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**OSLO  
DECLARATION  
OF THE  
OSCE PARLIAMENTARY ASSEMBLY  
AND  
RESOLUTIONS ADOPTED  
AT THE NINETEENTH ANNUAL SESSION**

**OSLO, 6 to 10 JULY 2010**



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## PREAMBLE

We, Parliamentarians of the OSCE participating States, have met in annual session in Oslo on 6 to 10 July 2010 as the Parliamentary dimension of the OSCE to assess developments and challenges relating to security and co-operation, in particular on the Rule of Law: Combating Transnational Crime and Corruption, and we offer the following views to the OSCE Ministers.

We wish every success to the next OSCE Ministerial meeting and bring to its attention the following declaration and recommendations.

## RESOLUTION ON THE SITUATION IN KYRGYZSTAN

1. Recalling the increasingly strained political situation in Kyrgyzstan over the past few years, culminating in widespread demonstrations in April 2010,
2. Regretting the loss of life in the April events in Bishkek, and subsequent violence in southern Kyrgyzstan,
3. Reaffirming support for Kyrgyzstan – an important OSCE participating State in Central Asia – and stressing the need for continued international support to the Provisional Government of Kyrgyzstan in the fields of political stability, legal reform, elections, economic development, energy and border security,
4. Welcoming the positive role played by the OSCE, including the efforts made by the Kazakh Chairmanship-in-Office and OSCE Centre in Bishkek, in responding to the political crisis in the country,
5. Acknowledging the active role played by the Parliament of Kyrgyzstan – represented by a multi-party delegation – in the OSCE Parliamentary Assembly,
6. Commending the active role of civil society and the media in Kyrgyzstan in fostering public debate on developments in the country,
7. Taking into consideration the outcome of the Special Session on the Situation in Kyrgyzstan held during the Trans-Asian Parliamentary Forum “The OSCE Eurasian Dimension” in Almaty on 14 to 16 May 2010 by the Parliament of Kazakhstan in co-operation with the OSCE Parliamentary Assembly,

The OSCE Parliamentary Assembly:

8. Calls on the OSCE and the OSCE Parliamentary Assembly to continue close co-operation with the United Nations, the European Union, and the Council of Europe in their efforts to bring stability through addressing the political crisis in the country;
9. Recommends that the OSCE and other international actors continue to work closely with civil society and media representatives in dealing with the political crisis;
10. Calls on the international community to maintain its level of commitment to supporting the country in maintaining peace and democratic development;
11. Calls on the neighbouring countries in the region to normalize border relations with Kyrgyzstan;
12. Supports calls for an international investigation into the causes of the violence in southern Kyrgyzstan and calls on the OSCE to help restore calm and order by strengthening the democratic institutions of Kyrgyzstan, encouraging respect for human rights and fundamental freedoms, establishing a framework for dialogue among the ethnic communities, assisting and monitoring police and law enforcement, and promoting confidence-building measures between the Provisional Government of Kyrgyzstan and ethnic communities;
13. Commends the Government of Uzbekistan for co-operating with the United Nations High Commissioner for Refugees, the International Committee of the Red Cross, the United Nations Children's Fund, and other international non-governmental organizations in meeting the urgent needs of Uzbek refugees and urges it to maintain an open border in order to ensure that the displaced and vulnerable populations seeking refuge in Uzbekistan can avail themselves of emergency humanitarian assistance and protection services;
14. Commends the Provisional Government on its commitment to a genuine multi-party democracy;
15. Recommends that the Provisional Government takes into consideration safeguards for transparency and accountability in governmental institutions and services and ensures that both genders are represented adequately in the leadership of Parliament;
16. Calls on the Assembly to work closely with interlocutors in Kyrgyzstan to facilitate a multi-party system in the country;
17. Recommends that the OSCE and other international institutions help the Provisional Government investigate the real reason for the interethnic violence in Osh and determine who instigated this inhuman act.

**RESOLUTION ON**

**STRENGTHENING THE INVOLVEMENT OF THE  
OSCE PARLIAMENTARY ASSEMBLY IN THE  
CORFU PROCESS ON SECURITY IN EUROPE**

1. Referring to the Ministerial Declaration on the OSCE Corfu process adopted on 2 December 2009 which affirms the renewed commitment among the participating States to a multilateral dialogue and co-operation on security in Europe,
2. Reaffirming the resolutions of the OSCE Parliamentary Assembly “Correcting the Democratic Deficit of the OSCE” (1999), “Strengthening Transparency and Accountability in the OSCE” (2001), “Renewing the OSCE Partnership” (2003), “Co-operation between the OSCE and the OSCE PA” (2004), “Reform of the OSCE” (2005), “Enhancing the Role and Increasing Efficiency of the OSCE Parliamentary Assembly” (2006), “Transparency and Further OSCE Reform: Reinforcement of Parliamentary Participation in the Organization” (2008) and “Strengthening the OSCE” (2009),
3. Welcoming in principle the progress in co-operation between the Parliamentary Assembly of the OSCE and the executive structures of the OSCE achieved so far through such resolutions,
4. Recalling, however, that there remains an urgent need for improvement and reform with regard to the observed democratic deficit, as well as to transparency and accountability, and to extending the role of the Parliamentary Assembly and to strengthening co-operation between the Parliamentary Assembly and the OSCE and its executive structures, as mentioned in particular in the aforementioned resolutions of 2008 and 2009,
5. Welcoming the Corfu Process and the revival of the multilateral political dialogue on the current and future challenges to security in the OSCE region,
6. Underlining the broad concept and the multidimensional approach to common, comprehensive, co-operative and indivisible security of the OSCE,
7. Stressing the importance of including a parliamentary dimension in the on-going dialogue on security issues in line with the principles of equality, partnership, open co-operation, inclusiveness and transparency and mutual respect within the OSCE,
8. Noting the importance of inter-parliamentary co-operation including interaction among parliamentary structures of key international organizations in the sphere of security with a view to lending greater consistency to the efforts to renew the European security architecture,

9. Noting the ongoing dialogue in the Euro-Atlantic and Eurasian area on current and future security challenges,
10. Reaffirming the support of the Assembly to, and acknowledgement of the work of, the OSCE field missions as an important confidence-building measure and tool in crisis prevention activities,

The OSCE Parliamentary Assembly:

11. Welcomes the revival of the OSCE Parliamentary Assembly's Ad Hoc Committee on Transparency and Accountability in the OSCE, established in 2001, and supports the widening of the mandate of tasks of the Assembly's Ad Hoc Committee on Transparency and Accountability to strengthen the parliamentary dimension in the Corfu Process;
12. Tasks the Ad Hoc Committee on Transparency and Accountability to consider, in co-operation with the OSCE Parliamentary Assembly's General Committees, ways to enhance the dialogue on European security in the OSCE with a view to achieving a more structured and systematic dialogue between the Assembly and the Ministerial Council;
13. Invites the OSCE participating States again to make better use of the Parliamentary Assembly as a key element in the organization's efforts to be credible in promoting democracy, while respecting its autonomy as it comprises elected parliamentarians;
14. Reaffirms the invitation to the participating States already made in the Vilnius Declaration to recommit to an open, genuine and transparent political dialogue on OSCE-related issues with the inclusion of the OSCE Parliamentary Assembly;
15. Proposes that not only should the Parliamentary Assembly be given access to all information to be able to perform an effective oversight or monitoring of the implementation of OSCE commitments as well as decisions, but also that the proposals by the Parliamentary Assembly for formal participation of the Parliamentary Assembly in the decision-making process of the OSCE should be examined;
16. Calls on the OSCE participating States to involve, in a suitable fashion, the Parliamentary Assembly and, in particular, the members of the Ad Hoc Committee on Transparency and Accountability in the dialogue on the Corfu Process;
17. Proposes that the OSCE be strengthened in its competence, professionalism and effectiveness, and that, as an important first step, the draft convention on legal personality and privileges and immunities be adopted;
18. Reconfirms that, in order to strengthen the OSCE's institutional basis, to finalize the process of its transformation into a fully-fledged international organization, to enhance its ability to address effectively the evolving challenges and threats to European security, it is vital in the context of the Corfu Process to devise and adopt without delay an OSCE constituent document;

19. Invites the Ministerial Council to examine possibilities of involving the Assembly in the Annual Security Review Conference (ASRC) established by the OSCE Ministerial Council in Porto in 2002 to enhance the dialogue on security among the participating States and to review the Organization's security work, and recommends involving the Parliamentary Assembly in the planning of OSCE conferences and seminars at the earliest opportunity in order to allow greater convergence of the work of both sides;
20. Invites the Permanent Council to examine the possibilities of co-operating with the Assembly with regard to operational initiatives, workshops and training projects organized within the framework of the ASRC;
21. Calls on the OSCE participating States to hold an OSCE summit in 2010, which should make a significant contribution to security and co-operation in Europe and Eurasia across all three of the OSCE's dimensions and position the Organization to play an appropriate role in European and Eurasian security in the twenty-first century;
22. Resolves to engage in a more systematic follow-up of the work done by the OSCE intergovernmental operational structures and institutions and in particular the field missions;
23. Reiterates its recommendation to provide the OSCE with fact-finding and negotiating mandates in appropriate cases and to involve representatives of the Parliamentary Assembly in rapid reactions in other cases;
24. Invites its committees, working groups and special representatives, as well as national parliaments, to elaborate concrete parliament-related projects to support the work of the OSCE field missions;
25. Invites the Standing Committee of the Assembly to consider the consequences of the implementation of the above measures and, if necessary, to review or complement the Rules of Procedure of the Assembly in order to facilitate the proposed new activities.

# **RULE OF LAW: COMBATING TRANSNATIONAL CRIME AND CORRUPTION**

## **CHAPTER I**

### **POLITICAL AFFAIRS AND SECURITY**

1. Noting that security is indivisible and that, for the States and citizens of the OSCE area, it resides primarily in ever more co-ordinated political action with respect to organized crime and illegal activity in areas of conflict and terrorism,
2. Noting that the spread of organized crime is a real threat to the rule of law and the individual rights of citizens, because it tends to corrupt society, politics, finance and the economy,
3. Noting in particular the mutually reinforcing interaction between organized crime and conflict situations in the OSCE area, which involve gross violations of international law and fundamental human rights,
4. Noting the need to increase the transnational efforts already undertaken to fight organized crime through greater harmonization among the laws of OSCE participating States, the diversity of which creates “areas of variable legality” that can be easily exploited by international organized crime,
5. Expressing the desire that the implementation of the European arrest warrant will be more effective,
6. Recognizing the importance of implementing the commitments provided for in the United Nations Convention against Transnational Organized Crime (Palermo Convention) and its Protocols and the United Nations Convention against Corruption,
7. Noting that the fight against international terrorism is a moral and political necessity inseparable from measures to combat crime, which is often functionally and strategically linked to terrorism in all its forms,
8. Pointing to the obligation of the international community to see to the remedying of conspicuous injustices and violations of international law, which terrorist acts, being in any case reprehensible, have their roots in or invoke as a pretext,
9. Concerned at those regions of the OSCE which threaten to create conditions that foster the rise and growth of organized crime,

10. Considering that the theft and illegal trafficking of works of art and objects of antiquity constitute criminal activities that inflict permanent damage on national heritage, which calls for broad co-operation between governments and police forces in order to ensure the rapid restoration of the stolen works to the countries from which they were stolen,

The OSCE Parliamentary Assembly:

11. Calls on the OSCE participating States that have not yet done so to ratify or accede to the United Nations Convention against Transnational Organized Crime and its Protocols and the United Nations Convention against Corruption without further delay, and to give full effect to the obligations provided for in those instruments;
12. Calls on the Parties to the United Nations Convention against Corruption to regularly exchange information on their programmes, plans and actions, including legislative and administrative activities;
13. Calls on participating States to take part, at the appropriate level, in the Fifth Session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, to be held in Vienna from 18 to 22 October 2010, and hopes that a verification mechanism for the implementation of the Palermo Convention can be finalized on that occasion;
14. Requests its national parliaments to undertake a wide-ranging analysis of the levels of corruption in their own public administrations by establishing where appropriate national anti-corruption authorities and specific parliamentary committees;
15. Calls on participating States to establish ever more effective forms of regional co-operation aimed at strengthening legislative and police activities to counter organized crime, encourages the participating States to strengthen the legal framework to counter the financing of terrorism, by supporting initiatives against corruption and money laundering in particular, and welcomes the progress made by the European Union (EU) in this direction;
16. Recognizes the essential role of Interpol in combating transnational crime and corruption and calls upon participating States to avoid undermining the credibility of this critical institution by placing politically motivated or otherwise inappropriate notices in the Interpol system;
17. Expresses deep concern over the new and growing threat of maritime piracy, in particular piracy attacks off the coast of Somalia, which have gravely affected the safety of both international navigation and trade by sea, commends the success of counter-piracy operations conducted by the EU, NAVFOR/ATALANTA, CTF-151, NATO and others, calls on all participating States affected by piracy attacks to contribute to international efforts in order to effectively eradicate this threat, and encourages the participating States to strengthen the legal framework for combating piracy, in particular the trial, detention and imprisonment of pirates apprehended in naval operations of the Atalanta type;

18. Calls on OSCE participating States to support the initiatives established by the OSCE field missions to counter corruption, organized crime and trafficking in human beings and to provide financial and human resources for that purpose within the framework of a specific mandate;
19. Undertakes to solemnly observe, at its Fall Meetings in Palermo, the tenth anniversary of the adoption of the United Nations Convention against Organized Crime, while at the same time honouring the outstanding men and women – politicians, journalists, police officers, magistrates, citizens – who, in Sicily, as in any other OSCE area, lost their lives while defending law and democracy from mafias of all kinds.

## CHAPTER II

### ECONOMIC AFFAIRS, SCIENCE, TECHNOLOGY AND THE ENVIRONMENT

20. Recognizing that transnational crime and corruption pose a serious threat to the fundamental principles and common values of the OSCE, violate human rights, undermine the rule of law and impede socio-economic development,
21. Aware that transnational crime and corruption abet criminal activities such as money laundering, illegal migration and trafficking in human beings, the smuggling of weapons and narcotic drugs and also criminal activities in many areas of the State's economic activities, thus undermining, in the broad sense of the term, the legitimacy of State authority and society's confidence in it,
22. Convinced that the fight against transnational crime and corruption must be comprehensive and based on bilateral, regional and international co-operation in preventing and combating crime,
23. Alarmed at the scale of drug trafficking at national and transnational levels, its versatile and violent nature, its high share in criminal profits and their subsequent investment and the fact that this constitutes a major threat to the international political system, the global economic environment and civil societies, and particularly to the younger generation,
24. Noting the proposal contained in the Vilnius Declaration calling for more effective co-operation between the Organisation for Economic Co-operation and Development (OECD), the Financial Action Task Force on Money Laundering (FATF) and the Financial Stability Forum, and also the call for more effective regulation of banking equity capital and, in particular, the accumulation of additional reserves,
25. Recalling the resolution adopted in 2006 at the Annual Session in Brussels on limiting immunity for parliamentarians in order to strengthen good governance, public integrity and the rule of law in the OSCE region,
26. Stressing the need for greater synergy and determination on the part of OSCE participating States towards more effective economic governance, in terms of both national and international measures to ensure fiscal sustainability, as well as an efficient surveillance system against speculative manoeuvring in hedge funds and in Credit Default Swaps contracts, which may severely disrupt the sovereign bonds market and lead some States to bankruptcy,
27. Recalling the resolution adopted at the annual session in Astana on the encouragement of transparency in the extractive industries,

28. Mindful that the recent crisis has highlighted a series of weaknesses in the regulation of financial services, undermining the proper functioning of the financial sector globally,

The OSCE Parliamentary Assembly:

29. Calls for greater co-ordination between OSCE participating States in order to formulate concerted measures aimed at enhancing the effectiveness of the monitoring and management of the financial system at the national and international levels so as to ensure that it is more transparent and accountable;
30. Calls on participating States to take effective action in order to build a stronger, more efficient and more globally coherent financial system, consistent with the G-20 proposals;
31. Calls on participating States to apply all relevant instruments for the prevention of corruption, and to implement, where applicable, the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions and the Council of Europe Criminal Convention Against Corruption and fully implement the United Nations Convention Against Corruption to strengthen their justice and law enforcement systems;
32. Calls again on the parliaments of participating States to ensure transparency and openness in their legislative processes, to introduce and ensure the observance of parliamentary ethical norms, including enacting clear, balanced, transparent and enforceable procedures for waiving parliamentary immunities in cases of criminal acts or ethical violations, to provide for proper oversight over the work of governmental institutions, and to ensure the protection of persons and public organizations that expose violations;
33. Calls on the parliaments of participating States to introduce mandatory registers of individuals and organizations involved in lobbying to be independently managed and enforced to ensure the transparency of lobbying activities;
34. Supports measures to counter tax evasion, crimes in the financial sector and the laundering of monetary assets, and again proposes to participating States that they introduce obligatory rules governing the operations of offshore banking centres in order to ensure co-operation on their part and transparency in their activities;
35. Calls on participating States to ensure effective co-operation on the part of international organizations (OECD, FATF and others) so as to avoid a reduction in tax revenue due to fraud and tax evasion, and also proposes that new measures be taken as part of the joint initiative of the United Nations and the World Bank for the recovery of stolen assets and the elimination of “safe havens” for illegally acquired funds;
36. Calls on participating States to seek to impart transparency to the budgetary process in their countries with the help, *inter alia*, of effective internal auditing procedures, the submission of financial reports and reports on budget spending, the support of independent media, and third-party monitoring of the State procurement process;

37. Recommends to the national parliaments of OSCE participating States that they pass laws to encourage transparency in the activities of private business;
38. Urgently recommends to companies operating in the petroleum, gas and mining sectors and also to the governments of countries that are highly dependent on revenue from these branches – something that is often accompanied by corruption in State agencies – that they introduce the practice of mandatory accounting in respect of income from operations carried out within and outside the country and that they accede to the Extractive Industries Transparency Initiative;
39. Stresses the need for enhanced efforts by OSCE participating States to combat forced labour, including trafficking in human beings for the purpose of labour and sexual exploitation, by further promoting law enforcement, in particular against trafficking, as well as through strengthened measures for the prevention of forced labour incidents and the protection and integration of victims;
40. Underlines the importance of preserving the quality of the environment even during periods of financial crisis by ensuring that economic activity remains oriented towards environment friendly sustainable development and recognizes the economic opportunities inherent in developing new clean energy technologies that not only help create jobs but also help participating States meet climate change goals;
41. Calls on participating States to conduct an assessment of existing State procurement and administration practices in the area of public health – from scientific research and development to the distribution of medicines and the strategies used to sell them – by assessing to what degree these practices are in conformity with the World Health Organization’s Good Governance for Medicines programme, which has been in effect since 2004;
42. Stresses the need for greater synergy and coordination between source, transit and destination countries against transnational drug trafficking, by means of enhanced measures, at the national, regional and international levels, including intensified border controls, increased exchanges of information and best practices between respective law enforcement authorities, as well as improved mechanisms to track and strike at traffickers’ criminal profits;
43. Supports regional co-operation between law enforcement agencies and non-governmental organizations in combating transnational crime;
44. Urgently calls on the participants in the next meeting of the OSCE Ministerial Council to examine practical ways of promoting co-operation between participating States in efforts to combat corruption and transnational crime; specifically, to consider the question of the advisability of introducing sanctions against corrupt representatives of the executive, legislative and judicial branches of government;

45. Calls on the Lithuanian Chairmanship of the OSCE in 2011 and the Office of the Co-ordinator of OSCE Economic and Environmental Activities to include an examination of the question of combating transnational crime and corruption in the 2011 action plan and, specifically, on the agenda of the 19th annual meeting of the OSCE Economic and Environmental Forum and of the relevant preparatory conferences.

## CHAPTER III

### DEMOCRACY, HUMAN RIGHTS AND HUMANITARIAN QUESTIONS

46. Considering that corruption and organized crime have an adverse impact on all three security dimensions of the OSCE, including human security, in so far as these phenomena are harmful to democracy, the rule of law and human rights,
47. Recognizing that transnational organized crime now presents one of the biggest threats to human security, representing an obstacle to the political, civil, economic, social and cultural development of society and a multifaceted phenomenon that is present in various activities, including trafficking in human beings,
48. Noting that conflict situations in the OSCE area pertaining to violations of fundamental human rights and freedoms are a breeding ground for organized crime,
49. Taking into account the close connection that exists between high levels of corruption and lack of respect for civil and political liberties within States, as indicated in the studies produced by Transparency International and the World Bank Institute,
50. Observing that these studies indicate that various OSCE countries are simultaneously experiencing the highest levels of corruption and the lowest levels of respect for democracy and the rule of law, while only a few OSCE countries have low levels of corruption and high levels of respect for the rule of law and for democracy,
51. Recognizing that, according to these studies, the highest levels of corruption, as perceived by citizens, are to be found in political parties (68 per cent), the civil service (63 per cent), parliament (60 per cent) and the judiciary (49 per cent), making it necessary to combat corruption in politics and institutions through the monitoring not only of election campaigns, but also of the civil service and the judiciary,
52. Recalling the Assembly's Kyiv Declaration, which emphasizes that it is important for the authorities to act in a transparent manner, and affirming that the capacity of States to combat corruption and organized crime is reduced when there is no respect for the rule of law and the principle of separation of powers,
53. Reaffirming that measures to combat cyber crime must be carried out with full respect for fundamental human rights, including the right to freedom of expression on the Internet, and must not be used as an excuse for censoring freedom of expression or prohibiting the dissemination of legitimate criticisms of government actions,
54. Deeply concerned at the fact that some OSCE States, in combating terrorism, organized crime and extremism, have violated some fundamental human rights, such as the right to

a fair trial, the right to a defence, the right to freedom of association and the right to participate in elections,

55. Welcoming the entry into force of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, in particular Article 3 (a) thereof, which includes in the definition of trafficking in human beings the exploitation of prostitution or other forms of sexual exploitation, forced labour, slavery or practices similar to slavery, servitude and the removal of organs,
56. Emphasizing the connection between women's harsh living conditions and violations of their human rights, in particular in conflict situations and in conditions of democratic deficits and the trafficking in women for the purpose of sexual exploitation,
57. Considering that trafficking for the purpose of sexual exploitation is certainly the most widespread form of trafficking in human beings and that, according to some estimates, 20 per cent of the victims of such trafficking are minors; recognizing the importance of establishing international observatories to monitor the phenomenon of prostitution and slavery and assist in reintegrating the victims into society,
58. Concerned at the new and alarming organized crime activity of trafficking in human organs, and taking note of the worrying phenomenon of production and dissemination of child pornography,
59. Reaffirming that measures to combat trafficking in human beings must be carried out with respect for the human rights of migrants, that they should not be criminalized for having chosen an irregular means of leaving or returning to their country, whether because of economic necessity or in order to escape political, ethnic or religious persecution, and that therefore they are seeking international protection as a result of war, famine and humanitarian disasters,
60. Reaffirming that tolerance and non-discrimination constitute important factors for stability, security, co-operation and peaceful development throughout the entire OSCE region and are essential to the promotion of human rights and the rule of law,
61. Noting the importance of international election monitoring by the OSCE and other international organizations, which in some cases has been shown to be a key factor in strengthening democratic institutions and combating political and institutional corruption,
62. Observing that the practice of international monitoring by OSCE bodies could prove very useful if it were extended on a permanent basis to the judicial and executive branches and to the media, in order to monitor the condition of democracy and the rule of law, thereby taking into account possible synergies with relevant existing monitoring and report mechanisms,

63. Noting the celebration of the 20<sup>th</sup> anniversary of the *1990 Document of the Copenhagen Meeting of the Conference on the Human Dimension* and reaffirming the commitments introduced by this in the areas of human rights, democratic elections, and the rule of law,
64. Recalling the *OSCE Report on its Activities in the Fight Against Organized Crime in 2009* and noting the OSCE's anti-organized crime projects and focal points of field operations, institutions and thematic units within the OSCE,

The OSCE Parliamentary Assembly:

65. Requests all OSCE participating States to fulfil all of the commitments undertaken within the OSCE in order to ensure that measures to counter corruption and organized crime in their various forms are carried out with full respect for democratic principles and the rule of law, and reaffirms the central role that the OSCE can play in this area, given that its mission centres on the interdependence of security, development and respect for human rights;
66. Recommends that OSCE States enact legislation with regard to trafficking in human beings, attaching the greatest importance to the protection of victims, guaranteeing that migrants are not criminalized for being victims of clandestine immigration and that they are not refused asylum if they are in need of international protection, and that in any case they are not sent to origin or transit countries where their safety may be at risk;
67. Stresses the need for the rehabilitation in citizens' perceptions of the political system by the enactment and implementation of such anti-corruption legislation as will ensure that it is fully transparent and accountable;
68. Urges OSCE participating States to strengthen co-operation among themselves and between them and non-governmental organizations in combating institutional and political corruption;
69. Requests participating States to strengthen the capacity of OSCE bodies to monitor respect for the rule of law and democracy, whether during election campaigns or on a permanent basis, extending it, if necessary, to the judicial and executive branches and to the media, thereby taking into account possible synergies with relevant existing monitoring and report mechanisms, in particular of the Council of Europe;
70. Requests participating States to guarantee the professionalism of security and police forces and of prosecutorial organs, and, to that end, to provide these organs with all necessary support, including of a financial nature, in combating organized crime;
71. Requests participating States to respect all of the legal and political obligations that they assumed in connection with ratification of all the international conventions against corruption, organized crime, trafficking in human beings and cyber crime, and urges those countries that have not yet done so to ratify the relevant conventions;

72. Urges OSCE participating States to enact legislation – or to amend their legislation – with regard to countering cyber crime so as to ensure that freedom of expression and communication over the Internet are not diminished or limited in order to combat criminal activity;
73. Urges OSCE participating States to enact legislation – or to amend their legislation – with regard to countering terrorism and extremism in order to guarantee the right of accused persons to a fair trial and a defence, ruling out the death penalty for these offences and ensuring that persons accused of extremism and terrorism are not used to demonize political opponents or to incite violence for political purposes;
74. Urges participating States to respect and abide by their own domestic laws as well as international commitments and norms concerning pre-trial detention of suspects and the right to a speedy and fair trial.

## RESOLUTION ON

### FUTURE PRIORITIES OF THE OSCE PA: THE NEXT DECADE

1. Reaffirming the OSCE's comprehensive approach to security, which includes the political-military, economic, environmental and human dimensions, and the various enabling institutions it has created,
2. Applauding the call to establish the Parliamentary Assembly at the 1990 Paris Summit in recognition of the role that parliamentarians can play in promoting Euro-Atlantic stability and the Parliamentary Assembly's mandate to assess the implementation of the objectives of the CSCE/OSCE,
3. Stressing the crucial role of parliaments and parliamentarians in safeguarding democracy, the rule of law and respect for human rights at both the national and international levels,
4. Highlighting the work and accomplishments of the OSCE Parliamentary Assembly over the last two decades in promoting democracy and stability in the OSCE region, including:
  - a. the efforts of the numerous special representatives and ad hoc working groups in applying their parliamentary expertise to strengthen democratic principles and human rights, as well as to facilitate conflict prevention, peaceful crisis management and post-conflict rehabilitation, and
  - b. its observation of over 100 presidential, parliamentary and municipal elections by more than 3,000 parliamentarians since December 1993,
5. Supporting the Corfu Process and the OSCE as the anchoring institution for dialogue on the current and future challenges for security in the Euro-Atlantic and Eurasian area in order to achieve a free, democratic and more integrated OSCE area, from Vancouver to Vladivostok,
6. Reiterating the unique membership of the OSCE Parliamentary Assembly and the value that the Mediterranean Partners for Co-operation and the Asian Partners for Co-operation bring to reinforcing the OSCE's comprehensive approach to security and the broad appeal of its principles,
7. Recognizing the value of interparliamentary dialogue in advancing mutual understanding and providing an open forum for exchanging views among parliamentarians on issues of mutual concern and interest, and recognizing also that the role of parliamentarians as legislative representatives of the political will of the electorate in this regard is irreplaceable,

The OSCE Parliamentary Assembly:

8. Calls for the establishment of a panel of eminent members of the OSCE Parliamentary Assembly in order to prepare a ten-year action plan for the OSCE and the OSCE Parliamentary Assembly, based on the following guiding principles:
  - I. *Reaffirmation of the role of the Parliamentary Assembly in the OSCE:*
    9. Endeavours to continue to assist in the establishment of peace and stability, and strengthening and consolidating democratic institutions, including transparency and accountability, in the OSCE participating States;
    10. Reiterates the Parliamentary Assembly's frequent calls for enhanced OSCE reform efforts that include strengthening the Parliamentary Assembly's role, and the reform proposals contained in the report from the 2005 Washington Colloquium;
    11. Pledges to continue in its efforts to promote and realise gender balance among its national delegations, its administration, in the OSCE structures, and as a human right in the participating States;
    12. Pledges to continue efforts to combat intolerance and discrimination in the OSCE region, as adopted in the OSCE Parliamentary Assembly 2002 Berlin Declaration and subsequent declarations of the Assembly, and to continue to support the efforts of the Office for Democratic Institutions and Human Rights (ODIHR) Tolerance Unit, Personal Representatives of the Chair-in-Office, and the High Commissioner on National Minorities;
    13. Pledges to increase efforts to combat racism and xenophobia throughout the OSCE region in response to the rise in prejudice, discrimination, and violence against citizens and migrants with different racial, ethnic, linguistic and religious backgrounds, including persons of African or Asian origin and other visible minorities;
  - II. *Enhancing Relations with the OSCE:*
    14. Advocates measures to enhance dialogue and closer institutional co-operation with the OSCE executive structures including on the implementation and enforcement of the decisions of the OSCE and OSCE Parliamentary Assembly Declarations;
    15. Calls on the implementation of the recommendations put forward by the OSCE Panel of Eminent Persons and the OSCE Parliamentary Assembly Colloquium on the Future of the OSCE in 2005 that aim to enhance the role of the Parliamentary Assembly and increase co-operation between the OSCE Parliamentary Assembly and the OSCE executive structures;

*III. Raising the Profile of the OSCE Parliamentary Assembly and its Declarations:*

16. Recommends that parliamentary delegations enhance their efforts to strengthen national and government level understanding of the value of the Parliamentary Assembly and of the contribution of parliamentary diplomacy to strengthening stability, democracy and human rights in the OSCE region, including by holding debates after each OSCE Parliamentary Assembly Annual Session on its outcome;
17. Encourages parliamentarians to refer to resolutions adopted by the OSCE Parliamentary Assembly during their parliamentary debates, to monitor their inclusion in national legislation and/or facilitate their enforcement in national policy, and to refer to progress on their implementation in remarks at the various meetings of the OSCE Parliamentary Assembly;

*IV. Strengthening Relations with Partners for Co-operation and Other Parliamentary Assemblies:*

18. Encourages the OSCE Parliamentary Assembly to seize on its uniqueness and develop regular opportunities to consolidate and promote democratic principles, transparency, the rule of law and human rights in the strategically important region of Central Asia encompassing OSCE participating States, the Asian Partners for Co-operation such as Afghanistan, and key regional states;
19. Proposes that future meetings and assemblies of the OSCE Parliamentary Assembly consider inviting representatives from OSCE Partners for Co-operation and other parliamentary assemblies to address delegations, and encourage their participation in OSCE Parliamentary Assembly election observation missions;
20. Recommends that the OSCE hold regular meetings of the Asian Partners for Co-operation;

*V. Intensifying Election Observation:*

21. Reiterates that parliamentarians, in light of their political expertise and judgement, and as practitioners of democratic processes, provide unmatched credibility, reliability and visibility to OSCE election observation activities;
22. Asks that the election observation handbook, published by the OSCE-ODIHR, be distributed to each new observer in order that he/she may become acquainted with the requirements of election monitoring before his/her participation in the election observation mission;
23. Reaffirms its desire to maintain co-operation with the ODIHR and to have the 1997 Copenhagen Agreement between the OSCE Parliamentary Assembly and the ODIHR, which continues to have validity and relevance, fully implemented.

## RESOLUTION ON

### STRENGTHENING THE ROLE, EFFICIENCY AND IMPACT OF THE OSCE PARLIAMENTARY ASSEMBLY

1. Reaffirming the OSCE Parliamentary Assembly resolutions referring to a strengthened role for the Assembly, such as “Correcting the Democratic Deficit of the OSCE” (1999), “Strengthening Transparency and Accountability in the OSCE” (2001), “Renewing the OSCE Partnership” (2003), “Co-operation between the OSCE and the OSCE PA” (2004), “Reform of the OSCE” (2006), “Transparency and Further OSCE Reform: Reinforcement of Parliamentary Participation in the Organization” (2008) and “Strengthening the OSCE” (2009),
2. Stressing the crucial role of the OSCE Parliamentary Assembly in safeguarding democracy, the rule of law and respect for human rights,
3. Recalling the involvement of the OSCE Parliamentary Assembly in the reform process of the OSCE in 2005 and the final report related to the Colloquium on “The Future of the OSCE”, a joint project of the OSCE Parliamentary Assembly and the Swiss Institute for World Affairs (Washington DC, 5 and 6 June 2005),
4. Underlining the current process ongoing in the OSCE to renew dialogue and tackle European security challenges within the framework of the Corfu Process,
5. Regretting that the OSCE Chairperson-in-Office, the OSCE participating States and the OSCE governmental structures still have difficulties responding substantively to the recommendations adopted by the OSCE Parliamentary Assembly,
6. Recognizing the role of the Special Representative of the OSCE Parliamentary Assembly in Vienna as an important communication link between the OSCE governmental structures in Vienna and the OSCE Parliamentary Assembly,

The OSCE Parliamentary Assembly:

7. Calls upon the OSCE Parliamentary Assembly delegations to concentrate on the core business of the OSCE in the three security dimensions at the Annual Sessions, Winter and Fall Meetings, conferences and seminars in order to be relevant to the ultimate goal of the OSCE and strengthen the role, efficiency and impact of the OSCE Parliamentary Assembly;
8. Calls upon the OSCE Parliamentary Assembly delegations to facilitate the implementation of OSCE principles and commitments in the OSCE participating States;

9. Recommends to the OSCE Parliamentary Assembly delegations to actively seek contact with the Governments in the participating States and to establish regular exchanges in order to look into the implementation of the recommendations of the OSCE Parliamentary Assembly;
10. Invites the OSCE Chairperson-in-Office, the OSCE participating States and the OSCE governmental structures to respond substantively to the recommendations adopted by the OSCE Parliamentary Assembly;
11. Encourages the OSCE Chairperson-in-Office, the OSCE participating States and the OSCE governmental structures to make better use of the Special Representatives and ad hoc committees of the OSCE Parliamentary Assembly in the field of conflict prevention and crisis management.

## RESOLUTION ON PROMOTING AN ATMOSPHERE OF TRUST IN THE OSCE PA

1. Affirming its commitment to the guidelines of the Helsinki Final Act, its determination to eliminate the mutual distrust between the participating States and solve the current problems to the benefit of the development of co-operation on the basis of common principles,
2. Guided by the Rules of Procedure of the Assembly dealing with the main responsibilities and objectives of the Organization,
3. Recalling that the OSCE Parliamentary Assembly is a unique parliamentary structure considering a wide range of issues, including the strengthening of security in the geographical area from Vancouver to Vladivostok,
4. Underlining the role of parliamentarians in preserving stability in Europe,
5. Realizing that further efforts should be undertaken in order for the potential of the Assembly to be fully tapped,

The OSCE Parliamentary Assembly:

6. Urges parliamentarians to commit themselves to non-confrontational and constructive work and taking into account each other's position;
7. Expresses its hope that parliamentarians will do all that is in their power to overcome mutual offences and to adopt measures to strengthen trust in the OSCE Parliamentary Assembly;
8. Calls on the participating States to unite in their efforts to counter together new challenges and threats;
9. Affirms that in order to maintain peace and stability in the OSCE region, the Assembly should make every possible effort to find compromises both during Assembly sessions and by means of bilateral and multilateral negotiations.

**RESOLUTION ON**

**STRENGTHENING THE 1999 VIENNA DOCUMENT REGIME  
ON CONFIDENCE- AND SECURITY-BUILDING  
MEASURES (CSBMS) NEGOTIATIONS**

1. Recalling the Charter for European Security adopted by the OSCE participating States at the OSCE Istanbul Summit,
2. Emphasizing that military and political dimensions of security are still in the vital interests of the participating States and are core elements of the OSCE concept of comprehensive and co-operative security,
3. Noting that the Vienna Document and other documents adopted within the OSCE Forum for Security Co-operation (FSC) on military and political issues are important means of strengthening security and increasing mutual trust and transparency in the military sphere,
4. Welcoming the commitment of the participating States of the OSCE to honour and implement as well as to adapt in proper time all arrangements in the military and political spheres in order to meet growing security demands in the OSCE region,
5. Noting the open dialogue within the framework of the Corfu process in the OSCE on key problems of European security including the role of armaments control and confidence and security building measures; first of all in order to promote proposals for increasing the role of the OSCE in addressing security threats,
6. Noting the decision of the OSCE Council of Ministers #16/09 in Athens which *inter alia* entrusted the FSC to find new ways of strengthening the regime of the 1999 Vienna Document,

The OSCE Parliamentary Assembly:

7. Welcomes the new activities of the FSC on realization of the above-mentioned decision of the OSCE Ministerial Council;
8. Calls on participating States to hold vigorous negotiations in the interests of signing in the near future, if possible by the end of 2010, a new version of the Vienna Document.

## RESOLUTION ON

### SUPPORTING THE PEACE PROCESS IN THE MIDDLE EAST

1. Reaffirming the OSCE Parliamentary Assembly's considerable efforts in strengthening the bonds of unity and co-operation with the countries on the shores of the Mediterranean, developed mainly through the Mediterranean Forum,
2. Acknowledging the importance to security and stability in the entire region of achieving peace in the Middle East and noting that the settlement of the Israeli-Palestinian conflict is a prerequisite for peace in the Middle East,
3. Acknowledging that it is essential to resolve this conflict and to establish a viable, comprehensive and lasting peace in order to make progress in terms of economic, educational, technological and environmental development in the entire region,
4. Reaffirming the absolute need for the existence of a lasting peace in the Middle East in order to ensure the development of Israeli-Palestinian citizens' human rights and civil and political rights, and in particular the equal rights of women, who suffer from the conflict most seriously,
5. Endorsing the international community's recent and ongoing efforts to support and resume peace talks and negotiations, through forums and organizations such as the United Nations, the European Union, the Union for the Mediterranean, the Quartet, the multilateral forum for co-ordination of donor aid to the Palestinian Authority (the Ad Hoc Liaison Committee (AHLC)), the World Bank and the International Monetary Fund,
6. Endorsing in particular the appeal launched in Moscow on 19 March by the Quartet for the international community to support Palestinian efforts to build a viable State,
7. Further endorsing the observations and statements of the AHLC, chaired by Norway, in its meeting held in Madrid on 12 and 13 April, under the Spanish Presidency of the European Union, taking note and welcoming the close co-operation between Quartet Representative Tony Blair, the international community, Israel and the Palestinian Authority, in the pursuit of the aims of institution building and promoting development led by the private sector. The AHLC also welcomed the steps taken by the Palestinian Authority with regards to guaranteeing an adequate legal framework for business, providing social services, promoting fiscal reform and building the key institutions for the consolidation of a viable State,
8. Recalling United Nations Security Council Resolution 1860, which calls for additional efforts to address the humanitarian and economic situation in Gaza, and for access to be provided for humanitarian aid,

9. Aware of the reports by the World Bank and the International Monetary Fund, which underline that economic growth in the area will depend on a lifting of the blockade on Gaza and on a substantial improvement of the conditions for trade, extending the scope and volume of goods that can enter and leave Gaza for trade and humanitarian purposes,

The OSCE Parliamentary Assembly:

10. Stresses the urgent need for the resumption of substantive negotiations that will permit the continuation of the Peace Process towards a settlement of the Israeli-Palestinian conflict, in accordance with international law, pertinent United Nations resolutions and agreements reached, and on the basis of the Quartet Roadmap, that is a settlement of two States, the State of Israel and an independent, viable and democratic Palestinian State, living side by side, in conditions of peace and security and within internationally recognized borders;
11. Commits itself to promoting and working alongside the various international organisations and forums in favour of progress in talks and negotiations towards the achievement of a fair, comprehensive and lasting peace that ensures the establishment of a viable, stable and democratic Palestinian State; and further reaffirms the right of the State of Israel to exist within secure and internationally recognised borders, thus supporting a two-State solution as established by the United Nations and the international community as a whole;
12. Welcomes the significant progress in the field of security achieved by the Palestinian Authority on the West Bank towards the construction of a Palestinian State that is able to guarantee the rule of law, equitable development, justice and peace in a framework of responsible neighbourly relations with all the States in the region;
13. Expresses its concern regarding the deterioration of living conditions in Gaza, both from a humanitarian perspective and in terms of the civilian population's human rights; underlines the urgency of adopting stable mechanisms to ensure a resolution of the crisis and the reunification of Gaza and the West Bank under a legitimate Palestinian Authority, along with the free movement of persons and goods, in compliance with United Nations Security Council Resolution 1860; and calls on the Palestinian authorities to redouble their efforts to ensure the security of the residents of neighbouring areas;
14. Considers that the international community should ensure the effective application of the resolutions of international organizations and underlines the need to protect the right of the Palestinian and Israeli civilian populations to live in peace;
15. Acknowledges and supports women's empowerment and active participation, recognized by international organizations as an effective and essential mechanism in peacemaking, prevention and conflict resolution processes in the world, reinforcing progress in the field of effective equality between men and women;
16. Co-operates with and supports the effective application and implementation of the resolutions adopted by the United Nations Security Council, in particular resolution 1325 on Women, Peace and Security, aware that this requires effective follow up mechanisms

and adequate resources in order for Palestinian and Israeli women's organizations, working towards peace, to act as a key axis in this process;

17. Underlines the need to improve economic activity in Gaza, which is still subject to grave restrictions, and to this end considers it essential to achieve progress in terms of eliminating access and movement limitations that impair trade, extending the scope and volume of goods that can enter and leave Gaza for trade and humanitarian purposes in order to facilitate the development of the agricultural sector and promote public and private investment.

## RESOLUTION ON NUCLEAR SECURITY

1. Recognizing the significant contribution of arms control instruments, including the Strategic Arms Reduction Treaty and the Conventional Armed Forces in Europe Treaty, in enhancing trust, confidence, and security within the OSCE region;
2. Concerned by the illicit transfer of nuclear technology and expertise within geographically diverse States, including within the OSCE region;
3. Cognizant that existing counter-proliferation mechanisms may prove inadequate to halt the spread of nuclear materials and the sharing of nuclear technology, including to terrorist groups;
4. Concerned by the ongoing threat to global security and the erosion of confidence and trust posed by States which fail to adhere to their international non-proliferation obligations;
5. Aware that weakened and corrupt political and legal structures, especially in areas of unresolved conflicts, create opportunities for the expansion of transnational threats, including illicit trafficking in nuclear and radiological materials, and their means of delivery, and illicit trafficking in ever more sophisticated weapon technologies;
6. Welcoming the signing of the new START agreement on 8 April 2010 in Prague, between the United States of America and the Russian Federation on furthering the reduction in deployed strategic nuclear weapons;
7. Encouraged by the achievements of the Nuclear Security Summit, held in Washington on 12 and 13 April 2010 aimed at sustained and effective international co-operation to strengthen nuclear security and reduce the threat of nuclear terrorism; and
8. Noting with satisfaction the positive results of the 2010 Non-Proliferation Treaty Review Conference aimed at strengthening the global nuclear non-proliferation regime,

The OSCE Parliamentary Assembly:

9. Endorses the commitment of the participating States to support international and regional co-operative efforts, including those contained in United Nations Security Council resolution 1540, to stem the illicit trade in nuclear material and the transfer of nuclear weapon technology to non-nuclear States and actors;
10. Calls upon the participating States to more effectively utilize the OSCE as a regional organization to enhance co-operation in countering the proliferation of weapons of mass destruction as envisioned by United Nations Security Council resolution 1540;

11. Urges the participating States, as directed at the 2009 Athens OSCE Ministerial, to strictly adhere to the Convention on Physical Protection of Nuclear Materials, its 2005 Amendment, and the Convention on the Suppression of Acts of Nuclear Terrorism;
12. Encourages members of the OSCE Parliamentary Assembly to support initiatives in their national parliaments to increase funding for improving the security of nuclear materials and facilities and enhancing resources for training and co-operation among international and regional organizations, including the International Atomic Energy Agency, aimed at strengthening law enforcement institutions, raising awareness of nuclear proliferation, interdicting illicitly trafficked nuclear materials, and prosecuting perpetrators of proliferation;
13. Urges the OSCE participating States to intensify their efforts to enhance transparency and root out corruption, to prevent the weakening of mechanisms to enhance nuclear security;
14. Calls upon the United States of America and the Russian Federation to undertake further measures to reduce nuclear weapons as part of the global effort to enhance nuclear security;
15. Welcomes the Communiqué of the Washington Nuclear Security Summit and its call to: secure all vulnerable nuclear material in four years; enhance capacity-building for nuclear security and co-operation; reaffirm the essential role of the International Atomic Energy Agency in the international nuclear security framework; and effectively prevent and respond to incidents of illicit nuclear trafficking; and
16. Underlines that those countries that refuse to abide by their international nuclear non-proliferation obligations must be held accountable.

## RESOLUTION ON

### DEMARCATIION AND DELIMITATION OF STATE BORDERS OF THE SOVEREIGN STATES IN EASTERN EUROPE

1. Guided by the principles of the sovereignty and territorial integrity of the OSCE participating States and the inviolability of their internationally recognized borders, as laid down in the Helsinki Final Act of 1975,
2. Recognizing that the delimitation and demarcation of boundaries depend primarily on the sovereign decisions of States,
3. Being concerned that unresolved delimitation and demarcation issues between sovereign States in Eastern Europe may pose a challenge to security and stability in the OSCE area,
4. Underlining that the shared commitments to pursue the work of border delimitation and demarcation is an important factor for ensuring lasting peace, security and stability in the OSCE area,
5. Acknowledging that the delimitation and demarcation of frontiers can contribute to strengthening good neighbourly relations between States, furthering their economic and social development as well as promoting people-to-people contacts,

The OSCE Parliamentary Assembly:

6. Urges participating States to take all necessary measures, as appropriate, to complete the procedures of delimitation and demarcation of state borders between neighbouring States;
7. Supports the efforts of participating States to pursue in good faith negotiations on delimitation and demarcation of state borders;
8. Encourages participating States to create, where appropriate, or strengthen bilateral mechanisms with a view to finding appropriate solutions to these problems;
9. Calls upon parliamentarians of participating States to ratify, as appropriate, bilateral documents on delimitation and demarcation of state borders.

## 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 progress made with regard to ensuring the development of democratic institutions in the Republic of Moldova,
3. Noting the political impasse in electing a head of state and the need for greater political dialogue among political forces in Moldova,
4. Recognizing that the existence of an unsettled conflict in the Transnistrian region of the Republic of Moldova constitutes a threat to security and stability in Europe and the OSCE area,
5. Reaffirming the OSCE commitment to finding a solution to the Transnistrian conflict through the 5+2 negotiations process,

The OSCE Parliamentary Assembly:

6. Calls for the resumption of the settlement talks in the 5+2 format, with the efforts of the mediators from the Russian Federation, Ukraine, and the OSCE, and the European Union (EU) and the United States as observers in the settlement negotiations;
7. Considers that identification of the special legal status for the Transnistrian region in the composition of the Republic of Moldova, while consolidating and ensuring the sovereignty, independence and territorial integrity of the Republic of Moldova within its internationally recognized borders, constitutes the major aim of the Transnistrian conflict settlement process;
8. Expresses its conviction that democratization throughout the Republic of Moldova would contribute to achievement of this aim;
9. Commends the OSCE, the EU, the Russian Federation, Ukraine and the United States of America for their willingness to contribute to the reintegration of the country and their commitment to supporting post-conflict rehabilitation;
10. Urges the Moldovan Government and the administration of the Transnistrian region to continue their efforts with regard to Confidence and Security Building Measures;
11. Emphasizes that intensification of the dialogue between various institutions and public organizations from both sides of the Nistru River, as well as fostered people-to-people contacts, would help to increase mutual trust and confidence;

12. Appeals to the Russian Federation to renew and finalize the process of withdrawal of its troops and munitions from the territory of the Republic of Moldova in accordance with relevant principles of international law and commitments undertaken in the OSCE framework;
13. Commends the important work done by the OSCE Mission to Moldova;
14. Invites all participants in the Transnistrian conflict settlement to undertake consultations with a view to transforming the current peacekeeping mechanism into a multinational civilian mission under the international (OSCE) mandate;
15. Reiterates the readiness of the OSCE Parliamentary Assembly's Parliamentary Team on Moldova to support peace, stability and rule of law in the country, including through the support of political dialogue in the Transnistrian settlement process.

## RESOLUTION ON GUANTANAMO

1. Welcoming the courageous decision of the new American administration to close the Guantanamo detention facility,
2. Acknowledging the position of the States that have already received former detainees or have promised to do so,
3. Underlining the difficulties of implementation which the American Administration has to face, which are responsible for the delay of the effective closing of Guantanamo,
4. Recalling that the Guantanamo facility still includes nearly two hundred prisoners,
5. Recalling the commitment and work of the OSCE Parliamentary Assembly regarding the situation of the Guantanamo detainees,

The OSCE Parliamentary Assembly:

6. Calls for the permanent closing of this detention facility as soon as possible;
7. Supports the United States Administration in its will to close the detention facility;
8. Encourages participating States to receive detainees who have been cleared for release and who are clearly unable to return to their country of origin, where there are substantial grounds for believing that they would be in danger of being subjected to torture;
9. Recommends an increased co-operation between Europe and the United States as regards the concrete implementation of the closing of Guantanamo and the effective guarantee of human rights in the context of the fight against terrorism.

## RESOLUTION ON

### FIGHTING TERRORISM, THE PRODUCTION AND TRAFFICKING OF NARCOTICS AND ILLEGAL EMIGRATION IN AFGHANISTAN

1. Expressing its concern for the evolution of the conflict in Afghanistan, marked by an ongoing increase of violence and loss of human lives,
2. Reaffirming the importance of education for the reconstruction of Afghanistan,
3. Noting that the deterioration of security in Afghanistan has led and is still leading a considerable number of Afghan citizens to leave the country, prevents many young people from attending school, limits economic opportunities, and undermines human rights and the rule of law, in addition to fostering corruption,
4. Taking note of the results of the Trans-Asian Parliamentary Forum jointly organised by the OSCE Parliamentary Assembly and the Parliament of the Republic of Kazakhstan, that was concluded in Almaty on 15 May 2010, which highlighted the close connection between the Afghan narcotics industry and the terrorist activities carried out by the neo-Taliban insurgents who oppose the legitimate government of the Islamic Republic of Afghanistan,
5. Deploring that foreign suppliers are providing the Afghan narcotics industry with the substances that are needed to refine opiates,

The OSCE Parliamentary Assembly:

6. Urges the Government of the Islamic Republic of Afghanistan to take action in order to reduce the emigration of its own citizens to foreign countries and to ensure to all its young citizens an adequate education to meet the requirements of reconstruction and economic and social development, as well as to promote the rule of law and good governance and respect for human rights;
7. Recommends that neighbouring OSCE participating States adopt all necessary measures to ensure an effective monitoring of their borders, also availing themselves, if appropriate, of the co-operation of other countries, in order to prevent the movement of weapons and narcotics;
8. Further recommends that OSCE participating States step up their law enforcement action against the trafficking of narcotics which originates in Afghanistan and reaches Europe via Iran, Turkey, the Balkans or Pakistan, or alternatively via the former Soviet Central Asian republics and the Russian Federation;
9. Urges OSCE participating States to sign the appropriate agreements with non-OSCE countries bordering on Afghanistan, so as to increase the effectiveness of the measures

adopted to counter the illegal flows of people and narcotics coming from the territory of Afghanistan;

10. Recommends that the countries producing the chemicals used to refine opiates adopt legislative measures to prevent the production and marketing of those substances.

## RESOLUTION ON THE

### INADMISSIBILITY OF THE USE OF NATIONAL ARMED FORCES ON THE TERRITORY OF NEIGHBOURING AND CONTIGUOUS STATES

1. Reaffirming its determination to promote peace, security and stability and compliance with OSCE norms, principles and commitments in building a secure and stable community from Vancouver to Vladivostok,
2. Underlining the importance of strict adherence to the fundamental principles of the Charter of the United Nations and of the Helsinki Final Act concerning the mutual respect for independence, sovereignty and territorial integrity and the non-use of force,
3. Confirming its respect for and necessity to comply with international norms and principles including those relating to the use of military force abroad,
4. Acknowledging that unresolved interstate conflicts still exist, and such conflicts, wherever they take place, may also pose a risk to neighbouring States and regions,
5. Being convinced that no participating State should be allowed to use military force abroad in a way inconsistent with the Charter of the United Nations,
6. Rejecting the concepts of “dividing lines” or “zones of privileged interests” in relations between OSCE participating States,
7. Emphasizing that unjustified and disparate use of military force abroad may have unpredictable destabilizing consequences to peace and stability for the entire OSCE area,

The OSCE Parliamentary Assembly:

8. Expresses its profound concern over the attempts to legalize the use of military force abroad for the protection of unilaterally fixed national interests, military forces and citizens everywhere in the world through the adoption of the relevant national legal acts and without appropriate approval by the international community;
9. Warns of the possibility to hide acts of aggression, especially against neighbouring States, behind such nationally legalized actions;
10. Condemns plans to use national military forces on the territory of neighbouring and contiguous states, instead of using a complete set of peaceful measures and peaceful means, including those provided by international organizations, consultations and negotiations with all parties concerned;
11. Urges participating States to comply with norms and principles set forth in the UN Charter and Helsinki Final Act of 1975;

12. Calls upon participating States to revise their national legislation relating to the use of force abroad including military doctrines, laws on defence etc. and to make corresponding amendments, wherever appropriate, in order to prevent illegal use of their military forces abroad, particularly in the territory of neighbouring and contiguous States.

**RESOLUTION ON**  
**UN SECURITY COUNCIL RESOLUTIONS ON WOMEN,**  
**PEACE AND SECURITY**

1. Stressing the importance of equal participation of women and men and full involvement in all efforts for the maintenance and promotion of peace and security,
2. Deeply concerned about the endemic prevalence of sexual violence carried out by state agencies, both military and police, whose role is to provide security and protect citizens, as well as resistance forces or militias, in contemporary armed conflicts,
3. Recalling historically, that not only land and material goods, but also women have been the entitlement of soldiers and other combatants in wars, and that gender-based violence, including rape, is one of the most traditional and pervasive features of war and has been tolerated as an inherent, inevitable and unfortunate element of war,
4. Noting that although the explicit prohibition of the crime of rape is to be found in the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War, governing internal conflicts, and the 1977 Additional Protocol II to the Convention relating to the Protection of Victims of Non-International Armed Conflicts, wartime rape has not enjoyed the same status as other war crimes, because of its gender-specific character and the value system rooted in the social structure of patriarchy that has dominated the social space in which wars have taken place, as well as the international legal arena, which in turn have contributed to the legal culture of impunity surrounding rape and sexual violence in war,
5. Commending with high appreciation the continuous grass-roots advocacy of women and human rights organizations in pushing the topic of gender and security onto the international agenda,
6. Commemorating the 10<sup>th</sup> anniversary of United National Security Council (UNSC) resolution 1325 on Women, Peace and Security,
7. Noting the significant contribution of UNSC resolution 1325 on women, peace and security, unanimously adopted on 31 October 2000, in acknowledging gender-dimensions of war and peace, and the important role of women in the prevention and resolution of conflicts, peace negotiations, peace-building, peacekeeping, humanitarian response and in post-conflict reconstruction,
8. Noting that the prohibition against rape and other sexual abuses committed in armed conflicts was not supported by means of international enforcement until the inception of the International Criminal Court of 1 July 2002,

9. Welcoming UNSC resolution 1820 on sexual violence in conflict, adopted on 19 June 2008, that reinforces resolution 1325 in recognizing that sexual violence as a tactic of war is often widespread and systematic and can impede the restoration of international peace and security and condemns the use of rape and other forms of sexual violence in conflict situations, stating that rape can constitute a war crime, a crime against humanity, or a constitutive act with respect to genocide,
10. Welcoming UNSC resolution 1888, adopted on 30 September 2009, which complements resolution 1820 by asking the Secretary-General of the United Nations to rapidly deploy a team of experts to situations of particular concern regarding sexual violence and to include information about the prevalence of sexual violence in a report by UN peacekeeping missions to the Security Council,
11. Welcoming the appointment in February 2010 of Margot Wallström of Sweden as a Special UN Representative to lead efforts to end conflict-related sexual violence against women and children, as called for in UNSC resolutions 1820 and 1888,
12. Supporting the five priorities of the UN Special Representative on Sexual Violence in Armed Conflict to end impunity, empower women, mobilize political leadership, increase recognition of rape as a tactic and consequence of conflict, and ensure a more coherent response from the UN system,
13. Welcoming UNSC resolution 1889, adopted on 5 October 2009, that reaffirms the provisions of resolution 1325, stressing the need for UN Member States to effectively implement the resolution, calling for measures to improve women's empowerment, their participation in peace processes and their key role in rebuilding war-torn societies and calling on the Secretary-General to submit a set of indicators to track implementation of the resolution,
14. Appreciating the work of women's non-governmental organizations such as the German Women's Security Council, the Women Peacemakers Program and the Global Monitoring Checklist on Women, Peace and Security, which monitor the implementation of resolution 1325 in the absence of national action plans and aim to contribute towards international understanding of women, peace and security efforts by highlighting examples of activities to support UNSCR 1325 at the local and national level by women, civil society, national governments and the international community,
15. Welcoming the national action plans (NAPs) already made to implement UNSC resolution 1325 and welcoming the NAPs under preparation,
16. Commending the approach of the Irish Ministry for Foreign Affairs in the process of preparing Ireland's NAP on resolution 1325 including a cross-learning initiative with Liberia, East Timor and Northern Ireland,
17. Welcoming the European Union Comprehensive Approach for the Implementation of UNSC resolutions 1325 and 1820 on Women, Peace and Security and the 2008-2009 UN

System-Wide Action Plan on resolution 1325, as well as the active support for resolution 1325 within the African Union and in Latin America,

18. Expressing concern over the limited progress in implementing UNSC resolution 1325 and its sister resolutions on women, peace and security despite national, regional and international action plans,
19. Noting that most states with NAPs to implement UNSC resolution 1325 have not established baselines nor put indicators in place to measure compliance and progress,
20. Welcoming the measures produced by 14 UN entities under the leadership of the Office of the Special Advisor on Gender Issues and introduced by the UN Secretary-General, including a set of 26 indicators pertaining to prevention, participation, protection, relief and recovery, designed to track the implementation of UNSC resolution 1325,
21. Welcoming the UN Security Council's support for the comprehensive set of indicators on the implementation of its resolution on women, peace and security,
22. Appreciating the guidelines provided by the United Nations International Research and Training Institute for the Advancement of Women (INSTRAW) and recommendations made to UN Member States, multilateral and regional institutions, the United Nations and civil society on steps to take to stimulate the development and implementation of NAPs relating to UNSC resolutions 1325 and 1820 in a report dated 24 April 2009 from a meeting of the Institute for Inclusive Security and Realizing Rights: the Ethical Globalization Initiative,
23. Welcoming the establishment of a new gender entity at the UN – UN Women – which will replace and consolidate the mandates of the four existing UN women's agencies and serve as an instrumental entity in assisting States to eliminate the root causes of systemic gender discrimination and sexism and, thereby, the root causes of gender-based violence in peace and war times,

The OSCE Parliamentary Assembly:

24. Calls upon participating States to develop NAPs applying to both public and private entities to implement UNSC resolutions on women, peace and security incorporating the measures included in UNSC resolution 1325 in their respective security and defence and external action policies, in order to achieve the following objectives:
  - a. Promote the participation of women in peacekeeping missions and in decision-making bodies,
  - b. Promote gender mainstreaming in all peace-building operations,
  - c. Ensure specific training in gender equality and on resolution 1325 for staff involved in peacekeeping and peace-building missions,
  - d. Protect the human rights of women and girls during and after conflicts,

- e. Incorporate the principle of gender equality in disarmament, demobilization and reintegration operations;
  - f. Raise awareness in civil society of resolution 1325;
25. Urges participating States to include into NAPs baselines and performance indicators to measure compliance with and progress in implementing UNSC resolutions on women, peace and security;
  26. Encourages participating States to develop systems for monitoring and assessing implementation including regular and publically accessible reporting;
  27. Calls upon participating States to provide for appropriate human and financial resources for the development of NAPs and implementation and monitoring of progress and results;
  28. Calls upon participating States to ensure that domestic law and legal systems implement their obligations under international conventions, including the obligations to protect women from sexual violence, prosecute perpetrators of sexual violence, ensure that all victims of sexual violence have equal protection under the law and equal access to justice, end impunity for sexual violence, and integrate NAPs into relevant national policies;
  29. Encourages participating States to provide support to the priorities of the UN Special Representative on Sexual Violence in Armed Conflict;
  30. Urges participating States to support the decision taken in September 2009 by the UN General Assembly to establish a new gender entity at the UN in order to strengthen the gender dimension of the work of the UN with the aim to make women and men equal partners and beneficiaries of development, human rights, and peace and security.

## RESOLUTION ON THE ARCTIC

1. Reaffirming the OSCE's comprehensive approach to security, which includes the politico-military, economic, environmental and human dimensions, and which has been documented in, *inter alia*, the 1975 Helsinki Final Act, the 1989 Vienna Document, the 1990 Copenhagen Document and the 1992 Helsinki Document,
2. Reiterating the fundamental importance of the environmental aspects of the OSCE concept of security,
3. Recognizing the uniqueness and vulnerability of Arctic wildlife and ecosystems,
4. Acknowledging that the Arctic region has been characterized by peaceful co-operation between States and that all interested States, both Arctic and non-Arctic, have a common responsibility to ensure peaceful co-operation also in the future,
5. Recognizing the leading role of the Arctic Council on Arctic challenges and opportunities, and the important involvement of the indigenous peoples living in the Arctic as permanent participants in the Arctic Council,
6. Welcoming the 2008 Ilulissat Declaration issued at the first Ministerial Meeting of the Arctic Ocean Coastal States,
7. Welcoming the increasing international interest in the work of the Arctic Council,
8. Welcoming the ongoing work under the auspices of the Arctic Council to negotiate an agreement on search and rescue between the Arctic countries,
9. Acknowledging the significance of the Arctic for the global climate,
10. Concerned that global warming in the Arctic region and the melting of the polar ice cap is proceeding faster than previously expected,
11. Concerned that climate change is having far-reaching and damaging effects on the unique eco-systems and natural habitats of Arctic species and on the sustainability of the lives of the local and indigenous peoples in the region,
12. Reaffirming the United Nations Convention on the Law of the Seas as the basis for governance of the Arctic Ocean,
13. Recognizing that the geopolitical and strategic importance of the Arctic region is growing, which is linked, *inter alia*, to possible significant oil and gas reserves and the presence of other natural resources and increased opportunities for sea transport,

14. Underlining the importance of the fourth International Polar Year (2007-2008) and the significance of disseminating new scientific information to a broader audience, especially decision makers and welcoming the proposal to launch an International Polar Decade,

The OSCE Parliamentary Assembly:

15. Encourages Arctic States to peacefully resolve current and future border disputes, including sea border issues, as exemplified by the Russian-Norwegian preliminary agreement on the delimitation of the Barents Sea of 27 April 2010;
16. Calls on OSCE participating States and shipping nations to develop effective regulations to reduce all forms of pollution from ships sailing in the Arctic Ocean;
17. Calls on OSCE participating States and shipping nations to strengthen existing measures and develop new measures to improve the safety of maritime navigation;
18. Calls on OSCE participating States and shipping nations to make concerted efforts to develop environmentally friendly technology for transport and economic activity in the Arctic to protect its vulnerable nature and the way of life for the Arctic peoples;
19. Calls on OSCE participating States to support the solid foundation for responsible management of the Arctic Ocean by all Arctic States and other users of the Arctic Ocean through the existing, comprehensive international legal regime that governs the Arctic Ocean;
20. Calls on the OSCE participating States to support the work in the International Maritime Organisation (IMO) to make the Guidelines for Shipping in Ice covered Waters mandatory;
21. Calls on OSCE participating States to consider the climate change threats to the Arctic region and the global effects of increased polar ice melting in their positions towards the 16th meeting of the Conference of the Parties under the United Nations Framework Convention on Climate Change in Cancun, Mexico, this year;
22. Calls on OSCE participating States to continue research on Arctic issues, including global warming in the Arctic, well beyond the International Polar Year 2007-2008, and to ensure the availability of data, including research data, and accessibility to geographical areas, for research purposes;
23. Calls on OSCE participating States to work against the loss of biodiversity in the Arctic;
24. Reiterates the OSCE Parliamentary Assembly resolution on the European Union Seal Products Ban, adopted in Vilnius on 3 July 2009;

25. Underlines the role of parliaments and parliamentarians and encourages OSCE participating States to inform and involve their parliaments and parliamentarians in matters related to the Arctic.

## RESOLUTION ON

### RESPONSIBILITIES OF PARTICIPATING STATES OF THE OSCE TOWARDS ENSURING GLOBAL ENERGY SECURITY

1. Confirming the fact that energy security in present conditions is one of the most important factors ensuring the national security of each country and the key element of modern world policy affecting the interests of all countries,
2. Assuming that “energy security” means protection of physical persons and the country as a whole from the risks of interruption of energy supplies and shortages of all types of energy resources, arising under the negative influence of natural, anthropogenic, management, social-economic, internal or external political factors,
3. Once again recalling that the electricity generated and transmitted in conditions of market economy is a product which will be accessible to all interested parties in commercial and competitive conditions, respecting the principles of openness, transparency and effectiveness,
4. Confirming that the participating States of the OSCE must not use energy resources as a measure for obtaining their political goals to impose political or other kinds of pressure,
5. Especially emphasizing that enlargement and diversification of the energy market in the OSCE area, including by construction of new transport main routes, substantially increases the role and responsibilities of the States for securing uninterrupted supplies of energy resources,

The OSCE Parliamentary Assembly:

6. Referring to the resolution adopted at the 17<sup>th</sup> Ministerial Meeting of OSCE in Athens in 2009, calls on participating States of the OSCE to make a significant input in ensuring energy safety by enhancing dialogue and co-operation in this sphere;
7. Strongly believes that commercial, political and other disputes arising between participants in the energy market should not lead to failures in supplies of energy resources in the OSCE area.

## RESOLUTION ON

### INTERNATIONAL NEGOTIATIONS REGARDING CLIMATE CHANGE

1. Noting that in recent years we have witnessed growing international concern regarding climate change,
2. Highlighting the work under the Fourth Assessment Report published in 2007 by the Intergovernmental Panel on Climate Change (IPCC), which declares the growing urgency of a drastic reduction in greenhouse gas emissions,
3. Acknowledging that the environmental and social effects of climate change had heretofore never been presented so starkly,
4. Considering these are also crucial times for international negotiations on climate change,
5. Considering further that what is currently at stake is ensuring the Kyoto Protocol (which so far only sets forth commitments to limit emissions up to 2012) is given a solid and ambitious follow-up with no interim time gaps,
6. Acknowledging that industrialized countries have historical responsibilities in greenhouse gas emissions and acknowledging however that both the magnitude and character of economic growth experienced by some large countries currently undergoing industrialization processes are adding millions of tonnes to greenhouse gas emissions every year,
7. Acknowledging further that the fact that the centre of gravity of major emitters is shifting southwards raises challenging ethical and political dilemmas that are inevitably connected to the options adopted by the USA,

The OSCE Parliamentary Assembly:

8. Invites OSCE participating States to support negotiations towards a second phase of the Kyoto Protocol that includes measurable commitments and timeframes for reducing greenhouse gas emissions;
9. Calls on the participating States to develop all types of initiatives in the next Mexico Conference in order to achieve the objectives fixed by the IPCC;
10. Stresses the need to avoid any suggestion that sheds doubts on the centrality of the United Nations Framework Convention on Climate Change (UNFCCC) as forums for negotiations and agreements;
11. Adopts as a point of reference the need to cut down on worldwide greenhouse gas emission by 50% before 2050 against 1990 figures, as suggested by the EU Environment

Council and notes that developing countries vulnerable to climate change need the financial and technical support of highly industrialized countries in order to meet emission reduction targets without jeopardizing their sustainable development goals;

12. Calls on all participating States to promote forms of technology and resource transfers that may allow countries undergoing industrialization processes to continue along the path of development whilst reducing the latter's impact on the planet's environmental sustainability;
13. Notes the Principles of the Charter, namely that common but differentiated responsibilities and respective capacities of participating States should be respected, and that mitigation, technology transfer, adaptation and capacity-building are issues fundamental to combating climate change.

## RESOLUTION ON MEDITERRANEAN CO-OPERATION

1. Recognizing the multiplicity of regional co-operation mechanisms with the shared goal of promoting regional stability, security co-operation, civil society empowerment, environmental sustainability, and economic development in the Mediterranean Sea basin,
2. Acknowledging the overlapping priorities, initiatives, and goals of the OSCE Mediterranean Dimension and other regional co-operation mechanisms,
3. Acknowledging the interest and active participation of delegations from Lebanon, Libya, and States of the Gulf Cooperation Council in events of the OSCE and OSCE Parliamentary Assembly,
4. Noting the recommendations of the U.S. Helsinki Commission Seminar on OSCE Mediterranean Partner Engagement of 2009, and
5. Recalling the proceedings and findings of the OSCE Parliamentary Assembly Mediterranean Forums in Rome (2003), Rhodes (2004), Sveti-Stefan (2005), Malta (2006), Portoroz (2007), Toronto (2008) and Athens (2009),

The OSCE Parliamentary Assembly:

6. Calls on the OSCE Parliamentary Assembly Secretariat and the OSCE Secretariat to engage in dialogue with the Union for the Mediterranean, the European Union, the Cooperation Process in the Western Mediterranean (Dialogue 5+5), the North Atlantic Treaty Organization, the Parliamentary Assembly of the Mediterranean, the Euro-Mediterranean Parliamentary Assembly, the Standing Committee for the Euro Mediterranean Partnership of Local and Regional Authorities, the Euro-Mediterranean Regional and Local Assembly, the Alliance of Civilizations, and other interested entities, in order to facilitate synergistic co-operation with the activities of the OSCE Mediterranean Dimension;
7. Calls on the OSCE Parliamentary Assembly Secretariat to study the most adequate formula for incorporating the Palestinian National Authority in a stable manner in the dialogue and co-operation forums in the Mediterranean;
8. Strongly urges the OSCE Secretariat to negotiate formal arrangements for co-operation between the OSCE Mediterranean Dimension and the aforementioned entities in order to encourage unique contributions to Mediterranean prosperity and regional security;

9. Encourages all OSCE operational structures and institutions to explore opportunities for exchanges in personnel and expertise with the OSCE Mediterranean Partners for Co-operation;
10. Encourages the OSCE Mediterranean Partners for Co-operation to actively pursue opportunities for exchanges in personnel and expertise with the OSCE participating States;
11. Strongly urges the OSCE Mediterranean Partners for Co-operation to send robust delegations to participate in OSCE election observation missions;
12. Strongly urges the OSCE Mediterranean Partners for Co-operation to invite the OSCE and other international observation missions to their elections;
13. Encourages OSCE participating States and Mediterranean Partners for Co-operation to contribute to the Partnership Fund to support Mediterranean Partner workshops of topical interest and develop tangible projects for co-operation with the operational structures and institutions of the OSCE;
14. Urges OSCE participating States to encourage engagement with the OSCE in their diplomatic relations with Lebanon, Syria, Libya, and States of the Gulf Cooperation Council;
15. Calls upon the OSCE to consider further strengthening its Mediterranean dimension, including by extending Partnership for Co-operation to all interested Mediterranean States.

## RESOLUTION ON

### THE RIGHT OF INTERNALLY DISPLACED PERSONS AND REFUGEES TO RETURN TO THEIR PLACE OF ORIGIN

1. Recalling the UN Convention relating to the Status of Refugees adopted in Geneva in 1951 and its additional protocol, and appreciating the work of the UN High Commissioner for Refugees to safeguard the rights and well-being of refugees through the finding of durable solutions that will allow refugees to rebuild their lives in dignity and peace,
2. Recalling the OSCE Charter for European Security, adopted by the Istanbul Summit, which reaffirmed OSCE participating States' rejection of any policy of ethnic cleansing or mass expulsion, and their commitment to facilitating the voluntary return of refugees and internally displaced persons in dignity and safety,
3. Noting the human pain and legal vacuum caused by protracted displacement following the conflicts in the early 1990s in Georgia, and realizing that the longer people are displaced, the harder it becomes to provide them with adequate protection,
4. Recognizing and regretting the human suffering amongst the civilian population during and after the August 2008 war in Georgia,

The OSCE Parliamentary Assembly:

5. Urges the parties to the conflict in Georgia to fully implement the agreements made on 12 August and 8 September 2008, and calls on them to continue dialogue within the framework of the Geneva discussions;
6. Considers the safe and dignified voluntary return of the internally displaced persons and refugees within and from Georgia of utmost importance and urgency;
7. Therefore calls on the parties involved to co-operate in finding ways to facilitate an early voluntary return of refugees and internally displaced persons from both sides to their homes of origin in safety and with dignity.

## RESOLUTION ON

### THE MATCHING OF AGRICULTURAL PRODUCTION WITH PROTECTION OF NATURAL ECOSYSTEMS

1. Considering that agricultural production is a key element of the economy of participating States, delivering ecosystem goods, while contributing to world food security, to the achievement of Millennium Development Goal (MDG) 1, and to employment in the production sector itself and those attached to it,
2. Considering that land under (semi-) natural vegetation offers ecosystem goods such as wood and space for recreation, but also provides key ecosystem services such as carbon sequestration, plant and animal biodiversity, wetlands, nutrient cycling and climate stabilization, while contributing to the achievement of MDG 7, and to employment in the timber, recreation and conservation sector and those attached to it,
3. Recognizing that to feed 9 billion people in 2050, agricultural production has to increase substantially, i.e. by 70% according to Food and Agriculture Organization (FAO) assessments; that when this is realized through area expansion, it will largely be at the expense of natural ecosystems, including above- and below-ground carbon stocks; and that the other options to achieve future world food security (intensification of production; increased post-harvest and consumer efficiency; dietary change) need due attention,
4. Recognizing that the two fields (agricultural systems and natural ecosystems) seem far apart scientifically as well as politically, while competing for limited and often scarce land; that FAO and others, triggered by the 2008 food crisis and MDG 1, call for increases in agricultural production, whereas the United Nations Environment Programme and others, triggered by the conventions on climate change (the United Nations Framework Convention on Climate Change), biodiversity (Convention on Biological Diversity) and land degradation and desertification (United Nations Convention to Combat Desertification) and MDG 7, call for increases in protected land and biodiversity,
5. Noting that the interest in biofuels on the one hand and the principal international bodies and ecological goals and regulations on the other hand amplify the perception of increasingly competing claims on land,
6. Stressing that for the future benefit of planet Earth it will be of paramount importance to address both land uses adequately and integrally, not in isolation,
7. Stressing furthermore the premise of win-win situations that address MDGs 1 and 7 simultaneously, and accepting the premise that an integral approach that addresses trade-offs leads to more optimal land use than an approach where different stakeholders and protagonists try to push their case,

The OSCE Parliamentary Assembly:

8. Calls upon participating States of the OSCE to stimulate both research and policies that address and optimize agricultural, recreational and natural land use in an integrated way;
9. Invites participating States of the OSCE to exchange experiences, successes and failures and develop joint position papers that trigger research and development and carry political weight to look for optimization of land use in respect of agriculture, pasture, recreation, timber, natural ecosystems and biodiversity.

## RESOLUTION ON

### EXPERTS' STATUS IN DECISION MAKING PROCESSES

1. In view of the increasingly significant role of experts in political and judicial decision making processes within national and international organizations,
2. Having observed that experts' impartiality and skills may be questioned when dealing with major issues such as the financial crisis, the H1N1 pandemic, global warming, genetically modified organisms or aviation safety,
3. Whereas a lack of independence or impartiality may lead to miscarriages of justice or errors in judgement, both at national and international levels,
4. Underlining the threat to democracy posed when experts' independence and impartiality is challenged,
5. Considering that transparency – legitimately requested by democratically elected national institutions – should also apply to international institutions,
6. Considering the value of improving the quality of these experts' participation in decision making and judicial processes by means of common measures,

The OSCE Parliamentary Assembly:

7. Encourages OSCE States to pursue their efforts in co-operating with other international organizations in order to foster the emergence and application of ethical guidelines in the area of expertise;
8. Evokes the necessity to define experts' status according to internationally-recognized criteria of skill, objectivity and impartiality, and compliance with the highest scientific, professional and technical standards;
9. Recommends that a referential tool be created giving decision makers, those seeking justice, and experts themselves information on the framework within which experts have jurisdiction;
10. Recommends that a code of conduct be adopted, establishing standards for the experts' report as an objective decision making tool allowing factual questions to be distinguished from mere opinions.

## RESOLUTION ON THE FULFILMENT OF THE MILLENNIUM DEVELOPMENT GOALS

1. Bearing in mind that the adoption of the Millennium Declaration in 2000 was a decisive landmark in worldwide co-operation for the 21st Century,
2. Underlining that for the first time in the history of the United Nations a road map was established for putting an end to poverty and promoting development,
3. Stressing the importance of its materialization in the form of 8 Millennium Development Goals (MDGs), with 21 measurable targets that, for the first time, spelt out the connection between poverty and hunger, healthcare, education, gender equality and environmental sustainability and global partnership, and acknowledged that achieving progress in these fields is a shared responsibility,
4. Acknowledging that the progress achieved to date has been uneven and is threatened by food, economic and financial crises,
5. Regretting the shocking fact that currently one billion people suffer from hunger, nine million children die each year before the age of five and over 500,000 women die each year during pregnancy or childbirth,
6. Concerned that, with only five years left until the 2015 deadline to fulfil the MDGs, there is a real threat that they may not be achieved, or may even lose ground, due to a lack of commitment,
7. Convinced that the achievement of universal development depends more on respect for human dignity, the protection of the right to life and genuine solidarity between rich and poor countries than on mere technical or administrative solutions,
8. Convinced that this is a question dependent on political willingness,

The OSCE Parliamentary Assembly

9. Calls on its participating States to publicly proclaim their support to the achievement of the MDGs;
10. Further calls on the parliamentarians of its participating States to promote a rescue plan for the MDGs that includes:
  - a. an emergency funding plan;
  - b. a commitment towards the quality of aid and a coherent approach to development;  
and
  - c. a strategy that provides effective solutions to each problem.

## RESOLUTION ON CYBER CRIME

1. Reaffirming the OSCE's global approach to the human, politico-military and economic-environmental aspects of security,
2. Recognizing the benefits and convenience for human society and social development of advances in communication and information technologies, including the Internet and social networking sites, which facilitate financial transactions, inter-personal and inter-cultural communications and understanding, and that these benefits and conveniences should be enjoyed by all, including children, young adults and women, without fear of harassment, exploitation, fraud or other forms of criminality,
3. Recognizing that in the contemporary world and with technological advances, States and citizens face threats from various sources that transcend national borders,
4. Underling the fact that cyber attacks have become a serious and variable security threat and persist in various places in the OSCE area,
5. Recognizing the essential role of co-operation between all governments in order to cope successfully with modern security risks,
6. Reaffirming the Astana Declaration of 2008 and its resolution on cyber security and cyber crime, which recognizes that cyber attacks are a great challenge to governments because they may destabilize society and jeopardize the availability of public services and the functioning of vital state infrastructure,
7. Noting that some results of a cyber attack against vital state infrastructure do not differ in nature from those of a conventional act of aggression,
8. Reiterating that the OSCE could function as a regional mechanism supporting, co-ordinating and reviewing the development and implementation of national activities in this field, building on and furthering previous activities related to various aspects of cyber security and cyber crime,
9. Reaffirming the role of parliamentarians in addressing threats to security by passing legislation that sanctions perpetrators of cyber crime and provides law enforcement agencies with sufficient powers to detect, investigate and prosecute cyber crimes at both the domestic and international levels, and in undertaking studies on the nature of the threat to inform legislation,
10. Welcoming the fact that several OSCE participating States have already developed and adopted countermeasures against various kinds of cyber threats,

The OSCE Parliamentary Assembly:

11. Encourages the continuation of discussions in international forums on how to respond effectively to the abuse of cyber space for criminal and in particular terrorist purposes in an effort to make investigations, the collection of evidence in electronic form and criminal proceedings more effective and to promote and increase the effectiveness and rapidity of international co-operation on cyber crime, while recognizing the need to protect legitimate interests in the use and development of information technologies;
12. Calls on the international community to increase co-operation and information exchange in the field of cyber security and cyber crime, for example through NATO, the Parliamentary Assembly of the Council of Europe and other bodies, to respond effectively to the threats originating from cyber space;
13. Calls on the international community to agree on specific countermeasures against cyber threats, including the creation of universal rules of conduct in cyber space;
14. Draws attention to the need to revise existing law concerning cyber security and cyber crime, for example through the enactment of provisions on:
  - a. offences against the confidentiality, integrity and availability of computer data and systems;
  - b. computer-related offences, including computer-related forgery and computer-related fraud;
  - c. offences related to infringement of copyright;
  - d. content-related offences, for example child pornography, including the necessary co-operation of Internet service providers so that they report cases of online sexual exploitation against children to authorities;
15. Encourages research on supplementary measures, including harmonization of the relevant legislation of States and the introduction of direct communication networks, to make international co-operation in the field of cyber security and cyber crime more efficient;
16. Urges all parties involved to search, in good faith, for negotiated solutions in the field of cyber security and cyber crime in order to achieve a comprehensive and lasting settlement based on the norms and principles of international law that respect fundamental human rights as enshrined in the 1950 Council of Europe Convention for the Protection of Human Rights and Fundamental Freedoms, the 1966 United Nations International Covenant on Civil and Political Rights and other applicable international human rights treaties that reaffirm the right of everyone to hold opinions without interference, as well as the right to freedom of expression, including the freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, and the rights concerning the respect for privacy and the right to the protection of personal data;

17. Stresses the need to analyse the efficiency of existing measures and to supplement them according to experience in order to find common responses to the development of new information technologies while ensuring co-operation between States and private industry, based on the standards and values of the OSCE.

## RESOLUTION ON

### MIGRATION AS A CONTINUING CHALLENGE FOR THE OSCE

1. Reaffirming its resolution on “Labour Migration in Central Asia” (Vilnius Declaration, 2009), the resolution on “Recognizing the Economic, Cultural, Political and Social Contributions of Migrants” (Astana Declaration, 2008) and Chapter II of the Kyiv Declaration (2007),
2. Recalling the OSCE commitments related to migration, as reaffirmed in Ministerial Decision No. 5/09 on Migration Management,
3. Considering that migration will continue to be a shaping force in the economies, cultures and societies of OSCE participating States, whereas the demand for the labour force that migrant communities can provide will increase with the ageing population in Europe,
4. Emphasizing that participating States are obliged to uphold and enforce respect for human dignity in all circumstances, including when dealing with legal and illegal migration and asylum seekers,
5. Recognizing that migration has both positive and negative effects and that a balanced, comprehensive and co-operative approach to this phenomenon is indispensable, in order to deal realistically with the opportunities and challenges it offers, for countries of origin as well as for countries of destination,
6. Emphasizing that such a balanced approach requires a fundamental level of knowledge of migrants’ lives, aspirations and means of survival,
7. Recognizing that regulation of migration flows is an absolute necessity, as a free flow of people would inevitably lead to irregular and unprotected situations, harming the migrants, the countries of origin and the countries of destination, but also that it is inappropriate to label irregular migrants as “illegal”, since no human being arrives in this world illegally,
8. Realizing that good relations, co-operation and co-ordination between countries of origin and countries of destination are crucial for an effective regulation of migration flows,
9. Underlining that migrants, before leaving their home countries, have the right to receive good information about living and working conditions they can expect in their country of destination, but also that migrants have a duty to inform themselves well about the country where they plan to begin a new life,

The OSCE Parliamentary Assembly:

10. Commends the work of the Office of the Co-ordinator of OSCE Economic and Environmental Activities in the field of migration, such as promotion of a comprehensive and co-operative approach to effective migration management; the publication of a Guide on Gender-Sensitive Labour Migration Policies and the production of Trainers' Manuals on Labour Migration Management with partners (the Office for Democratic Institutions and Human Rights and the International Office for Migration (IOM)); a joint OSCE-IOM conference on migrants' savings and investments for development, and harmonized data collection as a sound basis for policy-making; and calls on OSCE participating States to secure the funding for these and related activities in the future;
11. Calls on OSCE participating States to increase efforts to combat human trafficking and smuggling of migrants and to further international co-operation in this area, specifically between the national police of the participating States;
12. Calls on the OSCE participating States to strengthen co-operation with key actors in the field of migration and asylum, notably the United Nations High Commissioner for Refugees, the IOM, the International Labour Organization, the International Committee of the Red Cross and international and national non-governmental organizations;
13. Calls on the OSCE participating States, in the preparation and the implementation of labour migration policies, to pay special attention to the position of women migrants and also to recognize the economic contribution of migrants, both to their countries of destination and, through remittances, savings, investments and new skills, to their countries of origin;
14. Asks participating States to guarantee the right to education of migrants and in particular of asylum seekers as set out in the United Nations Convention on the Rights of the Child;
15. Calls on participating States to adopt and implement legislation that addresses discrimination in employment, and to work with the private sector in order to adopt preventive initiatives such as programmes that facilitate vulnerable groups' entry into the labour market and combat discriminatory practices in the workplace;
16. Recommends that participating States work to increase the knowledge and data of migratory flows, paying attention to the gender dimension in (labour) migration and migrant communities in general, both in relation to policy makers and public opinion, in order to enable a realistic and respectful debate to take place on both the positive and negative aspects of one of the greatest challenges of the 21<sup>st</sup> century and how to develop effective, humane and fair migration management policies and programmes.

## RESOLUTION ON PARTNERSHIP IN ASSISTING REFUGEES

1. Recalling the Vilnius Declaration and namely the Resolution on the “Guidelines on Aid and Assistance to Refugees” stating that “the main priority for refugees [...] is to resume their own lives in their own countries, at the heart of their own cultural and social contexts, as soon as possible, once all danger has subsided”,
2. Recalling also that the above Resolution invites OSCE participating States “to fast-track, wherever possible, [...] the provision of aid and assistance as close as possible to the refugees’ country of origin”,
3. Stressing the need to seek to relieve the hardship and suffering of those who are already bearing the brunt of a genuine material, physical and psychological distress as they have been forced to leave their own countries and sever their family and social ties due to such serious causes as armed conflicts, natural and environmental disasters, or famine,
4. Concerned that asylum seekers usually have no right to work, or are only allowed to work after a certain amount of time, which sometimes forces people to live in inhumane conditions, especially in countries where reception conditions are poor, thus making them an easy prey for exploitation and even modern slavery,
5. Noting also that the some countries’ geographical position makes them easier to reach than others by asylum seekers, which leads to real imbalances as to the number of refugees to be admitted,
6. Considering also that the said imbalances might sometimes lead to the saturation of the absorption capacity of those States hosting the largest number of refugees with the ultimate effect of undermining the quantity and the quality of the services provided to them,

The OSCE Parliamentary Assembly:

7. Urges OSCE participating States to negotiate amongst themselves agreements and procedures allowing for a more equitable sharing of the flow of refugees who have been or are to be admitted, also bearing in mind such criteria as geographical proximity or cultural closeness to the country of origin and population density of the country of destination, so as to ensure the best life prospects for everyone, including the population of the host countries, as well as the possibility for asylum seekers or refugees to resume their lives, returning to their homeland, to the heart of their own cultural and social contexts as soon as possible, once all danger has subsided.

**RESOLUTION ON**

**THE OSCE'S COMMITMENT IN FAVOUR OF RELIGIOUS FREEDOM  
AND THE SEPARATION BETWEEN RELIGIOUS COMMUNITIES  
AND THE STATE**

1. Recognizing that freedom of religion is a fundamental human right, essentially connected to the respect for human dignity,
2. Reaffirming the unquestionable value of the United Nations Universal Declaration of Human Rights of 1948, which states in Article 18 that “Everyone has the right to freedom of thought, conscience and religion,” and further, that “this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance”,
3. Recalling that the right to freedom of religion, connected to the right to freedom of opinion and expression, is also closely connected to the rights to freedom of assembly and association, enshrined as human rights in the same Universal Declaration of Human Rights (Articles 19 and 20),
4. Bearing in mind that the right to freedom of religion, and its connected rights, have been enshrined as fundamental civil rights in the legal texts and practices of all democratic States governed by the rule of law worthy of such consideration,
5. Aware that the greater diversity that exists in our societies, due both to their internal cultural diversity and to migratory flows, requires an expansion of religious freedom both for individuals and for communities,
6. Concerned by situations where certain interpretations of religious traditions, approached from fundamentalist or extremist perspectives, lead to tensions between religious faiths, sometimes overlapping with ethnic conflicts,
7. Emphasizing that a healthy concept of secularism is inclusive and respectful of all authorities, and encourages constant dialogue between institutions (e.g. local, regional and international) and religious communities, recognizing the identity, self-organization, structure and specific contribution of the latter,
8. Sharing the idea that religious faiths must respect the human rights of all citizens, including their own members, as well as the legal democratic order under which their presence in society is defined and the independence of the political sphere as the venue in which legislation and governance is assured for all,
9. Aware that the principle of tolerance must govern the coexistence between citizens with different beliefs but equal rights, and that a just separation between religious

communities and the State must govern relations between States and religious faiths in an attitude of respect and mutual recognition of each other's independence, not excluding the principle of collaboration that binds the public administration and religious faiths to co-operate wherever the common good so requires,

10. Eager to promote a much-needed dialogue between faiths which, as an element of intercultural dialogue, must provide a channel for the convergence of different individuals and communities around the values of democracy and the principles of freedom, equality and justice that should inspire our common life in society,
11. Underlining the statements contained in the document on the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century of 2003, whereby "respect for human rights and fundamental freedoms, democracy and the rule of law is at the core of the OSCE's comprehensive concept of security", in such a way that "systematic violations of human rights and fundamental freedoms, including the rights of persons belonging to national minorities, can give rise to a wide range of potential threats" (point 4),
12. Acknowledging that, as the same OSCE Strategy document declares, "practices related to discrimination and intolerance both threaten the security of individuals and may give rise to wider-scale conflict and violence" including ethnic or religious tensions (point 12),
13. Insisting, in line with the said document, on the fact that "discrimination and intolerance are among the factors that can provoke conflicts, which undermine security and stability," and that "the participating States, the OSCE bodies and institutions, the Secretariat and many OSCE field operations are engaged in activities directed against threats related to discrimination and intolerance" (points 36 and 37),
14. Taking into account calls on the OSCE from States, political parties, religious communities, civil society organizations, NGOs and different authorities, for it to support progress in the defence of religious freedom, whilst reinforcing the separation between religious communities and the State, as a guarantee for freedom of religion,

The OSCE Parliamentary Assembly:

15. Recognizes that freedom of religion is connected to human dignity and therefore deserves to be respected in the same terms;
16. Reaffirms the unquestionable value of the right to freedom of religion, as well as of the related rights to freedom of opinion and expression, assembly and association, enshrined in the 1948 Universal Declaration of Human Rights;
17. Acknowledges that the right to freedom of religion and its related rights have been recognized in the legal texts and political practices of all democratic States governed by the rule of law worthy of such consideration;

18. Calls for an extension of freedom of religion for individuals and communities, in the light of our societies' greater degree of religious diversity, due to the greater cultural diversity brought about, to a great extent, by migration flows;
19. Calls for the eradication of intolerant or excluding forms of behaviour that encourage certain fundamentalist or extremist interpretations, which give rise to religious tension, often overlapping with ethnic conflict;
20. Calls for progress to be made towards an effective separation between religious communities and the State, understood as neutrality vis à vis religious faiths, and always with the due respect towards the social and cultural significance of religious experience, in the understanding that a separation of this kind is a political precondition and a legal guarantee for the democratic coexistence between individuals and communities of different religious faiths and between the latter and those who have no religious affiliation;
21. Calls on religious faiths to respect the human rights of all citizens, including their own members, as well as the legal democratic order under which their presence in society is defined and the independence of the political sphere as the venue in which legislation and governance is assured for all;
22. Calls on States and their respective governments to ensure within their societies a peaceful coexistence based on the principle of respect; a political order configured according to the principle of separation between religious communities and the State; and relations between public administrations and religious faiths inspired by the principle of co-operation;
23. Calls on political and academic institutions, civil society and religious faiths, in line with the contents of the OSCE Decision on "Tolerance and Non-Discrimination: Promoting Mutual Respect and Understanding" (30/11/2007), to ensure that the individuals and communities involved establish the necessary inter-faith dialogue in order to foster, within the framework of an intercultural dialogue, a convergence on universally accepted democratic values and on the principles of freedom, equality and justice that should guide the construction of a social order that requires the contribution of all members of society;
24. Reaffirms the concept of global and comprehensive security that has gradually matured within the OSCE, which includes preventing and addressing sources of conflict through the institutional measures that may be required, including religious tensions and ethnic conflicts that stem from different forms of discrimination or intolerant behaviour which may be suffered by individuals or communities due to their religious beliefs or other motives of conscience.

## RESOLUTION ON THE PROTECTION OF INVESTIGATIVE JOURNALISTS

1. Recalling that in the 1999 Istanbul Document, our leaders stressed “that corruption poses a great threat to the OSCE’s shared values” affecting many aspects of the security, economic and human dimensions,
2. Emphasizing that at the Istanbul OSCE Summit the participating States pledged to strengthen their efforts to combat corruption and the conditions that foster it, and to promote a positive framework for good government practices and public integrity; make better use of existing international instruments and assist each other in their fight against corruption; and work with non-governmental organizations that are committed to a strong public and business consensus against corrupt practices,
3. Stressing the responsibility of the participating States to uphold the right to freedom of opinion and expression, including the right of the media to collect, report and disseminate information, news and opinions,
4. Recognizing that insult laws are often used to punish the utterance of truthful statements, as well as opinions, satire, invective, and even humour,
5. Underlining the unique and vital role played by independent media and investigative journalists in exposing corruption and thereby contributing to the strengthening of democratic society,
6. Recognizing that free and pluralistic media which enjoy maximum editorial independence from political and financial pressure have an important role to play in ensuring transparency,
7. Acutely aware that investigative journalists are frequently targeted by the authorities and others for harassment, administrative and judicial measures, including imprisonment, as well as violent attacks and murder because of their journalistic endeavours, and
8. Deeply concerned over impunity in cases involving violent attacks or the killing of journalists,

The OSCE Parliamentary Assembly:

9. Declares its support for the vital work of investigative journalists aimed at strengthening democracy, human rights and the rule of law;
10. Calls upon the OSCE participating States to:

- a. Ensure that their laws, regulations and practices and policies promote the free flow of information as well as the public's access to information, including the use of the Internet and other modern communications technologies;
  - b. Repeal criminal defamation statutes that make it a crime to defame, slander or libel someone or something;
  - c. Refrain from enacting wide-ranging and vaguely worded laws on national security and "extremism";
  - d. Eliminate administrative and other impediments that hinder the ability of investigative journalists from undertaking their professional activities;
  - e. Fully respect the right of journalists not to disclose their sources of information;
  - f. Carry out prompt and thorough investigations into threats and physical attacks against investigative journalists; and
  - g. Vigorously prosecute all of those responsible for the murder of investigative journalists;
11. Agrees to consider actions that would draw attention to the vital role played by journalists in strengthening democracy, human rights and the rule of law, *inter alia*, by reinstating the Assembly's annual OSCE Prize for Journalism and Democracy.

## RESOLUTION ON NATIONAL MINORITIES IN INTER-STATE RELATIONS

1. Considering that issues related to the treatment of national minorities can be a source of friction between States, and have been among the root causes of many of the protracted conflicts in the OSCE region,
2. Recalling the Recommendations set out in the statement of the OSCE High Commissioner on National Minorities (HCNM) on Sovereignty, Responsibility and National Minorities (2001), and on the Report on the Preferential Treatment of National Minorities by their Kin-State (2001), issued by the Council of Europe's Commission for Democracy through Law (Venice Commission), as well as in the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992),
3. Recalling the obligations on protection of national minorities contained in the United Nations conventions and declarations, in the Helsinki Final Act, OSCE Parliamentary Assembly resolutions and basic OSCE documents,
4. Recognizing with appreciation the valuable work done by the HCNM,
5. Welcoming the Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations by the HCNM which show how States can support minorities abroad in co-operation with States of residence without appearing threatening and allaying traditional fears associated with their involvement,

The OSCE Parliamentary Assembly:

6. Recommends that OSCE participating States adopt a political declaration endorsing the Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations and agree to adhere to their principles;
7. Calls upon States to refrain from taking unilateral steps, including extending benefits to foreigners on the basis of ethnic, cultural, linguistic, religious and historical ties that have the intention or effect of undermining the principle of territorial integrity, and from providing direct or indirect support for similar initiatives undertaken by non-State actors;
8. Urges the OSCE participating States to ensure that a conferral of citizenship to individuals abroad respects the principle of friendly, good neighbourly relations and territorial integrity and sovereignty, and should refrain from conferring citizenship *en masse*, even if dual citizenship is allowed by the State of residence;
9. Affirms that the Parliamentary Assembly of the OSCE will remain seized of the matter of national minorities in inter-State relations.

## RESOLUTION ON

### THE PROHIBITION OF DISCRIMINATION ON GROUNDS OF SEXUAL ORIENTATION OR GENDER IDENTITY

1. Bearing in mind that international law establishes that all human beings are born free and equal,
2. Considering that this principle admits no exception and includes the right to freely express one's sexual orientation and gender identity, which are an important element in a person's integrity,
3. Observing however that State homophobia persists and the rights to freedom of expression, freedom of assembly and other basic rights are denied to lesbian, gay, bisexual or transsexual (LGBT) persons in a number of OSCE participating States,
4. Convinced that the OSCE has the duty to promote a clear message in favour of respect and non-discrimination in order for all persons to live with dignity in all its participating States, regardless of their sexual orientation or gender identity,
5. Welcomes the fact that some States have adopted measures against discrimination affecting LGBT persons,

The OSCE Parliamentary Assembly:

6. Calls on participating States to ensure that the fundamental rights of LGBT persons, including freedom of expression, freedom of assembly and freedom of association, are respected in accordance with international human rights standards;
7. Condemns any incitement to hatred and any discriminatory or abusive statement against LGBT persons or groups;
8. Calls on participating States to adopt legislation banning any form of discrimination on grounds of sexual orientation or gender identity;
9. Further calls on participating States to repeal legislation that is discriminatory against LGBT persons, in line with the rulings of the European Court of Human Rights;
10. Calls on participating States to sign and ratify Protocol number 12 to the European Convention on Human Rights, which establishes a comprehensive prohibition of discrimination;
11. Recognizes persecution due to a person's sexual orientation or gender identity as grounds for granting asylum, in application of the UNHCR Guidance Note on refugee claims relating to sexual orientation and gender identity of 21 November 2008.

## RESOLUTION ON WOMEN'S RIGHTS AND REPRODUCTIVE HEALTH

1. Recognizing that reproductive health problems remain the leading cause of ill health and death for women of childbearing age worldwide,
2. Concerned that impoverished women suffer disproportionately from unintended pregnancies, maternal death and disability, sexually transmitted infections including HIV, sexual violence and other problems related to their reproductive system and sexual behaviour,
3. Acknowledging the World Health Organization's estimates that around half a million women and adolescent girls have died every year since 1980 from largely preventable complications related to pregnancy, childbirth and unsafe abortions,
4. Recalling that the internationally agreed Millennium Development Goal (MDG) 5 – calling for a reduction of maternal mortality by 75% and full universal access to reproductive health, is the least likely goal to be achieved of all the MDGs, as highlighted in the adopted resolution on Maternal Mortality in the 2009 Vilnius Declaration of the OSCE Parliamentary Assembly,
5. Deeply concerned that the high rates of preventable maternal mortality in the OSCE area are related to the presence of gender inequalities which include; violence, including sexual violence, against women and girls, lack of access to contraceptives, unsafe abortions or lack of access to abortion, lack of education and economic opportunities, lack of participation in decision-making, multiple forms of discrimination, and unequal health services and facilities for women and girls in particular,
6. Acknowledging that the full and equal exercise by women of their human rights, including the right to sexual and reproductive health, is essential to achieve a more peaceful, prosperous and democratic development of the OSCE area, as pointed out in the 2004 OSCE Action Plan for the promotion of gender equality,
7. Concerned that Eastern Europe and Central Asia is the only region where HIV prevalence remains on the rise, bringing the number of people living with HIV in the region to 1.5 million and aware that Ukraine and the Russian Federation are experiencing especially severe and growing national epidemics, and that Ukraine has the highest infection level reported in all of Europe, according to the Joint United Nations Programme on HIV/AIDS (UNAIDS) and the World Health Organization (WHO) epidemic update 2009,
8. Recalling MDG 6, to halt and reduce the spread of HIV/AIDS by 2015, acknowledging the recommendations by UNAIDS to link HIV prevention with sexual and reproductive health services and legal services for women, and taking note that special efforts to reach

those at higher risk and excluded from access to reproductive and sexual health services, will result in more relevant and cost-effective programmes with greater impact,

9. Recognizing that the United Nations Convention on the Rights of the Child states that “the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth”,
10. Recalling the Convention on the Elimination of All Forms of Discrimination Against Women, the Beijing Declaration and Platform for Action, the Programme of Action of the International Conference on Population and Development and the review conferences and commitments regarding the reduction of maternal mortality and universal access to reproductive health, including those contained in the 2000 Millennium Declaration (General Assembly resolution 55/2), the 2005 World Summit Outcome, and other relevant UN General Assembly resolutions,

The OSCE Parliamentary Assembly:

11. Repeats the call upon the participating States to strengthen their political efforts and financial resources to reduce infant and maternal mortality and to achieve MDG 4, MDG 5 and MDG 6 by 2015;
12. Encourages the States to promote and protect women’s sexual and reproductive rights as part of their human rights, including addressing gender inequalities and discrimination against women and girls in the OSCE area;
13. Encourages participating States to further support and increase effective reproductive health interventions, promote the empowerment of women and girls and give renewed emphasis to maternal mortality initiatives through honouring existing international commitments;
14. Urges participating States to recognize and implement the evidence-based recommendations made by WHO, the United Nations Population Fund, the United Nations Children’s Fund and the World Bank, to reduce preventable infant and maternal mortality and HIV/AIDS and increase women’s right and access to health including increased access to comprehensive reproductive and sexual health information and services for women and young people, family planning, reproductive health supplies, prenatal care to help women carry to term, food and nutrition, medication to prevent mother-to-child transmission of HIV/AIDS, safe delivery by skilled birth attendants, post-natal care, breastfeeding information, treatment of sexually transmitted infections including HIV, management of complications of abortion, and equipping and training health service providers to ensure access to safe abortions;
15. Urges participating States to recognize and implement the modern medical technologies permitting doctors to treat pre-born patients in the womb and contribute to attaining MDG 4 and MDG 5;

16. Encourages States within the OSCE area to strengthen partnerships between the States, civil society and the private sector as an effective measure in addressing and preventing maternal mortality and HIV/AIDS and to promote women's rights including their sexual and reproductive health and rights.

## **RESOLUTION ON THE DEATH PENALTY**

1. Recalling the Resolution on Abolition of the Death Penalty adopted in Paris at the Tenth Annual Session in July 2001,
2. Recalling the Resolution on The Prisoners Detained by the United States at the Guantanamo Base, adopted in Rotterdam at the Twelfth Annual Session in July 2003, which “underlining the importance of the defence of democratic rights, not least confronted with terrorism and other undemocratic methods,” urged the United States of America to “refrain from the use of the death penalty”,
3. Recalling the Resolution on Strengthening Effective Parliamentary Oversight of Security and Intelligence Agencies, adopted in Brussels at the Fifteenth Annual Session in July 2006, which expressed alarm at “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” including “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”,
4. Recalling the Resolution on the implementation of OSCE commitments, adopted in Kyiv at the Sixteenth Annual Session in July 2007, which “reaffirms the value of human life and calls for the abolition in the participating States of the death penalty, replacing it with more just and humane means of delivering justice”,
5. Recalling the Resolution on a moratorium on the death penalty and towards its abolition, adopted by the General Committee on Democracy, Human Rights and Humanitarian Questions of the OSCE Parliamentary Assembly in Vilnius at the Eighteenth Annual Session on 1 July 2009,
6. Noting that, on 18 December 2007, the United Nations General Assembly adopted the historic resolution 62/149 calling for a worldwide moratorium on executions with a view to abolishing the death penalty, which was adopted by an overwhelming majority, with 104 United Nations Member States in favour, 54 countries against and 29 countries abstaining,
7. Noting that resolution 63/168 on the implementation of the 2007 General Assembly resolution 62/149 was adopted by the United Nations General Assembly on 18 December 2008, with 106 votes in favour, 46 against and 34 abstentions,
8. Recalling the inclusion of the issue of capital punishment in the catalogue of OSCE human dimension commitments by the 1989 Vienna Concluding Document and the 1990 Copenhagen Document,

9. Recalling paragraph 100 of the St. Petersburg Declaration of the OSCE Parliamentary Assembly of 1999 and paragraph 119 of the Bucharest Declaration of the OSCE Parliamentary Assembly of 2000,
10. Noting that the death penalty is an inhuman and degrading punishment, an act of torture unacceptable to States respecting human rights,
11. Noting that the death penalty is a discriminatory and arbitrary punishment and that its application has no effect on trends in violent crime,
12. Noting that, in view of the fallibility of human justice, recourse to the death penalty inevitably carries a risk that innocent people may be killed,
13. Recalling the provisions of Protocol No. 6 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, which prohibits Council of Europe Member States from applying the death penalty,
14. Recalling the provisions of the Second Optional Protocol to the International Covenant on Civil and Political Rights of 1989, and the World Conference on Capital Punishment held in Strasbourg in 2001, as well as the Additional Protocol No. 6 to the European Convention on the Protection of Human Rights and Fundamental Freedoms aiming at the universal abolition of the death penalty,
15. Noting that the 1998 Rome Statute excludes the death penalty, even though the International Criminal Court, along with the International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal for Rwanda, the Special Court for Sierra Leone, the Special Panels for Serious Crimes in Dili, Timor-Leste, and the Extraordinary Chambers in the Courts of Cambodia, have jurisdiction over crimes against humanity, genocide and war crimes,
16. Noting that in October 2008 the European Union and the Council of Europe, in a joint declaration, established a “European Day against the Death Penalty”,
17. Recalling that at the OSCE Human Dimension Implementation Meetings in Warsaw, in 2006, 2007, 2008 and 2009, several civil society organisations, including Hands Off Cain, Amnesty International, Penal Reform International, the World Coalition Against the Death Penalty and the International Helsinki Federation for Human Rights, expressed their support for Resolution 222 on a global moratorium on the death penalty presented to the United Nations General Assembly,
18. Noting that the Fourth World Congress Against the Death Penalty, which met in Geneva in February 2010, appealed to the *de facto* abolitionist states to abolish the death penalty by statute, the abolitionist states to incorporate the topic of universal abolition into their international relations, and international and regional organizations to support universal abolition through the adoption of resolutions for a moratorium on executions,

19. Noting that 138 States in the world have abolished the death penalty *de jure* or *de facto*; of which 92 States abolished it for any offence, 10 keep it only for exceptional crimes such as those committed in wartime, and 36 have not carried out executions for at least 10 years or are committed to implementing a moratorium;
20. Noting that in some OSCE participating States the death penalty is retained in law, but that there is a moratorium on executions in Kazakhstan, the Russian Federation and Tajikistan, while executions may be carried out during wartime in Latvia,
21. Noting that on 23 March 2010 the President of the State Duma of the Russian Federation, Boris Gryzlov, at a meeting in Moscow with members of the Monitoring Committee of the Parliamentary Assembly of the Council of Europe, said that Russia had failed to ratify the Sixth Protocol to the European Convention for the Protection of Human Rights and Fundamental Freedoms, concerning the abolition of the death penalty, in view of terrorist threats in the country,
22. Noting that on 11 February 2010 the Parliament of Kyrgyzstan adopted the Second Optional Protocol to the International Covenant on Civil and Political Rights, concerning the abolition of the death penalty, and on 21 May 2010 the final draft of the Constitution, which prohibits, *inter alia*, the death penalty and which has now been adopted, was made public by the interim Government of Kyrgyzstan,
23. Noting that within the OSCE only two of the 56 participating States nevertheless continue to apply the death penalty,
24. Deeply concerned about the fact that people are still being sentenced to death and executions carried out in Belarus and in the United States of America,
25. Noting that, according to the report published by Amnesty International in March 2009, “Ending executions in Europe – Towards abolition of the death penalty in Belarus”, in Belarus “there is credible evidence that torture and ill-treatment are used to extract ‘confessions’; condemned prisoners may not have access to effective appeal mechanisms; and the inherently cruel, inhuman and degrading nature of the death penalty is compounded, for death row prisoners and their relatives, by the secrecy surrounding the death penalty. Neither prisoners nor their families are told the execution date in advance and prisoners must live with the fear that every time their cell door opens they may be taken for execution”,
26. Noting that both the Parliamentary Assembly of the Council of Europe and the European Union have repeatedly urged Belarus to abolish the death penalty,
27. Noting in particular that the European Parliament, in its Resolution of 17 December 2009 on Belarus, “calls on the Government of Belarus immediately to establish a moratorium on all death sentences and executions with a view to abolishing the death penalty” and “to commute without delay the sentences of all prisoners currently on death row to terms of imprisonment”,

28. Noting that details about the death penalty in Belarus are secret and that, according to the Criminal Executive Code, the death penalty is carried out in private by means of shooting, the administration of the detention facility informs the judge about the executions and the judge informs the relatives; the body of an executed person is not given for burial to his or her relatives and the place of burial is not communicated,
29. Noting that in Belarus capital punishment, under the Constitution, is an exceptional and provisional measure to be taken only in extreme cases, and that Belarus has taken substantial steps to limit the handing down of death sentences by halving the number of articles in the Criminal Code that provide for imposition of the death penalty,
30. Noting that, on 22 February 2010, Nikolai Samoseiko, Chairman of the Legislation and Judicial Affairs Committee of Belarus' House of Representatives and head of the ad hoc Parliamentary Group on the death penalty, stated that his country is now mature to discuss whether or not it really needs the death penalty, that the number of death sentences issued in the country has decreased significantly (from 47 in 1998 to 2 in 2008 and 2 in 2009) and that the decision to abolish the death penalty, according to a ruling of the Constitutional Court, may only be taken by the President or Parliament,
31. Condemning the fact that on 22 March 2010 two Belarusian citizens, Andrei Zhuk and Vasily Yuzepchuk, were executed for murder in Belarus, and that President Alexander Lukashenko's decision to reject their amnesty request was communicated to them a few minutes before their execution,
32. Noting that on 23 March 2010, according to Radio Free Europe, four Belarusian activists (Ales Byalyatsky, Valyantsin Stefanovic, Iryna Toustsik and journalist Syarhey Sys) were arrested in Minsk, near President Lukashenko's offices, because they were protesting against the recent executions,
33. Noting that, on the same day, the Council of Europe expressed strong condemnation for the executions, with a joint statement by the Secretary General, Thorbjørn Jagland, the Chair of the Committee of Ministers, Micheline Calmy-Rey, and the President of the Parliamentary Assembly, Mevlut Cavusoglu, calling on the country to "choose between the current system and the value of democracy and human rights",
34. Noting that on 14 May 2010 two men were sentenced to death in Belarus for three murders committed last year during an armed robbery,
35. Noting with concern that Belarus has failed to publish comprehensive statistics about the number of death sentences passed and executions carried out, in contravention of its commitment as a participating State of the OSCE to "make available the public information regarding the use of the death penalty", as stated in the Document approved at the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE, on 29 June 1990,

36. Noting that, out of the 50 states which make up the United States of America, 38 have the death penalty, although four of them have not held executions since 1976, and federal law provides for 42 offences which may be punished by death,
37. Noting that in 2009, for the seventh consecutive year, the number of death sentences in the United States of America decreased, to 106 (the lowest number since the USA reintroduced the death penalty, in 1976), although executions increased (52 against 37 in 2008) following the termination of a *de facto* moratorium in force from September 2007 to May 2008, pending a Supreme Court ruling on the constitutionality of the lethal injection protocol,
38. Noting that in the United States of America in 2009, executions took place in 11 states, including those in which the death penalty is in force,
39. Noting that in September 2009, there were 3,263 inmates of death rows in the United States,
40. Noting that in 2009, 11 states of the United States of America debated abolitionist bills,
41. Noting that on 17 November 2009 death-sentenced Larry Bill Elliott of Virginia, was executed, at his request, by electric chair,
42. Noting with concern that on 15 September 2009 Romell Broom was sentenced to be executed in Ohio, but the execution failed since the personnel in charge of the execution had tried for two hours to insert needles into his veins, which were difficult to find; his execution was postponed and then, according to his lawyers, after the anguish and stress of the failed attempt, a new attempt would constitute “cruel and unusual punishment”,
43. Welcoming the fact that some states, including Montana, New Jersey, New York, North Carolina and Kentucky have moved against the death penalty through measures including a moratorium on executions or its abolition,
44. Noting that on 5 October 2009, the United States Government decided not to seek the death sentence for a Tanzanian citizen detained in Guantanamo since 2006 in relation to two deadly terrorist attacks against United States embassies, which occurred in Tanzania and Kenya in 1998,

The OSCE Parliamentary Assembly:

45. Condemns all executions wherever they take place;
46. Calls upon participating States applying the death penalty to declare an immediate moratorium on executions;

47. Encourages the participating States that have not abolished the death penalty to respect safeguards protecting the rights of those facing the death penalty, as laid down in the United Nations Economic and Social Council Safeguards;
48. Condemns in particular the resumption of executions in Belarus, despite the political initiatives of the European Union towards the Government, made also with a view to encouraging reforms in the field of human rights;
49. Calls on Belarus to take immediate steps towards abolition of the death penalty by promptly establishing a moratorium on all death sentences and executions with a view to abolishing the death penalty, as provided by United Nations General Assembly resolution 62/149, adopted on 18 December 2007, and resolution 63/168, adopted on 18 December 2008;
50. Calls upon the Government of the United States of America to adopt a moratorium on executions leading to the complete abolition of the death penalty in federal legislation and to withdraw its reservation to Article 6(5) of the International Covenant on Civil and Political Rights;
51. Calls upon Latvia to amend its Criminal Code in order to abolish the death penalty for murder with aggravating circumstances, if committed during wartime;
52. Calls upon the retentionist participating States to encourage the Office for Democratic Institutions and Human Rights and OSCE Missions, in co-operation with the Council of Europe, to conduct awareness-raising activities against recourse to the death penalty, particularly with the media, law enforcement officials, policy-makers and the general public;
53. Further encourages the activities of non-governmental organizations working for the abolition of the death penalty;
54. Commits to monitoring the issue of the death penalty and to considering possible initiatives and ad hoc missions in retentionist countries, so as to urge government authorities to adopt a moratorium on executions with a view to completely abolishing them.

## RESOLUTION ON NOT USING HOTELS WHICH ASSIST THE SEX TRADE

1. Recalling the UN Code of Conduct,
2. Recalling the 2004 OSCE Gender Action Plan,
3. Acknowledging goals and principles laid down in these documents,
4. Re-affirming the importance of setting examples and implementing commitments,
5. Welcoming the decision by the Nordic Council not to use hotels which assist the sex trade,

The OSCE Parliamentary Assembly:

6. Provides assurance that the OSCE Parliamentary Assembly shall only use hotels which guarantee not to assist the sex trade and in which all staff have received guidelines in this respect;
7. Urges other OSCE institutions to adhere to the same principle and requests the OSCE participating States to comply.

## RESOLUTION ON

### STEPPING UP THE STRUGGLE AGAINST HUMAN TRAFFICKING FOR PURPOSES OF SEXUAL EXPLOITATION IN OSCE COUNTRIES

1. Bearing in mind that the OSCE's main objective is to promote an interconnected and cohesive approach to the three dimensions of security and that during the Spanish Chairmanship in 2007 the concept of security was extended to include sustainable human development, as enshrined in the Madrid Declaration, which achieved a consensus regarding the struggle against human trafficking,
2. Aware that we face the challenge of transforming security into a guarantee of human rights and fundamental freedoms,
3. Bearing in mind that the OSCE adopted an Action Plan to Combat Trafficking in Human Beings,
4. Recalling the agreements adopted at the United Nations Global Forum on Human Trafficking and the OSCE Alliance Conference on trafficking in human beings held in Vienna in 2008, and the Council of Europe Convention on Action against Trafficking in Human Beings,
5. Underlining the need to promote the broadest possible ratification of the 2000 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime, and the 2005 Council of Europe Convention on Action against Trafficking in Human Beings,

The OSCE Parliamentary Assembly:

6. Calls on participating States to step up their efforts in the struggle against this scourge, defined by the United Nations (UN) as 21<sup>st</sup> century slavery;
7. Calls for parliamentarians' active engagement in order to ensure full and effective application of the instruments for effectively combating trafficking in human beings through the following measures:
  - a. Promoting ratification of the UN Protocol and the Council of Europe Convention by all Member States;
  - b. Criminalizing people trafficking;
  - c. Avoiding victimization and curb demand through awareness raising;
  - d. Protecting victims;

- e. Improving the co-ordination of measures against trafficking on a national level;
- f. Establishing databases;
- g. Strengthening co-operation in the field of police and judicial operations;
- h. Improving co-ordination in the field of technical assistance, bearing in mind that trafficking is an increasingly prevalent crime;
- i. Including the trafficking perspective in other fields of action (namely against poverty, inequality, gender-based discrimination, violence against women, etc.);
- j. Reinforcing the Inter-Agency Cooperation Group Against Trafficking in Persons;
- k. Strengthening the role of the Conference of the Parties to the Convention against Transnational Organized Crime;
- l. Calling on participating States to adopt an action plan against trafficking in human beings for purposes of sexual exploitation.

## RESOLUTION ON

### COMBATING DEMAND FOR HUMAN TRAFFICKING AND ELECTRONIC FORMS OF EXPLOITATION

1. Commemorating 2010 as the ten-year anniversary of the Palermo Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Particularly of Women and Children, as well as the United States Trafficking Victims Protection Act 2000,
2. Commending the OSCE nations that have adopted legislation to prevent and prosecute human traffickers, as well as to protect victims, with the ultimate goal of promoting human security in the OSCE region,
3. Recalling the principles of the OSCE Parliamentary Assembly's St. Petersburg Declaration (1999), Brussels Declaration (2006) and Kyiv Declaration (2007), as well as efforts by participating States to implement the OSCE Action Plan to Combat Trafficking in Human Beings (2003 and 2005), and all OSCE commitments related to combating trafficking,
4. Recognizing that child pornography is a multi-billion dollar enterprise, with a growing number of more than 4 million websites on the Internet featuring sexually exploited minors,
5. Noting that the International Labour Organization (ILO) estimates 1.8 million children worldwide are exploited each year through prostitution and pornography, and that these children would not be exploited without willing buyers in their locality and/or buyers coming from abroad,
6. Recognizing that child sex tourism is a developing phenomena and defined as the commercial sexual exploitation of children by people who travel from one place to another and engage in sexual acts with minors,
7. Aware that law enforcement and media reports indicate that known sex offenders who have committed crimes against children are travelling internationally, and that – without cross-border communication – the criminal background of such individuals may not be known to local law enforcement prior to their arrival,
8. Aware that the countries of destination make trafficking in human beings possible through a continuing demand for sexual exploitation and exploitable labour without social security protections,
9. Recognizing that the misuse of the Internet has created websites devoted to the covert and open advertisement of trafficking and prostitution victims for sale, and easy and covert access to these victims for buyers, and

10. Underlining that a climate of impunity for buyers of trafficking and prostitution and child pornography victims encourages demand and fuels trafficking,

The OSCE Parliamentary Assembly:

11. Calls on 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, and also ILO Convention 182, calling for immediate action to ban the worst forms of child labour, including child prostitution and child pornography;
12. Urges OSCE participating States to prosecute to the fullest extent of the law any peacekeeper removed from the field due to sexual exploitation or abuse of the local population;
13. Urges OSCE participating States to co-operate with the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings in order to launch public education campaigns on the culpability of the buyer in the cycle of human trafficking;
14. Encourages OSCE participating States to work with the business community in order to establish trafficking-free supply chains as part of a voluntary professional code of conduct and industry standard;
15. Encourages OSCE participating States to work closely with the hotel, airline, and tourism industries to ensure industry awareness, co-operation, and capacity to report suspected trafficking to local authorities;
16. Encourages the Office of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings to facilitate workshops at all OSCE field missions and presences on effective consular services to combat sex tourism and trafficking in persons;
17. Requests that the OSCE Strategic Police Matters Unit examine ways in which the OSCE can assist participating States in combating the use of the internet for the sexual exploitation and abuse of trafficking victims;
18. Requests that the OSCE Strategic Police Matters Unit research methods and promulgate recommendations to increase international co-operation to track the travel of known sex offenders for early warning of local law enforcement at the destination of their travel;
19. Encourages OSCE participating States, in co-operation with the Office of the OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings and the OSCE Strategic Police Matters Unit, to establish best practices for engaging website owners as partners in the prevention of the criminal misuse of the internet for human trafficking and child pornography, including:

- a. Digital tagging of adult sections of websites using industry standard Platform for Internet Content Selection rating headers in order to facilitate effectiveness of PC-based parental and other screening software;
  - b. Community flagging of website postings reasonably believed to be advertising a trafficking or child pornography victim;
  - c. Use of manual and regularly updated electronic screening for criminal postings;
  - d. Telephone and credit card verification on all posts, which enables the website to block from use a person who has previously posted a trafficking or child pornography victim;
  - e. Co-operation with law enforcement and social welfare agencies to provide all pertinent information regarding persons who have posted trafficking victims or child pornography as well as their victims and buyers;
  - f. Trafficking and child pornography reporting hotlines, as well as posting and distribution of information to educate potential buyers about the legal, health, societal, and other risks for both buyer and victim; and
  - g. An ongoing dialogue with law enforcement on measures to prevent the facilitation of the trafficking and child pornography market on the Internet;
20. Urges OSCE participating States to strengthen international co-operation by instituting formal multilateral, regional and bilateral arrangements for the prevention and detection of those responsible for acts involving the sale of children, child prostitution, child pornography, and child sex tourism; and
21. Strongly encourages the OSCE and participating States to take immediate steps to promote the aggressive prosecution of knowing or careless buyers of human trafficking victims and child pornography.

**RESOLUTION ON**

**THE HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS  
OF ARMED FORCES PERSONNEL**

1. Considering that in 1994, with a view to compiling a questionnaire on the human rights of their armed forces personnel, the OSCE participating States adopted a Code of Conduct on Political-Military Aspects of Security, which served as a point of reference for the OSCE Office for Democratic Institutions and Human Rights (ODIHR) and the Geneva Centre for the Democratic Control of Armed Forces (DCAF),
2. Recalling that the objective of the ODIHR-DCAF project was to gather information on the policies of OSCE participating States regarding the human rights and fundamental freedoms of armed forces personnel,
3. Noting that the initiative resulted in the receipt of detailed responses from 35 of the OSCE's participating States, while other States, including Liechtenstein (which has no regular armed forces), Tajikistan and the Holy See (which also has no regular armed forces) replied with *notes verbales*,
4. Noting that the following OSCE participating States have not replied to the questionnaire: Albania, Andorra (no regular armed forces), Armenia, Cyprus, Greece, Hungary, Iceland (no regular armed forces), Italy, Kazakhstan, Kyrgyzstan, the Former Yugoslav Republic of Macedonia, Moldova, Monaco (palace guard with ceremonial functions), Romania, San Marino (no regular armed forces), Turkmenistan and Uzbekistan,
5. Recalling that the co-operation of those OSCE participating States that did respond, and in so doing accommodated the publication of a Handbook on human rights and fundamental freedoms of armed forces personnel, attest to the fact that military organizations can successfully respect human rights and fundamental freedoms,
6. Considering that the Handbook serves as the basis for the recent Recommendation CM/Rec(2010)4 approved by the Committee of Ministers of the Council of Europe concerning the human rights of members of armed forces, and considering that the Recommendation was adopted by the Committee of Ministers on 24 February 2010 at the 1077th meeting of the Ministers on the theme of the human rights and fundamental freedoms of members of the armed forces in their work and service,
7. Recalling that the rights and protections, *inter alia*, include the following: the right to life, the right not to be subjected to torture or to inhuman or degrading treatment or punishment, the right not be used for forced or compulsory labour, the right to a fair trial, the right to privacy, the right to enjoy freedom of thought, conscience and religion, the right to freedom of expression, the right to freedom of peaceful assembly and to freedom of association, the right to vote and stand for elections, the right to health protection and security at work, the protection of the rights and freedoms of persons under the age of 18

enlisted in the armed forces and the possibility of lodging a complaint with an independent body in respect of their human rights,

8. In the belief that the participating States of the OSCE that did not consider it useful to contribute by responding to the questionnaire and also resolved against the widespread circulation of the Handbook by failing to translate it and make it readily available to their military personnel are evincing, at the very least, an insensitivity in respect of these matters,
9. Considering that the countries in question include Member States of the European Union, which is a matter of particularly grave concern since, as participants in international peacekeeping operations, their military personnel are being asked actively to encourage local populations to respect basic principles of human rights and fundamental freedoms as well as democracy,
10. Considering that, in some participating States of the OSCE, the rights of military personnel to peaceful assembly and free association are not respected on the professed grounds that collective protective action by one or more associations is prejudicial to military discipline and consequently to the operational effectiveness of national security,
11. Considering that the avoidance of the outcome feared by these countries demands no more than a rule that membership of representative bodies shall be limited to members of the armed forces, that the representative bodies shall not be connected to civilian trade unions in order to preclude external influence, and that no strikes or other forms of industrial action that might interrupt the effective operation of the military or jeopardize national security shall be permitted,

The OSCE Parliamentary Assembly:

12. Requests the governments of participating States, with particular regard to those that preferred not to answer the questionnaire, to commit themselves to extensively circulating information about human rights and fundamental freedoms among members of their armed forces, among qualified personnel in the defence field and among the bodies and individuals of their political institutions, referring also to how such rights are recognized outside the national borders. Specifically, this can be achieved through the translation and circulation of the Handbook on human rights and fundamental freedoms of armed forces personnel;
13. Calls on the governments of participating States, with particular regard to those that preferred not to answer the questionnaire, to commit themselves to amending their national statute books in order to afford a broader range of protections to the members of the armed forces, with a view to implementing standards that are necessary for the building of a proper European and trans-national army whose members enjoy the same set of rules and rights.



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