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**Chairmanship: Finland****719th PLENARY MEETING OF THE COUNCIL**

1. Date: Thursday, 3 July 2008

Opened: 10.10 a.m.

Closed: 1.20 p.m.

2. Chairperson: Mr. V. Vasara

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

Agenda item 1: ADDRESS BY THE EXECUTIVE SECRETARY OF THE  
COMMONWEALTH OF INDEPENDENT STATES,  
MR. SERGEY LEBEDEV

Executive Secretary of the Commonwealth of Independent States,  
France-European Union (with the candidate countries Croatia, the former  
Yugoslav Republic of Macedonia and Turkey; the countries of the  
Stabilisation and Association Process and potential candidate countries Bosnia  
and Herzegovina, Montenegro and Serbia; as well as the European Free Trade  
Association countries Iceland and Norway, members of the European  
Economic Area, in alignment) (PC.DEL/578/08), Kyrgyzstan  
(PC.DEL/570/08), Ukraine (PC.DEL/588/08), Azerbaijan

Agenda item 2: REPORT BY THE OSCE REPRESENTATIVE ON  
FREEDOM OF THE MEDIA

OSCE Representative on Freedom of the Media (FOM.GAL/3/08/Rev.1),  
France-European Union (with the candidate countries Croatia, the former  
Yugoslav Republic of Macedonia and Turkey; the countries of the  
Stabilisation and Association Process and potential candidate countries Bosnia  
and Herzegovina and Serbia; as well as the European Free Trade Association  
countries Iceland and Norway, members of the European Economic Area, in  
alignment) (PC.DEL/577/08), Montenegro (PC.DEL/590/08), Russian  
Federation (PC.DEL/583/08 OSCE+), Armenia, Belarus (PC.DEL/579/08  
OSCE+), United States of America (PC.DEL/576/08), Ukraine

(PC.DEL/587/08), Azerbaijan, Canada (PC.DEL/585/08), Slovakia (Annex 1), Turkey (PC.DEL/594/08)

Agenda item 3:           PRESENTATION BY THE OSCE EXTERNAL AUDITOR  
OF THE AUDIT REPORT ON THE 2007 FINANCIAL  
STATEMENTS

Chairperson, OSCE External Auditor (PC.DEL/582/08 OSCE+),  
Russian Federation (PC.DEL/584/08 OSCE+), Canada

Agenda item 4:           REVIEW OF CURRENT ISSUES

- (a)    *Legislative developments in Kazakhstan*: Kazakhstan (PC.DEL/593/08)
- (b)    *World Refugee Day on 20 June 2008*: Croatia (PC.DEL/586/08), Bosnia and Herzegovina, Serbia

Agenda item 5:           REPORT ON THE ACTIVITIES OF THE  
CHAIRMAN-IN-OFFICE

*Workshop of the Advisory Committee on Management and Finance, held in Langenlois, Austria, on 30 June 2008*: Chairperson

Agenda item 6:           REPORT OF THE SECRETARY GENERAL

- (a)    *Announcement of the distribution of the report of the Secretary General*: Secretary General
- (b)    *Renewal of the mandate of the Secretary General (SEC.GAL/128/08 OSCE+)*: Secretary General, Chairperson

Agenda item 7:           ANY OTHER BUSINESS

- (a)    *Letter from the Chairperson of the Forum for Security Co-operation to the Chairperson of the Permanent Council*: Chairperson (Annex 2)
- (b)    *Offer by Jordan to host an OSCE conference with the Mediterranean Partners for Co-operation, to be held from 26 to 28 October 2008*: Jordan (Partner for Co-operation), Chairperson of the Contact Group with the Mediterranean Partners for Co-operation (Greece)
- (c)    *Declaration of a state of emergency in Ulaanbaatar*: Mongolia (Partner for Co-operation) (SEC.DEL/110/08)

(d) *Matters of protocol*: Liechtenstein (Dean of the Permanent Council), Armenia,  
Chairperson

4. Next meeting:

Thursday, 10 July 2008, at 10 a.m., in the Neuer Saal



**719th Plenary Meeting**  
PC Journal No. 719, Agenda item 2

## **STATEMENT BY THE DELEGATION OF SLOVAKIA**

Thank you, Mr. Chairperson.

Slovakia fully aligns itself with the EU statement. We join the others in welcoming the presence of Miklós Haraszti, the Representative on Freedom of the Media, in today's session of the Permanent Council. We also thank him for the detailed report on his own activities as well as on those of his office since his presentation in March 2008.

At the same time we would like to draw attention of other delegations to an inaccuracy contained in that part of the distributed report which deals with Slovakia's new Press Act. In the report the OSCE Representative stated that two Slovak highest-level politicians, one of them being the Slovak Prime Minister, had used their new right to get their replies to newspaper articles that they disagree with published. This particular statement of the Representative on Freedom of the Media is not at all correct as since 1 June 2008 when the Act entered into force, no Slovak politician has successfully used its provisions.

It is, in our view, noteworthy to say that the Slovak Prime Minister has not applied his right under the new Act yet and that he only asked for a correction. This is and was quite a common approach applied by both politicians and citizens even in accordance with the Press Act in force before 1 June 2008 and has in fact nothing to do with the new Press Act. To explain what is referred to in the report further, it is necessary to state that in the case of the interview with the Slovak Prime Minister one answer had been incorrectly transcribed by the editor and the Prime Minister only asked, as already stated above, for correction of the text. The editorial office apologized for the mistake and subsequently published the right transcription.

All in all the right to response based on the new law has successfully been used only once and it has been applied by a Slovak artist.

As regards application filed by the chairman of a coalition party (HZDS), he requested publication of his response to views contained in a daily. As he only responded to views, not factual arguments, the editorial office rejected, within the meaning of the new Press Act, to publish the response and the chairman did not continue his efforts.

It is then beyond doubt that the new act is not a tool of politics, does not restrict freedom of media and that the allegations presented by the Representative on Freedom of the Media are not correct.

Slovakia would therefore very much appreciate if the OSCE Representative on Freedom of the Media could revise the discrepancies in the report just described.

I request this statement to be attached to the journal of the meeting.

Thank you for your attention



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

PC.JOUR/719  
3 July 2008  
Annex 2

Original: ENGLISH

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**719th Plenary Meeting**

PC Journal No. 719, Agenda item 7(a)

**LETTER FROM THE CHAIRPERSON OF THE  
FORUM FOR SECURITY CO-OPERATION TO THE  
CHAIRPERSON OF THE PERMANENT COUNCIL**

Ambassador Antti Turunen  
Head of Mission  
Permanent Mission of the Republic of Finland to the OSCE  
Vienna

26 June 2008, No. 1-8/41

Response to your letter of 30 April 2008 to the Chairperson of the FSC (CIO.GAL/67/08)

Dear Ambassador,

Your letter of 30 April 2008 refers to the discussion that took place at the 710th meeting of the Permanent Council (24 April) on the incident involving the unmanned aerial vehicle (UAV) over Abkhazia, Georgia on 20 April. The concern expressed in your letter on behalf of the Chairman-in-Office about the recent developments in Georgia is well noted; as is your commitment to developing co-operation between the Forum for Security Co-operation (FSC) and other OSCE bodies.

The Chairperson of the FSC further acknowledges your request, made with reference to the Bucharest Ministerial Council Decision No. 3 and discussions in the Preparatory Committee Meeting of 30 April, for FSC expert advice with regard to the 20 April incident. Please note that on 29 April the Chairperson of the FSC received a related request from the Georgian delegation to activate the Bucharest Mechanism and send an independent group of experts from the OSCE participating States to Georgia with the purpose of verifying available materials and establishing the facts of the 20 April incident.

In response to your request, the Chairperson of the FSC would like to provide a brief account of the discussions held in the FSC to date on this matter. The 20 April incident was first discussed in the 544th Plenary Meeting of the FSC held on 30 April. Discussions continued at the 545th (7 May), 547th (21 May), and 548th (28 May) Plenary Meetings of the FSC. It was at the 28 May meeting that Georgia announced its decision to trigger the

Mechanism for Consultation and Co-operation as regards Unusual Military Activities contained in the Vienna Document 1999. This was subsequently triggered in notes verbales sent both by Georgia (Note Verbale No. 06/333, 28 May 2008) and the Russian Federation (Notes Verbales No. 24 and 25, 30 May 2008).

Further discussions on the incident were held at the 32nd Joint Meeting of the FSC and PC on 4 June, prior to the three back-to-back meetings convened that same day with Georgian and Russian representatives in accordance with Paragraph 16, Chapter III of the Vienna Document 1999 (Mechanism for Consultation and Co-operation as regards Unusual Military Activities). As you know, the 33rd, 34th and 35th Joint Meetings of the FSC and PC on 11 June were held solely on the issues raised by Georgia and the Russian Federation in their notes verbales triggering the above-mentioned Mechanism.

Throughout the discussions elaborated above, overwhelming support for the sovereignty and territorial integrity of Georgia within its internationally recognized borders was expressed. It was also stressed that any use of force in the zone of conflict is unacceptable and runs counter to the fundamental principles and commitments of the OSCE, and that protracted conflicts should be settled on the basis of international law. Georgia and the Russian Federation were strongly encouraged to refrain from any unilateral action or public statement that might further aggravate the situation in the zone of the Georgian-Abkhaz conflict or in their bilateral relations. They were called on to continue dialogue, including at the highest level, with a view to calming the existing tension and preventing its reoccurrence in the future. Furthermore, it was stressed that the recent Georgian peace initiatives could serve as a positive step forward, and that direct result-oriented discussions between Tbilisi and Sukhumi should begin in this regard. The announced decision of Georgia to suspend UAV flights in the zone of the Georgian-Abkhaz conflict was highly welcomed. Finally, the use by both Georgia and the Russian Federation of an existing OSCE mechanism to discuss their security concerns was welcomed as evidence of the continued relevance of the OSCE and its mechanisms and procedures.

Many of the discussions were based on the findings of the United Nations Observer Mission in Georgia (UNOMIG) report of 26 May. Against this background, the FSC Chairmanship inquired as to whether UNOMIG representatives would be available to address participating States on issues reflected in the report. The FSC Chairmanship was informed that unfortunately UNOMIG representatives would not be able to travel to Vienna in the period indicated. However, they stated that their report speaks for itself. The FSC Chairmanship shares the main conclusion of the UNOMIG's report, also concurred by the statements of other States, that the radar tracking and video data provided by Georgia were authentic, and that, absent compelling evidence to the contrary, an aircraft owned by the Russian Federation, either a MIG-29 or SU-27, shot down the Georgian UAV within Georgian airspace on 20 April. The UNOMIG report also states that the Georgian UAV overflight of the zone of conflict is in contravention of the Moscow Agreement.

The Russian Federation stated that until a detailed rather than a fleeting and one-sided analysis has been conducted by Russian specialists it could not regard the investigation as objective and complete.

It should also be taken into consideration that in response to Georgia's request several OSCE participating States sent experts to Georgia to examine the evidence related to the

20 April incident. According to statements by these participating States, the findings of their national experts fully correspond with those elaborated in the UNOMIG report.

During the course of the discussions, differences of opinion occurred between Georgia and the Russian Federation on whether sufficient documentation related to the incident was provided by Georgia to the Russian Federation. While the Georgian representatives stressed that the relevant documents were shared with all the UN Security Council (UNSC) members on 23 April, the Russian side was of the opinion that they never received video material and radar data and that they would need originals of the relevant electronic files to provide appropriate conclusions. Despite this and other differences remaining between the sides, they both expressed the readiness to continue the dialogue, which was warmly welcomed by the other participating States.

Various recommendations were voiced by the participating States. Some of them have a more general character, while others focused specifically on a possible OSCE role in assisting the sides in dealing with the situation.

### **General recommendations**

While expressing support for the UN's efforts in the zone of conflict, it was suggested that UNOMIG's capacity should be reinforced.

The withdrawal of the Russian military railroad construction troops recently deployed in Abkhazia, Georgia as well as any military personnel and hardware, the presence of which might not be consistent with the role and mandate of the CIS peacekeeping forces, was recommended. In this context, a suggestion was voiced that the presence of the Russian Federation's military formations in Abkhazia, Georgia should be reduced to the level from before the recent increase of tension. A full accounting with regard to the location of peacekeeping forces was requested. Furthermore, inclusion of the units from other CIS member States in the CIS peacekeeping forces in the zone of the Georgian Abkhaz conflict was suggested. It was also stated that it is vital that the peacekeepers act to ensure the safe and dignified return of refugees and internally displaced persons to all parts of Abkhazia, Georgia.

Independent inspections of the areas in relation to which there are concerns about military hardware and/or personnel, were proposed.

In the context of other measures that could contribute to advancing negotiations, the possibility of including humanitarian efforts that focus on health concerns of the local population was mentioned, as was a broadened participation by the international community to ensure greater political and economic commitment to the negotiations process.

It was stated that Georgia should sign an agreement with Sukhumi on non-use of force as an element of the peace process. The opinion was expressed that such an agreement should not be seen as an end itself.

### **OSCE specific recommendations**

Various participating States recommended that the OSCE should remain involved in assisting Georgia and the Russian Federation in calming the existing tension. In this context it was suggested that as a follow-up to discussions that took place in the framework of the Mechanism for Consultation and Co-operation as regards Unusual Military Activities, the OSCE could continue to provide avenues for information sharing related to recent developments that have led to increased military tension in the region. Furthermore, a proposal was expressed for the OSCE to make declarations encouraging the parties to avoid a return to inflammatory rhetoric.

Moreover, the sides were called on to consider developing regional and/or bilateral measures to promote confidence in the zone of conflict and in their bilateral relations.

Calls were voiced for greater interaction between the OSCE and UNOMIG. In particular it was suggested that given UNOMIG's limited mandate, the OSCE could co-ordinate with and supplement it, should the UNSC concur, working in areas outside of UNOMIG's responsibility.

It was suggested that the OSCE could task its Chairman-in-Office to lead negotiations aimed at the swift withdrawal of military personnel and equipment recently sent to Abkhazia, Georgia by the Russian Federation.

Finally, the Chairperson of the FSC stands ready to provide support to the Permanent Council should you decide that there would be a follow-up on any of the above-mentioned recommendations. In particular, the Chairperson of the FSC is of the opinion that the FSC could focus its discussions/activities on the possible application of the existing OSCE mechanisms and procedures, particularly those contained in the Vienna Document 1999, and even engaging in creative thinking to elaborate new approaches to the similar incidents. I believe that the upcoming Annual Security Review Conference could serve as a forum for discussion of such initiatives.

Yours sincerely,



Triin Parts  
Ambassador  
Chairperson of the Forum for Security Co-operation

cc: OSCE Secretary General  
To the permanent missions and delegations to the OSCE  
The Conflict Prevention Centre (CPC)