

Austrian Chairmanship

436th PLENARY MEETING OF THE FORUM

1. Date: Wednesday, 17 November 2004

Opened: 10.10 a.m.

Closed: 12.50 p.m.

2. Chairperson: Mr. H.-W. Ehrlich

3. Subjects discussed — Statements — Decisions:

Agenda item 1: GENERAL STATEMENTS

None

Agenda item 2: SECURITY DIALOGUE

Trafficking in human beings and armed forces: Presentation by Mr. J. Schmitz, US Department of Defense, Inspector General: Mr. J. Schmitz, Chairperson, Netherlands, Ireland, Finland, Norway, Switzerland, Russian Federation

Agenda item 3: OUTLINE FOR A DRAFT LETTER FROM THE FSC
CHAIRPERSON TO THE CHAIRMAN-IN-OFFICE

Chairperson, Russian Federation, Switzerland, Netherlands

Agenda item 4: FOOD-FOR-THOUGHT PAPER ON A DRAFT
MINISTERIAL COUNCIL DECISION ON MEASURES TO
ADDRESS THE THREAT OF HUGE STOCKPILES OF
DANGEROUS CONVENTIONAL AMMUNITION AND
EXPLOSIVES

Chairperson, Netherlands, Russian Federation, Germany, Belarus, Sweden,
United Kingdom, United States of America, Italy, Ukraine, Slovakia,
Hungary, Switzerland

Agenda item 5: DECISION ON THE DATES AND VENUE OF THE
FIFTEENTH ANNUAL IMPLEMENTATION ASSESSMENT
MEETING

Chairperson, Turkey, Netherlands

Decision: The Forum for Security Co-operation, subject to a silence procedure expiring on Friday, 19 November 2004, at 6 p.m., adopted a decision on the dates and venue of the Fifteenth Annual Implementation Assessment Meeting, the text of which is appended to this Journal.

Agenda item 6: DECISION ON STANDARD ELEMENTS OF END-USER
CERTIFICATES AND VERIFICATION PROCEDURES FOR
SALW EXPORTS

Chairperson

Decision: The Forum for Security Co-operation adopted Decision No. 5/04 (FSC.DEC/5/04), the text of which is appended to this Journal, on standard elements of end-user certificates and verification procedures for SALW exports.

Chairperson, Turkey (Annex 1), Canada (Annex 2), United States of America, Switzerland (Annex 3)

Agenda item 7: ANY OTHER BUSINESS

- (a) *Topics for discussion under the agenda item on the security dialogue:*
Russian Federation, Chairperson
- (b) *Demining programme in the buffer zone in Cyprus:* Cyprus (FSC.DEL/480/04)
- (c) *Inspection visit under Vienna Document 1999:* Sweden
- (d) *Organizational matters:* Sweden

4. Next meeting:

Wednesday, 24 November 2004, at 10 a.m., in the Neuer Saal



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FSC Journal No. 442, Agenda item 6

STATEMENT BY THE DELEGATION OF TURKEY

Mr. Chairman,

With regard to the decision we have just adopted, I would like to make the following statement:

As one of the co-sponsors of the decision on end-user certificates (EUC), we have always expressed the importance Turkey attaches to the effective and efficient control of exports of small arms and light weapons by participating States, in order to prevent illegal diversion of weapons into the hands of terrorists, other criminal elements and illegal entities.

We consider the certification of the end-user certificates by relevant government authorities as the essence of the decision, since it allows for governmental accountability.

Throughout the whole negotiation process we voiced our concern with regard to the introduction of the notion of taking into account “national practices” in the process of governmental certification, which incorporates a substantial element of arbitrariness into the text.

The objective of our efforts in the FSC was, first and foremost, to establish common standards in the elements to be included in an EUC. We regret to see that consensus could not be achieved on the issue of certification by government authorities as a common standard. We hope that the inclusion of national practices in the standard elements will not be interpreted as providing exemption from governmental accountability and responsibility.

Notwithstanding the diverging views on this particular subject, we nevertheless believe that the adoption of this decision by itself constitutes considerable progress in this important issue.

With these considerations we joined the consensus on the present text with apprehension regarding its effective implementation.

We ask that this statement be attached to the Journal of the Day.



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

FSC.JOUR/442
17 November 2004
Annex 2

Original: ENGLISH

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STATEMENT BY THE DELEGATION OF CANADA

Mr. Chairperson,

Canada welcomes the adoption of this decision on standard elements for end-user certificates. We firmly believe that it constitutes an important step in effecting greater and more consistent control over exports of small arms and light weapons (SALW) where problems of illicit and uncontrolled transfers exist in the OSCE region.

As regards paragraph 1, point 8, some States including Canada, for reasons of principle related to extraterritoriality or impracticability, have decided in their export policy not to seek specific re-export controls. Canada assesses SALW export permit applications on the basis of the end-use, end-user and confidence in the importing country's ability to control re-exports. Canada intends to continue its existing practice for SALW of recognizing re-exportation as falling within the purview of the importing country's own export controls, and we recognize point 8 of paragraph 1 as being also consistent with that approach.

My delegation would like to thank the co-sponsors for their work and to reaffirm our continued interest in contributing to further discussions in the FSC on this important area of SALW.

I would request that this statement be attached to the Journal of the day.

Thank you, Mr. Chairperson.



Organization for Security and Co-operation in Europe
Forum for Security Co-operation

FSC.JOUR/442
17 November 2004
Annex 3

Original: ENGLISH

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STATEMENT BY THE DELEGATION OF SWITZERLAND

Switzerland welcomes the decision just taken on standard elements of end-user certificates. However, it is understood that the implementation aspects of this decision will be discussed at future meetings in appropriate fora, *inter alia*, in accordance with the SALW document, section VI, paragraphs 2 and 3. This delegation wants to assure a coherent approach regarding the issue of implementation, as already taken into account in paragraph 6 of FSC Decision No. 3/04, embodying OSCE principles for export controls of MANPADS, and as foreseen in the decision yet to be adopted on OSCE principles on the control of brokering in SALW (section VII, paragraph 1).