating States to implement their commitments and their support for the ODIHR’s observation methodology. In addition concerns were raised regarding the situation of human rights defenders, attacks against journalists, negative developments in media freedom, notably in connection with Internet-based media, trafficking in human beings, and violence against minorities. Finally, there was praise for the efforts of the relevant OSCE human rights bodies and OSCE missions in this field.

Two other participating States raised concerns about some of the activities of the ODIHR and OSCE field missions, recalling that OSCE field operations could work only with the consent of the host participating State and were to co-operate closely with governmental activities with the aim of transferring the mission task to the local authorities. They also emphasized that the field missions could not function as observatory bodies. They argued that some OSCE commitments had been granted more attention than others, generating an imbalance both in the baskets and the commitments.

Specific recommendations on this topic:

- The OSCE Summit should set out a mandate for revitalizing the Organization and its future work, which should include the strengthening of the autonomy and integrity of the Organization's institutions;
- Participating States should explore ways to enhance support for the implementation of human dimension commitments, notably through peer, thematic and national review, or through human dimension events. It was also suggested that certain commitments should be adapted and reinforced in specific areas of the human dimension, including freedom of the media, freedom of assembly and the protection of those who promote human rights;
- Participating States should be more systematic in carrying out the recommendations of ODIHR election observation reports;
- Co-operation with international organizations should be enhanced, in particular with the UN and the Council of Europe;
- Participating States should give assistance to projects and programmes in the human dimension field, whether through facilitating project implementation on the ground or through making appropriate material contributions;
- The extrabudgetary funding of projects should be more transparent and accountable, with reporting to the receiving participating States;
- The ODIHR should pursue greater geographical and topical balance in its activities;
- A unified body of rules should be implemented to promote transparency, balanced approaches and co-operation amongst the participating States and OSCE institutions.

HDR SESSION 3: FUNDAMENTAL FREEDOMS II

Report by the rapporteur

The session was moderated by Ms. Hanna Machinska, Director of the Information Office of the Council of Europe, who pointed out that while the freedom of association and assembly was a recognized pillar of democracy, practice was in many cases not in conformity with commitments. She also noted that while national human rights institutions played an important role in processing complaints, pursuing a critical approach on human rights protection and promoting human rights education, these institutions were often endangered by the criticism they expressed. Speaking about freedom of movement, she pointed to international and national standards and to many OSCE documents that protect the right to leave and return to one's country and stated that restrictions on travelling within and between countries should be the exception.

The session was introduced by Mr. Serghei Ostaf, Resource Centre for Human Rights, Moldova. Referring to freedom of assembly and association, Mr. Ostaf listed a number of points that should be considered, including:

- Exchange of good practices;
- The extent to which spontaneous assemblies are allowed;
- Restrictions on freedom of assembly (proportionality, experiences, limits);
- Role of courts in upholding rights related to the freedom of association and assembly;
- Restrictions on associations (number, registration, citizenship, administrative hurdles, role of the courts);
- Functioning of civil society organizations;
- Environment necessary for fostering the flourishing of civil society.

Speaking about national human rights institutions, Mr. Ostaf highlighted the fact that although most participating States have established them, they are very often still poorly developed and subject to financial and political pressures and limitations. He stated that at the core of their functioning was the ability to establish a successful dialogue with State authorities.

Introducing the subject of freedom of movement, Mr. Ostaf recalled the Vienna and Copenhagen Documents and posed the question as to whether the commitments in this field are realized in practice, especially with regard to migrants.

The session provided a fine opportunity for discussion, which was used to the full. There were numerous interventions, both by the participating States and by representatives of civil society from different parts of the OSCE area. While participating States tended to focus on how they strive for better implementation of commitments, the representatives of civil society pointed to the continued existence of shortcomings and to violations, calling for

further action aimed at full compliance with commitments. The majority of the interventions related to the questions of freedom of assembly and association and of national human rights institutions and the role of civil society in the protection of human rights. There were also a number of statements on freedom of movement.

A number of recommendations were made during this working session, with the addressees being urged:

- To fully observe the freedoms of expression, assembly and association, and to take concrete action to enable individuals to effectively exercise their rights to peaceful assembly and association, freedom of expression and freedom of movement;
- To ensure the promotion and protection of human rights and all fundamental freedoms;
- To make use of the OSCE and the ODIHR, notably of their expertise in the areas of freedom of association, expression, and movement;
- The ODIHR and the field operations were called upon to assist the participating States in reviewing legislation and practice with regard to international and regional human rights, to continue to engage with national human rights institutions and defenders across the OSCE area, and to strengthen their own capacity to promote, protect, monitor and report on respect for human rights and fundamental freedoms;
- To allow freedom to join or not to join trade unions or professional associations and to establish religious associations;
- To make human rights education mandatory in all educational institutions;
- To protect human rights defenders throughout the OSCE area; to create a special representative on human rights defenders within the ODIHR; to develop rapid response mechanisms for cases in which human rights defenders need assistance;
- To strive to make the OSCE area a single freedom and security area;
- To ensure that visa regimes do not prevent travelling in the OSCE area, and to mandate the ODIHR to constantly monitor how the participating States fulfil their commitments relating to freedom of movement;
- To stop intimidation and prosecution of human rights activists;
- To refrain from using anti-terrorism measures to stifle civil activism and to target associations;
- To streamline NGO participation in OSCE events;
- To provide better information about national human rights institutions and their work, to foster their activities with financial support, and to promote contacts between national human rights institutions and representatives of civil society;

- To foster better co-operation with civil society at the State level in order to solve problems without it becoming necessary to bring them to international forums;
- To create a standing forum for national human rights institutions;
- To boost regional co-operation and national education on human rights;
- The HCNM and the ODIHR were called upon to monitor the situation of internally displaced persons and refugees with regard to freedom of movement and to help the OSCE engage in solving the problem;
- To allow national human rights institutions true independence;
- To continue co-operation between participating States on freedom of movement, also including the OSCE Partners for Co-operation;
- To improve the implementation of existing commitments.

HDR SESSION 4: RULE OF LAW I

Report by the rapporteur

The majority of participating States and NGO representatives stressed the importance of the rule of law as a fundamental element for the development of democratic society and respect for human rights. For this reason, the State was responsible for providing its citizens and residents with a stable, predictable and ordered environment.

Several participants stated that in order for this goal to be achieved, appropriate action must be taken by all three branches of government – the judiciary, the legislature, and the executive – to guarantee separation of power between the branches and the existence of mutual checks and balances.

It was emphasized by the majority of participants that the judiciary should preserve its independence by introducing several safeguards against any kind of influence, particularly political. Those measures should include transparent terms of appointment, guaranteed tenure, specialization of judges, fair and independent disciplinary proceedings, and the provision of respective working conditions, resources and salaries. In the case of one State, lack of transparency in recruitment and appointment procedures was used as an example of possible hidden manipulation. Ensuring the highest standards in the above-mentioned procedures could also contribute to the eradication of corruption among judges.

Several participants repeatedly emphasized that everyone was subject to the law and no one above the law. This principle of the rule of law should promote the strengthening of ordinary citizens' trust and faith in the judicial system.

A number of participants in the discussion referred to the practice, recommendations and standards of the Council of Europe and the European Court of Human Rights. Some participating States reported on recent judicial reforms and new procedures in their national legislation. One NGO stressed necessity to bring the norms of juvenile legislation in conformity with international standards.

Some participants, particularly representatives of NGOs, expressed concern about the situation in their and other countries with respect to: non-transparency of judicial proceedings; lack of timely delivery and enforcement of court decisions; violation of defendants' rights; corruption of judges and, on the other side of the same coin, intimidation of judges. In particular, considerable attention was devoted to violations in the form of lack of evidence, prevention of defendants from having access to a lawyer, and forced confessions, with particular reference to such practices as unlawful arrests and maltreatment in custody, the latter in some cases leading to fatalities. A number of participants expressed concern regarding the protection of witnesses in general, and in particular of those involved in war-crime trials.

As a matter of urgency, some States were called upon to resolve cases involving human rights defenders and journalists, and to do so in accordance with national law and international legal standards. In responding they advanced the argument that interventions of this kind could be regarded as interference in internal judicial procedures prior to a judgment

being passed. A few participants stated that double standards were being applied within the OSCE.

There was a call from a number of NGOs for the above-mentioned violations to be made the subject of international monitoring, with special responsibilities being borne by the OSCE and by the Chairperson-in-Office in particular

A group of States addressed the subject of legislative transparency. They recalled the commitments of participating States to ensure public procedure in the process of drafting and adopting legislation. Particular emphasis was laid on the inclusion of NGOs and other civil society actors in the law-making process. As the relevant texts should be published and accessible to everybody, several NGOs proposed that their dissemination should be improved, with consideration being given to making them available free of charge.

Recommendations from the discussion:

- Participating States should make the principle of judicial independence an effective reality by introducing and applying objective criteria and transparent procedures for selecting and appointing judges;
- Participating States should establish efficient systems for the publication of judicial decisions and ensure that the latter are accessible to the public;
- Participating States should build and maintain respect and trust in the judicial system through the timely and efficient enforcement of judgments;
- Participating States should provide adequate resources to enable the judiciary to perform its functions properly;
- Participating States should ensure fair, timely and effective judicial proceedings, guaranteeing that witnesses are protected and the rights of defendants respected;
- Participating States should consider enhancing and strengthening the institution of official legal aid;
- Participating States should ensure transparent and inclusive legislative processes that reflect the will of the people;
- The OSCE should assist participating States in exchanging information on good practices in the area of the rule of law;
- The OSCE should continue to assist participating States in capacity-building in the judicial field and facilitate the exchange of practices and contacts between their judiciaries;
- The OSCE should provide civil society with regularly updated information on international legal standards and with materials relating to rule-of-law issues.

HDR SESSION 5: RULE OF LAW II

Report by the rapporteur

Abolition of the death penalty

It was noted that the previous decade had seen a gradual phasing out of the death penalty in the OSCE area. Only six States still retained the death penalty. Of these, only two still carried out executions. The two States in question pointed out that they used the death penalty sparingly and only in exceptional circumstances, and that its use did not contravene OSCE commitments. Four States had retained the death penalty for cases of terrorism leading to loss of life and other most serious crimes, but had not in fact imposed the death penalty for some years.

It was also noted that this positive trend had continued despite an increase in terrorist activity in the OSCE area over this period. States had resisted the temptation to reintroduce the death penalty, possibly taking the view that it might fuel extremism and radicalization. Many States expressed their opposition to capital punishment in all cases and under all circumstances, and called for a global moratorium as a first step towards its abolition. Some States pointed out that popular support for the retention or reintroduction of capital punishment remained strong. The ODIHR's annual background paper entitled *The Death Penalty in the OSCE Area* was commended.

Recommendations:

- Some States and NGOs urged the OSCE to examine alternatives to the death penalty, in particular the imposition of life sentences;
- Specifically, there was a call for the OSCE to facilitate exchange of information on sentencing arrangements and on the handling of those condemned to life in prison;
- Some NGOs called for increased public awareness of the broader human rights implications of the death penalty.

Preventing torture

The prevention of torture and ill-treatment of citizens by State bodies was seen as being crucial to the maintenance of public confidence in the rule of law. However, a number of NGOs quoted instances of torture and ill-treatment by police and prison officers in their own countries, some claiming that torture was commonplace and even encouraged by the authorities as a means of extracting confessions. The perpetrators of torture were able to carry out these violations with impunity.

Some States accepted that torture had not been completely eliminated, but insisted that it was not used on a systematic basis. The adoption of national preventative mechanisms and the ratification of the Optional Protocol to the UN Convention against Torture were important steps in preventing torture. It was acknowledged that the OSCE had played a central role in helping States move forward on both.

Recommendations:

- Systematic monitoring of detention facilities by international organizations and/or NGOs;
- Professionalization of the police and prison services, including human rights education and training for officers;
- Introduction of effective and transparent complaints procedures, including independent investigations into serious allegations, and appropriate punishments for those convicted of serious violations;
- Introduction of a set of basic minimum standards for detention facilities.

Protection of human rights and the fight against terrorism

Many States acknowledged that the fight against terrorism posed a challenge concerning respect for human rights, though it was also noted that according to the UN Global Counter-Terrorism Strategy effective counter-terrorism measures and the protection of human rights were not conflicting goals but complementary and mutually reinforcing ones.

Some States argued that certain human rights, such as freedom from torture, were absolute, but that within strict limitations established by international law other rights could be relaxed in the pursuit of effective counter-measures. Some States warned against the misuse of vaguely worded counter-terrorism legislation to suppress critical opinion or to promote religious discrimination. Some NGOs alleged that organizations that posed no threat to national security were indeed being silenced by State authorities misusing counter-terrorism legislation to label them as extremist bodies.

Recommendations:

- In developing counter-terrorism measures, States should ensure that any limitations on human rights are in full conformity with their international legal obligations;
- NGOs should play an increasing role in combating extremism and terrorism through, for example, educational and awareness-raising campaigns;
- The OSCE should facilitate an ongoing exchange of experience and best practices to maximize the value of the expertise available on the development of counter-terrorism measures that do not violate human rights commitments.

HDR SESSION 6: HUMANITARIAN ISSUES AND OTHER COMMITMENTS

Report by the rapporteur

The session was opened by the Chairperson, a representative of Kazakhstan.

Before the introduction of the session, a point of order was raised by a majority of participating States expressing concern at the exclusion of certain NGOs. The participating States requested a swift decision accepting the excluded NGOs in question (from Turkmenistan) at the Review Conference. The Chairperson recalled Permanent Council Decision No. 952 and pointed out that consultations on this matter were in progress.

The debate at this session was very rich, as was reflected in the large number of interventions by NGOs and participating States. The statements and comments were of high quality and fascinating in substance.

Participants were reminded of the vast number of displaced persons in the OSCE area in previous years. While mention was made of certain specific States, attention was focused on two larger regions, the Balkans and the Caucasus. A large number of participating States took the occasion to provide an update on their respective national legislative frameworks and initiatives.

The themes of this session were introduced by a representative of the United Nations High Commissioner for Refugees. His introduction focused on the following points:

- The issue of displacement is becoming more complex. The nature of conflict has changed, with the lines between civilians and the military and between military operations and humanitarian action often becoming blurred;
- One out of four refugees in the world is from Afghanistan, an OSCE Partner for Co-operation;
- Statelessness remains a major challenge, and the absence of solutions for refugees in protracted displacement continues to pose major challenges;
- There is an intrinsic link between conflict and displacement, and the United Nations High Commissioner for Refugees and the OSCE engage in close co-operation on the ground;
- Emphasis was laid on the basic principles of humanitarian action, notably neutrality and impartiality;
- Widespread sexual and gender-based violence remains a defining feature of many conflicts in the OSCE, including cruelty against children;
- *Refoulement* often occurs out of the public eye, disguised as voluntary return;
- There is a considerable commitments implementation deficit in the OSCE;

- The United Nations High Commissioner for Refugees welcomes the adoption of anti-trafficking measures and laws adopted by a number of OSCE participating States;
- The number of child refugees, mostly from Afghanistan, has increased dramatically, presenting serious challenges;
- An encouraging regional dynamic has been observed in Central Asia, with much-needed follow-up actions now being in progress;
- Resettlement is a key protection tool and responsibility-sharing mechanism, though local integration is often the preferable solution;
- Too often there is a glaring gap between States' obligations and commitments and their implementation in practice.

During the debate that followed, a great number of points were raised and debated. A group of States insisted that a global and balanced approach was necessary, with a focus on prevention-based policies. Some participants insisted on the direct link between protection of refugees and the task of establishing peace and security in regions in post-conflict situations.

Some participating States pointed out that the issue of refugees had been exacerbated by the global economic crisis. It was also stated that Roma and Sinti should not be returned without sufficient safeguards.

Concerns were expressed about politicians contributing to xenophobia by using minorities as scapegoats in order to pursue their own political ends.

It was suggested that education was at the heart of the promoting human rights. Co-operation between the OSCE and other relevant institutions should be increased in this field.

Attention was drawn to persisting problems related to freedom of movement and return, access to property and tenancy rights, compensation for damage suffered, and possibilities for integration. A number of recommendations were made for consideration and follow-up. Emphasis was laid on the importance of learning by sharing experience and best practices.

Some participants called for increased co-operation between the OSCE and the United Nations High Commissioner for Refugees and other relevant institutions on the ground. The importance of national human rights commissions was noted. A number of participants pointed out that the OSCE High Commissioner on National Minorities could play a useful role in this context.

Respect for human dignity and rights should be at the heart of national policies, because the reality behind the figures and statistics was that of human beings.

Participants reiterated the usefulness of NGOs in the development of civil society in OSCE participating States. NGOs played an important part in stimulating human rights education, which was crucial in promoting this issue amongst the wider population and

contributing to better understanding. Participants often noted the clear and direct link between peace and security and human rights education, in the promotion of which the OSCE human dimension and environment and security dimension both had an important role to play.

Constant changes in the security architecture made it important to reconcile human security and State security. Most participants recommended the incorporation of the UN Guiding Principles on Internal Displacement into national legislation and policies.

HDR SESSION 7: TOLERANCE AND NON-DISCRIMINATION I

Report by the rapporteur

Working session 7 addressed questions relating to the implementation of the OSCE Action Plan on Roma and Sinti, national minorities and the prevention of aggressive nationalism, racism and chauvinism. The clear focus of the session was the situation of the Roma, grave concern being expressed at anti-Roma rhetoric having moved from the extreme to the mainstream of political discourse and at the dangerous deterioration in the situation of Roma in Europe. The introducer also pointed out that there had been an increase in hate crime attacks on Roma in some participating States and stated that there was a link to the fact of right-wing politics being on the rise generally.

A great number of participants made comments in the subsequent discussion. Several statements highlighted the huge gap between the reality of Roma communities and the existing legal frameworks and political commitments. Delegates presented a number of national measures designed to address the situation of Roma, including the use of advisory boards featuring Roma participation at the national, regional and municipal levels. Attention was also drawn to the fact that over 30 per cent of Roma are under 40 years of age, and that failure to invest in Roma will create whole new generations of socially excluded persons. The participating States were called upon to make Roma children and youth a priority and to establish channels of communication with young Roma.

The point was made that many Roma were leaving their country of origin because of extreme poverty and lack of opportunities; discrimination and segregation in education, for instance, were widespread. While a lot of attention was devoted to the plight of Roma migrants within the European Union, it was also emphasized that the majority of Roma live in their home countries and that the primary responsibility for the protection of rights and wellbeing of all citizens lay with the national governments. It was stressed that governments should take a more active role and find the political will to make Roma issues a priority. It was also stressed that education, and most particularly early education, was a crucial tool for improving the situation of Roma and Sinti. In addition, it was also important to educate the majority population, because their attitudes also needed to be changed.

Many statements proposed that additional international measures should be employed. For instance, more intensive international co-operation could be attained by a European Union policy on Roma and by full use being made of the forthcoming Council of Europe ministerial meeting on Roma in October. The upcoming OSCE Summit in Astana also offered a chance to draw attention to Roma and Sinti issues and to discuss how to better implement the comprehensive OSCE Action Plan.

Recommendations from the discussion included the following:

- Participating States should fulfil their commitments and obligations under various international agreements for the protection of the human rights of Roma;
- Participating States should show serious commitment by transposing commitments into policies and practice at national and local level, and by refraining from measures and statements that discriminate against Roma;

- Participating States should provide the necessary administrative and financial resources for implementing policies for Roma integration;
- Participating States should increase efforts to combat discrimination, in particular educational and residential segregation, at all levels and to engage in partnership with Roma civil society and the Roma communities;
- The European Union should increase its support for capacity-building and empowerment of Roma civil society and organizations, increase its efforts related to Romani youth development and education, and design programmes aimed at increasing the civic and public participation of Roma communities;
- The European Union should further monitor the fundamental rights situation of Roma within its area, and take action as appropriate;
- The EU was urged to monitor progress and failures with respect to the use of EU funding and ensure that such funds are spent to best effect with a view to the integration of Roma;
- The EU was also recommended to ensure consultation and dialogue with Roma and the participation of Roma and their representatives in the processes that shape policies affecting them;
- The OSCE was recommended to upgrade the profile and strengthen the status of the ODIHR Contact Point for Roma and Sinti Issues and to support the establishment of a panel of Roma and Sinti advisers and experts to work on a regular basis with the Contact Point;
- The OSCE should review the implementation of the OSCE Action Plan on Roma and Sinti on a regular basis;
- Co-operation between the OSCE, the Council of Europe, the EU and Roma organizations was encouraged.

The discussion was not restricted to the situation of Roma and Sinti but also extended to cover aggressive nationalism, racism and chauvinism as exemplified by neo-Nazism. It was recalled that hate crimes were manifestations of racism and chauvinism and that action against them should be made a priority. Threatened communities were often distinguished by such characteristics as religion, ethnic background or sexual orientation. It was recommended that participating States should create comprehensive policies against hate crimes encompassing all aspects of intolerance, and support initiatives addressing the social challenges faced by minority groups and helping them participate in public and political life.

Attention was also paid to general questions related to minorities. In this context, several participating States proposed raising the Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations to the political level. A specific recommendation was made to the OSCE and other relevant institutions to monitor closely the minority situation in Kyrgyzstan, especially in Osh and its surroundings.

HDR SESSION 8: TOLERANCE AND NON-DISCRIMINATION II

Report by the rapporteur

The session focused on two main areas: the promotion of gender balance, including the implementation of the OSCE 2004 Action Plan and other relevant commitments; and the prevention of and response to hate crimes in the context of combating intolerance and discrimination in the OSCE area. The session was moderated by Marcin Walecki, Chief of the ODIHR Democratic Governance and Participation Unit. It attracted an impressive list of 58 interventions and seven rights of reply.

Speaking on behalf of the chairmanship, Ambassador Jarbussinova introduced the session by highlighting the special emphases Kazakhstan has placed and is placing on tolerance and gender issues this year, as evidenced by the High-Level Conference on Tolerance and Non-Discrimination in Astana and the recent appointment of the Special Representative on Gender Issues, Ms. Wendy Patten. Ambassador Jarbussinova called on participating States to follow the recommendations of the Astana Declaration.

In her keynote address, Ms. Patten provided an overview of the 2004 OSCE Gender Action Plan, saying that while commitments were well delineated and a lot had been achieved on a normative level, much more needed to be done to create and sustain an environment where women could truly enjoy equality. As Special Representative, Ms. Patten said she envisaged her work as focusing on violence against women and the intersection of gender and migration. Furthermore she intended to adopt a strategic approach, conduct country visits, work with all stakeholders, hold roundtables, and participate in international forums to promote gender issues.

The second keynote speaker was Ms. Anastasia Crickley, member of the United Nations Committee on the Elimination of Racial Discrimination. Ms. Crickley commended the OSCE for its work on defining hate crime and the collection of data from participating States. She raised the issue of certain recent hate crimes in which justification had been sought by blaming the behaviour of the victim, and recommended a victim-based approach. Hate crimes remained “underreported, under-recorded and under-prosecuted,” and data collection and monitoring of hate crimes were fundamental issues. Foremost of all, however, political will was required to implement existing decisions and instruments. Ms. Crickley made favourable mention of data collection systems in Finland, Sweden, the United Kingdom and the United States of America, but also noted that the timing of the release of data created difficulties in including U.S. data in reports.

In discussing the issue of gender equality, many delegations took the floor to present their successful national programmes, while NGOs tended to focus on shortcomings in implementing commitments. Numerous speakers recognized gender equality as a fundamental right, emphasizing that sustainable and equitable society could only develop if women participated in all areas on an equal footing with men. Attention was paid to the problem of low representation of women in public and political processes, to the persistence of violence against women in the OSCE area, and to the economic deprivation that is often exacerbated by the high gender pay gap and the under-representation of women in the economic sphere. Many praised the work of the Secretariat and the ODIHR in the promotion of gender equality.

One NGO called for rapid action in areas of unresolved conflicts where women are particularly affected by violence. An NGO from Central Asia reported widespread violence against women, both in the domestic and the public sphere; furthermore, appropriate legislation to prosecute the perpetrators was still lacking, creating a situation that had led to an alarmingly high suicide rate among women in that country. Another NGO spoke of a range of serious problems including denial of education or employment opportunities, arranged marriages and abductions of women. A third NGO outlined persistent gender inequality in Central Asia, notwithstanding ongoing reforms.

Recommendations made to the participating States included the following:

- Develop and execute national action plans and other policy instruments for the promotion of gender equality;
- Adopt and implement legislation for combating gender-based discrimination;
- Fully implement UN resolution 1325 promoting the participation of women in conflict resolution and peace-building and the protection of women from gender-based violence;
- Ratify the UN Convention on the Elimination of All Forms of Discrimination against Women;
- Make better use of the ODIHR and Secretariat's gender section resources;
- Call upon the media, public figures and civil society to assist in the elimination of long-standing gender stereotypes;
- Establish networks of women in economic and political leadership positions and provide funding for training of women who seek such positions;
- Nominate more qualified female candidates for high-level OSCE positions.

Recommendations to the OSCE included the following:

- Continue to compile, analyse and publish existing good practices and mechanisms used to promote gender equality;
- Focus on recruiting more women to leadership positions within the OSCE and include a gender perspective in all activities and operations across all three dimensions;
- Incorporate the principle of diversity in all recruitment efforts;
- Translate OSCE material on gender into other languages so as to facilitate an exchange of experiences;
- Send more women to peace-building operations.

The second topic encompassed the prevention of and response to hate crimes and the combating of intolerance and discrimination. The discussion was lively and revealed some deeply diverging views.

Again, attention was drawn to the serious gap between the adoption and actual implementation of commitments and legislation in the area of combating discrimination and hate crimes. A large number of participants spoke in support of the ODIHR's excellent work in the area of hate crime data collection and tolerance education. The work of the three personal representatives for tolerance was also noted.

Concern was expressed about the persistent high level of hate crimes occurring in the OSCE area, as evidenced by the ODIHR's report on the subject. One speaker commended the ODIHR for providing platforms for the discussion of the perceived rise of incitement to violence based on hate material on the Internet, while another delegation noted an increase in hate crimes related to extremist ideology and hateful speech in the media and suggested that governments monitor and prevent this phenomenon. Russia noted that it had identified 621 sources of inflammatory/extremist material. Other speakers noted escalating violence targeting the lesbian, gay, bisexual and transgender (LGBT) community and called on participating States to provide the ODIHR with a mandate to adequately address this issue.

A large number of delegations called for governments to move beyond diplomatic discourse and take a comprehensive, humanistic approach to seek remedies to racism, intolerance and discrimination and combat violent manifestations of intolerance against all individuals whether they belong to gender, ethnic, sexual or other minorities or majorities. The European Union, Canada and the United States also supported an explicit focus by the ODIHR on LGBT issues. Several Central Asian NGOs lamented the lack of adequate anti-discrimination legislation and the resulting impunity enjoyed by perpetrators, especially where it affected the LGBT community.

A representative of the United Nations High Commissioner for Refugees noted growing intolerance and xenophobia fuelled by extremist statements from political leaders as the greatest single challenge related to the protection of refugees and asylum-seekers at this time. One NGO presented European Union statistics documenting wide-ranging discrimination against migrants, particularly Roma, Africans and Turks, and called for rapid action to effect the proper implementation of the relevant laws. Similar trends exist in which visible ethnic minorities have experienced heightened levels of discrimination. Notably, the United States of America called for an SHDM (Supplementary Human Dimension Meeting) on racist discrimination in 2011 under the Lithuanian Chairmanship.

Discrimination against and marginalization of Christians was mentioned by a number of participants who listed, *inter alia*, an increase in attacks on Christian symbols, persistent violation of education rights, and cases of reversed discrimination. One participant argued that Christian teaching on sexuality was often falsely labelled as intolerant.

The representative of a Mediterranean Partner for Co-operation noted the persistent equation of Islam with terrorism and the resulting increase in hostilities, and called on the OSCE to move beyond non-binding recommendations to adopt monitoring and reporting mechanisms modelled on first dimension approaches.

Kazakhstan repeatedly took the floor to emphasize, on the basis of recent surveys and statistics, the existence of interfaith and inter-ethnic harmony in Kazakhstan, while several Kazakh NGOs noted continued discrimination and a lack of implementation of hate crime legislation.

The recommendations to the participating States in this field included the following:

- Support and increase funding of the work of the ODIHR and of the three Personal Representatives of the Chairperson-in-Office on tolerance and non-discrimination;
- Enhance hate crime legislation to bring it into line with international standards;
- Provide more professional training for law enforcement personnel, publish guidelines on how to deal effectively with hate crimes, and engage in capacity-building;
- Clearly define hate crimes and improve data collection, notably through co-operation with NGOs;
- Implement specific measures to reduce under-reporting;
- Seek public-private partnership in the collection of hate crime data;
- Institute stricter penalties for perpetrators of hate crimes;
- Provide better assistance and access to justice for victims of hate crimes;
- Provide the ODIHR with a mandate to adequately address the issue of escalating violence targeting the LGBT community;
- Include the LGBT community as a protected group in hate crime legislation and decriminalize homosexuality in all participating States;
- Ensure public condemnation of biased motives and encourage positive role models among public figures;
- Reaffirm the Astana Declaration;
- Formally institutionalize and fund a non-discrimination programme as an integral part of the OSCE, and address the issue at the Astana Summit;
- Increase the sensitivity of authorities to new and subtle forms of discrimination and intolerance;
- Develop education and monitoring to combat increasing xenophobia;
- Improve co-operation on responding to incitement to violence through hateful material on the Internet;
- Make use of the ODIHR's expertise, technical assistance programmes and tool kits.

Recommendations for the OSCE included the following:

- Continue to assist participating States in legislation and implementation of tolerance education programmes;
- Continue the translation of the ODIHR's Holocaust and tolerance teaching materials into various languages for wider use;
- Include a focus on racial discrimination and hold an event dedicated to combating racism in 2011.

Following the discussion, seven delegations used their right of reply. Most notably, Tajikistan said that their government was aware of widespread sexual harassment and domestic violence and was currently considering whether to ratify the Optional Protocol. The Russian Federation answered accusations of ethnic cleansing and eradication of Georgian cultural roots in occupied territories by maintaining that Abkhazia was an independent State. Belgium countered accusations of partisanship towards the majority religion combined with discrimination against clandestine religious communities by saying that in Belgium every individual had the right to profess a religion and enjoyed the same legal rights. The U.S. delegation responded to a statement by the Muslim Community on Human Rights in Central Asia by stating that the suggestion of any correlation between homosexuality on the one hand and paedophilia and necrophilia on the other was clearly irrational and offensive. Furthermore, unfounded and inflammatory allegations of that kind exemplified the kind of language that tended to promote hate crimes and certainly did nothing to promote understanding and co-operation. Finally, Ukraine responded to an NGO by saying that its national legislation stipulated that all citizens enjoyed equal rights, regardless of their race or national identity.

(D) Reports of the rapporteurs on the forward-looking discussion of three topics specifically selected by PC Decision No. 933 (HDF)

HDF SESSIONS 1 AND 4: FREEDOM OF THE MEDIA

Report by the rapporteur

One of the forward-looking discussions in the human dimension part of the Review Conference was devoted to freedom of the media as one of the most pertinent topics in the OSCE area. The discussions in Warsaw and Astana focused on the one hand on breaches of freedom of expression and of freedom of the media, including violent acts committed against journalists, and on the other hand on the development of electronic media and the related implications for media freedom and media pluralism.

In the session in Warsaw, the OSCE Representative on Freedom of the Media, Dunja Mijatović, addressed various concerns in the field of media freedom in the OSCE area. She warned that there had been an alarming increase in violent attacks against journalists, in impunity enjoyed by perpetrators, and in passivity on the part of the authorities in investigating and publicly condemning such acts. On the occasion of the fourth anniversary of the killing of journalist Anna Politkovskaya, the Representative singled out individual cases of journalists murdered in various participating States and of journalists imprisoned for practising their profession. Threats, intimidation, administrative harassment, criminal defamation, libel laws, massive fines and vaguely defined extremism legislation all had a negative effect on free speech and media freedom and required serious attention. Although progress to date had not been insignificant in the field of media freedom, she pointed to the upcoming Summit as a unique opportunity for all to make an honest commitment to better implementation of the Organization's core values.

Many participants emphasized that freedom of expression and freedom of the media played a crucial role in protecting democracy and were vital to all other human rights. However, they also noted that no country in the OSCE area was entirely immune to shortcomings in this field and that there were signs of deterioration in the implementation of OSCE commitments. Some participants stressed that monitoring media issues and commenting on them was a matter of direct and legitimate concern to all OSCE participating States and that freedom of expression was an area of central importance not only to journalists but also to human rights defenders. A linkage between freedom of the media and free and fair elections was mentioned in several interventions.

A great majority of those who intervened expressed serious concern about violence against journalists, especially killings, which were still occurring in several participating States. Numerous individual cases were raised, namely, those of Slavko Curuvija, Milan Pantic, Georgiy Gongadze, Vasil Klymentyev, Dusko Jovanovic, Elmar Huseynov, Hrant Dink, Ivo Pukanic, Niko Franjic, Gennady Pavlyuk, Sokratis Giolias, Oleg Bebenin, Paul Klebnikov, Anna Politkovskaya, Natalya Estemirova, Anastasia Baburova, Magomed Yevloyev, Ivan Safronov, Yury Shchekochikhin, Igor Domnikov, Vladislav Listyev and Dmitry Kholodov. Participating States were called upon to provide security for journalists, to fight the climate of impunity, and to ensure the thorough investigation of recent and unresolved past cases of attacks on media professionals and the bringing of offenders to justice. It was stressed repeatedly that impunity provoked further violence against journalists, resulting in intimidation and undesirable forms of self-censorship. One participating State reaffirmed its commitment to investigating attacks on journalists that had occurred on its territory and recognized the importance of the right of

journalists to be protected, though this important topic should not be politicized or made subject to double standards.

In many statements it was underlined that the practice of imprisoning journalists for carrying out their work remained an instrument of harassment, intimidation and serious restriction of media freedom in several participating States. These statements included reports on individual cases of journalists imprisoned for critical speech, reporting on corruption or publishing classified documents. The following names were mentioned: Ramazan Yesergepov, Yevgenij Zhovtis, Eynulla Fatullayev, Muhammad Bekjanov, Yusuf Ruzimuradov, Gayrat Mehliboyev, Ortikali Namazov, Dzhamshid Karimov, Dilmurod Saiid, Solijon Abdurahmanov, Hairullo Khamidov, Abdumalik Boboyev, Vladimir Berezovsky, Ulugbek Abdusalamov and Azimzhan Askarov. Participants even called for their release, while the participating States concerned explained the reasons for their convictions and asserted the division of powers and the inadmissibility of interference in court decisions. In addition, NGO representatives reported on instances from several participating States of journalists being sentenced to pay excessive compensation sums, stating that the phenomenon hampered the work of journalists and compromised media freedom.

The importance of media plurality was repeatedly underlined, though it was stressed that the number of media outlets was not necessarily a reliable indicator for the level of media pluralism in any particular State. NGO representatives reported on various State-imposed restrictions that posed serious challenges to media plurality, such as the blockage of Internet sites, rigid registration procedures, and closures of opposition newspapers. The diversity and independence of the media was also weakened by the concentration of private media in the hands of a limited number of owners, targeted political pressures, and inappropriate digital switchovers.

Most of the NGO interventions in Warsaw and Astana were focused on assessing the situation with respect to freedom of the media in one particular participating State, with diverging views being presented. On the one hand, the majority of NGO representatives argued that promises given by the State in question prior to its holding the OSCE Chairmanship had not been kept and that there was a significant gap between legislation adopted and its implementation in the area of media freedom: all media were State-controlled, independent and opposition journalists were harassed and prosecuted, and numerous Internet sites were blocked. On the other hand, several NGO representatives argued that in the State in question there was no State repression of the media and that everyone was free to express his or her views, to write critically and to use the Internet.

Some participating States reported on having adopted media freedom laws with the aim of bringing their legislative frameworks into line with international standards and commitments. As additional evidence of the improved situation in this field they gave information on the increasing number of media sources and outlets, also private and non-State-owned ones, on growth in the number of Internet users, and on other activities such as the training of journalists, the establishment and maintenance of relevant independent regulatory authorities, alleviation of registration procedures, and the carrying out of studies and holding of public discussions on different aspects of media freedom. One participating State reported on a Supreme Court ruling with significant implications for media freedom.

The need for high-quality and professional journalism was also highlighted in the discussions as being of crucial importance in a time of fast-growing media markets and new

communication technologies. It was stressed that journalists themselves should use self-regulatory mechanisms in order to fulfil their role as key defenders of professional and ethical journalism. Journalists should aim to provide fair and comprehensive reporting. Some participants focused on the training of young journalists as a means of achieving this. A few interventions dealt with concerns regarding the spread of hate speech, intolerance and extremism on the Internet. One participating State argued that the right to express one's views was not absolute if its exercise encouraged intolerance and hatred.

Regarding the development of new media and related implications for media freedom and pluralism, the Representative on Freedom of the Media pointed out in her introductory remarks in Astana that the digital revolution had affected the media much more extensively than it had affected any other aspect of human rights. She drew attention to the commitment made by participating States in Ministerial Council Decision No. 12/04 to ensuring that the Internet remained an open and public forum for freedom of opinion and expression. Government blocking of access to Internet websites was an inadequate, inefficient and disproportionate method of combating illegal Internet content and could easily be misused for political purposes and to silence critical voices. To address legitimate concerns regarding harmful content placed on the Internet, participating States should rather encourage the application of end-user-based filtering software, but should avoid at all costs the deployment of State-level upstream filtering systems. In the context of the promotion of freedom of expression on the Internet, the Representative introduced the aim and first outcomes of a comprehensive matrix on Internet legislation currently being worked upon by her office. This matrix would provide an overview of existing international legal provisions and national legislation and of practices related to free expression and the free flow of information on the Internet. Likewise, Ms. Mijatović spoke about the challenges of an ongoing switch from analogue to digital broadcasting. She underlined that digital switchover, if carried out properly, could safeguard human rights, including media freedom and the right to access information. In this endeavour, participating States were encouraged to use the updated Guide to the Digital Switchover produced in English and in Russian by the Office of the Representative on Freedom of the Media, which offers practical help to stakeholders in dealing with the challenges of the digital switchover process and its implications for media freedom.

In the context of the discussion on new technologies, some participating States stressed that existing commitments on media freedom and freedom of expression applied to all media, irrespective of the technology used. While State restrictions on the Internet were unacceptable, efforts should be made to effectively combat hate speech, violence and intolerance on the Internet without jeopardizing the free flow of information. A few participating States reported on the ongoing digital switchover process and activities related to it.

The determined and transparent work of the Representative on Freedom of the Media as a media freedom “watchdog” was praised highly by many participants. She was encouraged to continue supporting and covering all 56 participating States in their endeavours, while for their part States were called on to co-operate fully with her office.

Recommendations made to the participating States:

- Participating States should strengthen the implementation of OSCE commitments in the field of freedom of expression and freedom of the media, and should ensure that these commitments are applied to journalists and human rights defenders;

- Participating States should ensure that their media laws are in line with international standards and that OSCE commitments are implemented correctly;
- Participating States should ensure that journalists can work safely and without being threatened with physical violence, persecution, detention, harassment, intimidation, direct or indirect economic pressure, or any other form of interference;
- Participating States should act decisively to investigate thoroughly all acts of violence against journalists and bring offenders to justice, and to fight the climate of impunity;
- Participating States should intensify efforts to decriminalize libel and defamation;
- Participating States should take action to ensure that the Internet remains an open and public forum for freedom of opinion and expression, and to foster access to the Internet;
- Participating States should fully co-operate with the Representative on Freedom of the Media and extend open invitations to her office.

Specific recommendations made for the 2010 OSCE Summit:

- Participating States should reaffirm the existing principles and commitments in the field of freedom of expression and freedom of the media and likewise reaffirm their determination to implement them;
- Participating States should consider how to enhance the implementation of commitments in this field;
- Participating States should examine how to update and strengthen commitments in this field, especially with a view to reflecting technological developments.

Recommendations made to the OSCE Representative on Freedom of the Media:

- The Representative on Freedom of the Media should continue to assist participating States in the implementation of OSCE commitments in the field of media freedom and to promote the adoption of legislation in line with international standards;
- The Representative on Freedom of the Media should continue to address new challenges and opportunities in media freedom presented by new information and communication technologies, including the Internet and the digital switchover;
- The Representative on Freedom of the Media should continue to co-operate with other regional and international organizations on media freedom issues;
- The Office of the Representative on Freedom of the Media should be adequately reinforced with additional staff and budgetary resources.

HDF SESSIONS 2 AND 5: INTOLERANCE AGAINST MIGRANTS

Report by the rapporteur

The two sessions focused on three main themes: hate crimes committed against migrants, intolerant discourse, and education as preparation for living in increasingly pluralistic societies. Session 2 was moderated by Mr. Stephanos Stavros (Executive Secretary to the European Commission against Racism and Intolerance) and attracted 27 interventions, just over half of which came from representatives of civil society. Session 5 was moderated by Mr. Andreas Halbach, Chief of Mission of the International Organization for Migration (IOM), and attracted 49 interventions, the vast majority of which came from NGOs, mostly from Central Asia. There were six rights of reply in total.

The first introducer, Ms. Dimitrina Petrova of the Equal Rights Trust, highlighted the significance of international migration within the OSCE area and the negative impact of the current economic downturn on the situation of migrants in the OSCE participating States. Ms. Petrova spoke about the resulting increase in the number of hate crimes committed against migrants with racist and xenophobic motives and about the phenomena of anti-immigrant rhetoric and the laying of blame upon migrants for social problems. In so doing she stressed that States had the unconditional duty to respect, protect and fulfil the human rights of migrants without being swayed by public opinion. She also highlighted the vulnerability of two specific groups of migrants, namely, children and those with mental health problems. Ms. Petrova gave many examples of participating States facing problems in this field and made special mention of Roma migrants. She also described the OSCE standards on hate crime as being fully relevant to hate crime committed against migrants.

In her address, introducer Ms. Y. Tyuryunkova, Director of the Centre for Migration Investigations and Chief Researcher of the Institute of Social and Economic Population Problems of the Russian Academy of Science, stressed that the problems connected with migration were global in nature. Focusing on basic trends and parameters in one participating State, she suggested that these applied to most countries receiving migrants. Ms. Tyuryunkova referred to the increasing “feminization” of migration and to a migrant population comprising many different profiles, suggesting that these new elements rendered migration more difficult to manage and increased the need for a human rights perspective in migrants’ issues. She also mentioned knowledge of the language of the host country, access to the educational and health systems, integration into social networks, and experiences with the law enforcement authorities as factors relating to intolerance and noted that negative perceptions of migrants often reach alarming levels, creating a climate of intolerance.

A large number of participants emphasized that full protection of the human rights and fundamental freedoms of migrants was essential. A large number of participants stressed the need to combat racism, xenophobia, and hate crimes committed against migrants with a racist or xenophobic motive. The issue of under-reporting hate crimes was highlighted, as was the need for the proper investigation, prosecution and public condemnation of such crimes.

A number of NGOs focused on manifestations of intolerance against Muslims, pointing out the existence of prejudice and stereotyping. One NGO mentioned that associating Muslims with terrorism had become a source of intolerance in certain

participating States. A number of participants mentioned Islamophobia as a widespread phenomenon in many participating States.

Some NGOs also mentioned phenomena of intolerance towards migrants based on ethnic grounds. Furthermore, a few participants raised the issue of intolerance towards Roma and touched upon the associated misconceptions and negative stereotypes.

Most delegations stressed the need to give special attention to female migrant workers, who are often confronted with gender-specific problems.

A number of NGOs pointed to the emergence of far-right political parties openly demonstrating racist and xenophobic attitudes. A few NGOs stressed that such parties exert an influence on mainstream political parties and negatively affect public discourse on migration issues.

Many interventions focused on public discourse. Some NGOs referred to hate speech as a phenomenon that should not be tolerated. Some NGOs made references to books and public statements with xenophobic and racist overtones authored by well-known personalities, to surveys that suggest discriminatory attitudes, and to media coverage propagating stereotypical images of Muslims and/or Muslim migrants in particular countries. A few NGOs also cited the electoral campaigns of certain political parties as projecting xenophobic messages.

Most delegations emphasized that respect for freedom of expression might be qualified only in order to curb public incitement to racist and xenophobic violence.

Some participants stressed that discrimination against migrants led to unemployment and exclusion and called for the adoption and implementation of legislation and fact-based policies against discrimination in several areas, including employment.

The representative of the United Nations High Commissioner for Refugees recalled that racism and xenophobia were faced not only by migrants, but by stateless persons, refugees and asylum-seekers. The representative of the Council of Europe suggested that policies adopted in some countries had a detrimental effect on integration and pointed out that migrants should enjoy full protection of their rights in host countries, including social rights. The representative of the IOM predicted that migration flows would increase in the future, called for the adoption of national legislative and administrative frameworks for the protection of the human rights of migrants, and stressed the need to publicly highlight the positive contribution made by migrants in their host countries.

Most participants spoke of the need to emphasize, through educational measures, the significance of cultural and religious pluralism as a source of mutual enrichment and to systematically promote mutual respect and understanding.

Most participants also stressed the significance of integration, as a two-way process of mutual interaction, involving also the acquisition by migrants of those skills and abilities that can facilitate their participation as members of the host society. In this context, particular emphasis was given to the acquisition of language skills.

A few NGOs also mentioned the need for migrants to be offered support in preserving their native language.

Most delegations mentioned the need for a comprehensive approach to migration issues, and stressed that poorly managed migration may disrupt the social cohesion of countries of destination, including by exacerbating xenophobic attitudes. They also spoke in favour of a cross-dimensional approach to migration issues in the OSCE.

Most delegations emphasized that the existing OSCE human dimension commitments and the OSCE general approach to combating racism and xenophobia provided participating States with valuable means of dealing with intolerance towards migrants.

Most participants commended the OSCE Office for Democratic Institutions and Human Rights for its contributions, notably its data collection and technical assistance to participating States concerning hate crimes, and expressed their appreciation of the role played by the Chairperson-in-Office's Personal Representatives on Tolerance and Non-discrimination.

Recommendations to participating States included the following:

- Improve implementation of existing OSCE commitments, especially those relating to combating racism and xenophobia;
- Improve implementation of OSCE commitments on combating hate crimes;
- Promote a dialogue between Muslim representatives and the religious communities present in places where mosques are to be constructed; and
- Raise awareness of the social and economic challenges faced by migrants.

Recommendations to the OSCE included the following:

- Hold a Supplementary Human Dimension Meeting on racism and xenophobia in 2011;
- Adopt an OSCE definition of Islamophobia;
- Hold a high-level conference on discrimination against Muslims and adopt a relevant OSCE Ministerial Council Decision;
- Set up special units within OSCE field missions to focus on migration issues;
- Set up a structure to co-ordinate migration issues in the OSCE area; and
- Develop guidelines and training manuals for State officials working in the field of migration.

HDF SESSION 3: COMBATING TRAFFICKING IN HUMAN BEINGS, WITH A PARTICULAR FOCUS ON TRAFFICKING IN CHILDREN

Report by the rapporteur

The specifically selected topic “Combating trafficking in human beings, with particular focus on trafficking in children” was discussed in two sessions, with the first session having a particular emphasis on the trafficking of children for labour exploitation.

The participants underlined the importance of combating all forms of trafficking of children for labour exploitation, making particular reference to agricultural work, forced begging, illicit activities and domestic servitude.

Many participating States elaborated on their anti-trafficking efforts and presented specific measures carried out in accordance with their commitments. It was pointed out that a comprehensive approach and co-ordinated efforts on the part of participating States were crucial to addressing this problem. Particular mention was made of the co-operation between the law enforcement authorities of the countries of origin, transit and destination.

The important work of the OSCE and the ODIHR in assisting countries in their efforts was noted.

Several participants emphasized the importance of a child-sensitive and human rights-based approach to all aspects of anti-trafficking policies and activities.

Many speakers underlined the need to focus on prevention, awareness-raising efforts and early identification of victims. It was stressed that special attention should be given to such vulnerable groups of children as: migrant children with or without parental care; those without valid documents; those left behind by migrating parents; children of refugees and asylum-seekers; and children suffering from abuse and neglect, especially those marginalized or discriminated; and drop-out children. Some participants proposed including the topic of trafficking in children in school curricula. One participating State underlined the importance of monitoring mass media content in order to prevent the possible promotion of trafficking.

Considerable attention was devoted to the subject of effective access to justice for victims of trafficking, notably with reference to legal assistance and compensation for harm suffered. Emphasis was also placed on the need to develop and support rehabilitation programmes.

During the discussions recommendations were made to the effect that the participating States should:

- Promote full implementation of their commitments;
- Facilitate better co-operation and co-ordination of anti-trafficking efforts, notably between the countries of origin, transit and destination;
- Adopt and implement a child rights approach in combating child trafficking;

- Treat those in age-disputed cases as minors, regardless of their legal status; and
- Focus efforts on preventing child trafficking.

The International Organization for Migration (IOM) highlighted eight key points for the prevention of child trafficking and protection of children:

1. Prevention should go to the root causes of human trafficking in order to identify potential vulnerable groups. Programmes for the reduction of poverty and promotion of social inclusion need to be implemented;
2. Better prevention requires a reduction in demand for cheap products and services;
3. Involvement of the media will bring about better understanding of the phenomenon in civil society;
4. Improvement in the identification of potential victims and vulnerable groups requires political will as well as the specific training of relevant actors;
5. Referral mechanisms need to be put in place so that all local and national stakeholders follow a procedure ensuring that trafficked children are referred to proper care;
6. Child victims of trafficking should have a right to protection and care. They should not be detained or punished for criminal activities they have been compelled to commit or be involved in as a direct consequence of being subjected to trafficking;
7. Victims should receive compensation to enable them to reintegrate into society and avoid re-trafficking; and
8. Finally, in cases of return and reintegration of children to and in their countries of origin, the assessment of the return must be multidisciplinary and intercultural, with the analysis of each individual's situation being based on sociological, clinical, social, economical, historical and cultural factors. This requires co-operation between the countries of origin and destination. Also, repatriation and reintegration procedures and – where necessary – protection programmes should guarantee that children will enjoy the right to education and should incorporate measures ensuring adequate welcome and care from the family or appropriate care structures.

The Alliance against Trafficking in Persons urged participating States to take measures to:

1. Promote full and effective implementation of international standards;
2. Step up efforts to prevent trafficking in children;
3. For the better prevention of trafficking in children, strengthen the care and protection of migrant, undocumented, unaccompanied, separated and asylum-seeking children;
4. Strengthen the identification of child victims of trafficking;
5. Implement durable and safe solutions based on individual case assessments.

HDF SESSION 6: COMBATING TRAFFICKING IN HUMAN BEINGS, WITH A PARTICULAR FOCUS ON TRAFFICKING IN CHILDREN

Report by the rapporteur

The Chairperson-in-Office specifically selected the theme of child trafficking for the assignment of high priority at the special session of the 2010 Review Conference on combating human trafficking. The topic of “combating trafficking in human beings, with a particular focus on trafficking in children” was discussed during working sessions in Warsaw and in Astana. The working session in Warsaw focused on child trafficking for labour exploitation, the challenges and the progress accomplished to date (see report by the rapporteur on HDF session 3 for details). The Astana working session looked at the prevention of child trafficking, the protection of victims and the vulnerabilities of certain groups such as migrant children, and undocumented, separated, unaccompanied and asylum-seeking children. Importantly, the Astana session identified additional groups of potentially vulnerable children, such as minority children, children of undocumented parents, street children, children in institutions or orphanages, children of victims of human trafficking, children with drug addictions, children in abusive and dysfunctional families, and children of families living in poverty. Many presentations included details about ongoing efforts and initiatives by governments and by NGOs. Speakers acknowledged the work of the OSCE, the ODIHR, the Alliance against Trafficking in Persons, and the Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, as well as the important role played by civil society and NGOs in combating human trafficking.

In summary, the key issues and challenges raised by speakers in Astana and Warsaw include:

- The importance for participating States to reiterate their resolve to combat human trafficking, including child trafficking, and to fully implement existing commitments;
- Human trafficking as a transnational threat to security that affects all 56 participating States;
- The right of children to be protected unconditionally;
- The need to expand co-operation and co-ordination of anti-trafficking efforts at the national level, and in countries of origin, transit, and destination;
- The relatively small number of children identified as victims, compared to the large estimated numbers;
- The need to expand the list of groups of children who may be particularly vulnerable to being trafficked, to include children living in poverty, children of undocumented parents, migrant or minority children, children living in institutions and orphanages, children in abusive or dysfunctional families, children of trafficked victims or drug addicts, child domestic workers, marginalized and stateless children, among others.

- The discrimination faced by some groups of children such as those who are undocumented, and migrant children or minority children, whose situation or status prevents them from being properly identified and assisted as potential victims;
- The frequent failure of undocumented migrants to register the birth of their children or send them to school, for fear of being detained or deported, thereby rendering the children more vulnerable to human trafficking;
- The negative effects of detention on children and the problems some children face when repatriated without proper pre-departure assessment and follow-up;
- The need to raise public awareness of the harmful consequences associated with the use of goods and services derived from victims of forced labour and other types of exploitation.

Key recommendations put forward were to:

- Expand opportunities for the exchange of best practices and experiences in preventing and combating child trafficking, such as web conferences and youth conferences, and development of a questionnaire to help identify child victims;
- Develop initiatives targeting vulnerable groups of children at high risk of being trafficked, taking into consideration the expanded list of vulnerable groups identified during the Astana working session;
- Fight discrimination against children and youth belonging to particular groups, in an effort to prevent them from being vulnerable to exploitation and child trafficking by providing access to education, health care and social services to all children, and including the issue of human trafficking in school curricula;
- Adopt and implement a child-rights approach for determining durable and longer term solutions, taking into account the best interests of the child, including for cases of repatriation;
- Provide age-appropriate protection and assistance for child victims and potential victims, including physical and psychosocial support, access to education and welfare assistance as appropriate, and child-friendly interviews;
- Improve identification of victims, including victims of child trafficking for labour exploitation, and enhance efforts to combat the worst forms of child labour, and assume that potential victims are underage until a proper determination can be made;
- Enhance child-friendly justice systems, with the appointment of guardians or representatives, as applicable, and facilitate children's access to justice, including provision for compensation;
- Explore alternatives for the detention of children, such as their placement in foster care, and develop guidelines for the purpose;

- Sensitize the media to the issue of human trafficking, including child trafficking, in order to avoid stigmatization, and breach of confidentiality or of the right to privacy;
- Include children and youth in the development and implementation of child-protection measures, including measures against child trafficking, and in the organization of events, at the level of participating States and in the context of the OSCE;
- Involve civil society, businesses and companies in raising awareness regarding the issue of trafficking of children for labour exploitation and identification of potential victims.

In conclusion, the theme of child trafficking chosen by the Chairperson-in-Office as a focus for the special session on combating human trafficking proved to be very relevant and opportune, based on the highly productive discussions generated in Warsaw and Astana. The many challenges raised over the course of the Review Conference confirmed the need to make combating child trafficking in all its forms a matter of priority for all. There was also a broad consensus on the need to strengthen co-ordination efforts and to fully implement all commitments, taking into consideration the special needs of children. The numerous interventions by NGOs showcased the invaluable role they play in this complex issue. The connections and convergences, in some cases, of transnational organized crime, illicit drug and firearms trafficking, money-laundering and human trafficking point to the need for enhanced co-operation at the national, subregional and cross-regional levels in order to carry out a comprehensive and multi-dimensional response to this transnational threat. While the Review Conference confirmed that much work remains to be done, it also confirmed a strong resolve across the OSCE to combat this scourge and protect the victims.

(E) Reports of the rapporteurs on the review of the OSCE structures and their activities, including consideration of proposals designed to enhance the role of the OSCE and further strengthen its capacities (OSA)

OSA SESSION 1: ENHANCING THE ROLE AND FURTHER STRENGTHENING CAPABILITIES OF THE OSCE EXECUTIVE STRUCTURES – PART 1: EFFECTIVENESS OF THE SECRETARIAT AND INSTITUTIONS

Report by the rapporteur

The session was introduced by the OSCE Secretary General, Ambassador Marc Perrin de Brichambaut. The issues he highlighted included the following: matching the capabilities and level of resources of the Secretariat and institutions with the increased volume of their operational mandates; the challenge of programmatic co-ordination among decentralized executive structures; the increased amount of Secretariat field activities across the entire OSCE area; and the support given by the Secretariat to the process of political dialogue among the participating States. In that context, he raised the question of how to make better use of the Secretariat for the benefit of participating States, including those not hosting field operations, in particular for rapid response at any stage of the conflict cycle. The Secretary General also underscored the following challenges: ensuring conformity of all executive structures with the OSCE's regulatory framework; difficulties due to differences between the OSCE's political and administrative organigrams; and the need for more flexibility in management of human and financial resources. He also highlighted some problem areas related to other OSA (OSCE structures and their activities) sessions: the secondment system; conditions of service of staff; salaries of locally recruited staff; Board and Lodging Allowances (BLAs); national income taxes; late Unified Budget approval; improving the programme and budget planning process; the recent trend toward flat or declining budgets; scales of contributions and augmentations; and the OSCE's legal framework. In the ensuing debate, participating States made specific proposals related to the effectiveness of the OSCE and its executive structures, also expressing a wide range of general views, as follows:

- General concerns were expressed about the unfinished institutionalization of the OSCE, its loose organizational structure, weak control over executive structures, lack of legal status, and the absence of a constituent document. Also, a general concern was expressed regarding unnecessary duplication and lack of co-ordination among executive structures. The OSCE's difficulties in acting on emerging crises and conflicts were also emphasized;
- The general view was expressed that the effectiveness of OSCE executive structures was strongly related to the lack of political will on the part of all the participating States to implement their OSCE commitments. It was stressed that "effectiveness" was not to be understood in the narrow context of administrative reform of the Organization and that there was no compelling need to reopen the 2004–2006 discussions or comprehensively review recommendations of the 2005 Panel of Eminent Persons (PEP). General views were expressed in favour of an incremental approach to strengthening the effectiveness of the OSCE, without a comprehensive "master plan" or "reforms". Furthermore, emphasis was laid on the importance of preserving the OSCE's flexibility;

- General concerns were expressed about the excessive decentralization and autonomy of the OSCE institutions and their independence from the participating States, resulting in the abuse of their mandates. At the same time, however, there were also expressions of full satisfaction with and support for the work of the OSCE institutions. Furthermore, it was maintained that there was no need for a major reform of the way they operated, with support being expressed for the institutions' functional autonomy.

Specific proposals made by participating States:

- Regarding co-ordination among the OSCE institutions and field operations, it was proposed that arrangements be identified to ensure effective interaction among all the relevant OSCE actors in any particular geographic area or on any thematic issue;
- It was proposed that the present model of interaction between the Secretary General and the Chairmanship should be adjusted, though some did not see a particular need to change the balance between the two. While some proposed enhancing the political role of the Secretary General, others did not see a particular need for that, or for the Secretariat to assume political responsibilities of its own. It was proposed that the Secretary General's function as Chief Administrative Officer should be strengthened through workable control mechanisms over field operations and co-ordination authority in relation to the institutions. A proposal was made to strengthen the mandate given in Ministerial Council Decision No. 18/06 on programmatic co-ordination among all executive structures. A further proposal was made to find more efficient ways of ensuring continuity in OSCE activities and, to that end, enhance the Secretary General's role in defining and implementing multi-year tasks;
- It was stressed that the OSCE and all its executive structures should play a more active role in all stages of the conflict cycle. To that end, it was proposed that the Secretary General's role in giving early warning of crisis situations should be strengthened. In particular, a proposal was made to create, within the scope of resources available, a CPC-co-ordinated early warning system that would involve all executive structures while still maintaining their autonomy. Similarly, a proposal was made to set up a special co-ordination mechanism for swift reaction to conflict situations on the part of the Secretary General and the Chairmanship, together with all relevant executive structures. It was also proposed that the CPC's mediation support function should be developed further. A further proposal was made to analyse the reasons for the failure of the REACT (Rapid Expert Assistance and Co-operation Teams) system, with a view to seeking ways to finally make it work;
- A proposal was made to enhance co-ordination and coherence in all OSCE activities on transnational threats, both internally and externally. To that end, it was proposed that the Secretariat's structure should be optimized with regard to its ability to address transnational threats to security, and that the Secretariat's analytical capacities should be enhanced. It was proposed that all thematic activities should be grouped together under the one theme of transnational threats, to be dealt with by a separate department in the Secretariat, thus strengthening co-ordination, enhancing efficiency, and increasing analytical capacities. A separate unit on drug trafficking issues could also be established within that structure. Another proposal was aimed at enhancing the

Secretariat's capacity to provide in-depth analysis of emerging economic and environmental risks and challenges to security, in particular energy security;

- The ODIHR was urged to reform its election-monitoring activities in order to avoid double standards and the influence of some participating States. It was recalled that Ministerial Council Decision No. 19/06 had not yet been fully implemented. To that end, it was proposed that the participating States adopt a document on principles of international election-monitoring, which would contain common election-monitoring standards and address the legal status of election observers in particular. However, it was also noted that the ODIHR and OSCE Parliamentary Assembly's election observation criteria and methodology represented the highest standard, and that the respective PEP recommendations had been fulfilled. It was noted that the ODIHR's election observation missions (EOMs) were objective, transparent, professional and well-run, and represented a model for others. While proposals were made to improve participating States' follow-up to EOM reports, it was also stressed that the participating States should adopt clear rules for the ODIHR's work before undertaking new ODIHR-related commitments;
- While proposals were made that certain effectiveness-related issues be brought to the attention of the Astana Summit, there were also calls for the avoiding of obstacles to achieving consensus on Summit documents and proposals to leave solving the issues in question until after the Summit. It was also proposed that practical and organizational issues should be separated from political ones and only given consideration after Astana;
- It was proposed that there should be no strict restriction by the participating States on increases in the level of the Unified Budget resources. Such constraints would not be reasonable in light of the duty of all executive structures to implement their mandates and to react to new tasks set by the participating States in the light of the evolving political and security environment.

Participating States also made the following other specific proposals: to adopt a Charter of the OSCE, in order to establish a legal status for the Organization; to move forward on the adoption of a convention on the international legal personality, legal capacity and privileges and immunities of the OSCE; to consider all other effectiveness-related proposals made within the Corfu Process; to supplement the OSCE Rules of Procedure with provisions related to the working procedures of institutions and field operations; to consider the idea of moving all OSCE institutions to Vienna in the longer term; to strengthen the Office of the Representative on Freedom of the Media; to consider establishing an OSCE institution in the economic and environmental dimension; to revise the procedure for the appointment of heads of field operations; to optimize the human dimension activities of the OSCE; to further improve arrangements for reviewing implementation of commitments, and in particular to improve human dimension review mechanisms; to develop rules on the participation of NGOs in OSCE meetings; and to improve gender balance within the Organization.

The representative of the OSCE Parliamentary Assembly (PA) highlighted a wide range of effectiveness-related proposals made by the PA's 2005 Washington Colloquium and its 2010 autumn session in Palermo, Italy. The representative of the High Commissioner of National Minorities (HCNM) stressed the following matters: the evolution of the HCNM's

activities, including development of thematic recommendations, and the continued focus on conflict prevention; the increased volume of project activities; and the challenges of the secondment system, including the geographic imbalance among secondees due to the absence of BLA payment. The ODIHR representative elaborated on the evolution of the institution's mandates and emphasized the following points: the compliance of the ODIHR with its mandate; the application by the ODIHR of the same standards to all participating States; the fact of the ODIHR not being exclusively focused upon any single subregion; and the co-ordination of every ODIHR activity, both internally and externally.

OSA SESSION 2: ENHANCING THE ROLE AND FURTHER STRENGTHENING CAPABILITIES OF THE OSCE EXECUTIVE STRUCTURES – PART 2: LESSONS LEARNED FROM FIELD ACTIVITIES

Report by the rapporteur

The work of field operations was warmly praised by participating States, *inter alia* in terms of being the most prominent way of conducting activities in the field. There was broad agreement that the OSCE field operations had been instrumental in assisting participating States in implementing their commitments and had contributed to the strengthening of security across the OSCE area. Developed over the last 18 years with a positive track record, field operations represented one of the most important aspects of the OSCE's work. One participating State argued that the record of success varied from one field operation to another. A large number of participating States saw no need for a major overhaul, but wanted to focus on a small number of specific adjustments.

A number of participating States pointed out that field operations played a critical role in early warning and conflict prevention, as part of a global OSCE system. In that context, some felt that field operations should further explore how they could engage in mediation at the local level. Several participating States argued that, in order to successfully address a range of challenges confronting host countries, a regional approach would need to be adopted, and, in addition, the field operations' capability to address transnational threats would need to be enhanced. A number of participating States called for more analytical reporting from field operations. One participating State stressed that duplication with the work of other international organizations should be avoided.

Flexibility and adaptability to the evolving needs and priorities of the host country were emphasized as critical elements of any field presence. The importance of adhering strictly to the agreed mandates and giving due consideration to the views of the host country was also stressed. A number of participating States welcomed the ongoing systematic analysis of lessons learned and best practices from field operations. Some participating States pointed to the need for a set of clear criteria/benchmarks which would be used to assess the performance/effectiveness of field operations. One participating State proposed exploring the idea of the external evaluation of field operations.

Several participating States stressed the importance of improving the selection process for heads of mission and deputy heads of mission. Some believed that, prior to appointing a head of mission or deputy head of mission, the Chairmanship should consult with and receive the consent of the host country. Another participating State emphasized that managerial experience should be taken into account when appointing heads and deputy heads of mission.

Several participating States drew attention to the importance of transparent and optimal use of OSCE financial resources. One participating State proposed the introduction of multi-year budgeting. One participating State highlighted the importance of allocating adequate resources to field activities. Another participating State underlined the need for projects undertaken by field operations to be clearly linked to the Organization's security mandate.

A number of participating States called for the re-establishment of an OSCE field presence in Georgia. One participating State stated that it was ready to agree to the restoration of the OSCE field operation in Georgia, provided its area of responsibility was limited to territory controlled by Tbilisi.

OSA SESSION 3: CO-OPERATION WITH THE MEDITERRANEAN PARTNERS FOR CO-OPERATION; CO-OPERATION WITH THE ASIAN PARTNERS FOR CO-OPERATION

Report by the rapporteur

In opening the session, the Chairperson, a representative of Kazakhstan, emphasized that the broad OSCE Partnership for Co-operation constituted one of the main assets of the Organization and should be further developed with a view to strengthening the security of the OSCE and adjacent areas. He underlined the Chairperson-in-Office's special attention to the Partnership as manifested in the appointment of the Personal Representative for the Asian Partners for Co-operation, in the promotion of common initiatives and joint workshops, and in efforts to enhance the OSCE's role in relation to Afghanistan.

The first introducer, Ambassador Ertan Tezgor, Personal Representative of the Chairperson-in-Office for the Asian Partners for Co-operation, pointed out that the OSCE's Asian Partnerships created an excellent framework for exchange between different cultures and traditions, which in its turn contributed to increasing understanding and building stability in Europe and Asia. He especially welcomed the participation of Partners for Co-operation in the Corfu discussions and commended their contributions, *inter alia* through food-for-thought papers. He supported the idea of organizing annual senior official meetings to bring together representatives of the Partners' capitals, the OSCE Secretariat and the Institutions with a view to increasing attention and a sense of ownership in the relevant Partner capitals. He also called for an increase in the Partnership Fund and encouraged placement of experts from Partner countries in the Secretariat or Institutions in order to acquaint them with the OSCE experience.

The second introducer, Ambassador Renatas Norkus, Permanent Representative of Lithuania to the OSCE and Chairperson of the Mediterranean Contact Group, stated that the OSCE partnership provided an open forum for dialogue and a venue for concrete co-operation between Partners and participating States. He highlighted the growing interaction between the OSCE and the Mediterranean Partners in all three dimensions of security. He advocated joint endeavours as well as full engagement and leadership on the part of both participating States and Mediterranean Partners in order to bring the Mediterranean Partnership to its full potential. The following recommendations were made with a view to reinforcing the Mediterranean Partnership:

- Transform the Mediterranean Contact Group into a more action-oriented forum for identifying areas of common interest and addressing them jointly;
- Encourage the Mediterranean Partners to increasingly share with the OSCE their experience and best practices and to provide information on relevant security-related developments in their region, in order to facilitate the early identification of common challenges;
- Focus on a few concrete areas of work to increase efficiency;
- Ensure concrete follow-up to the annual Mediterranean Conferences;

- Increase the participation in annual conferences of experts and decision makers from the capitals of participating States and Partners for Co-operation;
- Ensure the closer involvement of representatives of the capitals in the work of the local delegations of the Mediterranean Partners (high-level addresses to the Permanent Council; contributions at the meetings of the Mediterranean Contact Group; and closer interaction with OSCE executive structures and organization of targeted activities or expert meetings);
- Enhance the contribution of civil society, including NGOs and academia, to such events as those held on the margins of the annual OSCE meetings and conferences;
- Use the Partnership Fund to support Partners in the voluntary implementation of OSCE commitments and to facilitate greater exchange and co-operation between the OSCE and the Mediterranean Partners (increased participation by Partners in OSCE confidence and security-building measures (CSBMs), visits to field missions, and secondment of observers from the Mediterranean area to ODIHR election observation missions);
- With a view to enlarging the OSCE Partnership for Co-operation, consider the possibility of transitional Partnership.

The third introducer, Mr. Ioannis Pediotis, Co-ordinator of the Greek Chair for the Asian Partners for Co-operation, pointed out that the Partnership offered broad possibilities for exchanging experience and for presenting best practices and lessons-learned on how to address common security challenges. He considered the OSCE Partnership to be a two-way process that provided the Partners with the OSCE *acquis* and toolbox while at the same time accepting their valuable contributions to the security dialogue. He reaffirmed the role of the Partnership Fund in carrying out such successful endeavours as the workshops hosted by Mongolia and Thailand and in intensifying engagement with Afghanistan through border-related projects and the deployment of election support teams. He made the following recommendations:

- Increase visibility of the OSCE Partnership beyond Vienna through side events or ad hoc activities; broaden dialogue with civil society;
- Ensure political support and guidance at the highest level;
- Add parliamentary dimension to the Asian Partnership;
- Further enhance exchanges between both groups of Partners and increase the number of joint events;
- Increase leadership of Partners and burden-sharing by, for example, considering the possibility of Partner States supporting the Chair of the Contact Group as rotating co-chairs;
- Strengthen the contribution and initiative of participating States in Partners' activities.

The fourth introducer, Mr. Agustin Nuñez Martinez, Deputy Permanent Representative of Spain to the OSCE, referred to the 2008 Spanish food-for-thought papers on the Palestinian issue and proposed that as a confidence-building measure the Palestinian National Authority should be included in the Mediterranean activities of the OSCE on a case-by-case basis. He also called on the participating States to agree that the Euro-Mediterranean dimension constitutes an integral component of the European security community.

The subsequent discussion was conducted in a constructive manner. It reaffirmed that security and stability in the OSCE area were strongly intertwined with security in its neighbouring regions and recognized the role of the OSCE Partnership in building mutual understanding and seeking common solutions to new challenges and risks. Participants agreed that the Partnership constituted a successful platform for sharing experience and exchanging ideas on a wide range of topics. They stressed the significant deepening of the partnership process since the Istanbul Summit and the active involvement of Partners in common projects and events, sharing the financial burden as well as making valuable contributions to the Corfu process. General satisfaction was expressed with Australia having become an Asian Partner for Co-operation.

During the discussion several delegations voiced their support for extension of the OSCE Partnership, calling for Partner status to be granted to the Palestinian National Authority (PNA), while others considered it premature. Despite lack of consensus on this issue, openness to a dialogue was vowed and various proposals were put forward, notably that the PNA should be invited to the Contact Group on a case-by-case basis and that “outreach meetings” should be organized for the PNA and other potential candidates.

Many statements highlighted the need to focus on concrete activities that could contribute to common security and stability. In this regard, the need for an increase in the Partnership Fund was stressed. Several participants underlined the significant role played in the discussion and definition of common priorities by the Mediterranean and Asian conferences and by side events, special seminars and workshops. The main areas of co-operation were identified as migration management, tolerance and non-discrimination, combating transnational threats, trafficking in human beings, drug trafficking, developing CSBMs, and addressing environmental challenges such as desertification and water scarcity. One delegation emphasized the need to pay more attention to the real dialogue of civilizations and to the liberalization of visa regimes.

One delegation defined its engagement with the OSCE in terms of learning how the OSCE works with the conflict cycle as well as contributing to creating common responses to security challenges. The idea of creating an ODIHR-type of office within the Conference on Interaction and Confidence-Building Measures in Asia (CICA) was also presented.

Another participant expressed support for the proposals contained in the food-for-thought paper circulated by a number of Partners on follow-up to the Mediterranean Conference.

Some delegations expected the OSCE and the Partner countries to enhance engagement with Afghanistan in all three dimensions, pointing out the OSCE’s contribution through election assistance missions, the activities of the OSCE Border Management Staff

College, and the participation of Afghan representatives in OSCE workshops and conferences.

Other delegations appealed to the OSCE to address nuclear non-proliferation in the Middle East, while one speaker called for the OSCE to devote more attention to the North Korean nuclear issue.

In the context of the preparations for the OSCE Summit, several statements made the point that the final document should emphasize the interdependence between the OSCE and the stability and security of its adjacent regions, also referring to the correspondence on these issues addressed by the Partners to the Chairmanship. Others believed that the Astana document should reflect the role of the Mediterranean Partnership and its importance in the years to come in constructing genuine security community. Some delegations wished the Summit to formally create the Euro-Atlantic, Euro-Asian and Euro-Mediterranean security community. Another idea was to reflect concerns related to discrimination on religious and ethnic grounds (including Islamophobia, anti-Semitism and discrimination against Christians and members of other religions) and called for a plan of action to fight these phenomena. Another speaker suggested that the Action Plan on Afghanistan should be adopted at the Astana Summit. One delegation expressed hope that the Summit would create an opportunity for the OSCE to consider the North Korean nuclear issue.

Further recommendations on increasing effectiveness of the Partnership:

- That the Mediterranean Partners should be more involved in the OSCE's work, and should undertake voluntary implementation of OSCE norms and commitments;
- That Vienna delegations should be more extensively represented at meetings of Partners;
- That the participating States should take greater account of the security challenges in the Mediterranean region;
- That Partners should participate in the Preparatory Committee, upon invitation of the Chairmanship, on issues of relevance to the Partnership;
- That the hosting of meetings and running of projects through the Partnership Fund should be increased;
- Improved access to official OSCE documents;
- Regular assessment of current work;
- Further enhancement of regional co-operation frameworks and more interaction with the ASEAN Regional Forum and the CICA.

OSA SESSION 4: CO-OPERATION WITH INTERNATIONAL, REGIONAL, SUBREGIONAL ORGANIZATIONS, INSTITUTIONS, AND INITIATIVES

Report by the rapporteur

The main points of the discussion on the co-operation between the OSCE and other organizations and initiatives can be summarized as follows:

1. All speakers supported the co-operation between the OSCE and other organizations and initiatives, recognizing the 1999 Platform for Co-operative Security and the 2003 Maastricht Strategy as the framework for doing so. Speakers pointed out that the global and multi-faceted nature of contemporary threats meant that no organization could meet today's challenges on its own. It was broadly accepted that co-operation with other organizations had the potential to make the OSCE more effective.
2. Many States welcomed the progress achieved in this field since the adoption of the 1999 Platform as well as the increasing involvement of international organizations in the work of the OSCE since the launch of the Corfu Process and particularly in 2010. Some welcomed the informal and non-hierarchical nature of the Platform, which provides a flexible framework for co-operation without prescribing a division of labour.
3. It was widely held by participants that co-operation should have a strategic underpinning and should primarily involve security organizations with a pan-European vocation. The view was expressed that the establishment of a security community and the improvement of the security architecture in Europe were intimately linked to the OSCE's co-operation with other security organizations.
4. Many States placed the emphasis of co-operation to in-depth exchanges with a few highly relevant organizations while other States supported an inclusive, non-selective co-operation. In this context, it was stressed that partner organizations must uphold OSCE principles and commitments.
5. Many States stressed that co-operation should span across all three dimensions, should be specific, needs-based, and transparent, and should avoid duplications, respect each organization's autonomy, and be conditioned on the added value it can bring to the OSCE and its participating States. Co-operation in the field and for practical purposes were deemed particularly important. The main areas for co-operation specifically mentioned were counter-terrorism, trafficking – in humans and in narcotics, and organized crime but also energy security and border management. One speaker expressed the view that co-operation with other organizations and initiatives could help develop a more comprehensive approach to the resolution of protracted conflicts.
6. Co-operation, within the mandate of each organization, was widely viewed as well established. It was not considered that new instruments or tools were necessary to enhance co-operation but, rather, that existing mechanisms could be better utilized. It was suggested that the OSCE should be open to co-operation with organizations active outside the OSCE area, particularly in adjacent regions.

7. The United Nations, the Council of Europe, the European Union, NATO and the Collective Security Treaty Organization (CSTO) were mentioned as the key partner organizations that the OSCE should co-operate with as a matter of priority. In this vein, the involvement of the OSCE in the work of the United Nations Security Council as a regional arrangement under Chapter VIII of the UN Charter was welcomed. There was also a call for the implementation of United Nations Security Council resolutions.

8. The view was expressed that there is scope for increased co-operation with subregional organizations on specific themes. It was suggested that the Astana Summit document include reference to the co-ordination of co-operation between the OSCE and international organizations.

9. A willingness to co-operate in an institutionalized manner that went beyond simply attending each others' Summits was also expressed by those organizations whose representatives took the floor during the meeting and which included organizations outside the OSCE area. In this context, it was suggested that the OSCE exchange experiences and lessons learnt with corresponding organizations in other regions. It was also proposed that a third status be created for these organizations within the OSCE, in order to formalize their relations with it.

OSA SESSION 5: DECISION-MAKING PROCESS; ROLE OF THE CHAIRMANSHIP; OSCE MEETINGS; THE ROLE OF THE PARLIAMENTARY ASSEMBLY

Report by the rapporteur

This session was marked by vivid debates. Concrete proposals by participating States developed in the Corfu Process were often referenced to substantiate their positions throughout the session.

Decision-making process

General support was rendered for consensus to be preserved as the foundation of the OSCE decision-making, with acknowledgement of its unchallenged benefits. Political will was referenced as a critical element in the performance of an effective decision-making based on consensus. Some participating States insisted with particular emphasis on preserving the integrity of the consensus principle.

With different levels of detail and particularization, several participating States acknowledged the need for the Organization to become more operational in tacking action at certain junctures of the conflict cycle, particularly in conflict prevention and crisis management. Detailed proposals are reviewed at the segment dealing with the role of the Chairmanship.

Greater support to be rendered by participating States to the Secretary General was seen as a means to ensure better cohesion of the OSCE activities and thus, as a potential element to reinforce consensual approaches.

Wide appreciation was expressed for the benefits the three Committees' structure fostered to decision-making and the consultative processes.

Recommendations from the discussions

Proposals by a group of participating States to elevate to permanent structures the status of the three Committees and to reflect this into a version of the OSCE Rules of Procedure to be amended accordingly were generally met with constructive openness. The same group called for the work of the three Committees to become more focused and effective. One participating State could not share the need for a change in their status at this stage, though it had not ruled out such a prospect in the future.

The use of the three Committees as platforms for regular reviews of the implementation of commitments by participating States, on a voluntary basis, was another suggestion aiming at maximizing the potential of this structure.

Role of the role of the Chairmanship

General content with the proper way the institution of the Chairmanship has functioned was expressed. Emphasis was laid on the need to ensure continuity to providing

political leadership as its main competence. Responsibility was a feature emphasized in relation to the Chairmanship, though referenced to different instances – be it in conducting consultations to mobilize consensus among participating States, be it in guiding the OSCE response to developments affecting the security and long-term stability of participating States.

Recommendations from the discussions

One participating State advocated for enhancing the role of the Chairmanship in conflict prevention and crisis management by granting it authority to create and decide upon deploying teams of experts to address the wide range of measures that might be deemed necessary in contexts of crises. Similarly, many participating States supported the prospect of entrusting the Chairmanship and/or the Secretary General with additional prerogatives to take operational decisions in times of crisis, including on dispatching teams of experts to crisis areas. Enhancing the Troika's competences in conflict prevention should, in their view, be an additional concrete step to serve this purpose.

As a matter of enhancing continuity in the OSCE activities, thematic proposals were voiced by the same group of participating States on multi-year planning and possible extensions of mandates of Chairmanship's special representatives beyond the yearly mandates of Chairmanships.

Adjusting the interaction between the Chairmanship and the Secretary General with a view to ensure a clearer delimitation of their tasks at the political vs. operational levels was another suggestion championed by this group of States.

A closer analysis to be undertaken in the medium term on the selection of Chairmanship rotations was suggested.

OSCE Meetings

Meetings in the joint FSC-PC format were generally appreciated for the inclusiveness, the rich and mutually complementing expertise provided by the two main decision-making bodies.

Referencing it as a general feature, some participating States voiced sharp criticism with a lack of balance in the OSCE activities on the three OSCE dimensions, seen as replicated throughout the Review Conference with the competing schedules of different clusters of sessions. The human dimension in itself was viewed by one of them as highly redundant since it paralleled considerably the activity of the Council of Europe.

There was a widespread acknowledgement of the NGO valuable, comprehensive and irreplaceable contribution to the overall OSCE work, as well as of its impact on the effectiveness of the Organization. Sharp strokes were fuelled by some contextualized arguments that seemed to place NGO and PA contributions to the overall OSCE work on competing positions, which was ruled out by many participating States.

The recent incident with the participation of representatives of some NGOs during the Warsaw part of the Review Conference amply polarized the debates and was presented as a case in point by the States supportive of the idea to introduce a codification to the modalities

on NGOs participation in the OSCE meetings, where transparency and accountability would be at stake. Similar arguments were resorted to in descriptions of the preparations for the NGO forum to preview the OSCE Summit in Astana. On another note, approaches linking NGO participation in the Astana Summit with the results of the meeting were met with discouragement by some participating States. A firm general standing support for securing the access of NGOs to OSCE meetings was expressed by several participating States.

Recommendations from the discussions

Introducing joint decision-making by the PC and FSC to be prepared in their subordinate bodies was advocated for by a group of participating States as a means to maximize the benefits from the joint FSC-PC meetings and expertise. One participating State supported proposals aiming at improving the practice of convening joint FSC-PC meetings particularly on key topics for the OSCE.

Referring back to concrete developed thematic initiatives, some participating States drew particular attention to proposals on elaborating guidelines on preparation of draft ministerial decisions and on reducing the time span devoted to the Human Dimension Implementation Meeting as a measure to optimize the OSCE human dimension, as well as on codification of modalities on NGOs' participation in OSCE meetings.

The role of the OSCE Parliamentary Assembly

The valuable contribution by the Parliamentary Assembly (PA) to furthering implementation of the OSCE's mandate was generally acknowledged.

A worthwhile place to be secured to the PA in the OSCE political deliberations on the overall scope of OSCE's activities was comprehensively advocated for by one participant. This would ensure that the decision-making benefits from increased transparency and accountability, as key virtues of parliamentarism. Debates pointed to continued differences on accepting to take the PA onboard in the decision-making process at this stage.

It was widely acknowledged that co-operation between the ODIHR and PA in election observation is the most visible contribution by the PA to the overall work of the OSCE, with focus on the benefits inflicted by genuine partnership, a capacity to maximize their individual strengths and to speak with one voice.

This field of action brought to attention details already addressed in a previous session of this cluster of thematic meetings, broadly relating to ways envisaged to maximize the benefits from the assistance provided by the ODIHR in electoral matters: streamlining the election observation methodology vs. ensuring an adequate follow up based on the recommendations drawn up by the ODIHR. Structural differences around these issues continued to impact on the positions of participating States. The relevant food-for-thought papers circulated in the Corfu Process were referenced with detail in this context.

As a general pattern, proposals to encapsulate into a future OSCE constituent document the existing competences of the Chairmanship, the OSCE decision-making mechanism and the statute of the OSCE PA were made by one participating State.

OSA SESSION 6: ADMINISTRATIVE, FINANCIAL AND HUMAN RESOURCES MANAGEMENT ISSUES

Report by the rapporteur

In his introductory remarks, the Chairperson of the Working Group on Financial Regulations stated that, although the OSCE was a small Organization, it operated well, even without updated financial regulations. He emphasized that the document the Working Group on Financial Regulations was elaborating was a complex one and he therefore proposed, as an alternative, its adoption chapter by chapter and not as a package. Furthermore, he supported the idea of a triennial programmatic document, acknowledging, however, that there were practical problems for the implementation of that proposal. In addition, whether such a document would be based on a consensus remained an open issue. With regard to the recruitment process, he saw no major problems, while as far as the secondment process was concerned, adequate personnel could be found, provided that participating States offered more political support and refrained from selective policies, thus creating an OSCE-plus and not an OSCE “à la carte”. Finally, he pointed out that the desirable size of the OSCE constituted another important issue to be considered.

In his introductory remarks, the Director for Human Resources highlighted the progress achieved in human resources management in the past decade and expressed his hope that the upcoming Summit would enhance the competitiveness of the OSCE as an employer. He stressed, however, that what was needed was not a major reform in human resources policies, procedures and methodologies, but rather some fine-tuning. Furthermore, he referred to the major achievements over the past decade, such as: the launch and implementation of the Rapid Expert Assistance and Co-operation Teams (REACT) system to deal with crisis situations, the development of the OSCE Staff Rules and Regulations in 2003, the introduction of the post table to give a clear idea of the number of employees, the implementation of the Integrated Resource Management System (IRMA) and the Common Regulatory Management System (CRMS) and the adoption of the OSCE Action Plan for the Promotion of Gender Equality. All those achievements indicated that the OSCE was well institutionalized. Therefore, the major challenge lay in determining how the Organization could become more effective. In that respect, he referred to the role of the Secretary General as Chief Administrative Officer, as well as to the Secretariat, which provided central services to all the other executive structures, pointing out, however, that the Secretary General’s ability to “take corrective actions” remained limited. In that respect, he suggested that the development of a consolidated document, defining the main functions of the Secretary General, or containing clarifications of certain regulations or rules could be explored. However, the aim was to close the gaps and not to enhance the Secretary General’s role. In addition, he referred to the deliberations, since May 2009, on a set of proposals to streamline and harmonize conditions of service in the OSCE which, despite the broad support gained, had been unable to garner a consensus. Therefore, he strongly recommended that deliberations on that issue should be continued. Finally, he stressed the need to address the problems relating to the secondment system and in that respect, he recalled that the Office of Internal Oversight had been tasked with conducting an internal review of the system. In conclusion, he listed five fresh ideas for consideration and endorsement. Those would be reflected in subsequent projects and would neither have financial implications, nor require renegotiation of OSCE Rules: an OSCE voluntary programme, short-term task-oriented secondments, a preference scheme for recruitment of former junior professional officers,

initial assignment and extension of assignments up to two years and conversion of targeted seconded posts.

In his introductory remarks, the Director for Management and Finance pointed out that, in view of the upcoming Summit, there were important issues to be addressed by the participating States, such as the revision of the Financial Regulations and the Scales of Contributions, and further enhancement of the OSCE's financial flexibility. Furthermore, one issue that required special attention was the provision to the Organization of adequate financial resources. In that respect, he pointed to the discrepancy between the activities desired by the participating States and the resources allocated. Acknowledging, however, that the current financial crisis should be taken into account, he expressed sympathy with the idea that prioritization could be a way out, provided that existing funding levels were retained and relevant collective decisions were adopted. Moreover, the OSCE did not operate on the same terms as the private sector, but focused on the influence it could exert, the relevance and credibility it could achieve and the difference it could make. In addition, it was essential that there should be a commitment to providing adequate funding, based on agreed, strategic priorities, and also to resolving long-term outstanding issues. Finally, timely adoption of the budget was of particular importance.

Discussion

One delegation, on behalf of a group of States, acknowledged the progress achieved in the administration of the OSCE's human and financial resources, stating, however, that further improvement was possible. For example, performance-based programme budgeting could be further utilized in order to best prioritize activities, and the Organization's cycle of discussions on programming and budgeting could be considerably streamlined, thus making them more relevant and strategic. Furthermore, over the past years, different possibilities had been supported, including two-year budgeting, multi-year programming or the merger of the Programme Outline and the Programme Budget Performance Report. The proposal to merge the two different scales of contributions and approve them for a period of three years was being considered. It was to be hoped that the updating of the Financial Regulations would be concluded, with a positive approach being taken towards a gradual adoption of the new regulations, one by one, instead of as a package. Furthermore, the system used for calculating the staff costs needed reform. Given the current economic conjuncture, support was also expressed for expenditure control and prioritization. A commitment with regard to the secondment system, and a readiness to examine ways to make it more effective were expressed. The OSCE's attractiveness and competitiveness as an employer needed to be increased. Attention was also called to the need to achieve a better gender balance and, finally, it was stated that the role of the Secretary General as Chief Administrative Officer should be clarified, wherever necessary.

One delegation disagreed with the idea that the secondment system was broken. The OSCE was not a career Organization and therefore the approach to the human resources issue should be based on that central tenet. Furthermore, it supported the adoption of a strategic approach towards future action, stating that the Programme and Budget Performance Report process could be expanded to provide real, multi-year guidance. In that respect, it expressed its willingness to consider a longer-term budgetary cycle. A one-quarter change of the OSCE fiscal year was also a possible option, to enable better consideration to be given to the budget proposals based on guidance from a Ministerial Council or a Summit meeting. With regard to the updating of the Financial Regulations, non-substantive amendments of the Financial

Regulations should be enacted without approval by the Permanent Council, while on substantive financial issues, that approval should be required, upon recommendation by the Advisory Committee on Management and Finance. Strong opposition was furthermore expressed to control by the Permanent Council over extrabudgetary project activities. In the context of providing the Organization with the necessary financial means and flexibility, an increased use and broader application of metrics in order to assess the performance and implementation of Unified Budget programmes was encouraged. Finally, with regard to the scales of contribution, the ceilings should be maintained at the existing level. Particular attention was also given to the promotion of gender equality. In that respect, the view was expressed that, in the future, a woman would be able to assume the duties of the OSCE Secretary General.

Another delegation emphasized that the main concern was to increase the effectiveness of the Organization. Furthermore, it supported strengthening the role of the Secretary General as Chief Administrative Officer and stated that the Secretary General should be given certain additional political powers, which should be enshrined in an OSCE constituent document. A proposal had been put forward in the past regarding periods of service, and in particular advocating the idea that the Secretary General should be able to extend the periods of service for some key staff on an exceptional basis. The delegation considered evaluation of that proposal premature, since the relevant discussion should first take place in the Advisory Committee on Management and Finance. Moreover, a complaint was expressed regarding the geographical representation of participating States in some positions. Ways should be found to improve the secondment system. It was of particular importance to improve the OSCE's programme and budget activities, since the ineffectiveness of elements of the current budget discussion system called for changes in the budget cycle. Therefore, a programme of work should be approved by the collective bodies. With regard to the updating of the Financial Regulations, although the delegation did not object to setting aside articles on which no agreement had been reached, the question was how such a system would work, since it could cast doubt on the financial constituent document of the Organization. In addition, perhaps the issue remained pending due to an interest by someone in the OSCE wishing to be a source of unchecked funding for projects that primarily served their own ends. What was preferable was zero nominal growth accompanied by optimized spending based on consensus. As far as the issue of scales of contributions and the proposal regarding a single scale were concerned, progress might be made if the methodology used to establish the scales of contribution in the United Nations, which more closely reflected participating States' ability to pay, were taken into account.

Finally, the promotion of gender equality was desirable, but qualifications and not gender should be the determining factor.

Regarding the idea of enhancing the Office of the Secretary General through a charter, one delegation stated that a decision by the Permanent Council would be adequate. One delegation proposed that meetings should be convened at ambassadorial level to discuss administrative and financial issues, noting, however, that no reform was needed, but only a regular review. Long-term, multi-year planning was also supported, even on a five-year basis. The secondment system needed to be reviewed, given that many participating States could not afford to pay their secondees.

Finally, another speaker referred to the adoption of recommendations by the Parliamentary Assembly's Committee on Transparency and Accountability, relating to the

role of the Secretary General, the secondment system and periods of service, the budget process, and finally gender equality.

In their concluding remarks, the introducers supported the idea of strategic planning. With regard to the secondment system, however, it was noted that the need for review did not mean that the system was “broken”. The updating of the Financial Regulations was a necessary prerequisite for the promotion of the Organization.

OSA SESSION 7: THE OSCE'S LEGAL FRAMEWORK

Report by the rapporteur

The meeting was presided over by the delegation of the Chairperson-in-Office. Two introductions were given. One by the Personal Representative of the Chairperson-in-Office on Strengthening the Legal Status of the Organization, Mrs. Ida van Veldhuizen, former Permanent Representative of the Netherlands to OSCE and Mrs. Sabine Bauer, the Senior Legal Adviser of the OSCE Secretariat.

The Personal Representative gave an exposé of the history of the discussion on the legal framework in both OSCE and CSCE. Participating states got an overview of important events and decisions since the Helsinki Final Act, such as the Rome Ministerial Council Decision in 1993 on granting the necessary degree of legal status and privileges to the than still CSCE in the participating States.

In 2000 and 2001 under the lead of Ambassador Helmut Tichy of Austria participating States discussed in an Informal Open-Ended Working Group at expert level draft articles on international legal personality, legal capacity, privileges and immunities. Thus, the foundation was laid for negotiations under the chairmanship of the Permanent Representative of the Netherlands, Mrs. Ida van Veldhuizen, which led to the finalization of a complete, draft text of a Convention on legal personality, legal capacity, privileges and immunities in 2007. In the same year, a group of seven participating States also introduced a draft of a Charter for the OSCE. Some of these participating States made adoption of the aforementioned draft Convention dependent on simultaneous adoption of a charter – lately referred to as constituent document – by introducing footnotes in the draft text of the draft Convention. The text of this draft Convention was preserved as an attachment to the final statement of the Chairperson-in-Office at the Madrid Ministerial Meeting in December 2007. The Personal Representative reminded participating States of the “gentleman’s agreement” as she saw it, not to re-open negotiations on the text of the draft Convention.

The Senior Legal Adviser of the OSCE, Mrs. Sabine Bauer, highlighted the difficulties her office experiences in its daily work, due to the lack of legal status of the organization. In spite of some political commitments, the OSCE is in fact not regarded as an international organization in all respects by all international actors. Adoption of the draft Convention would, according to the legal adviser, not be a panacea, but it would help provide more clarity both within the organization (between field presences, Secretariat and Institutions) as well as vis-à-vis third parties (international organizations, private businesses) and participating States. The organization would provide more clarity to others and in return receive better conditions in interacting with others. This would go especially for agreements and arrangements with both governments and private contractors and maximize the organization’s limited resources, both financial and human.

After the introductions there was a lively debate in which many participating States took part and from which a variety of views could be derived.

There was a group of States expressing full support for the early adoption of the draft Convention. This group also expressed the willingness to enter a process to consider a

constituent document, on the condition that such process would not be abused to re-open existing commitments.

There was a participating State reiterating its position that it would only adopt a draft Convention, if such draft Convention would be adopted simultaneously with a charter or constituent document. Together with a draft Convention, such constituent document is in the view of this delegation indispensable to lay down the principles, objectives and mandate of the organization and its organs, in a legally binding manner. In this context, a reference was made to the report of the Panel of Eminent Persons which was delivered in 2005 in which a general support for developing a charter was expressed.

Another delegation, expressing full support for the draft Convention, expressed concern about, in its view, the apparent agenda of those advocating a charter, which this delegation summed up with the term “control”. It was stressed by this delegation that it would oppose any attempt to constrain the flexibility of the organization.

During the meeting the suggestion was made to open for signature and ratification the draft Convention, without footnotes, while simultaneously starting negotiations on a constituent document. In the meeting no consensus emerged, however, on this idea. Also a suggestion was made to introduce to the preamble more references to documents which are generally seen as the political “*acquis*” of the organization, for example the Helsinki Final Act. Several delegations underlined that in their view, any document for the OSCE could not replace political will in the organization.

The delegation of the incoming Chairperson-in-Office expressed gratitude and support for the work done by the present Chairperson-in-Office, the Personal Representative and the Secretariat.

At the end of the session the Personal Representative summarized that the draft Convention “still has 56 friends”. Also, she expressed the hope that participating States would seize the opportunity of the Astana Summit to put, as she called it, “the legal house of the OSCE in order”.

**III. CHAIRPERSON'S SUMMARIES OF THE
2010 REVIEW CONFERENCE**

CHAIRPERSON'S SUMMARY OF THE VIENNA SEGMENT OF THE 2010 OSCE REVIEW CONFERENCE

Ladies and gentlemen,
Distinguished participants of the Review Conference,

It has been a busy week and a half. The Vienna Part of the Review Conference has enabled us to review the implementation of our principles and commitments in the economic and politico-military dimensions of the OSCE *acquis*, as well as the performance of the OSCE's structures and the effectiveness of its activities.

The extensive summary of debates at each session just has been given by rapporteurs. Taking this opportunity I would like to thank them for the important work they have done.

At this very point allow me to emphasize that this meeting has provided grounds for fruitful discussions and generated new ideas that can be developed further.

Politico-military dimension (PMS)

Debates within the politico-military dimension confirmed once again that collective efforts and political will are the most important elements for effective solution of issues and combating threats and challenges faced by the OSCE area.

Transnational threats and Afghanistan

Discussions on transnational threats indicated a need to develop a plan of action on combating organized crime or a strategic document on strengthening of the OSCE police activities. It is also worthwhile to consider the draft of the framework of the OSCE in combating illicit trafficking in drugs and precursor chemicals. This framework could be an effective tool of our Organization.

Regular review of the OSCE key documents on combating transnational threats and challenges on their compliance with current situation and the need to update them will make the Organization to be quick and to respond effectively.

We have identified once again that the OSCE can contribute substantially to the stabilization of the situation in Afghanistan and curbing threats emanating from the country through identifying its value-added strengths and experience across the three dimensions. Border management, training of officers as well as post-conflict rehabilitation should be an important part of these efforts. In this regard the Chairmanship's Perception Paper on Further Efforts to Intensify Co-operation with Afghanistan serves as a good basis for elaborating new activities within the OSCE engagement with the country.

Conflicts

Early warning, conflict prevention and resolution, crisis management and post-conflict rehabilitation, especially protracted ones, continue to be at the core of the OSCE agenda. It was recognized that the OSCE should serve as a primary instrument for conflict settlement, while acknowledging that it would be in the common interest of all to strengthen

the Organization's capacities in all phases of the conflict cycle. It goes without saying that in order to provide effective response, capacities of the OSCE institutions are needed to be strengthened. We should also take a closer look at the available OSCE toolbox for its involvement in various phases of a crisis or conflict situation. The role of the OSCE could be increased in dialogue facilitation, mediation and mediation-support activities, especially to address the early warning–early action gap.

Arms control/CSBMs

During discussions on this topic the comprehensiveness of the OSCE Code of Conduct on Politico-Military Aspects of Security was noted. The negotiation process on the Vienna Document 1999 was positively assessed, and praised the Organization's efforts to fight the proliferation of illicit small arms and light weapons (SALW). Many participating States called upon the OSCE to play a role in complementing global efforts to combat the proliferation of weapons of mass destruction, including in the context of the UNSCR 1540. Finally, many participating States underscored the importance of progress in ongoing discussions on the future of conventional arms control in Europe.

Economic and environmental dimension (EED)

Participating States assessed the achievements and the existing gaps in the economic and environmental dimension (EED) against the backdrop of a changing international context, marked by the challenges of globalization, the consequences of the global financial and economic crisis and the emergence of new cross-dimensional and transnational threats to our security.

Participating States emphasized that the OSCE's contribution in the EED remains indispensable for our common security and prosperity. The OSCE should continue to play an active role in promoting sound economic and environmental governance, sustainable development and environmental responsibility, and strengthened efforts in areas such as migration, transport and cross-border facilitation. Many participating States underscored the importance of strengthening dialogue on energy security.

Participating States noted that, to achieve these ambitious goals, the OSCE requires a renewed strategic vision as well as intensified concrete action. Updating the 2003 OSCE Strategy Document for the Economic and Environmental Dimension was highlighted as a real option for moving forward in this field. Participating States proposed increasing the efficiency of work in the EED by strengthening our capacities, providing better co-ordination among the "pillars" of the EED, as well as focusing on synergies with partners.

OSCE structures and their activities (OSA)

We believe that administrative, financial and human resource management issues should continue to remain in the focus of our attention. The Chairmanship aligns itself with other delegations that attach great importance to further improvement of practices and procedures related to OSCE financial and staff rules and regulations, as well as programme and budget planning. In this regard we encourage delegations to continue their work on an eventual adoption of an amended OSCE Financial Regulations as well as on making actual adjustments to OSCE Staff Regulations and Staff Rules. Speaking of the role of the Secretary General as Chief Administrative Officer, we presume that this role should be

effectively strengthened for the sake of filling the existing gaps in the staff and financial regulations.

Participating States stressed the need to strengthen co-ordination among OSCE executive structures, in particular in dealing with all stages of the conflict cycle and in addressing transnational threats and challenges to security. A wide range of unresolved problems pertaining to the management of human and financial resources were acknowledged by participating States. It was proposed to pursue an incremental approach to improving the Organization's Financial Regulations. Participating States also proposed improvements to the programme budget planning process, and stressed the need to improve the effectiveness of the OSCE's secondment system. To these ends, it was proposed to strengthen the role of the Secretary General, while respecting the mandates of other executive structures.

Participating States called for strengthening the OSCE institutions, some stressing the need to preserve their functional autonomy and to improve implementation of their recommendations by the participating States, others seeking to improve their working methods and accountability to the participating States. Similarly, proposals to strengthen the effectiveness of field activities ranged from proposals to expand the OSCE's field presences in some regions to calls for gradual transfer of their responsibilities to host countries.

A wide range of proposals aimed at strengthening the OSCE as a forum for political dialogue, including the improvement of the joint FSC-PC decision-making procedures and improving approaches designed to guarantee the openness of OSCE meetings to civil society. Many participating States underscored the need to enhance the OSCE's legal framework through the early adoption of the agreed draft convention on international legal personality, privileges and immunities, while proposals were made to adopt a charter or statute for the Organization.

The elements of an OSCE Summit final document

Last Friday the Chairmanship released the elements of an OSCE Summit final document. I believe that your delegations and capitals are already working on possible drafting proposals.

The Chairmanship proposed three elements, which embody our past (shared principles and commitments), current state of affairs (shared challenges and priorities) and future (shared targets).

In drafting those elements, the Chairmanship has tried to take into account ideas put forward by the participating States. We have also opted for language and structure that we hope will increase the chances of finding consensus – not least considering the short space of time that is still available.

While delegations are getting ready for the very important exercise of preparing a final OSCE Summit document, I would like to draw your attention to the following most important points.

- The Astana Summit is a “launching” one, which should aim at a long-term goal of establishing a Euro-Atlantic and Eurasian security community. Some short- and

medium-term targets could be incorporated into a proposed action plan this time, and some targets-oriented documents on the way to achieve that strategic goal could be adopted at later stages. As a relative example, you may recall the Budapest and Lisbon Summits, which launched and continued the work finalized in Istanbul a few years later.

- Taking into account the 11-year gap in holding Summits we should clearly differentiate between “ends” and “means”. For instance, in Paris we indicated our will to put an end to the “Cold War” – the task, which is much bigger than disputes over functioning of any intergovernmental security arrangement. Would we manage this time to agree on a similar level goal (e.g., putting an end to “hiccups” of the “Cold War” and building a Euro-Atlantic and Eurasian security community), and open new page in our common history?

That is why, the OSCE, as a unique regional security arrangement with its unique toolbox (“means”), should be treated as an excellent opportunity to respond to this question (“ends”).

- A summit is not a regular ministerial meeting. The Summit document we are expected to deliver should raise its bar to a strategic vision of the reality and future, especially in times when we witness drastic changes at all levels – global, regional and local. Heads of State or Government would speak about global issues and it is our task not to distract them to OSCE micro-management issues and traditional approaches but to help to define the real place or niche of the Organization on the way towards achieving the goal of strengthening the global security architecture. This is especially important, taking into account a number of preceding highest level events, including the NATO Summit in November.
- Indeed the important question “what could be done to ensure a stronger OSCE?”, however, should be preceded by the question “what the OSCE (and all participating States) can do for strengthening global and regional security?”.

I would request delegations to keep in mind the points just mentioned during the whole drafting process. Indeed we will have a chance to discuss thoroughly elements of the final document proposed by the Chairmanship at the forthcoming retreat this Friday. I hope we will have fruitful discussions that will help to ease the negotiation process and in the end to have a strong and strategic document.

CHAIRPERSON'S SUMMARY OF THE 2010 REVIEW CONFERENCE

Dear colleagues,
Distinguished participants in the Review Conference,
Ladies and gentlemen,

Let me congratulate all the participants in the 2010 Review Conference for the important and far-reaching work that we have completed in last three months. The in-depth look into the status of implementation of the whole range of commitments across the OSCE has definitely proved to be vital and valuable.

I believe that the Review Conference has successfully achieved its main goal, namely, to “review the entire range of activities within the OSCE, including a thorough implementation debate, and consider further steps to strengthen the OSCE process”.

The Warsaw, Vienna and Astana parts of the Review Conference afforded an excellent opportunity to review and assess where we stand and how we can do better – across the board.

The 1992 OSCE Helsinki Summit clarified the role of review conferences in a new political setting. The review process was to be co-operative in nature, comprehensive in scope and at the same time able to address specific issues and improve the current state of affairs.

I hope that the 2010 Review Conference provided a chance for the participating States to share experiences among themselves and afforded an opportunity to identify action that may be required to address problems.

The Civil Society Forum which took place here, in Astana, on 26 November, has once again highlighted the important role of civil society and non-governmental organizations in reminding us that the focus of our efforts in all the dimensions is to improve the lives, security and rights of the real people who live in all our participating States.

In this regard, let me express my sincere gratitude to the representatives of civil society for their active participation and the valuable contribution they made during the entire Review Conference. As has been pointed out, the great value of the OSCE meetings resides in the ability of civil-society organizations to take an active part in these meetings in order to foster a dialogue between governments and civil society.

Now, let me share with you the main findings of our discussions during the Review Conference in the context of the four segments: the politico-military, economic and environmental, and human dimensions, and OSCE structures and activities.

Politico-military dimension

During the politico-military segment, we covered a wide range of issues related to transnational threats and challenges, including action to combat terrorism, organized crime and drug trafficking; cyber security; early warning, conflict prevention and resolution; crisis

management and post-conflict rehabilitation; border security; arms control and confidence- and security-building regimes; the Vienna Document 1999; and SALW and non-proliferation.

The debates within the politico-military dimension confirmed once again that collective efforts and political will are the most important elements for the effective resolution of issues and the combating of threats and challenges faced by the OSCE area.

During the discussions on transnational threats and Afghanistan, the participating States reviewed the progress our Organization has made in combating transnational threats, such as terrorism, organized crime and trafficking, and the unique capabilities we have developed in police training and border security, while acknowledging that more could be done to make these efforts more focused, more coherent and more compatible with the work of other international actors. They recognized that the nature of transnational threats required closer co-operation with Partner states, and strong support was expressed for an intensified, broad-based programme of co-operation with Afghanistan, drawing on the OSCE's strengths and experience across the three dimensions.

Early warning, conflict prevention and resolution, crisis management and post-conflict rehabilitation, especially in respect of protracted conflicts, continued to be at the core of the OSCE agenda.

The participating States recalled recent efforts aimed at the settlement of protracted conflicts, reaction to crisis situations and contributions to post-conflict rehabilitation, as well as proposals in that area put forward in the framework of the Corfu Process. They recognized that the OSCE should serve as a primary instrument for conflict settlement, while acknowledging that it would be in the common interest of all to strengthen the Organization's capacities, in all phases of the conflict cycle.

The participating States stressed that the OSCE field operations can and do play a critical role in early warning and conflict prevention, and welcomed the opportunity to explore further how field operations might engage in mediation at the local level, how they could engage on regional issues and how their analytical capacity might be strengthened.

Some participating States noted that, even though field operations are the primary vehicle for OSCE activities in the field, at the same time, additional types of presence, such as support teams, liaison teams and regional offices, where appropriate, should be explored.

The participating States underscored the view that, in order for field operations to continue to be effective, further consideration must be given to how to resource and manage them.

The participating States emphasized that a well-functioning arms-control regime and a comprehensive set of confidence- and security-building measures were pivotal for indivisible and co-operative security in the OSCE area. The ongoing discussions on the future of conventional arms control in Europe should be continued in a constructive manner and to the benefit of the security of all the OSCE participating States.

Important steps have been taken this year to update our main confidence- and security-building tool, the Vienna Document 1999. We have committed ourselves to strengthening this key politico-military document in order to increase military transparency

and build further confidence. The work has started in the Forum for Security Co-operation, and the existing momentum should be safeguarded, also beyond the Summit, with a view to making significant progress in 2011.

The participating States noted that another key task for the OSCE was the fight against the proliferation of small arms and light weapons and action to tackle the problems of loosely guarded and unstable conventional ammunition. Vigorous implementation of the recently adopted plan of action would ensure a continued and significant contribution by the OSCE to global efforts in the field of SALW. The OSCE also had the potential to play an increasing role in countering the proliferation of weapons of mass destruction and furthering the implementation of United Nations Security Council resolution 1540.

Economic and environmental dimension

During the part of the Review Conference devoted to the economic and environmental dimension, the participating States stressed that that dimension remained indispensable for their common security, sustainable development and economic growth. The OSCE should continue to play an active role in fostering international co-operation and promoting good governance in the economic and environmental fields, and should reinforce its efforts in areas such as migration, transport and energy security.

It was stressed that, in achieving those goals, the OSCE required a renewed strategic vision, as well as intensified concrete action. The participating States proposed such measures as reviewing the Maastricht Strategy Document for the Economic and Environmental Dimension; ensuring closer co-ordination between the Economic and Environmental Committee, the Office of the Co-ordinator of Economic and Environmental Activities and economic and environmental officers in the field operations; and creating synergies with the UN Economic Commission for Europe and other partner organizations.

Human dimension

During the human dimension segment of the 2010 Review Conference, the participants reviewed the progress our Organization has made in respect of human dimension issues since the 1999 Istanbul Review Conference, and made recommendations for bolstering the collective ability of the OSCE participating States to tackle existing challenges in the areas of democratic institutions, fundamental freedoms, the rule of law, humanitarian issues, tolerance and non-discrimination, as well as in regard to specially selected topics relating to the freedom of the media, intolerance against migrants, and trafficking in human beings, with a particular focus on trafficking in children. Let me reflect briefly the main lines of the discussions during these sessions.

Democratic institutions

The participating States stressed the importance of democratic institutions for the development of democracies, and democratic elections were recognized as being central to that endeavour.

Most of the participating States called attention to the need to enhance efforts to fully implement the OSCE election-related commitments, to follow-up on election observation

reports, and to continue to develop the capacity of national observers to monitor domestic electoral processes.

The majority of the speakers commended the election observation methodology of the Office for Democratic Institutions and Human Rights, including its long-term observation activities, and referred to the need for better follow-up to the recommendations contained in election reports.

Fundamental freedoms

The participating States recognized that freedom of thought, conscience, religion or belief, freedom of assembly and association, and freedom of movement were fundamental human rights and were intrinsic to any democratic society.

They noted that national human rights institutions could contribute to the promotion and protection of human rights by processing complaints, adopting a critical approach in respect of the protection of human rights, and promoting education on human rights.

The ODIHR and field operations were called upon to assist the participating States in reviewing legislation and practice with regard to international and regional human rights, to continue to engage with national human rights institutions across the OSCE area, and to strengthen their capacity to promote and protect, monitor and report on respect for human rights and fundamental freedoms.

The participating States stressed the need to protect human rights defenders throughout the OSCE area and to continue co-operation among the OSCE participating States on issues concerning freedom of movement.

Rule of law

The participating States stressed the importance of the rule of law as a fundamental element for the development of any democratic society.

It was emphasized that the judiciary should preserve its independence by introducing several safeguards against any kind of influence, particularly those of a political nature. Those measures, among others, should include: transparent terms of appointment; guaranteed tenure; specialization of judges; fair and independent disciplinary proceedings; and the provision of the relevant working conditions, resources and salaries.

They recognized that, in order to improve the rule of law in the OSCE area, additional measures were needed including:

- The introduction and application of objective criteria and transparent procedures for selecting and appointing judges; establishment of an efficient system for the publication of judicial decisions, and provision of access to them by the public; the establishment and maintenance of respect for and trust in the justice system through timely and efficient enforcement of judgments; and the provision of adequate resourcing to enable the judiciary to properly perform its functions;

- The guaranteeing of fair, timely and effective judicial proceedings, including protection of witnesses and respect of the rights of defendants;
- Strengthening of the institution of official legal aid; and
- Assurance of transparent and inclusive legislative processes reflecting the will of the people.

It was noted that the adoption of national preventative mechanisms and the ratification of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment were important steps in preventing torture in the OSCE participating States.

Humanitarian issues and other commitments

The participating States emphasized that the issue of displacement was becoming more complex as a result of the global economic crisis. They noted that statelessness and the absence of any solution for refugees in protracted displacement remained among the major challenges. They recognized that human rights education not only provided knowledge about human rights and the mechanisms that protected them, but also imparted the skills needed to promote, defend and apply human rights in daily life.

Tolerance and non-discrimination issues

The statements by the participants highlighted the gap between existing legal frameworks and political commitments on the one hand, and the reality of Roma and Sinti communities on the other. The participating States stressed the need to ensure the necessary administrative and financial resources for implementing policies for Roma and Sinti integration and to step up efforts to combat discrimination at all levels, in particular in regard to educational and residential segregation, as well as to engage in partnership with the Roma and Sinti civil society and communities.

The participating States discussed ways of promoting gender balance, and implementation of the 2004 OSCE Action Plan for the Promotion of Gender Equality. They stressed the need for the adoption of legislation for combating gender-based discrimination and violence against women, the establishment of national institutions mandated to promote gender equality, and the undertaking of comprehensive gender mainstreaming of all public policies and programmes.

The participating States acknowledged that racism, xenophobia, anti-Semitism, discrimination and intolerance, including against Muslims, Christians, Jews and others, was a major challenge to social cohesion and human rights across the OSCE area.

They emphasized that positive steps, such as awareness-raising, the development of educational tools, and promotion of the establishment of national institutions and specialized bodies needed to be continued by the participating States.

Forward-looking discussions

Freedom of the media

The participating States stressed that development of electronic media, including digital switchover in broadcasting, demanded new approaches to safeguarding of the freedom of the media.

The participants drew attention to the violent acts committed against journalists in the OSCE area and the role of authorities in carrying out successful investigations and thereby protecting journalists and the free media. It was noted with regret that the number of unresolved cases of violence against journalists in the OSCE area had increased, and it was stressed that the participating States needed to undertake urgent steps to tackle that challenge.

The participants stressed that imprisoning journalists for carrying out their work remained an instrument of harassment, intimidation and serious restriction of freedom of the media in several participating States. Great appreciation was expressed of the work of the Representative on Freedom of the Media as a media freedom “watchdog” by many participants.

Intolerance against migrants

The participating States and representatives of civil society stressed the need to improve policies related to addressing the problems of hate-motivated crimes against migrants. The issue of underreporting was identified as one of the main causes tending to create a climate of impunity for perpetrators and of fear for victims’ communities. Several participants made special reference to the phenomenon of intolerance against Muslims, pointing at the existence of prejudice and stereotyping directed against them, as well as at the emergence of far-right political parties with racist and xenophobic attitudes.

The participants noted that educational programmes for promoting tolerance and mutual understanding were all crucial instruments for achieving positive results.

Combating trafficking in human beings, with particular focus on trafficking in children

The participating States recognized the vulnerability of children to trafficking for labour exploitation, including in agricultural work, domestic work or factory work, or for begging and illicit activities.

They noted that many children belonging to vulnerable groups, such as migrant children, undocumented children, and separated, unaccompanied and asylum-seeking children faced difficulties in accessing existing child-protection and social-welfare systems. The participants noted that States needed to ensure that outreach to vulnerable children was improved and all authorities and those who came into contact with children were adequately trained and able to provide child-friendly services. The particular role of civil society actors in reaching out to vulnerable children and establishing trust between the children and State services was acknowledged.

OSCE structures and activities

Finally, the participating States stressed the need to strengthen co-ordination among the OSCE executive structures, in particular in dealing with all stages of the conflict cycle and in addressing transnational threats and challenges to security. A wide range of unresolved problems pertaining to the management of human and financial resources were acknowledged by the participating States. It was proposed to pursue an incremental approach to improving the Organization's Financial Regulations. The participating States also proposed improvements to the process for planning the programme budget, and stressed the need to improve the effectiveness of the OSCE's secondment system. To those ends, it was proposed to strengthen the role of the Secretary General, while respecting the mandates of other executive structures.

The participating States called for a strengthening of the OSCE institutions. Most stressed the need to preserve their functional autonomy and to improve implementation of their recommendations by the participating States, while some others emphasized seeking to improve their working methods and accountability to the participating States. Similarly, proposals for strengthening the effectiveness of field activities ranged from proposals to expand the OSCE's field presences in some regions to calls for a gradual transfer of their responsibilities to host countries.

A wide range of proposals were made, aimed at strengthening the OSCE as a forum for political dialogue, including improvement of the joint FSC-PC decision-making procedures and of approaches designed to guarantee the openness of the OSCE meetings to civil society. Many participating States underscored the need to enhance the OSCE's legal framework through the early adoption of the agreed draft convention on the international legal personality, legal capacity, and privileges and immunities of the OSCE, while proposals were made for the adoption of a charter or statute for the Organization.

Distinguished Conference participants,

Needless to say, the peer review which we have submitted ourselves to in the past three months has clearly shown that gaps in implementation are to be found everywhere across the OSCE, be it in the West or in the East. The frank discussion that has taken place among us on ways to make serious progress in addressing these gaps, as well our strong recommendations, will undoubtedly contribute to the success of the forthcoming Astana Summit.

I hope that the Astana Summit will mark a new historic stage in building a community of truly comprehensive and indivisible security in the Euro-Atlantic and Eurasian area.

Allow me, once again, to express my gratitude to all the participants, and let me wish all of us a successful Astana Summit!

Thank you.