



Report of the Canadian Parliamentary Delegation of the OSCE - Canada-Europe Parliamentary Association

to the

Winter Session of the OSCE Parliamentary Assembly Vienna, Austria February 23-24, 2006

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Report

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I. OSCE Overview

Established in 1975 as the Conference on Security and Co-operation in Europe (CSCE), the Organization for Security and Cooperation in Europe (OSCE) was given its current name at the Budapest Summit in December 1994. The current 55 participating states of the OSCE are "all the European states, the United States and Canada."⁽¹⁾ Eleven other states in the Mediterranean and Asian region, called "Partners for Cooperation," were added as observers. The organization defines itself as a primary instrument for early warning, conflict prevention and crisis management in the region. It is also recognized as a regional arrangement within the meaning of Chapter VIII of the *Charter of the United Nations*, which means that the members of the United Nations that are members of such an arrangement "shall make every effort to achieve a pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council."⁽²⁾ However, the OSCE is not strictly speaking an international organization in international law; that is to say that the resolutions it adopts are not legally binding on the signatory countries.

The organization's 2006 budget is €168.2 million, almost three-quarters of which is allocated to field operations in 16 states. About 3,500 persons work for the OSCE, 500 of them in its various institutions, and 3,000 in field missions. One-quarter of the OSCE personnel is made up of seconded staff from participating states.

An inclusive, comprehensive and cooperative approach to security

Above all, it is the OSCE's membership, which includes the United States and Canada as full-fledged members of a body that addresses European issues, that makes the organization unique. The OSCE favours inclusive dialogue rather than selective admission. As a result, it keeps the lines of communication on essential security matters open between Western countries and other states which are less exemplary with regard to democracy. It also favours exchanges between the European Union and the participating states that (Belarus, Kazakhstan, Uzbekistan, Turkmenistan, Tajikistan, Kyrgyzstan and the Holy See) are not members of the Council of Europe. While the aim of the Council of Europe is above all the harmonization of democratic practices among member states, the OSCE seeks to promote the development of a vast geographic area, from Vancouver to Vladivostok, that is conflict-free, regardless of the democratic quality of the participants.

The organization's resolutions and activities stem from an original conception of security that is "global" in the sense that it goes beyond a merely political-military framework. In the *Charter for European Security*, adopted at the Istanbul Summit in November 1999,

the heads of state and government of the OSCE member states undertook to “address the human, economic, political and military dimensions of security as an integral whole.”⁽³⁾ All forms of peaceful cooperation between participating states are viewed as tending to reduce the risk of conflict within the region. The OSCE’s approach is called “cooperative” in that the 55 member states all enjoy equal status. Decisions are made by consensus rather than majority vote.⁽⁴⁾

Operational capacity

Following the Cold War, the OSCE developed its institutions and its operational capacity in response to often urgent requirements, not as a result of a strategic plan developed in a long-term perspective. The *Paris Charter for a New Europe* laid the foundation for the OSCE’s institutional structure in 1990.

The OSCE allocates 75% of its budget to field operations and yet has no missions in Western Europe or North America. This fact is frequently cited by the Commonwealth of Independent States as a basis for the argument that the organization employs a double standard in its relations with the participating states, whereas it claims to be cooperative and egalitarian. The OSCE’s response is that its operations are conducted on the basis of commitments based on consensus and at the invitation of the countries themselves. The OSCE’s six missions in south-eastern Europe represent more than half of the organization’s budget. The Kosovo mission budget alone (€37 million in 2006) is almost equal to that of the Secretariat and all the institutions of the OSCE (€46 million).

The Chairmanship of the OSCE changes every year, with the “Chairman-in-Office” function rotating among the ministers of foreign affairs of the participating states. As the organization’s senior diplomat, the Chairman-in-Office is supported by the Secretariat and its Secretary General.

Mr. Karel De Gucht, from Belgium, is the OSCE Chairman-in-Office for 2006.

Mr. Marc Perrin de Brichambaut, from France, has been the OSCE Secretary General since June 2005.

II. OSCE Parliamentary Assembly

Instituted by the OSCE (then the CSCE) in the *Paris Charter for a New Europe* in 1990, the Parliamentary Assembly held its first annual session in Budapest in July 1992, and its Secretariat in Copenhagen became operational in January 1993. It is an independent organization, with separate funding, which has a non-decision-making power of influence over the OSCE’s activities. More than 300 parliamentarians appointed by their respective parliaments meet twice a year to debate a large number of matters pertaining to the OSCE. The parliamentarians produce declarations and reports and issue recommendations to their governments, parliaments and civil society concerning the OSCE’s three areas of action. The Parliamentary Assembly plays a key role in the observation of elections in the OSCE’s region and regularly sends parliamentary delegations on field operations.

The OSCE’s Parliamentary Assembly meets every July for its Annual Session and in February for its Winter Meeting. At the Annual Session, the Assembly adopts a final

declaration and resolutions at its plenary session. It elects the 11 parliamentarians who form the Bureau of the Assembly (President, nine Vice-Presidents, Treasurer), as well as the Chair, Vice-Chair and Rapporteur of each of the three General Committees. The members of the Bureau, the chairs of the General Committees and the 55 heads of delegation of the participating states together form the Standing Committee. At the Annual Session, decisions are made by majority vote, whereas the Standing Committee uses the “consensus less one” rule, except for appointing the Secretary General, which is done by majority vote. Amendments to these rules will be examined at the 2006 Winter Meeting in Vienna.

Mr. Alcee L. Hastings (U.S.A.) has been President of the Parliamentary Assembly since July 2004. Its Secretary General has been Mr. Spencer Oliver (U.S.A.) since January 1993. The Honourable Jerahmiel Grafstein, member of the Canadian Senate, has been Treasurer since July 2004. The Honourable Senator Consiglio Di Nino has been the head of the Canadian delegation since February 2005.

2006 OSCE Parliamentary Assembly winter meeting

On 23 and 24 February, parliamentarians from the OSCE participating States and representatives from the “Partners for Cooperation” States met in Vienna. The program included the meeting of the Standing Committee, composed of the heads of the delegations of the states present, an opening plenary session and a closing plenary session for the members of the three general committees, separate meetings for each of these three committees, and a special debate on the “current crisis regarding freedom of expression and respect for religious beliefs” sparked by the publication of caricatures of Mohammed.

A. Standing Committee

During the meeting of the Standing Committee, the members of the Bureau, chairs of the general committees and heads of delegations listened to the following presentations:

- The Speaker of the Austrian national parliament (*Nationalrat*), Andreas Khol, welcomed the participants and made the case for recognition of the fundamental nature of freedom of the press. He also applauded the upcoming visit to the American base in Guantanamo by the Parliamentary Assembly’s representative, Anne-Marie Lizin, (Belgium).
- presentation he had made during the OSCE Ministerial Council of December 2005 in Ljubljana, Slovenia. He deplored the failure to reach a consensus on a unanimous declaration and argued that the OSCE would benefit from giving its Parliamentary Assembly a bigger role. Increasing the role of the Parliamentary Assembly was an essential element of his program as president.
- The Treasurer of the Parliamentary Assembly, Canadian Senator Jerahmiel Grafstein, presented a very positive report on the state of the organization’s finances, reiterating his objective of providing the organization with financial reserves equivalent to an entire year’s expenditures. Canada’s 2005-2005 contribution to the Parliamentary Assembly was €129,231.

- Secretary General Spencer Oliver presented his report on activities and preparations for the 25th Annual Session to be held in Brussels, Belgium, in July.
- Bruce George, (UK), the head of the observer mission to the parliamentary elections of 4 December 2005, in Kazakhstan, expressed his disappointment that the authorities in that country were not able to respect the democratic standards agreed to by the 55 participating States. He took the opportunity to reiterate how essential election observation is to the OSCE's mission.
- President Hastings, head of the observation mission to the presidential election of 6 November 2005, in Azerbaijan, pointed out that the election did not respect several OSCE commitments and Council of Europe standards. The two organizations conducted this mission jointly, with support from the European Parliament and NATO's Parliamentary Assembly. A follow-up report on certain problematic aspects of this election will be tabled on 14 May.

A discussion ensued on the importance of election observation to the posterity of the OSCE, and its Parliamentary Assembly in particular. The confrontation between the Commonwealth of Independent States (CIS) and the others does not seem to be dying down, since the CIS countries are calling for "objective criteria" to more clearly define what these "international standards" are, and the others see this request as merely another strategy to renege on the unanimous undertakings of the 55 OSCE Member States.

The Vice-Secretary General, Tina Schøn (Sweden) then invited the delegations present to take part in the observation missions for the presidential election in Belarus and the parliamentary elections in Ukraine, on 19 and 26 March 2006, respectively.

The special representatives and chairs of the ad hoc committees of the Parliamentary Assembly then addressed the Standing Committee:

- Tone Tingsgaard (Sweden), Vice-chair of the Ad Hoc Committee on Abkhazia, reported on the meagre progress observed in support for civil society and respect for human rights, in particular with the problems the Georgian minority in Abkhazia has receiving education in Georgian rather than Russian.
- Göran Lennmarker (Sweden), Special Representative on the Nagorno Karabakh conflict, pointed out that the conflict should not be considered "frozen," since people were still being killed. He did however reiterate his "guarded optimism" about a peaceful solution, stressing the sustained efforts of the OSCE's Minsk Group.
- Christopher Smith (U.S.A.), Special Representative on Human Trafficking Issues, mentioned the United States' recent adoption of a new law that will aid in the fight against this traffic.

The final agenda item was the recommendations of the Sub-Committee on Procedure. The Chair of the Sub-Committee, Pieter De Crem (Belgium), wanted to adopt the proposed amendments as a whole, a proposal seconded by President Hastings. The

opposition of the Italian and French delegations, who called for a vote on each article, forced the Committee to carry the entire question over to the agenda of the next meeting.

B. Open plenary session

During the Open Plenary Session, the Parliamentary Assembly welcomed the following presentations:

- The President of the Parliamentary Assembly, Alcee L. Hastings, commented on the recent events surrounding the publication of caricatures of Mohammed. He stated that “religious tolerance will never be a justification for violence by extremists.” He then mentioned the risks of destabilization in Ukraine at the dawn of parliamentary elections, and the threat that the Iranian nuclear crisis represented to Mediterranean security.
- The President of Austria, Mr. Heinz Fischer, then welcomed the parliamentarians and also commented on the events surrounding the publication of the caricatures. He said that, “respect for others is an essential component of our culture and one that globalization is making increasingly important. This respect must be mutual however. That is why freedom of opinion and religion must go hand in hand with a rejection of violence and the threat of violence.”
- Finally, the OSCE Chairman-in-Office and Belgian Minister of Foreign Affairs, Mr. Karel De Gucht, shared his initial thoughts after his first weeks in office. He said he was open to re-establishing equilibrium among the OSCE’s three dimensions, as the CIS had been asking for several years, but also mentioned Russia’s obstructing the adoption of a revised version of the Treaty on Conventional Armed Forces in Europe, which he felt showed that security cannot be taken for granted. He mentioned the OSCE’s successes in preventing conflicts, but was more critical of the OSCE’s efforts at managing latent or frozen conflicts. That is why the OSCE’s involvement in renegotiating Kosovo’s status will be of capital importance for the organization’s credibility. On the question of election observation and the role of the Office for Democratic Institutions and Human Rights, he was optimistic about the possibility of reaching an acceptable solution during the Ministerial Council in December 2006 in Belgium. On the question of the pursuit of the organization’s reforms, he stressed the fact that re-engineering of institutions is not a solution to political problems. In conclusion, he reiterated his statements about the need to support both the principles of freedom of the press and religious tolerance. A question period followed.

General Committee on Political Affairs and Security

Chair: Mr. Göran Lenmarker (Sweden)

Vice-Chair: Mr. Jean-Charles Gardetto (Monaco)

Rapporteur: Mr. Wolfgang Grossruck (Austria)

The Committee Chair began by announcing the rapporteur’s intention to focus the report to be presented in Brussels on the situation in the Balkans. To that end,

Mr. Grossruck will travel to the Former Yugoslavia for a reconnaissance mission that will concentrate in particular on the various OSCE field operations in that region.

The OSCE High Commissioner for National Minorities, Mr. Rolf Ekeus, then presented the preliminary results of his study on the “new minorities,” in accordance with the recommendations of the OSCE Parliamentary Assembly.

The OSCE Mission Chief in Kosovo, Mr. Werner Wnendt, informed the committee of the situation in the region and described the specific role that the OSCE mission plays and the role that the parliamentarians will in all likelihood be called to play in the future.

General Committee on Economic Affairs, Science, Technology and Environment

Chair: Benjamin L. Cardin (United States)

Vice-Chair: Leonid Ivanchenko (Russia)

Rapporteur: Roland Blum (France)

The Committee Chair invited the parliamentarians to support the efforts to give the OSCE Coordinator for Economic and Environmental Activities a higher profile. This is in keeping with the priorities announced by the OSCE Chairman-in-Office designed to re-establish equilibrium among the organization’s three dimensions.

The Coordinator himself, Mr. Bernard Snoy, then gave the parliamentarians a presentation on his efforts to fight corruption and stimulate the development of small businesses, particularly those owned by women and ethnic minorities in the Central Asian States.

The Committee Rapporteur then discussed his intention to focus his report on such issues as transportation safety, and energy transportation in particular.

Mr. Stuart Gilman, Head of the Anti-corruption Unit of the United Nations Office on Drugs and Crime, gave a presentation on his organization’s activities, and, finally, Mr. Syméon Antoulas, Diplomatic Advisor to the International Committee of the Red Cross, captivated the parliamentarians with a very lively presentation on his organization’s activities following the catastrophic events of the Asian tsunami and Hurricane Katrina.

General Committee on Democracy, Human rights and Humanitarian questions

Chair: Vacant

Vice-Chair: Cecilia Wigström (Sweden)

Rapporteur: Anne-Marie Lizin (Belgium)

The meeting was chaired by the Committee Vice-Chair, Cecilia Wigström (Sweden), who by way of introduction described the parliamentarians’ role as agents of the popular will, and the corresponding importance of holding free and fair elections.

The Director of the OSCE Office of Democratic Institutions and Human Rights, Christian Strohal, gave a presentation on his organization’s election observation activities. Given the controversy surrounding these activities, Mr. Strohal emphasized the methodology underlying the work of the observation missions, in particular the

Election Observation Handbook, the fifth edition of which was published in 2005. He also pointed out that there are limits to the purely methodological criteria in evaluating elections since “the political commitment is key.” In conclusion, he expressed his desire to obtain the strongest possible support from the Parliamentary Assembly.

The OSCE Representative on Media Freedom, Mr. Miklos Haraszti, then addressed the Committee on the theme of freedom of the press in the context of an election. He said that “pluralism is the key,” and that the development of new technologies and the openness to privatizing television stations have a direct positive effect on multiculturalism. In countries where only state television is economically possible, freedom of choice of content must be supported by public funds.

A lively debate followed these presentations, two members of the Ukrainian delegation presenting diverging opinions, along with Russia and Belarus, who again challenged the methodology that the OSCE uses when observing elections.

Finally, the Committee Rapporteur, Anne-Marie Lizin (Belgium), outlined the report she intended to submit during the July 2006 Annual Session. The report will focus on election observation, parliamentary oversight of security structures, crimes of honours, the code of conduct of military members of peacekeeping missions, and freedom of religion and minorities.

Special International Debate: the World crisis regarding freedom of expression and respect for religious beliefs

The debate was opened by President Hastings, immediately followed by a presentation by the OSCE Representative on Media Freedom, Mr. Miklos Haraszti. He began by challenging the idea that this was a “clash of civilizations” and that it was manifested in a clash between freedom of expression and freedom of religion. It is more a problem of the way in which the political and religious authorities try to resolve tensions that arise, in particular by sanctioning violence or making opinions expressed in the media illegal. Any use of violence must be condemned, but people in the media must also be aware of the risk of giving a global scope to comments made in a local context.

Some forty parliamentarians then spoke, condemning the violent reactions to the publication of the caricatures and, in some cases, asking that freedom of the press be exercised more responsibly. With the media coverage of the debate, the delegations from Armenia and Azerbaijan tried to use the occasion, with some success, to publicize their positions on the conflict in Nagorny Karabakh. President Hastings called them to order.

Final plenary session

The final plenary session was shortened because of the length of the special debate. The parliamentarians nevertheless listened to the following presentations:

- The Parliamentary Assembly’s Special Representative on Gender Issues, Tone Tingsgaard (Sweden), alerted the parliamentarians concerning reports on the risks of trafficking in human, particularly young women, in connection with the World Cup of Soccer in Germany next summer. On the matter of the

representation of women within the OSCE, she had noted no progress on either the ministerial side or among the delegations to the Parliamentary Assembly.

- The Secretary General of the OSCE, Mr. Marc Perrin de Brichambaut, applauded the fact that the organization was clearly in a better position this year than it had been at the same time the year before. His main priority will be the organizational reform process and the implementation of a system for planning activities that can extend over several years without being vulnerable to short-term changes in the positions of delegations, whose unanimous support is required. He also described certain initiatives to improve the representation of women within the organization and initiatives to encourage freedom of expression in the participating states. A question period followed.
- Finally, President Hastings concluded the Winter Meeting by inviting the parliamentarians to the July 2006 Annual Session to be held in Brussels.

Participation of members of the Canadian delegation

A. Standing Committee

Senators Grafstein and Di Nino, organization treasurer and head of the Canadian delegation respectively, were the only two members authorized to attend the meeting of the Standing Committee. Following the report of the Special Representative on Human Trafficking Issues, Senator Grafstein stated that “Canada was way behind in its enforcement of the laws in this area.”

B. Opening plenary session

Senator Grafstein, as Treasurer of the Parliamentary Assembly, asked the OSCE Chairman-in-Office, Mr. Karel De Gucht, about the financial audit process in place in the OSCE, responsibility for which had reverted to the National Audit Office of the UK.

C. General Committee on Economic Affairs, Science, Technology and the Environment

Mr. Paul Crête, MP for Montmagny–L'Islet–Kamouraska–Rivière-du-Loup, suggested adding the issue of transcontinental transportation security, especially for maritime transportation, to the Committee's planned report. He informed the committee that, in his riding, an agreement to build a liquefied natural gas processing plant was about to be concluded by Gazprom, a Russian company controlled almost totally by the State, Petro-Canada and another intermediary. The natural gas will be imported in liquefied form by boat, which poses obvious environmental safety issues. The Committee Rapporteur accepted the suggestion.

D. Special international debate on freedom of expression and respect for religious beliefs

The members of the Canadian delegation were very active during the debate:

Senator Grafstein pointed out that the state is an organization founded on defined rules, and that all liberties operate within a framework of criteria designed to prevent abuse.

The historical list of religious abuses is long, and if we want to ensure that the rule of law prevails, we must turn to the courts for solutions.

Senator Di Nino said that “in this debate there are no winners or losers, only victims. That is why it is very important to openly discuss these issues as well as the causes and potential remedies of these tragic events, fully recognizing that you are damned if you do and damned if you don’t. [...] Even though I have sympathies with those who feel victimized by what I believe to be insensitive behaviour by people who should have known better, [...] I fundamentally believe, and strongly so, that without free speech and an independent media, democracy would not exist and could not survive. At times like these, [...] it is critical for international bodies such as the OSCE [...] to speak loudly and clearly for understanding, sensitivity and balance. These debates may very well be a silver lining in this dark cloud.”

MP Paul Crête applauded the dialogue that this special assembly made possible. He also suggested “the adoption of an action plan designed to reduce the risks of extremism. The Parliamentary Assembly should therefore recognize the need to preserve this dialogue by setting up a permanent forum dealing with the issue of religions, national states, respect for beliefs, as well as the legal standards and framework that provide greater security and allow more cooperation.”

Respectfully submitted,

The Honourable Senator Consiglio Di Nino
Director, OSCE
Canada-Europe Parliamentary Association

End Notes

1. *Final Recommendations of the Helsinki Consultations on the Question of the Conference on Security and Cooperation in Europe*, Helsinki, 3 July 1973, par. 54. Available on-line at http://www1.osce.org/documents/mcs/1973/07/4136_en.pdf.
2. *Charter of the United Nations*, Chapter VIII, art. 52, par. 2. Available on-line at: <http://www.un.org/aboutun/charter/index.html>. The Security Council may also use such regional arrangements to implement coercive measures it has adopted.
3. *Charter for European Security*, par. 9, in *Istanbul Document 1999*, pp. 1-46, available on-line at: http://www.osce.org/documents/mcs/1999/11/4050_en.pdf
4. In extreme cases, the “consensus less one” rule may be enforced in the event of serious violations of the organization’s principles. However, the rule has been used only once, in 1992, against the former Yugoslavia, and the country was readmitted as Serbia and Montenegro after the fall 2000 elections.

Appendix I

OSCE Participating States

THE OSCE PARTICIPATING STATES		
<ul style="list-style-type: none"> ▪ Albania ▪ Andorra ▪ Armenia ▪ Austria ▪ Azerbaijan ▪ Belarus ▪ Belgium ▪ Bosnia and Herzegovina ▪ Bulgaria ▪ Canada ▪ Croatia ▪ Cyprus ▪ Czech Republic ▪ Denmark ▪ Estonia ▪ Finland ▪ France ▪ Georgia ▪ Germany ▪ Greece ▪ Holy See ▪ Hungary ▪ Iceland ▪ Ireland ▪ Italy 	<ul style="list-style-type: none"> ▪ Kazakhstan ▪ Kyrgyzstan ▪ Latvia ▪ Liechtenstein ▪ Lithuania ▪ Luxembourg ▪ the former Yugoslav Republic of Macedonia ▪ Malta ▪ Moldova ▪ Monaco ▪ Netherlands ▪ Norway ▪ Poland ▪ Portugal ▪ Romania ▪ Russian Federation ▪ San Marino ▪ Serbia and Montenegro ▪ Slovakia ▪ Slovenia ▪ Spain ▪ Sweden ▪ Switzerland ▪ Tajikistan 	<ul style="list-style-type: none"> ▪ Turkey ▪ Turkmenistan ▪ Ukraine ▪ United Kingdom ▪ United States of America ▪ Uzbekistan
		<p>PARTNERS FOR CO-OPERATION</p>
		<p>MEDITERRANEAN PARTNERS FOR CO-OPERATION</p>
		<ul style="list-style-type: none"> ▪ Afghanistan ▪ Japan ▪ Republic of Korea ▪ Thailand ▪ Mongolia
		<ul style="list-style-type: none"> ▪ Algeria ▪ Egypt ▪ Israel ▪ Jordan ▪ Morocco ▪ Tunisia

Source: From "What is the OSCE?" available on-line at <http://www.oscepa.org/>.

Travel Costs

ASSOCIATION	OSCE - Canada-Europe Parliamentary Association	
ACTIVITY	Winter Session of the OSCE Parliamentary Assembly	
DESTINATION	Vienna, Austria	
DATES	February 23-24, 2006	
SENATORS	Hon. Consiglio Di Nino, Senator Hon. Jerahmiel Grafstein, Senator	
MEMBERS	Mr. Charles Hubbard, MP Mr. Paul Crête, MP	
STAFF	Mr. Denis Robert, Association Secretary Mr. Jean-Rodrigue Paré, Advisor	
TRANSPORTATION	AIR	\$ 25,491.85
	GROUND	\$ 838.01
ACCOMMODATION	\$ 41,034.91	
HOSPITALITY	\$ 0	
PER DIEMS	\$ 1,643.13	
OFFICIAL GIFTS	\$ 0	
MISCELLANEOUS/REGISTRATION FEES	\$ 27.08	
TOTAL	\$ 32,034.98	