

Chairmanship: Mongolia

779th PLENARY MEETING OF THE FORUM

1. Date: Wednesday, 11 February 2015

Opened: 10.05 a.m.

Closed: 11.25 a.m.

2. Chairperson: Ambassador G. Batjargal

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

Chairperson

Agenda item 1: GENERAL STATEMENTS

Situation in and around Ukraine: Ukraine (FSC.DEL/28/15), Latvia-European Union (with the candidate countries Albania, the former Yugoslav Republic of Macedonia, Iceland and Montenegro; the country of the Stabilisation and Association Process and potential candidate country Bosnia and Herzegovina; the European Free Trade Association countries Liechtenstein and Norway, members of the European Economic Area; as well as Georgia, Moldova, San Marino and Ukraine, in alignment) (FSC.DEL/27/15), United States of America, Russian Federation (Annex 1), Canada, Ukraine (Annex 2), Germany, Chairperson

Agenda item 2: ANY OTHER BUSINESS

(a) *Briefing on an informal meeting covering projects in Bosnia and Herzegovina and Tajikistan held on 3 February 2015:* FSC Co-ordinator for Projects on Small Arms and Light Weapons and Stockpiles of Conventional Ammunition (United States of America)

(b) *Briefing by representatives of the unmanned aerial vehicle (UAV) production company Schiebel on aspects of the UAV operations being held on 11 February 2015:* Serbia, Chairperson

- (c) *Vacancy announcement for the seconded position of FSC Support Officer in the Conflict Prevention Centre: Representative of the Conflict Prevention Centre*
- (d) *Visit to assess the implementation of the joint OSCE-UNDP project on Capacity-Building of Small Arms and Light Weapons Stockpile Management and Security in Belarus, to be conducted from 16 to 20 March 2015: Belarus (FSC.DEL/26/15 OSCE+)*

4. Next meeting:

Wednesday, 18 February 2015, at 10 a.m., in the Neuer Saal



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

FSC.JOUR/785
11 February 2015
Annex 1

ENGLISH
Original: RUSSIAN

779th Plenary Meeting
FSC Journal No.785, Agenda item 1

**STATEMENT BY
THE DELEGATION OF THE RUSSIAN FEDERATION**

Mr. Chairperson,

Recently, many claims have been made that it is possible and permissible to supply arms to Ukraine. It is asserted that there are no obstacles or restrictions in this regard. And such arguments are being put forward by high-ranking representatives of countries in the OSCE.

It seems that they do not know or prefer not to remember that certain politically binding documents have been adopted and remain fully in force within our Organization, such as the Principles Governing Conventional Arms Transfers and the OSCE Document on Small Arms and Light Weapons. These clearly indicate that each participating State will, in considering proposed arms transfers, take into account the respect for human rights and fundamental freedoms in the recipient country and the internal and regional situation in and around the recipient country, in the light of existing tensions or armed conflicts. Clearly, given the massive violations of human rights and freedoms that are currently occurring in Ukraine as a result of to the internal armed conflict, the transfer of conventional arms or small arms and light weapons to Ukraine would violate OSCE principles.

Apart from politically binding OSCE documents, legally binding prohibitions also apply for several of the States represented in this room.

We should like to recall that as long ago as 2008, a decision was made in the European Union to make the European Union Code of Conduct on Arms Exports legally binding. The Common Position states that the supply of arms to conflict zones should not be authorized – to countries where they could be used for internal repression and to countries where violations of the norms of humanitarian law have already been established.

Aside from the European Union Common Position, the supply of arms to Ukraine would violate another legally binding document, the Arms Trade Treaty, which entered into force at the end of last year. The Treaty categorically states that no transfer of arms shall be authorized if a State Party has knowledge at the time of the authorization that the arms would be used in crimes against humanity, attacks against civilian objects or civilians.

In the light of the facts already established by human rights organizations that the Ukrainian army has already used multiple-launch rocket systems, heavy artillery and prohibited ammunition against the civilian population, it is hard to deny that the provisions of these documents and agreements fully apply to the current situation in Ukraine.

Therefore, even in the absence of a United Nations Security Council embargo on the supply of arms to Ukraine, an entire system of international restrictions and prohibitions is in force. Consequently there is every reason to be certain that the above-mentioned statements can be considered legal nihilism, undermining the status and significance of the relevant international agreements and obligations. Such declarations provide absolutely no evidence that their authors advocate a peaceful resolution to the conflict in south-eastern Ukraine.

Thank you, Mr. Chairperson. I should like to request 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/785
11 February 2015
Annex 2

Original: ENGLISH

779th Plenary Meeting
FSC Journal No.785, Agenda item 1

STATEMENT BY THE DELEGATION OF UKRAINE

Mr. Chairperson,

In connection with today's statement by the Russian delegation on the status of the Autonomous Republic of Crimea (ARC), the delegation of Ukraine wishes to emphasize the following.

International law prohibits the acquisition of part or all of another State's territory through coercion or force. The Autonomous Republic of Crimea, which remains an integral part of Ukraine, was illegally occupied and annexed by the Russian Federation in violation of OSCE principles and commitments and norms of international law. Illegitimate actions on the part of the Russian Federation do not have any legal consequences with regard to the status of the ARC as an integral part of Ukraine. The territorial integrity of Ukraine within its internationally recognized borders is safeguarded by international law and UN General Assembly resolution 68/262 of 27 March 2014, "Territorial integrity of Ukraine".

The Russian Federation is now in breach of such fundamental principles of the Helsinki Final Act as sovereign equality and respect for the rights inherent in sovereignty, refraining from the threat or use of force, inviolability of frontiers, territorial integrity of States, peaceful settlement of disputes, non-intervention in internal affairs, and fulfillment in good faith of obligations in international law.

We call on the Russian Federation to return to the tenets of international law and reverse the annexation of the Autonomous Republic of Crimea.

The delegation of Ukraine requests that this statement be registered in the journal of the day.

Thank you, Mr. Chairperson.