



# **BRUSSELS DECLARATION**

**OF THE**

**OSCE PARLIAMENTARY ASSEMBLY**

**AND**

**RESOLUTIONS ADOPTED**

**AT THE FIFTEENTH ANNUAL SESSION**

**BRUSSELS, 3 to 7 JULY 2006**

## **PREAMBLE**

We, Parliamentarians of the OSCE participating States, have met in annual session in Brussels on 3-7 July 2006 as the Parliamentary dimension of the OSCE to assess developments and challenges relating to security and cooperation, in particular on strengthening human security in the OSCE region, and we offer the following views to the OSCE Ministers.

We wish every success to the next OSCE Ministerial Council in Brussels on 4 and 5 December 2006 and bring to its attention the following declaration and recommendations.

## **STRENGTHENING HUMAN SECURITY IN THE OSCE REGION**

### **CHAPTER I**

#### **POLITICAL AFFAIRS AND SECURITY**

#### **OSCE Field Operations in South Eastern Europe**

The OSCE Parliamentary Assembly:

1. Guided by universally recognized norms and principles of international law, purposes and principles enshrined in the Charter of the United Nations, provisions of the fundamental documents of the Organization for Security and Co-operation in Europe,
2. Welcoming the significant progress the countries of South Eastern Europe have achieved in consolidating stability and democracy and on their way towards full European and Euro-Atlantic integration,
3. Noting the EU Council conclusions on the Western Balkans from 20 March 2006, in which the Council underlined its determination to fully implement the commitments given in the Thessaloniki agenda in order to master the challenges the region faces in 2006 and beyond,
4. Welcoming the tolerant approach of interested parties towards the independence referendum in Montenegro, which is an excellent example of the correct balance between inviolability of borders and the right to national self-determination,
5. Welcoming the establishment of the Organization for Democracy and Economic Development-GUAM and taking note of its activities as a good example of regional cooperation and integration aimed at strengthening security, stability and peace in the OSCE area, particularly in South Eastern Europe,

6. Stressing that unresolved conflicts and numerous negative phenomena emanating from them undermine stability, hinder sustainable development and impede pan-European integration processes,
7. Reaffirming the necessity to respect the sovereignty, territorial integrity and internationally recognized borders of states, as one of the pillars of maintenance of international security,
8. Calling upon all parties concerned to engage constructively in dialogue to resolve the future status of Kosovo, and to seek a solution through negotiations on the basis of the principles mentioned above,
9. Recalling the commitments of the OSCE participating States when adopting the 2004 OSCE Action Plan for the Promotion of Gender Equality,
10. Expressing full support for the work, on the basis of United Nations Security Council resolution 1244 and guidelines of the Contact Group, of the Special Envoy of the Secretary-General of the United Nations for the Future Status Process for Kosovo, President Martti Ahtisaari, and his team,
11. Welcoming the establishment of the Steering Group on future international arrangements in Kosovo and the willingness of the OSCE to engage in this dialogue,
12. Emphasizing that the United Nations Special Envoy for Kosovo, Kai Eide, submitted a report in October 2005 in which he stated that the police and judiciary are fragile institutions and that further transfer of powers in these areas should be considered with great caution, also stating that the future status process should be accompanied by a clear expression by the international community that it is determined to stay in Kosovo and to support the future status process and its outcome,
13. Welcoming the role of a wide range of initiatives being active in the field of promoting regional cooperation in South Eastern Europe, including the South Eastern Europe Cooperation Process, and particularly mentioning the achievements of the Stability Pact for South Eastern Europe,
14. Reiterating the crucial role the OSCE can play through its field presences in cooperation and coordination with other international actors in building multi-ethnic societies, developing democratic structures and promoting human rights,
15. Underlining the importance of keeping the OSCE focused on its human dimension,
16. Encouraging the ongoing work in the OSCE on strengthening the effectiveness of the OSCE, including its field operations, considering also the recommendations of the Panel of Eminent Persons and the Washington Colloquium of the OSCE Parliamentary Assembly,

The OSCE Parliamentary Assembly:

17. Recommends that the OSCE offers itself to the participating States as a leading international actor in the cooperation and coordination of efforts in democratization, institution-building based on the rule of law and combating discrimination against minorities, trafficking in human beings as well as other threats to human security;

18. Underlines the importance of the OSCE field operations to fulfil these tasks;
19. Underlines the essence that the OSCE participating States ensure equal opportunity for the participation of women in political and public life and recalls the important role of the Office for Democratic Institutions and Human Rights (ODIHR), the High Commissioner on National Minorities and the OSCE Representative on Freedom of the Media in this connection;
20. Calls upon OSCE participating States to take advantage of this instrument by active cooperation with the OSCE field operations;
21. Reaffirms the necessity of developing democracy and respect for human rights and fundamental freedoms, including those of persons belonging to national or ethnic minorities, with the purposes of maintaining peace and security, strengthening the spirit of tolerance, and ascertaining values of cultural diversity and peaceful coexistence of various ethnic communities within the internationally recognized borders of States;
22. Reiterates the importance of intense efforts in order to ensure that any resolution of Kosovo's status should ensure a multi-ethnic and multicultural Kosovo, full protection of minority rights for its inhabitants and good neighbourly relations within the region;
23. Urges the OSCE to sustain fully its current mission in Kosovo and all efforts to promote democracy-building and the promotion of human rights and the rule of law;
24. Encourages the OSCE Mission in Kosovo to consider a growing role at the local level designed to enhance its overall effectiveness, and calls upon the OSCE leadership to continue close dialogue with other international actors, most prominently the United Nations and the European Union, in order to increase synergies and avoid wasteful duplication;
25. Recommends that the Mission accelerate existing OSCE programmes relating to achieving fulfilment of the Standards, particularly with regard to capacity-building for prosecutors and for creating a sustainable basis for the return, protection and representation in government of minority communities in Kosovo;
26. Recommends that the OSCE Mission in Kosovo monitor and report in a timely, regular, public and unbiased manner on progress achieved and on human rights violations still needing to be addressed, and that it support capacity-building for non-governmental and unbiased human rights monitors in Kosovo to ensure long-term monitoring of national justice and human rights in Kosovo;
27. Recognizes the country progress of Bosnia and Herzegovina from a framework set in Dayton towards a structure established and owned in Sarajevo;
28. Welcomes the launching of negotiations for a new Central European Free Trade Agreement (CEFTA) based multilateral free trade agreement for South Eastern Europe as a clear example of active regional cooperation that is beneficial to all and an important step for the European course of the countries concerned;
29. Welcomes the accession of Montenegro to the OSCE;

In the field of security sector reform in South Eastern Europe, the OSCE Parliamentary Assembly:

30. Encourages the OSCE in its comprehensive security approach, which was reiterated by the OSCE Ministerial Council in Ljubljana 2005, to support security-building and democratization processes;
31. Calls upon both Serbia and Montenegro to pursue a direct and constructive dialogue on their future relations;
32. Underlines the need for a holistic approach and supports the British and Austrian EU Presidency initiatives on developing a comprehensive security sector reform concept for South Eastern Europe, taking into account a range of relevant actors in this field;
33. Emphasizes the need for democratic control of the armed and security forces, in which national parliaments should play a decisive role;
34. Advocates that the OSCE closely cooperate with other international and regional actors on this matter and concentrate on those responsibilities that the OSCE is most suitable to fulfil in the security sector;

In view of the strengthening of local institutions and local ownership in South Eastern Europe, the OSCE Parliamentary Assembly:

35. Urges the OSCE to continue making full use of its well-established field presence by working closely with local authorities in capacity-building, monitoring, training and legal advisory activities;
36. Recommends that local governments take every possible opportunity to benefit from their close collaboration with the OSCE field presences;
37. Calls on the local government institutions to continue the ongoing work of encouraging the return of displaced persons and refugees to their own homes and their own communities;
38. Recommends that the local government institutions encourage members of national minorities to maintain their cultural and social heritage and institutions, and to create the conditions necessary for the effective participation of persons belonging to minorities in public life at the local level;
39. Underscores the importance of a comprehensive approach to trafficking in human beings, comprising the prevention of trafficking, the protection of victims and witnesses and the prosecution of criminals,
40. Encourages the work of the Special Representative of the OSCE Chairman-in-Office on Combating Trafficking in Human Beings and of the Special Representative of the President of the OSCE Parliamentary Assembly on Human Trafficking Issues;
41. Urges the OSCE to improve its capacity to promote gender equality in its activities in participating States according to the 2004 Action Plan for the Promotion of Gender Equality;

With respect to regional cooperation in South Eastern Europe, the OSCE Parliamentary Assembly:

42. Calls upon the countries of the region as well as the OSCE Missions to further increase their efforts in promoting regional cooperation, in particular in the areas of refugee return and return of the displaced population, the fight against organized crime and trafficking in human beings, drugs and weapons;
43. Emphasizes the need for close cooperation with the OSCE at the regional and international levels, in order to combat trafficking in human beings in the countries of origin, the countries of transition and the countries of destination;
44. Urges governments to draw lessons from best practice examples in the region and adapt them to local realities;
45. Encourages the work of the Special Representative on South Eastern Europe, appointed by the President of the OSCE Parliamentary Assembly, in facilitating parliamentary dialogue in the region.

## CHAPTER II

### ECONOMIC AFFAIRS, SCIENCE, TECHNOLOGY AND ENVIRONMENT

46. Reaffirming the important role that may be played by economic cooperation in ensuring stability and security in the OSCE area, according to the principles contained in the OSCE Strategy Document on the Economic and Environmental Dimension adopted at the 2003 Ministerial Council in Maastricht,
47. Noting with satisfaction the progress made towards improving regional economic integration among the participating States, in particular in the Balkans, the Caucasus, the Black Sea (especially through the Organization of the Black Sea Economic Cooperation) and Central Asia, in order to create common interests and de facto solidarities to dissuade States from resorting to force in order to settle their differences,
48. Recognizing that democracy helps to foster economic prosperity and stability, and convinced that this system is capital for achieving healthy economic development, attracting investment and reducing social inequalities,
49. Supporting the United Nations Millennium Declaration in which it was proclaimed that good governance and the transparency of financial, monetary and commercial systems contribute to sustainable development, economic growth and poverty eradication,
50. Reminding the OSCE participating States of their commitment to promoting equal opportunities for women in the economic sphere according to the Action Plan for the Promotion of Gender Equality adopted in Sofia in 2004,
51. Aware that ensuring balance between supply and demand in world markets for natural resources is one of the prerequisites for preventing possible tension between States,
52. Being aware of serious threats to economic development caused by international terrorism, transnational organized crime, and corruption, and noting the important role not only of States but also of civil society, including business circles, in countering these threats,
53. Reaffirming that energy security is linked to a safe, predictable and reliable energy supply,
54. Welcoming initiatives for dialogue and cooperation in energy matters, such as the energy partnership between the European Union and the Russian Federation, and the elaboration of a Green Paper by the European Commission and the signing of the Treaty establishing the Energy Community (Athens, 25 October 2005),
55. Supporting the initiative taken by the Chairman-in-Office, Mr Karel de Gucht, to hold a conference on energy security,
56. Recognizing, on the twentieth anniversary of the accident at the Chernobyl nuclear plant, that the effects of its dramatic aftermath continue to be felt throughout Europe,

57. Welcoming the exceptional aid given to the victims of natural catastrophes in South-East Asia, the United States and Pakistan,

The OSCE Parliamentary Assembly:

58. Encourages the participating States to continue to favour initiatives aimed at improving regional economic integration;
59. Encourages improved coordination, following natural catastrophes, in rescue and reconstruction operations with the OSCE's Mediterranean associates and Asian partners;
60. Invites the participating States to assist the OSCE in coordinating economic and environmental activities in close cooperation with the United Nations Economic Commission for Europe;

In the field of good governance:

61. Recommends that the parliaments of the participating States work towards signing and ratifying the United Nations Conventions against Terrorism, Corruption and against Transnational Organized Crime;
62. Invites the participating States to support and actively cooperate with the United Nations Office on Drugs and Crime in its fight against terrorism and transnational organized crime;
63. Recommends that the parliaments of the participating States encourage the development of small and medium-sized enterprises and favour initiatives for technical assistance and training;
64. Underlines the need to support initiatives encouraging female employment, especially in the transition economies;
65. Strongly urges the participating States to fight discrimination against women in the labour market, in particular their access to responsible posts;

In the field of energy:

66. Urges the participating States to foster cooperation on energy and dialogue between supplier and consumer countries, while supporting the Energy Charter Treaty;
67. Underlines the fact that energy security depends on a reliable supply, unimpeded transit and the safe transport of natural resources and should be based on and encompass mutual interests of suppliers and consumers;
68. Strongly urges the participating States to favour free and open trade, in particular in the energy sector;
69. Recommends that the participating States sign long-term contracts for their energy supplies;



70. Underlines the importance of energy infrastructure development in the OSCE area with respect to environmental threats in areas designated as particularly sensitive, as well as to energy security interests of other participating States;
71. Encourages the participating States to create machinery to address crisis situations and supply difficulties;
72. Underlines the need to reconcile the imperatives of economic growth and energy security with protection of the environment;
73. Strongly urges the participating States to attach great importance to development and broader utilization of environmentally friendly, alternative and renewable energy sources, while encouraging consumers to save energy;
74. Underlines the importance of substitute and renewable forms of energy and the need to develop research policies in the area of energy technology;
75. Recommends that the parliaments of participating States work towards the signing and ratification of the Kyoto Protocol;
76. Strongly urges the international community to assist with the plans to build a new “sarcophagus” for the Chernobyl plant and urges the participating States to be transparent and prepare coordination plans in the event of a nuclear accident.

## CHAPTER III

### DEMOCRACY, HUMAN RIGHTS AND HUMANITARIAN QUESTIONS

#### 1 The OSCE's election monitoring activities

77. Recalling the commitments made by the OSCE participating States when adopting the 2004 OSCE Action Plan for the Promotion of Gender Equality,
78. Reaffirming the provisions set forth in the Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE (1990), including the commitments of the participating States with regard to the organization of democratic elections,
79. Noting that those commitments were complemented by the relevant provisions of the Lisbon Ministerial Declaration (1996) and the Istanbul Ministerial Declaration (1999), together with the Declaration and Charter of European Security adopted at the Istanbul Summit (1999),
80. Reaffirming its determination to honour those commitments,
81. Reaffirming the provisions set forth in the resolution adopted by the Parliamentary Assembly at its July 2005 Session in Washington, on improving the implementation of OSCE electoral standards and commitments and the effectiveness of OSCE election observation activities,
82. Noting that the presence of the OSCE, along with other relevant international organizations, is unquestionably an important element in evaluating the democratic nature of elections,
83. Taking note of the competences of the OSCE Parliamentary Assembly and ODIHR, in helping the participating States to implement commitments and standards relating to elections,
84. Welcoming the pursuit of efficient cooperation between the OSCE Parliamentary Assembly and ODIHR in the area of election monitoring,
85. Supporting the Co-operation Agreement signed by the Chairman-in-Office and the President of the Parliamentary Assembly in 1997,
86. Considering that the political expertise and political judgment of Parliamentarians, along with their stature as elected politicians, provides the visibility and credibility for election monitoring missions that only elected officials can provide,

The OSCE Parliamentary Assembly:

87. Recommends that OSCE participating States take into account all of the existing commitments regarding elections, while making sure that these commitments are applied to elections in all participating States, and avoid double standards in any case;

88. Urges the Parliamentary Assembly to continue to provide political leadership to the OSCE Election Observation Missions, with the technical, logistical and long-term observer support of ODIHR respecting the Co-operation Agreement and, if possible, reinforcing it;
89. Encourages the OSCE Parliamentary Assembly to continue its practice of deploying short visits during the pre-electoral period, which can at times help to achieve a true image of the evolution of the election campaign.

## **2 Abolition of “crimes of honour” in OSCE participating countries**

90. Noting that archaic family traditions, such as forced marriage, so-called “crimes of honour” and “vendetta”, exist and persist in certain OSCE participating States,
91. Noting that these practices are contrary to human dignity and violate fundamental human rights,
92. Deploring the fact that a good many of these practices go unpunished or may be subject to lighter sentences than other criminal acts,
93. Noting that these practices also occur in immigrant communities and are likely to make it more difficult for immigrants to integrate into their host societies,
94. Welcoming the fact that NGOs lend support to the victims of these practices and help to raise public awareness,

The OSCE Parliamentary Assembly:

95. Calls upon the OSCE participating States to take legislative and educational measures to eradicate these undignified practices, which violate human rights.

## **3 Parliamentary control of the police and security services in OSCE participating States**

96. Noting that parliamentary control of the police and security services exists in certain OSCE participating States,
97. Emphasizing that this type of control is vital for guaranteeing human rights and fundamental freedoms under the rule of law,
98. Recognizing the need to strike the right balance between protecting national security and human rights,
99. Noting that the absence of parliamentary control is a result of the heritage of the past and/or a relatively recent transition towards democratic institutions,

The OSCE Parliamentary Assembly:

100. Commits the OSCE participating States where parliamentary control is still lacking to develop it, to avoid any abuse of power or any irregularities that may violate human rights;

101. Calls upon those OSCE participating States where parliamentary control of the police and security services exists to render all necessary assistance to those States where it does not exist;

#### **4 Strengthening the protection of persons belonging to national minorities in the OSCE participating States**

102. Reaffirming the provisions set forth in the resolution on national minorities adopted by the OSCE Parliamentary Assembly at its July 2004 Session in Edinburgh,
103. Reaffirming that a pluralistic and truly democratic society must not only respect the ethnic, cultural, linguistic and religious identity of everyone belonging to a national minority but must also enable it to express, preserve and develop that identity through non-governmental, political and administrative bodies,

The OSCE Parliamentary Assembly:

104. Reaffirms its determination to encourage every advance towards making legislation on language rights and the acquisition of citizenship more flexible;
105. Reaffirms its determination to encourage every advance in minority education, with special reference to cases where programmes for the equal integration of minorities are closely linked to naturalization procedures.

#### **5 Promoting the freedom of religion and belief in the OSCE participating States**

106. Deploring the fact that several OSCE participating States still have legislation that discriminates against religious communities,
107. Also deploring the fact that this religious intolerance may, in certain cases, be found in education and the press,
108. Considering that special attention must be paid to the status of local and immigrant Muslim minorities and majorities in OSCE participating States,

The OSCE Parliamentary Assembly:

109. Calls upon the OSCE participating States to take every necessary measure to fight against any such discrimination and to promote the freedom of religion and belief;
110. Requests the OSCE participating States to guarantee every human being's freedom to practise or not to practise a religion;
111. Calls upon the OSCE participating States to take every necessary measure to eliminate all forms of discrimination based on religion or belief and to promote a genuine dialogue among communities in a spirit of tolerance;
112. Urges the OSCE participating States to secure freedom of expression, the precondition of fundamental human and democratic rights;

113. Calls upon the OSCE participating States to make use of the experience of those participating States with long-standing experience in preserving tolerance and peaceful coexistence of communities belonging to different religions;

## **6 Code of Conduct for participants in OSCE missions**

114. Reaffirming the provisions set forth in the resolution adopted by the Parliamentary Assembly at its July 2005 Session in Washington on the need to strengthen the Code of Conduct applicable to members of OSCE missions,
115. Emphasizing once more the need to maintain the strictest moral standard in terms of integrity, responsibility and transparency in all OSCE activities,

The OSCE Parliamentary Assembly:

116. Requests that the OSCE participating States encourage women's participation in conflict prevention, crisis management and post-conflict reconstruction in accordance with the OSCE Action Plan for the Promotion of Gender Equality adopted in Sofia in 2004;
117. Takes note of the commitment by some political leaders to ensure that unlawful acts are proscribed, by means of improved training of staff involved in missions in which OSCE countries participate and a strict application of the existing regulations;
118. Commits political leaders to punishing, with utmost severity, any transgression of this Code of Conduct;

## **7 Combating violence and all forms of exploitation and abuse towards children**

119. Noting that, despite existing international legal instruments, many children in the OSCE participating States continue to be victims of all kinds of violence, exploitation and abuse,
120. Deploring the limited effectiveness of the policies so far put in place by States to combat this scourge,
121. Considering that it is relevant to implement a global strategy in order to offer a legal and social framework enabling all forms of violence, exploitation and abuse towards children to be combated more effectively,

The OSCE Parliamentary Assembly

122. Reaffirms the absolute need for the OSCE participating States to combat with energy, resolve and effectiveness all forms of violence, exploitation and abuse towards children; and
123. Invites the OSCE participating States to:
- a. Establish protection norms common to all States, with particular reference to the notion of the interest of the child and definition of the criminal offences of which children are victims,

- b. Draw up plans of action at both international and national level and in the field to eradicate violence, exploitation and abuse committed against children, particularly in the family, at school, in host institutions and in the community,
- c. Institute in each OSCE participating State an independent authority for the defence of children that is directly accessible to them, together with a national file assembling information on children in order to afford them better protection,
- d. Introduce increased collaboration among national authorities responsible for the protection of children in the OSCE participating States,
- e. Educate children and adults to detect and combat abuse,
- f. Put in place development policies to avoid recourse to child soldiers and to child labour,
- g. Establish mechanisms to monitor national policies for combating violence, exploitation and abuse towards children.

## **RESOLUTION ON COMBATING TRAFFICKING AND THE EXPLOITATION OF CHILDREN IN PORNOGRAPHY**

1. Recognizing that child pornography is a multi-billion dollar enterprise, involving in 2001 an estimated 100,000 child pornography websites on the Internet, contributing to the abuse and exploitation of children throughout the OSCE region and beyond,
2. Deeply concerned over the impact of this form of abuse and exploitation on the well-being of children,
3. Recalling the commitments agreed by the participating States at Istanbul to “undertake measures to eliminate all forms of discrimination against women, and to end violence against women and children as well as sexual exploitation and all forms of trafficking in human beings” and to “promote the adoption or strengthening of legislation to hold accountable persons responsible for these acts and strengthen the protection of victims”,
4. Noting that anecdotal evidence indicates that one of the purposes for which children are trafficked, internally within a country or internationally, is for the production of pornography,
5. Recalling the OSCE Parliamentary Assembly’s Edinburgh Declaration which called upon participating States to sign and ratify the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, and also the International Labour Organization Convention No. 182, calling for immediate action to ban the worst forms of child labour, including child prostitution and child pornography,
6. Recalling the Ministerial Council’s continued attention, in its 2005 Ljubljana decision, to the international obligations taken by those OSCE participating States which have signed and ratified the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, and in its 2004 Sofia decision, to the Special Needs for Child Victims of Trafficking for Protection and Assistance, and in its 2000 Vienna decision, which calls upon all participating States to sign and ratify the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography,
7. Deploring the sexual exploitation and abuse of children through prostitution and pornography,
8. Noting that research and law enforcement experience have documented a significant likelihood that a possessor of child pornography will also be involved in sexually abusing children,
9. Acknowledging that an increasing number of child molesters are using home-computer and Internet technology to create, organize, maintain, and expand their child pornography collections,

10. Recognizing that the production and distribution of child pornography using home-computer and Internet technology has transformed the distribution of such images by decreasing barriers to possession and dissemination, and by decreasing the cost of production and distribution, including across international borders,
11. Recognizing that the lives of children exploited through child pornography are forever altered, not only by the sexual abuse involved in production of the pornography, but by the permanent record of the exploitation documented on film or video, as images of child pornography placed in the public domain, including cyberspace, are irretrievable and can continue to circulate forever, thus causing a child to be re-victimized as his or her images are viewed repeatedly,
12. Noting with deepest regret that no country is immune from this form of child sexual exploitation,
13. Noting that individuals who produce or disseminate child pornography are able to evade criminal liability by operating in countries that have weak laws against child abuse and child pornography,
14. Welcoming Interpol's efforts to combat child pornography, including, in collaboration with the International Centre for Missing & Exploited Children, the creation of an International Resource Centre for the public and law enforcement on the issue of child pornography,
15. Commending the International Centre for Missing & Exploited Children for its research and report entitled "Child Pornography: Model Legislation & Global Review (2006)" which reveals a need in many OSCE countries to adopt or strengthen legislation to criminalize child pornography and related activities,

The OSCE Parliamentary Assembly:

16. Condemns the sexual abuse and exploitation of children, including through child pornography and related crimes;
17. Calls on OSCE participating States to ensure that the production, distribution, dissemination, importation, exportation, offering, selling or possessing of child pornography, or any attempt to commit any of these acts, or any complicity or participation in any of these acts, are fully covered under national criminal or penal law, whether such offences are committed domestically or transnationally or on an individual or organized basis, and are punishable by appropriate penalties that take into account their grave nature;
18. Urges participating States to create a legal basis for purposeful measures to combat the distribution of child pornography material via the Internet;
19. Urges the OSCE participating States to adopt a comprehensive strategy at the Brussels Ministerial Council aimed at combating child pornography throughout the OSCE region, including enhancing cooperation that allows law enforcement to aggressively investigate and prosecute those responsible for child sexual exploitation and related crimes;



20. Urges participating States to submit regularly, at annual Winter Meetings, information about activities of national bodies to combat trafficking and the exploitation of children in prostitution and pornography;
21. Encourages OSCE participating States to undertake measures, in collaboration with non-governmental organizations and appropriate industry representatives, to reduce the consumer demand for child pornography;
22. Encourages OSCE participating States, perhaps in collaboration with non-governmental organizations, to consider creating telephone or Internet hotlines where individuals can anonymously report instances of child pornography encountered on the Internet so that such reports can be investigated by law enforcement;
23. Encourages OSCE participating States to collect data in criminal investigations of child pornography regarding whether the child or children involved were trafficked, internally or internationally, for the purpose of creating child pornography;
24. Reminds the OSCE participating States of their commitments to provide protection and assistance to victims of trafficking, and to protect children from all forms of violence, including sexual exploitation, and stressing the importance of respecting the special needs of children for protection and assistance;
25. Requests the OSCE Strategic Police Matters Unit to examine ways in which the OSCE can assist participating States in combating child pornography, including through information sharing, joint databases, and specialized training programmes;
26. Requests the OSCE Office for Democratic Institutions and Human Rights to examine ways in which the OSCE can assist participating States in combating child pornography, including through technical assistance with legislative drafting;
27. Emphasizes the need for cooperation with other inter-parliamentary organizations, such as the Inter-Parliamentary Union, the Parliamentary Assembly of the Council of Europe (PACE) and others with the goal of more effective and coordinated activity against trafficking and the exploitation of children in pornography.

## **RESOLUTION ON ENHANCING THE ROLE AND INCREASING EFFICIENCY OF THE OSCE PARLIAMENTARY ASSEMBLY**

1. Taking into account essential changes that have occurred in the political landscape within the OSCE over the last years, and underlining the need to adapt the Organization to changing security challenges, the spreading and reinforcing of democratic values and further improvement of coordination of the OSCE activities;
2. Underlining that the OSCE Parliamentary Assembly will continue to pursue an aggressive agenda to assist in the establishment of peace and stability, and reinforcement of cooperation in assessing the implementation of the OSCE objectives, strengthening and consolidating democratic institutions in the OSCE participating States,
3. Recognizing the need to implement the reforms in order to improve existing OSCE PA tools and resources in the pursuit of the greater effectiveness of the OSCE PA,

The OSCE Parliamentary Assembly:

4. Stresses the crucial role of parliaments and parliamentarians in safeguarding democracy, the rule of law and the respect of human rights at both the national and international levels;
5. Underlines the necessity to increase the transparency of the OSCE PA for the enhancement of efficiency of its activities in the implementation of democratic control in the framework of its competencies;
6. Underlines the necessity of more effective enforcement of the monitoring mechanism of the work of the OSCE in order to increase the efficiency of the organization and to ensure a higher level of transparency and accountability in the organization;
7. Calls on the OSCE and its institutions to work closely with the OSCE Parliamentary Assembly to prepare options for a comprehensive and effective follow-up mechanism in the human dimension;
8. Calls upon parliamentarians in the OSCE participating States to work to ensure that resolutions of the OSCE PA are reflected in national legislation or/and to facilitate their enforcement in national policy;
9. Stresses the need for more active coordination of the OSCE PA with parliaments of the OSCE participating States for more effective implementation of the resolutions of the OSCE PA;
10. Underlines the need for realization of effective monitoring from the side of the OSCE PA over the implementation of resolutions and decisions of the OSCE PA and necessity of mutual assistance and more close cooperation with the executive branch of the OSCE in the issues of implementation and enforcement of the decisions of the OSCE;

11. For increasing the effectiveness of the work of the organization, once more underlines the need to reform the OSCE, as well as the OSCE PA for creation of a more flexible decision-making formula;
12. Takes into account the major role of the parliaments in creation of political climate for conflict prevention and settlement, amongst others by developing democracy and protection of Human Rights, and underlines the need to enhance activities of the OSCE PA and to elaborate respective mechanisms, facilitating prevention of conflicts, peaceful and political management of crises and post conflict rehabilitation and also strengthening of peace and stability in region;
13. Underlines the need for more close and effective cooperation with the executive branch of the OSCE on the issues of territorial integrity and inviolability of State borders of the OSCE participating States for ensuring strict implementation of internationally recognized legal norms;
14. Notes that democratic values require permanent development, reinforcement and protection even in the countries of developed democracy, takes into account that parliaments have an essential role in this direction, ensuring the rule of law, and underlines the need to strengthen the activities of the OSCE PA in these directions, especially in the countries of new democracy;
15. Considers that organizing equal, fair and transparent elections is a basic element of democracy in States, and emphasizes the need not only to make further recommendations but also to create mechanisms ensuring that OSCE standards for free, fair and democratic elections are met;
16. Underlines the necessity of further development of cooperation with other parliamentary institutions, such as the Parliamentary Assembly of the Council of Europe, NATO PA and the European Parliament, and strongly urges to develop new ways of coordination of activities for the achievement of common objectives and avoidance of work duplication;
17. Stresses the need for more close and effective cooperation of the leadership of OSCE PA with parliamentary delegations for implementation of timely and adequate response and elaboration of agreed positions regarding the processes developing in OSCE participating States;
18. Underlines the need for the creation of effective mechanisms for implementation of more close cooperation among parliamentary delegations in the period between the sessions of OSCE PA.

## **RESOLUTION ON MOLDOVA**

1. Recalling the previous resolutions on the Republic of Moldova of the OSCE Parliamentary Assembly, adopted earlier during the Annual Sessions,
2. Recognizing that the existence of an unsettled conflict in the Transdnistrian region of the Republic of Moldova constitutes a threat to security and stability in Europe,
3. Expressing concern that the fact that the Transdnistrian conflict remains unsettled, seriously hampering economic and social progress in the Republic of Moldova and its further integration into European structures,
4. Welcoming the consensus reached in the Moldovan Parliament and society to offer the Transdnistrian region a broad autonomy,
5. Reiterating support for the initiatives of the President of Ukraine, Viktor Yushchenko, proposed in 2005, as well as underlining the necessity of intensifying efforts of all parties involved aimed at the consistent implementation of the provisions of Ukraine's Plan for the settlement of the Transdnistrian problem,
6. Mentioning, in this context, the documents adopted by the Moldovan Parliament in summer 2005 regarding the implementation of the Ukrainian plan for a settlement aimed at contributing to the democratization and demilitarization of the Transdnistrian region,
7. Expressing concern over the mutual distrust between decision-makers in Chisinau and Tiraspol and the lack of progress in the settlement process,
8. Recognizing the progress made over the last year with regard to ensuring the development of democratic institutions, freedom of the media and rule of law in the Republic of Moldova,
9. Expressing the conviction that further success in this process would bring additional impulses to the broader settlement process,
10. Welcoming the joint efforts of the Republic of Moldova, Ukraine and the European Union, in particular the efforts of the European Union Border Assistance Mission for Republic of Moldova and Ukraine, aimed at consolidating security and transparency at the Moldovan-Ukrainian State border,

The OSCE Parliamentary Assembly:

11. Welcomes the resumption of the settlement talks in the new 5+2 format, with the renewed efforts of the mediators from the Russian Federation, Ukraine, and the OSCE, and the inclusion of the European Union and the United States as observers in the settlement negotiations;
12. Considers that identification of the special legal status for the Transdnistrian region in the composition of the Republic of Moldova while consolidating and ensuring the sovereignty, independence and territorial integrity of the Republic of Moldova constitutes the major aim of the Transdnistrian dispute settlement process;

13. Urges the Moldovan Government and the administration of the Transdnestrian region, with the support of the mediators and observers from the OSCE, the Russian Federation, Ukraine, observers from the European Union and the United States to seek actively and in good faith for ways which could lead to a comprehensive and lasting political settlement of the Transdnestrian conflict;
14. Expresses the conviction that the eventual settlement of the conflict should be acceptable for all of the people of the Republic of Moldova and should ensure observance of the OSCE principles and internationally accepted standards and principles, including the rule of law and fundamental human rights and freedoms;
15. Expresses its conviction that democratization of the Transdnestrian region would contribute to achievement of this aim;
16. Urges the authorities of the Transdnestrian region to repeal the recent restrictions imposed on civil society and to ensure conditions for the observance of the right to free association and freedom of expression;
17. Calls on all parties involved to make additional efforts to establish an International Mission tasked to assess conditions with respect to democratization and democratic institutions in the Transdnestrian region in order to hold democratic elections in the region under international control, on the basis of the OSCE's standards of democratic elections, as they are reflected in the legislation of the Republic of Moldova;
18. Emphasizes that trade over the whole Moldovan-Ukrainian State border should take place in an orderly, transparent manner and in accordance with internationally recognized standards;
19. Welcomes in this regard in particular the activity of the EU Border Assistance Mission which has already helped to increase transparency at the Moldovan-Ukrainian border;
20. Urges authorities in the Transdnestrian region to abandon actions which might impede the freedom of movement of goods and persons across the State border or between the right and the left bank;
21. Welcomes the temporary solution found for the "Dorotcaia question" which allows free access for Moldovan farmers to their land and calls on all parties involved to resolve other disputed questions in the Security Zone in a similar constructive fashion;
22. Calls on all sides to make additional efforts with a view to the transformation of the current peacekeeping operation in the region into an international mechanism under the OSCE mandate;
23. Urges the Moldovan Government and the administration of the Transdnestrian region to make progress on agreement and implementation of elements of the package of Confidence and Security Building Measures proposed to them by the mediators in summer 2005;
24. Reiterates the importance for the Republic of Moldova to adhere to the principles of democracy, the protection of human rights and the rule of law, including the independence of the judiciary, notes in this respect the controversial court decision

against Valeriu Pasat, which raises concerns from the viewpoint of internationally accepted standards of justice, and recommends that the Parliamentary Team on Moldova explore thoroughly the legal and human rights aspects of the Pasat case and inform the Assembly of its findings;

25. Takes note of the decision of the European Court of Human Rights in the case of the Ilascu group and in this context urges that all necessary actions be taken for the immediate release of those two individuals who continue to be illegally detained in the Transdniestrian region;
26. Appeals to the Russian Federation to renew and immediately to finalize the process of withdrawal of its troops and ammunition from the territory of the Republic of Moldova in accordance with the commitments undertaken at the 1999 OSCE Istanbul Summit;
27. Expresses the conviction that dialogue between legislators from both sides of the Nistru/Dniestr river would help to increase mutual trust and confidence;
28. Reiterates the readiness of the OSCE Parliamentary Assembly's Parliamentary Team on the Republic of Moldova, to support a process of dialogue, thereby helping to accelerate the process of settling the Transdniestrian conflict.

## **RESOLUTION ON AFGHANISTAN**

1. Reaffirming the importance of a regional approach to the three dimensions of security, including the fight against terrorism and drug trafficking,
2. Stressing the contribution that Afghanistan's presence as an OSCE Partner for Cooperation makes to the security of all participating States,
3. Noting the significant progress made in Kabul and the northern and north-western provinces in maintaining political and military security, fostering economic development and promoting human rights,
4. Recalling the fundamental step that was taken with the holding of democratic legislative elections in September 2005, and supporting the recommendations formulated by the OSCE and its election support team in Afghanistan,
5. Hailing the inauguration of the new National Assembly and the Afghan Government's sustained efforts to ensure its proper functioning,
6. Enthusiastically supporting the Afghanistan Compact launched during the London Conference of 31 January 2006, at which the OSCE had observer status,
7. Taking note of United Nations Security Council resolution 1659, which supports the Compact, and resolution 1662, which renews the United Nations Assistance Mission to Afghanistan for another year,
8. Welcoming the International Security Assistance Force's establishment of a safe environment in Kabul and the expansion of its mandate to setting up provincial reconstruction teams in the north, north-west and south of the country, in accordance with United Nations Security Council resolution 1510 (2003), whose objective is to support the Afghan Government in its reconstruction efforts,
9. Stressing the Afghan Government's commitment to the rule of law and full respect for the clauses of the Afghan Constitution relating to human rights,
10. Recognizing the continued importance of the fight against terrorism and drug trafficking,
11. Recognizing that a significant proportion of opium products and heroin from Afghanistan is transported through Iran, Tajikistan and other neighbouring countries,

The OSCE Parliamentary Assembly:

12. Undertakes to promote Afghanistan's participation in the activities of the OSCE and other Partners for Cooperation;
13. Encourages the OSCE participating States to support the full application of the Afghanistan Compact;

14. Welcomes with satisfaction the development strategy presented by the Afghan Government and the commitments made by the participants at the London Conference in January 2006, as set out in the Afghanistan Compact;
15. Vigorously supports the Afghan Government's fight against drug trafficking, undertaken in particularly close cooperation with the OSCE participating States sharing borders with Afghanistan and welcomes the launch of the National Drug Control Strategy at the London Conference on Afghanistan;
16. Welcomes the expansion of the International Security Assistance Force's mission in the southern provinces and the strengthening of Afghan Government authority in the region;
17. Offers its unconditional support to the United Nations Assistance Mission for Afghanistan;
18. Recommends that the General Committee on Political Affairs and Security study, in the manner it deems appropriate, the challenges that the Afghanistan situation poses for security in the OSCE zone, and the terms and conditions for any intensification of cooperation with Afghanistan's representatives in the Parliamentary Assembly, in order to support the country's reconstruction and thus promote greater security for the people of Afghanistan and the peoples of all the participating States.



## **RESOLUTION ON RISK MANAGEMENT**

1. Concerned by the multiple aspects of systemic risk governance and of its growing importance to international and global security in the future,
2. Aware of its implications for the activities of the Organization for Security and Co-operation in Europe,
3. Noting the need for enhanced cooperation between OSCE participating States, OSCE Mediterranean partners for cooperation and OSCE partners for cooperation in this field critical for the protection and health of the citizens and of their environment, as well as for the socio-economic development of the nations,
4. Stressing the need to promote concrete actions related to systemic risk governance and the effective management of systemic risks,
5. Suggesting that the OSCE develop an ongoing relationship with the International Risk Governance Council for the formulation and implementation of a programme of actions under the auspices of the OSCE,

The OSCE Parliamentary Assembly:

6. Recommends that OSCE participating States consider the elaboration of a programme of actions related to security and systemic risk governance which should cover among others:
  - a. a broader exchange of information between countries about future risks and their identification, assessment and management strategies;
  - b. an improved coordination in the identification, assessment and management of transboundary systemic risks;
  - c. the exchange of experience about civil protection methodologies;
  - d. the exchange of learning points from actual events in order to enhance risk governance throughout OSCE participating States, OSCE Mediterranean countries for cooperation and OSCE partners for cooperation;
  - e. the setting-up of a standing OSCE crisis management team composed of experts in systemic risk governance and attached directly to the Chairmanship of OSCE, able to be mobilized promptly should any crisis, nuclear, industrial, military or natural, arise in any OSCE country;
7. Urges the OSCE to consider the creation of a Working Group entrusted with the preparation of such actions, open to OSCE Mediterranean partners for cooperation and OSCE partners for cooperation.

## **RESOLUTION ON ILLICIT AIR TRANSPORT OF SMALL ARMS AND LIGHT WEAPONS AND THEIR AMMUNITION**

1. Reaffirming the important role that the economic dimension and intensified cooperation between the participating States can play in helping to ensure stability and security in the OSCE Area, and in order to defuse crises and threats to security, according to the principles contained in the OSCE Strategy Document relating to the economic and environmental dimension adopted at the time of the Council of Ministers of 2003 in Maastricht,
2. Reaffirming the importance of the multidimensional concept of the OSCE's common, global, cooperative and indivisible security according to the principles contained in the OSCE Strategy Document seeking to confront threats to security and stability in the 21st century,
3. Reaffirming that illegal trafficking, including that of small arms and light weapons (SALW), is one of the criminal or terrorist activities that could constitute a threat to stability and security, both inside and outside the OSCE Area,
4. Recalling that the OSCE Document of November 2000 on SALW stresses that the small arms problem should form an integral part of the more general OSCE action in terms of early warning, conflict prevention, crisis management and post-conflict reconstruction,
5. Welcoming the adoption by the participating States, in November 2003, of the eight best practice guides relating to small arms and light weapons,
6. Recognizing that the destabilizing accumulation and uncontrolled dissemination of small arms are elements that often lead to destabilizing States, to impeding conflict prevention, to exacerbating conflicts and, in the happy event of a peaceful outcome, to impeding the consolidation of peace and economic and social development,
7. Recognizing that illegal SALW trafficking leads to undermining the state of law and weakening already weakened States, and that the conflicts that result therefrom represent the principal threat to personal freedom and integrity, by the profusion of death and refugees that it entails, mainly among the most vulnerable categories of individuals: children, women and the elderly,
8. Welcoming the OSCE Chairmanship's initiative "Transport In The OSCE Area: Transport Network Security and Developing Transport to Reinforce Economic Cooperation and Stability",
9. Conscious, on the basis of the United Nations report on the circumvention of arms embargoes, that the illicit dissemination of small arms and light weapons and their ammunition occurs primarily via air transport,

The OSCE Parliamentary Assembly:

10. Exhorts the participating States to implement their undertakings on account of the OSCE Document on SALW; in particular, as it concerns the controlling of SALW air freighters:
  - a. In order to satisfy its international undertakings with regard to small arms, each participating State should take steps to obtain efficient means for giving effect to those undertakings via its competent national services and its legal system;
  - b. Each participating State shall consider any transfer of small arms in violation of an arms embargo imposed by the United Nations Security Council as an infringement and shall specify it in its national legislation, if it has not already done so;
  - c. The participating States shall agree to intensify their mutual legal aid and other forms of mutual cooperation in order to support and succour the investigations and prosecutions initiated and conducted by other participating States with regard to illegal small arms trafficking. To this end, they shall endeavour to conclude agreements between themselves in this respect;
  - d. The participating States shall agree to cooperate between themselves on the basis of the usual diplomatic procedures or applicable agreements, and with intergovernmental organizations such as Interpol, in order to locate illegal small arms. Under this cooperation, they shall communicate, on request, any relevant information to the authorities of other participating States in charge of an investigation. They shall also encourage and facilitate joint training programmes and activities, at the regional, sub-regional and national levels, for the people responsible for the application of the laws, for the Customs service and for other competent services in the small weapons arena;
11. Recommends the participating States proceed, within the framework of the three OSCE dimensions, with an exchange of information between States on their national arrangements (legislative and institutional) in the field of the control of the air transportation of SALW, their ammunition, and their physical capacity to ensure this type of control, in order to lead to cooperative mechanisms and the establishment of a national contact point;
12. Encourages the participating States to create a climate of confidence propitious for the installation of a public/private partnership in this field via responsible dialogue with the air freight industry both within the participating States and between the OSCE and the competent international organizations (World Customs Organization (WCO), International Air Transport Association (IATA)), in order to determine the type of measures to be recommended on this subject with regard to the existing standards and the economic imperatives affecting the air freight industry;
13. Recommends the formulation of a best practice guide on the air freighting of SALW and their ammunition;
14. Urges participating States to draw up national action plans for combating illicit trading in small arms and light weapons.

## **RESOLUTION ON FORMING A GLOBAL SYSTEM OF WARNING AND ELIMINATING CONSEQUENCES OF NATURAL DISASTERS**

1. Stressing the need to reduce as much as possible the negative consequences of natural disasters, to provide timely and sufficient assistance to their victims, to create conditions for restoration of the economy and the social infrastructure of the afflicted regions, and to neutralize the damage inflicted on the environment,
2. Taking into account the considerable efforts to deal with these problems undertaken by the governments of many States, by the International Red Cross and Red Crescent Movement and other humanitarian organizations, as well as the availability of national and international systems for monitoring natural processes and predicting natural disasters, which can be employed to tackle these tasks,
3. Noting that owing to a lack of an efficient global system for warning and eliminating the consequences of global natural disasters, their victims quite often fail to receive timely humanitarian assistance, while the afflicted regions long remain social disaster zones,
4. Recognizing the great number of victims and still unsolved problems of eliminating the consequences of recent natural disasters – the tsunami in South-East Asia, Hurricane Katrina in the United States of America and the earthquake in Pakistan,
5. Stressing that establishing a global system for warning and eliminating consequences of natural disasters has become an especially urgent task, owing to the growing epidemic of avian flu, which is threatening humanity as well as animals,

The OSCE Parliamentary Assembly:

6. Recommends that the governments of the OSCE participating States should begin elaborating proposals for establishing a global system for warning and eliminating consequences of natural disasters, which will provide for:
  - a. establishing an open global information system of natural disaster forecasts, timely notification of the authorities and provision of information to the population of the regions to be affected by these natural disasters;
  - b. a method of coordinating assistance provision measures to the afflicted regions being voluntarily undertaken by the governments of the donor States;
  - c. setting up a mechanism to finance urgent measures required in order to provide assistance to natural disaster victims and to restore the social and economic infrastructure of the afflicted regions;
  - d. creating attractive conditions for foreign investment into the restoration of the economy and the social sphere of the afflicted regions;
7. Proposes that consideration be given to the possibility of setting up international organizations' bodies that will be responsible for elaborating methods of coordinating decision-making and methods of financing the adopted decisions;

8. Will set up a working group of the OSCE Parliamentary Assembly in order to elaborate legislative provisions required for establishing a global system for warning and eliminating consequences of global disasters, with these proposals to be considered by parliaments of the OSCE participating States.

## **RESOLUTION ON MONITORING OF SOCIAL DEVELOPMENT IN THE OSCE REGION**

1. Recalling that the Helsinki Final Act recognizes the close link between peace and security in Europe and in the world as a whole and conscious of the need for each of the participating States to make its contribution to the strengthening of world peace and security and to the promotion of fundamental rights, economic and social progress and well-being for all peoples,
2. Recognizing the significant advances which the participating States have made with regard to improving human rights, democratic development and the rule of law since the signing of the Helsinki Final Act,
3. Aware that despite the peaceful coexistence of States in the OSCE region, there is still much to be done, especially as regards the observance of human rights and combating human trafficking and anti-Semitism throughout the OSCE region,
4. Recognizing the fact that differences exist between the countries and regions of the OSCE as regards the implementation of their human dimension commitments,
5. Underlining the importance of sustainable development, especially in relation to the human dimension,

The OSCE Parliamentary Assembly:

6. Underlines the necessity for the OSCE to strengthen its monitoring of participating States' compliance with their human dimension commitments, and, to this end, to utilize its opportunities to review the implementation of these commitments to the fullest extent;
7. Invites the OSCE participating States to be conscious of the social dimension of the OSCE as an economic region and to refrain from all practices which stand in the way of social cohesion, peaceful social relations at domestic level or a society that is compatible with human dignity;
8. Urges the OSCE participating States to ensure that a social progress report is presented to the national parliaments regularly, setting out the government's action to curb human trafficking and child labour and strengthen press freedom, freedom of opinion, and rights of participation;
9. Requests the parliaments of the OSCE participating States to transmit these reports to the President of the Parliamentary Assembly, who will report on the implementation of the commitments and on social development;
10. Calls for more support to be provided to the OSCE participating States in drafting and implementing action plans, legislation and other measures to achieve the aforementioned goals and, in this context, to offer appropriate training on these topics for staff of OSCE missions.

## **RESOLUTION ON GLOBAL ORGANIZATION OF PARLIAMENTARIANS AGAINST CORRUPTION**

1. Reiterating that corruption represents one of the major impediments to the prosperity and sustainable development of the participating States, that it undermines their stability and security and threatens the OSCE's shared values,
2. Reaffirming its commitment to make the elimination of all forms of corruption a priority,
3. Reiterating that corruption represents one of the major impediments to the ability of parliaments to represent the citizens of participating States,
4. Reiterating the need to enhance the role played by parliamentarians in the fight against corruption,
5. Reaffirming the strong commitment made by the OSCE Parliamentary Assembly in its *Resolution on the Fight Against Corruption* included in the *Washington Declaration* of 2005,
6. Recalling the support given by the OSCE Parliamentary Assembly to the Global Organization of Parliamentarians Against Corruption (GOPAC) in the *Washington Declaration* of 2005,
7. Recognizing that GOPAC is actively pursuing its objective of improving the effectiveness of parliaments as institutions of oversight and accountability through *peer support, education and leadership for results* and engaging parliamentarians worldwide,
8. Welcoming the recent collaboration between the OSCE and GOPAC in Bishkek and Yerevan,
9. Hailing the creation, in Kyrgyzstan and Armenia, of two new national chapters of GOPAC in the OSCE region since the adoption of the *Washington Declaration* in 2005,
10. Awaiting the Second Global GOPAC Conference in Arusha, Tanzania in September 2006,
11. Determined to further intensify efforts in the implementation of existing OSCE commitments on combating corruption, as reflected in the Charter for European Security adopted at the 1999 OSCE Istanbul Summit and the OSCE Strategy Document for the Economic and Environmental Dimension adopted in Maastricht in 2003,
12. Reaffirming that the main role of parliamentarians in the fight against corruption is to hold state institutions accountable, represent the people at the highest level of government, exercise legislative powers to press for effective anticorruption legislation, and ensure their personal integrity and that of Parliament,

The OSCE Parliamentary Assembly:

13. Urges once again parliamentarians of the OSCE participating States to strengthen their efforts to combat corruption and the conditions that foster it;
14. Calls for better synergy between parliamentarians and the OSCE in their joint efforts against corruption, through closer collaboration between OSCE's field missions and GOPAC's national chapters in delivering peer support and education programmes, as well as promoting anti-corruption initiatives based on the OSCE's *Best Practices in Combating Corruption* and GOPAC's *Controlling Corruption: A Parliamentarian's Handbook*.



## **RESOLUTION ON LIMITING IMMUNITY FOR PARLIAMENTARIANS IN ORDER TO STRENGTHEN GOOD GOVERNANCE, PUBLIC INTEGRITY AND THE RULE OF LAW IN THE OSCE REGION**

1. Recognizing that good governance, particularly in national representative bodies, is fundamental to the healthy functioning of democracy,
2. Recalling that in the Charter of Paris for a New Europe the OSCE participating States recognized, “the obligation of public authorities to comply with the law and justice administered impartially. No one will be above the law”,
3. Noting that in some OSCE participating States members of parliament are able to carry out criminal activities without being held accountable due to broad immunity that shields them from prosecution,
4. Recognizing that limited immunity, narrowly defined in law and properly applied, facilitates the ability of the parliamentarians to perform their public duties and maintain the necessary independence from the executive,
5. Noting that parliamentarians, who have the sacred trust of the public to formulate the nation’s laws, should not themselves be beyond the reach of the law,
6. Noting with concern that in some OSCE participating States criminals have sought public office to avoid prosecution, particularly when parliamentary immunity attaches to actions occurring before the individual takes office,
7. Welcoming the international efforts to combat corruption undertaken by the Organization for Economic Cooperation and Development, the Council of Europe, and the United Nations and urging continued OSCE cooperation and coordination with these organizations,
8. Recalling that the United Nations Convention Against Corruption (“the Convention”), which came into effect on 14 December 2005, and has been signed by 140 nations and ratified by over 50 nations, provides in Article 8, paragraph 6, that “[e]ach State Party shall consider taking, in accordance with fundamental principles of its domestic law, disciplinary or other measures against public officials who violate the codes and standards established in accordance with this article”,
9. Noting that the Convention provides in Article 30, paragraph 2, that “[e]ach State Party shall take such measures as may be necessary to establish or maintain, in accordance with its legal system and constitutional principles, an appropriate balance between any immunities or jurisdictional privileges accorded to its public officials for the performance of their functions and the possibility, when necessary, of effectively investigating, prosecuting and adjudicating offences established in accordance with this Convention”,
10. Commending the OSCE Office of the Coordinator for Economic and Environmental Activities for its work in promoting public and private sector integrity through the publication of *Best Practices in Combating Corruption* and related activities,

The OSCE Parliamentary Assembly:

11. Urges the Parliaments of OSCE participating States to legislate to:
  - a. Provide clear, balanced, transparent, and enforceable procedures for waiving parliamentary immunities in cases of criminal acts or ethical violations;
  - b. Provide that the privilege of parliamentary immunity must not apply to actions taken by an individual before they have assumed office or actions taken after they have left public office;
12. Encourages the Parliaments of the OSCE participating States to:
  - a. Develop and publish rigorous standards of ethics and official conduct for parliamentarians and their staff;
  - b. Establish efficient mechanisms for public disclosure of financial information and potential conflicts of interests by parliamentarians and their staff;
  - c. Establish an office of public standards to which complaints about violations of standards by parliamentarians and their staff may be made;
  - d. Establish effective and timely procedures for investigating such complaints and for taking disciplinary action against parliamentarians and their staff when complaints are upheld; and
  - e. Clearly define the institutional provision of sufficient resources in order to consider establishment of a public integrity unit within the Ministry of Justice to devote the appropriate resources to the investigation and prosecution of criminal violations by parliamentarians and their staff;
13. Recommends that the OSCE Office of the Coordinator for Economic and Environmental Activities develop additional best practices or other appropriate tools for parliamentarians to use in developing national legislation or policies that promote good governance and public integrity.

**RESOLUTION ON  
IMPROVING THE IMPLEMENTATION OF OSCE ELECTORAL  
STANDARDS AND COMMITMENTS AND THE  
EFFECTIVENESS OF OSCE ELECTION  
OBSERVATION ACTIVITIES**

1. Reaffirming the Resolution of the OSCE Parliamentary Assembly held in Washington 2005 on “Improving the Implementation of OSCE Electoral Standards and Commitments and the Effectiveness of OSCE Election Observation Activities”,
2. Reaffirming their resolve to implement recommendations contained in this decision,
3. Taking into account the recommendation to establish a structured follow-up to address all issues related to OSCE election commitments and election observation,
4. Welcoming the continuing efficient cooperation between the ODIHR and the OSCE Parliamentary Assembly,
5. Taking into account the decision of the OSCE Ministerial Council in Ljubljana 2005 on strengthening the effectiveness of the OSCE,

The OSCE Parliamentary Assembly:

6. Calls upon the Director of ODIHR to report on follow-up activities designed to implement the Resolution of the OSCE Parliamentary Assembly in Washington 2005 and to illustrate the remaining challenges related to the implementation of OSCE electoral standards and commitments;
7. Calls upon participating States, in implementing the decision of the OSCE Ministerial Council in Ljubljana 2005 to place special emphasis on questions and ways to improve implementation of OSCE commitments for democratic, free and fair elections;
8. Calls upon participating States to adopt additional commitments, supplementing existing commitments, to strengthen confidence by the electorate in the electoral process, to increase the transparency of election procedures, and to guarantee accountability on the part of authorities conducting elections.

## **RESOLUTION ON COOPERATION WITH CIVIL SOCIETY AND NON-GOVERNMENTAL ORGANIZATIONS**

1. Commending the important role that civil society and non-governmental organizations play and have played during the Helsinki process, and which was recognized in the 1975 Helsinki Final Act and the 1990 Charter of Paris,
2. Commending the contribution of civil society and non-governmental organizations to the promotion and implementation of OSCE principles, standards, commitments and values,
3. Commending the OSCE as an organization bringing together governments, civil society and non-governmental organizations so that they work closely together,

The OSCE Parliamentary Assembly:

4. Welcomes the decision of the OSCE Ministerial Council 2005 on strengthening the effectiveness of the OSCE and calls upon the OSCE participating States to further strengthen cooperation with civil society and non-governmental organizations in implementing this decision;
5. Calls upon the participating States to seek and implement ways of further promoting exchange of views through open and constructive dialogue between civil society, including human rights defenders and monitoring groups, other non-governmental organizations and trade unions;
6. Calls upon participating States to recognize that a strong and independent civil society free from interference of governments contributes essentially to the promotion of human rights, democracy and the rule of law;
7. Calls upon participating States to further declarations of the Helsinki Final Act and to publish, disseminate and make known as widely as possible all OSCE standards and commitments in each participating State;
8. Recommends that Parliamentary Delegations to the OSCE monitor the work of their Permanent National Delegations in Vienna in order to encourage close cooperation with civil society and non-governmental organizations;
9. Recommends that Members of the Parliamentary Delegations to the OSCE engage in regular dialogue with civil society and non-governmental organizations in order to further encourage their participation in OSCE activities.

## **RESOLUTION ON COMBATING ANTI-SEMITISM AND OTHER FORMS OF INTOLERANCE**

1. Calling attention to the resolutions on anti-Semitism adopted unanimously by the OSCE Parliamentary Assembly at its annual sessions in Berlin in 2002, Rotterdam in 2003, Edinburgh in 2004 and Washington in 2005,
2. Intending to raise awareness of the need to combat anti-Semitism, intolerance and discrimination against Muslims, as well as racism, xenophobia and discrimination, also focussing on the intolerance and discrimination faced by Christians and members of other religions and minorities in different societies,

The OSCE Parliamentary Assembly:

3. Recognizes the steps taken by the OSCE and the Office for Democratic Institutions and Human Rights (ODIHR) to address the problems of anti-Semitism and other forms of intolerance, including the work of the Tolerance and Non-Discrimination Unit at the Office for Democratic Institutions and Human Rights, the appointment of the Personal Representatives of the Chairman-in-Office, and the organization of expert meetings on the issue of anti-Semitism;
4. Reminds its participating States that “Anti-Semitism is a certain perception of Jews, which may be expressed as hatred towards Jews. Rhetorical and physical manifestations of anti-Semitism are directed towards Jewish or non-Jewish individuals and/or their property, towards Jewish community institutions and religious facilities”, this being the definition of anti-Semitism adopted by representatives of the European Monitoring Centre on Racism and Xenophobia (EUMC) and ODIHR;
5. Urges its participating States to establish a legal framework for targeted measures to combat the dissemination of racist and anti-Semitic material via the Internet;
6. Urges its participating States to intensify their efforts to combat discrimination against religious and ethnic minorities;
7. Urges its participating States to present written reports, at the 2007 Annual Session, on their activities to combat anti-Semitism, racism and discrimination against Muslims;
8. Welcomes the offer of the Romanian Government to host a follow-up conference in 2007 on combating anti-Semitism and all forms of discrimination with the aim of reviewing all the decisions adopted at the OSCE conferences (Vienna, Brussels, Berlin, Córdoba, Washington), for which commitments were undertaken by the participating States, with a request for proposals on improving implementation, and calls upon participating States to agree on a decision in this regard at the forthcoming Ministerial Conference in Brussels;
9. Urges its participating States to provide the OSCE Office for Democratic Institutions and Human Rights (ODIHR) with regular information on the status of implementation of the

commitments made at the OSCE conferences (Vienna, Brussels, Berlin, Córdoba, Washington);

10. Urges its participating States to develop proposals for national action plans to combat anti-Semitism, racism and discrimination against Muslims;
11. Urges its participating States to raise awareness of the need to protect Jewish institutions and other minority institutions in the various societies;
12. Urges its participating States to appoint ombudspersons or special commissioners to present and promote national guidelines on educational work to promote tolerance and combat anti-Semitism, including Holocaust education;
13. Underlines the need for broad public support and promotion of, and cooperation with, civil society representatives involved in the collection, analysis and publication of data on anti-Semitism and racism and related violence;
14. Urges its participating States to engage with the history of the Holocaust and anti-Semitism and to analyse the role of public institutions in this context;
15. Requests its participating States to position themselves against all current forms of anti-Semitism wherever they encounter it;
16. Resolves to involve other inter-parliamentary organizations such as the IPU, the Council of Europe Parliamentary Assembly (PACE), the Euro-Mediterranean Parliamentary Assembly (EMPA) and the NATO Parliamentary Assembly in its efforts to implement the above demands.

## **RESOLUTION ON FUNDING FOR POSITIONS OF ADVISORS IN THE TOLERANCE AND NON-DISCRIMINATION UNIT OF THE OFFICE FOR DEMOCRATIC INSTITUTIONS AND HUMAN RIGHTS**

1. Reaffirming that respect for human rights, fundamental freedoms, democracy, and the rule of law that is at the core of the OSCE's comprehensive concept of security,
2. Recalling the 1992 *Helsinki Document* which established the Office for Democratic Institutions and Human Rights' (ODIHR) mandate to help OSCE participating States "ensure full respect for human rights and fundamental freedoms, to abide by rule of law, to promote principles of democracy and to build, strengthen and protect democratic institutions, as well as promote tolerance through society,"
3. Reaffirming the OSCE's commitment to make democracy and human rights a priority of the Organization,
4. Recalling the resolutions on anti-Semitism, tolerance, racism, and xenophobia that were unanimously passed by the OSCE Parliamentary Assembly in 2002, 2003, 2004, and 2005, and the decisions and declarations taken by the OSCE in 2004 and 2005 on these same issues,
5. Referring to the commitments made by the participating States emerging from the OSCE conferences in Vienna (June 2003), Berlin (April 2004), Brussels (September 2004), and Cordoba (June 2005),
6. Recalling that the ODIHR Programme on Tolerance and Non-Discrimination was established in 2004 in response to new tasks assigned in this field regarding violations of human rights and fundamental freedoms, and that in 2005 ODIHR was tasked with assisting participating States in developing methodologies for collecting reliable statistics about hate crimes and violent manifestations of intolerance and discrimination,
7. Recognizing and commending the role of the personnel who advance ODIHR's Programme on Tolerance and Non-Discrimination, specifically the three advisors on anti-Semitism, discrimination against Muslims, and racism, xenophobia and discrimination, including discrimination against Christians and members of other religions, and their support of the three Personal Representatives of the OSCE Chairman-in-Office on Combating anti-Semitism, on Combating Intolerance and Discrimination against Muslims, and on Combating Racism, Xenophobia and Discrimination, including discrimination against Christians and members of other religions,
8. Emphasizing the importance of providing funding for the required personnel in the OSCE's core budget so that ODIHR may adequately staff the Programme on Tolerance and Non-Discrimination, fulfil its purpose within the OSCE, and affirm the OSCE's permanent commitment to fighting intolerance,

The OSCE Parliamentary Assembly:

9. Recommends the Office for Democratic Institutions and Human Rights (ODIHR) request full funding in the OSCE's core budget for 2007 for the personnel resources required for its Programme on Tolerance and Non-Discrimination, citing any shortfalls;
10. Urges OSCE to provide the required amount of funding to ODIHR in the 2007 budget as needed to support its human resources requirement for the Programme on Tolerance and Non-Discrimination, including for all advisors on issues related to anti-Semitism, intolerance against Muslims, discrimination against Christians and members of other religions, racism and xenophobia.



## **RESOLUTION ON STRENGTHENING EFFECTIVE PARLIAMENTARY OVERSIGHT OF SECURITY AND INTELLIGENCE AGENCIES**

1. Recalling the commitments subscribed to in the Code of Conduct on Politico-Military Aspects of Security adopted by the Special Committee of the CSCE Forum for Security Co-operation in Budapest in 1994,
2. Noting the need to enhance governments' accountability to parliaments in respecting these commitments as well as public awareness of them,
3. Welcoming the OSCE's decision to review the implementation of the Code of Conduct at a special meeting of the Forum for Security Cooperation to be held on 27 September 2006 and, if necessary, to make improvements in the document,
4. Reiterating calls in the OSCE Parliamentary Assembly's Edinburgh Declaration of 2004 for actions in coping with new security threats,
5. Reaffirming the urgent call in the OSCE Parliamentary Assembly Washington Declaration of 2005 that fight against terrorism and transnational organized crime is not carried out at the expense of human rights,
6. Drawing upon guidelines and principles set out in Recommendation 1402/1999 and Recommendation 1713/2005 of the Council of Europe Parliamentary Assembly which called for effective control and democratic oversight of the security sector,
7. Welcoming the Resolution 113 on the parliamentary oversight of the intelligence services adopted by the Assembly of Western European Union in 2002 and report thereto,
8. Recognizing the increased need for security as a result of transnational terrorism threats in recent years,
9. Recognizing that new security threats demand new responses by governments throughout the world,
10. Alarmed, at the same time, about certain practices which violate most fundamental human rights and freedoms and are contrary to international human rights treaties which form the cornerstone of post-World War II human rights protection, such as indefinite imprisonment of foreign citizens without charge and without examining the legality of their detention by an independent and impartial tribunal, degrading treatment during interrogations, the interception of private communications without subsequently informing those concerned, extradition to countries likely to apply the death penalty or use torture or ill-treatment, and detention and harassment on the grounds of political or religious activity,
11. Emphasizing the necessity of effective democratic oversight of security and intelligence services as an essential element of preserving core values of human rights and freedoms common to all civilized nations,

12. Pointing out that such oversight is possible only through the involvement of democratically elected members of community,
13. Acknowledging the quintessential role of the judiciary in remedying abuses of competences and misuses of exceptional measures used by security and intelligence services,
14. Recognizing the common struggle of the OSCE participating States against terrorism in all societies,

The OSCE Parliamentary Assembly:

15. Reaffirms the strong need for a clear division of power between the military and the civil society as a precondition for an independent and correct functioning of the democratic institutions;
16. Maintains the imperative need for respect of fundamental international human rights standards in all security and intelligence services' activities;
17. Calls upon parliamentarians to address the matter of parliamentary oversight of security and intelligence services as a matter of priority and as a means to ensure respect of fundamental human rights and freedoms;
18. Urges national parliaments to ensure effective oversight of security and intelligence agencies by establishing and strengthening special parliamentary bodies for *a priori* and *ex post facto* scrutiny of security and intelligence services' activities and providing them with appropriate resources;
19. Emphasizes the need to ensure representation in the special parliamentary oversight bodies of all political parties elected to the national legislator;
20. Calls upon parliamentarians to use democratic principles as basic guidelines in striking a balance between the essential need for secrecy and confidentiality of security and intelligence services' activities and for transparency in exercising parliamentary oversight;
21. Calls upon the OSCE, in close cooperation with the Council of Europe, to offer assistance to national legislators in the region with drafting of laws regulating competences of security and intelligence services that would ensure effective democratic oversight over their activities;
22. Encourages sharing of good practices among national legislators in the region in the field of democratic oversight of security and intelligence services.
23. Urges OSCE member state governments to consider making their exchange of information on implementation of the Code of Conduct transparent and therefore fully accessible to parliamentarians, the media and the general public as a measure to build confidence among states and enhance the accountability of their governments and their security sectors;

24. Urges all participating States to ensure that their territory and facilities are not used to assist rendition flights or to operate secret detention centres, and to cooperate fully in the investigations being conducted by the Parliamentary Assembly of the Council of Europe and the European Parliament into allegations about secret detention centres;
25. Calls upon all participating States to investigate promptly and thoroughly allegations that their territory has been used to assist CIA-chartered flights secretly transporting detainees to countries where they may face “disappearance”, torture or other ill-treatment;
26. Calls for the United States Government to reconsider its position in relation to the usefulness of detaining prisoners in this way and the contribution this is making to the common struggle against terrorist acts.