



Organization for Security and Co-operation in Europe

MILAN

2018

**Twenty-Fifth Meeting of the
Ministerial Council
6 and 7 December 2018**

Statements and declarations by the Ministerial Council

Decisions of the Ministerial Council

Statements by the Chairperson and delegations

Reports to the Ministerial Council

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

**MINISTERIAL STATEMENT ON THE
NEGOTIATIONS ON THE TRANSNISTRIAN SETTLEMENT
PROCESS IN THE “5+2” FORMAT**

(MC.DOC/1/18 of 7 December 2018)

1. The Ministers for Foreign Affairs of the participating States of the Organization for Security and Co-operation in Europe:
2. Recall the past Ministerial Statements on the work of the Permanent Conference on Political Issues in the Framework of the Negotiation Process for the Transdniestrian Settlement in the “5+2” format;
3. Reiterate their strong resolve to attain a comprehensive, peaceful and sustainable settlement of the Transdniestrian conflict based on the sovereignty and territorial integrity of the Republic of Moldova within its internationally recognized borders with a special status for Transdniestria that fully guarantees the human, political, economic and social rights of its population;
4. Recall the output-oriented approach reaffirmed by the Hamburg and Vienna Ministerial Statements and in this context commend the Sides for major achievements since the Vienna Ministerial Meeting on four out of the five agreements reached in 2017 on priority issues, namely on apostilization of educational documents issued in Transdniestria, the functioning of the Latin Script Schools, the use of farmlands in Dubasari district and on the opening of the bridge across the Dniester/Nistru River between villages Gura Bicului and Bychok as well as the agreement on the participation of vehicles from Transdniestria in international road traffic signed in April 2018, and for having achieved substantial progress on the implementation of the 2017 telecommunication agreement;
5. Welcome the commitment of the Sides to continue to work toward the full implementation of all agreements expressed in the Protocol of the “5+2” meeting in Rome on 29–30 May 2018, the 2017 Vienna protocol and the 2016 Berlin protocol, thus contributing to building a solid basis for further advancing the settlement process;
6. Call upon the Sides to continue to work at all levels to achieve tangible progress on all three baskets of the agreed agenda for the negotiation process: socio-economic issues, general legal and humanitarian issues and human rights, and a comprehensive settlement, including institutional, political and security issues. We encourage the Sides to build upon the progress already achieved on socio-economic issues this year to achieve tangible results in other areas of the agenda;
7. Underline the importance of the Permanent Conference on Political Issues in the Framework of the Negotiation Process for the Transdniestrian Settlement in the “5+2” format as the only mechanism to achieve a comprehensive and sustainable settlement, recall the commitment of the Sides to the result-oriented approach, which is key to the rhythmical work of the negotiation process at all its levels, and reaffirm the important role the OSCE plays in supporting this process;

8. Call upon the Sides to continue to engage, under the Slovak OSCE Chairmanship, in the negotiation process within the existing negotiating formats and in accordance with the internationally agreed parameters as referred to in paragraph 3;
9. Applaud the commitment, leadership and political will of the Sides which led to the resolution of a number of long-standing issues, as well as the unified and active approach by the mediators and observers in the Permanent Conference on Political Issues in the Framework of the Negotiation Process for the Transdniestrian Settlement in the “5+2” format in the course of their activities in 2018;
10. Encourage the mediators and observers of the OSCE, the Russian Federation, Ukraine, the European Union and the United States of America to continue to co-ordinate their efforts and to make full use of their collective potential to promote progress in achieving a comprehensive resolution of the Transdniestrian conflict.

DECLARATION ON THE DIGITAL ECONOMY AS A DRIVER FOR PROMOTING CO-OPERATION, SECURITY AND GROWTH

(MC.DOC/2/18 of 7 December 2018)

1. We, the members of the Ministerial Council of the Organization for Security and Co-operation in Europe, recall the provisions of the OSCE Strategy Document for the Economic and Environmental Dimension adopted in Maastricht in 2003, the Ministerial Council Declaration on Strengthening Good Governance and Combating Corruption, Money-Laundering and the Financing of Terrorism adopted in Dublin in 2012, Ministerial Council Decision No. 4/16 on strengthening good governance and promoting connectivity adopted in Hamburg in 2016, and Ministerial Council Decision No. 8/17 on economic participation adopted in Vienna in 2017.
2. We have seen through the 26th OSCE Economic and Environmental Forum process that the digital economy plays an increasingly important role as a driver for innovation, competitiveness, growth and connectivity in the OSCE area and that the impact of digital transformation on our economies and societies is already extensive and continues to grow.
3. We recognize that there are both opportunities and challenges in an increasingly digital world. The emerging and fast-evolving implications of digital transformation are not only leading to progress and prosperity, but also to the emergence of new or enhanced security threats and challenges.
4. We are committed to ensure the greatest possible access to the Internet and its benefits. Digitalization and an open, secure, reliable, interoperable and truly global Internet are enablers for inclusive economic growth. We recognize that the free flow of and access to information, including on the Internet, are essential for the digital economy and beneficial to development.
5. Digital transformation is having a positive impact on our economies and societies and so has the potential to enhance our co-operation within the economic and environmental dimension with a view to fostering sustainable and inclusive economic growth and development, connectivity, transparency and accountability.
6. We recognize the potential for digital transformation to contribute to the implementation of the United Nations 2030 Agenda for Sustainable Development.
7. We believe that some of the areas where the dialogue and co-operation of the OSCE participating States should be further strengthened include: assessing the security aspects of the digital economy, in the context of, *inter alia*, anti-money-laundering and combating the financing of terrorism (AML/CFT); promoting security of and in the use of information and communications technologies (ICTs) in the private sector, including among small and medium-sized enterprises; and encouraging the sharing of experiences.
8. In order to maximise the benefits and mitigate the security risks associated with digital transformation, we are committed to strengthening our co-operation including on:
 - Promoting an enabling environment for digital innovation in the business sector;

- Fostering competition in the digital economy;
- Bridging the digital divides, including through collaboration between higher education institutions;
- Promoting international labour standards;
- Promoting better social policies;
- Strengthening good governance and promoting connectivity;
- Upholding the rule of law and protecting human rights;
- Broadening access to digital technologies and services in all sectors of the economy;
- Exchanging experiences on digital transformation, digitalisation of government and innovative models.

9. We recognize that e-government and good governance play a crucial role in modernizing and increasing efficiency in public administration and contribute to the promotion of better policy-making, transparency, integrity, accountability and the prevention of corruption. We recognize that we need to increase our efforts to advance the digital transformation of the public sector as to offer more effective, accountable and user-centric public services.

10. To address the digital divides and promote inclusive economic participation, more attention should be given to widening access to digital technologies and the development of skills and reskilling required in the digital economy to enable equal opportunities, in particular for women, youth and persons with disabilities.

11. We acknowledge that the digital economy creates new opportunities for women, whose economic empowerment and participation contribute to economic development, sustainable growth and the promotion of inclusive societies.

12. We welcome the substantial discussions held in the framework of the 26th OSCE Economic and Environmental Forum process, under the guidance of the 2018 Italian OSCE Chairmanship, on how to achieve economic progress and security through innovation, human capital development and good public and corporate governance.

13. We acknowledge that rapid advances in the digital economy are causing fundamental changes in many aspects of life, which may require updating national legislation and policies, while ensuring conformity with international law and OSCE commitments, including, but not limited to, those regarding human rights. Mindful of the role parliamentarians can play in this regard, we note the contribution of the OSCE Parliamentary Assembly to the discussion on the digitalization of our economies.

14. We welcome the decision of the incoming 2019 Slovak OSCE Chairmanship to continue the discussions initiated by the 2018 Italian OSCE Chairmanship on the topic of digital transformation. We encourage future OSCE Chairmanships to continue these discussions on the impact of the ongoing digital transformation on our economies and societies and therefore on our common security.

**DECLARATION ON
THE ROLE OF YOUTH IN CONTRIBUTING TO PEACE
AND SECURITY EFFORTS**

(MC.DOC/3/18 of 7 December 2018)

1. We, the Ministers for Foreign Affairs of the participating States of the Organization for Security and Co-operation in Europe, acknowledge that youth are an important part of society and the role that they can play in supporting participating States in the implementation of commitments in all three dimensions.
2. We recall the OSCE commitments relating to youth, built upon relevant provisions of the Helsinki Final Act, the 2014 Basel Ministerial Council Declaration on Youth, the 2015 Belgrade Ministerial Council Declaration on Youth and Security.
3. We take note of United Nations Security Council resolutions 2250 (2015) and 2419 (2018), on youth in the maintenance of international peace and security.
4. We take note of the efforts of the current and previous OSCE Chairmanships and the work carried out by participating States to advance the youth, peace and security agenda, such as the OSCE conference on “Working with Youth and for Youth: Strengthening Security and Co-operation Online”, held in Málaga, Spain, on 25 and 26 May 2017.
5. We recognize the role youth can play in contributing to a culture of peace, dialogue, justice and peaceful coexistence, trust and reconciliation.
6. We invite the Partners for Co-operation to voluntarily join us in affirming this declaration.

Attachment to MC.DOC/3/18

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

By the delegation of Norway (also on behalf of Canada, Denmark, Finland, Iceland and Sweden):

“Mr. Chairperson,

On the adoption of the Declaration on the Role of Youth in Contributing to Peace and Security Efforts, I would like to make the following interpretative statement on behalf of Canada, Denmark, Finland, Iceland, Sweden and Norway.

The Declaration, though being short and weaker than we would have preferred, takes note of *inter alia* United Nations Security Council resolution 2250, which calls on all relevant

actors to consider instituting mechanisms to promote a culture of peace, tolerance, intercultural and interreligious dialogue.

We acknowledge youth's role in peace and security and underline the importance of the participation of women and the incorporation of gender perspectives in peace efforts.

The resolution outlines a long range of areas where youth can have such a role.

We encourage coming Chairmanships to explore ways to include youth in the work on security in line with this UN resolution.

Norway requests that this statement be attached to the Declaration, and reflected in the journal of the day.

Thank you.”

DECLARATION ON SECURITY AND CO-OPERATION IN THE MEDITERRANEAN

(MC.DOC/4/18 of 7 December 2018)

1. We, the Ministers for Foreign Affairs of the participating States of the Organization for Security and Co-operation in Europe, reaffirm that the security of the OSCE area is inextricably linked to that of the Mediterranean region, as acknowledged in the Helsinki Final Act, and affirmed in the 2010 Astana Commemorative Declaration and in the 2014 Ministerial Council Declaration on Co-operation with the Mediterranean Partners.
2. We recognize that, since our meeting in Basel in 2014, this link between security in the OSCE area and security in the Mediterranean region has become all the more relevant, as has our co-operation with our Mediterranean Partners, given the growing range of challenges and opportunities stemming from the Mediterranean region and beyond. We therefore call for Mediterranean-related issues to be clearly reflected throughout the relevant work of the OSCE across the three dimensions of comprehensive security, and for greater engagement in advancing a common approach in tackling the related challenges, many of which are transnational and cross-dimensional in nature, and in seizing emerging opportunities, in a spirit of genuine partnership, co-operation, and ownership.
3. Against this background, reaffirming the 2014 Ministerial Council Declaration on Co-operation with the Mediterranean Partners, we reaffirm the relevance and value of the OSCE Mediterranean Partnership and we welcome the high-level political participation in OSCE Mediterranean conferences, most recently in the 2017 Palermo Conference and in the 2018 Malaga Conference. We call for this engagement to be translated into enhanced action-oriented dialogue with the Mediterranean Partners for Co-operation, defining a more strategic approach to ensuring the continuity and sustainability of the Partnership's achievements.
4. We look forward to the 25th anniversary of the Mediterranean Contact Group in 2019 as a timely opportunity to discuss and take stock of the Mediterranean Partnership, with a view to providing enhanced support to its mechanisms, including through the Partnership Fund, and collectively identifying areas of common concern that require sustained engagement over the medium to long term.
5. We call for the OSCE to intensify practical co-operation with the Mediterranean Partners for Co-operation in areas of common interest where the OSCE can bring added value. In particular, we appreciate the initiatives that the OSCE has developed in recent years in increasingly relevant areas for Mediterranean co-operation, such as migration, environmental and energy co-operation, combating trafficking in human beings along migration routes, countering trafficking in cultural property, and addressing other challenges, including cyber/ICT security in a manner consistent with the OSCE's comprehensive approach to security. We support ongoing OSCE activities in these areas and would welcome further and stronger engagement with the Mediterranean Partners for Co-operation. We also welcome initiatives aimed at fostering co-operation on Mediterranean-related issues between the OSCE and other relevant international organizations, in accordance with the 1999 Platform for Co-operative Security and in the spirit of the OSCE Mediterranean Partnership.

6. Strongly concerned about the links between illicit trafficking, organized criminal groups and the financing of terrorism, in this regard we welcome efforts undertaken by the OSCE and by the Mediterranean Partners for Co-operation to prevent and combat all forms of trafficking, in particular trafficking in human beings and illicit trafficking in cultural property, including objects of religious origin. To this end, we encourage the OSCE to continue fostering co-operation among law enforcement and training agencies for combating all forms of trafficking, which pose specific challenges to security in the Mediterranean area.

7. We reaffirm our condemnation of terrorism in all its forms and manifestations, as it constitutes one of the most serious threats to international peace and security, and our firm rejection of the identification of terrorism with any ethnicity, nationality or religion. We reiterate our resolve to intensify work with the Mediterranean Partners for Co-operation to combat this threat. In this context, we call for co-ordinated and action-oriented initiatives to prevent and counter terrorism, violent extremism and radicalization that lead to terrorism, while recognizing the leading role of the United Nations in the international efforts in this area. Moreover, as acknowledged most recently by the OSCE-wide Counter-Terrorism Conference held in Rome in May 2018, we reaffirm the need to tackle the growing threat posed by the flow of foreign terrorist fighters, returning or relocated, particularly from conflict zones to the countries of origin or nationality, or to third countries, in line with UN Security Council resolution 2396 (2017).

8. Noting the crucial role that sustainable development, economic growth and connectivity play in fostering common security, we note with appreciation the OSCE initiatives aimed at strengthening the dialogue with the Mediterranean Partners on economic and environmental issues, especially the recent ones on energy, based on the sharing of information and the exchange of best practices. We look forward to intensified engagement between the OSCE and the Mediterranean Partners for Co-operation in areas of common interest and concern, including the role of energy in fostering growth and co-operation, energy security and opportunities offered by renewable sources of energy, in line with OSCE commitments.

9. We underscore the continuing relevance of the respect for all human rights and fundamental freedoms as an integral part of the OSCE comprehensive concept of security. We also draw attention to the important and positive role played by youth in enhancing security and stability in the OSCE area and in the Mediterranean region and encourage OSCE initiatives aimed at promoting youth participation and youth engagement, which foster dialogue and co-operation among Mediterranean Partners for Co-operation and OSCE participating States.

10. We welcome the interaction between the OSCE Parliamentary Assembly and the Partners for Co-operation's parliaments as well as the organization of an annual Parliamentary Forum on the Mediterranean. We also encourage the Partners for Co-operation to participate in these events.

11. We encourage the Mediterranean Partners for Co-operation to voluntarily adopt and implement OSCE principles, norms and commitments. We welcome the interest expressed by Partners in raising the profile of the OSCE in their countries, including through co-operation on projects and other activities, and their higher-level representation at relevant OSCE conferences and events.

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

By the delegation of the Russian Federation:

“In connection with the adopted Declaration on Security and Co-operation in the Mediterranean, the Russian delegation would like to make the following statement.

Russia joined the consensus on this decision, wishing to stimulate more active co-operation in the Mediterranean region, safeguard its security and contribute to combating the threats that arise there.

At the same time, we are disappointed that, because of the position of certain States, the document does not include an important provision on combating discrimination against Christians, Muslims, Jews and members of other religions. This is particularly relevant in the light of the religious persecution and interconfessional tension in the region. We would recall that the Mediterranean is the cradle of three world religions. The refusal of a number of countries to confirm the commitments in this area set out in particular in the Declaration on Co-operation with the Mediterranean Partners (MC.DOC/9/14) adopted at the 2014 Ministerial Council meeting in Basel is surprising and weakens the Declaration adopted today.

In view of the absence of corresponding provisions in the Declaration adopted here, we regard the aforementioned Declaration (MC.DOC/9/14) as the basis for work with the OSCE Partners for Co-operation in this area.

We once again recall the need to strengthen the OSCE’s instruments for safeguarding religious tolerance, including through the elaboration of separate ministerial declarations in defence of Christians and Muslims in accordance with the mandate of the Basel Ministerial Council.

The Russian delegation requests that this statement be attached to the adopted Declaration and to the journal of the day.”

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

The delegation of Austria, in its capacity as EU Presidency, passed the floor to the representative of the European Union, who delivered the following statement:

“In connection with the Ministerial Council declaration just adopted on the security and co-operation in the Mediterranean, the European Union wishes to make the following interpretative statement under the relevant provisions of the OSCE Rules of Procedure (also on behalf of Montenegro):

The European Union joined consensus on this text in acknowledging that the security of the OSCE region is inextricably linked to that of the Mediterranean region.

At the same time, the EU wishes to underline the importance it places on gender equality in all work of the OSCE. We regret that the inclusion of language on the promotion of gender equality and women’s empowerment did not meet consensus in light of the important role that they play for our common security.

I request that this interpretative statement be attached to the journal of the day and to the declaration in question.”

**DECLARATION ON
OSCE EFFORTS IN THE FIELD OF NORMS AND BEST PRACTICES
ON SMALL ARMS AND LIGHT WEAPONS AND STOCKPILES OF
CONVENTIONAL AMMUNITION**

(MC.DOC/5/18 of 7 December 2018)

1. We, the Ministers for Foreign Affairs of the participating States of the Organization for Security and Co-operation in Europe, recognize the importance of OSCE norms and best practices aimed at combating illicit trafficking in all its aspects with regard to small arms and light weapons (SALW) and stockpiles of conventional ammunition (SCA) and their contribution to the reduction and prevention of the excessive and destabilizing accumulation and uncontrolled spread thereof.
2. We reaffirm all OSCE commitments related to SALW and SCA, including the OSCE Documents on SALW and SCA, which establish *inter alia* relevant norms and best practices.
3. We stress the importance of continuing the implementation of Ministerial Council Decision No. 10/17 on SALW and SCA.
4. We are concerned about the negative impact of illicit trafficking in SALW on our societies, noting in particular the impact on women and children.
5. We recognize the OSCE's contribution to and note the outcomes of the third United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in All Its Aspects (Programme of Action), also reviewing progress made in the implementation of its International Tracing Instrument, which took place from 18 to 29 June 2018.
6. We welcome the commencing of biennial meetings to assess the implementation of the OSCE Documents on SALW and SCA in order to ensure that OSCE's SALW- and SCA-related efforts are more targeted and integral to facilitating implementation of the Programme of Action, and we welcome the conduct of the first such meeting which took place in Vienna on 2 and 3 October 2018, which served as a platform for stocktaking of existing OSCE norms and best practices, and areas for their improvement, and co-operation.
7. We appreciate the adoption of the OSCE Best Practice Guide on Minimum Standards for National Procedures for the Deactivation of Small Arms and Light Weapons.
8. We recognize the contribution of such OSCE efforts to the effective implementation of the Programme of Action, and the pursuit of relevant UN Sustainable Development Goals.
9. We acknowledge the need for the OSCE to continue to enhance its SALW- and SCA-related norms and best practices and their implementation.
10. We underline our resolve to jointly address the risks and threats by making full use of the OSCE norms and best practices.
11. We welcome the broad range of OSCE assistance in the field of SALW- and SCA-related norms and best practices and we acknowledge the valuable contributions of the

recipient OSCE participating States to the successful implementation of these assistance projects. We recognize the ongoing efforts with regard to the establishment of appropriate sustainable national management processes, including the respective structures and procedures.

12. We encourage participating States, on a voluntary basis, to continue providing expertise, extrabudgetary contributions and resources to support the work within the FSC on upgrading and further developing norms and best practices on SALW and SCA.

13. We invite the OSCE Partners for Co-operation to voluntarily implement OSCE commitments on SALW and SCA.

II. DECISIONS OF THE MINISTERIAL COUNCIL

DECISION No. 1/18
OSCE CHAIRMANSHIP IN THE YEAR 2020
(MC.DEC/1/18/Corr.1 of 5 December 2018)

The Ministerial Council,

Decides that Albania will exercise the function of the OSCE Chairmanship in the year 2020.

Attachment 1 to MC.DEC/1/18/Corr.1

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

By the delegation of Serbia:

“The delegation of Serbia would like to make the following interpretative statement under paragraph IV.1(A)6 of the OSCE Rules of Procedure in connection with the adoption of the Ministerial Council decision on the OSCE Chairmanship in the year 2020.

The Republic of Serbia has joined the consensus on this decision with a belief that entrusting the chairing of our Organization to the Republic of Albania will represent an opportunity for the promotion of the Western Balkans region, contributing to fostering of regional co-operation, including the aspirations of all our countries for accession to the European Union.

However, bearing in mind the differing views of OSCE participating States on the issue of Kosovo, as well as Albania’s strong support and leading role in promoting the unilaterally declared independence of the Republic of Serbia’s Autonomous Province of Kosovo and Metohija (as revealed, *inter alia*, in Albania’s interpretative statement attached to Ministerial Council Decision No. 1/12 and in the Permanent Council statement distributed under reference number PC.DEL/1195/18), we expect that Albania will, as every Chairmanship, set aside its national agenda during 2020 and perform its duties in a responsible, transparent and unbiased way, in accordance with the provisions of UN Security Council resolution 1244 (1999), OSCE norms, principles and commitments, deriving in particular from the 1975 Helsinki Final Act, and with full adherence to the OSCE’s status neutrality on the issue of Kosovo.

In that context, we have joined the consensus with the understanding that all decisions of Albania during its Chairmanship-in-Office of the OSCE, with regard to the issue of Kosovo and Metohija, and OMiK will be taken in a transparent manner, in full co-operation, consultation and agreement with all Troika members.

We welcome the commitment of Albania to perform its Chairmanship duties in accordance with the OSCE Rules of Procedure, and with full adherence to Decision No. 8 on the role of the OSCE Chairmanship-in-Office adopted at the Tenth Meeting of the Ministerial Council in Porto, 2002, in particular its paragraph 2 defining that the Chairmanship-in-Office shall ensure ‘that its actions are not inconsistent with positions agreed by all the participating States and that the whole spectrum of opinions of participating States is taken into account’, as expressed in the letter of the Foreign Minister of Albania addressed to the First Deputy Prime Minister and Minister of Foreign Affairs of Serbia dated 28 November 2018.

We expect the Albanian Chairmanship to respect and preserve the principle of consensus in the OSCE, and to refrain from any action that is not consistent with the status neutrality of our Organization, based on the UN Security Council resolution 1244 (1999), which remains the only framework for the engagement of the OSCE Mission in Kosovo.

We would like to use this opportunity to once again congratulate our neighbour, the Republic of Albania, for assuming this important duty, and wish to offer our full support. Serbia stands ready to share its experience from its 2015 OSCE Chairmanship-in-Office.

We request that this statement be attached to the decision adopted, and included in the journal of the day.”

Attachment 2 to MC.DEC/1/18/Corr.1

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

By the delegation of the Russian Federation:

“In joining the consensus regarding the OSCE Ministerial Council decision on Albania’s Chairmanship of the OSCE in the year 2020, we expect Albania to closely adhere to the provisions of the 2002 Porto OSCE Ministerial Council Decision No. 8 on the role of the OSCE Chairmanship-in-Office, ensuring that its actions are not inconsistent with positions agreed by all the participating States and that the whole spectrum of opinions of participating States is taken into account in these actions.

We also expect that public statements issued by the OSCE Chairmanship-in-Office will be in line with OSCE Permanent Council Decision No. 485 of 28 June 2002 and comply with the fundamental OSCE consensus rule.

This applies fully to the OSCE’s activities regarding Kosovo on the basis of United Nations Security Council resolution 1244.

I request that this statement be attached to the adopted OSCE Ministerial Council decision and included in the journal of the day.”

DECISION No. 2/18
TIME AND PLACE OF THE NEXT MEETING OF THE OSCE
MINISTERIAL COUNCIL
(MC.DEC/2/18 of 7 December 2018)

The Ministerial Council,

Decides that the Twenty-Sixth Meeting of the OSCE Ministerial Council will be held in Bratislava on 5 and 6 December 2019.

DECISION No. 3/18
SAFETY OF JOURNALISTS
(MC.DEC/3/18 of 7 December 2018)

The Ministerial Council,

Reaffirming all relevant OSCE commitments on the right to freedom of expression, freedom of the media, and free flow of information, including the 1975 Helsinki Final Act, and the 1990 Copenhagen Document, where the participating States reaffirmed that the right to freedom of expression includes freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers,

Mindful that everyone has the right to freedom of opinion and expression, in accordance with the Universal Declaration of Human Rights, particularly Article 19, and the International Covenant on Civil and Political Rights (ICCPR), particularly Article 19, and that it constitutes one of the essential foundations of a democratic society and one of the basic conditions for its progress and development,

Mindful also that any restrictions on the right to freedom of expression may only be such as are provided by law and are necessary on the grounds set out in paragraph 3 of Article 19 of the ICCPR,

Reaffirming that independent media are essential to a free and open society and accountable systems of government and are of particular importance in safeguarding human rights and fundamental freedoms, as stated in the 1991 Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE,

Acknowledging that journalism and technology are evolving and that this contributes to the public debate, while it may also expand the range of risks that undermine the safety of journalists,

Taking note of the importance of promoting and protecting the safety of journalists for the implementation of the relevant Sustainable Development Goal and Targets of the United Nations 2030 Agenda for Sustainable Development,

Recognizing that the work of journalists can put them, and their family members, at risk of violence, as well as of intimidation and harassment, including through digital technologies, which can deter journalists from continuing their work or lead to self-censorship,

Noting with concern that the use of undue restrictive measures against journalists can affect their safety, and prevents them from providing information to the public, and thus negatively affects the exercise of the right to freedom of expression,

Reaffirming that the media in their territory should enjoy unrestricted access to foreign news and information services, that the public will enjoy similar freedom to receive and impart information and ideas without interference by public authority regardless of frontiers, including through foreign publications and foreign broadcasts, and that any restriction in the exercise of this right will be prescribed by law and in accordance with

international standards, as stated in the 1991 Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE,

Concerned that violations and abuses of the right to be free from arbitrary or unlawful interference with privacy may affect the safety of journalists,

Deeply concerned by all human rights violations and abuses committed in relation to the safety of journalists, including those involving killing, torture, enforced disappearance, arbitrary arrest, arbitrary detention and arbitrary expulsion, intimidation, harassment and threats of all forms, such as physical, legal, political, technological or economic, intended to suppress their work,

Concerned by the distinct risks faced by women journalists in relation to their work, including through digital technologies, and underlining the importance to ensure their greatest possible safety and that the experiences and concerns of women journalists are effectively addressed,

Recognizing the crucial role of journalists in covering elections, in particular in informing the public about candidates, their platforms and ongoing debates, and expressing serious concern about threats and violent attacks that journalists can face in this regard,

Recognizing the importance of investigative journalism, and that the ability of media to investigate, and to publish the results of their investigations, including on the Internet, without fear of reprisal, can play an important role in our societies, including in holding public institutions and officials accountable,

Alarmed that targeted campaigns undermining the work of journalists are increasing, eroding public trust and confidence in the credibility of journalism, and recognizing that this can increase the risk of threats and violence against journalists,

Also alarmed at instances in which political leaders, public officials and/or authorities intimidate, threaten, condone or fail to condemn violence against journalists,

Expressing deep concern at the growing threat to the safety of journalists posed, *inter alia*, by terrorist groups and criminal organizations,

Emphasizing also the particular risks with regard to the safety of journalists in the digital age, including the particular vulnerability of journalists to becoming targets of hacking or unlawful or arbitrary surveillance or interception of communications, undermining enjoyment of their right to freedom of expression and their right to be free from arbitrary or unlawful interference with privacy,

Reiterating that participating States condemn all attacks on and harassment of journalists and will endeavour to hold those directly responsible for such attacks and harassment accountable, as stated at the 1994 Budapest CSCE Summit, and also recognizing that accountability for crimes against journalists is a key element in preventing future attacks,

Stressing the significance of commemoration of 2 November as the International Day to End Impunity for Crimes against Journalists (IDEI) proclaimed by the United Nations General Assembly,

Noting with concern the climate of impunity that prevails when violent attacks committed against journalists remain unpunished, and recognizing the role of governments, legislators and the judiciary in enabling a safe working environment and ensuring safety of journalists by, *inter alia*, publicly condemning and bringing to justice all those responsible for crimes against journalists,

Recalling United Nations Security Council resolutions 1738 (2006) and 2222 (2015), which condemn all violations and abuses committed against journalists, media professionals and associated personnel in situations of armed conflict, and which state that journalists, media professionals and associated personnel engaged in dangerous professional missions in areas of armed conflict shall be considered as civilians and shall be protected as such, provided that they take no action adversely affecting their status as civilians,

Calls on participating States to:

1. Fully implement all OSCE commitments and their international obligations related to freedom of expression and media freedom, including by respecting, promoting and protecting the freedom to seek, receive and impart information regardless of frontiers;
2. Bring their laws, policies and practices, pertaining to media freedom, fully in compliance with their international obligations and commitments and to review and, where necessary, repeal or amend them so that they do not limit the ability of journalists to perform their work independently and without undue interference;
3. Condemn publicly and unequivocally all attacks and violence against journalists such as killing, torture, enforced disappearance, arbitrary arrest, arbitrary detention and arbitrary expulsion, intimidation, harassment, and threats of all forms, such as physical, legal, political, technological or economic, used to suppress their work and/or unduly force closure of their offices, including in conflict situations;
4. Also condemn publicly and unequivocally attacks on women journalists in relation to their work, such as sexual harassment, abuse, intimidation, threats and violence, including through digital technologies;
5. Urge the immediate and unconditional release of all journalists who have been arbitrarily arrested or detained, taken hostage or who have become victims of enforced disappearance;
6. Take effective measures to end impunity for crimes committed against journalists, by ensuring accountability as a key element in preventing future attacks, including by ensuring that law enforcement agencies carry out swift, effective and impartial investigations into acts of violence and threats against journalists, in order to bring all those responsible to justice, and ensure that victims have access to appropriate remedies;
7. Urge political leaders, public officials and/or authorities to refrain from intimidating, threatening or condoning – and to unequivocally condemn – violence against journalists, in order to reduce the risks or threats that journalists may face and avoid undermining trust in the credibility of journalists as well as respect for the importance of independent journalism;

8. Refrain from arbitrary or unlawful interference with journalists' use of encryption and anonymity technologies and refrain from employing unlawful or arbitrary surveillance techniques, noting that such acts infringe on the journalists' enjoyment of human rights, and could put them at potential risk of violence and threats to their safety;
9. Encourage State bodies and law enforcement agencies to engage in awareness-raising and training activities related to the need to ensure safety of journalists, and to promote the involvement of civil society in such activities, where appropriate;
10. Establish or strengthen, where possible, national data collection, analysis and reporting on attacks and violence against journalists;
11. Ensure that defamation laws do not carry excessive sanctions or penalties that could undermine the safety of journalists and/or effectively censor journalists and interfere with their mission of informing the public and, where necessary, to revise and repeal such laws, in compliance with participating States' obligations under international human rights law;
12. Implement more effectively the applicable legal framework for the protection of journalists and all relevant OSCE commitments;
13. Co-operate fully with the OSCE Representative on Freedom of the Media, including on the issue of safety of journalists;
14. Encourage the OSCE Representative on Freedom of the Media's continued advocacy and promotion of safety of journalists in all OSCE participating States, in line with his/her mandate.

Attachment 1 to MC.DEC/3/18

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

The delegation of Austria, in its capacity as EU Presidency, passed the floor to the representative of the European Union, who delivered the following statement:

“In connection with the adoption of this decision on the safety of journalists, I would like to make the following interpretative statement under paragraph IV.1(A)6 of the OSCE Rules of Procedure on behalf of the European Union and its Member States, Albania, Canada, the former Yugoslav Republic of Macedonia, Ukraine and Montenegro:

We welcome the adoption of this important decision, which we believe will reinforce the efforts of the OSCE and all participating States on the pressing issue of safety of journalists.

As stated by the United Nations Human Rights Committee in its General Comment No. 34, journalism is a function shared by a wide range of actors. We regret that it was not possible to reach consensus on terminology that makes it explicitly clear that efforts to protect journalists should not be limited to those formally recognized as such, but should also cover support staff and others, such as ‘citizen journalists’, bloggers, social media activists and human rights defenders, who use new media to reach a mass audience. This remains the position of the European Union.

We also stress the importance of OSCE decisions on this topic being fully consistent with international standards including relevant resolutions adopted in the United Nations, in particular Human Rights Council resolution 39/6 of 27 September 2018 and General Assembly resolution 72/175 of 19 December 2017. We regret that consensus was not possible in this regard.

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

Attachment 2 to MC.DEC/3/18

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

By the delegation of the United States of America:

“We strongly support the safety of journalists and freedom of expression. We reiterate that any restrictions on the exercise of freedom of expression, including the freedom to seek, receive, and impart information and ideas of all kinds, for members of the media and members of the public, must be consistent with States’ obligations under Article 19 of the International Covenant on Civil and Political Rights (ICCPR), which obligates States Parties to respect and ensure to all individuals within their territory and subject to their jurisdiction the right to freedom of expression. We understand any reference to ‘international standards’ in this regard to refer to such obligations. We understand the reaffirmation of language from the Document of the 1991 Moscow Meeting of the Conference of the Human Dimension of the CSCE to be in the context of the concerns addressed at that Meeting.

Thank you.

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

DECISION No. 4/18
PREVENTING AND COMBATING VIOLENCE AGAINST WOMEN
(MC.DEC/4/18 of 7 December 2018)

The Ministerial Council,

Reaffirming that the promotion and protection of equal rights and opportunities for all are essential to democracy and economic development and therefore to security, stability and sustainable peace in the OSCE area,

Determined to ensure the full and equal enjoyment by women and girls of human rights and fundamental freedoms,

Reaffirming all relevant OSCE commitments, including Ministerial Council Decision No. 14/04 on the 2004 OSCE Action Plan for the Promotion of Gender Equality and Ministerial Council Decisions No. 15/05 and No. 7/14 on preventing and combating violence against women,

Taking note of the holding of the second Gender Equality Review Conference, conducted in Vienna in June 2017, which, *inter alia*, discussed progress and gaps in the implementation of OSCE commitments in the field of preventing and combating violence against women,

Reaffirming the United Nations Declaration on the Elimination of Violence against Women and recalling that OSCE commitments on human rights and gender equality are inspired by the international human rights framework, including the Convention on the Elimination of all Forms of Discrimination against Women, the Beijing Declaration and Platform for Action, and UN Security Council resolution 1325 on women and peace and security,

Mindful of the importance of preventing and combating violence against women and girls for the implementation of the relevant Sustainable Development Goals of the United Nations 2030 Agenda for Sustainable Development,

Recognizing that inequality between men and women is a root cause of violence against women and girls, and that, in particular, discrimination and economic inequalities, including lack of economic independence, can increase women's vulnerability to violence,

Deeply concerned by the persistence of violence against women and girls in all its forms as one of the most pervasive impediments to their full enjoyment of all human rights and to women's full, equal and effective participation in political, economic, and public life,

Noting that violence against women and girls can cause death or physical, sexual, psychological, economic, political and social harm or suffering to girls and women of all ages, and results directly or indirectly in shorter- and longer-term societal, political and economic costs,

Noting also that violence against women and girls takes many forms, which can include: domestic violence; sexual violence; harmful practices; trafficking in human beings, sexual and other types of exploitation; and sexual harassment,

Recognizing that women and girls may suffer many different kinds of discrimination, sometimes in combination, which exposes them to increased risk of violence, and that such combinations can lead to further discrimination,

Also recognizing the important roles played by the armed forces, law enforcement agencies, judicial systems and other legal professionals, in addressing all forms of violence against women and girls,

Recognizing further that abuse, threats, and harassment, including sexual harassment, have become increasingly common, especially through digital technologies, and may silence women's and girls' voices in the public sphere,

Mindful that women engaged in professional activities with public exposure and/or in the interest of society, are more likely to be exposed to specific forms of violence or abuse, threats, and harassment, in relation to their work,

Considering that adolescence is an important phase in the social development of a person, and recognizing that this phase is often affected by persistent inequalities, negative attitudes, behaviours, and gender stereotypes that can put girls and young women at heightened risk of discrimination and violence,

Recognizing the importance of actively engaging men and boys in efforts towards elimination of discrimination and all forms of violence against women and girls, including by addressing the root causes of gender inequality and violence and by raising awareness about the impact of negative attitudes, behaviours, and gender stereotypes that can underlie and perpetuate discrimination and violence,

Noting the efforts of the OSCE MenEngage Network¹ in raising awareness about the important role that men and boys can play in the elimination of discrimination and all forms of violence against women and girls,

Recognizing that sexual harassment in public and private spaces, in particular in the workplace and in educational institutions, has a damaging impact on women and girls' full enjoyment of human rights and equal opportunities, thus impairing their ability to remain and/or advance in the workplace and in educational institutions,

Acknowledging the role of civil society as an important partner of government, including at the local level, in preventing and combating violence against women and girls,

Taking note of the OSCE Parliamentary Assembly's work to combat violence against women,

1 The OSCE MenEngage Network is not an affiliated network of the MenEngage Alliance. The OSCE MenEngage Network is a closed network within OSCE.

Calls on the participating States to:

1. Ensure access to justice, effective investigation, prosecution of perpetrators, as well as provide, while respecting their rights and privacy, adequate protection, rehabilitation and reintegration support for victims of all forms of violence against women and girls;
2. Take action, including through awareness-raising and capacity-building for the armed forces, law enforcement agencies, judicial systems and other legal professionals, on preventing and combating all forms of violence against women and girls;
3. Adopt measures, as appropriate, to encourage education on gender equality, human rights and non-violent behaviour thus contributing to the prevention of all forms of violence against women and girls, which can include: harmful practices, sexual violence, domestic violence, as well as sexual harassment;
4. Organize awareness-raising campaigns on the risks of specific forms of violence facing women and girls, including through digital technologies, and on their rights and the support available for victims of such violence;
5. Take action to address violence, abuse, threats, and harassment, including through digital technologies, directed at women;
6. Take measures, in consultation with companies that work on information and communication technologies (ICT), to address specific forms of violence faced by women and girls through digital technologies;
7. Encourage all relevant actors, including those involved in the political process, to contribute to preventing and combating all forms of violence against women, including those engaged in professional activities with public exposure and/or in the interest of society, by, *inter alia*, raising the issue in public debates, and developing awareness-raising initiatives and other appropriate measures, also considering the chilling impact of such violence on young women;
8. Incorporate initiatives into relevant national level policies and strategies to promote the engagement of men and boys in preventing and combating violence against women and girls, including by implementing awareness-raising activities focusing on the positive, equitable and non-violent roles men and boys can play in this regard, and by recognizing and addressing negative attitudes, behaviours, and gender stereotypes that perpetuate such violence;
9. Take measures to combat sexual harassment in public and private spaces, including in the workplace and in educational institutions, and encourage public and private employers to apply such measures;
10. Take measures to provide equal access to quality education for all girls; and strengthen the economic empowerment and economic independence of women, including by ensuring non-discriminatory employment policies and practices, providing equal access to education and training, equal remuneration for equal work, and equal access to and control over economic resources;

11. Encourage the involvement of civil society in preventing and combating violence against women and girls;

Tasks the relevant OSCE executive structures, in accordance with their mandates, to:

12. Assist participating States, upon their request, in improving their legal and policy framework and in implementing measures for preventing and combating all forms of violence against women and girls;

13. Continue co-operation with relevant international and regional organizations to collect sex-disaggregated data and statistics on the occurrence of all forms of violence against women and girls in the OSCE area;

14. Provide support to the participating States and civil society organizations for the exchange of good practices in preventing and combating all forms of violence against women and girls, including through the engagement of men and boys;

15. Support participating States, upon their request, in developing and reviewing legislation, policies, and measures to combat sexual harassment in private and public spaces, including in the workplace and educational institutions;

16. Continue to ensure full implementation of, and to review the need for strengthening and/or increasing training on, the OSCE Code of Conduct for the OSCE staff/mission members as well as the OSCE policy on the professional working environment, stressing a zero tolerance approach to sexual harassment, including through efforts by senior management.

17. Encourages the participating States and relevant OSCE executive structures to consider engaging in joint activities with the OSCE Parliamentary Assembly and its Special Representative on Gender Issues.

Attachment to MC.DEC/4/18

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

By the delegation of Canada (also on behalf of Albania, Austria-European Union, the former Yugoslav Republic of Macedonia, Georgia, Iceland, Montenegro, Norway, Serbia, Switzerland, Ukraine and the United States of America):

“Thank you, Mr. Chairperson.

In connection with the adoption of the decision, I would like to make the following interpretative statement under paragraph IV.1(A)6 of the OSCE Rules of Procedure on behalf of Albania, the European Union and its Member States, Georgia, Iceland, the former

Yugoslav Republic of Macedonia, Montenegro, Norway, Serbia, Switzerland, Ukraine, the United States, and Canada.

We have joined consensus on this decision because we are committed to eliminating all forms of violence against women and girls, one of the most pervasive impediments to the full enjoyment of their human rights. We welcome that the document refers to all forms of violence against women and girls, but regret that we were unable to include a specific reference to intimate partner violence that affects so many.

We would have liked to have seen a stronger decision that explicitly discussed some of the trends we see today in the OSCE region. Over the past several years, we have seen a growing number of attacks, threats, abuse, and harassment, including sexual harassment, targeted at women as they speak out as journalists, bloggers, politicians, civil society activists, or human rights defenders, often carried out through digital technologies. We must do more to prevent and eliminate these appalling acts, and we look to the OSCE's institutions and field operations to support our efforts to eliminate them.

We also regret that it was not possible to reach consensus on language regarding preventing violence, including sexual violence, against women and girls in conflict situations. We must ensure there is no impunity for perpetrators.

We request that this interpretative statement be attached to the decision adopted and be included in the journal of the day.

Thank you, Mr. Chairperson.”

DECISION No. 5/18
HUMAN CAPITAL DEVELOPMENT IN THE DIGITAL ERA
(MC.DEC/5/18 of 7 December 2018)

The Ministerial Council,

Recalling OSCE principles and commitments on which our economic co-operation is based and bearing in mind the comprehensive approach of the OSCE to security,

Recalling the commitments related to human capital development contained in the OSCE Strategy Document for the Economic and Environmental Dimension adopted at the Maastricht Meeting of the Ministerial Council in 2003, Ministerial Council Decision No. 10/11 on promoting equal opportunity for women in the economic sphere adopted in Vilnius in 2011, the Ministerial Council Declaration on Youth adopted in Basel in 2014, Ministerial Council Decision No. 4/16 on strengthening good governance and promoting connectivity adopted in Hamburg in 2016, and Ministerial Council Decision No. 8/17 on economic participation adopted in Vienna in 2017,

Considering that the needs of the individual should be at the centre of economic growth and sustainable development, and aware that investment in human capital and promotion of knowledge and skills promote economic participation, social inclusion and sustainable growth which are interdependent and contribute to prosperity, trust, stability, security and co-operation in the OSCE area,

Taking into account the emerging and fast-evolving implications of digital transformation, which is leading to progress and prosperity, but also to the emergence of potential new or enhanced threats and challenges,

Aware that changes in the labour markets caused by digital transformation have the potential to widen social and economic disparities, and that there is a need for a stronger focus on the development of human capital, particularly for women, youth and persons with disabilities, especially in labour-intensive, low-skilled economic sectors,

Acknowledging that human capital development, including in the digital context, through its positive impact on an informed and qualified workforce, sustainable development, jobs and wealth creation, can positively contribute to making economies and societies more resilient to corruption,

Determined to promote lifelong learning and vocational and professional training throughout the working life as essential tools for human capital development and for reducing existing digital divides, particularly for women and girls in the areas of science, technology, engineering and mathematics,

Recognizing that there are opportunities and challenges associated with new forms of employment arising from the digital transformation of the economy, and that while these changes in the labour market may promote economic growth and job creation, some of the challenges may have an impact on job and social stability,

Building on the substantial discussions held in the framework of the 26th OSCE Economic and Environmental Forum “Promoting economic progress and security in the OSCE area through innovation, human capital development, and good public and corporate governance”,

Acknowledging, in the context of the digitalization of the economy, the need to strengthen the resilience of the workforce and to adapt labour market policy frameworks to promote: the creation of jobs with full respect for human dignity and human rights; sustainable and inclusive economic growth; and equal opportunities for the participation of women and men in the labour market,

Recognizing the potential for human capital development to contribute to the implementation of the United Nations 2030 Agenda for Sustainable Development,

1. Encourages participating States to support the development of human capital so as to manage the transition to increasingly automated and digital economies, including through public-private partnerships and multi-stakeholder collaboration;
2. Encourages participating States to promote lifelong learning, starting from early education and continuing throughout working life, as a key pillar for managing this transition;
3. Calls upon participating States to promote access to quality education, training, upskilling and reskilling opportunities in order to enhance employability – promoting non-discriminatory access for women, youth and persons with disabilities and with special attention to those working in labour-intensive industries;
4. Encourages the participating States, as appropriate, to promote education, vocational training and retraining, in particular for women and girls, and especially in the fields of science, technology, engineering and mathematics, as a key measure to reduce digital divides and to advance the empowerment of women by promoting opportunities, including in the economy;
5. Invites the participating States to strengthen policy and institutional frameworks to facilitate innovative business models and a positive investment climate, to promote job creation and sustainable, inclusive economic growth;
6. Encourages the participating States to involve the private sector, civil society, trade and labour unions, academia, and other relevant stakeholders to identify and address the needs in terms of human capital development and to work together to develop and implement relevant policies and regulations;
7. Calls upon participating States to further examine opportunities and challenges associated with new forms of employment arising from the digital transformation of the economy, also with a view to ensuring adequate social protection;
8. Encourages the participating States to promote efforts against corruption in the education and training sectors, as well as open, equal and corruption-free access to education, digital skills and training opportunities;

9. Encourages participating States to make use of the OSCE to foster the exchange of best practices and to promote capacity-building initiatives in line with the provisions of this decision;
10. Encourages participating States to increase co-operation on human capital development, including with relevant international organizations, in areas such as facilitating and widening access to educational, research and training institutions, with particular attention to fostering digital skills;
11. Tasks relevant OSCE executive structures, including field operations, within their mandates and available resources, to assist participating States upon their requests in implementing the provisions of this decision;
12. Encourages the OSCE Partners for Co-operation to voluntarily implement the provisions of this decision.

DECISION No. 6/18
STRENGTHENING EFFORTS TO PREVENT AND COMBAT CHILD
TRAFFICKING, INCLUDING OF UNACCOMPANIED MINORS

(MC.DEC/6/18 of 7 December 2018)

The Ministerial Council,

Gravely alarmed by the prevalence of trafficking in children, including those who are unaccompanied, in all its forms, including for the purpose of sexual exploitation, forced labour, forced criminality, forced marriage, and the removal of organs,

Reaffirming all OSCE commitments to combat child trafficking, contained in, in particular, Ministerial Council Decision No. 13/04 on the special needs for child victims of trafficking for protection and assistance; Ministerial Council Decision No. 15/06 on combating sexual exploitation of children; Ministerial Council Decisions No. 6/17 on strengthening efforts to prevent trafficking in human beings and No. 7/17 on strengthening efforts to combat all forms of child trafficking, including for sexual exploitation, as well as other forms of sexual exploitation of children; and also the OSCE Action Plan to Combat Trafficking in Human Beings (2003) and its 2005 and 2013 Addenda,

Noting the relevant provisions of pertinent international instruments, including the UN Convention on the Rights of the Child and the UN Optional Protocol to the UN Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography; the UN Convention against Transnational Organized Crime and its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization (ILO),

Deeply concerned about the large number of unaccompanied children who are vulnerable to human trafficking in recent years,

Acknowledging that the adoption of a victim-centred and trauma-informed approach that takes into account the respective gender-specific concerns of girls and boys and the best interests of the child, is paramount to effectively prevent and protect children from being subjected to trafficking in human beings,

Recognizing that collaboration among States, first line responders and civil society, can further help safeguard children, including those who are unaccompanied, from being subjected to human trafficking,

Recalling that in Ministerial Council Decision No. 7/17, the participating States expressed concern about the vulnerability of unaccompanied minors to human trafficking and encouraged participating States to raise public awareness of the vulnerabilities of children in migration flows, to all forms of child trafficking, and to increase the capacity and broaden the scope of first line responders to identify child victims of trafficking and provide such children with protection, as well as with appropriate assistance, effective remedies and other services as applicable under domestic law,

Commending participating States that adopt special legislative and other measures for the early identification, reception and protection of children vulnerable to human trafficking, including unaccompanied minors,

Recognizing the importance of the contribution of civil society, including religious organizations, in *inter alia* assisting the work of national authorities in preventing and combating all forms of child trafficking, through national anti-trafficking mechanisms, including National Referral Mechanisms, as appropriate,

Noting the 17th Alliance against Trafficking in Persons conference on “Trafficking in Children and the Best Interests of the Child” (2017) and the first OSCE Supplementary Human Dimension Meeting on “Child Trafficking: From Prevention to Protection” (2018),

Calls on the participating States to:

1. Adopt relevant measures so that all child victims of human trafficking are treated in line with the principle of non-discrimination, and in accordance with their individual needs and taking into account their best interests, providing opportunities for them to be heard, as appropriate, and upholding and protecting their human rights;
2. Adopt a victim-centred and trauma-informed approach that takes into account the respective gender-specific concerns of girls and boys and the best interests of the child, and fully respects the human rights and fundamental freedoms of children subjected to human trafficking;
3. Provide, as relevant, government service providers and agencies that come into contact with children with adequate guidance and training on how to properly identify, report, assist, and protect child victims of trafficking in an age-appropriate and manner that takes into account the respective gender-specific concerns of girls and boys, and consider the provision of relevant training to private sector actors that come into contact with child victims of trafficking;
4. Take measures to provide child victims of trafficking, when necessary, with a qualified and trained guardian or equivalent and/or a legal representative as a matter of priority, in order to safeguard the interests of child victims of trafficking, including those who are unaccompanied, and that their guardians and/or legal representatives are involved in procedures concerning their assistance and in finding durable and sustainable solutions for them;
5. Address the situation of child victims of trafficking, including those unaccompanied, within a child protection framework;
6. Promote national anti-trafficking mechanisms, including National Referral Mechanisms where they exist, and child protection systems where appropriate, that recognize the needs and rights of child victims of trafficking; incorporate victim-centred, trauma-informed and age-appropriate assistance; apply a multidisciplinary approach, respecting human rights, that takes into account the respective gender-specific concerns of girls and boys, and reflects, as appropriate, input and recommendations from survivors of human trafficking when providing immediate assistance and looking for durable and sustainable solutions; as well as establish referral channels that are appropriate for children;

7. Provide that, to the extent possible, any assessment of the needs of a child victim of trafficking takes into account his or her interests and views and the need for care, protection and safety;
8. Upon identification of a child as a victim of trafficking, or when there are reasonable grounds to believe that a child may have been subjected to trafficking, take appropriate action to keep the child safe, in particular by preventing sexual and other abuse, preventing re-victimization, in accordance with national laws, provide for the possibility of not imposing penalties on victims for their involvement in unlawful activities, to the extent that they have been compelled to do so, and by providing suitable rehabilitation, reintegration and/or repatriation programmes, where appropriate;
9. Encourage law enforcement, or other relevant authorities, as appropriate, to co-operate with one another by collecting and exchanging information, in accordance with their respective domestic laws, including concerning the protection of personal data, about child victims of trafficking and those at risk of being subjected to human trafficking, for the purpose of strengthening their protection and addressing the issue of missing children;
10. Strengthen national, regional and international co-operation for preventing and combating child trafficking, particularly with regard to reporting and sharing information, about child victims of trafficking, including those unaccompanied, in accordance their respective domestic laws, including concerning the protection of personal data;
11. Consider the appointment of a national focal point to whom enquiries can be addressed by officials from other countries regarding child victims of trafficking, including those who went missing and/or whom they plan to return to in their respective country of origin;
12. Promote efforts to prevent child trafficking, countering the culture of impunity, and reducing and addressing the demand which fosters all forms of exploitation;
13. Task the relevant OSCE executive structures, in accordance with their mandates, within available resources and in co-ordination with the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, to continue assisting participating States, upon their request, in addressing all forms of child trafficking, by *inter alia* maximizing the existing knowledge basis and ensuring at the same time that no duplication of efforts and funded programmes occurs.

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

By the delegation of the Holy See:

“Mr. Chairperson,

The Holy See, while joining the consensus on the Ministerial Council decision on strengthening efforts to prevent and combat child trafficking, including of unaccompanied minors, wishes to make the following interpretative statement, under paragraph IV.1(A)6 of the OSCE Rules of Procedure.

The family has a completely original, indispensable and irreplaceable role in raising children. Parents, in particular, have the primary responsibilities, rights and duties for rearing and guiding their children.

Therefore, the Holy See, reaffirming the importance of the Convention on the Rights of the Child, deems – in the light of the rights of the child and of those of his or her parents and family, enshrined in the above-mentioned Convention – that any assessment of the needs of a child, and any appropriate action to keep the child safe, cannot occur without respecting the primary and inalienable rights of the parents.

Appropriate arrangements and measures should be put in place to ensure that the principle of the best interests of the child and the role of the family, as the fundamental group of society concerned with the protection and well-being of children and adolescents, are a primary consideration in regard to all decisions having a fundamental impact on the life of a child.

We request that this interpretative statement be attached to the decision and annexed to the journal of the meeting under this item.

Thank you, Mr. Chairperson.”

**III. STATEMENTS BY THE CHAIRPERSON
AND DELEGATIONS**

**STATEMENT BY THE CHAIRPERSON
(ALSO ON BEHALF OF ALBANIA, AUSTRIA AND SLOVAKIA)**

(Annex 10 to MC(25) Journal No. 2 of 7 December 2018)

We, the Ministers for Foreign Affairs of Italy, Slovakia, Austria and Albania, recalling the commonly agreed principles and commitments of the Organization for Security and Co-operation in Europe, remain deeply concerned about the crisis in and around Ukraine, its impact on stability and co-operation in Europe, and the continued suffering of the conflict-affected population.

We would have preferred to reach consensus on a joint declaration on the OSCE's response to the crisis in and around Ukraine. The increased tensions between Ukraine and the Russian Federation and the continued existing disagreements on key issues, in particular over a reference to the internationally recognized borders of Ukraine and the status of the Autonomous Republic of Crimea and the city of Sevastopol, have made it impossible. At the same time, we welcome that during the negotiation process, the voices of nearly all participating States clearly reaffirmed that full respect for the independence, territorial integrity, unity and sovereignty of Ukraine within its internationally recognized borders, is the basis for stability and security in the region.

We express our concerns over the reported developments in the area of the Azov Sea, the Kerch Strait and the wider area. As most of participating States did, we call on all parties to contribute by political and diplomatic means to de-escalate the situation and ease tensions to avoid further destabilization in the region. Relevant provisions of international law should be the basis for returning to the unhindered access to and from the Azov Sea through the Kerch Strait. We called on the Russian Federation to return the vessels and their crew unconditionally and without delay.

We reaffirm the importance of achieving a full and comprehensive implementation of the Minsk agreements as the only way to achieve sustainable peace. In this regard, we take note of the goodwill steps undertaken recently, while at the same time we condemn those initiatives that run counter to their letter and spirit. We call on all sides to work effectively and in good faith to respect all their commitments, including adhering to a full and comprehensive ceasefire, withdrawing all heavy weapons, and accelerating the disengagement process.

As expressed by all participating States, we remain extremely concerned about the appalling humanitarian impact of the conflict, which has caused the loss of more than ten thousand lives. We underline the urgent need to protect civilians and to reduce the suffering of the conflict-affected population, including an unprecedented number of people that left their homes as internally displaced persons (IDPs) or refugees, by addressing the wide range of pressing humanitarian issues.

We condemn the ceasefire violations, including those in the vicinity of critical civilian infrastructures, that have left many inhabitants on both sides of the line of contact with intermittent access, or entirely without access, to adequate water, sanitation, gas or electricity. We call on the sides to establish safety zones around such infrastructures and to continue to enable local ceasefires that allow them to be repaired, using the valuable facilitation of the Special Monitoring Mission to Ukraine (SMM) as needed. We call for urgent steps to

facilitate safe civilian movement across the line of contact, including much needed improvements to the security and accessibility of the existing crossing points and the opening of new ones. We denounce the indiscriminate use of mines and other explosive devices, which pose a constant life-threatening risk to the population and to SMM staff. We underline the urgent need to proceed with humanitarian demining, especially in populated areas and entry/exit crossing points, to refrain from laying additional mines, to increase mine awareness and to fulfil all commitments on mine action, as foreseen in the Minsk agreements and the relevant decisions of the Trilateral Contact Group.

The OSCE will continue to work towards a peaceful solution to the crisis, fully committed to upholding the United Nations Charter, the Helsinki Final Act, and all other OSCE principles and commitments to which all OSCE participating States have agreed. We support the diplomatic efforts in the Normandy format, and welcome close co-operation between the Chairmanship, the Trilateral Contact Group (TCG), the SMM, and the members of the Normandy Group.

Like all participating States, we recognize the principal role of the TCG and its working groups in facilitating the implementation of the Minsk agreements by maintaining a constant dialogue between the sides. We reiterate our full support for the Special Representatives of the OSCE Chairperson-in-Office in Ukraine and the TCG, and for the co-ordinators of the working groups. We appreciate the good offices provided by Belarus in hosting the meetings.

We welcome that all participating States have expressed their continued support for the SMM and for its monitors, who are operating in a very challenging environment. All recognize the Mission's constant and valuable efforts to contribute to the full implementation of the Minsk agreements. We commend the SMM's endeavours to implement its mandate to defuse tensions on the ground, promote the normalization of the situation, and foster peace, stability and security.

We strongly reaffirm that the SMM must have safe, secure and unrestricted access for its personnel and assets in the entire area of its operations throughout Ukraine, including in the proximity of the internationally recognized borders. We call on the sides to ensure respect for these principles in practice, and we condemn any threat to, harassment of, or obstruction of SMM monitors, or the targeting of SMM assets, including its unmanned aerial vehicles.

We stress that there can be no justification for any form of interference in the Mission's work and emphasize the need to ensure that incidents against SMM personnel or its assets are prevented and that remedial action is taken immediately.

We call for enhancing transparency at the Ukrainian-Russian State border through monitoring activities, until the reinstatement of full control by the Government of Ukraine throughout the conflict area. We acknowledge the role played by the OSCE Observer Mission at the Russian checkpoints Gukovo and Donetsk.

We thank the OSCE Parliamentary Assembly and the relevant OSCE executive structures, including the High Commissioner on National Minorities, the Office for Democratic Institutions and Human Rights and the Representative on Freedom of the Media, for their contributions to addressing the crisis and encourage them to continue their results-oriented work.

We underscore the OSCE's work in addressing the crisis in and around Ukraine as a positive example of adding value in the region, demonstrating the Organization's contribution to the maintenance of international peace and security in accordance with Chapter VIII of the United Nations Charter.

**STATEMENT BY THE CHAIRPERSON
(ALSO ON BEHALF OF ALBANIA, AUSTRIA AND SLOVAKIA)**

(Annex 11 of MC(25) Journal No. 2 of 7 December 2018)

On the occasion of the OSCE Ministerial Council in Milan, we, the Foreign Ministers of Austria, Italy, Slovakia and Albania, representing the previous, current and incoming Chairmanships of the Organization for Security and Co-operation in Europe (OSCE), express the urgent need to rebuild trust, confidence and co-operation, in order to enhance our common security at a time of instability in an increasingly interdependent world scarred by conflicts in Europe.

We continue to witness the existence of mistrust and divergent security perceptions, and conflicts both caused by, and resulting in, flagrant violations of OSCE norms and principles. We underline the urgent need to find peaceful and sustainable solutions to the existing conflicts in the OSCE area.

We remain deeply concerned about the crisis in and around Ukraine, its wider impact on security and co-operation in Europe, and about the continued suffering of the conflict-affected population. We call on all parties to contribute by political and diplomatic means to de-escalate and ease tensions to avoid further risks of destabilization in the region. Using political and diplomatic means is the only possible way forward. We reiterate our strong support for the existing formats, and particularly for the Normandy format and the Trilateral Contact Group, and for the OSCE missions deployed on the ground, which are essential in contributing towards the full implementation of the Minsk agreements. In particular, we express our unconditioned support for the Special Monitoring Mission (SMM) to Ukraine, reaffirming that the SMM must have safe, secure and unrestricted access for its personnel and assets throughout Ukraine.

We stress the role of the OSCE as a vital instrument for preventing and resolving persisting conflicts. In particular, the OSCE continues to address the conflict in Georgia, to facilitate the Transdniestrian settlement process and contributes to facilitating negotiations and reducing tensions concerning the Nagorno-Karabakh conflict. We welcome corresponding talks that took place during the Ministerial Council and in particular take positive note of the Joint Statement of Azerbaijan and Armenia and the Minsk Group Co-Chair Countries. We commend the continued progress on the Transdniestrian settlement process, and are encouraged by today's OSCE Ministerial Statement. We confirm our support to the Geneva International Discussions, which have proven to be unique and indispensable after a decade of existence, and call upon the participants to resume the incident prevention and response mechanisms without further delay.

To enhance stability, we need a strong and responsible multilateralism. We reaffirm the validity of all OSCE norms, principles and commitments, starting from the Helsinki Final Act, and we recommit ourselves to them. We are accountable to our citizens and to each other for the full implementation of these commitments in good faith. This is our shared responsibility.

We reaffirm the vision of a free, democratic, common and indivisible Euro Atlantic and Eurasian security community, rooted in agreed principles, shared commitments and common goals, as agreed in the last OSCE Summit in Astana in 2010. The OSCE was

established to manage and stabilize relations between States, and to promote dialogue, also in difficult times. By working through the OSCE, operating on the basis of consensus and the sovereign equality of States, we can reduce risks and increase predictability and transparency, both in political and in military relations.

We recall that security in Europe is inextricably linked to security in the Mediterranean area, as enshrined in the Helsinki Final Act and we welcome today's OSCE Ministerial Declaration on Security and Co-operation in the Mediterranean. We urge the OSCE to further strengthen ties with its Mediterranean Partners for Co-operation. Furthermore, we stress the value of effective co-operation with our Asian Partners.

Shrinking space for dialogue makes the OSCE all the more relevant. We must make full use of the existing negotiation formats and decision-making bodies, and strengthen our work in all three dimensions of comprehensive security. The Structured Dialogue on the current and future challenges and risks to security in the OSCE area is key to enhancing co-operation and rediscovering a sense of common purpose.

Working through the OSCE enables us to identify and pursue shared goals and objectives, including preventing and countering terrorism and violent extremism, and countering other transnational threats, including all forms of illicit trafficking.

Important politico-military agreements, including the Vienna Document, the Treaty on Open Skies and the Treaty on Conventional Armed Forces in Europe have delivered significant security gains for many years. We reiterate the importance of conventional arms control and confidence- and security-building measures (CSBMs) for enhancing comprehensive, co-operative and indivisible security in the OSCE area.

Economic and environmental co-operation can enhance comprehensive security and contribute to improving relations and trust among participating States. We recognize that the economic and environmental dimension of the OSCE's work is one of the entry points for advancing dialogue and co-operation in the Organization, contributing to sustainable development, strengthening good governance and promoting connectivity.

We reaffirm that respect for democratic values, the rule of law, human rights and fundamental freedoms, tolerance and non-discrimination, and the rights of persons belonging to national minorities should remain the common aims of all participating States. We stress the importance of the work carried out by the OSCE Secretariat, the High Commissioner on National Minorities, the Office for Democratic Institutions and Human Rights, and the Representative on Freedom of the Media, as well as the OSCE field operations, in accordance with their respective mandates, in assisting participating States with implementing their OSCE commitments.

We recall that the full and equal exercise by men and women of their human rights is essential to achieving a more peaceful, prosperous and democratic OSCE area. True equality between men and women is a fundamental aspect of a just and democratic society based on the rule of law, so we recommit to making this an integral part of our policies, both at the level of our States and within our Organization.

We will champion efforts to enhance the OSCE's effectiveness. We urge participating States to provide the OSCE with the necessary political support and with adequate resources, which must continue to be used efficiently.

We appreciate the work of the OSCE Parliamentary Assembly in promoting security, democracy and prosperity throughout the OSCE area, and view the OSCE Parliamentary Assembly as an important platform for dialogue.

We value the OSCE's role as a regional arrangement in the sense of Chapter VIII of the Charter of the United Nations. We will work through the OSCE to implement our international commitments in the OSCE area.

Individually and collectively, we are committed to providing leadership to the OSCE. At the same time, we urge all participating States to work together – in a spirit of shared ownership and responsibility – for a safer Europe.

**STATEMENT BY
THE REPRESENTATIVE OF THE EUROPEAN UNION**

(Annex 1 of MC(25) Journal No. 2 of 7 December 2018)

The delegation of Austria, in its capacity as EU Presidency, passed the floor to the representative of the European Union, who delivered the following statement:

We express our deep gratitude to Minister Moavero Milanese and to the Italian Chairmanship for the generous hospitality we have enjoyed here in Milan. Minister Moavero Milanese, you should be proud of Ambassador Alessandro Azzoni and his excellent team for their tireless efforts throughout the year.

When expressing a view on the final outcome, we will be leaving Milan with mixed feelings. On the one hand, we are pleased that we managed to adopt texts in all three dimensions, even though we would have preferred a higher level of ambition than the one we could agree to at 57.

Still, let us be very clear: in these difficult times, when common principles that we all have committed to are violated, respect for those principles must be restored. We deplore the fact that failing to agree on a substantial political declaration, or on a declaration addressing the crisis in and around Ukraine, has become a foregone conclusion.

Russia's illegal annexation of Crimea and the city of Sevastopol, which we condemn and will not recognize, and the destabilization of eastern Ukraine continue to violate fundamental OSCE principles and commitments. This remains the most serious security challenge Europe is facing. We reaffirm our unwavering support for Ukrainian sovereignty, independence, unity and territorial integrity within its internationally recognized borders. The European Union will support the continued international diplomatic efforts within the Normandy format and the Trilateral Contact Group. We strongly support the OSCE's role in the crisis and its efforts to facilitate the full implementation of the Minsk agreements, not least through the SMM's essential contributions. The restrictions imposed on our monitors and their assets are unacceptable. We call for the SMM's full, safe and unhindered access throughout Ukraine including Crimea and along the Ukraine-Russia State border. We also call on all sides to work effectively to fully implement the Minsk agreements and to re-establish full Ukrainian control of its internationally recognized borders. We have repeatedly condemned the recent so-called "elections" in certain parts of eastern Ukraine, and expressed our utmost concerns about the dangerous increase of tensions in the Azov Sea and Kerch Strait. We are dismayed at this use of force by Russia which, against the backdrop of increasing militarization in the area, is unacceptable and a stark reminder of the fact that, when international law is violated, tensions and instability are bound to rise, affecting us all.

The resolution of the protracted conflicts in the Republic of Moldova, in Georgia and of the Nagorno-Karabakh conflict remains a priority for the European Union. We welcome today's ministerial declaration confirming the tangible progress achieved towards a settlement of the Transnistrian conflict. We call on all to continue to work, under the Slovak Chairmanship, on the three baskets of the agreed agenda for the negotiation process – in particular a comprehensive settlement including institutional, political and security issues. We welcome the joint statement by the heads of delegations of the OSCE Minsk Group

Co-Chair countries together with the Ministers for Foreign Affairs of Armenia and Azerbaijan. We regret that it was not possible to adopt a statement on the conflict in Georgia.

It is deeply disappointing that we missed the opportunity to reach agreement on the draft decision on strengthening military transparency, risk reduction and incident prevention, a topic of high urgency and importance for many participating States. Our work towards achieving greater transparency and predictability must continue. We call for the modernization of the Vienna Document which also provides ample opportunities for doing so. We emphasize the need to work towards creating an environment conducive to reinvigorating conventional arms control and confidence- and security-building measures. We also value the Structured Dialogue as a meaningful State-owned and State-driven process for in-depth exchanges on the current and future challenges and risks to security in the OSCE area and we actively support it. Honest and genuine engagement by all participating States is key to this end.

We welcome the adoption of a declaration on small arms and light weapons and stockpiles of conventional ammunition, recognizing the need to further enhance OSCE norms and best practices in order to better address present and emerging challenges.

We regret the lack of consensus on two topical texts aimed at addressing transnational threats: the proposed decision on OSCE responses to the challenges related to returning and relocating foreign terrorist fighters in the context of UN Security Council resolution 2396 (2017), and the one on illicit trafficking in cultural property. Both drafts addressed important concerns to us, as well as to our Partners for Co-operation, and we should continue working on these issues.

The signals sent again from the parallel civil society conference reminded us about the urgent need to address the ongoing increasing restrictions on civil society and the crackdown on human rights and fundamental freedoms in many parts of the OSCE region. We appreciate the contribution of civil society in the implementation of our OSCE commitments, and we support their broad and unhindered participation in OSCE events.

We welcome the adoption of the decision on the safety of journalists, after the extensive efforts put in the past years, by subsequent Chairmanships, to address the issue of freedom of expression and media freedom. There is a clear link between democratic, peaceful and prosperous societies that contribute to our joint security, and free expression and independent media. The many challenges to freedom of expression and media freedom in the OSCE area need to be taken with utmost seriousness by all OSCE participating States. Furthermore, violence against women and girls remains one of the most pervasive and persistent human rights violations across the OSCE area and we welcome the adoption of an important decision that strengthens our already existing commitments. We would have wanted a far more ambitious text, but we will work hard to ensure the most effective OSCE action in this field. Discussions on ensuring gender equality and advancing women's political participation must continue in the years to come.

We welcome that we adopted a decision on strengthening efforts to prevent and combat child trafficking, including of unaccompanied minors, considering the importance of the matter.

The European Union stresses its strong support for the OSCE autonomous institutions, the OSCE field missions and the Secretariat. We reiterate our deep appreciation for the work of the ODIHR, the Representative of Freedom of the Media and the High Commissioner on National Minorities and our unwavering support for their mandates. In these times, participating States are in dire need of their assistance and support.

We reaffirm the importance we attach to our co-operation on economic and environmental issues as an important element of the OSCE's comprehensive approach to security. We welcome the adoption of the declaration on the digital economy and the decision on human capital development. However, in the context of global efforts to foster sustainable development and combat climate change, in particular in the context of the 2030 Agenda and after the adoption of the Paris Agreement, we deeply regret that we were not able to find consensus on a text dealing with transnational organized crime which damages the environment. Negotiations on this text should resume as soon as possible.

We warmly welcome that the Declaration on Security and Co-operation in the Mediterranean was adopted. We underscore that human rights and fundamental freedoms remain at the core of the OSCE concept of comprehensive security and we regret that language on gender equality and women's empowerment did not meet consensus. The Mediterranean remains a high priority for us and we recognize that the security of the OSCE area is inextricably linked to the Mediterranean region. We appreciate both the Chairperson-in-Office's and the Slovak Chairmanship's efforts throughout the year. The OSCE Mediterranean Conference in Malaga last October confirmed the relevance of energy in the security context and the opportunities that it presents.

We again emphasize the importance of incorporating the youth perspective in our work and of strengthening the participation of young people. In this context, we welcome the adoption of the decision even if, here too, we would have wished for a more robust and comprehensive text.

We greatly appreciate Slovakia's readiness to assume the Chairmanship of the OSCE at this critical point in time. Minister Lajčák, we look forward to working with you and your able team during your Chairmanship and we wish you every success. You can count on our full support. In this vein, we would like to see timely adoption of the budget for 2019 and of a decision on scales of contributions. We warmly welcome the Ministerial Council's decision that Albania will exercise the function of the OSCE Chairmanship in 2020. Finally, we look forward to our continued fruitful co-operation with the OSCE Parliamentary Assembly.

I request that this statement be attached to the journal of today's meeting.

**STATEMENT BY THE DELEGATION OF CANADA
(ALSO ON BEHALF OF BULGARIA, THE CZECH REPUBLIC,
ESTONIA, LATVIA, LITHUANIA, POLAND, ROMANIA, SWEDEN,
UKRAINE, THE UNITED KINGDOM AND THE
UNITED STATES OF AMERICA)**

(Annex 2 of MC(25) Journal No. 2 of 7 December 2018)

This statement is made on behalf of Bulgaria, Canada, the Czech Republic, Estonia, Latvia, Lithuania, Poland, Romania, Sweden, Ukraine, the United Kingdom and the United States of America.

We reaffirm our unwavering support for Georgia's sovereignty and territorial integrity within its internationally recognized borders.

We condemn that ten years since the Russian military invasion of Georgia, Russia's occupation of Georgia's Abkhazia and South Ossetia regions continues as the security and humanitarian situation on the ground in the conflict-affected areas further deteriorates.

We express our staunch support for the non-recognition policy with regard to these regions and call on all OSCE participating States to do so as well.

We call upon the Russian Federation to reverse its recognition of the so-called independence of Georgia's Abkhazia and South Ossetia regions.

We underline the need for the peaceful resolution of the conflict, based on full respect for the UN Charter, the Helsinki Final Act, and the fundamental norms and principles of international law.

We welcome the progress made by Georgia in strengthening democracy and good governance, improving transparency of its institutions, and upholding human rights, as well as in the process of European and Euro-Atlantic integration and economic development. It is disappointing that these benefits cannot be enjoyed by the residents of Georgia's Abkhazia and South Ossetia regions. We believe a peaceful resolution of the Russia-Georgia conflict would have a transformative effect not only on Georgia but on the region as a whole.

We express our deep concern over the increase of Russia's military exercises and its further military build-up in Georgia's Abkhazia and South Ossetia regions. Continuous violations of the EU-mediated 12 August 2008 ceasefire agreement by Russia destabilize the situation and erode the principles and norms upon which our security depends.

We reiterate our firm support to the Geneva International Discussions as a unique and important negotiation format to address the security, human rights and humanitarian challenges stemming from the unresolved conflict between Georgia and Russia. We regret the lack of progress on the core issues of the discussions, including the non-use of force, establishment of international security arrangements in Georgia's Abkhazia and South Ossetia regions aimed at providing security and stability on the ground, and ensuring the safe, dignified, and voluntary return of internally displaced persons (IDPs) and refugees. We underline the crucial importance of participants in good faith to find durable solutions for the

security and humanitarian challenges of those affected by the conflict and to reach tangible results on core issues of the negotiations.

We express our strong support for the incident prevention and response mechanisms (IPRMs) and emphasize their important role in preventing the escalation of the conflict. We express our great concern over the latest disruptions of the IPRMs in both Gali and Ergneti and call upon the participants to resume the IPRMs without further delay in full respect of the founding principles and ground rules. We encourage the participants to find proper solutions for the safety and humanitarian needs of the conflict-affected population.

We commend the valuable contribution of the EU Monitoring Mission (EUMM) in preventing the escalation of tensions on the ground and once again call upon the Russian Federation to allow the EUMM to fully implement its mandate and enable the Mission's access to Georgia's Abkhazia and South Ossetia regions.

We condemn the killings of Georgian IDPs Archil Tatumashvili, Giga Otkhзорia, and Davit Basharuli, and urge the Russian Federation, as the State exercising effective control over Georgia's Abkhazia and South Ossetia regions, to remove any obstacles to bringing the perpetrators to justice. In this context, we support preventive steps by Georgia aimed at eradication of the sense of impunity and abuses of human rights in Georgia's Abkhazia and South Ossetia regions, and we take note of the adoption of the Decree of the Government of Georgia on approval of the Otkhзорia-Tatumashvili list based on the relevant Resolution of the Parliament of Georgia.

We are deeply concerned over the ethnic discrimination against Georgians residing in the Abkhazia and South Ossetia regions and condemn the abuses including allegations involving torture and cruel or degrading treatment or punishment, undue restrictions on rights related to freedom of movement and residence, housing, land and property, as well as the restriction of education in one's native language. We are concerned about the impact of closures of so-called crossing points.

We condemn the mass destruction of houses of IDPs, which illustrates Russia's purposeful policy aimed at completely erasing the traces of the ethnic Georgian population and cultural heritage in the Abkhazia and South Ossetia regions. We support the voluntary return of IDPs and refugees to the places of their origin.

We underline that the ongoing process of fortification of the occupation line through installation of barbed and razor wire fences and other artificial obstacles further aggravates the humanitarian conditions of the conflict-affected population on the ground.

In this context, we call upon the Russian Federation to allow the unhindered access of international human rights monitoring mechanisms to the Abkhazia and South Ossetia regions.

We support the peaceful conflict resolution policy of the Government of Georgia. We welcome Georgia's compliance with the EU-mediated 12 August 2008 ceasefire agreement and call upon the Russian Federation to respect its international obligations and fully implement the aforementioned ceasefire agreement, *inter alia*, to withdraw its military forces from the occupied territories of Georgia.

We welcome Georgia's unilateral commitment not to use force and call on the Russian Federation to reciprocate, to affirm and implement a non-use of force commitment.

We welcome the Georgian Government's efforts aimed at reconciliation and confidence-building between divided communities. We reiterate our strong support to the peace initiative of the Government of Georgia, "A Step to a Better Future," aimed at fostering confidence-building and interaction among the divided communities and improving the humanitarian and socio-economic conditions of people residing in Georgia's Abkhazia and South Ossetia regions.

We welcome the Georgian Government's policy of dialogue with the Russian Federation in order to de-escalate tensions with full respect for Georgia's sovereignty and territorial integrity within its internationally recognized borders.

We encourage the OSCE's further active engagement in the process of peaceful resolution of the Russia-Georgia conflict and facilitation of confidence-building and engagement between the communities divided by war and occupation line.

We encourage the OSCE participating States to agree on the opening of an OSCE cross-dimensional mission in Georgia for the benefit of the conflict-affected persons including a monitoring capacity able to operate in both the Abkhazia and South Ossetia regions. The mission will considerably strengthen the OSCE's engagement in the Geneva International Discussions and IPRMs, as well as in implementation of confidence-building measures.

The Friends will redouble their efforts to keep the issues related to the Russia-Georgia conflict high on the international agenda, raise awareness of developments in Georgia's Abkhazia and South Ossetia regions, and emphasize the urgent need for peaceful resolution of the conflict.

**STATEMENT BY
THE DELEGATION OF THE UNITED STATES OF AMERICA**

(Annex 3 of MC(25) Journal No. 2 of 7 December 2018)

Yesterday, US head of delegation Wess Mitchell paid tribute to the late President George H. W. Bush and his support of the OSCE. At the Paris Summit in 1990, President Bush offered timeless advice – that participating States must put OSCE principles into practice.

Twenty-eight years later, the OSCE and the principles at its core remain vital to Europe's security architecture. When a State contravenes these principles, as Russia repeatedly does in Ukraine – most recently in the Kerch Strait and Sea of Azov – the results are horrific.

Moscow's ongoing aggression in Crimea and eastern Ukraine precipitated and perpetuates the worst security and humanitarian crisis in Europe since the 1990s. But when Russia sent its "little green men" into Crimea and the Donbas in 2014, the OSCE responded. The United States strongly supported the launch of the largest mission the Organization has ever fielded: the Special Monitoring Mission to Ukraine. The OSCE also established a conflict settlement mechanism, the Trilateral Contact Group, but Russia and its proxies consistently obstruct progress.

There will be no progress in Ukraine until Russia changes its behaviour. The onus lies squarely on Moscow, and the United States will not support agreements for the sake of agreements that sacrifice or undercut the principles President Bush and the leaders of other participating States enshrined in Paris. We value Italy's effort in 2018 to advance and move forward in the same spirit we all displayed in 1990.

Russia's disregard for its neighbours' frontiers and the human rights of those within its borders is the chief cause of mistrust and insecurity in this region. Trust is built through deeds, not empty dialogue. With this in mind, Assistant Secretary Mitchell yesterday underscored our commitment to Vienna Document modernization. The concrete proposals endorsed by almost every participating State would help rebuild military transparency with the OSCE region. We regret that participating States were not able to reach consensus on even modest steps to update the Vienna Document.

We commend the Italian Chairperson-in-Office and the Swedish Chairperson of the Forum for Security Co-operation for their efforts on behalf of Vienna Document modernization. We must redouble our efforts next year. This should include continuing our frank and open exchange of views on key security issues and threat perceptions within the Structured Dialogue on security issues.

We welcome the statement issued at this ministerial by the Minsk Group Co-Chairs and the Armenian and Azerbaijani foreign ministers. We also welcome the statement of all 57 ministers on the negotiations on the Transnistrian settlement process.

We regret that again it was not possible to reach consensus on a regional statement on the Russia-Georgia conflict. Ten years have passed since 2008, and still Russia has not fulfilled basic ceasefire commitments. In Paris nearly 30 years ago, our leaders expressed

their conviction that “an essential complement to the duty of States to refrain from the threat or use of force is the peaceful settlement of disputes...”. Russia’s political and military actions in the South Ossetia and Abkhazia regions of Georgia have been directed at the opposite, deliberately intended to make division and suspicion permanent facts on the ground. The United States was pleased to join the Friends of Georgia in expressing unwavering support for Georgia’s sovereignty and territorial integrity within its internationally recognized borders.

The United States continues to value this Organization, its comprehensive approach to security, and its principles and institutions, even as we lament that certain States refused to join consensus on a number of key decisions that would have strengthened the OSCE to meet today’s challenges.

We are proud that 16 participating States responded to credible reports of the Russian Federation’s utter failure to uphold human rights in its Republic of Chechnya by invoking the OSCE’s Moscow Mechanism. The human dimension remains critical to our shared security, and we will continue to work toward meaningful, concrete actions in this dimension in 2019.

Allow me to close by looking back four decades. A short time after the Helsinki Final Act was signed, renowned physicist and human rights defender Mr. Andrei Sakharov stated in his Nobel Peace Prize lecture: “Peace, progress, human rights – these three goals are insolubly linked to one another: it is impossible to achieve one of these goals if the other two are ignored.” The United States remains resolved to work within the OSCE to advance all of these goals for the sake of our common security.

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

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

(Annex 4 of MC(25) Journal No. 2 of 7 December 2018)

Thank you, Mr. Chairperson.

This statement is delivered on behalf of the following participating States: Albania, Belgium, Bulgaria, Canada, Croatia, the Czech Republic, Denmark, Estonia, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, Montenegro, the Netherlands, Norway, Portugal, Romania, Slovakia, Slovenia, Spain, Turkey, the United Kingdom, the United States of America, as well as my own country, Poland.

Mr. Chairperson,

The Euro-Atlantic security environment has become less stable and predictable as a result of Russia's illegal and illegitimate annexation of Crimea and ongoing destabilization of eastern Ukraine, now compounded by Russia's recent use of military force against Ukraine near the Sea of Azov and the Kerch Strait. We call on Russia to release the Ukrainian sailors and ships it seized, without delay. We reiterate our full support to Ukraine's sovereignty and territorial integrity within its internationally recognized borders and territorial waters.

Arms control, disarmament, and non-proliferation have made and should continue to make an essential contribution to achieving our security objectives and to ensuring strategic stability and our collective security.

Enhancing military transparency and confidence in Europe is a top priority. We remain committed to conventional arms control as a key element of Euro-Atlantic security. OSCE participating States should continue to address effective risk reduction and incident prevention and increase military transparency. We consider that full implementation and modernization of the Vienna Document is one of the most important steps that OSCE participating States can take in that regard.

We welcome the declaration on small arms and light weapons and stockpiles of conventional ammunition. We regret the failure to reach consensus on the decision on strengthening military transparency and addressing risk reduction and incident prevention.

Mr. Chairperson,

Russia's ongoing selective implementation of the Vienna Document and the Treaty on Open Skies, and its long-standing non-implementation of the Treaty on Conventional Armed Forces in Europe, combined with its aggressive military posture, have undermined our security. We call on Russia to return to full implementation of and compliance with the letter

and spirit of all of its international obligations and commitments, which is essential to rebuild military transparency and increase predictability in the Euro-Atlantic region. We are determined to preserve, strengthen, and modernize conventional arms control in Europe, based on key principles and commitments, including respect for sovereignty and territorial integrity, reciprocity, transparency, and host nation consent.

We underscore the importance of modernizing the Vienna Document. We call on Russia, which has a very substantial conventional military force, to constructively engage by joining other participating States in the ongoing discussions in the OSCE to modernize the Vienna Document, so that we can reach agreement on meaningful updates. Full implementation and modernization of the Vienna Document will help to avoid miscalculation and misunderstanding. We also underline that the OSCE remains a relevant and inclusive forum to rebuild trust and confidence through multilateral military dialogue.

We underscore the importance of maintaining and strengthening the Open Skies Treaty, as a legally binding instrument, to advance co-operative security in Europe and to contribute to increased confidence. We welcome the decision on the distribution of active quotas that will enable Open Skies flights to resume in 2019.

At the same time, we value the Structured Dialogue on the current and future challenges and risks to security in the OSCE area as an opportunity to renew a meaningful exchange of ideas among all of the stakeholders to rebuild trust. We commend the Chairperson of the Informal Working Group, Ambassador Huynen and his team, for the significant and valuable work done this year in the Structured Dialogue addressing risk reduction and threat perceptions. We actively support the continuation of the Structured Dialogue as a transparent, inclusive process owned and driven by participating States, and without a predetermined outcome. We acknowledge that this is a long-term process, which will take more time. We encourage all participating States to engage constructively in these efforts in Vienna.

Mr. Chairperson,

The participating States subscribing to this statement request its inclusion in the journal of this ministerial meeting.

Thank you.

STATEMENT BY THE DELEGATION OF UKRAINE

(Annex 5 of MC(25) Journal No. 2 of 7 December 2018)

Mr. Chairperson,
Excellencies,

At this concluding session, I wish to reiterate the gratitude expressed yesterday by my Minister to the Chairperson-in-Office, Italy's Foreign Minister Enzo Moavero Milanesi and the entire Italian OSCE Chairmanship team for their tireless work throughout the year and warm hospitality extended in Milan.

This year's Ministerial Council was preceded by another unprovoked act of aggression committed two weeks ago by Russia against Ukraine near the Kerch Strait. We thank all delegations, which condemned this action by the Russian Federation and strongly urged Russia to respect applicable international law, to immediately and unconditionally release the captured Ukrainian servicemen and vessels, and to ensure free and safe passage through the Kerch Strait. It is imperative to hold Russia to account. This act of aggression expanded the scope of violations and atrocities carried out by the Russian Federation in the previous almost five years since it started its armed intervention into the territory of Ukraine. As rightly emphasized by many delegations during the Milan Ministerial Council, the ongoing Russian aggression, being the most serious breach of international law, core OSCE principles and rules-based order in Europe, continues to undermine trust, security and stability in the entire OSCE space. Russia's denial of its responsibility as a party to the conflict continues to take away the lives of people, inflict human suffering and destruction. The use of vague terms like "crisis in and around Ukraine" or "all sides" is exploited by Russia in its massive campaign of propaganda and disinformation to divert attention from its direct role in the conflict and its devastating consequences.

I wish to reiterate the position of Ukraine's Foreign Minister Pavlo Klimkin concerning the ongoing Russian aggression: "Declarations are not enough, there must be action". Such action is needed in the interests of peace and firm deterrence of the aggressor.

Mr. Chairperson,

While there are many security challenges present in the OSCE area, it is hard to search for common solutions to those challenges when one of the participating States continues illegal occupation of parts of its neighbours' sovereign territory, showing blatant contempt for such core principles of the OSCE as respect for sovereignty and territorial integrity, inviolability of frontiers and non-use or threat of use of force. The unwillingness of the Russian Federation to move forward in resolving the conflicts it created has once again impeded, this year in Milan, the adoption of a political declaration and a declaration on the Russian-Ukrainian conflict. The debates highlighted, regrettably, the fact that Russia does not intend to put an end to this conflict by reversing its illegal occupation of Crimea and withdrawing its troops from the territory of Ukraine. This also means that the OSCE should do more and seek to be more effective and persistent in dealing with clear, gross and continuing violations of OSCE principles and commitments. We appreciate the readiness expressed by Slovakia to keep the issue of contributing to resolving this conflict, including the attempted annexation of Crimea, high on the agenda of their incoming Chairmanship and encourage the Slovak side to spare no efforts in this direction. Engagement of the OSCE

executive structures under the guidance of the Chairmanship must be strengthened in order to address the growing number of security and humanitarian challenges brought by the Russian aggression, including in particular the deteriorating situation in the occupied territories of Ukraine and the militarization of the Black and Azov Seas region by Russia. Yesterday's side event on this topic organized by Ukraine and co-sponsored by 11 participating States provided details on these menacing developments.

We believe that the OSCE has the potential to do more. It should aim at bringing added value to those dimensions, where more focused OSCE activities are needed. In this vein, we supported the Chairmanship's efforts on the draft documents of this Ministerial Council and introduced a number of specific proposals enhancing our commitments with a direct link to security. We welcome the adopted documents, in particular on the safety of journalists, and stand ready for further constructive work with the incoming Chairmanship. Bearing in mind that Russia has effectively weaponized its State-owned media for spreading disinformation and propaganda, it is essential for Ukraine to defend itself from Russia's malicious intervention in the information sphere.

In conclusion, I wish to assure our Slovak colleagues of Ukraine's readiness to facilitate their activities aimed at restoring respect for the OSCE principles and commitments and addressing the ongoing gross violations.

The delegation of Ukraine kindly requests that this statement be attached to the journal of this Council's meeting.

Thank you, Mr. Chairperson.

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

(Annex 6 of MC(25) Journal No. 2 of 7 December 2018)

Mr. Chairperson,
Esteemed colleagues,

Allow me to express our appreciation to the Italian OSCE Chairmanship, Minister Enzo Moavero Milanesi personally and his entire team for the excellent organization of the ministerial meeting.

The main outcome of the Ministerial Council meeting is that a comprehensive discussion has taken place on a wide range of issues on the OSCE agenda. This proves that, despite the fact that the state of European affairs is not at its best, the OSCE remains an important platform for peer-to-peer dialogue among the participating States.

We regret that the biased approaches of some countries made it impossible to adopt a number of important decisions, including a general political declaration and a declaration on the OSCE's efforts to facilitate a settlement of the internal Ukrainian crisis.

At the same time, thanks to the parties' willingness to compromise, it proved possible to reach agreement regarding documents on a number of other conflicts in the OSCE's area of responsibility. We welcome the ministerial statement in support of the progress in the Transnistrian settlement, the full implementation of the agreements reached earlier by the authorities in Tiraspol and Chişinău, and the continuation of regular meetings in the "5+2" format. We note with satisfaction the joint statement by the "troika" of OSCE Minsk Group Co-Chair countries on the settlement of the Nagorno-Karabakh conflict, which for the first time in five years was made together with the ministers of Armenia and Azerbaijan.

We supported the Italian Chairmanship's initiative of adopting a declaration on security and co-operation in the Mediterranean. The situation in that region, made unstable by external interference, has a negative impact on all OSCE countries and requires close attention.

Owing to the unconstructive position taken by Georgia, no statement was adopted in support of the Geneva Discussions on the Trans-Caucasus. However, no one questioned the need for this format of direct dialogue between the Georgian Government and Abkhazia and South Ossetia.

Unfortunately, the atmosphere of mistrust and confrontation prevailing in the Euro-Atlantic region has a negative effect on the OSCE's politico-military dimension. There can be no talk of "modernizing" the Vienna Document on Confidence- and Security-Building Measures until NATO abandons its policy of "containment" towards Russia. We welcome the ministerial declaration on small arms and light weapons. We should like to draw attention to the joint statement adopted by the countries of the Collective Security Treaty Organization (CSTO) on the situation surrounding the Treaty on the Elimination of Intermediate-Range and Shorter-Range Missiles (INF Treaty), which has been distributed within the OSCE. The discussion on ways to rebuild trust and de-escalate tension is valuable in itself. We will

continue to participate in the Structured Dialogue as long as it is not politicized. We hope that it will contribute to de-escalation and prepare the ground for work on arms control.

It is important that considerable attention was paid at the Ministerial Council meeting to various aspects of countering transnational threats. We believe it necessary to continue joint efforts to combat terrorist ideology and propaganda. We supported the Italian Chairmanship's priorities – the themes of foreign terrorist fighters and combating trafficking in cultural property. We welcome the adoption of a declaration on the role of youth in contributing to peace and security.

At the same time, more could be done in this important area for all States. Draft documents prepared by the Russian delegation on increasing the OSCE's efforts to prevent terrorism and on enhancing the role of the Organization in addressing the world drug problem were rejected on flimsy pretexts, not because of their content, but simply because they were proposed by Russia and other CSTO countries. We consider such an approach to be unacceptable.

The discussion of the economic aspects of the OSCE's work was constructive and resulted in two useful decisions – on human capital development and on the digital economy. The issue of digitalization naturally has its place on the OSCE agenda. We are in favour of maintaining its positive focus. We draw attention to the unifying potential of the topic of economic connectivity and the alignment of integration processes. We look forward to its development within the OSCE on the basis of the 1999 Platform for Co-operative Security.

The results of the Ministerial Council meeting regarding the third basket confirmed the crisis in the OSCE's human dimension, which, as we have repeatedly pointed out, requires a thorough reformatting and the removal of imbalances and double standards. Of a dozen draft decisions on human dimension issues, only three were adopted – on the safety of journalists, on combating violence against women, and on combating child trafficking. We expect the provisions of these decisions to be implemented by all participating States.

For reasons that we do not understand, certain countries once again sabotaged the fulfilment of the 2014 Basel Ministerial Council mandate on the adoption of declarations to protect Christians and Muslims. We urge the future Slovak Chairmanship to endeavour to resolve this issue next year.

The balanced draft decisions prepared by Russia on the linguistic and educational rights of national minorities and on free access of the media to information were categorically rejected. We proposed the latter together with Kazakhstan and Tajikistan. This is particularly depressing against the background of the deteriorating human rights situation, the attacks on freedom of the media and on linguistic, educational and religious rights in a number of countries, and blatant attempts to rewrite history and glorify Nazism, especially in the Baltic States and Ukraine.

We regret that it proved impossible to reach consensus on a document on migration.

I should like to draw the Chairmanship's attention to the need to adhere to the tried-and-tested and long-standing practice regarding the speaking order of Heads of Delegations according to seniority. The unfortunate misunderstanding at this Ministerial Council meeting should not set a precedent for future meetings.

In conclusion, I should like to thank our Italian colleagues for their conscientious performance of the role of “honest broker” and their vigorous efforts to find compromise solutions throughout 2018 and here at the Ministerial Council meeting.

We trust that next year Slovakia and in 2020 Albania will continue the work on drawing up a unifying agenda for the OSCE. We shall certainly support them in this endeavour.

Thank you for your attention. I request that this statement be attached to the journal of the day.

**STATEMENT BY THE DELEGATION OF SLOVAKIA
(ALSO ON BEHALF OF ALBANIA, ANDORRA, ARMENIA, AUSTRIA,
BELGIUM, BOSNIA AND HERZEGOVINA, CANADA, CROATIA,
CYPRUS, THE CZECH REPUBLIC, DENMARK, THE FORMER
YUGOSLAV REPUBLIC OF MACEDONIA, GEORGIA, GERMANY,
IRELAND, ITALY, KAZAKHSTAN, LATVIA, LIECHTENSTEIN,
LUXEMBOURG, MALTA, MOLDOVA, MONGOLIA, MONTENEGRO,
THE NETHERLANDS, NORWAY, POLAND, ROMANIA, SERBIA,
SLOVENIA, SPAIN, SWEDEN, SWITZERLAND, THE UNITED
KINGDOM AND THE UNITED STATES OF AMERICA)**

(Annex 7 of MC(25) Journal No. 2 of 7 December 2018)

Mr. Chairperson,

Slovakia, in its capacity as Chairmanship of the Group of Friends of Security Sector Governance and Reform, would like to deliver the following statement, also on behalf of: Albania, Andorra, Armenia, Austria, Belgium, Bosnia and Herzegovina, Canada, Croatia, Cyprus, Czech Republic, Denmark, the former Yugoslav Republic of Macedonia, Georgia, Germany, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Luxembourg, Malta, Moldova, Mongolia, Montenegro, Netherlands, Norway, Poland, Romania, Serbia, Slovenia, Spain, Sweden, Switzerland, United Kingdom, United States of America.

Security sector governance and reform (SSG/R) forms an integral part of the OSCE's comprehensive approach to security based on a solid framework of principles and commitments. In today's world of complex security challenges, such as preventing and countering violent extremism that leads to terrorism, transnational organized crime and trafficking in human beings, national security sectors need to adapt to a dynamic and changing environment. The challenges the OSCE is facing today point towards a greater need for SSG/R. An inclusive, accountable and democratically controlled security sector with full respect for human rights and the rule of law can promote confidence and trust between society and State and stability in the entire OSCE region. Also, it can significantly contribute to preventing the outbreak and recurrence of conflicts, as well as building and sustaining peace. For national security sectors to be effective in today's world it is crucial to promote the active participation of women and civil society organizations, crucially contributing to a better understanding of and response to the security needs of different segments of society and provides enhanced public oversight over the performance and conduct of security actors.

We share the view that our Organization is particularly well-positioned to promote a comprehensive and inclusive SSG/R approach and to support the participating States and Partners for Co-operation in many important areas of SSG/R. We acknowledge that the OSCE is already carrying out a number of relevant cross-dimensional SSG/R activities, including enhancing capacities in good and democratic security sector governance, promoting democratic control and oversight and the rule of law, human rights in armed forces, as well as activities related to intelligence-led policing, and preventing and countering violent extremism that leads to terrorism, to name but a few. The OSCE guidelines on SSG/R that include policy and operational guidance for the OSCE staff provide a good basis for further work. We applaud the OSCE executive structures for the progress made to date in implementing them and encourage them to share experiences and good practices more

frequently, particularly among field operations. At the same, we recognize the limitations of the current bottom-up activities and we strongly believe that it is now important to build common understanding and ownership of the SSG/R concept by engaging all participating States and Partners for Co-operation.

We are convinced that a more strategic and truly cross-dimensional approach to SSG/R would increase the effectiveness of our response to security threats. A more strategic approach would allow the Organization to streamline fragmented commitments and mandates and enhance co-operation at local, national, regional and international levels. In this regard, substantial co-operation with other multilateral organizations will be indispensable for our success and we encourage closer co-operation in multilateral support to SSG/R, especially with the UN, other international and regional organizations and civil society. The recent joint OSCE-UNODC subregional expert meeting in Minsk, which further explored the role of well-governed and accountable security sectors in addressing transnational threats, serves as a good example. One of the comparative advantages of the OSCE lies in its regional approach, particularly through its network of field operations, which can significantly contribute to UN-led SSG/R initiatives.

We commend the Italian OSCE Chairmanship and the Slovak FSC Chairmanship on organizing a joint FSC-PC meeting on SSG/R earlier this year. This was a key step in seeking common ground on this important topic. We further compliment previous OSCE Chairmanships, Austria, Germany, Serbia and Switzerland for their continuous efforts and leadership in increasingly including discussions on SSG/R in the meetings of different OSCE bodies across dimensions. We also commend the Italian Chairmanship for organizing a conference on enhancing the participation of women in the security sector. In addition, we welcome this year's OSCE Parliamentary Assembly Resolution on SSG/R, which calls on the OSCE executive structures and the participating States to increase their efforts towards the development of an OSCE-wide strategic SSG/R approach and hence helps create political support.

We see a unique opportunity in Slovakia's 2019 Chairmanship to engage all participating States and Partners for Co-operation in an inclusive and focused discussion to develop a common understanding of an inclusive and comprehensive SSG/R approach, which should be based on existing OSCE commitments, needs and priorities of participating States. Such an approach should be based on existing OSCE commitments and include national ownership, civilian control of the security sector, gender mainstreaming and respect for human rights and fundamental freedoms, which all aim at enhancing the effectiveness of the security sector. The Group's food-for-thought paper distributed under reference PC.DEL/1178/17 serves as a good starting point.

To this end, we call upon all participating States and Partners for Co-operation to contribute to this process by actively exchanging their experiences and views on the key aspects an OSCE approach to SSG/R must contain and to provide the necessary political support. We also encourage the inclusion of a youth perspective into these discussions.

The Group of Friends will continue to serve as an open platform in order to advance discussions on SSG/R and to promote ongoing efforts in this field. We remain convinced that an OSCE-wide strategic approach to SSG/R will strengthen the Organization's capacity to effectively address challenges emanating from the increasingly complex security

environment and to increase security and stability in our region and for its people, both women and men, in response to their needs.

I would like to request the Chairperson to include this statement in the journal of the day.

Thank you.

**STATEMENT BY THE DELEGATION OF DENMARK
(ALSO ON BEHALF OF ALBANIA, ANDORRA, ARMENIA, AUSTRIA,
BELGIUM, BOSNIA AND HERZEGOVINA, BULGARIA, CANADA,
CROATIA, CYPRUS, THE CZECH REPUBLIC, ESTONIA, FINLAND,
THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA, FRANCE,
GEORGIA, GERMANY, GREECE, ICELAND, IRELAND, ITALY,
LATVIA, LIECHTENSTEIN, LITHUANIA, LUXEMBOURG, MALTA,
MOLDOVA, MONACO, MONTENEGRO, THE NETHERLANDS,
NORWAY, POLAND, PORTUGAL, ROMANIA, SAN MARINO,
SERBIA, SLOVAKIA, SLOVENIA, SPAIN, SWEDEN,
SWITZERLAND, UKRAINE, THE UNITED KINGDOM
AND THE UNITED STATES OF AMERICA)**

(Annex 8 of MC(25) Journal No. 2 of 7 December 2018)

I have the honour to make this statement on behalf of the following 45 participating States: Albania, Andorra, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Estonia, Finland, the former Yugoslav Republic of Macedonia, France, Georgia, Germany, Greece, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine, United Kingdom, United States of America and my own country, Denmark.

We deliver this statement just a few days before we celebrate the 70th anniversary of the Universal Declaration of Human Rights; a global commitment to recognize and protect the equal dignity, freedom and rights of every human being. This anniversary is a chance for us to celebrate the achievement of the Universal Declaration and to recommit ourselves to defending the rights and freedoms it enshrines wherever and whenever they are threatened.

We have made great strides in advancing human rights over the past seven decades, but regrettably, every day far too many people in the OSCE region are still denied the ability to exercise their human rights and fundamental freedoms – including freedom of expression, of peaceful assembly and association, and of religion or belief. We see the space for civil society rapidly shrinking, and that threats and violence against human rights defenders continue to increase.

There are attempts to silence free media and dissenting voices through restrictive legislation, intimidation, or even violent acts and murder for which those responsible far too often go unpunished. Women and girls continue to face discrimination and violence, while hate crimes are on the rise throughout the region. In this context, we strongly welcome that participating States were able to reach consensus on two Ministerial Council decisions on the safety of journalists and combatting violence against women respectively, which address some of these challenges.

We will continue to speak out when human rights and fundamental freedoms are violated or abused. Whether it is human rights defenders facing reprisals for their selfless work, or persons being targeted for who they are, whom they love or what they believe or

say. We will challenge stereotypes and prejudice, combat myths with facts, and speak out against discrimination and intolerance whenever and against whomever they occur.

We are committed to a world where human rights and fundamental freedoms are protected for all, and to hold ourselves and each other to account.

We pay tribute to all the individuals and civil society organizations who work tirelessly to defend our human rights commitments and to hold governments accountable for their actions. They deserve our recognition, support, protection and deepest respect. We welcome the report and recommendations presented by the participants of the OSCE Parallel Civil Society Conference 2018, and reaffirm the importance of continued co-operation with and participation of civil society organizations in OSCE activities.

We commend the work of the OSCE autonomous institutions, the ODIHR, the High Commissioner on National Minorities and the Representative on Freedom of the Media, for their efforts to promote human rights, as essential contributors to comprehensive security. Their work, mandates and institutional independence are essential to the protection and advancement of fundamental freedoms and human rights.

We will continue to fight to ensure that the rights and freedoms enshrined in the Universal Declaration of Human Rights are enjoyed throughout the OSCE region, and that the implementation of OSCE principles and commitments is at the forefront of our work in this Organization.

In closing, we also would like to express our sincere appreciation and thanks to the Italian Chairmanship for its tireless efforts to strengthen the human dimension throughout the year.

I would be grateful if you could attach this statement to the journal of today's meeting.

Thank you.

**STATEMENT BY THE DELEGATION OF MALTA
(ALSO ON BEHALF OF ALBANIA, BOSNIA AND HERZEGOVINA,
CYPRUS, IRELAND, ITALY, KAZAKHSTAN, MONACO, PORTUGAL,
ROMANIA, SAN MARINO, SLOVAKIA, SLOVENIA, SPAIN AND
SWITZERLAND)**

(Annex 9 of MC(25) Journal No. 2 of 7 December 2018)

This statement is delivered also on behalf of the following participating States: Albania, Bosnia and Herzegovina, Cyprus, Ireland, Italy, Kazakhstan, Monaco, Portugal, Romania, San Marino, Slovakia, Slovenia, Spain and Switzerland.

At the 2013 Ministerial Council in Kyiv we all recognized the evolving nature of transnational threats in the OSCE region and beyond, as well as the need to provide collective responses, including by strengthening the co-operation with our OSCE Mediterranean and Asian Partners for Co-operation. Since then, further transnational challenges have emerged, underscoring once again the interdependence between the security of the OSCE area and that of our Partners for Co-operation.

We believe that, in order to frame a common response to such challenges, we need to deepen the political dialogue between OSCE participating States and Partners for Co-operation in all possible venues, starting from the Ministerial Council, in line with the spirit of the Ministerial Declaration on the OSCE Partners for Co-operation adopted in Madrid in 2007 (MC.DOC/1/07) and the Basel Ministerial Council Declarations on Co-operation with the Asian and Mediterranean Partners (MC.DOC/9/14 and MC.DOC/10/14).

We therefore see merit in amending the OSCE Rules of Procedure in a way that will allow heads of delegations from Partners for Co-operation to address the Ministerial Council following the heads of delegations of equal rank from participating States, as follows:

- Ministers or heads of delegations of equal rank from the participating States;
- Ministers or heads of delegations of equal rank from the Partners for Co-operation;
- Deputy ministers or representatives of equal rank from the participating States;
- Deputy ministers or representatives of equal rank from the Partners for Co-operation;
- All other heads of delegations from the participating States;
- All other heads of delegations from the Partners for Co-operation.

We see this as a concrete signal of the political will to further engage with the Partners within the framework of the OSCE and enhance our political dialogue.

Such an amendment will also codify the current practice, introduced under the Swiss Chairmanship, of inviting participating States to address the Ministerial Council according to

the rank of their head of delegation, with ministers or heads of delegations of equal rank taking precedence over other representatives.

We encourage other participating States to further consider such a proposal, with a view to reaching the necessary consensus for its adoption in the future.

The participating States subscribing to this statement request that it be attached to the journal of this ministerial meeting.

Thank you.

IV. REPORTS TO THE MINISTERIAL COUNCIL

**REPORT BY THE SECRETARY GENERAL TO THE
TWENTY-FIFTH MEETING OF THE MINISTERIAL COUNCIL**

(MC.GAL/8/18 of 7 December 2018)

Mr. Chairperson,
Minister Moavero,

Thank you for your warm welcome today. I would like to express my appreciation for the Italian Chairmanship's leadership of the OSCE this year. In particular, I would like to thank your dedicated teams in Vienna and Rome led by Ambassadors Azzoni and Mati. You did a great job.

Excellencies,
Ladies and gentlemen,

Today our security environment is more polarized, more unpredictable, more unstable – in short, more dangerous – than it has been in decades.

Our fundamental principles have been violated.

Our security order is breaking down.

Trust has rapidly faded, and we see growing unwillingness to engage.

Tensions are rising. Tit-for-tat reactions are increasing.

At the same time, many of the complex and interconnected challenges we now face are too big for States to handle on their own. They demand co-operative responses.

Yet even here, in confronting common threats to our security, there is reluctance to work together.

Dear Ministers,

We share a common future. But we no longer seem to have a common vision for our future.

What kind of world do we want to live in? Do we want it to be peaceful?

I trust no one wants war.

Our situation today is precarious and unpredictable. It would not take much for the dynamics of confrontation to spiral into a larger conflict.

So we must find a way out of this dangerous situation.

We must reduce tensions.

We must rebuild trust and, step by step, restore a sense of common purpose.

The first step toward trust is dialogue. I would even argue that dialogue is fundamentally the most powerful instrument we have at the OSCE.

We can learn from our Cold War predecessors. Adversaries came together for dialogue with the clear aim of preventing war. They looked for common ground through constructive engagement, and they found their way to compromise.

The outcome was a set of principles that gave us a common security framework. Principles that all participating States are committed to.

Although these principles have since been violated, they remain valid.

Indeed, the instability created by their violation confirms that we need to return to a rules-based system.

So we must re-commit to our principles.

But we must also return to the path of constructive engagement.

Dear Ministers,

This is not a contradiction. Constructive engagement does not mean forgetting about our principles. It means results-oriented dialogue and selective co-operation on issues that affect the security of all participating States. Our principles should underpin our efforts.

The OSCE, thanks to its rare platform for inclusive dialogue and joint action, has great potential to help de-escalate tensions, rebuild trust and confidence, reduce the risks of misunderstanding, and foster pragmatic co-operation in our region. So I urge you, the participating States, to make better use of this Organization.

We are already successfully fostering engagement and co-operation in a number of areas where interests converge, including preventing and countering violent extremism and terrorism, and combating trafficking in people, drugs and weapons.

Cybersecurity is another good example. The OSCE's 16 confidence-building measures to reduce the risk of conflict arising from cyberthreats show that States have an interest in co-operating to prevent tit-for-tat retaliation or escalation to conventional military responses.

I also see potential in the economic and environmental dimension, and around some issues in the human dimension – like protecting the safety of journalists, combating violence against women, or promoting tolerance and non-discrimination. After all, we are all proud of our comprehensive approach to security.

Given the current level of tensions, we should focus on incremental progress. Rebuilding trust takes time, so we must be patient, but persistent.

Although the OSCE's formal bodies have become politicized, I am encouraged by the growing willingness of participating States to engage in informal dialogue platforms – and in particular the Structured Dialogue.

Since its creation two years ago, this State-driven process has considered threat perceptions, force postures and military doctrines. More recently, it has begun to discuss practical steps to reduce military risks, including by promoting military-to-military contacts. This is a key step to preventing an unwanted escalation caused by accident – which is unfortunately a very real danger today.

I remain hopeful that the Structured Dialogue might help to revitalize existing confidence- and security-building measures, enhance critically needed military risk reduction mechanisms, and eventually revive interest in conventional arms control.

Ministers,

Seeking a peaceful and durable resolution to the crisis in and around Ukraine remains the OSCE's most urgent priority.

I am concerned about recent developments. I call on the parties to observe restraint, and to settle their differences through diplomacy. The OSCE is ready to provide its good offices and conflict prevention tools to help ease tensions.

I am equally alarmed by the growing humanitarian crisis in eastern Ukraine. Every week civilians are killed or injured by shelling, by landmines or explosive remnants of war. Damage to essential infrastructure has reduced access to basic services, and in some cases risks environmental disaster.

Ministers,

The Trilateral Contact Group needs to be given more room for manoeuvre. The sides must engage to make progress toward a sustainable ceasefire and to reduce the human cost of the conflict.

The OSCE Special Monitoring Mission to Ukraine – the SMM – is doing everything it can to improve conditions for people in the conflict zone – including reporting on landmines, facilitating critical repairs, and easing civilian transit across the line of contact.

This year alone, the SMM facilitated about 1,000 localized ceasefires to enable repairs to water, electricity, gas and communications infrastructure serving people on both sides of the line of contact.

While we can be proud of the SMM's achievements, every “success story” of this kind signals the failure of the sides to protect civilians.

A new political stimulus is urgently needed to end the conflict in eastern Ukraine. The OSCE can facilitate the process, but the sides need to muster the necessary political will. So I appeal to all those with influence to push the sides to take concrete steps to implement the Minsk agreements, which remain the best route to achieving sustainable peace.

I also remind the sides of their obligation to respect and protect both SMM monitors and SMM assets – and this includes UAVs – and to provide full and unfettered access throughout the conflict zone.

Political will is the key to resolving the crisis in and around Ukraine, as well as the protracted conflicts in the OSCE region. In Moldova, the OSCE helped broker agreement on a package of eight confidence-building measures that is improving life for people on both sides of the Dniester River. These concrete steps by Chişinău and Tiraspol show that, even after many years of stalemate, co-operation is possible. And co-operation can lead to practical results – provided the international stakeholders take a unified stance, and the sides marshal the political will to allow progress.

I do hope Moldova's example will inspire the parties to other conflicts in our region to take steps toward peace. The OSCE remains ready to support them.

Ministers,

The OSCE has repeatedly proven that it has the flexibility, the tools and the expertise to be an effective instrument for promoting security and stability. I am convinced that we have the most robust toolbox for preventing and resolving conflicts of any regional organization.

Since our instruments are especially important when tensions are high, I welcome continued efforts to strengthen our toolbox.

But the Organization must also be prepared to face new kinds of challenges – and to seize opportunities for co-operation.

Opportunities like the new spirit of regional co-operation in Central Asia. Or growing interest among our Mediterranean and Asian Partners to confront shared challenges together.

In these and other promising areas, we need to take a more strategic perspective and focus our energies where we can have the greatest impact. The Secretariat has been working closely with the Troika to develop more coherent and co-ordinated approaches. We have also enhanced our ability to provide strategic support not only to the Troika, but to all of you.

Leveraging partnerships can also help us make the most of opportunities. Given our limited resources, we can strengthen synergies that multiply the impact of our efforts.

The Secretariat has been working hard to enhance co-operation with other regional organizations, and to further operationalize our relationship with the United Nations.

We continue to align our work more closely with the global agenda. UN Secretary-General Guterres has called for a “surge in diplomacy for peace,” with special focus on prevention and on peacebuilding. These are both areas where the OSCE has decades of experience. So we are well placed to support implementation of the Sustainable Development Agenda – and in particular Sustainable Development Goal 16 – in our region.

Dear Ministers,

In recent months, as tensions have continued to mount, I have sensed a growing realization that we need the OSCE now more than ever.

Last year in Vienna, I promised you I would strive to ensure that our Organization is fully prepared to deal with today's critical security challenges. Since then, the Secretariat has been looking at ways to preserve and to strengthen the Organization's flexibility and responsiveness despite shrinking resources. I am grateful for your support for these efforts.

We have also been looking at how we can enhance our impact in the field, and integrate women and youth across the three dimensions of our work.

And we are studying how to reform our cumbersome budget process; attract and retain high-quality staff; make better use of technology; and more effectively promote the Organization and the impact of our work.

Dear Ministers,

Ensuring that the OSCE is fit for purpose is our shared responsibility. I will continue to look for ways to improve our Organization. But I am counting on you to provide the political vision and the strategic priorities to guide us, and the resources to enable us to fulfil them.

The OSCE is already extremely lean, inexpensive and efficient. And we have repeatedly shown that we can deliver. But the Organization can only be as effective as you enable us to be. Continuing a policy of zero nominal growth will undermine our Organization's capacity to achieve its full potential.

Next year our region will continue to face enormous challenges. I look forward to working with the incoming Slovak Chairmanship, and pledge the Organization's continued commitment to assist participating States in implementing your decisions and to support your efforts to strengthen security and stability in our region and beyond.

In closing, I would like to thank the OSCE staff for their dedication, and praise the excellent co-operation among the Secretariat, field operations, institutions and Parliamentary Assembly.

Thank you.

**LETTER FROM THE CHAIRPERSON OF THE
FORUM FOR SECURITY CO-OPERATION TO THE MINISTER OF
FOREIGN AFFAIRS AND INTERNATIONAL CO-OPERATION OF
ITALY, CHAIRPERSON OF THE TWENTY-FIFTH MEETING OF THE
MINISTERIAL COUNCIL OF THE OSCE**

(Annex 12 of MC(25) Journal No. 2 of 7 December 2018)

As the Chairperson of the Forum for Security Co-operation (FSC), it is a pleasure for me to inform you about the activities of the Forum in 2018.

In preparing this letter, I have consulted with the previous 2018 FSC Chairmanships of Slovakia and Slovenia. During 2018, the Chairmanships worked in close co-operation with each other to ensure continuity and efficiency in the implementation of the Forum's annual work programme.

Even though the situation in and around Ukraine remained the dominant topic of the discussions in the FSC, several initiatives put forward by participating States led to the adoption of six decisions, which were designed to support the implementation of existing commitments.

The strategic discussions during the Security Dialogues emphasized the FSC's importance as a platform for dialogue and discussions addressing security issues of common interest and concern. Specifically, an active dialogue took place on matters related to topical European security issues, including, *inter alia*, confidence- and security-building measures (CSBMs), military transparency, security sector governance and reform (SSG/R), the Code of Conduct on Politico-Military Aspects of Security, small arms and light weapons and stockpiles of conventional ammunition, military doctrine, implementation of the UN Security Council resolutions 1540 (2004) and 1325 (2000) and subregional military and defence co-operation. All three 2018 FSC Chairmanships actively stimulated discussions by organizing a total of 24 Security Dialogues.

By continuing promoting regional stability and comprehensive and co-operative security, all three 2018 FSC Chairmanships dedicated Security Dialogues to subregional military defence co-operation, which geographically spanned the Visegrad Group, the Western Balkans, as well as the Nordic and Baltic Sea Region.

Under the Chairmanship of Slovakia, the 28th Annual Implementation Assessment Meeting took place in Vienna on 27 and 28 February during which the participating States discussed the present and future implementation of agreed CSBMs. The issue of CSBMs was accorded specific attention during the tenure of the three 2018 FSC Chairmanships, in particular their decision to reinvigorate the discussions within the FSC's Working Group A. Following this decision, delegations that have tabled Vienna Document Plus proposals have been invited to present their proposals and thereby re-opened an in-depth exchange of views among the participating States. Furthermore, Slovenia dedicated its Chairmanship's first Security Dialogue to the topic of CSBMs and arms control. As an innovative form of a CSBM, Slovenia organized a special session of the FSC to commemorate the centenary of the end of the First World War, which addressed the origins and consequences of one of the

deadliest conflicts Europe has ever witnessed, with a view to possible lessons for the current security context.

Under the Chairmanship of Slovenia, the seventh Annual Discussion on the Implementation of the Code of Conduct on Politico-Military Aspects of Security was held on 13 June 2018 in Vienna. On the margins of the Annual Discussion, Slovenia organized a Code of Conduct side event, which included a national tables' fair, as well as a special panel discussion on the challenges presented by the phenomenon of private military and security companies. To pave the way for next year's 25th anniversary of the adoption of the Code of Conduct, Sweden dedicated two Security Dialogues to the Code of Conduct, focusing on the democratic control of armed forces and on rights and obligations of military personnel. In May, a regional seminar on the Code of Conduct was organized in Bucharest, Romania, and in November, a symposium on the Code of Conduct and its questionnaire was held in Berlin, Germany.

Throughout the year, significant efforts were made to promote gender mainstreaming and equality, increasing the number of female high-level guest speakers and integrating gender perspectives in the work of the FSC. During the 68th joint meeting of the Forum for Security Co-operation and the Permanent Council on the topic of SSG/R, co-chaired by Slovakia and Italy in February, all speakers underlined the importance of including women to achieve an inclusive security sector under democratic control. Slovenia dedicated one Security Dialogue to women, peace and security and was highly active in promoting the work of the OSCE MenEngage Network, including the launch of its webpage on 9 May. On 31 October, Sweden organized a special session of the FSC to commemorate the 18th anniversary of the adoption of UN Security Council resolution 1325 (2000), which was followed by the release of the OSCE handbook "Gender in military operations: guidance for military personnel working at the tactical level in peace support operations" and a panel discussion co-organized by Sweden and the OSCE Office for Democratic Institutions and Human Rights (ODIHR) on the role of military commanders in preventing sexual and gender based violence.

In accordance with the tasks assigned to the FSC in Ministerial Council Decision No. 10/17 on small arms and light weapons and stockpiles of conventional ammunition (SALW/SCA), all three FSC Chairmanships conducted a range of activities related to these issues. A significant achievement in this area of work was the adoption of FSC Decision No. 1/18 on best practice guide on "Deactivation of small arms and light weapons" (FSC.DEC/1/18/Corr.2), during the Slovak Chairmanship of the FSC. Slovakia also dedicated Security Dialogues to international projects in the field of SALW and SCA and launched the preparations of the OSCE's contribution to the third UN Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in All Its Aspects (RevCon3) held from 18 to 29 June 2018 in New York, while Slovenia addressed the importance of export controls and deactivation in countering the illicit spread of SALW, also in light of RevCon3. On 2 and 3 October, Sweden and the Conflict Prevention Centre hosted the Biennial Meeting to Assess the Implementation of the OSCE Documents on SALW and SCA in Vienna, which *inter alia*, included discussions on the implications of the RevCon3 outcomes on the OSCE's work, the OSCE Plan of Action on SALW, the OSCE Handbooks of Best Practices on SALW and SCA and the OSCE assistance mechanism. Sweden also dedicated a Security Dialogue to the topic of countering trafficking of SALW in the Öresund region.

Another topic highlighted throughout the year was the issue of non-proliferation of weapons of mass destruction and UN Security Council resolution 1540 (2004). Slovakia, Slovenia and Sweden dedicated Security Dialogues to the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and its contribution to the non-proliferation of nuclear weapons, nuclear security in the OSCE area, as well as international co-operation as a tool for supporting the implementation of UN Security Council resolution 1540 (2004). All Security Dialogues were attended by high-level keynote speakers, which gives an indication of the interest among other international organizations to co-operate with the OSCE on this important issue.

The FSC contributed within its mandate to the Annual Security Review Conference, held from 26 to 28 June 2018 through sessions, focusing on politico-military elements, including conventional arms control and CSBMs.

All three FSC Chairmanships co-operated closely with the Italian OSCE Chairmanship and the Permanent Council on cross-dimensional issues of relevance to both bodies in line with the OSCE's concept of comprehensive and indivisible security. To this end, four joint meetings of the FSC and Permanent Council were held: one on SSG/R, two on the Structured Dialogue, and one on the Mediterranean and the security of the OSCE's southern region.

In conclusion, the FSC has continued in 2018 to provide an important platform for dialogue and decisions, while at the same time providing participating States a forum to discuss matters related to arms control and CSBMs in general, and issues related to the Vienna Document in particular. The large number of proposals for Vienna Document Plus decisions indicates that many participating States recognize the need and call for a Vienna Document modernization. Therefore, it is important to continue the important efforts made in Working Group A.

**FSC CHAIRPERSON'S PROGRESS REPORT TO THE
TWENTY-FIFTH MEETING OF THE MINISTERIAL COUNCIL
ON THE CONTINUING IMPLEMENTATION OF THE OSCE
DOCUMENTS ON SMALL ARMS AND LIGHT WEAPONS
AND STOCKPILES OF CONVENTIONAL AMMUNITION**

(MC.GAL/5/18 of 5 December 2018)

Executive summary

This progress report provides comprehensive factual information on the implementation of the OSCE Documents on Small Arms and Light Weapons (SALW) and Stockpiles of Conventional Ammunition (SCA) for the period from November 2017 to November 2018.

The reporting period saw the Forum for Security Co-operation (FSC) continuing to conduct its activities aimed at combating the proliferation of illicit SALW and preventing destabilizing accumulations. In this connection, the Vienna Ministerial Council adopted Decision No. 10/17 on small arms and light weapons and stockpiles of conventional ammunition, which gave participating States a general framework for the future work of the FSC, allowing for improvements both in the normative aspects and in the implementation of the existing commitments.

In October 2018 the FSC held the Biennial Meeting to Assess the Implementation of the OSCE Documents on SALW and SCA. Following up on actions suggested at the third UN Review Conference on the Programme of Action on SALW (RevCon3), the outcomes of the OSCE Biennial Meeting provided impetus to streamlining and updating the norms, best practices and mechanisms in order to ensure an effective OSCE approach to combating the proliferation of SALW and to strengthening the safety and security of SCA.

The year 2018 also saw the adoption of the OSCE Best Practice Guide on Minimum Standards for National Procedures for the Deactivation of Small Arms and Light Weapons. These guidelines contribute to common approaches and procedures on the permanent deactivation of SALW, and provide the participating States with recommendations on how to incorporate these into national norms and mechanisms.

The participating States continued to exchange SALW-related information as stipulated in the OSCE Document on SALW and other relevant FSC decisions. Recent years, however, show a declining trend in the implementation of these provisions, with fewer and fewer participating States providing data on the agreed information exchanges, in particular information on imports/exports of SALW and their destruction. To decrease the reporting burden on participating States and to encourage a co-ordinated approach to reporting, a SALW online reporting tool has been developed jointly with the United Nations Office for Disarmament Affairs (UNODA) for the submission of SALW-related information to both organizations simultaneously.

The FSC held several Security Dialogues devoted to SALW and SCA in the reporting period. The practical assistance given to OSCE participating States through the

implementation of SALW projects remains a key component of the work undertaken to improve security and stability in the OSCE area.

Finally, in line with its mandate, the OSCE Secretariat further enhanced its co-operation with other international organizations dealing with SALW-related issues. Formal co-operation agreements have been established to mainstream and enhance co-operation with the United Nations Office for Disarmament Affairs (UNODA), with the United Nations Office on Drugs and Crime (UNODC) through the Joint Action Plan, and with the United Nations Development Programme (UNDP) through the Memorandum of Understanding.

1. Introduction

At the Twenty-Fourth Meeting of the Ministerial Council in Vienna, the FSC, through its Chairperson, was requested to submit to the Twenty-Fifth Meeting of the Council a progress report on the continuing implementation of the OSCE Document on SALW (MC.DEC/10/17).

The OSCE Document on SALW¹ was adopted on 24 November 2000 and reissued on 20 June 2012 (FSC.DOC/1/00/Rev.1). It sets forth norms, principles and measures to address the threat posed to the international community by the excessive and destabilizing accumulation and uncontrolled spread of SALW. This was acknowledged by the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century² and the Ministerial Declaration on OSCE Assistance Projects in the Field of SALW and SCA³ (MC.DOC/3/16), as well as by Ministerial Council Decision No. 10/17 on small arms and light weapons and stockpiles of conventional ammunition⁴ (MC.DEC/10/17), which regards the OSCE Documents on SALW and SCA and relevant FSC decisions as important tools for combating threats caused by terrorism and transnational organized crime, and underlines the importance of further strengthening their implementation.

In its activities, the OSCE aims to complement action undertaken at the global level. Together, the OSCE Documents on SALW and SCA also constitute a substantial contribution to the implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in All Its Aspects (“United Nations Programme of Action on SALW”).

2. Objectives

The present report is intended to provide an overview of the implementation of OSCE commitments on SALW and SCA; it also describes progress made in the implementation of OSCE-related SALW and SCA assistance projects. It is primarily designed to serve as a basis for determining the status of implementation of the OSCE commitments on SALW and SCA.

1 <https://www.osce.org/fsc/20783>

2 <https://www.osce.org/mc/17504>

3 <https://www.osce.org/cio/288201?download=true>

4 <https://www.osce.org/chairmanship/361581?download=true>

The report covers the period from November 2017 to November 2018 (the deadline for the inclusion of factual data having been 13 November).

3. The OSCE's contribution to the third UN Conference to Review Progress Made in the Implementation of the Programme of Action on SALW

The third UN Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in All Its Aspects (and its International Tracing Instrument), RevCon3⁵, was held from 18 to 29 June 2018 in New York. The OSCE participated in the preparations for RevCon3 by actively contributing to the thematic discussions on: small arms control in conflict and post-conflict settings; the Sustainable Development Goals (SDGs) and gender; new technologies; and synergies.

At the UN level, the OSCE promoted its achievements in co-operation, co-ordination and synergies with the UNODA on reporting on SALW as well as in international assistance activities contributing to combating illicit trafficking and reducing and preventing the excessive and destabilizing accumulation and uncontrolled spread of SALW in the OSCE area.

On the margins of the Preparatory Committee of RevCon3, the OSCE, jointly with Germany and France, promoted its Best Practice Guide on Minimum Standards for National Procedures for the Deactivation of SALW ("Best Practice Guide on Deactivation of SALW"), adopted in 2018, by organizing a side event which raised awareness, underlining that everyone was concerned by the threat posed by the illicit conversion, transformation or reactivation of weapons. It was also concluded that the deactivation of SALW should become an integral part of capacity-building efforts through the incorporation of common rules and standards on SALW related to national norms and mechanisms in the OSCE area and beyond.

At RevCon3, the OSCE promoted its work by highlighting the importance of the regional efforts in implementing the Programme of Action on SALW and promoting the SDGs, in particular by reducing illicit arms flows. The OSCE highlighted four areas of its work:

- Deactivation of SALW;
- Facilitating synergies in reporting;
- Promoting implementation of United Nations Security Council resolution 1325 (2000) on women and peace and security, through the training programme for women on arms control, disarmament and non-proliferation in the OSCE area, and by seeking to make gender aspects an integral part of the OSCE's assistance projects on SALW and SCA;

5 RevCon takes place every six years to review progress made in the implementation of the Programme of Action (PoA). As the PoA is not a stand-alone document, it is reviewed together with best practice guides, sustainable development goals, assistance projects, law enforcement, and regional instruments.

- Implementation of the SALW and SCA projects promoting the safe and secure storage and timely destruction of weapons, ammunition and explosives, contributes to a safer and more secure world, as do capacity-building for those purposes and effective collaboration on combating proliferation and accumulation.

The RevCon3 outcome document, contained in the annex of the conference report⁶, provides a roadmap for strengthening the fight against illicit SALW at all levels and in particular emphasizes issues related to reducing illicit trade in SALW, integrating a gender perspective in work on SALW, inclusion of the ammunition regulation in the framework of the Plan of Action, technological advancement, and the relation of SALW to the Sustainable Development Goals.

4. Assessment of the implementation of the OSCE Documents on SALW and SCA

In accordance with FSC Decisions No. 4/18 and No. 5/18, the Biennial Meeting to Assess the Implementation of the OSCE Documents on SALW and SCA was held on 2 and 3 October 2018 in order to follow up on suggestions for action contained in the RevCon3 outcome document and to seek ways to apply them in further SALW and SCA-related work of the OSCE.

The meeting brought together over a hundred national officials and representatives of international organizations. The meeting's goal was to take stock (or initiate "inventory") of the OSCE's existing tools and to seek ways to streamline them to ensure an effective OSCE approach to non-proliferation of SALW, and to strengthening safety and security of SCA.

The participating States took the opportunity to review the normative side of SALW and SCA work with focuses on: (1) the Plan of Action on SALW, (2) the OSCE Best Practice Guides, and (3) the assistance mechanism.

The participants acknowledged the need for the OSCE to enhance its SALW- and SCA-related norms, best practices and mechanisms to better address both present and emerging challenges and preventing, combating and eradicating the diversion of SALW and conventional ammunition. A number of areas were identified for improvement and further development, such as efforts on preventing and combating diversion through, *inter alia*, deactivation or destruction; addressing weapons-related technological developments, in particular modular and polymer weapons; integrating gender aspects into best practice guides; making better use of national reporting and the SALW online reporting tool; and improving the assistance mechanism in the field of SALW and SCA to enhance the OSCE's capacity to engage more effectively in the multi-level processes.

6 http://www.un.org/en/ga/search/view_doc.asp?symbol=A/CONF.192/2018/RC/3&referer=/english/&Lang=E

5. Normative aspects

The OSCE Document on SALW establishes the OSCE normative base for the development and implementation of national legislation, rules and procedures. The review of these norms and the development of supplementary and/or complementary decisions by the FSC constitute a core part of the FSC's regular work, which in 2018 centred on the following issues.

5.1 The Best Practice Guide on Minimum Standards for National Procedures for the Deactivation of SALW

In order to establish a reliable barrier to prevent diversion and leakage of small arms into the illegal market, the OSCE has developed the Best Practice Guide on Minimum Standards for National Procedures for the Deactivation of SALW⁷, which was approved at the FSC on 21 February 2018 (FSC.DEC/1/18/Corr.2).

Commonly referred to as the "Best Practice Guide on Deactivation of SALW", it suggests minimum standards, approaches and procedures to ensure the permanent deactivation of SALW, and provides recommendations on how to incorporate these into national legislation and mechanisms. It details concrete measures for the participating States to take in marking and keeping records of weapons and also sets out technical specifications for the deactivation of SALW.

On 29 and 30 October 2018, at Podgorica, Montenegro, the Regional Workshop on the OSCE Best Practice Guide on Deactivation of SALW was held to support the participating States in applying the SALW deactivation standards, approaches and procedures in their efforts to combat diversion and illicit transfers of SALW.

The workshop contributed to the efforts being undertaken in South-Eastern Europe to tackle the risks and challenges associated with reactivated, converted or otherwise illegally modified SALW. The workshop focused on how to integrate the standards contained in the Best Practice Guide into national legislation and SALW control procedures.

The workshop was the first event to be held in direct, practical support of the Franco-German joint initiative that led to the adoption in July 2018 of the "Roadmap for a sustainable solution to the illegal possession, misuse and trafficking of SALW and their ammunition in the Western Balkans by 2024". The workshop also sought to promote implementation of national action plans on illicit firearms trafficking and comprehensive SALW control. The workshop focused on two goals of the Roadmap: to ensure that arms control legislation is fully harmonized with the international regulatory framework by 2023, and to ensure that the collection and legalization of SALW is carried out using deactivation procedures that comply with international standards.

5.2 Proposals on SALW

The FSC has on its agenda a proposal for a draft decision on the prevention of illicit trafficking of SALW and/or ammunition by sea and inland waterways. Highlighting the

7 <https://www.osce.org/forum-for-security-cooperation/383988>

importance of the security of the maritime domain for the stability of the OSCE area, the proposal suggests engaging in best practice and information exchange on the prevention of illicit trafficking of SALW by maritime transport and through inland waterways.

This would strengthen the OSCE's role in the implementation of international regulations and commitments relevant to combating this form of illicit trafficking and in engaging in dialogue with private and international organizations to enhance the knowledge of best practices.

5.3 The Informal Group of Friends on SALW

The work of the Informal Group of Friends on SALW continued in 2018.

The Informal Group of Friends dealt with the preparations for the third UN Review Conference and reviewed the OSCE's work in this area since the second UN Review Conference held in 2012. The OSCE's achievements since RevCon2 were identified as having taken place in the following areas:

- Normative aspects and their implementation in accordance with the OSCE Documents on SALW and SCA; Ministerial Council and FSC decisions on SALW and SCA, including FSC Decision No. 1/18 on the best practice guide on deactivation of SALW;
- Synergies in reporting – further development of the SALW online reporting tool;
- SALW/SCA projects aimed at enhancing the capacity of the participating States in reducing surplus stockpiles of SALW and SCA and in improving stockpile management;
- Gender, highlighting the OSCE's work in gender mainstreaming and the need to include women in decision-making processes.

In this connection, there was widespread praise for the training programme for young professionals, in particular women, on “arms control, disarmament and non-proliferation in the OSCE area”, which was supported by the OSCE Scholarship for Peace and Security. Such activities advance the implementation of UN Security Council resolution 1325 (2000) on women and peace and security and UN Sustainable Development Goal 5 on gender equality and Sustainable Development Goal 16 on peace, justice and strong institutions.

Moreover, the Informal Group of Friends discussed ways of promoting the online reporting tool among the participating States. The reporting tool was launched in May 2017 jointly by the OSCE and the UNODA for the submission of SALW-related information to both organizations, in order to decrease the reporting burden on participating States and to encourage a co-ordinated approach to the reporting. At the meetings of the Informal Group of Friends there were also discussions concerning the possibility of expanding the reporting tool to cover all SALW reporting commitments and on how to increase the added value of the SALW reports.

6. Implementation of existing commitments

6.1 Information exchanges on SALW

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

The OSCE participating States regularly exchange information on an annual as well as on a one-off basis on various matters related to SALW: imports/exports; destruction; points of contact; manufacture; marking; national legislation and current practice in small arms export policy; procedures; documentation; and brokering controls. These information exchanges were all considered confidential until the FSC adopted a decision in 2016 (FSC.DEC/4/16/Corr.1) stipulating the publication of most of the SALW-related information on the OSCE's public website either immediately following its exchange or upon request of the respective participating State. The OSCE Secretariat was tasked with ensuring the timely publication of these reports. Despite the fact that general levels of implementation started to show slight improvement in 2015 in comparison with previous years, the trend in exchanging SALW-related information turned negative in the years 2016–2018, despite extensive use of the revised announcing and reminding mechanism (FSC.DEC/10/02).

OSCE annual information exchanges relevant to SALW include:

- Information exchange on small arms exports to, and imports from, other participating States during the previous calendar year (FSC.DOC/1/00, Section III (F)1);
- Information exchange on the category, subcategory and quantity of small arms that have been identified as surplus and/or seized and destroyed on their territory during the previous calendar year (FSC.DOC/1/00/Rev.1, Section IV (E)1);
- Information exchange on the Points of Contact on Small Arms and Light Weapons and Stockpiles of Conventional Ammunition (FSC.DEC/4/08).

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

- Information exchange on national stockpile management and security procedures (FSC.DOC/1/00/Rev.1, Section IV (E)2);
- Information exchange on national marking systems used in the manufacture and/or import of small arms and light weapons (FSC.DOC/1/00, Section II (D)1);
- Information exchange on national procedures for the control of manufacture of small arms and light weapons (FSC.DOC/1/00, Section II (D)1);

- Information exchange on national legislation and current practice in small arms export policy, procedures, documentation, and brokering controls (FSC.DOC/1/00, Section III (F)2);
- Information exchange on techniques and procedures necessary for the destruction of SALW (FSC.DOC/1/00/Rev.1, Section IV (E)3).

6.1.1 One-off information exchanges

Under the OSCE Document on SALW, the participating States agreed to share and submit updated information, when necessary, on the following matters: national marking systems; national procedures for the control of manufacturing; national legislation and current practice in export policy, procedures and documentation, also in control over brokering; small arms destruction techniques; and small arms stockpile security and management programmes.

FSC Decision No. 11/08 tasked the participating States with exchanging information on national practices related to preventing the spread of SALW through illicit air transport.

FSC Decision No. 12/08 requested the participating States to provide a sample format of their national end-user certificate and/or other pertinent documents.

FSC Decision No. 17/10 requested the participating States to exchange information on their present regulations concerning brokering activities with regard to SALW.

FSC Decision No. 4/16 enabled the publication of one-off SALW information exchange reports which can be found on the OSCE's public website.

Detailed information about the number of participating States that exchanged one-off information in 2018 can be found in annex A to this report.

In March 2011, the Conflict Prevention Centre (CPC) issued a revised template for reporting one-off information on SALW (FSC.GAL/38/11), with the suggested start date for reporting being 30 June 2011, in accordance with the deadline for reporting updated in the OSCE Document on SALW.

In July 2015, the CPC sent individual letters to the participating States requesting feedback in order to improve the implementation rate and quality of reports on SALW-related issues. The OSCE and the UNODA then studied possibilities for further reducing the SALW reporting burden by making the submission of the OSCE reports possible online. Following the example set by the UNODA for national reports on the implementation of the United Nations Programme of Action on SALW, the submission of one-off information on SALW was made possible online by means of the SALW online reporting tool developed through a joint OSCE-UNODA project in 2016. The reporting tool provides for synergy with other international instruments, allowing participating States to simultaneously submit national SALW reports to both the OSCE and the UN.

In 2017, Ministerial Council Decision No. 10/17 on SALW and SCA invited the participating States to make use of the voluntary online tool for the submission of OSCE SALW-related information exchanges and provide extrabudgetary contributions for its

further development. The OSCE Secretariat is actively promoting the tool by, *inter alia*, organizing training workshops for the participating States and exploring possibilities for its expansion.

6.1.2 Annual information exchanges

In addition to exchanging information about existing norms and regulations, the OSCE Document on SALW requires the participating States to exchange data annually on exports to and imports from other OSCE participating States, as well as on small arms identified as surplus and/or seized and destroyed on their territories in the previous calendar year. Total numbers of destroyed SALW are in decline, but so is the implementation of the SALW reporting obligations, and the two are directly related. An overview of this information exchanged in 2018 is displayed in annex B.

According to the available data that was exchanged during the period from 2001 to 2018, the OSCE participating States have destroyed 16,965,743 items of SALW. Details are set out in annex C.

7. Practical assistance on SALW

Implementation of the elements in the OSCE Document on SALW concerning requests from participating States for assistance in the destruction or management and security of stockpiles of SALW remains an essential part of the work of the FSC in this field.

Assistance for project activities on SALW and SCA continued in 2018.

The assistance ranges from control of cross-border trafficking to the destruction of surplus SALW and SCA, physical security and stockpile management, and SALW collection programmes.

In 2018, together with OSCE field operations, the CPC supported participating States in the development and/or implementation of 22 SALW and SCA projects amounting to approximately 25 million euros, specifically in Armenia, Belarus, Bosnia and Herzegovina, Bulgaria, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Montenegro, Serbia, Tajikistan, the former Yugoslav Republic of Macedonia, Turkmenistan and Ukraine.

In Belarus, some 690 tonnes of rocket fuel components, also known as *mélange*, were safely removed from the country and sent for environmentally sound disposal; in addition, the technical preparations for the removal of rocket fuel components in Armenia and in Kyrgyzstan were carried out. In Serbia, the physical security and safety of conventional ammunition stockpiles were improved through upgrading of the firefighting system. In Georgia, a total of 461 tonnes of cluster and aviation bombs and artillery shells were destroyed. In Ukraine, following the production of the “Needs assessment for combating illicit trafficking of weapons, ammunition and explosives in and across Ukraine’s borders”, the initial project aimed at enhancing border security and management capacities in this field was initiated in co-operation with the OSCE Transnational Threats (TNT) Department; furthermore, support was given to improving emergency response capacities in the clearance of explosive remnants of war. In the OSCE area as a whole, support was given to efforts to establish a baseline for providing technical advice and institutional support to the OSCE

participating States on the SALW and SCA normative base and practical assistance projects; furthermore, expert assessment visits under the OSCE Documents on SALW and SCA were carried out.

The CPC also provided project supervision and/or advisory support, including resource mobilization, to the SALW/SCA projects directly implemented by the field operations in Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Moldova, Montenegro, Tajikistan and Ukraine.

8. Outreach and co-operation

8.1 Partnership and co-operation agreements with other international organizations

8.1.1 Memorandum of understanding with the UNDP

The OSCE continued co-operation with the UNDP in accordance with a new expanded Memorandum of Understanding between the OSCE Secretariat and the UNDP signed in 2013. The Memorandum foresees closer co-ordination and co-operation in the following areas:

- (i) Early warning, conflict prevention and reconciliation;
- (ii) Demilitarization and arms control;
- (iii) Confidence-building and community security;
- (iv) Good governance, anti-corruption work, rule of law, and judicial and legal reform;
- (v) Disaster risk reduction;
- (vi) Displacement;
- (vii) Activities in support of UN Security Council resolution 1325 (2000) on women and peace and security;
- (viii) Minorities;
- (ix) Environment, management of natural resources, and sustainable energy;
- (x) Border management.

In the framework of the Memorandum of Understanding between the OSCE and the UNDP, five large-scale projects have been jointly implemented, in Belarus, Bosnia and Herzegovina, Georgia, Montenegro and Serbia.

8.1.2 Joint Action Plan with the UNODC

In January 2018, the OSCE and the UNODC extended the Joint Action Plan in order to improve synergies between the activities of the two organizations. The Plan specifically foresees joint development of policy and programmes.

The OSCE-UNODC Joint Action Plan 2018–2019 reflects the two organizations' contributions to the United Nations 2030 Agenda for Sustainable Development and allows for more streamlined technical collaboration in twelve subject areas.

Official collaboration between the OSCE and the UNODC on the basis of joint action plans was first established in 2011, and the current plan for 2018–2019 is the fourth of its kind. Subject to the availability of funding and within the framework of each organization's mandate, the plans allow for greater co-ordination and the implementation of joint programmes and activities. This includes co-ordination and co-operation through the exchange of best practices, the organization of joint workshops, joint technical assistance and sharing resources.

The Parties will consider co-operating on awareness-raising on and the promotion and implementation of:

- The UN Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, and the OSCE Document on SALW;
- The mandates, decisions, tasks and recommendations emanating from their respective governing bodies;
- Existing and upcoming reporting mechanisms established in the framework of the respective governing bodies;
- Specific regional initiatives, including those in the Southern Caucasus, Central Asia, Eastern Europe and South-Eastern Europe;
- Initiatives to improve the national capacities of OSCE participating States to effectively tackle the illicit trafficking of firearms/SALW and related serious crimes through, *inter alia*, joint conferences and workshops, capacity-building training, country visits and technical assistance projects.

Furthermore, in view of, and as part of, the above, the Parties will consider developing partnerships in:

- Raising awareness for the ratification/accession of the Firearms Protocol by OSCE participating States and on the complementary nature and possible synergies between the Protocol and other international and regional instruments and documents;
- Supporting specific initiatives aimed at the implementation of the Firearms Protocol and the relevant OSCE Documents, in the areas of preventing and combating illicit trafficking in SALW and ammunition, including its transposition into national SALW legislation and regulations, and implementation of measures such as record-keeping, (import) marking, standards for deactivation of firearms, establishing and maintaining

effective systems of transfer control for SALW, as well as detection, investigation and prosecution of related criminal offences in the OSCE area in the context of existing initiatives, projects and other activities;

- Enhancing co-operation among representatives of law enforcement, judiciary and prosecution bodies for the purpose of countering illicit trafficking in SALW, including the tracing of illicit SALW.

Regular OSCE-UNODC staff talks were held in 2017 and 2018 to discuss the extension and implementation of the Joint Action Plan. Moreover, UNODC representatives were invited to contribute to the Biennial Meeting to Assess the Implementation of the OSCE Documents on SALW and SCA, held on 2 and 3 October 2018.

8.1.3 Memorandum of Understanding with the UNODA

In October 2012, the OSCE Secretariat and the UNODA signed a memorandum of understanding as part of their common efforts to further improve their mutual synergies.

In the Memorandum, it was agreed that co-operation should be strengthened in the fields of disarmament, arms control and conventional arms regulation, and in confidence-building and related issues, through:

- (a) Exchange of information and co-ordination of policies and activities;
- (b) Organization of joint activities;
- (c) Resource mobilization for joint activities;
- (d) Exchange programmes;
- (e) Common visibility strategy to support and promote joint activities; and
- (f) Synergies in the planning of meetings.

The UNODA and the OSCE have launched practical joint initiatives in the following areas:

- The online reporting tool on SALW, reducing the SALW reporting burden by allowing participating States to simultaneously submit national SALW reports to both the OSCE and the UN;
- The training programme for young professionals, in particular women, on “Conflict prevention and resolution through arms control, disarmament and non-proliferation”, supported by the OSCE Scholarship for Peace and Security. In 2018, the programme enabled 71 participants to increase their awareness and understanding of arms control, disarmament and non-proliferation issues, in particular SALW and SCA, with a specific focus on the OSCE and the relevant instruments.

Also, the programme provided young professionals, in particular women, with opportunities for networking and contributed to creating equal opportunities for women’s

participation in policy-making, planning and implementation processes in the area of arms control, disarmament and non-proliferation.

8.2 Operational support and information exchange

The OSCE Secretariat holds regular staff talks with the UN to share information about the latest developments and new initiatives, both on the setting of norms and standards and on practical assistance in connection with SALW.

8.2.1 Co-operation and information exchange with other international organizations

Since 2010, the CPC has held regular consultations with the UN Coordinating Action on Small Arms (CASA), which involves over 20 relevant UN agencies and programmes that deal with SALW issues, including the UNODA, the UNODC, the UNDP and the UN Institute for Disarmament Research. In 2018, regular exchanges with CASA continued to result in exchange of information about ongoing and planned initiatives, co-ordination of actions, and the exploration of synergies.

The OSCE Secretariat has initiated closer co-operation with the European Union with regard to funding for OSCE SALW activities.

The OSCE also engages in regular co-ordination and information exchange with the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies. In 2017 and in 2018, Ambassador P. Griffiths, Head of the Secretariat at the Wassenaar Arrangement, gave a briefing to the FSC on “Export controls and deactivation of SALW”, and the Director of the CPC, Mr. M. Peško, took part in the annual outreach briefing organized by the Wassenaar Arrangement.

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

Finally, the OSCE Secretariat holds biannual staff talks with the European Union to exchange information and discuss a wide range of issues.

The CPC exchanges information with other international organizations on OSCE project activities and on normative achievements in the area of SCA. Since 2008, informal meetings have been organized with other international organizations to enhance co-ordination of efforts with regard to projects on SALW and SCA. The purpose of the meetings is to take stock of the projects relating to SALW and SCA being implemented by international organizations, to exchange lessons learned and best practices, and to co-ordinate ongoing and future activities.

9. Conclusions

9.1 Normative work on SALW

The OSCE Document on SALW and the associated OSCE best practice guides continue to play an important norm-setting role in the OSCE area, which in its turn contributes to confidence and stability.

In line with Ministerial Council Decision No. 10/17, work continued both on fostering the implementation of existing commitments and also on looking into means of making the measures more effective and efficient, and seeking the best responses to prevent the diversion of weapons in all stages of their life cycle, taking into consideration the latest technological developments and good practices that have recently emerged. In this regard, co-operation and co-ordination with other international organizations, particularly the United Nations, play a crucial role in terms both of recognizing the leading role of the UN in managing the SALW control process and of ensuring the most efficient and effective use of resources.

In addition, dialogue on SALW with interested participating States has continued and new requests for assistance on SALW and conventional ammunition have been considered.

Although, through the FSC and the Informal Group of Friends on SALW, participating States have taken an active approach to further implementing the OSCE *acquis* on SALW issues, much remains to be done. At the Biennial Meeting to Assess the Implementation of the OSCE Documents on SALW and SCA, it was concluded that the OSCE needs to enhance its SALW- and SCA-related norms, best practices and mechanisms to be fit to address challenges and prevent, combat and eradicate the diversion of SALW transfers and conventional ammunition for the purposes of terrorism and transnational organized crime. The first step has been taken towards the streamlining of SALW information exchanges and their synchronization with those at the UN, a process which will be continued in the coming years.

9.2 Practical assistance on SALW

Measures undertaken in response to requests for assistance from an increasing number of participating States remain a key OSCE field of activity in the context of the practical implementation of the Documents on SALW and SCA. Steps continue to be taken to enhance the effectiveness of SALW activity through regular regional co-operation and informal co-ordination with other international organizations.

Further periodic information-sharing or briefings on projects, both by the respective co-ordinator and actors involved, are intended to raise awareness and help mobilize resources from the participating States.

9.3 The future SALW work of the FSC

Activities undertaken in 2018 within the FSC and in other forums such as the UN provide a platform on which to strengthen efforts to combat the security challenges resulting from the illicit spread and destabilizing accumulations of SALW. In the OSCE area, SALW continue to pose a threat that could be minimized through streamlined and improved normative controls and project-based activities, in combination with associated co-operative

and capacity-building activities. At the Biennial Meeting to Assess the Implementation of the OSCE Documents on SALW and SCA, held in October 2018, the FSC, following up on suggestions made in the outcome document of the third UN Review Conference on the Programme of Action on SALW, took stock of the implementation of its norms, principles, measures, best practices and mechanisms and sought further ways to enhance them in the SALW- and SCA-related work of the OSCE.

10. Annexes

- Annex A: Overview of the one-off information exchange on marking, export controls, stockpile management and destruction procedures in respect of SALW, as well as on brokering, samples of end-user certificates and illicit air transport
- Annex B: Overview of the annual information exchange on: export/import of SALW, surplus SALW and/or SALW seized and destroyed
- Annex C: Destruction of SALW in the OSCE area
- Annex D: Meetings, seminars and conferences on SALW organized by the OSCE from November 2017 to November 2018
- Annex E: Participation in events organized by other international organizations and in jointly organized events

Annex A: Overview of the one-off information exchange on marking, export controls, stockpile management and destruction procedures in respect of SALW, as well as on brokering, samples of end-user certificates and illicit air transport

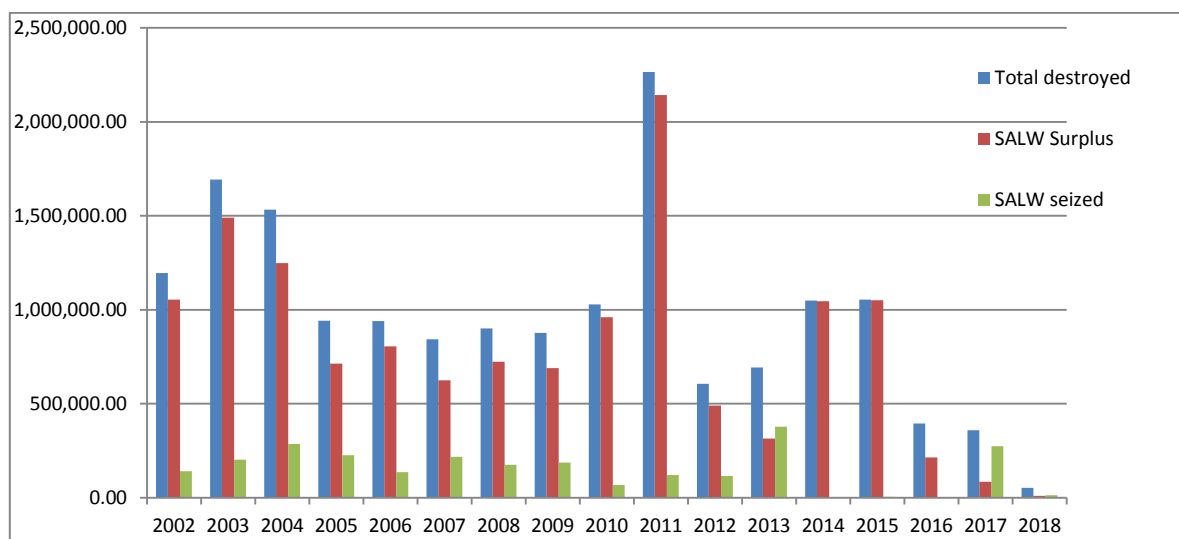
Reference (paragraph)	Citation regarding implementation measures	Exchanged to date	Updates in 2018
Section II, (D)1 (starting from 30 June 2001)	The participating States agree to conduct an information exchange on their national marking systems used in the manufacture and/or import of small arms.	56 participating States	18 participating States
Section II, (D)1 (starting from 30 June 2001)	The participating States agree to exchange with each other available information on national procedures for the control of the manufacture of small arms.	56 participating States	18 participating States
Section III, (F)2 (starting from 30 June 2001)	The participating States will exchange with each other available information on relevant national legislation and current practice on export policy, procedures, documentation and on control over international brokering in small arms in order to spread awareness of “best practice” in these areas.	56 participating States	18 participating States
Section IV, (E)2 (starting from 30 June 2002)	The participating States will exchange information of a general nature about their national stockpile management and security procedures. The FSC will consider developing a “best practice” guide, designed to promote effective stockpile management and security.	54 participating States	15 participating States
Section IV, (E)3 (starting from 30 June 2001)	The participating States agree to exchange information on their techniques and procedures for the destruction of small arms. The FSC will consider developing a “best practice” guide of techniques and procedures for the destruction of small arms.	55 participating States	18 participating States
FSC Decision No. 11/07 (by 25 January 2008)	The FSC requests participating States to exchange information on their present regulations concerning brokering activities with regard to SALW.	48 participating States	0 participating States

FSC Decision No. 11/08 (by 30 June 2009)	The FSC decides that the participating States shall provide, as an update to the one-off information exchange established by Section III, part F, paragraph 2, of the OSCE Document on SALW, additional information on national practices related to preventing the spread of SALW through illicit air transport.	47 participating States	0 participating States
FSC Decision No. 12/08 (by 27 March 2009)	The FSC requests participating States to provide a sample format of their national end-user certificate and/or other pertinent documents.	53 participating States	1 participating State
FSC Decision No. 17/10 (by 30 June 2011)	The FSC requests participating States to exchange information on their present regulations concerning brokering activities with regard to SALW.	50 participating States	17 participating States

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

Reference (paragraph)	Citation regarding implementation measures	2018
Section III, (F)1	The participating States agree to conduct an information exchange among themselves about their small arms exports to, and imports from, other participating States during the previous calendar year. They also agree to study ways to further improve the information exchange on transfers of small arms.	35 participating States
Section IV, (C)1 Section IV, (E)1	The participating States agree that the preferred method for the disposal of small arms is destruction. The participating States agree to share available information on the category, subcategory and quantity of small arms that have been identified as surplus and/or seized and destroyed on their territory during the previous calendar year.	26 participating States (excluding nil reports)

Annex C: Destruction of SALW in the OSCE area¹



Total destroyed	52,499
Total surplus destroyed	10,482
Total seized, confiscated and destroyed	13,674

¹ It should be noted that in cases where a participating State has not differentiated between surplus and seized weapons, the statistics are reflected as surplus.

Annex D: Meetings, seminars and conferences on SALW organized by the OSCE from November 2017 to November 2018

FSC meetings: Presentations related to SALW given in the context of the Security Dialogue of the FSC

FSC Chairpersons regularly invite guest speakers to address the Forum, also on issues related to SALW. In 2018, the presentations on topics related to SALW included the following:

- Presentation by Mr. T. Van Beneden, Project Officer (PfP), NATO Support and Procurement Agency, on: “International projects in the field of SALW and SCA complementing OSCE efforts”;
- Presentation by Ms. S. Inglis, Governance and Peacebuilding, UNDP Regional Hub Istanbul, on: “International projects in the field of SALW and SCA complementing OSCE efforts”;
- Presentation by Mr. Y. Hwang, Head of Department for Arms Control, Ministry of Foreign Affairs, France, on: “Preparation for the Third Review Conference on the UN Programme of Action”;
- Presentation by Mr. G. McDonald, Senior Researcher and Managing Editor, Small Arms Survey, on: “Preparation for the Third Review Conference on the UN Programme of Action”;
- Presentation by Ambassador P. Griffiths, Head of the Secretariat, Wassenaar Arrangement, on: “Export controls and deactivation of SALW”;
- Presentation by Ms. J. Körömi, Chair of the Council Working Party on Non-Proliferation (CONOP), European External Action Service, on: “Export controls and deactivation of SALW”;
- Presentation by Mr. J. Reyels, Deputy Head of Division, Conventional Arms Control and CSBM, Federal Foreign Service, Germany, on: “Export controls and deactivation of SALW”;
- Presentation by Ms. P. Stenkula, Police Commissioner and Chief of the Criminal Investigation Department for Police Region South, Swedish Police Authority, on: “Countering illicit trafficking of SALW”;
- Presentation by Mr. O. Lindvall, Customs Prosecutor and Head of Department of Customs Prosecutors, Southern Region, Swedish Customs, on: “Countering illicit trafficking of SALW”.

Meetings, conferences, workshops and events in 2018 (in chronological order):

- Online training modules and presentations on SALW non-proliferation and SCA at the joint OSCE-UNODA training programme, in particular for women, on “Conflict prevention and resolution through arms control, disarmament and non-proliferation in the OSCE area”, taking place from 29 January to 16 April 2018, including the in-person course in Vienna from 12 to 16 February;
- Participation in the Second High-level National SALW and SCA Conference organized by the Ministry of Defence of the Republic of Moldova, 15 February 2018, Chişinău, Moldova;
- Participation in the roundtable and pre-feasibility visit to Montenegro organized by the Ministry of Defence of Montenegro on potential extrabudgetary SALW/SCA projects, within the framework of project No. 1101757 “Support to expert assessment visits under the OSCE Documents on SALW and SCA”, Podgorica, Montenegro, from 9 to 11 April 2018;
- Organization of the “Workshop on reporting on SALW and the OSCE online reporting tool to revisit the current SALW reporting obligations, enhance capacity of the participating States to effectively utilize and examine further development of the SALW online reporting tool as well as to discuss and identify synergies in the OSCE reporting with other SALW international instruments”, 29 May 2018, Vienna, Austria;
- Participation in the West-Balkan Co-ordination Group meeting to discuss national priorities and activities in accordance with the roadmap to counter illicit weapons, ammunition and explosives, organized by France and Germany, 5 June 2018, Sarajevo, Bosnia and Herzegovina;
- Organization of the Co-ordination Meeting on the Implementation of Projects on SALW and SCA within the framework of project No. 1101994, “Strengthening OSCE action against the illicit proliferation of SALW and SCA”, 5 and 6 July 2018, Vienna, Austria;
- Participation at the “Meeting on SALW/SCA projects for the West Balkan area with UNDP/SEESAC”, 13 September 2018, Belgrade, Serbia;
- Organization of the “Workshop on reporting on SALW and the OSCE online reporting tool to revisit the current SALW reporting obligations, enhance capacity of the participating States to effectively utilize and examine further development of the SALW online reporting tool as well as to discuss and identify synergies in the OSCE reporting with other SALW international instruments”, 1 October 2018, Vienna, Austria;
- Biennial Meeting to Assess the Implementation of the OSCE Documents on SALW and SCA, Vienna, 2 and 3 October 2018;

- Meeting in Pristina with local authorities on the Franco-German Initiative to Counter Illicit SALW Trafficking in the West Balkans, 16 October 2018, Pristina, Kosovo¹;
- Holding of co-ordination meetings with border guards, Ministry of Foreign Affairs and Ministry of Interior of Poland, within the framework of the extrabudgetary project No. 1101903 “Needs assessment for combating illicit trafficking of weapons, ammunition and explosives in and across Ukraine”, 17 and 18 October 2018, Warsaw, Poland;
- Meeting in Skopje with local authorities on the Franco-German Initiative to Counter Illicit SALW Trafficking in the West Balkans, 18 October 2018, Skopje, the former Yugoslav Republic of Macedonia;
- Organization of the workshop “Combating transnational illicit trafficking in weapons, ammunition and explosives” within the framework of extrabudgetary project No. 1101903 “Needs assessment for combating illicit trafficking of weapons, ammunition and explosives in and across Ukraine”, from 23 to 25 October 2018, Lviv, Ukraine;
- Organization of the OSCE Regional Workshop on the OSCE Best Practice Guide on SALW Deactivation, 29 and 30 October, Podgorica, Montenegro, within the framework of the Franco-German initiative to promote adoption of the “Roadmap for a sustainable solution to the illegal possession, misuse and trafficking of small arms and light weapons (SALW) and their ammunition in the Western Balkans by 2024”.

1 All references to Kosovo, whether to the territory, institutions or population, in this text should be understood in full compliance with UN Security Council resolution 1244.

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

The OSCE continued its active external co-ordination and co-operation with other regional and international organizations and civil society, also participating in events organized by other actors.

In 2018, representatives of the CPC continued to promote the OSCE's outreach activities by participating in events organized by other international and regional organizations. The conferences and meetings at which presentations were given are listed below.

OSCE/FSC participation in SALW-related events organized by other international and regional organizations in 2018		
Date	Title	Place
23–24 November 2017	Expert symposium on synergies between the Programme of Action, the Arms Trade Treaty, and other relevant instruments, including the UN Firearms Protocol and UN counter-terrorism mechanisms, organized in preparation for the third Review Conference on the Programme of Action on SALW. The CPC gave a presentation on the OSCE perspective on military information exchange, reporting, co-operation and co-ordination, giving an overview on information being exchanged in the OSCE, OSCE best practice guides and provisions, as well as practical ways of minimizing the reporting burden.	Geneva, Switzerland
19–23 March 2018	Preparatory Committee of the third UN Conference to Review Progress Made in the Implementation of the Programme of Action on SALW, where OSCE efforts were promoted through organization of a side event on deactivation of SALW, and active involvement in the thematic discussions and other side events.	New York, United States of America
18–29 June 2018	Third UN Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in All Its Aspects (and its International Tracing Instrument), RevCon3, where the OSCE delivered a statement on its efforts in implementing the Programme of Action.	New York, United States of America

FSC CHAIRPERSON'S PROGRESS REPORT TO THE TWENTY-FIFTH MEETING OF THE MINISTERIAL COUNCIL ON THE CONTINUING IMPLEMENTATION OF THE OSCE DOCUMENT ON STOCKPILES OF CONVENTIONAL AMMUNITION

(MC.GAL/6/18 of 5 December 2018)

Executive summary

In the reporting period, the OSCE implemented a total of 23 practical assistance projects in the area of stockpiles of conventional ammunition (SCA), not only in support of 12 participating States which requested assistance, but also of States throughout the OSCE area. Moreover, an additional six assistance requests and/or letters of interest for co-operation were submitted to the OSCE.

The present progress report provides factual information on the current status of implementation of projects under the OSCE Document on SCA in the period from November 2017 to November 2018. The report indicates specific areas where action or assistance has been, and still is, most critically needed and requirements for additional financial resources.

In the reporting period, the OSCE assistance projects encompassed a wide array of security and safety risks related to the following: the presence of conventional ammunition, explosive material and detonating devices, and highly toxic rocket fuel components; degraded physical infrastructure and poor stockpile management and security practices; and the presence of explosive remnants of war and landmines.

The assistance projects are among the most tangible, visible and successful endeavours in the OSCE's spectrum of operations. Quite apart from their intrinsic value, the fact that their results are measurable and comprehensible means that they possess high public relations value and are thus of great importance to the OSCE.

Additionally, the OSCE Comprehensive Small Arms and Light Weapons (SALW) and SCA Repository Programme has continued to remain in operation, in order to promote greater efficiency and effectiveness in the management of donor contributions, as necessitated by the increased number of practical assistance projects. Managed by the FSC Support Section of the OSCE Conflict Prevention Centre (CPC), it serves as a trust fund and provides an instrument for the operation of a centralized system for the management – planning, co-ordination, distribution, and control – of financial resources allocated to the OSCE SALW/SCA programmes/projects.

1. Introduction

The present progress report on the implementation of projects under the OSCE Document on SCA covers ongoing efforts over the past year to address the challenges posed by stockpiles of ammunition. The report provides a factual update on the implementation of the commitments regarding conventional ammunition agreed to by all the participating States under the OSCE Document on SCA. It also describes the progress achieved in project

activities on conventional ammunition carried out in response to requests for assistance from participating States. The report covers the period from November 2017 to November 2018.

2. OSCE assistance pursuant to the Document on SCA

In line with the OSCE Document on SCA, the OSCE has continued with project work in Eastern Europe, South-Eastern Europe, the South Caucasus and Central Asia.

The assistance projects have addressed security and safety risks by taking the following measures:

- Destruction of surplus conventional ammunition, explosive material and detonating devices;
- Disposal of rocket fuel components;
- Upgrading of physical infrastructure and practices in the field of physical security and stockpile management (PSSM);
- Clearance and disposal of explosive remnants of war and landmines.

The practical assistance projects are being implemented by the FSC Support Section or by OSCE field operations.

Armenia

On the basis of the justified request addressed to the OSCE in June 2014, the removal and disposal of stockpiles of 150 tonnes of highly toxic rocket fuel components (notably samini) in Armenia was incorporated into the OSCE Secretariat extrabudgetary project “Regional programme on liquid rocket fuel components disposal” (No. 1101542). This regional project was started in December 2014.

The preparations for the operational phase of the project, which included an additional technical feasibility visit to Armenia, commenced in September 2018; it resulted in a re-examination of the technical data for tendering and contracting procedures for the removal and disposal of rocket fuel components as well as the discussion of the legal framework for project implementation with the host country.

The project has been financed to the level of 44 per cent and is still in need of additional financial resources.

Additionally, in November 2015 Armenia submitted a request, which is still open, regarding assistance in meeting basic safety and security standards at two storage sites and in promoting personnel safety and occupational health by raising risk awareness and other training activities; the request was supplemented with additional information and further justification in December 2016 and July 2018.

Belarus

On the basis of the justified request addressed to the OSCE in April 2013, the removal and disposal of stockpiles of almost 700 tonnes of highly toxic rocket fuel components (mélange, samin, TM-185) in Belarus was incorporated into the OSCE Secretariat extrabudgetary project “Regional programme on liquid rocket fuel components disposal” (No. 1101542).

In December 2016, following international tendering, two trilateral contracts were signed between the OSCE, the Ministry of Defence of Belarus, and, as the contractor, the research and production enterprise TECHNOAZOT LTD, for the disposal of the rocket fuel components.

The stockpiles with highly toxic liquid rocket fuel components (mélange, samin, TM-185) were concentrated in one storage site near the town of Kalinkovichi some 300 km south of Minsk. Subsequently, a total of 401.86 tonnes of mélange were shipped in five cycles to the disposal facility of the Khimtech enterprise in the city of Cheboksary, Russian Federation; furthermore, a total of 196.36 tonnes of samin and 90.97 of TM-185 were shipped in four cycles to the disposal facility of Fortum Waste Solutions AG in the city of Kumla, Sweden. The disposal was carried out in the period from July 2017 to January 2018.

In September 2018, the Republic of Belarus submitted an assistance request on “Capacity development for safe and secure SALW and conventional ammunition stockpile management in the Republic of Belarus”.

Bosnia and Herzegovina

In September 2017 a justified request addressed to the OSCE materialized in the development of the extrabudgetary project “Safety and security upgrade of Bosnia and Herzegovina ammunition and weapons storage sites (SAFE-UP)” (No. 2200393). The three-year project was started in January 2017.

The project contributed to the further upgrade of the security and safety infrastructure of prospective ammunition and weapons storage sites of Bosnia and Herzegovina in accordance with internationally accepted standards.

The following main results have been achieved:

- Establishing and equipping the laboratory for the chemical and thermal analysis of ammunition at TROM Dobož, and provision of training;
- Providing fire protection and fire-fighting equipment at six prospective storage sites of the Ministry of Defence of Bosnia and Herzegovina;
- Installing an “intruder detection system” (IDS) package and improving street illumination at the ammunition storage site Kula II;
- Supporting maintenance and repair services for the IDS package at ammunition storage site Krupa and ammunition storage site Kula, and funding spare parts for

maintenance interventions provided to the Ministry of Defence of Bosnia and Herzegovina in 2018.

The project has been financed to the level of 77 per cent and is still in need of additional financial resources.

Bulgaria

On the basis of the justified request addressed to the OSCE in October 2012, the removal and disposal of stockpiles of some 1,200 tonnes of highly toxic rocket fuel components (mélange, samin, TM-185) in Bulgaria was incorporated into the OSCE Secretariat extrabudgetary project “Regional programme on liquid rocket fuel components disposal” (No. 1101542).

The legal framework (memorandum of understanding) between Bulgaria and the OSCE on project implementation had already been agreed upon, signed and ratified by the Bulgarian parliament in October 2015.

In November 2017, the Government of Bulgaria informed the OSCE that it would like to self-finance the disposal activities within the OSCE project and issued the pledge letter for 2.44 million euros in November 2017. The OSCE immediately initiated preparations for the operational phase of the project. However, in July 2018 the Government of Bulgaria unexpectedly informed the OSCE of the withdrawal of its request for assistance. Consequently, the OSCE project activities were put on hold.

Georgia

A justified request addressed to the OSCE in January 2016 was followed by the development of the extrabudgetary project “Disposal of cluster and aviation bombs, artillery rounds and shells in Georgia” (No. 1101787). The project was started in July 2016, with its completion being foreseen for December 2018.

The project has been implemented in partnership with the State Military Scientific and Technical Centre “Delta” as the local implementing partner. The project’s explosive ordnance demilitarization activities, implemented in the period from December 2016 to March 2018, resulted in the disposal of a total of 10,817 pieces of surplus explosive ordnance with a total weight of 461,077.5 kg.

The Ministry of Defence of Georgia has already expressed its interest in continuing co-operation with the OSCE in support of their demilitarization programme.

Kyrgyzstan

A justified and modified request addressed to the OSCE in February 2010 led to the development of the extrabudgetary project “Upgrading Kyrgyz Republic’s capabilities for storage of SALW and Conventional Ammunition (CA) in Buzhum, Gul’cha and Koy-Tash” (No. 5300431).

Almost all the project activities, which were designed to give support to the Committee on Defence Affairs, were concluded by December 2017, having resulted in:

- Building of new and/or upgrading of existing explosives storage houses in Buzhum, Gul'cha and Koy-Tash;
- Destruction of over 1,348 surplus and/or unserviceable SALW, man-portable air defence systems (MANPADS) and anti-tank guided missiles;
- Creation of national capacity for the destruction of SALW;
- Improvement of the national regulatory/normative framework for SALW and CA management.

In June 2018, the Kyrgyz Republic submitted a request for assistance on the construction and refurbishment of SALW/SCA explosives storage houses. The initial technical visit to clarify the request was carried out at the end of August 2018.

Additionally, on the basis of a justified request addressed to the OSCE in 2013, the removal and disposal of stockpiles of some 142 tonnes of highly toxic rocket fuel components (mélange, samin) in Kyrgyzstan was incorporated into the OSCE Secretariat extrabudgetary project “Regional programme on liquid rocket fuel components disposal” (No. 1101542). The assistance request was renewed in June 2018.

Even though the OSCE procurement procedures for the rocket fuel components removal and disposal service were already completed in December 2015, lack of financial resources has seriously delayed operational activities.

Moldova

In the reporting period, the OSCE successfully concluded two extrabudgetary projects in Moldova: “PSSM activities related to the development and introduction of the new ammunition in Moldova, Phase 2” (No. 3100255) and “Increasing security at SALW and CA storage facilities in Moldova, Phase 3” (No. 3100257). The projects were in implementation from April 2015 to June 2018 and from April 2015 to February 2018 respectively.

While the first project contributed to establishing training capacity in the field of SALW/SCA, the second project contributed to the upgrades of the explosive storage houses at SALW and SCA storages in Chisinau and Cahul, and to the installation of intruder alarm systems at the ammunition depots in Chisinau and Cahul and a video surveillance system in Balti.

On the basis of the justified request addressed to the OSCE in February 2018, the extrabudgetary project “Explosive risk mitigation at SALW and CA depots in the Republic of Moldova” (No. 3100306) was developed and started in July 2018.

The project aims to contribute to the:

- Execution of 100 per cent physical inspection at all ammunition depots by 2020;
- Digitalization of the ammunition record-keeping system by 2020;

- Upgrading of the firefighting safety and security systems of three ammunition storage sites (Floresti, Cahul, Chişinău);
- Enhancement of the knowledge, skills and attitudes of ministry of defence experts on ammunition life-cycle management, with application in daily operations and training courses;
- Aligning of ministry of defence PSSM standard operating procedures with OSCE and international best practices, with application in daily operations and in training courses;
- Establishment of an ammunition chemical analysis laboratory, operating on a daily basis by the end of the project;
- Establishment of a regular international co-ordination mechanism on SALW and CA.

The project (No. 3100306) has been financed to the level of 26 per cent and is still in need of additional financial resources.

Montenegro

By the end of 2018 the MONDEM demilitarization programme in Montenegro will be completed. MONDEM is a comprehensive demilitarization initiative focusing on the following: disposal of toxic and hazardous substances, disposal of surplus ammunition and explosives, upgrading the safety and security of stockpile storage infrastructure, and disposal of heavy weapons. In the framework of the MONDEM programme, two extrabudgetary projects (No. 2700240 and No. 2700415) have been implemented in partnership with the UNDP in Montenegro.

The focus of the MONDEM programme in the reporting period was to increase security of conventional ammunition storage at the Brezovik ammunition depot by procuring and installing upgraded perimeter fencing at the site.

The Ministry of Defence of Montenegro has already expressed interest in continuing co-operation with the OSCE in supporting the transparent disposal of surplus weapons and explosive ordnance and the development of a sustainable life-cycle management system for weapons and explosive ordnance.

Serbia

On the basis of the justified request addressed to the OSCE in June 2011, the Capacity Development Programme for Conventional Ammunition Stockpile Management (CASM) for the Republic of Serbia was developed in a tripartite partnership between the Government of the Republic of Serbia, the OSCE and the UNDP.

The end of October 2018 saw the successful conclusion of the OSCE extrabudgetary project “Assistance to the Government of Serbia in demilitarization of white phosphorus filled ammunition and napalm powder” (No. 1101215), which had started as long ago as May 2012. The project was jointly implemented by the OSCE and the UNDP.

In the reporting period, the project focused on enhancing the safety of the demilitarization process at TRZ Kragujevac by upgrading the fire protection system (“sprinkler system”).

The Ministry of Defence of Serbia has already expressed interest in continuing co-operation with the OSCE in the field of conventional ammunition stockpile management.

Tajikistan

In the reporting period, the OSCE has been implementing three extrabudgetary projects requested by the Government of Tajikistan.

The extrabudgetary project “Improvement of SALW physical security in Tajikistan” (No. 5500502), which was launched in January 2015, aims to upgrade the ministry of defence joint SALW depots in accordance with OSCE best practices on SALW and SCA. The procurement procedure for the construction works has been completed and the contracts will be awarded by the end of December 2018. The project is planned to end in December 2019.

The project (No. 5500502) has been financed to the level of 47 per cent and is still in need of additional financial resources.

The extrabudgetary project “Accelerated national humanitarian demining capacity development” (No. 5500532), which was launched in January 2016, contributed to the demining of up to 160,000 square metres of land on the Tajik-Afghan border contaminated with anti-personnel landmines and unexploded ordnance. It also provided support to the day-to-day management and co-ordination of humanitarian demining operations carried out by the Tajikistan National Mine Action Centre (TNMAC). The project was implemented in co-operation with the ministry of defence and TNMAC and will be concluded at the end of December 2018.

The extrabudgetary regional project “Integrated co-operation on explosive hazards programme” (ICEXH Programme, No. 5500426) is a multi-year regional initiative which was launched in January 2013.

In the reporting period the focus of the project was on:

- Implementation of the fourth comprehensive explosive ordnance disposal training cycle, including demilitarization as well as first aid and casualty evacuation aspects, for a total of 76 specialists and practitioners from Afghanistan, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan and Turkmenistan;
- Construction of the “Regional Explosive Hazards Training Centre of the Ministry of Defence of the Republic of Tajikistan”, which was initiated in December 2017 and will be concluded in May 2019.

The project (No. 5500426) has been financed to the level of 42 per cent and is still in need of additional financial resources.

The former Yugoslav Republic of Macedonia

A justified request addressed to the OSCE in December 2015 led to the development of the extrabudgetary project “Reduction of the risk for proliferation of weapons and ammunition in the former Yugoslav Republic of Macedonia” (No. 2600896). The two-year project was started in January 2017.

In the reporting period the focus of the project was on:

- Updating construction design and equipment requirements to increase physical and IT security of SALW and ammunition stockpiles in 15 border police stations and one Regional Centre for Border Affairs; while the international construction tender is planned to be announced by the end of 2018, the start of actual construction works is planned for spring 2019;
- Developing standard operating procedures for SALW/SCA with the working group on SOPs, consisting of the Ministry of Internal Affairs and the OSCE representatives, commencing activities in August 2018; the adoption of the standard operating procedures is foreseen by the end of 2018.

The project (No. 2600896) is fully financed; however, the project proposal is currently undergoing review in order to realign it with the actual project implementation timeline. The updated proposal will be available by the end of November 2018.

Ukraine

In the reporting period, the OSCE has been implementing five extrabudgetary projects requested by the host government.

The extrabudgetary project “Assistance to the Government of Ukraine in clearing the territories in the east of Ukraine from explosive remnants of war” (No. 1101646), which was launched in March 2015, is aimed at enhancing the capacity of the State Emergency Service of Ukraine to deal with the urgent explosive remnants of war clean-up tasks in the east of Ukraine. The project has encompassed train-and-equip efforts for the relevant units, improvement of the clearance standard operating procedures and building the capacities of the training centre. The project is planned to end in December 2018.

The extrabudgetary project “Supporting demining of transport infrastructure in Ukraine” (No. 3200362), which was launched in November 2016, focused on upgrading Ukraine’s Ministry of Infrastructure training capacities and improving standard operating procedures in line with international standards. Moreover, the Information Management System for Mine Action was introduced within the Ministry, and demining equipment has been modernized. The project was closed in February 2018.

The extrabudgetary project “Building Ukrainian humanitarian mine action capacity” (No. 3200349), which was launched in April 2016, supports co-ordination of efforts and provides advisory support in setting up a functioning national mine action authority and a national mine action centre in Ukraine. It supports efforts to develop national mine action standards in line with best international practices and is devoted to expanding the Information Management System for Mine Action. Moreover, it provided training capacity support for the

mine action training centres in Ukraine. The project will be in implementation until October 2020.

The project (No. 3200349) has been financed to the level of 71 per cent and is still in need of additional financial resources.

The extrabudgetary project “Needs assessment for combatting the illicit trafficking in weapons, ammunition and explosives in and across Ukraine” (No. 1101903), which was launched in May 2015, established a baseline for providing technical assistance and institutional support to combat trafficking in weapons, ammunition and explosives in Ukraine. Key findings, suggested actions and a proposed roadmap were presented in the need assessment report, which was published in April 2018. The report was confirmed at a high-level meeting with the relevant government authorities in Ukraine in June 2018. The project is planned to end in December 2018.

The extrabudgetary project “Enhancing the State Border Guard Service of Ukraine capabilities in combating illicit trafficking of weapons, ammunition and explosives on and across the State border of Ukraine” (No. 1102023), which was launched in September 2018, focuses on enhancing training capabilities and operational capabilities to detect illicit trafficking of weapons, ammunition and explosives as well as establishing a mechanism for best practices transfer and information exchange in combating illicit trafficking of weapons, ammunition and explosives. The project is planned to end in August 2021.

The project (No. 1102023) has been financed to the level of 21 per cent and is still in need of additional financial resources.

OSCE area

In the reporting period, the OSCE has been implementing one extrabudgetary project developed in accordance with a decision of the Vienna Ministerial Council meeting containing a task for the Forum for Security Co-operation in accordance with its mandate.

The extrabudgetary project “Strengthening OSCE action against the illicit proliferation of SALW and SCA” (No. 1101994), which was launched in February 2018, focuses on the establishment of a baseline for providing technical advice and institutional support to OSCE participating States to supplement the OSCE SALW/SCA normative base and improve implementation of its practical assistance projects. The project is planned to end in December 2019.

The project is financed to the level of 93 per cent and is still in need of additional financial resources.

Additionally, the OSCE Comprehensive SALW and SCA Repository Programme continued to be in place, being managed by the FSC Support Section of the CPC. It serves as a trust fund and provides an instrument that facilitates a centralized system for management – planning, co-ordination, distribution, and control – of financial resources allocated to the OSCE SALW and SCA programmes or projects being developed and implemented by the FSC Support Section or OSCE field operations in Eastern Europe, South-Eastern Europe, the South Caucasus or Central Asia. The donor community can provide earmarked and non-earmarked financial contributions to the OSCE SALW/SCA programmes/projects via

this SALW/SCA Repository Programme. In the former case, the earmarked financial support can be provided (pledged) to a specific programme/project (registered within the OSCE Integrated Resource Management System with the specific OSCE project number); or it can be provided (pledged) against a request for assistance made by the OSCE participating State and still being developed into specific project proposals. In the latter case, more general, non-earmarked contributions (pledges) can be made thematically (e.g., for a specific programmatic field within SALW/SCA work) and/or geographically (by country/region); later, their specific use is based on further donor consent or agreement. Procedural safeguards exist to ensure that any transfer of funds to or from an active project (a so-called reallocation of funds) can only be done with explicit prior agreement from the donor. Every donor may define its own procedures on further use of the pledge, with details on such matters as reporting or usage being laid down in an agreement, memorandum of understanding or any other legal document, signed by both the donor and the Secretary General of the OSCE.

3. Co-operation and exchange of information

Co-operation with the United Nations

In the reporting period, the OSCE was engaged in joint project implementation with the UNDP in Belarus, Montenegro and Serbia.

Exchange of information with other international groups and organizations

In the reporting period, the OSCE engaged in exchanges of information with international organizations, centres of excellence and expert platforms on OSCE project activities and on normative achievements in the area of SCA. Such co-ordination makes it possible to take stock of various SALW and SCA projects implemented by other international organizations and individual donors, identifying synergies and lessons learned and avoiding unnecessary duplication.

4. Conclusions

The OSCE Document on SCA complements the OSCE Document on SALW adopted in November 2000. It has provided an example of what is useful and achievable at the regional level to enhance security, transparency and solidarity.

It continues to serve as an important framework for dealing with surpluses and stockpiles of ammunition, with a view to reducing the risk of destabilizing accumulation and uncontrolled proliferation.

The assistance mechanism envisaged in the OSCE Document on SCA remains a vital tool for providing support to the OSCE participating States in the field of ammunition disposal and stockpile management.

The assistance projects have addressed security and safety risks through the destruction of surplus conventional ammunition, the disposal of rocket fuel components, the upgrading of physical infrastructure and stockpile management and security practices, and the clearance and disposal of explosive remnants of war and landmines. These projects are

among the most tangible, visible and successful endeavours in the OSCE's spectrum of operations.

Quite apart from their intrinsic value, the fact that their results are measurable and comprehensible means that they possess high public relations value and are therefore of great importance to the OSCE.

**REPORT BY THE CHAIRPERSON OF THE
CONTACT GROUP WITH THE ASIAN PARTNERS FOR
CO-OPERATION TO THE TWENTY-FIFTH MEETING OF THE
MINISTERIAL COUNCIL**

(MC.GAL/4/18 of 4 December 2018)

During its Chairmanship of the Asian Contact Group in 2018, Austria focused on further promoting and strengthening an open and interactive dialogue between the participating States and the Asian Partners for Co-operation. In elaborating the agenda of the Asian Contact Group, Austria worked with the Italian OSCE Chairmanship and in particular the Asian Partners to ensure the agenda reflected their priorities and followed a demand-driven approach.

In 2018, five meetings of the Asian Contact Group were held in Vienna, allowing the OSCE participating States and Asian Partners to engage in timely discussions of issues of interest to all sides and share best practices and experiences. Each meeting featured speakers from one of the Asian Partner countries as well as presentations on the chosen topics by experts from international organizations, the private sector, academia and civil society.

In the first meeting of the Asian Contact Group, which was held on 9 March and focused on cybersecurity and cyber diplomacy, Ambassador M. Otaka, ambassador in charge of cyber policy and UN affairs and Deputy Assistant Minister/Deputy Director-General at the Foreign Policy Bureau of the Ministry of Foreign Affairs of Japan, presented aspects of the recent global cybersecurity landscape and Japan's cybersecurity diplomacy. As he shared his vision for co-operation in this area, Mr. Otaka noted that if cyberspace was to produce innovation and prosperity, it needed to be a free, fair and secure domain. Japan would strive to play an active and key role in securing peace and stability in the region and the international community by becoming a bridge between Europe and Asia, on cyber-related issues as on others. Mr. H. Schnitzer, head of section for security policy matters of the Austrian Federal Chancellery, gave a brief overview of the Austrian Cyber Security Strategy adopted in 2013. As well as paying particular attention to the opportunities and risks in cyberspace he also focused on the increasingly important role of the measures to improve cybersecurity at the EU level. Ambassador K. Dán, Permanent Representative of Hungary to the OSCE and Chairperson of the Informal Working Group established pursuant to Permanent Council Decision No. 1039, shared some key elements of the discussion on information and communication technology (ICT) and cybersecurity within the OSCE. After reporting on his participation at the 1st Open-Ended Study Group on CBMs to Reduce the Risk of Conflict Stemming from the Use of ICTs, held in Tokyo on 18 January, Mr. Dán stressed the OSCE's primary role with its 16 confidence-building measures aimed at enhancing inter-State transparency, predictability and stability and at reducing the risks of misperception, escalation and conflict that may stem from the use of ICT.

The second meeting of the Asian Contact Group, held on 15 June, focused on the topic "Economic Connectivity – Financial technology innovations: challenges to cyber security and opportunities for securing SDGs". The meeting featured presentations by Mr. P. Panitchpakdi, Governor on the Board of Governors of the Stock Exchange of Thailand and Director of the Association of Thai Securities Companies, Mr. H. Leopold, Head of the Centre for Digital Safety and Security at the Austrian Institute of Technology, and Ms. N. Damblon, co-founder and CEO of HydroMiner IT-Services GmbH. In the course of

the meeting, the speakers stressed the need for governments and organizations to devise and implement a robust cybersecurity infrastructure, with an emphasis on financial technology innovation and development. As well as highlighting the positive opportunities of cyber currencies, the speakers also pointed out their risks, such as cybercrime or the quantity of energy used to generate cyber money.

The third meeting of the Asian Contact Group, which was held on 1 October, was addressed by the OSCE Secretary General, who suggested that further opportunities should be sought to involve the Partners for Co-operation in OSCE internal discussions and activities. Given that 2018 marked Afghanistan's 15th anniversary as an OSCE Partner for Co-operation, he also advocated looking into a more strategic approach to the OSCE's co-operation with that country.

In the framework of the discussion devoted to the meeting's focus on regional co-operation and women's economic empowerment, Mr. H. Soroosh, Director General of the Economic Co-operation Department at the Ministry of Foreign Affairs of the Islamic Republic of Afghanistan, delivered a presentation on priorities and needs in and around Afghanistan in the area of infrastructure development and regional connectivity. He emphasized that an effective partnership among all partners – including governments, relevant international financial institutions and regional organizations and a variety of national stakeholders – was essential for complex and large-scale regional infrastructure projects. For Afghanistan, vital roles were being played by such projects as CASA-1000, the Turkmenistan-Afghanistan-Pakistan 500-kV Line (TAP-500), the Lapis Lazuli Transit, Trade and Transport Route Agreement, the Five Nations Railway Corridor, and the Belt and Road Initiative. There was also a need for greater synergy and complementarity between the relevant regional and subregional initiatives, in order for their infrastructure development component to be properly reflected.

Ambassador K. Fana Ebrahimkhel, Ambassador of Afghanistan in Vienna, focused her presentation on the crucial link between regional co-operation and women's economic empowerment in Afghanistan, where despite the progress of recent years much remained to be done. Nevertheless, she said, the increased will of the national government to address gender inequality and empower women would push women's rights forward. Mr. D. Seidaliyev, Deputy Director of the Department of the Americas at the Ministry of Foreign Affairs of the Republic of Kazakhstan, described his country's concrete support to Afghanistan, which focused particularly on the educational sector. The Deputy Co-ordinator of OSCE Economic Activities, Ms. E. Meksi, noted in her presentation that the OSCE recognized the direct impact of long-term security in Afghanistan upon the security environment in the OSCE area. She invited participating States to continue consultations within the OSCE Asian Partnership with a view to developing OSCE activities across the three dimensions, including activities related to Afghanistan.

The fourth meeting of the Asian Contact Group was held on 12 October, with a focus on trade facilitation. Ambassador J. Brown, Australian Ambassador to the EU, Belgium, Luxembourg and NATO, presented Australia's perspective on some of the challenges on the global agenda and also Australia's views on potential opportunities and partnerships. Mr. Brown highlighted three key trends characterizing global trade today: globalization, the link between trade and economics, and a trade agenda that was no longer dominated by the G7, OECD or developed countries. The multilateral world trade system was going through its biggest crisis since 1944, which he saw as a disappointing trend, given that trade and its

expansion had lifted millions from poverty and significantly improved global living standards. At the same time, Australia was enthusiastic about building partnerships, welcomed new opportunities and encouraged others to follow their example. Ambassador A. Riecken, Head of the Department for International Organizations at the Federal Ministry for Europe, Integration and Foreign Affairs of Austria, stressed that trade facilitation was critical for inclusiveness. With multilateral systems increasingly called into question, however, it was equally important to acknowledge a need for reform and modernization to keep up with newly emerging challenges.

The Austrian 2018 Chairmanship of the Asian Contact Group pursued a particular commitment to the promotion of multilateral co-operation with regional actors and international organizations. For example, it organized the high-level conference on “Effective Multilateralism in a Globalized World – The Case of Europe and Asia Pacific” held in Vienna on 16 May. The conference was opened by the Austrian Federal Minister for Foreign Affairs, Ms. K. Kneissl, who emphasized the need for sustained interaction with regional organizations in the pursuit of co-operative solutions to global and regional security challenges. Her call for a multilateral approach was echoed in the keynote speeches given by Mr. Y. Fedotov, Director-General of the United Nations Office at Vienna (UNOV) and Executive Director of the United Nations Office on Drugs and Crime (UNODC), Mr. T. Greminger, Secretary General of the OSCE, Mr. L. Yong, General Director of the United Nations Industrial Development Organization (UNIDO), Ms. N. Gherman, Special Representative and Head of the United Nations Regional Centre for Preventive Diplomacy for Central Asia, and Mr. L. Zerbo, Executive Secretary of the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO). The first session focused on regional approaches to security in Europe and Asia Pacific, with valuable input from the United Nations Office for Outer Space Affairs (UNOOSA), the European External Action Service (EEAS) and representatives from India and Indonesia. The second session was devoted to the subject “Towards a Common Economic Space – how to enhance economic connectivity and co-operation between the Euro-Atlantic and the Eurasian-Pacific Area”, with keynote remarks being provided by the Deputy Foreign Minister of Kazakhstan, Mr. R. Vassilenko, who reflected on the Central Asian priorities for promoting regional economic connectivity. A side event looked into the global fight against trafficking in human beings, featuring the Australian Government Ambassador for People Smuggling and Human Trafficking, Mr. G. Shaw, as guest speaker.

The 2018 OSCE Asian Conference was held in Canberra, Australia, on 5 November in accordance with Permanent Council Decision No. 1299 adopted on 18 June 2018. Although it had not been possible to achieve consensus on a Permanent Council decision on the timetable, agenda and organizational modalities, the working agenda covered all three security dimensions, focusing on multilateral architecture and its impact on global security (politico-military dimension), economic connectivity and sustainability including liberalizing global trade (economic and environmental dimension), and the promotion of human rights, including women’s issues and the safety of journalists (human dimension). All five Asian Partners for Co-operation participated in the event, as did representatives of the Troika, 18 participating States, the EU and the OSCE Secretariat. The Austrian Chairmanship of the Asian Contact Group was represented by the Austrian Deputy Minister for Europe, Integration and Foreign Affairs, Mr. J. Peterlik, and by the Head of the OSCE Task Force in the Austrian Ministry for Europe, Integration and Foreign Affairs, Ambassador F. Raunig. All sessions were moderated by First Assistant Secretary Ms. C. Raper of Australia, with various representatives and experts from the Australian Department of Foreign Affairs and

Trade contributing to the discussions. The topics discussed during the working sessions of the Conference complemented the 2018 thematic priorities of the Asian Contact Group and helped to ensure continuity in the OSCE's interaction with its Asian Partners on common challenges and opportunities in today's interconnected world. The participants identified several priority issues for the joint agenda of the Asian Partnership for Co-operation, which could well be reflected in the 2019 rolling schedule of the Asian Contact Group.

At the fifth meeting of the Asian Contact Group, which was held on 13 November and devoted to the security situation on the Korean Peninsula, Mr. B. Chung, Deputy Director General at the Ministry of Foreign Affairs of the Republic of Korea, presented his country's vision of building peace on the Korean Peninsula, reviewing the current political and security situation, giving an analysis of the inter-Korean summit held at Pyongyang in September 2018, and enumerating Seoul's suggestions for possible ways forward. He emphasized the relevance of confidence-building measures to developing inter-Korean relations in such a way as to create a virtuous circle for full denuclearization and the establishment of permanent peace on the Korean Peninsula. Mr. B. Berger, Senior Fellow and Head of the Asia Programme at the German Council on Foreign Relations, assessed the current situation with a view to identifying grounds for a possible path to peace after fifty years of conflict on the Korean Peninsula. Furthermore, he drew attention to the potential inherent in pursuing economic co-operation, in order to develop North-South relations and trigger long-term commitment to peace, particularly in the North. Ambassador F. Tanner, Senior Adviser to the Director of the OSCE Conflict Prevention Centre, proposed approaching the security situation on the Korean Peninsula through the prism of lessons learnt from security co-operation in Europe during the Cold War. Mr. Tanner stressed that the evolution of the CSBM regime in Cold War Europe had been an important learning exercise for all parties involved.

The Austrian Chairmanship of the Asian Contact Group expresses its sincere gratitude to all the Asian Partners for Co-operation and the participating States for their engagement and commitment in the framework of the OSCE Asian Partnership. Austria wishes every success to the incoming Italian Chairmanship of the Asian Contact Group and hopes that the broad, fruitful and productive dialogue with the Asian Partners will be continued and further developed, both through meetings in Vienna and through the annual OSCE Asian Conference.

REPORT BY THE CHAIRPERSON OF THE CONTACT GROUP WITH THE OSCE MEDITERRANEAN PARTNERS FOR CO-OPERATION TO THE TWENTY-FIFTH MEETING OF THE MINISTERIAL COUNCIL

Introduction

Building on the successful work of previous Chairmanships, the 2018 Slovak Chairmanship of the OSCE Mediterranean Contact Group demonstrated a positive approach to its year's work with a constructive and forward-looking agenda. The topics were identified jointly with the Mediterranean Partners for Co-operation and thus reflected common concerns and shared opportunities. In the course of the year the OSCE participating States and the Mediterranean Partners had the opportunity to discuss their ongoing co-operation with reference to a variety of developments and challenges in the Mediterranean region, the principal themes discussed during the Slovak Chairmanship being energy security and security of critical energy infrastructure, renewable energy, water management and interconnectivity, cybersecurity, education as a means of combating radicalization, and security sector governance and reform.

Meetings of the OSCE Mediterranean Contact Group

The Mediterranean Contact Group held five meetings in 2018, all in Vienna. At the beginning of the year, the Slovak Chairmanship agreed on the topics of the meetings with the Mediterranean Partners and consulted with the OSCE participating States and the OSCE Secretariat and on a regular basis throughout the year. All meetings saw active contributions from the Partners for Co-operation and the participation of representatives from the OSCE Secretariat, who thus had regular opportunities to update the Group on activities of special relevance to the Partners. Finally, the working year was brought to a conclusion with a "Mediterranean Reception" showcasing culinary traditions from all around the Mediterranean region and beyond, co-organized by the Slovak Chairmanship, the Italian OSCE Chairmanship, the Mediterranean Partners and a number of OSCE participating States.

The first meeting of the Mediterranean Contact Group was held on 19 March 2018 and focused on energy security and critical energy infrastructure protection. It was opened by Mr. L. Parížek, State Secretary of the Ministry of Foreign and European Affairs of the Slovak Republic, Mr. V. Žugić, Co-ordinator of OSCE Economic and Environmental Activities, and the Italian Permanent Representative Mr. A. Azzoni, Chairperson of the OSCE Permanent Council, whose opening remarks were followed by a session featuring a number of experts from the OSCE participating States and the Mediterranean Partners. Discussions focused on the importance of ensuring sustainable and reliable energy at affordable prices as a precondition for security and development in the Mediterranean region and the OSCE area in general. Furthermore, the meeting provided for an exchange of views on the development and integration of renewable energy and the best use of digitalization for energy security. Participants shared best practices on the protection of critical energy infrastructure.

The second meeting of the Mediterranean Contact Group was held on 7 May 2018 and focused on water management with particular reference to interconnectivity. The meeting was opened by Mr. T. Greminger, Secretary General of the OSCE, and Mr. V. Žugić,

Co-ordinator of OSCE Economic and Environmental Activities. The panel discussed the strategic importance of water resources in the Mediterranean region and the links between water management and a number of economic, social and environmental challenges. Government officials and practitioners from the OSCE participating States and Partners for Co-operation underlined the need to strengthen water management and transboundary water co-operation as effective tools for preventing conflicts, building trust and developing good-neighbourly relations. The OSCE's experience in promoting the management of shared water resources provided insights on how the Organization could contribute to water co-operation in the Mediterranean region.

The third meeting of the Mediterranean Contact Group was held on 25 June 2018 and focused on the general theme of cybersecurity. It was opened by Ambassador K. Dán, Permanent Representative of Hungary to the OSCE and Chairperson of the Informal Working Group established by Permanent Council Decision No. 1039, and Mr. B. Hiller, Cyber Security Officer in the Transnational Threats Department of the OSCE Secretariat. The experts and government officials who took part in the discussion session recognized the growing importance of information and communication technologies (ICTs) for political, economic, social and military activities in the current security environment. Speakers noted that ICTs had also created vulnerabilities and complexities in international relations, fostering doubts, speculations, ambiguities and tensions as States grappled with questions of intent, attribution, rules and norms. In this context, the meeting provided an opportunity for the OSCE participating States and the Mediterranean Partners to enhance dialogue and exchange information on confidence-building measures aimed at reducing the risks of conflict stemming from the use of ICTs.

The fourth meeting of the Mediterranean Contact Group was held on 16 July 2018 and focused on education as a means of combating radicalization. It was opened by Ms. R. Ostrauskaite, OSCE Co-ordinator of Activities to Address Transnational Threats, and Mr. S. Goda, Special Representative of the OSCE Chairperson-in-Office on Youth and Security. Both in the opening statements and in the subsequent panel discussion it was noted that preventing and countering violent extremism and radicalization that lead to terrorism was a unifying objective of the OSCE participating States and the Mediterranean Partners for Co-operation. Interventions also underlined the need to engage and empower youth in preventing and countering violent extremism and radicalization that lead to terrorism, by a) creating an enabling environment and opportunities for young people to participate voluntarily and freely in public life, and b) supporting them through education in schools and institutions of higher education. The panellists agreed that ensuring access to education not only helped equip youth with the skills they needed for productive and engaged lives but also helped minimize the influence of violent extremism.

The fifth and last meeting of the Mediterranean Contact Group was held on 5 November 2018 and was dedicated to the subject of security sector governance and reform. The meeting was opened by Mr. M. Peško, Director of the OSCE Conflict Prevention Centre, and Ambassador M. Sklenár, Director of the Security Policy Department in the Ministry of Foreign and European Affairs of the Slovak Republic. Their remarks and the subsequent panel discussion focused extensively on the importance of improving good governance in the security sector as a tool for supporting democratic transition and advancing peace and stability, at both national and regional levels. Examples from the OSCE participating States and the Mediterranean Partners for Co-operation demonstrated how national efforts to make national security and judicial institutions more transparent and accountable to their

constituencies have been helpful in addressing conflict-drivers and conducive to the creation of stable security environments. A number of speakers noted that while the OSCE had made significant progress towards the development of a coherent and co-ordinated approach to security sector governance and reform, it still needed to capitalize on the valuable experience developed by the Mediterranean Partners.

2018 OSCE Mediterranean Conference

The annual OSCE Mediterranean Conference took place in Málaga, Spain, on 25 and 26 October 2018. In its high-level political segment in particular, it focused on how to leverage energy to promote economic growth and co-operation in the Mediterranean region. High-ranking energy experts from the public and private sectors from both sides of the Mediterranean were brought together to discuss policies, develop strategies and identify business opportunities in this context. Participants engaged in an open debate on the role of energy in promoting Euro-Mediterranean security and exchanged views on how to raise existing co-operation to a higher level with the aim of enhancing security in the Mediterranean region, in line with OSCE principles and commitments. Participants recognized the crucial role of energy not only in terms of economic growth but also in many other respects ranging from its influence upon people's daily lives to its potential for reshaping geopolitics. The importance of connectivity, sustainability and responsibility were highlighted in the discussions, as was the need for a new energy narrative and strategic approach among the participating States and the Mediterranean Partners. Discussions also touched upon opportunities deriving from the expansion of renewable energy sources in their countries. Furthermore, consideration was given to the role of renewable energy sources in environmental protection and the reduction of greenhouse gas emissions. The Conference allowed for an exchange of views on how the OSCE participating States and the Mediterranean Partners could make the Mediterranean Partnership even more relevant, substantial and action-oriented in the years to come. The Slovak Chairmanship of the Mediterranean Contact Group would have welcomed a higher level of political participation on the part of the Mediterranean Partners for Co-operation at the 2018 Conference.

REPORT TO THE MINISTERIAL COUNCIL ON STRENGTHENING THE LEGAL FRAMEWORK OF THE OSCE IN 2018

(MC.GAL/10/18 of 7 December 2018)

Introduction

1. The Conference for Security and Co-operation in Europe (CSCE) was conceived as a diplomatic conference convening to discuss the politically binding principles and commitments agreed at Summit level in the 1975 Helsinki Final Act. Since then, the politically binding nature of these principles and commitments has been reflected in a multitude of documents and decisions adopted during the more than forty years of the CSCE/OSCE's history. The expanded institutionalization of the CSCE/OSCE, including the deployment of field operations in the years following the 1992 Helsinki Summit, underscored the need for the OSCE to be endowed with legal status and privileges and immunities, which has now become critical.

2. From 1993 at the latest, the absence of a recognized international legal personality for the CSCE/OSCE resulted in various efforts to secure legal status and privileges and immunities for the Organization, its officials, and the representatives of its participating States across the OSCE area. Meeting in that year in Rome, the CSCE Council of Ministers considered the relevance of an agreement granting internationally recognized status to the CSCE institutions and noted the importance of providing appropriate treatment for the CSCE's institutions and personnel. Although the Council adopted a Decision containing model provisions for legal capacity and privileges and immunities,¹ it left it to the discretion of each participating State to determine how to implement those provisions at the national level, subject to its constitutional and related requirements. The Rome Council Decision was adopted without prejudice to the treatment granted by the governments hosting the Secretariat, Conflict Prevention Centre (CPC) and Office for Democratic Institutions and Human Rights (ODIHR), with this treatment being recognized by the CSCE Council as comparable to that granted by States to the United Nations.

3. In the following year, the Budapest Summit decided to change the name from CSCE to *Organization* for Security and Co-operation in Europe (OSCE) and made the following specification in the final paragraph of the relevant Decision: "The CSCE will review implementation of the Rome Decision on Legal Capacity and Privileges and Immunities and explore if necessary the possibility of further arrangements of a legal nature. Participating States will, furthermore, examine possible ways of incorporating their commitments into national legislation and, where appropriate, of concluding treaties."² In 2007, the concerted effort to reach a consensus text resulted in the Draft Convention on the International Legal Personality, Legal Capacity, Privileges and Immunities of the OSCE, agreed at expert level (2007 Draft Convention).³ Adoption of the 2007 Draft Convention text remains pending

1 Rome Council Decision on Legal Capacity and Privileges and Immunities (CSCE/4-C/Dec.2), dated 1 December 1993; for a short summary, see CSCE, Fourth Meeting of the Council, Section VII, paragraph 11 (CSCE/4-C/Dec.1).

2 Budapest Document 1994 "Towards a Genuine Partnership in a New Era", Decision I on Strengthening the CSCE, dated 21 December 1994.

3 Letter from the Chairperson of the Informal Working Group at expert level tasked with finalizing a draft convention on the international legal personality, legal capacity, and privileges of the OSCE,

while discussions continue over whether a constituent document for the OSCE is a prerequisite for this step.

4. Various participating States have granted legal status, privileges and immunities to the OSCE through national legislation or bilateral agreements/arrangements. Currently, the OSCE is operating under a variety of legal measures, which has resulted in a fragmentation of the Organization's legal framework. Against this background, operational problems illustrate the need for a uniform solution. The OSCE Staff Regulations and Staff Rules explicitly require the OSCE to ensure the protection of its officials (Staff Regulation 2.07). They also stipulate (Staff Regulation 2.03) that the Secretary General, heads of institution and heads of mission, and staff and international mission members shall enjoy privileges and immunities. These requirements form the framework for the OSCE's duty of care for its officials.

5. In 2009, the open-ended Informal Working Group (IWG) on Strengthening the Legal Framework of the OSCE was established to foster the necessary dialogue among participating States on this topic. The IWG meets three times per year in an ongoing effort to achieve progress on legal protection for the OSCE and to reach a solution calculated to grant international legal personality in accordance with one of currently four options that continue to be the subject of the IWG's discussions.⁴ Convened by the Italian Chairmanship and chaired by Ambassador H. Tichy of Austria, the IWG resumed its work at the outset of 2018 with the four options put forward for consideration as detailed in the Chairmanship invitation and draft agenda for the first IWG meeting of 2018.⁵ As reported in previous years,⁶ the four options are:

- Option 1: Adoption of the 2007 Draft Convention;
 - Option 2: Adoption of a constituent document prior to, or in parallel with, adoption of the 2007 Draft Convention;
 - Option 3: Development of a "Convention Plus" (a hybrid solution consisting of elements of a constituent document incorporated into the 2007 Draft Convention);
 - Option 4: Implementation of the 1993 Rome Council Decision through signature and ratification of the 2007 Draft Convention by a group of interested participating States.
6. The proceedings of the IWG meetings convened in 2018 are recorded below.

dated 22 October 2007 (CIO.GAL/159/07), annexing the Final Document of the Informal Working Group on the Draft Convention on the international legal personality, legal capacity, and privileges and immunities of the OSCE.

4 The four options are published in the annex to CIO.GAL/8/17/Rev.1 dated 25 January 2017.

5 CIO.GAL/31/18 dated 11 April 2018, see footnote 1.

6 Reports to the Ministerial Council on Strengthening the Legal Framework of the OSCE in 2014, 2015 and 2016, respectively: MC.GAL/5/14/Corr.1 dated 3 December 2014, MC.GAL/4/15 dated 1 December 2015, and MC.GAL/7/16 dated 9 December 2016.

Proceedings of the Informal Working Group in 2018

First meeting: 20 April 2018

7. The April meeting of the IWG featured a panel of treaty law experts who were invited by the Chairmanship to discuss the feasibility of Option 4 under public international law.⁷ Mr. N. Blokker (Leiden University, Faculty of Law), Mr. A. Reinisch (University of Vienna), and Mr. A. Solntsev (People's Friendship University of Russia, Moscow) engaged in an academic discussion entitled "The relationship of Option 4 to the OSCE: Is it legally feasible and operationally advisable?". They offered their views on the issue and examined the suitability of this option for the OSCE.

Discussion by Mr. N. Blokker, Leiden University Faculty of Law

8. Mr. Blokker began by giving a brief overview of the ways in which an international legal person can come into being. Normally, he said, this occurs either through an explicit clause in the same treaty that created the relevant international organization or implicitly through the subsequent practice of member States. As the OSCE does not have a constituent document and there are some persistent disagreements as to whether "the [OSCE] was intended to exercise and enjoy, and is in fact exercising and enjoying, functions and rights, which can only be explained on the basis of the possession of a large measure of international personality and the capacity to operate upon an international plane,"⁸ neither of these methods was applicable to the OSCE, hence the necessity to consider other approaches. Mr. Blokker explained that there were also precedents, though somewhat less frequent, for the legal personality of an international organization being established through explicit provisions in a separate instrument.⁹ Mr. Blokker emphasized that while in his opinion the best solution for the OSCE would be the adoption of the 2007 Draft Convention under Option 1, in the absence of such a move a limited number of the OSCE participating States wishing to agree to a slightly modified text of the 2007 Draft Convention would be free to do so. Nations were entitled to establish a new legal person and there was no rule under international law or within the OSCE removing or restricting such a right. He thus concluded that while it might be unusual to implement Option 4, it could not be considered unlawful. However, he also stressed the need for such a document to be attractive to other participating States, with the objective of ultimately achieving Option 1.

Discussion by Mr. A. Reinisch, University of Vienna

9. Mr. Reinisch endorsed Mr. Blokker's view, drawing an analogy with Article 41(1) of the 1969 Vienna Convention on the Law of Treaties (1969 VCLT). The analogy was, he said, justified despite there clearly being no treaty as such, because if Mr. Blokker's recommendation was implemented the current legal position of the OSCE would still be amended and the situation therefore resembled that described in the relevant clause. Article 41(1) of the 1969 VCLT, he noted, listed the conditions under which "Two or more of

7 See CIO.GAL/31/18, footnote 1.

8 ICJ, "Reparation for Injuries Suffered in the Service of the United Nations", Advisory Opinion of 11 April 1949, ICJ Reports 1949, paragraph 9.

9 For example, the 1999 agreement for the recognition of the international legal personality of the International Potato Centre: 2009 Agreement Recognizing the International Legal Personality of the Partnerships in Environmental Management for the Seas of East Asia.

the parties to a multilateral treaty may conclude an agreement to modify the treaty as between themselves alone,” one being “if ... the possibility of such a modification is provided for by the treaty.” The 1993 Rome Council Decision had acknowledged that expanded operations necessitated legal capacity and privileges and immunities, and had recommended that national legislatures should grant appropriate treatment to the CSCE. Moreover, it was later reaffirmed in the 1994 Budapest Summit Decision on Strengthening the CSCE that participating States should examine ways of incorporating their commitments in this respect into national legislation and, where appropriate, of concluding treaties. While this statement could be viewed as already envisaging a limited number of participating States becoming contracting parties, the point remained subject to debate. Nevertheless, the 1969 VCLT held, as an alternative, that an *inter se* modification would also be permissible if “the modification in question is not prohibited by the treaty.”

10. Mr. Reinisch then considered whether the affirmation in the 1994 Budapest Summit Decision that “the change in name from CSCE to OSCE alters neither the character of our CSCE commitments nor the status of the CSCE and its institutions” could be interpreted as a restriction. Ultimately, he said, it could not, because of the confinement to the name change itself in the clause, which neither addressed the question of privileges and immunities nor forbade their adoption. Additionally, under the 1969 VCLT *inter se* modification regime, as clearly stated by Article 41(1), the modification must not “affect the enjoyment by the other parties of their rights under the treaty or the performance of their obligations.” Mr. Reinisch contended that this criterion appeared to be fulfilled, as an appropriately adapted 2007 Draft Convention would not prejudice reluctant participating States or add to their burden. Finally, according to Article 41(1), the modification must furthermore not “relate to a provision, derogation from which is incompatible with the effective execution of the object and purpose of the treaty as a whole.” As conferral of privileges and immunities on the OSCE would not compromise the aims of the instruments establishing it, Option 4 appeared to be compliant with international law. Mr. Reinisch thus reasoned that if the modification of a treaty as between certain parties was allowed, the argument for the permissibility of proceeding with Option 4 – given that there was no actual treaty from which to deviate – would be even stronger.

Discussion by Mr. A. Solntsev, People’s Friendship University of Russia, Moscow

11. Mr. Solntsev, on the other hand, took a different stance and warned that the OSCE should “try to avoid the creation of bad precedents or artificial international customs without sufficient State practice”. He strongly advocated Option 2, i.e., the adoption of a constituent document prior to, or in parallel with, adoption of the 2007 Draft Convention, maintaining that a constituent document would have to be concluded in advance of or at least simultaneously with the 2007 Draft Convention. This pattern had been followed in the establishment of, among others, the Association of Southeast Asian Nations (ASEAN), the Council of Europe, NATO, the Collective Security Treaty Organization (CSTO) and the Organization of American States (OAS) and therefore appeared to have become part of international custom in this field. Furthermore, Mr. Solntsev argued that proceeding with Option 4 would violate the principle of consensus at the core of the OSCE and risk the fragmentation of international law. This argument, however, was countered by Mr. Blokker, who rejected the relevance of the principle of consensus to a non-OSCE agreement and described Option 4 as harmonizing some of the different national implementation measures currently in force.

12. The academic discussion was followed by a discussion between delegations and the panel of experts. To close the meeting, the Chairperson reiterated the need for political willingness in the working group for the IWG to achieve progress.

Second meeting: 29 June 2018

Italian legislation on the OSCE

13. At the invitation of the Italian Chairmanship,¹⁰ Ms. I. Caracciolo (University of Campania “Luigi Vanvitelli”, Expert Consultant at the Service for Legal Affairs, Diplomatic Disputes and International Agreements of the Italian Ministry of Foreign Affairs) gave a presentation on Italy’s legislation on the OSCE.

14. Ms. Caracciolo’s presentation started with an introduction to Italy’s Law No. 301, adopted on 30 July 1998, which enacted a set of rules on the legal capacity of the OSCE in Italy and its related privileges and immunities. Notably, the law had been passed by Parliament fairly promptly, as by 1998 the OSCE had developed into a sufficiently institutionalized international body, arguably on account of the progressive evolution of the CSCE into the OSCE, primarily during the period from the Charter of Paris of 1990 to the 1994 Budapest Summit, in the course of which permanent executive organs and structures with specific competences had been established. In 1993, the Council of Ministers in Rome had recognized the “expanded operations within CSCE participating States of CSCE institutions and their personnel and of CSCE missions and the importance that all participating States provide for those institutions and individuals appropriate treatment,” and the need for participating States, subject to their constitutional, legislative and related requirements, to confer legal capacity on CSCE institutions in accordance with the provisions adopted by the Ministers.¹¹

15. In the case of Italy, Ms. Caracciolo continued, the legal capacity of the OSCE had been recognized by Article 1 of Law No. 301 directly and solely through an internal legislative act. This particularity of conferring legal capacity directly had been due to the lack of a charter or statute of the Organization itself with provisions referring to domestic law. However, Article 1 neither provided an unlimited legal capacity nor defined it in precise terms. The law conferred legal capacity on OSCE institutions only to the extent of the exercise of their functions, specifying their ability to contract, acquire and dispose of property, and participate in legal proceedings. There was considerable similarity to Article 104 of the UN Charter: “The Organization shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes.” Consequently, acts unnecessary for the exercise of the Organization’s functions would be *ultra vires* and therefore null and void at the domestic level.

16. As a principle of international law, Ms. Caracciolo pointed out, international organizations commonly derive their international personality from treaties, which implies the granting of privileges and jurisdictional immunities. However, in the case of the OSCE, the absence of a constituent treaty led to the conclusion that privileges and immunities might

10 CIO.GAL/70/18 dated 19 June 2018.

11 Rome Council Decision on Legal Capacity and Privileges and Immunities (CSCE/4-C/Dec.2) of 1 December 1993.

only be located in domestic legislation. Articles 3 to 7 of Law No. 301 granted immunity to, respectively, OSCE institutions, permanent missions of the OSCE participating States, representatives of the OSCE participating States, OSCE officials, and members of OSCE (field) missions, and comprised: immunity from both civil and criminal jurisdiction; inviolability of the Organization's premises, archives and documents; currency and fiscal privileges; and freedom of secure communication. However, when defining their scope, the direct comparison to States' immunities, especially with respect to its distinction between public and private or commercial and sovereign acts, proved to be insufficient, as the immunities of international organizations were solely based on the exercise of the respective organization's "functional necessity". Thus, immunity was only to be granted if the activity in question was to be considered necessary for the effective functioning and the interests of the Organization in the pursuit of its objectives.

17. Accordingly, in order to determine the granting of immunity, consideration must be given to the status of a given employee and especially to the tasks and activities belonging to his or her position. In this context, current Italian jurisprudence made it clear that with regard to Article 24(1) of the Italian Constitution, which establishes the fundamental right that "[a]nyone may bring cases before a court of law in order to protect their rights under civil administrative law," the duty to offer equivalent protection of an individual's rights was a precondition for immunity to be granted. This is also why Law No. 301, in line with provisions in constituent treaties of other international organizations, allowed for the organ representing the Organization, namely the OSCE Secretary General in consultation with the Chairperson-in-Office, to waive immunity. According to Article 2, the waiver for "staff of the OSCE institutions and members of the OSCE missions" was obligatory "in any case where it [immunity] would impede the course of justice". But as immunity *per se* impeded the course of domestic justice to a certain extent, this provision was to be seen as an attempt to reconcile the need for justice and the obligation to impose a waiver with the need to ensure the proper exercise of the Organization's functions, and must be applied on a case-by-case basis. Ms. Caracciolo indicated that under Italian legislation, the authority competent to determine the applicability of functional immunity was the Italian judge, determining whether the acts performed by an official fell within the employee's official capacity. Being driven by this functional, rather than personal, logic, the protection regime was less extensive compared to that envisaged for diplomats, and could not be perceived as granting privileges to the personal advantage of the official.

18. In the absence of provisions on the security of OSCE officials, staff and representatives on Italian territory, customary rules applied, namely, that the national authorities were obliged to protect the Organization's personnel from any undue interference regarding their person and property as far as their activities are related to the exercise of their functions. This duty of protection was a twofold one. On the one hand, States were to refrain from imposing measures that could endanger the security of the Organization's officials and staff. On the other hand, States were to take necessary measures to prevent wrongful acts committed by third parties against OSCE personnel. Moreover, Article 3 of Law No. 301 provided for the inviolability of premises, meaning that the authorities might neither enter the OSCE premises in Italy, nor accomplish any unauthorized functions therein, such as arrest, inspection, or seizure of goods in the premises. However, the applicable jurisdiction remained that of the host State. With regard to the inviolability of archives and documents, it was worth noting that it applied to all papers and documents, regardless of format or illustration medium.

19. Finally, Ms. Caracciolo addressed the issue of the legal force of Law No. 301 within the Italian legal order. Article 117 of the Constitution of the Italian Republic contained the following provision: “Legislative powers shall be vested in the State and the Regions in compliance with the Constitution and with the constraints deriving from European Union law and international obligations.” Accordingly, laws implementing international treaties constitutionally had a superior legal force compared to laws not adopted in connection with international obligations, and might not be overruled by them. As the formal scope of Law No. 301 was not to implement any international treaty but to provide rights and regulations directly to the OSCE, it remained questionable whether the Law had *de facto* “international relevance” and was therefore to be recognized as possessing special legal force or not.

20. Ms. Caracciolo concluded that Italy’s Law No. 301 had achieved a goal equivalent to the one that would have been attained by an agreement between the OSCE and Italy. However, in order to ensure uniformity and consistency among international organizations in terms of guarantees deriving from the international legal order, it would also be reasonable to establish a headquarters or constituent agreement.

Protection of OSCE assets and archives

21. Under the next agenda item, Ms. J. Arsić-Đapo and Ms. S. Maxwell, Legal Advisers at the Office of Legal Affairs of the OSCE Secretariat, delivered a presentation on the protection of OSCE assets and archives. The purpose of the presentation was to report on the operational obstacles and associated legal and financial risks encountered by the Organization with regard to the protection of its assets and archives as a result of the lack of universal recognition by participating States of the legal capacity and privileges and immunities of the OSCE.

22. Ms. Arsić-Đapo began the presentation with recent examples of such challenges and the operational impairments resulting from the legal and financial risks presented. The challenges were particularly acute in the areas of banking and complex and/or high-value procurement. In the case of banking transactions, Ms. Arsić-Đapo explained, owing to the cross-border nature of the financial sector the OSCE could not rely on bilateral agreements for specific executive structures where the Organization’s vendors and commercial activities went beyond the borders of a participating State with an OSCE structure located on its territory. The legal vacuum created by this situation directly impacted upon the Organization’s ability to comply with the good governance requirements in the area of financial management calling for diversified fund allocation. From an operational perspective, suitable banks holding the Organization’s funds needed to be located in countries recognizing the legal capacity of the OSCE and granting the requisite privileges and immunities to ensure the protection of the Organization’s financial assets from interference and the execution of judgements by third parties. As the legal capacity of the OSCE had not been recognized and it had not been granted privileges and immunities by all OSCE participating States, the number of countries where the OSCE might locate its funds was below ten and thus limited. The Office of Legal Affairs advised against opening bank accounts in countries where the OSCE was not formally recognized and granted privileges and immunities, though the legal and financial risks might be overruled by political imperatives and operational needs consistent with a specific mandate.

23. To mitigate these risks, Ms. Arsić-Đapo said, prior to entry into such commercial contracts, the Office of Legal Affairs must ascertain whether the legal capacity of the OSCE

was recognized in the country in question, and whether the Organization's archives and assets enjoyed jurisdictional immunity. In the case of Austria, pursuant to the Agreement between the Republic of Austria and the Organization for Security and Co-operation of Europe (OSCE) regarding the Headquarters of the Organization for Security and Co-operation of Europe,¹² which was concluded in 2017 and entered into force in 2018, replacing the Austrian Federal Law on the headquarters of the OSCE in Austria,¹³ the legal capacity of the OSCE as an international organization was expressly recognized, as were the inviolability of its archives and documents, wherever located, and the immunity of its assets and property from any form of search, seizure or other form of interference or judicial restraint.

24. Similarly, the Arrangement between the Republic of Poland and the Organization for Security and Co-operation of Europe regarding the Status of the Organization for Security and Co-operation of Europe in the Republic of Poland,¹⁴ which was concluded in 2017 and entered into force in 2018, conferred legal personality and legal capacity upon the OSCE and its structures, including the ODIHR with its headquarters in Warsaw. The Arrangement also explicitly provided for the protection of OSCE archives and the immunity of OSCE assets from national jurisdiction and legal processes within the territory of the Republic of Poland.

25. To address this issue in other participating States, the Secretary General, in his capacity of Chief Administrative Officer of the OSCE, had proposed a model Standing Arrangement as an interim measure to be executed on a bilateral basis. Such an arrangement explicitly recognized the legal capacity of the OSCE and that of its structures in the national jurisdiction in a comprehensive and harmonized manner, and conferred, *inter alia*, privileges and immunities to the OSCE, protecting its premises and assets from any form of interference or judicial restraint.

26. In addition to risks arising in the financial sector, Ms. Maxwell highlighted further difficulties related to complex and high-value procurements, including cloud services. Operational issues in this context generally arose when the OSCE sought goods and services requiring the contractor to hold assets, funds or other resources on behalf of the Organization, which might occur in the case of critical services such as insurance. In such cases, the Organization's duty of care obligations toward its officials might be implicated in the case of the asset in question being held on their behalf. In such situations, it must be determined whether the assets could be safely located in the country in question without the risk of attachment or other judicial restraint against the assets by a third party attempting to, *inter alia*, execute a judgement or take other legal action against the OSCE, any of its executive structures or any of its officials.

27. With regard to cloud services, Ms. Maxwell explained that operationally they presented a particular challenge to the OSCE. Cloud services offered off-site storage of OSCE data, which continued to form and remain part of the Organization's archives wherever they might be located and by whomsoever they might be held. Therefore it was necessary to ensure that the cloud servers be located only in countries formally recognizing the OSCE and granting it privileges and immunities, thereby protecting the Organization's assets and archives from seizure or any other form of interference. As mentioned, less than

12 Federal Law Gazette (Bundesgesetzblatt) III No. 84/2018.

13 Federal Act on the legal status of OSCE institutions in Austria, 30 July 1993 as amended 1995 and 2002, Federal Law Gazette (Bundesgesetzblatt) No. 511/1993.

14 Dziennik Ustaw Rzeczypospolitej Polskiej, dnia 16 marca 2018 r., Poz. 560.

ten countries currently offered satisfactory protection for OSCE assets and archives. The commercial impact for the participating States was considerable, as contractors making bids from countries not recognizing the OSCE or conferring upon it the privileges and immunities required for the effective execution of its operations might be rendered ineligible for such procurements. This also increased operational costs for the Organization as these limitations reduced the field of eligible bidders and were liable to impair the Organization's ability to secure the most competitive prices and highest level of services in the market in such cases.

28. Consideration was also given to the personal risks to OSCE officials engaged in commercial activities in participating States where the OSCE lacked formal legal capacity and privileges and immunities. In these situations, OSCE officials did not enjoy functional immunity and were thus not legally protected from possible civil and criminal jurisdiction in the course of carrying out their official functions, including commercial transactions, on behalf of the Organization.

29. To ensure sound management of OSCE assets and to properly assess the legal status of the OSCE in each participating State, the Office of Legal Affairs circulated a survey questionnaire on 12 June 2018 (SEC.GAL/101/18/Restr.), which supplemented the 2017 Survey of National Implementation Measures adopted by OSCE participating States in respect of OSCE Legal Capacity, Privileges and Immunities (CIO.GAL/77/17). The survey requested responses from participating States to two questions: 1) Do OSCE property and assets (including financial assets) enjoy immunity from every form of legal process in the national jurisdiction? and 2) Are the OSCE's archives, including any information stored, for example, in the "cloud" in the national jurisdiction inviolable? Delegations were also requested to provide the text of the relevant legal measures. To date, the Office of Legal Affairs had received 13 responses. The questions were intended, *inter alia*, to help inform the operational decisions made by OSCE officials in conducting commercial activities in the participating States.

30. Ms. Maxwell concluded the presentation by expressing the gratitude of the Office of Legal Affairs for the responses received from delegations so far and extended an invitation to those delegations which had not yet responded to submit their responses, and reiterated the willingness of the Office of Legal Affairs to answer any questions.

Third meeting: 17 October 2018

31. The third meeting of the IWG was held on 17 October 2018 upon invitation of the Chairmanship.¹⁵ Ms. A. de Guttry of the Scuola Superiore Sant'Anna, Pisa, Ms. D. Russo of the University of Florence, and Mr. E. Greppi of the University of Turin were invited to hold an academic discussion on the topic "Duty of Care in relation to the OSCE", with the purpose of defining the extent of duty of care and the responsibility that an international organization has towards its civilian personnel.

32. Ms. de Guttry explained that the duty of care was an established obligation incumbent on international organizations to adopt active, adequate, effective and reasonable measures to protect the life and well-being of personnel deployed in field missions. It was an obligation of means, requiring first and foremost prevention in the form of the adoption of a

15 CIO.GAL/123/18 dated 19 September 2018.

risk-minimizing attitude, and was aimed at providing protection against reasonably foreseeable risks without requiring a guarantee of a specific final result. Emphasis was given to the fact that the budgetary, administrative or technical constraints sometimes making it difficult or impossible to swiftly implement urgent and necessary measures, despite efforts by the competent authorities, should not be ignored.

33. Ms. de Guttry explained ten principles identified in the relevant jurisprudence with regard to the duty of care, as follows. International organizations:

- Have a duty to provide a working environment conducive to the health and safety of their personnel;
- Shall actively protect officers facing general and specific challenges and/or threats and shall make the necessary inquiries to arrive at a reasonable and careful assessment of the risks connected to employment, while taking into account the nature, context and specific requirements of the work to be performed. When using independent contractors, international organizations shall use reasonable care in selecting them and maintain close supervision to make sure reasonable care is implemented;
- Have a duty to act with care and consideration with regard to their personnel's private property;
- Shall offer labour contracts which are fair and which take into due consideration the particular nature of the risks associated with the specific working context and with the personnel's specific tasks;
- Shall make adequate information available to personnel about the potential dangers they might face and about the specific situation in the country of destination;
- Shall treat the workforce in good faith, with due consideration, with no discrimination, in order to preserve their dignity and avoid causing them unnecessary injury;
- Shall have in place sound internal administrative procedures, act in good faith and have proper functioning internal investigation mechanisms to address requests and complaints by their personnel within a reasonable time;
- Have a duty to provide effective medical services to personnel, especially in case of an emergency and afterwards, through an efficient insurance policy, and to adopt the measures necessary to guarantee the well-being of the staff;
- Shall exercise its functional protection towards its personnel in full respect of international law; and
- Shall provide their personnel with adequate training and the necessary equipment to carry out their tasks safely.

34. Ms. Russo continued by explaining the legal resources of the duty of care with respect to the OSCE, namely: 1) rules of customary international law, including those on the responsibility of international organizations, 2) general principles of international law,

3) OSCE Staff Regulations and Staff Rules,¹⁶ 4) OSCE Operational Guidelines for Working in a Potentially Hazardous Environment, and 5) the scope of application of the duty of care with respect to OSCE officials.¹⁷

35. Accordingly, the duty of care obligations include:

- Providing a working environment conducive to the health and safety of personnel, in connection with which it was pointed out that the OSCE did not have a convention similar to the 1999 United Nations Convention for the Safety of United Nations Personnel and therefore followed a case-by-case approach that might lead to fragmentation;
- Protecting officers facing general and specific challenges and/or threats;
- Protecting private property and offering fair labour contracts: in the case of the OSCE, an insurance scheme was in place;
- Providing adequate information about risks in accordance with the principle of informed consent, i.e., delivering a “security briefing” on the security situation in the country to all personnel prior to deployment and also on arrival, including information on matters related to gender, sexual orientation, access to medical care, and the right to withdraw from particularly dangerous activities;
- Having sound administrative procedures: in the case of the OSCE, there was no administrative tribunal in place and there was a lack of clarity on the role and involvement of the Office of Internal Oversight in this respect, nor was there any public database of OSCE appeals decisions. Taking all these factors into consideration and in view of Staff Regulation 2.03,¹⁸ there was a risk of denial of justice;
- Exercising functional protection:¹⁹ this was successfully exercised in 2014 when eight abducted OSCE officials were released, and in 2017 when the OSCE made arrangements for the carrying out of a forensic investigation into the landmine explosion which had resulted in the death of a member of an OSCE mission; and

16 Staff Regulation 2.07 on functional protection makes the following provision: “OSCE officials shall be entitled to the protection of the OSCE in the performance of their duties within the limits specified in the Staff Rules.”

17 Staff Regulation 1.01 on terminology defines an “OSCE official” as follows: “Any person subject to the Staff Regulations in accordance with Regulation 1.03, including the Secretary General, the heads of institution and the heads of mission and all international or local staff, contracted or seconded, fixed-term and short-term staff/mission members.” Staff Regulation 1.03 on Applicability runs as follows: “These Regulations shall apply to: (a) The Secretary General, the heads of institutions and the heads of mission as specified herein and in their letters of appointment or terms of assignment; (b) Staff members and mission members, excluding those employed on an hourly or daily basis.”

18 Staff Regulation 2.03 on privileges and immunities: “The Secretary General, the heads of institution and heads of mission, as well as staff members and international mission members shall enjoy the privileges and immunities to which they may be entitled by national legislation or by virtue of bilateral agreements concluded by the OSCE relating to this matter.”

19 Staff Regulation 2.07 on functional protection.

– Providing adequate training.²⁰

36. Ms. Russo pointed out certain challenges related to the implementation of the duty of care. Firstly, in cases of violation, OSCE officials might be entitled to compensation.²¹ The OSCE had a two-tier disciplinary procedure; however, the second tier, namely the appeal to the Panel of Adjudicators, was restricted to fixed-term contracted officials and there was no access to the panel's case law. Secondly, in the Reparations case of 1949 the Advisory Opinion of the International Court of Justice had made the following specification: "Whereas a State possesses the totality of international rights and duties recognized by international law, the international personality of an entity such as the Organization [i.e., the UN] must depend upon its purposes and functions as specified or implied in its constituent documents and developed in practice."²² In the case of the OSCE, the conclusion of agreements by the OSCE fell within this context, implying that the OSCE had international legal capacity for such purposes. However, Ms. Russo argued that there was still a need to adopt measures such as the 2007 Draft Convention to grant general and uniform recognition of international legal personality.

37. Mr. Greppi of the University of Turin explained the role of international human rights law in the context of the duty of care obligations, in particular: the duty of care as a corollary of human rights obligations of international organizations; extraterritorial application of human rights and the protection of civilian personnel "abroad"; and the rights of victims to seek reparation from international organizations and the duty of organizations to exercise functional protection.

38. To close the meeting, the Chairperson took note of the panellists' view that on many different occasions it had become evident that the OSCE enjoyed legal capacity and international legal personality and consequently should not encounter any obstacles when fulfilling its mandate.

Conclusion

39. In 2018, the four options for strengthening the legal framework of the OSCE remained under consideration without perceptible progress being made towards consensus. Nevertheless, the level of participation in the meetings, including from capitals, continued to demonstrate the strong interest in resolving the matter by establishing appropriate legal means to ensure protection for the OSCE, its officials and the relevant representatives of participating States when carrying out their functions. The diversity of the topics elaborated and discussed during the meetings of the IWG in 2018 demonstrates the large number of matters involved in the protracted pursuit of solutions.

40. In 2018, the open-ended Informal Working Group on Strengthening the Legal Framework of the OSCE demonstrated that it continues to be an appropriate mechanism and

20 For example, pre-mission training by participating States in partnership with national training institutions; the five-day General Orientation (GO) Programme provided by the OSCE Secretariat; training programmes within each structure under the responsibility of the head of institution or head of mission.

21 Staff Regulation 2.06 on compensation for loss or damage to personal effects.

22 ICJ, "Reparation for injuries suffered in the service of the United Nations", Advisory Opinion of 11 April 1949, ICJ Reports 1949, 183 et seq.

a valuable forum for discussing, co-ordinating and addressing this core aspect of the OSCE's existence and for working to advance the Organization's protection of its operations.