



17th Annual Session
ASTANA, 29 June - 03 July 2008

OSCE PA
Organization for Security and Co-operation in Europe
PARLIAMENTARY ASSEMBLY

AS (08) DRS 1 E Corr. 1
Original: ENGLISH

DRAFT RESOLUTION

FOR THE GENERAL COMMITTEE ON POLITICAL AFFAIRS AND SECURITY

“TRANSPARENCY IN THE OSCE”

RAPPORTEUR
Mr. Wolfgang Grossruck
Austria

ASTANA, 29 JUNE to 3 JULY 2008

GENERAL COMMITTEE ON POLITICAL AFFAIRS AND SECURITY

DRAFT RESOLUTION

New Challenges to Parliamentary Oversight of the Security Sector

The OSCE Parliamentary Assembly:

1. Welcoming the significant contribution of the OSCE Code of Conduct on politico-military aspects of security to the reform of the security sectors in the OSCE participating States,
2. Noting the change in the security environment and the emergence of new threats,
3. Acknowledging the security needs of participating States and the right to react while complying to international commitments,
4. Recognizing the growing importance of Private Military Companies (PMCs) or Private Security Companies (PSCs) in the implementation of the defence, development, and security agendas,
5. Referring to the limited provisions of the Code of Conduct with regard to the democratic control of armed forces,
6. Noting the absence of international norms or agreed guidelines regulating activities of PMCs and PSCs,
7. Expressing concern about the lack of parliamentary oversight regarding PMCs and PSCs, which counters the principles of the Code of Conduct on democratic control of forces¹ and limit the most legitimate role of parliaments,
8. Recognizing international developments with regard to international law, in particular international humanitarian law (IHL) and human rights law (HRL),
9. Being aware of the precarious situation of different legal settings for armed forces and PMCs/PSCs operating in situations of armed conflict and post-conflict situations,
10. Regretting the absence of a detailed discussion on the use of PMCs and PSCs in situations of armed conflict and post-conflict situations,

The OSCE Parliamentary Assembly,

11. Calls for a detailed discussion of all relevant actors on the use of PMCs and PSCs in situations of armed conflict and post-conflict situations;

¹ For this document the term “forces” includes all kind of armed forces as well as PMCs and PSCs.

12. Requests the SG of the OSCE to initiate a study to the next Winter meeting of the PA in 2009 which should elaborate on the one hand on current use of PMCs and PSCs and on the other hand illustrate best practises in democratic control and use of PMCs and PSCs in situations of armed conflict and post-conflict situations;
13. Calls upon participating States with regard to the use of PMCs and PSCs to reaffirm and clarify the existing obligations under international law;
14. Urges participating States to extend their parliamentary oversight also to PMCs and PSCs;
15. Recommends as a first step the development of a manual on the use PMCs and PSC for missions in armed conflict and post-conflict situations;
16. Emphasizes the need for a coordinated and coherent approach with other international actors;
17. Calls upon participating States to develop binding rules and procedures on the use of PMCs and PSCs in armed conflict and post-conflict missions.

**GENERAL COMMITTEE ON
POLITICAL AFFAIRS AND SECURITY**

PROPOSED AMENDMENT to the DRAFT RESOLUTION

On

“TRANSPARENCY IN THE OSCE”

[Set out text of Amendment here:]

Principal Sponsor:

Mr/Mrs	Family Name in Capital Letters	Country	Signature

Co-sponsored by:

Mr/Mrs	Family Name in Capital Letters	Country	Signature