



**Chairmanship: Finland**

**566th PLENARY MEETING OF THE FORUM**

1. Date: Wednesday, 10 December 2008

Opened: 10.05 a.m.

Closed: 11.50 a.m.

2. Chairperson: Mr. M. Kangaste

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

Agenda item 1: GENERAL STATEMENTS

*Gas supplies in the Caucasus*: Russian Federation (Annex 1), Georgia, Chairperson

Agenda item 2: SECURITY DIALOGUE

(a) *Presentation by Ambassador Jorge Urbina, Chairman of the UN Security Council Committee established pursuant to resolution 1540*: Chairperson, Mr. J. Urbina (FSC.DEL/190/08 OSCE+), France, Turkey, United Kingdom, United States of America (Annex 2), Germany, Finland, Mr. R. Cupitt

(b) *Presentation by Ambassador Lubomir Kopaj, OSCE Project Co-ordinator in Ukraine on the project titled “Assistance to the Ukrainian Government in rehabilitating areas contaminated by explosive remnants of war near the cities of Kerch, Sevastopol and Bila Tserkva”*: Chairperson, OSCE Project Co-ordinator in Ukraine (FSC.FR/4/08 OSCE+), Mr. A. Savelyev, Ukraine, FSC Co-ordinator for Projects on Stockpiles of Conventional Ammunition (Denmark)

Agenda item 3: ANY OTHER BUSINESS

(a) *Assistance by Hungary to Cyprus for the proposed destruction of MANPADS*: Hungary

(b) *Adoption of Ministerial Council Decisions Nos. 11/08 and 13/08*: Chairperson

4. Next meeting:

Wednesday, 17 December 2008, at 10 a.m., in the Neuer Saal



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

FSC.JOUR/572  
10 December 2008  
Annex 1

ENGLISH  
Original: RUSSIAN

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**566th Plenary Meeting**  
FSC Journal No. 572, Agenda item 1

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

Distinguished Colleagues,

We should like to draw your attention to an extremely critical humanitarian question that also relates to the tasks of reconciliation and the restoration of confidence and security in Transcaucasia and therefore indubitably falls within the competence of the OSCE Forum for Security Co-operation (FSC). We are referring to the problem of the gas supply to South Ossetia now that winter has set in. During the attack on Tskhinvali in August, Georgia cut off a gas pipeline supplying the population of South Ossetia with Russian natural gas. Since that time supplies have not been resumed. Houses, schools, hospitals and other public establishments cannot be heated. In view of these circumstances, emergency measures have been taken with the direct assistance of Russia to guarantee the supply of liquid gas to South Ossetia. Some new gas filling stations have opened in the republic and Russian companies are hastily building a new gas pipeline directly from North Ossetia. However, this project, which is being carried out in difficult mountainous conditions, will not be completed until the middle of 2009. Urgent measures are therefore needed to improve the situation.

The usual response of the Georgian authorities is to state that the gas pipeline was damaged during the events in August. We should like to point out in this connection that the gas infrastructure in South Ossetia where most of the fighting took place has been completely restored. We do not have precise information about the state of the gas pipeline between the city of Gori and the border of South Ossetia. This territory is controlled by the Georgian authorities. But if there was really damage there, we would be curious to hear from the Georgian delegation what has been done specifically to repair it in the four months since the fighting ended and when the gas pipeline will work normally again. The absence of clear answers to these questions gives us every reason to believe that a deliberate blockade is taking place.

In this connection, it is useful to draw parallels with the situation in the Balkans in the first half of the 1990s. Throughout the entire Bosnian conflict, the Russian Federation provided the Muslim-Croat Federation on credit and practically free of charge with its own natural gas through a pipeline, which passed through Serbian territory. And yet Slobodan Milosevic, who was later charged by the International Criminal Tribunal with serious

violations of humanitarian law, never attempted deliberately to use the gas supply to exert pressure on one of the sides in the conflict. In a similar situation, the present Georgian authorities, to judge by the objective facts, have chosen quite deliberately to take a completely different line. If the Georgian side does not agree with this assessment of the situation, it should take all necessary steps as soon as possible to restore the gas supply to South Ossetia. It should be stressed that this problem, apart from its ethical and humanitarian dimension, also has a political aspect. How is it possible to talk of reconciliation or restoration of confidence, however minimal, in the region, as long as the South Ossetians see that the Georgian authorities are deliberately depriving children, old people, hospital patients and other more vulnerable sections of the population of heat?

We feel obliged to mention one more point. The silence of other delegations, although they must be aware of the present state of affairs, is surprising. We should like to recall that we have repeatedly brought up this matter, notably at the meeting of the Permanent Council on 20 November and then at the Ministerial Council in Helsinki on 5 December. Is it possible that the OSCE community is in actual fact completely indifferent to the humanitarian problems of the population of South Ossetia? We would ask our colleagues, in particular those from the countries of the European Union and also the United States of America, to speak on this matter and in so doing to help the Georgian side forthwith to take the only correct decision.

If the state of affairs does not change within the next few days, we shall be obliged to bring up this subject again at the next meeting of the FSC a week today. We trust that our partners understand us correctly: there is simply no time for protracted discussions. The cold season has begun in the region. The problem must be resolved without further delay.

We request, Mr. Chairperson, 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/572  
10 December 2008  
Annex 2

Original: ENGLISH

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**566th Plenary Meeting**  
FSC Journal No. 572, Agenda item 2(a)

**STATEMENT BY  
THE DELEGATION OF THE UNITED STATES OF AMERICA**

Thank you, Mr. Chairperson. The U.S. delegation would like to join others in thanking the 1540 Committee's Chairman Ambassador Jorge Urbina for the important and relevant presentation today.

As many of you know, the United States helped initiate what became United Nations Security Council Resolution 1540 (UNSCR 1540) in September 2003 when our President stated: "Today, I ask the United Nations Security Council to adopt a new anti-proliferation resolution ... (the) United States stands ready to help any nation draft these new laws and to assist in their enforcement." Resolution 1540 is an unprecedented initiative that holds great promise and has achieved much, and the Security Council Committee established pursuant to resolution 1540 has an important role to play in promoting implementation of the resolution. While the scope of the resolution includes terrorist activities, it was designed to address the full-range of proliferation activity, including non-State actors providing proliferation-related services. The resolution also places requirements on UN Member States to take specific measures to criminalize activities that can contribute to or support proliferation activities. Within this context, the Organization for Security and Co-operation in Europe (OSCE) has and continues to play an important role both regionally and internationally.

The United States views implementation of UNSCR 1540 as a vital element in our comprehensive and global efforts to prevent the proliferation of weapons of mass destruction (WMD) and to keep these deadly weapons out of the hands of terrorists. UNSCR 1540, if fully implemented, can help ensure that all States have in place appropriate laws and enforcement mechanisms to prevent WMD proliferation and hold those who engage in such behaviour accountable.

The security benefits and advantages to implementation of UNSCR 1540 are clear. In addition, the resolution advances the economic interests of nations seeking to be key global economic suppliers of goods and services, including the United States. All States should view universal implementation of UNSCR 1540 as an opportunity to improve our international security and global trade by maintaining high security standards. By taking more appropriate and effective measures to control cross-border movement of WMD-related items, each State:

- Instils greater confidence among its trading partners that their trade will not support illicit activities;
- Increases access to advanced technologies that such confidence allows;
- Makes trade more secure from theft and other forms of diversion; and
- Helps companies adopt more competitive management techniques to know their customers and to keep track of their products.

Resolution 1810, adopted in 2008 to extend the 1540 Committee's mandate, takes us in a direction that recognizes the realities and complexities of the work required for States to fully meet the provisions of UNSCR 1540, and outlines the readiness of the UNSC to support this process. We supported a longer Committee extension with an enhanced mandate that would be reflective of issues raised by several countries benefiting from the work of UNSCR 1540. In particular, they made clear to us that a better co-ordinated, better funded, and more inclusive approach toward the work of the 1540 Committee was needed. The 1540 Committee, revitalized for three years under resolution 1810, will work with States as an effective clearinghouse (using the information it has collected from States) and then set about the work of building capacity. This reflects our efforts to seek ways through this new resolution for the Committee to work in an open and transparent manner. We believe that this will assist States in meeting their 1540 obligations and ensuring that existing assistance programs have the most widespread availability for States to access.

As an example of the importance that we place on implementation of UNSCR 1540, we are seeking broad geographic expansion of the G-8 Global Partnership Against the Spread of Weapons and Materials of Mass Destruction to address WMD threats worldwide, which will provide foreign assistance in support of the aims of UNSCR 1540. The United States has supported these implementation efforts in other countries through a variety of mechanisms, including providing funding and expertise for 1540-related conferences and outreach, providing extensive technical assistance, and providing strong endorsement for such efforts in the annual G-8 Summit statements. The U.S. provides non-proliferation-related technical assistance globally, including in the following UNSCR 1540-related subject areas: legal/regulatory; licensing; government-to-industry outreach; and enforcement. Additionally, still further UNSCR 1540-related U.S. programmes designed to prevent transfers of proliferation-sensitive materials to non-governmental actors, assist States in enacting and enforcing effective export controls, and secure proliferation sensitive materials, raise the total U.S. funding in this field to over \$2 billion annually.

In support of these goals, the United States welcomes the completion of the report of the Security Council Committee established pursuant to resolution 1540 (2004) (the "1540 Committee") on States' compliance with resolution 1540. The report, which the Committee submitted to the Security Council in accordance with resolution 1810 (2008) and which the Committee's Chairman, Costa Rican Ambassador Jorge Urbina, briefed to the Council, identifies a number of specific measures that States have taken to implement resolution 1540. It also contains important recommendations for the Committee's work, consistent with the Committee's three-year mandate under resolution 1810 (2008). As the 1540 Committee's report shows, resolution 1540, if fully implemented, can help ensure that all States have in

place appropriate laws and enforcement mechanisms to prevent WMD proliferation and hold those who engage in such behaviour accountable. For its part, the Committee can play a key role in promoting States' implementation of resolution 1540 — but it cannot do this alone.

Among other things, the report finds that since 2006 there has been:

- A four-fold increase in the number of States that have taken measures to prohibit the financing of prohibited activities related to nuclear, chemical, or biological weapons, their means of delivery and related materials.
- A significant increase in the number of States identified as having taken measures since 2006 to enhance border and export controls to combat the proliferation of weapons of mass destruction and their means of delivery.

The report also notes that:

- The issue of preventing the manufacture/production and acquisition of biological weapons, their means of delivery, and related materials by non-State actors has been identified as requiring more specific attention;
- The number of States that have measures against providing transport services for illicit WMD-related trade transactions remains low overall, despite a significant increase since 2006; and
- Although the number of States that have taken measures to enhance border and export controls to combat the proliferation of weapons of mass destruction and their means of delivery has increased, merely passing legislation and enacting regulations is not sufficient. Effective domestic enforcement, credible control lists of dual-use items, appropriate implementation and enforcement measures, effective training of enforcement officials, and information sharing are essential to achieving the goals of UNSCR 1540 with the 1540 Committee.

The 1540 Committee and its Panel of Experts have done very useful work over the past several years, as summarized in the Committee's 2008 report to the Security Council. If one reads the report, there are four 2009 tasks that the OSCE can undertake to significantly improve the capacity of the Committee to meet its objectives during the current extension through resolution 1810:

1. Commit to completing at least the introduction and two chapters of the Best Practice Guide — outreach has shown more than anything that a regionally endorsed overview is an important step for foreign ministries and interagency groups to educate those entrusted with actually developing and passing the laws.
2. At 56, the effect of regionally exchanging data on all the reports and matrices, discussing it among this organization's partners, and regionally forwarding this as a contribution will complement the efforts of the Committee based in New York.

3. Identifying a key OSCE liaison with the 1540 Committee who can develop a list of regional experts for co-operation on technical implementation of 1540 issues, as well as maintaining national points of contact on 1540 implementation among capitals. We would like to ask if you also see value in the OSCE doing this and, if so, why?

4. Taking advantage of the synergies pointed out in previous discussions that were not as obvious in 2006 when the OSCE hosted its 1540 workshop — IAEA, UNODC, and the Permanent Council elements that complement UNSCR 1540's overlap with the Action against Terrorism Unit (ATU) and Border Management Group with our field missions.

As we move ahead, the United States looks forward to consulting within the OSCE, among our partners, and with other allies to capitalize on the benefits of full implementation of UNSCR 1540, and hopes that today's session brings the important nexus of non-proliferation and terrorism to the forefront of the OSCE's agenda in both the FSC and Permanent Council in 2009.

Thank you, Mr. Chairperson.

We request that the full text of this statement be attached to the journal of the day.