



# **EDINBURGH DECLARATION**

**OF THE**

**OSCE PARLIAMENTARY ASSEMBLY**

**AND**

**RESOLUTIONS ADOPTED**

**AT THE THIRTEENTH  
ANNUAL SESSION**

**EDINBURGH, 5 TO 9 JULY 2004**

## PREAMBLE

We, Parliamentarians of the OSCE participating States, have met in annual session in Edinburgh on 5-9 July 2004 as the Parliamentary dimension of the OSCE to assess developments and challenges relating to security and co-operation, in particular on the co-operation and partnership in coping with new security threats, and we offer the following views to the OSCE Ministers.

We wish every success to the next OSCE Ministerial Conference in Sofia in December and bring to its attention the following declaration and recommendations.

## CO-OPERATION AND PARTNERSHIP: COPING WITH NEW SECURITY THREATS

### CHAPTER I

#### POLITICAL AFFAIRS AND SECURITY

The OSCE Parliamentary Assembly:

1. Underlining that new threats to security demand an appropriate and efficient response from the OSCE and other International Organizations on the basis of the Platform for Co-operative Security, free of double standards and within the confines of international law, the principles of the UN Charter and with respect for all aspects of human rights,
2. Noting that conflict situations pertaining to gross violations of international law which remain unresolved constitute a permanent threat to world security and stability,
3. Underscoring the strong interlinkage existing between security and stability in the Mediterranean region and security and stability in the OSCE area and welcoming in this respect the significant steps made on the side of the OSCE and the OSCE Parliamentary Assembly towards further increasing dialogue and interaction with the Mediterranean Partners for Co-operation,
4. Stressing that the real strength of the OSCE lies in its strong field presence which provides a capacity to respond effectively to security threats and challenges,
5. Recalling past OSCE Parliamentary Assembly Declarations' focus on enhancing the efficiency of the OSCE in fostering comprehensive security and the recommendations to carry out reform processes within the Organization in order for the OSCE to remain both relevant and effective,

6. Recognizing that terrorism, as a rule, targets civilian populations, and has for its central objective to cause instability and fear, and even incite racism and xenophobia,

The OSCE Parliamentary Assembly:

7. Condemns terrorism in all forms and manifestations, remains committed in its solidarity in the struggle against all forms that terrorism takes, calls upon participating States to ratify and accede to the 12 UN Protocols and Conventions on Terrorism, calls upon participating States to implement the decisions and resolutions of international organizations, including the resolutions of the United Nations Security Council, and reaffirms the fundamental importance, even when responding to terrorism and the fear of terrorism, of respecting all human rights and fundamental freedoms and the rule of law;
8. Calls upon the international community to target the profound political, social, economic and environmental causes of terrorism and to ensure that the fight against terrorism be carried out in compliance with the principles of the UN Charter and international law, including human rights and refugee protection law;
9. At the same time, bears in mind that unresolved conflicts existing in the territory of OSCE member countries represent a source of destabilization and terrorism, and underscores the role of the parliamentary dimension and particularly that of the OSCE Parliamentary Assembly in the struggle against terrorism; in this connection, supports the work of national parliaments and the importance of national legislation and furthermore strongly encourages inter-parliamentary exchange and action among OSCE Parliamentary Assembly members;
10. Emphasizes the positive impact of the free movement of people and stresses that the strengthening of borders within the OSCE area should present no barrier to co-operation and partnership on the full range of issues within the OSCE's field of operations;
11. Recommends that co-operation and multilateralism so far expressed within the field of police, particularly border police, be increased and expanded to other spheres of border protection; and recognizes that international co-operation in police matters should play a more active part in creating stability and security in post-conflict zones;
12. Urges the OSCE to strengthen the Office of the Senior Police Advisor and calls on OSCE participating States to provide the necessary resources and qualified staff to ensure the success of this endeavour;
13. Commits itself to continue to support the OSCE field missions and, in this connection, urges, in accordance with the priorities of the OSCE Chairmanship, the transfer of resources and personnel, as well as investment in the infrastructure of underfunded programmes, enabling strategic development through ameliorative initiatives towards conflict resolution;
14. Underlines the necessity of the full and timely implementation of the international obligations, including the provisions of the Istanbul Summit, of member States of the OSCE, and recognizes that the full implementation of CFE obligations and the participation in the OSCE information exchange mechanism and verification regimes represent useful tools to reduce the threats of proliferation, in particular unguarded stockpiles of ManPADS and the proliferation of weapons of mass destruction to terrorists;

15. Underlines the importance of the democratic control and civil integration of armed forces as an essential aspect of regional security and recommends that the joint initiatives of the OSCE Parliamentary Assembly and the OSCE Conflict Prevention Centre to hold seminars on the democratic control of armed forces be continued and underscores the use of these seminars as a tool which enhances security;
16. Expresses concern at the stalemate resulting from the secret consensus voting rules of the OSCE Permanent Council; urges the participating States to reconsider and reform these rules; and calls for an immediate change in the decision making system in relation to administrative and personnel decisions of the OSCE;
17. Expresses concern at the shortage of skills and geographical imbalance within the field missions that results from the secondment system;
18. Reiterates appeals in the OSCE Parliamentary Assembly Bucharest Declaration (2000) and Rotterdam Declaration (2003) for the OSCE to reduce reliance on seconded personnel;
19. Expresses regret at the lack of representation of women at the higher levels within the OSCE, including in field missions, as evidenced by the annual statistics issued by the OSCE Secretariat;
20. Reiterates decisions made in the OSCE Parliamentary Assembly Copenhagen Declaration (1998) which explicitly requested that gender aspects should be considered in all staff recruitment;
21. Stresses the importance of follow-up action on gender balance development and calls upon participating States to adopt specific measures aimed at encouraging female recruitment to OSCE positions;
22. Encourages an active and timely response of the OSCE to the recommendations and proposals of the OSCE Parliamentary Assembly, including feedback, to ensure that transparency and accountability are better served within the Organization.

## CHAPTER II

### ECONOMIC AFFAIRS, SCIENCE, TECHNOLOGY AND ENVIRONMENT

23. Noting that in the countries of Europe during the first years of the 21<sup>st</sup> century the rate of integration has accelerated, areas of constructive interactions between nations have broadened in the name of the achievement of common goals and interests, while recognizing that further efforts are necessary both on behalf of some States in the OSCE area, as well as on behalf of the international economic community in order for these countries to accomplish transition, reforms and integration into the world economy,
24. Recognizing the development of close co-operation among governments in such areas as trade, transportation, the energy industry, environmental protection, and investments,
25. Noting with satisfaction that expanding opportunities for scientific and technological co-operation and the transfer of capital and people are serving as a supplemental source of growth and improved economic efficiency,
26. Noting that integration processes that are growing in momentum in the European region in various formats are promoting mutual co-operation and are exerting a significant influence on the development of global economic co-operation,
27. Welcoming the adoption of the OSCE Strategy Document for the Economic and Environmental Dimension by the Ministerial Council in Maastricht, December 2003,
28. Underscoring the significant role of the OSCE in the future promotion of activities within the framework of economic and environmental dimensions for the implementation of goals set forth in the Bonn document of 1990 relative to stable economic growth and development, higher standards of living, and improved quality of life, as well as in the OSCE Strategy Document for the Economic and Environmental Dimension,
29. Noting the significance of the OSCE in the development of a mechanism for regional and subregional co-operation in the interests of combating economic and environmental threats to the security of the OSCE region,
30. Stressing that the subregional governmental organizations acting within the framework of the OSCE are promoting the formation of a unified all-European approach to the development of regional policy and intergovernmental co-operation on the basis of the principles of sustainable economic development and the indivisibility of their economic and environmental security,
31. Favourably assessing the sensitivity and the will shown by deputies of national parliaments as members of the OSCE Parliamentary Assembly to the need for continuous international co-operation related to globalization and the achievement of economic growth, as manifested by their significant mobilization in the field,
32. Welcoming the developing co-ordination of activities among legislative, executive, and judicial branches of government with regard to issues of the development and observance of general laws and rules intended to combat money laundering and corruption and the criminal prosecution of financial support of terrorism,

33. Noting with satisfaction that in the course of implementing the goals of globalization, integration, and regional co-operation in OSCE member countries, methods of governing have been refined for the purpose of restructuring economies, creating favourable environments for governmental and commercial activities to promote the establishment of market relations and develop small- and medium-sized enterprises, and stimulating domestic and foreign investment,
34. Acknowledging that the benefits of globalization, liberalization and technological progress are not equally enjoyed by all OSCE countries, while the negative effects thereof affect, to a great extent, less developed economies,
35. Highlighting the fact that increased economic and social disparities – attributed in part to globalization, liberalization and technological progress – constitute a root cause of new threats to security within, among and beyond States,

The OSCE Parliamentary Assembly:

36. Stresses the growth in Europe of new challenges arising from external and internal risks and threats in the area of economic and environmental dimensions, which require prompt, continuing, and long-term adequate resolution;
37. Notes that the search for adequate answers to the challenges of globalization and the problems of developing an all-European economic and environmental protection partnership on an equal basis, which facilitates the integration of nations into the global and European economic systems, entails a need to restructure both one's thinking as well as the system of international economic relations;
38. Calls upon the OSCE, together with leading economic organizations and financial institutions, to aid countries in the region to achieve the goals of sustainable development and utilize the advantages of the globalization process while alleviating and eliminating its negative consequences, as well as to accelerate the integration of their economies into the global financial-economic system, including the admission of countries, that are not yet members, into the World Trade Organization (WTO);
39. Underlines the importance of good public and corporate governance as foundations for a sound economy and for attracting foreign investment to stimulate economic growth;
40. Proposes to the members of parliament of OSCE participating States that, when developing their own reform models, they be oriented toward general conditions for harmonization of integration processes on an equal and mutually beneficial basis, taking into consideration political and economic interests of all organization participants and not acting to the detriment of the security and stability of the entire region of responsibility;
41. Calls upon participating States to continue their work on effective concurred strategies, reinforced on a statutory legislative basis, to combat corruption and organized crime, prostitution, economic protectionism in favour of particular countries, money laundering, the financial backing of terrorists, trafficking in human beings, and trafficking in narcotics and weapons;

42. Calls upon participating States to convene a meeting of Ministers of Justice and the Interior to initiate the development of a comprehensive and long-term anti-terrorist strategy as called for in the OSCE Strategy Document for the Economic and Environmental Dimension adopted in Maastricht;
43. Recommends that OSCE national parliaments ratify and implement the Council of Europe, the Organization for Economic Co-operation and Development (OECD) and United Nations conventions on combating corruption and financial crime;
44. Emphatically calls upon participating States to continue, through co-operation in the area of trade, transportation, the energy industry, science and technology, the assurance of the stable development of a market economy, and the facilitation of domestic and foreign investments for the purpose of guaranteed economic growth;
45. Stresses the need to improve management practices for economic and social spheres and enterprises, the development of a favourable climate to aid small- and medium-sized enterprises, the development of labour resources, raising the role of women and minorities in scientific, legal, economic, and commercial fields, and to co-operate in the training of workers for national, regional, and local governing agencies;
46. Draws attention to the substantial costs caused by domestic violence perpetrated by men against women which burden all the societies within the OSCE area;
47. Reiterates, in line with the new Strategy Document on the Economic and Environmental Dimension, the importance of “good governance” as the crucial prerequisite for the economic and political well-being of States within the OSCE region;
48. Calls upon the participating States to implement the strategies recommended by the OSCE Parliamentary Assembly’s Bern Declaration of the Sub-Regional Conference on Promoting Small and Medium-Sized Enterprises, including promoting practices of good governance and the transparent rule of law, equitable taxation systems and assistance in gaining access to technical, trade and financial infrastructures;
49. Calls upon the European Union, taking into consideration the ongoing process of enlargement on the basis of bilateral and multilateral agreements and arrangements, to maintain a constructive dialogue with non-EU members, focusing upon the development of economic, scientific, technical and environmental co-operation, without affecting their legal interests; and also calls upon the European Union to implement the New Neighbourhood Policy and open doors policy with respect to States seeking membership of the European Union;
50. Calls upon participating States to extend co-operation in the area of the environment, the struggle against the pollution of water basins, aftermath of climatic changes on earth, the management of natural resources, the obligatory notice with regard to environmental threats and hazards to the lives of citizens and the welfare of nations, and to promote the ratification of existing instruments of international law in the area of economic and environmental security and promote their full implementation after ratification;
51. Calls for future promotion of dialogue among OSCE participating States within the framework of the Permanent Council and the Economic Forum, in the interests of providing every possible assistance to regional co-operation, including within the framework of the Black Sea Economic Co-operation Organization, the Barents Euro-Arctic Council, the Council of the Baltic Sea States, the Commonwealth of Independent States, the Eurasian

Economic Community, the Central European Initiative, the Stability Pact for South Eastern Europe, the Southeast European Co-operative Initiative, GUUAM and others, for the purpose of developing interactions in the areas of trade and industry, the energy industry, transportation, communications, science and technology, agriculture, offering support for small- and medium-sized enterprises, environmental protection, tourism, as well as providing financial support for the implementation of specific regional projects;

52. Stresses the significant contribution the OSCE can make to the efforts towards achieving peace and stability in the Mediterranean region and underscores the need for due attention to be given to the Economic and Environmental dimension, within the context of the OSCE's enhanced dialogue and co-operation with its Mediterranean partners;
53. Recognizes the importance of public-private partnerships, urges the participating States to work closely with the business community, labour organizations and civil society to improve transparency and best practices in the public sector, as well as to promote good corporate governance;
54. Calls upon participating States to develop national strategies for sustainable development in close co-operation with the business community, labour organizations and civil society.

## CHAPTER III

### DEMOCRACY, HUMAN RIGHTS AND HUMANITARIAN QUESTIONS

55. Recalling the recommendations of the OSCE Parliamentary Assembly Rotterdam Declaration concerning national minorities and trafficking in human beings,
56. Reminding the participating States of their profound responsibility to implement their OSCE commitments concerning these vital areas,
57. Stressing that persons belonging to national minorities are often at a disadvantage with regard to systematic discrimination and socio-economic standing,
58. Emphasizing the central role and responsibility of the national parliaments and parliamentarians to ensure that their legislation meets their obligations concerning the treatment of minorities and their ability to combat trafficking in human beings,
59. Recognizing that since the 1990s, as a result of inter-State and interethnic conflicts and the occupation of a part of one State by another, uncontrolled zones known as “zones of lawlessness” have emerged in certain areas of some countries and are used, among other things, for trafficking in human beings,
60. Recognizing that in addition to “traditional” national minorities, there are large “new” minorities in several OSCE participating States as a result of migration during recent decades,
61. Underscoring the instrumental role national parliaments should play in ensuring full compliance by States with international human rights standards in the adoption of anti-terrorist legislation,
62. Taking into account that in the aftermath of events like 9/11, certain constitutional rights such as freedom of religion and freedom of education have given rise to different interpretations as to their specific context,
63. Observing that anti-Islamism and anti-Semitism are gaining momentum in established democracies thus proving the need to continue and strengthen intercultural dialogue in order to promote greater tolerance, respect and understanding,
64. Considering that harmonious relations and confidence between individuals of different cultural backgrounds are a prerequisite for social stability and domestic and international integration and of particular importance in this connection is an ongoing, constructive and balanced dialogue between the authorities and the representatives of national minorities,
65. Pointing out that NGOs are important for providing care and protection to minority members and to victims of human trafficking,
66. Taking note of the fact that trafficking in human beings is the fastest growing facet of organized international crime involving large financial interests and having its links to corruption in some participating States,

67. Recognizing that children and women are particularly targeted for exploitation by traffickers and would therefore benefit from specialized anti-trafficking programmes,
68. Recalling the references made to the ancient tradition of the Olympic Truce (*ekecheiria*) in the United Nations Millennium Declaration and in the Resolution adopted by the United Nations General Assembly (A/RES/58/6) on 3 November 2003, calling for a truce during the Games to encourage a peaceful environment ensuring the safe passage and participation of athletes and others in the Games and thereby mobilizing the world's youth to the cause of peace,
69. Noting that the Games of the XXVIII Olympiad will take place in Athens, Greece, the country where the Olympic Games were born in ancient times and revived in 1896 and where the tradition of the Olympic Truce was first established,

The OSCE Parliamentary Assembly:

70. Reiterates the recommendation of the OSCE Parliamentary Assembly Rotterdam Declaration that the resources of the OSCE High Commissioner on National Minorities be strengthened;
71. Calls upon the OSCE High Commissioner on National Minorities to initiate a comparative study of the integration policies of established democracies and analyse the effects on the position of new minorities;
72. Recommends to the OSCE participating States that they support educational programmes for national minorities, also in their own language, and that they include education on different religions and cultures in their national curriculum to promote tolerance as well as intercultural understanding and mutual respect;
73. Recommends that the OSCE participating States provide appropriate support for the production and performance of radio and TV programmes as well as the publication of print media for national minorities in their own language;
74. Suggests that the OSCE participating States encourage members of national minorities to maintain their cultural and social heritage and institutions and to participate in the public life of their countries of residence;
75. Suggests that the OSCE participating States ensure that members of national minorities are equally represented in relevant national institutions, such as the police, school administrations and the local authorities;
76. Urges every State to respect the human rights of those whose applications for asylum or deportation are being considered, and in particular, to not return or deport any persons to such countries where their life, personal security or conditions for decent life may be threatened;
77. Emphasizes the need for the harmonization of national legislation of the OSCE participating States and for bringing it into compliance with international norms and standards in such areas as protection of national minorities, trafficking in human beings and gender equality;
78. Reiterates the earlier recommendations of the OSCE Parliamentary Assembly concerning the promotion of improved living conditions of the Roma and Sinti population;

79. Recommends that all eligible OSCE participating States, who have not yet done so, ratify and bring into force without delay the European Charter for Regional and Minority Languages and the Framework Convention for the Protection of National Minorities;
80. Condemns in the strongest possible terms the violence in Kosovo which began on 17 March 2004, especially the effort among the Kosovo Albanian majority to incite and organize attacks against Kosovo Serb and other minority communities along with the destruction of their homes and property and many Serbian Orthodox churches and monasteries, and taking note of past OSCE Parliamentary Assembly resolutions expressing alarm over the destruction of more than 100 Serbian Orthodox religious sites in Kosovo since 1999 and the lack of respect for the rights of minorities, deterring the return of over 200,000 displaced persons, calls upon the OSCE participating States:
- to ensure the violence of March 2004 is thoroughly investigated and that those responsible for it are brought to justice;
  - to provide the additional forces to the peacekeeping Kosovo Force (KFOR) that are necessary not only to maintain stability but also to ensure that all displaced persons wishing to return to their original homes in Kosovo have a secure environment in which to do so;
  - to undertake a thorough review and reform of United Nations, OSCE and all other international missions in Kosovo to ensure that they encourage the development of conditions conducive to the sustained presence of the Serb and all other minorities where they exist within Kosovo; and
  - to make absolutely clear as a matter of policy that violence and its incitement and organization will not be allowed to profit any party or advance a political agenda but instead will have consequences regarding the international support and assistance Kosovo and its governing institutions will receive;
81. Urges all participating States to ensure that their national legislation provides means to effectively fight trafficking in human beings by including adequate penalties for such crimes, protection of victims and facilitating international co-operation as well as providing sufficient resources to law-enforcement and other relevant authorities;
82. Suggests that, as a means of fighting trafficking in human beings, the OSCE participating States provide “hotlines” and other forms of information to potential and actual victims of trafficking in order to inform them about their rights and status, to help them protect themselves against the traffickers and to help them co-operate with the authorities;
83. Encourages the OSCE to take a leading role in the OSCE region in co-ordinating, at the level of headquarters and in the field, all regional efforts to combat human trafficking, in co-operation with the United Nations and other international organizations, so as to ensure a greater level of effectiveness;
84. Encourages all OSCE participating States to co-operate closely, both on a multilateral basis and through relevant international organizations, including NGOs, as well as in their bilateral relations, in efforts to combat trafficking in human beings;
85. Insists that all OSCE participating States ensure transparency and accountability in their programmes and policies;

86. Calls upon all OSCE participating States who have not yet done so to ratify and bring into force the UN Convention Against Transnational Organized Crime and its Optional Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; the Convention on the Elimination of All forms of Discrimination Against Women; as well as the Convention on the Rights of the Child with its Optional Protocols on the Involvement of Children in Armed Conflicts and the Sale of Children, Child Prostitution and Child Pornography;
87. Insists that the participating States create a safer environment for children as well as more economic opportunities for young women in potential countries of origin of trafficking in human beings;
88. Emphasizes the importance of further steps to ensure gender balance and calls upon participating States to take tangible measures to encourage the appointment of women to OSCE posts;
89. Reaffirms the decisions adopted in the framework of the 1998 Copenhagen Declaration of the OSCE Parliamentary Assembly, which unequivocally required that gender aspects be taken into account in the consideration of all staff recruitment matters;
90. Welcomes the appointment of a Special Representative on Human Trafficking as recommended by the 2003 Rotterdam Declaration of the OSCE Parliamentary Assembly and within the mandate given by the 2003 Ministerial Council Meeting in Maastricht;
91. Calls upon the participating States to ensure that the Special Representative on Human Trafficking, in accordance with his or her mandate, should provide accountability for the implementation of the following areas: the integration of a human rights perspective, the establishment and promotion of social and economic rights, de facto gender equality and of a safer environment for children, in addition to the strengthening of the role of civil society through awareness;
92. Appeals to the OSCE participating States to provide the Special Representative on Human Trafficking with sufficient resources, financial and otherwise, to fulfil the mandate, including the resources to carry out research, and to offer their full support and co-operation in his/her work;
93. Reiterates the importance of assisting the OSCE participating States to develop and implement anti-trafficking plans of action, legislation and other means to effectively combat trafficking in human beings as well as to provide relevant training for the OSCE mission members in these matters;
94. Welcomes the Maastricht Ministerial Council decision “taking into account” the United Nations Guiding Principles on Internal Displacement as a “useful framework for the work of the OSCE and the endeavours of participating States in dealing with internal displacement”, and urges all participating States to respect the United Nations Guiding Principles and to find durable and voluntary solutions for internally displaced persons residing within their territory, and also stresses the importance for all OSCE field missions and ODIHR to continue strengthening their involvement with displaced persons;
95. Calls upon the participating States, including parliamentarians, to observe the Olympic Truce, individually and collectively, during the Games of the XXVIII Olympiad to be held in Athens, Greece, and in the future;

96. Calls upon the participating States, including parliamentarians, to support the International Olympic Committee and the national Olympic committees of the OSCE member States in their efforts to promote peace and human understanding through sport and the Olympic Ideal.

## **RESOLUTION ON CO-OPERATION BETWEEN THE OSCE AND OSCE PA**

1. Recalling the Resolution on “Correcting the Democratic Deficit of the OSCE”, adopted by the OSCE Parliamentary Assembly at its Annual Session in 1999 and the Resolution on “Strengthening Transparency and Accountability in the OSCE” from the Annual Session Declaration in 2001,
2. Welcoming the increased contact between the OSCE Parliamentary Assembly and the governmental structures of the OSCE through the OSCE Parliamentary Assembly Winter Meetings and the establishment of an OSCE Parliamentary Assembly Liaison Office in Vienna,
3. Appreciating as a step forward the annual presentation of the OSCE Secretary General on the proposed OSCE budget for the up-coming year,
4. Noting that in spite of initiatives from various Chairmanships and recommendations from the OSCE Parliamentary Assembly, the OSCE participating States have been unable to reform the Organization, and expressing concern that due to the lack of such reforms, the OSCE is becoming ineffective in reaching its goals and implementing its principles,
5. Stressing that in spite of the important progress made, the OSCE still lags behind other international institutions such as the Council of Europe and the European Union when it comes to transparency and democratic accountability,
6. Noting the big changes that have occurred in Europe after the enlargements of the European Union and of NATO and the shift in contemporary security priorities,
7. Underlining the evolution which other international organizations have in the meantime undergone,

The OSCE Parliamentary Assembly:

8. Reiterates its previous recommendations that the OSCE carry out the necessary reforms with regard to its consensus decision-making procedure which often obstruct the work of the Organization, and calls for greater transparency in the process of decision-making in the OSCE as well as increased accountability in the process of implementation;
9. Urges the OSCE to increase its budget and channel additional allocations for underfunded areas such as Central Asia, the Southern Caucasus and Eastern Europe;
10. Recommends that the OSCE consider the relocation to Central Asia, the Southern Caucasus and Eastern Europe of some of its institutions and of the venues of OSCE conferences, meetings and other events;
11. Calls on the OSCE to upgrade the role and status of the Secretary General with a view to strengthening and enlarging his prerogatives, especially in the political sphere;
12. Stresses the importance of reviewing the procedures for appointing Heads of Mission and Heads of Institution, including the Secretary General, with the aim of making them more professional and efficient;

13. Recommends that the overall transformation of the OSCE be discussed without delay in order that respective decisions be taken at the Ministerial Council in Sofia in December 2004;
14. Recommends that the OSCE consider holding a Summit in 2005;
15. Requests that the OSCE Parliamentary Assembly be given free access to all OSCE meetings and events and recommends that the Special Representative of the OSCE Parliamentary Assembly in Vienna be included in consultative processes;
16. Requests that the President of the OSCE Parliamentary Assembly establish a working group on the OSCE budget, according to rule 8.3 of the Rules of Procedure, which would have the task of carrying out a comprehensive review of the proposed OSCE budget for the up-coming year;
17. Calls on the OSCE to respond to the Assembly's recommendations on the draft OSCE budget and recommends that the OSCE Parliamentary Assembly response to the draft OSCE budget be discussed in the Permanent Council and the Advisory Committee on Management and Finance;
18. Calls on national OSCE Parliamentary Assembly delegations to work to ensure that OSCE Parliamentary Assembly's Declarations are followed up at the national level of parliaments as well as by governments;
19. Urges the leadership of the OSCE Parliamentary Assembly, particularly the Heads of the three General Committees to do their best to ensure that OSCE Parliamentary Assembly recommendations are implemented by relevant OSCE bodies and Institutions, and recommends that follow-up to the annual Declaration and the implementation status are put on the agenda of the Winter Meeting on the OSCE Parliamentary Assembly.

## **RESOLUTION ON COMBATING TRAFFICKING IN HUMAN BEINGS**

1. Reiterating its view, as expressed in previous resolutions of the Assembly, that trafficking in human beings threatens the security of the OSCE region, undermines the rule of law, promotes corruption and also violates human rights and human dignity,
2. Underscoring 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,
3. Recognizing that combating trafficking in human beings must be fought in countries of origin, countries of transit and countries of destination,
4. Being aware that trafficking in human beings is a transnational criminal activity that needs a transnational response from governments,
5. Emphasizing the responsibility of the participating States to fulfil their commitments to combat trafficking in human beings, in particular those contained in the Moscow document of 1991, Charter of European Security of 1999, as well as in the OSCE Ministerial Council decisions of 2000, 2001, 2002 and 2003,
6. Taking in to account that traffickers modify their *modus operandi* as governments start to enforce anti-trafficking legislation, so as to escape prosecution,
7. Welcoming the convening of the Conference on Trafficking in Human Beings at the OSCE Parliamentary Assembly's fall meeting in Rhodes, Greece,
8. Welcoming also the fact that the conference will be held in conjunction with a Parliamentary Forum on the Mediterranean, since citizens of the OSCE Participating States are trafficked to and/or through the territories of some Mediterranean Partners for Co-operation,

The OSCE Parliamentary Assembly:

9. Calls on the OSCE participating States to implement the OSCE Action Plan to Combat Trafficking in Human Beings, to support the work of the Anti-Trafficking Mechanism created by the 2003 Maastricht Ministerial Council Decision No.2 and to continue supporting the work of ODIHR and all other relevant OSCE Institutions and Bodies;
10. Urges all participating States to sign and ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which supplements the United Nations Convention against Transnational Organized Crime;
11. Calls upon all participating States to sign and ratify the Optional Protocol to the Convention on the Rights of Child, on the Sale of Children, Child Prostitution and Child Pornography, and also the International Labour Organizations Convention 182, calling for immediate action to ban the worst forms of child labour, including child prostitution and child pornography;

12. Insists that all participating States ensure that their national legislative and other measures provide adequate measures to combat trafficking in human beings, and that trafficking in human beings is criminalized as a serious crime and also that a framework for victim protection is provided;
13. Appeals to participating States, especially countries of origin of victims of trafficking, to take measures in countering factors which contribute to an individual's vulnerability, especially discrimination based on sex, race or ethnicity, physical or sexual abuse, exploitation or institutionalisation of children, and lack of equal access to economic opportunities, and also to increase the level of school attendance, in particular amongst girls and minority groups, and to enhance job opportunities for women;
14. Appeals to participating States, especially countries of destination of victims of trafficking, to work out a multi-agency programme of monitoring, administrative controls and intelligence gathering on the labour market, especially the sex industry, to reduce "the invisibility of exploitation", and also to take measures to address the demand for activities of persons trafficked for the purposes of sexual exploitation and forced labour;
15. Calls upon the participating States to ensure that victims of trafficking and witnesses are not subject to criminal prosecution solely as a direct result of having been trafficked;
16. Urges participating States to consider the provision of temporary or permanent residence permits to victims of trafficking in human beings and witnesses, taking into account such factors as potential danger to victims' and witnesses' safety;
17. Urges also the participating States to ensure that victims of trafficking and witnesses are effectively protected through the establishment of National Referral Mechanisms, shelter, provision of documents, social assistance, legal advice and assistance in voluntary repatriation, rehabilitation and social reintegration;
18. Insists that participating States take into account the special needs of children and address their best interest concerning care, appropriate housing, education and possible repatriation, to ensure the child's safety, protection, rehabilitation and reintegration in all circumstances;
19. Encourages participating States to create special anti-trafficking units, to develop community-policing programmes and to enhance co-operation between law enforcement authorities and elements of civil society;
20. Urges participating States to step up their co-operation in combating trafficking in human beings through co-ordination on inquiries, exchange of experts and information on methods used by criminal groups;
21. Encourages participating States to provide training for border officials, law enforcement authorities, judges, prosecutors, immigration and other relevant authorities in all aspects of trafficking in human beings, especially in human rights and child- and gender-sensitive issues;
22. Appeals to the participating States to undertake, in co-operation with relevant NGO's and other elements of civil society, information campaigns to generate public awareness about trafficking in human beings;

23. Requests that the participating States acknowledge and undertake measures to address the role of military service members, and civilians accompanying the military in a deployment, in contributing to the demand for trafficking in human beings;
24. Requests also that participating States examine the sufficiency of their national laws and regulations, particularly military codes and domestic laws with extraterritorial applications, to ensure that a legal basis exists to enforce anti-trafficking laws and policies with respect to a State's citizens when serving on a peacekeeping or military deployment abroad;
25. Urges the OSCE Sofia Ministerial Council to adopt a Decision regarding the responsibilities of participating States to address the role of military service members, and civilians accompanying the military, in the trafficking in human beings, including the adoption and implementation of appropriate policies, codes of conduct, training and accountability mechanisms;
26. Calls upon the OSCE Sofia Ministerial Council to give particular attention to the problems of trafficking in human beings in uncontrolled, occupied territories, ensuring constant international control and monitoring under the auspices of the corresponding OSCE institutions by sending special missions to the conflict zone along the line of contact for observation and study of the situation on the ground, in order to gather the requisite information on problems of trafficking in human beings;
27. Recommends that the OSCE Parliamentary Assembly's fall meeting in Rhodes initiates a discussion on developing co-operation in combating trafficking in human beings between the Mediterranean Partners for Co-operation and the OSCE participating States;
28. Looks forward to good co-operation between the OSCE Parliamentary Assembly's Special Representative on Human Trafficking and the OSCE Special Representative on Human Trafficking.

## **RESOLUTION ON FULFILLING OSCE COMMITMENTS REGARDING THE FIGHT AGAINST RACISM, ANTI-SEMITISM AND XENOPHOBIA**

1. Recalling the OSCE Parliamentary Assembly Resolutions on anti-Semitism adopted unanimously at the Annual Sessions in Berlin in 2002 and in Rotterdam in 2003,
2. Welcoming the decisions of the OSCE Ministerial Council in Porto in 2002 and in Maastricht in 2003,
3. Welcoming also the convening of the successful OSCE Conferences on Anti-Semitism in Vienna and in Berlin, and the Vienna and Brussels Conferences on Racism, Xenophobia and Discrimination, and the OSCE Meeting on the Relationship between Racist, Xenophobic and anti-Semitic propaganda on the Internet and hate crimes in Paris,
4. Recognizing the fact that the above mentioned conferences are indicative of the participating States' determination to face the current challenges caused by racism, anti-Semitism and xenophobia,
5. Emphasizing paragraph 11 of the Resolution on Fighting Anti-Semitism, which is included in the Rotterdam Declaration, urging all participating States "to ensure effective law enforcement by local and national authorities against criminal acts stemming from anti-Semitism, xenophobia, or racial ethnic or hatred, whether directed at individuals, communities, or property, including thorough investigation and prosecution of such acts",
6. Considering that providing appropriate legislation in these matters require co-operation and co-ordination between the participating States and also the participation of civil society,

The OSCE Parliamentary Assembly:

7. Calls upon the participating States to ensure that the appropriate government agencies have the legal authority and resources to fulfil the commitments highlighted in the Berlin Declaration of tracking anti-Semitic crimes and hate crimes;
8. Insists that governments will forward information concerning anti-Semitic crimes and hate crimes in a timely fashion to the OSCE Office for Democratic Institutions and Human Rights (ODIHR) for compilation;
9. Calls upon participating States to ensure that the necessary resources are provided to the ODIHR to enable it to successfully fulfil its tasks under the Maastricht Ministerial Council decision and the Berlin Declaration;
10. Suggests that governments take effective measures, such as oversight hearings, to strengthen the implementation of commitments contained in the Maastricht Ministerial Council decision and highlighted in the Berlin Declaration, and to ensure that laws are in place to prosecute those who engage in anti-Semitic crimes and hate crimes;
11. Encourages local and national governments to co-operate with non-governmental organizations when gathering information and data on anti-Semitic crimes and hate crimes;

12. Requests that the Bulgarian Chairmanship, in consultation with the incoming Slovenian Chairmanship, designate a personal envoy of the Chairman-in-Office to ensure sustained attention in fulfilling the OSCE commitments highlighted in the Berlin Declaration;
13. Calls upon governments to create mechanisms to help ensure education and training for educators, military forces, and law enforcement and judicial officers concerning racism, anti-Semitism and the Holocaust, xenophobia and intolerance, as well as to initiate efforts to join the Task Force for International Co-operation on Holocaust Education, Remembrance and Research;
14. Invites participating States to create appropriate institutions to implement the commitments of the Maastricht Ministerial Council decision and the Berlin Declaration concerning the fight against racism and anti-Semitism;
15. Suggests that these institutions should have, *inter alia*, the following responsibilities:
  - to co-ordinate between relevant governmental bodies,
  - to follow up, record and keep statistics on anti-Semitic and racist incidents,
  - to follow up the action taken against persons guilty of anti-Semitic and racist acts,
  - to propose measures to protect places of worship and communitarian institutions,
  - to propose measures that promote tolerance in society, in particular, in schools and in the media,
  - to initiate dialogue with organizations representing communities which are, or may be, affected by anti-Semitic and racist acts and to evaluate together such incidents and to consider useful measures,
  - to liaise with the ODIHR in the implementation of the tasks assigned to it in the Maastricht Ministerial Council decision and the Berlin Declaration;
16. Invites participating States to establish an institution to pursue dialogue between the relevant governmental institutions, local authorities and non-governmental organizations involved in these issues in order to gather information on the diffusion of racist and anti-Semitic material on the internet and to discuss conceivable measures to counter this phenomenon;
17. Asks the members of the OSCE Parliamentary Assembly to speak out against and oppose racist, anti-Semitic and xenophobic propaganda, wherever they find such;
18. Asks also the leadership of the OSCE Parliamentary Assembly to present this resolution to the OSCE Conference on Tolerance and the Fight against Racism, Xenophobia and Discrimination in Brussels on 13-14 September 2004.

## RESOLUTION ON TORTURE

1. Reiterating its Resolution on the Prevention of Torture, Abuse, Extortion, or Other Unlawful Acts adopted at the 2001 Annual Meeting in Paris,
2. Concerned about recent examples of prisoners being withheld for years with no access to trial or legal defence, for example at the United States military base at Guantánamo,
3. Appalled by recent examples of torture and other cruel, inhuman and degrading treatment against prisoners, for example in Iraq and Afghanistan,
4. Reiterating the importance of the Code of Conduct on politico-military aspects of security adopted at the 1994 Budapest Summit and the detailed commitments contained therein with respect to, *inter alia*, international humanitarian law and other provisions of international law,
5. Deploring the recent violations of international humanitarian law and non-compliance with commitments to prohibit torture and other cruel, inhuman or degrading treatment or punishment,

The OSCE Parliamentary Assembly calls upon all participating States to:

6. Fully respect existing OSCE commitments with regard to international humanitarian law and the prohibition of torture;
7. Abide by the obligation that no exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture and that an order from a superior officer or a public authority may not be invoked as a justification of torture; [Convention Against Torture]
8. Ensure that, while the Geneva Conventions do not preclude the interrogation of prisoners of war, no physical or mental torture, nor any other form of coercion, may be inflicted on prisoners of war to secure from them information of any kind whatsoever; and [Geneva III, art. 17]
9. Prohibit, in law and in practice, in times of armed conflict of an international character as well as armed conflict that is not of an international character, at any time and in any place whatsoever, prisoners of war or other persons in detention or internment from being subjected to violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture and outrages upon personal dignity, in particular humiliating and degrading treatment; [Common Article 3 of the Geneva Conventions]
10. Ensure that even civilians who are not prisoners of war are at all times humanely treated, and protected against all acts of violence or threats of violence, insults and public curiosity, as well as any other measures of brutality whether applied by civilian or military agents; [Geneva IV, art. 32]
11. Ensure that all persons in custody not enjoying the protection of the Third Geneva Convention on Prisoners of War are given the right to legal defence and trial;

12. Guarantee that the International Committee of the Red Cross has unimpeded access to areas of internment, detention and work of those persons protected by the Geneva Conventions and that the duration and frequency of such visits should not be restricted; [Geneva III, art. 126; Geneva IV, art. 143]
13. Sign and ratify the statutes of the International Criminal Court and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
14. Provide meaningful response to and implementation of the recommendations of the International Committee of the Red Cross;
15. Ensure that education and information regarding the prohibition against torture, or other forms of cruel, inhuman or degrading treatment or punishment, are fully included in the training of law enforcement personnel, civilian or military, medical personnel, public officials and other persons who may be involved in the custody, interrogation or treatment of any detained individual; [Copenhagen Human Dimension Conference June 1990]
16. Guarantee that individuals who report allegations of torture, or other forms of cruel, inhuman or degrading treatment or punishment, are not subject to retribution, reprisal or other punishment;
17. Encourage all competent authorities to review all interrogation rules, instructions, methods and practices as well as arrangements for the custody and treatment of persons subjected to any form of detention, in order to ensure full compliance with relevant OSCE commitments prohibiting torture and other forms of cruel, inhuman or degrading treatment or punishment; [see above, Copenhagen 1990]
18. Take every possible measure, if they have not already done so, to halt all acts of torture or other forms of cruel, inhuman or degrading treatment or punishment wherever they may take place;
19. Investigate, prosecute and punish all acts of torture or other forms of cruel, inhuman or degrading treatment or punishment including responsible individuals at the highest military and political level;
20. Support the critical work of medical personnel and torture treatment centres in the identification, treatment, and rehabilitation of victims of torture and other forms of cruel, inhumane, or degrading treatment or punishment.

## **RESOLUTION ON MEASURES TO PROMOTE COMMITMENTS BY NON-STATE ACTORS TO A TOTAL BAN ON ANTI-PERSONNEL LANDMINES**

1. Referring to its resolution of July 2002 on “the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and their Destruction”,
2. Noting that anti-personnel mines are particularly inhuman, killing or maiming civilian populations without discrimination, and that these arms most frequently remain active during peacetime,
3. Noting the fact that many armed non-State actors are using mines and that it is necessary to engage them to obtain a true universalization of the Ottawa Convention (4 December 1998) on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (*Mine Ban Treaty*),
4. With regard to the review Conference on the Ottawa Convention (*Mine Ban Treaty*) to be held from 29 November to 3 December 2004 in Nairobi, Kenya,

The OSCE Parliamentary Assembly:

5. Calls upon OSCE participating States still not engaged to adhere to the Ottawa Convention (*Mine Ban Treaty*) and to stop the use, stockpiling, production and transfer of anti-personnel mines and to start the destruction of remaining mines;
6. Calls upon OSCE participating States to give closer attention to the problem of anti-personnel mines in relation to non-State actors and to support all efforts to commit non-State actors to the mine ban process;
7. Calls upon non-State actors to stop the use, production, stockpiling and transfer of anti-personnel landmines;
8. Welcomes proposals to seek commitments from non-State actors, for example through the Deed of Commitment for Adherence to the Total Ban on Anti-Personnel Landmines and for co-operation in mine actions, under Geneva Call;
9. Encourages OSCE participating States to increase resources for humanitarian demining, mine awareness and landmine victim rehabilitation and assistance programmes.

## **RESOLUTION ON NATIONAL MINORITIES**

1. Recognizing that the protection and promotion of the rights of persons belonging to national minorities are essential factors for democracy, peace, justice and stability within participating States and in relations between them,
2. Deeply convinced that questions regarding national minorities can be satisfactorily solved only within a democratic and political framework based on the rule of law and respect for human rights,
3. Considering that pluralistic and genuinely democratic society should not only respect the ethnic, cultural, linguistic and religious identity of each person belonging to national minority, but also create appropriate conditions enabling them to express, preserve and develop this identity,
4. Recalling the obligations on protection of national minorities contained in the United Nations conventions and declarations, in the Helsinki Final Act and other basic OSCE Parliamentary Assembly and OSCE documents, in particular, in the 1990 Document of the Copenhagen Meeting of the Conference on the Human Dimension and provisions of the 1991 Geneva Report of the Meeting of the CSCE Experts on National Minorities,
5. Confirming the necessity that the laws and political directives concerning the rights of persons belonging to national minorities, in the field of education, language and participation in elections meet international standards and conventions,
6. Reaffirming that everyone has the right of citizenship and that no one should be arbitrarily deprived of his or her citizenship and expressing readiness to continue our efforts to ensure that everyone can exercise this right, and in this connection expressing our intention to strengthen the international protection of stateless persons,
7. Noting that the refusal of nationality on the basis of an ethnic, linguistic or religious group is one of the most serious forms of discrimination against persons belonging to national minorities and violation of principles of international law,
8. Recalling that in accordance with the Charter for European Security of 1999 "various concepts of autonomy as well as other approaches outlined in OSCE documents, which are in line with OSCE principles, constitute ways to preserve and promote the ethnic, cultural, linguistic and religious identity of national minorities within an existing State",
9. Recalling that the 1995 Ottawa Declaration calls "on participating States to give equal rights to individuals as citizens, not as members of a particular national or ethnic group" and further calls "on the participating States to acknowledge that citizenship itself is based on a genuine and effective link between a population and a territory and should not be based on race or ethnicity and must be consistent with the State's international obligations in the field of human rights",
10. Recognizing with appreciation the valuable work done by the OSCE High Commissioner on National Minorities,

11. Noting the necessity of further steps on behalf of authorities of Latvia and Estonia on effective protection of national minorities and contribution to realization of the rights and freedoms of the persons belonging to them, in accordance with appropriate UN, OSCE and Council of Europe documents,
12. Concerned about the increasing extremist violence against persons belonging to national minorities in certain participating States of the OSCE that has on several occasions resulted in loss of human lives,
13. Concerned about persistent problems that persons belonging to national minorities face in certain participating States of the OSCE, including negative stereotyping and ethnic profiling carried out by law enforcement officials,

The OSCE Parliamentary Assembly:

14. Calls upon national parliaments and governments of Latvia and Estonia to approve comprehensive legislation prohibiting discrimination based on race, colour, language, religion, sex, national origin and other grounds in the fields of education, employment and social welfare, as well as excluding decision-making directed towards assimilation of national minorities;
15. Calls upon the Latvian authorities at the earliest possible date and without reservation to ratify Framework Convention for Protection of National Minorities as well as Protocols No.12 and No.13 to the European Convention on the Protection of Human Rights and Fundamental Freedoms;
16. Strongly recommends that the Latvian authorities create conditions for participation of stateless persons in the political life of the country by granting them the right to vote in local elections;
17. Calls upon the participating States to sustain their efforts at ensuring equal opportunities for persons belonging to national minorities.

## RESOLUTION ON KOSOVO

1. Noting that in spring 1999 the international community intervened militarily in Kosovo to put an end to the grave violations of human rights against the ethnic Albanian population, after the failed attempt to resolve the situation diplomatically,
2. Noting that on 10 June 1999 the United Nations Security Council, reaffirming the territorial integrity of the Federal Republic of Yugoslavia and the need for Kosovo to be given broad autonomy, fielded an international civil mission with the task, *inter alia*, of ensuring respect for human rights and the safe and unimpeded return to their homes of all the refugees and displaced persons,
3. Noting that by instituting a large field mission in Kosovo as part of the United Nations Interim Administration Mission in Kosovo, the OSCE took the lead role in matters relating to institution- and democracy-building and human rights,
4. Noting that despite the international civil and military presence, which has made it possible for substantial progress to be made with the material and social reconstruction of Kosovo and with progress towards self-government, tensions between the Kosovo Albanian majority and the Serb minority have remained a constant feature throughout these years, and the return of Serb refugees has encountered hostility and delays,
5. Noting that in March 2004, these tensions led to serious outbreaks of ethnically-motivated violence, leading in three days to the killing of 19 people, the wounding of about 1,000, and the complete destruction of 550 houses, 27 orthodox places of worship and other public facilities, in addition to the damaging of a further 182 houses and two churches, two mosques were destroyed, one in Belgrade and the other in Nis,
6. Noting that following these incidents, some 4,000 people belonging to the Kosovo Serb minority were forced out of their homes, and other families were prevented from returning to Kosovo from which they had fled following the 1999 war, nullified what little progress had already been made with the repatriation of refugees over the past few years, with the risk of wiping out the effects of the 1999 military intervention which had been planned to prevent the emergence of an ethnically-cleansed Kosovo,
7. Noting that very few of the ethnically motivated acts of violence in March and in previous years have resulted in prosecution, because of the small numbers and poor quality of the police and judicial services in Kosovo,
8. Noting that the document submitted by UNMIK in December 2003 entitled “Standards for Kosovo” set out the goal of creating a multiethnic Kosovo in which all people “regardless of ethnic background, race or religion are free to live, work and travel without fear, hostility or danger and where there is tolerance, justice and peace for everyone”.

The OSCE Parliamentary Assembly:

9. Unreservedly condemns the repeated acts of violence committed in Kosovo against people, homes and places of worship belonging to the various communities;

10. Calls for thorough investigations of the acts of violence which occurred in March 2004, and for priority to be given to the prosecution of those found to have been responsible for these acts;
11. Considers that the principles set out in the document “Standards for Kosovo”, the “Standards before Status” policy, and the debate on the implementation of the “Standards” form the basis on which the future of Kosovo is to be built and are the only viable means of achieving a solution to the crisis;
12. Appeals to the political representatives of Kosovo to strive to restore a climate of dialogue and respect between the different communities, without which they will totally forfeit any credibility within the international community;
13. Urges the local government institutions of Kosovo to continue the ongoing work to reconstruct everything that has been damaged by the violence of the past few months and provide incentives to encourage the return of displaced persons and refugees to their own homes and their own communities;
14. Appeals to the member States of the OSCE to step up their support for the construction of a multiethnic and economically sustainable Kosovo, grounded on the principles of democracy and the rule of law, co-operating with the local authorities, and also supplying the civilian personnel required;
15. Urges the member States of the OSCE to maintain an adequate military presence in Kosovo to prevent acts of violence, protect threatened communities and safeguard Kosovo's historical, artistic and cultural heritage which has been targeted by ethnically motivated violence;
16. Considers that resolving the issues of missing persons is an essential element in promoting reconciliation and helping communities deal with the past, and therefore urges the member States of the OSCE to spare no effort in promoting and implementing the right to know for the families of the several thousand missing persons and to support the work of the United Nations Mission in establishing the fate of the missing persons and supporting their relatives;
17. Expresses its appreciation of and support for the work of the United Nations Mission and the OSCE Mission in Kosovo, which have made possible and backed up the beginning of democracy and self-government, and which are promoting the rights of all the communities;
18. Acknowledges that the plan for co-operation between the two organizations in Kosovo is a partnership model capable of addressing the new security challenges, and one which can stand as an example for other difficult situations;
19. Asks the OSCE Mission in Kosovo to continue to review its past activities with a view to drawing possible lessons from the situation which led to the outbreak of violence in March this year;
20. Undertakes to promote inter-parliamentary co-operation and dialogue with the Kosovo Assembly and with the parliaments of South-Eastern Europe.

## RESOLUTION ON MOLDOVA

1. Recalling the previous Resolutions of the OSCE Parliamentary Assembly from the Annual Sessions of 2000, 2001, 2002 and 2003,
2. Deploring the fact that negotiations, which had made important progress during 2003, finally failed to bring about a solution, and that no progress has taken place during the current year of 2004 in the efforts to finalize a political agreement on basic principles of the Transdnistrian conflict settlement,
3. Welcoming the willingness, in principle, of all parties concerned to resume negotiations in order to reach a political agreement on the problem concerning the status of the Transdnistrian region on the basis of asymmetric federalism, as proposed by the OSCE, and respecting the territorial integrity and sovereignty of the Republic of Moldova,
4. Reiterating the concern that a failure to find a solution to the problem concerning the status of the Transdnistrian region, and the securing of the Eastern border of the Republic of Moldova on the Transdnistrian segment of the Moldova-Ukraine state border, and to effectively combat organized crime in South Eastern Europe seriously hampers economic and social progress in Moldova and its further integration into European structures,

The OSCE Parliamentary Assembly:

5. Urges all parties concerned, in particular the Parliament and Government of Moldova as well as the Supreme Soviet and Authorities in Transdnistria, and also the Governments of the Russian Federation and Ukraine, to reassume together with the OSCE serious negotiations in good faith in order to find a permanent solution to the problem concerning the status of the Transdnistrian region;
6. Encourages the Joint Constitutional Commission to continue its work, with the support of the OSCE, European Union and the Venice Commission, to prepare the text of a federal constitution;
7. Urges the completion of the commitments of the Russian Federation to the 1999 Istanbul Summit on withdrawal of troops, armaments and ammunition from the territory of the Republic of Moldova;
8. Urges the Authorities in Transdnistria to co-operate constructively with others concerned in order to complete the withdrawal of Russian armaments and ammunition without any further delay;
9. Suggests that the Parliament of Moldova and the Supreme Soviet of Transdnistria re-establish their contacts by holding regular meetings on relevant issues;
10. Offers the support and assistance of the OSCE Parliamentary Assembly in holding such meetings between the Parliament of Moldova and the Supreme Soviet of Transdnistria;
11. Recommends that the OSCE, including the Parliamentary Assembly, remain active in supporting and assisting the negotiating process in order to reach the necessary agreements, and offer such assistance and guarantees as agreed with the parties concerned.

## RESOLUTION ON UKRAINE

1. Expressing the importance of a democratic and prosperous Ukraine to security in Europe as a whole,
2. Welcoming, in principle, efforts to reform the constitution so as to ensure a greater balance of power between the legislative and executive branches,
3. Taking into consideration the recent Resolution 1364 of the Parliamentary Assembly of the Council of Europe on the “Political Crisis in Ukraine” as well as Resolution P5\_TA(2004)0185 of the European Parliament on Ukraine,
4. Highlighting that a free media, a strong opposition, and a vibrant civil society are among the crucial components of a thriving democracy,
5. Recognizing the importance of the forthcoming presidential election in the consolidation of democratic processes in Ukraine,
6. Recalling the OSCE/ODIHR conclusions that the presidential election held on 31 October and 14 November 1999 “failed to meet a significant number of OSCE election-related commitments”, but that the 31 March 2002 parliamentary elections “brought Ukraine closer to meeting international commitments and standards for democratic elections”,
7. Expressing concern about reports that opposition figures have been the targets of harassment and persecution,
8. Expressing concern that opposition-oriented media outlets, among others Radio Continent, the 5<sup>th</sup> National Television Channel, the newspaper *Selskie Vesti*, and Radio Liberty, have been closed or in other ways hampered by the authorities from functioning freely,
9. Reiterating the deep concern of this Assembly that the investigation into the murder of journalist Georgy Gongadze, a recipient of the OSCE Parliamentary Assembly Prize for Journalism and Democracy, has still not been satisfactorily conducted and that those responsible for his murder have not been brought to justice,
10. Expressing serious concern about reports of gross violations of electoral norms during recent local elections in Mukachevo, which may have compromised the will of the voters,

The OSCE Parliamentary Assembly:

11. Supports the important work being carried out by the OSCE Project Co-ordinator in Ukraine to assist in the development of democratic institutions in Ukraine;
12. Calls upon the Verkhovna Rada, in pursuing the process of political reform, not to bind it to the forthcoming presidential elections and to ensure that the proper parliamentary procedures are carefully followed and that due time and consideration are given to such important changes;

13. Urges the Ukrainian authorities to ensure the proper investigation of violations of electoral legislation during the local elections in Mukachevo and to ensure the punishment of those guilty in accordance with Ukrainian legislation;
14. Calls on the Ukrainian authorities to ensure that opposition political forces have the opportunity to engage in the political process without fear of intimidation or persecution and that the fundamental freedoms of assembly and association are not in any way limited;
15. Calls on the Ukrainian authorities to cease harassment of opposition-oriented media outlets and to ensure equal access of all political forces involved in the forthcoming presidential elections to the State-run media;
16. Calls on the Ukrainian authorities to issue timely invitations to election observers from the OSCE/ODIHR, as well as the parliamentary assemblies of the OSCE and the Council of Europe and the European Parliament, and to allow for the maximum possible presence of long-term observers from the OSCE.

## **RESOLUTION ON ECONOMIC CO-OPERATION IN THE OSCE MEDITERRANEAN DIMENSION**

1. Recognizing that the OSCE maintains relationships with six Mediterranean Partners for Co-operation: Algeria, Egypt, Israel, Jordan, Morocco, and Tunisia,
2. Recalling that the Helsinki Final Act States “that the efforts of the participating States to develop co-operation in the fields of trade, industry, science and technology, the environment and other areas of economic activity contribute to the reinforcement of peace and security in Europe and in the world as a whole, and that co-operation in these fields promotes economic and social progress and the improvement of the conditions of life,
3. Recalling also that the Helsinki Final Act states that “security in Europe is to be considered in the broader context of world security and is closely linked with security in the Mediterranean as a whole, and that accordingly the process of improving security should not be confined to Europe but should extend to other parts of the world, and in particular the Mediterranean area”,
4. Emphasizing that since many of the OSCE participating States border the Mediterranean, and since activities throughout the Mediterranean basin directly affect the security and prosperity of the OSCE region, the OSCE has a vested interest in promoting economic success therein,
5. Believing that the use of the OSCE process among the Mediterranean Partners for Co-operation will foster human rights and economic progress throughout the entire Mediterranean region,
6. Emphasizing the direct correlation between economic relationships and human rights and security issues,
7. Recognizing that the modernization and expansion of international trade, market forces, and economic integration are essential foundations of development and prosperity, and
8. Recalling the active engagement of the OSCE Parliamentary Assembly with the Mediterranean Partners for Co-operation including the Seminar on Ensuring Peace, Democracy and Prosperity in the Mediterranean, held in Madrid, October 2002, the Forum on the Mediterranean held in Rome, October 2003, and the Second Forum on the Mediterranean, scheduled for Rhodes, October 1, 2004;

The OSCE Parliamentary Assembly:

9. Promises to devote itself to co-operative efforts designed at fostering economic prosperity within the Mediterranean region;
10. Stresses that the OSCE participating States and the Mediterranean Partners for Co-operation should enter a comprehensive process of active dialogue aimed at mutual economic growth and modernization and expanded trade among all the States of the OSCE region.

11. Encourages the Mediterranean Partners for Co-operation to adopt the economic principles of modernized and expanded trade, freer markets, and transparency that are promoted by the OSCE;
12. Recommends that the OSCE participating States and the Mediterranean Partners for Co-operation agree on an independent economic commission to collect comprehensive economic data and review trade barriers that should be addressed in order to achieve prosperity in the region;
13. Urges the Mediterranean Partners for Co-operation to act aggressively to stem corruption in government and business, which siphons key resources from economic development;
14. Encourages the Mediterranean Partners for Co-operation to respect the equal rights of women in education and employment, and to further encourage the development of small businesses, particularly those owned by women and minorities;
15. Encourages the active participation of parliamentarians in the 2<sup>nd</sup> Mediterranean Parliamentary Forum scheduled for Rhodes, Greece, 29 September – 2 October 2004.

## RESOLUTION ON SERIOUS VIOLATION OF HUMAN RIGHTS IN LIBYA

The OSCE Parliamentary Assembly:

1. Brings to the attention of the Libyan authorities its grave concern at the verdict and death sentence on 6 May in the case of six Bulgarian and one Palestinian medical workers in Benghazi who had been arrested five years earlier. They were charged with “premeditated murder subverting the security of Libya” and “intentional infection” of nearly 400 Libyan children with the AIDS virus through blood transfusion;
2. Calls attention to the fact that “confessions” have been extracted from the accused under brutal torture by officers of the police and the secret services, with two members of the special team formed for interrogation of the Bulgarian medics having admitted that duress had been applied;
3. Emphasizes that an expert report on the case, prepared after continuous research by the world’s two leading experts in matters concerning the AIDS virus, Professors Luc Montagnier and Vittorio Colizzi, repeatedly proved that the infection at the Al-Fateh Hospital in Benghazi occurred due to poor hygiene back in 1997, i.e. **before** the arrival of the Bulgarian medics, and persisted after their arrest;
4. Expresses concern in connection with the violation of human rights in the above-mentioned case;
5. Expresses solidarity with the families of the affected by the dramatic events Libyan children and hopes that relief will come to them to the extent possible;
6. Urges the Libyan authorities to comply with the accepted standards of international law in bringing an appeal process forward as soon as possible to find a fair solution to the case.

## **RESOLUTION ON PEACE IN THE MIDDLE EAST: THE PROTECTION OF THE HOLY PLACES OF JERUSALEM**

The OSCE Parliamentary Assembly:

1. Reaffirms its conviction that the Mediterranean area plays a central role in the security policy of the OSCE, as was debated during the 1<sup>st</sup> Forum on the Mediterranean that took place in Rome in October 2003;
2. Welcomes with interest the positions taken at intergovernmental level, which are favourable to a greater involvement of the OSCE in the security of the Mediterranean area;
3. Underlines the tragic situation of the conflict in the Middle-East, still unsolved for more than 50 years;
4. Expresses its deep concern at the continued lack of political dialogue between the Israeli Government and the Palestinian National Authority;
5. Expresses its interest for the initiatives of the civil society, including the “Geneva Accord”, aimed at increasing the participation of both the Israeli and the Palestinian public opinions towards the final objective of a peaceful coexistence of two States;
6. Underlines the significance and uniqueness of the question of the area of Jerusalem also known as the Holy Places – that is the Old City inside the walls and some other places near by – which is a world-wide unique centre where the three greatest monotheistic religions (the Christian, the Jewish and the Islamic) meet;
7. Recalls the principles of religious freedom contained in the Helsinki Act and the Charter of Paris, on the basis of the Universal Declaration on Human Rights;
8. Believes that the Holy Places deserve special protection, since they enshrine the places worshipped by Christians, Jews and Moslems from all over the world; believes also that the Holy Places should be given a clear legal status that preserves the plurality of religions and the compliance with the rules of international law, so as to protect the Holy Places and the community of people who live there, with special attention to the right of access to that area and to the right of worship in full freedom and safety;
9. Wishes that the Holy Places will not be divided by political boundaries, on the contrary that they remain united and undivided, as a real world-wide symbol of peace and mutual respect;
10. Urges the Parliaments and Governments of the OSCE countries to consider studying and proposing solutions to ensure, with the active participation of the International community, the indivisibility of the small area of Jerusalem enshrining the Holy Places, taking into account their universal value for worshippers from all over the world;
11. Calls upon Israelis and Palestinians to resume negotiations as soon as possible to achieve a peace agreement ending war and terrorism and marking the beginning of a profound economic, civil and political development of the Israeli and Palestinian land and of the whole Middle-Eastern area.

## **RESOLUTION ON GEORGIAN PEACE-KEEPERS IN SOUTH OSSETIA**

1. Being disturbed at the capture and detention of Georgian peace-keepers by South Ossetian armed units,

The OSCE Parliamentary Assembly:

2. Demands that the South Ossetian authorities immediately release the Georgian personnel;
3. Calls upon the Russian and Georgian authorities to work closely with the OSCE and others concerned to find an immediate peaceful solution to this crisis;
4. Urges the Joint Peace-Keeping Forces to guarantee the security of the area.