



**32nd JOINT MEETING OF THE
FORUM FOR SECURITY CO-OPERATION
AND THE PERMANENT COUNCIL**

1. Date: Wednesday, 4 June 2008

Opened: 10.05 a.m.

Closed: 12.30 p.m.

2. Chairperson: Ms. T. Parts (FSC) (Estonia)
Mr. V. Vasara (PC) (Finland)

The Chairperson of the FSC, on behalf of the Forum for Security Co-operation and the Permanent Council, welcomed the new Permanent Representative of the Republic of Korea (Partner for Co-operation) to the OSCE, Ambassador Yoon-joe Shim.

3. Subjects discussed — Statements — Decisions/documents adopted:

Agenda item 1: ADDRESS BY THE MINISTER OF DEFENCE OF ESTONIA, H.E. JAAK AAVIKISOO, ON THE ESTONIAN NATIONAL STRATEGY ON CYBER SECURITY AND THE COOPERATIVE CYBER DEFENCE (CCD) CENTRE OF EXCELLENCE (COE)

Chairperson of the FSC, Representative of the Chairperson of the PC, Minister of Defence of Estonia (FSC-PC.DEL/18/08), Germany, Canada (FSC-PC.DEL/23/08), United States of America (FSC-PC.DEL/20/08), Armenia, Lithuania, United Kingdom, France, Russian Federation (FSC-PC.DEL/22/08 OSCE+), Belarus (FSC-PC.DEL/24/08 OSCE+)

Agenda item 2: PRESENTATION ON THE ACTIVITIES OF THE COUNCIL OF EUROPE REGARDING CYBER CRIME, BY MR. ALEXANDER SEGER, HEAD OF ECONOMIC CRIME DIVISION, DIRECTORATE GENERAL OF HUMAN RIGHTS AND LEGAL AFFAIRS, COUNCIL OF EUROPE

Chairperson of the FSC, Mr. A. Seger (FSC-PC.DEL/19/08 OSCE+)

Agenda item 3: PRESENTATIONS ON FINLAND'S NATIONAL APPROACH TO CYBER SECURITY:

- (a) *How to secure the functions vital to society by Mr. Aapo Cederberg, Secretary General of the Security and Defence Committee, Ministry of Defence of Finland, and*
- (b) *Presentation on the CERT-FI activities as part of securing society's vital functions by Mr. Erka Koivunen, Head of the CERT-FI, the Finnish Communications Regulatory Authority, Ministry of Transport and Communications, Finland*

Representative of the Chairperson of the PC, Mr. A. Cederberg (FSC-PC.DEL/15/08 OSCE+), Mr. E. Koivunen (FSC-PC.DEL/16/08 OSCE+)

Agenda item 4: ANY OTHER BUSINESS

- (a) *Request for OSCE assistance for the disposal of surplus cluster bombs and rockets in Moldova: Moldova (FSC-PC.DEL/25/08)*
- (b) *Report on a specified area inspection submitted by France: Azerbaijan (Annex 1), Armenia (Annex 2), France*
- (c) *Recent developments in relations between Georgia and the Russian Federation: Georgia (Annex 3)*
- (d) *Financial contributions to OSCE projects in Tajikistan and Albania: Finland, Denmark, Albania, Tajikistan*
- (e) *Adoption on 30 May 2008 of the Convention on Cluster Munitions: Ireland (Annex 4)*
- (f) *Seminar on the implementation of the Code of Conduct on Politico-Military Aspects of Security, to be held in Kazakhstan from 22 to 24 September 2008: FSC Co-ordinator for the Code of Conduct on Politico-Military Aspects of Security (Austria)*

- (g) *Announcement of a third meeting to be held with the OSCE Partners for Co-operation on awareness-raising and outreach of the Code of Conduct on Politico-Military Aspects of Security: Chairperson of the FSC (Annex 5)*

4. Next meeting:

To be announced



**Organization for Security and Co-operation in Europe
Forum for Security Co-operation
Permanent Council**

FSC-PC.JOUR/19
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Annex 1

Original: ENGLISH

32nd Joint Meeting of the FSC and the PC
FSC-PC Journal No. 19, Agenda item 4(b)

STATEMENT BY THE DELEGATION OF AZERBAIJAN

Mr. Chairperson,

Today I would like to speak about the specified area inspection report delivered by France to all States Parties within the Vienna Document 1999 (VD-99) (notification number F35 CBM/FR/08/0015/F35/O).

For the information of the delegations, let me state that from 5 to 9 May 2008 the French inspection team conducted specified area inspection in the Republic of Armenia. As required by the paragraph 105 of the VD-99, the French side delivered the inspection report to all States Parties 14 days after the end of the inspection. However, my intention is not to speak about fulfilment of above-mentioned paragraph of the VD-99. I would like to draw your attention to something that was pointed out in the “remarks” in the last part of the report: “Armenia has expressed its concerns by the absence of OSCE reaction with regard to the exceeding of limits by Azerbaijan on armaments and equipments of major importance.”

Frankly, we are greatly surprised by this kind of comment in the report, as it does not have any relevance either to the VD-99 or to the purposes of the inspection that was conducted. This issue belongs to the framework of the Joint Consultative Group. Of course, having lived in an unfortunate neighbourhood of Armenia, we are already used to such propaganda and cynicism on their side, otherwise, no common sense could understand the aggressive behaviour and occupational policy of this State, which at the same time is trying to mislead international community as much as it can. The fact that our neighbours are using all the relevant and irrelevant forums or formats to achieve the legitimization of their illegal deeds has once again been vividly reflected in this particular case.

However, what we consider especially disappointing and regretful is that another OSCE participating State — France, which is one of the OSCE Minsk Group Co-Chairs for the mediation of the Nagorno-Karabakh conflict between Armenia and Azerbaijan — has demonstrated such a lack of impartiality by openly endorsing the hostile Armenian position against Azerbaijan. It is common knowledge that impartiality and neutrality should be the mainstream features in the policy of any mediator, which should exclude any attempts to openly subscribe to the positions of any parties to the conflict.

Let me refer to some provisions of the VD-99. Chapter IX (Compliance and Verification) paragraph 74 of the VD-99 clearly states: “In accordance with the provisions contained in this document each participating State has the right to conduct inspections on the territory of any other participating State within the zone of application for CSBMs.” Accordingly, paragraph 80 of this document states: “The participating State which requests an inspection will be permitted to designate for inspection on the territory of another State within the zone of application for CSBMs, a specific area. Such an area will be referred to as the ‘specified area’. The specified area will comprise terrain where notifiable military activities are conducted or where another participating State believes a notifiable military activity is taking place.”

Having referred to the provisions above, let me reiterate that the aim of such inspections within the VD-99 is to clarify whether there are notifiable military activities or not. Consequently, only facts which are found in such inspections should be put into the inspection report as a result, nothing more. To the best of our knowledge, the above-mentioned provisions of the VD-99 have not been altered.

Therefore, despite the fact that specified area inspections are nowadays conducted in a different, more open, transparent spirit, which also entails deeper information exchange on a variety of issues including security concerns, inspection reports should still fulfil the requirements highlighted in the VD-99 and should reflect only the findings required by Chapter IX (Compliance and Verification). If France has decided to make changes to the rules of writing inspection reports, then we have the right to demand that France, as a mediating and allegedly neutral country, display the same attitude to the Azerbaijan side.

Almost every year French inspection teams conduct specified area inspection or evaluation visits in Azerbaijani territory. Some of them have also had the chance to see the refugees and internally displaced persons living in camps, who as a result of the undeclared war against my country have been obliged to flee from their homes, which are currently under Armenian occupation. Throughout all these years, since the very outset of its membership in the OSCE, Azerbaijan has been talking about the armed aggression against itself and the harsh consequences that will take years and decades to eliminate, if that will be possible at all. Nevertheless, our concerns have never been heeded, nor even shown some degree of the “care” generously provided to the Armenian side by the French team of experts. Now, could anybody deny that this is nothing more than mere appeasement of an aggressor and an openly biased approach? Hardly. We are indeed interested in knowing the reasoning behind the apolitical remarks made by France in the aforementioned report.

It is obvious that Armenia, while violating paragraph 3 of the VD-99 regarding “the duty of States to refrain from the threat or use of force in their mutual relations as well as in their international relations in general,” is seeking by all means to justify its act of aggression. Under the concocted notion of “self-determination”, which is quite inappropriate to this case, our neighbour is dreaming about seizing Azerbaijani territory and creating an image of independence for the Nagorno-Karabakh region of Azerbaijan.

And last but not least, Mr. Chairperson, we would welcome it if France, if it is so concerned about the current relations between Armenia and Azerbaijan and the situation in the conflict zone, would also ask for clarification from Armenia about the reasons why this

country is keeping the biggest part of its armed forces, armaments and equipments, which are well beyond the limits set for Armenia, in the occupied Azerbaijani territories? Isn't it a destabilizing factor in the whole region? Yes, it is. But will France be so respectful and attentive to this security concern of my country as to do this? We would be glad if this were the case, but we have our doubts.

Furthermore, let me mention the relevant provisions of VD-99 Chapter III Risk Reduction (Mechanism for consultation and co-operation as regards unusual military activities) paragraph 16, which states: "Participating States will, in accordance with the following provisions, consult and co-operate with each other about any unusual and unscheduled activities of their military forces outside their normal peacetime locations which are militarily significant, within the zone of application for CSBMs and about which a participating State expresses its security concern". Now my question is:

- Has Armenia ever reported or even discussed the activities of its military forces that are outside of their normal peacetime locations and stationed in the occupied territories of Azerbaijan and about which Azerbaijan has repeatedly expressed its security concern?
- Or may be Armenia does not consider the stationing of its armed forces in the occupied Azerbaijani territories something unusual and unscheduled?

By the way, we have not yet received any substantive reaction from Armenian side about the issue that was raised by my delegation during the 546th FSC meeting on 14 May (the inaccurate information that was provided by Armenia to Question 4 of the Code of Conduct questionnaire).

These are real questions that should be considered and taken seriously, and not ignored. Nonetheless, we are sure that Armenia will follow its well-known unique policy of not giving the real answers and of telling their imaginary stories; unfortunately, in this particular case it has become clear that some countries are likely to help them to do so.

I ask that this statement be attached to the journal of the day.



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Annex 2

Original: ENGLISH

32nd Joint Meeting of the FSC and the PC
FSC-PC Journal No. 19, Agenda item 4(b)

STATEMENT BY THE DELEGATION OF ARMENIA

Madam Chairperson,

In response to the statement delivered by the distinguished Ambassador of Azerbaijan, please allow me to stress at the outset that usually our delegation anticipates possible statements by the delegation of Azerbaijan and reacts with a prepared response. Let me admit that occasionally this is not the case and that sometimes Azerbaijan raises issues to which we have to respond on the spot. However, this is not to say that the content of Azerbaijani statements comes as a surprise to us. As a rule, that delegation repeats almost verbatim their previous interventions accusing Armenia of all the negative things it has purportedly done. What makes us somewhat uncomfortable is the fact that we have to react to something upon which we have had chances to elaborate in a comprehensive manner on several occasions previously. It is the conviction of our delegation that when engaging in an exchange of views one has not only to clarify one's understanding of the issues under discussion, its national position, but also to be careful to examine and address the views of others and to enter into discussion instead of repeating long-standing arguments without paying due attention to issues that have been already dealt with. This can be done at least for the sake of the Chairmanship and other delegations, in order not to abuse their attention. If we do not proceed in that manner, we have the danger of ending up with a "dialogue of the deaf".

The second point I would like to raise is that our delegation always advocates that conflict-related issues should be discussed in the internationally recognized formats specifically designed to work on the conflict resolution. It would not be right to say that the delegation of Azerbaijan always adds to its statements issues related to the conflict based on their interpretation of the matter. It would be more precise to say that the statements of that delegation are basically used as a pretext to refer yet again to the Azerbaijani point of view on the conflict situation and to disseminate biased and immaterial claims. The usual enumeration of all the negative consequences of the war that Azerbaijan has allegedly faced is a clear illustration of that approach. In this regard we would like to say that when one is talking about the conflict one should realize that what is described in terms of the impact of the conflict on one side also almost similarly occurs on the other sides: in this case in Armenia and Nagorno Karabakh. If one ignores this reality, sticking to one-sided claims, it is exactly what we call propaganda.

While still remaining attached to the opinion expressed above, and following the mandate and themes relevant for the discussion at this Forum, as far as certain items were touched upon, please allow us, with your indulgence Madam Chairperson, to restate for the record our position on the issue under question.

The Ambassador of Azerbaijan claims that the problem of the exceeding of the national maximum levels of holdings of military equipment by Azerbaijan is something that should be discussed only at the Joint Consultative Group, as the issues related to the CFE are supposed to be discussed at that specialized Group. However, as we have frequently heard here at the FSC and at OSCE meetings in general, security issues are indivisible: something which happens regarding one Treaty or document can potentially have an impact on others with the shared area of application and may therefore be discussed in different security forums.

The next issue to which we would like to react to is the verification under the Vienna Document 1999. The Ambassador of Azerbaijan quite rightly quoted relevant paragraphs of that document including those parts which give the unhindered right to participating States to conduct inspections on the territory of any other participating State. Yet, we find it misleading on the part of the Azerbaijani delegation to refer to this provision, as it is exactly the one consistently violated by Azerbaijan itself. As most of us know, Azerbaijan fails to fulfil its obligation of accepting inspections in nine military units on its territory. Taking into account the situation between our two States, it should not come as a surprise that the Armenian side has expressed its concerns on exceeded levels of equipment, especially due to the fact that those nine military sites are out of the transparency and inspection regime and it is impossible to verify the number and type of armaments accumulated there.

Finally, we would like to once again confirm the accuracy of the information provided by the Republic of Armenia through different information exchanges.

Thank you, Madam Chairperson.



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Annex 3

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32nd Joint Meeting of the FSC and the PC
FSC-PC Journal No. 19, Agenda item 4(c)

STATEMENT BY THE DELEGATION OF GEORGIA

Madam Chairperson,

Let me start by informing the distinguished delegations regarding the developments pertaining to the 20 April incident. Today at 11 a.m. the bilateral consultations between the Russian Federation and Georgia will be held here in Vienna in accordance with paragraph 16, Chapter III of the Vienna Document 1999. The meeting will be attended by a large number of the OSCE delegations. We express our sincere gratitude to the Finnish Chairmanship for convening these consultations, which provide a chance for the sides to exchange their views on the security concerns with regard to the unusual military activities, as stipulated by the Vienna Document 1999. We also thank all the delegates who are taking part in the meetings.

Madam Chairperson,

In addition to this we would also like to inform the distinguished delegations on some worrisome developments in Abkhazia, Georgia, which have taken place last week. On 31 May 2008 the Ministry of Defence of the Russian Federation disseminated the information which states that without agreement with the Government of Georgia units and special equipment of the railway and engineering forces of the Russian Federation entered the territory of Georgia, namely Abkhazia.

Georgia has already repeatedly drawn the attention of the international community to the extremely dangerous nature of the actions recently undertaken by the Russian Federation. These steps represent clear and blatant violation of international law. In particular, through military intervention in Abkhazia, Georgia, the Russian Federation carries out annexation of this inalienable part of Georgia, as it is recognized by the international community.

Even now the Russian Federation continues to conceal the build-up of its military presence in Abkhazia, Georgia, under the cover of the CIS peacekeeping operation. Now we face an act of open aggression: military units of the armed forces of the Russian Federation entered the territory of Georgia on the basis of the decision of the President of Russia, without having any connection with the context of the peacekeeping operation.

Even without going into details by mentioning the number of the personnel of the railway military forces introduced into the territory of Abkhazia, Georgia, as well as the types

of special equipment and the nature of planned works, I would like to inform the distinguished delegations that the primary function of the aforementioned railway and engineering forces is to prepare the local infrastructure for upcoming military operations. That makes us presume that by starting to enlarge its military infrastructure in Abkhazia, Georgia, the Russian Federation prepares for a large-scale military aggression against Georgia.

Georgia categorically demands from the Russian Federation immediate withdrawal of all illegally introduced military units from the territory of Georgia. Otherwise, the entire responsibility for all possible results of the aforementioned hostile step lies upon the Russian Federation.

Thank you.



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Annex 4

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FSC-PC Journal No. 19, Agenda item 4(e)

STATEMENT BY THE DELEGATION OF IRELAND

Madam Chairperson, Ireland would like to draw the attention of the OSCE to the agreement to ban cluster munitions which was concluded last Friday 30 May by 111 countries at the Dublin Diplomatic Conference on Cluster Munitions. The project for the Convention was co-ordinated by a core group of States namely Austria, the Holy See, Ireland, Mexico, New Zealand, Norway and Peru.

The Convention is strong and ambitious. Its ban on cluster munitions is comprehensive. It sets new standards for assistance to victims and for clearing affected areas. And while unfortunately not all of the main producers and users of cluster munitions were present at the conference, Ireland is convinced that, over time, the Convention will result in a stigmatizing of any future use of cluster munitions.

The first steps towards the Convention were taken only fifteen months ago in Oslo. A clear vision and the determination to maintain the pace and focus on the ultimate goal were major factors in the success of the process. The work on the Convention was based on an exemplary partnership between States and civil society, with the UN family of agencies and the International Committee of the Red Cross bringing their particular expertise to bear.

The signatories to the Convention are now pursuing three immediate goals. First, they will do all that is necessary nationally to allow them to ratify the Convention as soon as possible after signature. For the Irish Government, the preparation of the required domestic legislation has already begun. Once it has been drafted, its enactment will be a priority.

The second goal is to ensure the greatest possible number of accessions to the Convention. We want ultimately to see it ratified by all Member States of the United Nations. The signatories will work together to explain and argue for its provisions with those who were not at the Conference.

Third, the signatories plan to do what is necessary to implement the Convention in full, not least in regard to victim assistance and clearance.

The new Convention has had the best possible start towards universalization and effective implementation. The spirit in evidence over the final two weeks of the negotiations will launch us on the next phase, that of putting this important Convention into effect.



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Annex 5

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STATEMENT BY THE CHAIRPERSON OF THE FSC

I would like to inform participating States and the OSCE Partners for Co-operation that in conformity with FSC Decision No. 1/08 (FSC.DEC/1/08) on awareness-raising and outreach of the Code of Conduct, the FSC Co-ordinator for the Code of Conduct and the FSC Chairmanship intend to hold a third meeting with the OSCE Partners for Co-operation in the month of June as a follow-up meeting to the ambassador-level meeting of 28 February and working-level meeting of 8 April.

With this notification I would like to ask participating States and the OSCE Partners for Co-operation to submit their views, by 11 June, as to the scope and possible content of the June meeting. In addition, participating States are asked to consider giving presentations on their perceptions of the principles of the Code of Conduct. In the event of delegations being willing to share their ideas and suggestions concerning the forthcoming meeting, I would kindly ask them to contact either the Co-ordinator for the Code of Conduct or the FSC Chairmanship on this matter.

In order to inform absent delegations, I would ask for this information to be attached to the journal of the day.