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**Chairmanship: Greece****785th PLENARY MEETING OF THE COUNCIL**

1. Date: Thursday, 10 December 2009

Opened: 10.30 a.m.

Closed: 1.30 p.m.

2. Chairperson: Ambassador M. Marinaki

Prior to taking up the agenda, the Chairperson, on behalf of the Permanent Council, welcomed the Permanent Representative of Australia, Ambassador Michael Potts.

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

Agenda item 1: REPORT BY THE SPECIAL REPRESENTATIVE AND CO-ORDINATOR FOR COMBATING TRAFFICKING IN HUMAN BEINGS

Chairperson, Special Representative and Co-ordinator for Combating Trafficking in Human Beings (SEC.GAL/202/09), Sweden-European Union (with the candidate countries Croatia, the former Yugoslav Republic of Macedonia and Turkey; the countries of the Stabilisation and Association Process and potential candidate countries Albania, Bosnia and Herzegovina, Montenegro and Serbia; the European Free Trade Association country Liechtenstein, member of the European Economic Area; as well as Armenia, Georgia, Moldova and Ukraine, in alignment) (PC.DEL/975/09), Russian Federation (PC.DEL/978/09 OSCE+), United States of America (PC.DEL/995/09), Belarus (PC.DEL/988/09 OSCE+), Switzerland (PC.DEL/991/09), Canada, Iceland (PC.DEL/989/09), Norway (PC.DEL/983/09), Kazakhstan (PC.DEL/985/09), Holy See (PC.DEL/984/09)

Agenda item 2: REPORT BY THE DIRECTOR OF THE OFFICE FOR DEMOCRATIC INSTITUTIONS AND HUMAN RIGHTS ON THE ELECTION SUPPORT TEAM TO AFGHANISTAN

Chairperson, Director of the Office for Democratic Institutions and Human Rights (ODIHR.GAL/84/09), Sweden-European Union (with the candidate

countries Croatia and the former Yugoslav Republic of Macedonia; the countries of the Stabilisation and Association Process and potential candidate countries Albania, Bosnia and Herzegovina, Montenegro and Serbia; the European Free Trade Association countries Iceland, Liechtenstein and Norway, members of the European Economic Area; as well as Armenia, Georgia, Moldova and Ukraine, in alignment) (PC.DEL/973/09), Russian Federation (PC.DEL/979/09 OSCE+), United States of America (PC.DEL/992/09/Rev.1), Canada, Turkey, Afghanistan (Partner for Co-operation)

Agenda item 3:           DECISION ON THE EXTENSION OF THE MANDATE OF  
THE OSCE OFFICE IN BAKU

Chairperson

**Decision:** The Permanent Council adopted Decision No. 915 (PC.DEC/915) on the extension of the mandate of the OSCE Office in Baku, the text of which is appended to this journal.

Agenda item 4:           DECISION ON THE EXTENSION OF THE MANDATE OF  
THE OSCE CENTRE IN BISHKEK

Chairperson

**Decision:** The Permanent Council adopted Decision No. 916 (PC.DEC/916) on the extension of the mandate of the OSCE Centre in Bishkek, the text of which is appended to this journal.

Agenda item 5:           DECISION ON THE EXTENSION OF THE MANDATE OF  
THE OSCE OFFICE IN ZAGREB

Chairperson

**Decision:** The Permanent Council adopted Decision No. 917 (PC.DEC/917) on the extension of the mandate of the OSCE Office in Zagreb, the text of which is appended to this journal.

Serbia (interpretative statement, see attachment to the decision), Croatia

Agenda item 6:           DECISION ON THE EXTENSION OF THE MANDATE OF  
THE OSCE MISSION TO BOSNIA AND HERZEGOVINA

Chairperson

**Decision:** The Permanent Council adopted Decision No. 918 (PC.DEC/918) on the extension of the mandate of the OSCE Mission to Bosnia and Herzegovina, the text of which is appended to this journal.

Agenda item 7: REVIEW OF CURRENT ISSUES

- (a) *Human Rights Day*: Chairperson, Sweden-European Union (with the candidate countries Croatia, the former Yugoslav Republic of Macedonia and Turkey; the countries of the Stabilisation and Association Process and potential candidate countries Albania, Bosnia and Herzegovina, Montenegro and Serbia; the European Free Trade Association countries Iceland, Liechtenstein and Norway, members of the European Economic Area; as well as Georgia, Moldova and Ukraine, in alignment) (PC.DEL/974/09), United States of America (PC.DEL/993/09), Russian Federation (PC.DEL/987/09 OSCE+)
- (b) *2010 Unified Budget proposal*: Chairperson, Secretary General, Kazakhstan, Sweden-European Union (PC.DEL/977/09), Russian Federation (PC.DEL/980/09 OSCE+), Croatia
- (c) *Vote in favour of prohibiting the construction of minarets in Switzerland*: Switzerland (Annex 1), Sweden-European Union (with the candidate countries Croatia, the former Yugoslav Republic of Macedonia and Turkey; the countries of the Stabilisation and Association Process and potential candidate countries Albania, Bosnia and Herzegovina, Montenegro and Serbia; as well as Georgia and Ukraine, in alignment) (PC.DEL/972/09)
- (d) *Situation of human rights activists in Kyrgyzstan*: Sweden-European Union (with the candidate countries Croatia and the former Yugoslav Republic of Macedonia; the countries of the Stabilisation and Association Process and potential candidate countries Albania, Bosnia and Herzegovina, Montenegro and Serbia; as well as the European Free Trade Association countries Iceland, Liechtenstein and Norway, members of the European Economic Area, in alignment) (PC.DEL/976/09), Kyrgyzstan (PC.DEL/994/09 OSCE+)
- (e) *Farewell to the Permanent Representative of Turkey to the OSCE, Ambassador Yusuf Buluç*: Chairperson, Turkey

Agenda item 8: REPORT ON THE ACTIVITIES OF THE  
CHAIRMAN-IN-OFFICE

- (a) *Announcement of the distribution of the report on the activities of the Chairman-in-Office*: Chairperson
- (b) *Visit of the Special Representative of the Chairman-in-Office, Ambassador Charalampos Christopoulos, to Tbilisi and Tskhinvali on 14 and 15 December 2009*: Chairperson

Agenda item 9: REPORT OF THE SECRETARY GENERAL

- (a) *Organizational matters related to the 2009 Mediterranean Conference*: Secretary General (SEC.GAL/204/09 OSCE+)
- (b) *Report of the Secretary General on the operation of the Partnership Fund (SEC.GAL/201/09 OSCE+)*: Secretary General (SEC.GAL/204/09 OSCE+)

Agenda item 10: ANY OTHER BUSINESS

- (a) *Granting of the status of Partner for Co-operation to Australia*: Chairperson, Australia (Partner for Co-operation)
- (b) *Joint letter of six foreign ministers in light of the United Nations Climate Change Conference in Copenhagen (SEC.DEL/304/09)*: Slovenia (also on behalf of Iceland)
- (c) *Opening of the photographic exhibition, “20 years after the Velvet Revolution”, in Vienna on 10 December 2009*: Slovakia (also on behalf of the Czech Republic)
- (d) *Declaration to mark the 20th anniversary of the reunification of Europe*: Romania (also on behalf of Albania, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, the former Yugoslav Republic of Macedonia, Malta, Moldova, Montenegro, the Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, the United Kingdom and the United States of America) (Annex 2), Russian Federation (Annex 3)
- (e) *Organizational matters*: Chairperson

4. Next meeting:

Thursday, 17 December 2009, at 10 a.m., in the Neuer Saal



**785th Plenary Meeting**

PC Journal No. 785, Agenda item 7(c)

**STATEMENT BY THE DELEGATION OF SWITZERLAND**

In a referendum on 29 November 2009, the citizens of Switzerland voted in favour of a popular initiative which bans the construction of minarets in the future. The Swiss government will implement this democratic decision even though, in the referendum campaign, both the federal government (Federal Council) and a majority of the federal parliament explicitly recommended to the electorate to reject the proposal of the initiative.

The Swiss federal constitution guarantees the freedom of religion. The ban on the construction of new minarets, not new mosques, will not limit the freedom of religious expression. Muslims in Switzerland will continue to have the freedom to profess their faith in Islam and to practise their religion. The freedom of religious expression remains guaranteed for all religions.

Currently, there are about 400,000 Muslims living in Switzerland, i.e., approximately 5 per cent of the population. In general, they are well integrated in Swiss society. There are more than 200 Muslim places of prayer in Switzerland. The latter are not affected by the ban. New mosques and prayer houses may be built and used as before. The Swiss government confirms its respect for the Muslim community in Switzerland, for the Islamic faith, and for Muslims worldwide.

As the Swiss Foreign Minister explained on 1 December 2009 to the Ministerial Council in Athens, we are disconcerted by this decision of the voters. It is an expression of a defensive attitude towards a globalised world experiencing economic crisis and growing unemployment. Twenty-two per cent of Switzerland's population are foreigners, making it the country with the second-highest proportion of foreigners in Europe after Luxembourg.

During the campaign, fears and prejudices were perceived. They should be openly addressed. The Swiss government is seeking an active dialogue with all sections of Swiss society, especially with the Muslim community. The aim of this dialogue is to promote mutual understanding between different population groups and to ensure religious freedom.

In its foreign policy too, Switzerland will strengthen its efforts to intensify the dialogue. The result of the referendum is a clear exhortation to the Swiss government to nurture and deepen its diverse relations with all Muslim countries. From this perspective, we will pursue an open encounter and a partnership with the Muslim world. Only those who speak with each other and remain in dialogue are able to understand each other.

To conclude, one last remark: In Switzerland we are aware of the fact that the ban on minarets could lead to a problem with respect to international law governing the ban on discrimination – as enshrined both in the European Convention on Human Rights and the UN Covenant on Political and Civil Rights. If, in particular, the European Court of Human Rights in Strasbourg should come to the conclusion that a fundamental right of the European Convention on Human Rights has been violated, Switzerland would be obliged to study the consequences of such a judgement very carefully.



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**785th Plenary Meeting**

PC Journal No. 785, Agenda item 10(d)

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

1. We commemorate the historic events of 1989 that brought a peaceful end to the division of Europe and made it possible to turn into reality the vision of a continent “whole, free and at peace”.
2. We commend the important role of the Conference for Security and Co-operation in Europe in shaping the democratic conscience of our societies. Governments undertook commitments to respect human rights and fundamental freedoms and citizens are holding their governments responsible for fulfilling these commitments.
3. We celebrate 1989 as the starting point for a new era of democracy, peace and indivisible security to which the OSCE greatly contributed.
4. We value the guiding principles of the OSCE and its institutions for providing a sound framework within which democracies emerged two decades ago could build a future of security, prosperity and freedom for their people. These countries reinforced, in their turn, our Organization, and breathed new life into the spirit of the Helsinki Final Act.
5. We celebrate the considerable strides Europe has made over the last two decades toward becoming more democratic, more stable and more secure. These accomplishments must not be taken for granted. There is still a gap between commitments and their implementation. We face numerous challenges and threats that risk undermining our foundation of shared commitments across all OSCE dimensions.

6. We reaffirm the key role of the OSCE and its institutions in tackling the complex challenges that face us today. The Organization's unique geographical scope, comprehensive approach to security and emphasis on equality, shared values and consensus continue to make it a vital forum for addressing Europe's security and for further building "a common European home".

7. We reaffirm the commitments freely entered into by all participating States in the wake of 1989, not least the principles of the Paris Charter and the 1991 Moscow Document which reconfirmed the link between security, democracy and human rights as the basis of the OSCE's comprehensive concept of security.

8. Twenty years after the reunification of Europe, we remain committed to fulfil, comprehensively, the hopes and expectations of 1989 by: erasing all dividing lines in the OSCE area and further enhancing mutual trust through steadfast commitment to democracy based on human rights and fundamental freedoms, prosperity and equal security for all our countries.





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

PC.JOUR/785  
10 December 2009  
Annex 3

ENGLISH  
Original: RUSSIAN

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**785th Plenary Meeting**

PC Journal No. 785, Agenda item 10(d)

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

Madam Chairperson,

The 20th anniversary of the fall of the Berlin Wall is an important and significant date in the history of Europe. This wall stood not only for the division of a country and its people but also of the entire European continent and as a symbol of the Cold War.

It should not be forgotten that the fall of the Wall was in fact historically inevitable, having been heralded by the changes that were gathering force both in the Soviet Union and in other States.

An enormous number of people played a part in the road to German unity and the leadership of the Soviet Union certainly had a decisive role in the peaceful reunification of Germany at that time. Our nations had sufficient courage to overcome the memory of the past and to achieve a historical reconciliation after the Second World War. We appreciate the fact that in the 20 years that have elapsed since this event Russia and Germany have been able to develop a real partnership and extremely respectful relations.

Unfortunately, during the 20 years since the fall of the Berlin Wall, not only have dividing lines continued to exist, but new barriers obstructing co-operation between us have been erected. This is most evident in the politico-military sphere and in a number of areas of the human dimension, notably with respect to freedom of movement and visa regimes.

Russia would like to see these dividing lines being overcome and the creation of a truly indivisible area of security and co-operation from Vancouver to Vladivostok.

This is the thrust behind our initiative for the elaboration of a Treaty on European Security, a draft version of which was transmitted to the Heads of State and international organizations in the Euro-Atlantic region on 27 November. We are looking forward to the reactions to the substance of that document.

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



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

PC.DEC/915  
10 December 2009

Original: ENGLISH

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**785th Plenary Meeting**

PC Journal No. 785, Agenda item 3

**DECISION No. 915  
EXTENSION OF THE MANDATE OF THE  
OSCE OFFICE IN BAKU**

The Permanent Council,

Decides to extend the mandate of the OSCE Office in Baku until 31 December 2010.



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

PC.DEC/916  
10 December 2009

Original: ENGLISH

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**785th Plenary Meeting**

PC Journal No. 785, Agenda item 4

**DECISION No. 916  
EXTENSION OF THE MANDATE OF THE  
OSCE CENTRE IN BISHKEK**

The Permanent Council,

Decides to extend the mandate of the OSCE Centre in Bishkek until  
31 December 2010.



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

PC.DEC/917  
10 December 2009

Original: ENGLISH

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**785th Plenary Meeting**

PC Journal No. 785, Agenda item 5

**DECISION No. 917  
EXTENSION OF THE MANDATE OF THE  
OSCE OFFICE IN ZAGREB**

The Permanent Council,

Decides to extend the mandate of the OSCE Office in Zagreb until  
31 December 2010;

Takes note with appreciation of the significant progress achieved by the Government of Croatia in implementing its commitments in many fields in both areas of the mandate of the OSCE Office, as confirmed in the Status Reports on Mandate-Related Developments and Activities distributed on 23 March 2009 (PC.FR/4/09 OSCE+) and 2 November 2009 (SEC.FR/764/09 Restr.);

Tasks the OSCE Office in Zagreb to submit to the Permanent Council a status report, by the end of 2010, as the basis for the evaluation of the fulfilment of the mandate and mandate-related tasks.

PC.DEC/917  
10 December 2009  
Attachment

Original: ENGLISH

**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 Republic of Serbia is convinced that the role of the OSCE field presences in South-East Europe and the assistance they provide in implementing the principles, standards and commitments of the OSCE are of crucial importance for the democratic progress of the region as a whole.

The Republic of Serbia is, as a matter of principle, of the opinion that it is of essential importance that all OSCE field presences work actively, until their mandates are completely fulfilled. This applies also to the mandate of the OSCE Office in Zagreb, which is still not completed, as it is outlined in the “Status Report on Mandate-Related Developments and Activities” SEC.FR/764/09 of 27 October 2009.

Apart from that, the Republic of Serbia, as the country hosting the largest number of refugees in Europe, believes that for problems that are in their essence of regional character, as is the refugee issue in South-East Europe, regional solutions are required. Solutions for the existing refugee problems have to be durable and sustainable. We deeply believe that we can find such solutions only with the indispensable assistance of the international community, and the OSCE can, in this sense, with capacities as are the field presences, make a considerable contribution to this.

The Republic of Serbia, on her part, is ready to engage constructively in finding solutions to open issues of the refugee problem and to this end initiated the organization of a regional conference in Belgrade dedicated to the solution of the refugee issues in the region.

Another important aspect of the OSCE field presences in South-East Europe is that they facilitate the complex reform processes of the judiciary structures engaged in war crimes prosecution all over the region. Their co-ordinated activities are an important assistance in the co-operation of our relevant courts, prosecutors and other law-enforcement agencies. In this context, we believe that more transparency on the part of the Croatian authorities with respect to ongoing proceedings related to un-prosecuted war crimes and trials in absentia would be conducive. Having in mind the complexity of the issue, we believe that the monitoring of the war crimes proceedings by the OSCE Office in Zagreb remains a crucial task. We would like to remind that according to PC Decision No. 836 monitoring of all cases involving ICTY transfers, including so-called “Category II” cases, as well as domestic war crimes proceedings initiated at the local level, are within the mandate of the Office in Zagreb.

Furthermore, we would like to underline that the OSCE is perceived by many stakeholders as an important factor in the implementation of the ICTY exit strategy. In this context Chief Prosecutor Serge Brammertz in his address to the United Nations on 3 December 2009 particularly stressed the co-operation with the OSCE field presences and the countries in our region. This year's standstill in the co-operation of Croatia with the ICTY, as it is assessed by the Chief Prosecutor, shows that nobody can claim that progress is irreversible, but we believe that Croatia is on the right track again. In this sense we welcome the establishment of the Croatian Inter-Agency Task Force in October this year, tasked to locate the documentation important for further judicial war crimes proceedings.

The Republic of Serbia joined the consensus regarding the decision on the extension of the mandate of the OSCE Office in Zagreb, understanding that the Office will continue to be actively engaged in the tasks defined in the mandate, until the mandate is fully implemented.

We request that this interpretative statement be duly registered.”



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

PC.DEC/918  
10 December 2009

Original: ENGLISH

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**785th Plenary Meeting**

PC Journal No. 785, Agenda item 6

**DECISION No. 918  
EXTENSION OF THE MANDATE OF THE  
OSCE MISSION TO BOSNIA AND HERZEGOVINA**

The Permanent Council,

Decides to extend the mandate of the OSCE Mission to Bosnia and Herzegovina until 31 December 2010.