

Chairmanship: Norway

801st PLENARY MEETING OF THE FORUM

1. Date: Wednesday, 28 October 2015

Opened: 10.05 a.m.

Closed: 1.05 p.m.

2. Chairperson: Ambassador R. Kvile

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

Agenda item 1: SECURITY DIALOGUE ON THE CODE OF CONDUCT ON
POLITICO-MILITARY ASPECTS OF SECURITY

- *Presentation entitled “Actors promoting democratic control of the armed forces – the role of ombuds institutions” by Mr. H. Born, Deputy Head of the Research Division, Geneva Centre for the Democratic Control of Armed Forces (DCAF), and Mr. W. McDermott, project officer, Geneva Centre for the Democratic Control of Armed Forces (DCAF)*
- *Presentation entitled “The Parliamentary Ombudsman for the Norwegian Armed Forces” by Mr. R. Linaker, Parliamentary Ombudsman for the Norwegian Armed Forces, and Mr. B. Gahre, Director, Office of the Parliamentary Commissioner of the Norwegian Armed Forces*

Chairperson, Mr. H. Born (FSC.DEL/199/15 OSCE+)
(FSC.DEL/199/15/Add.1 OSCE+), Mr. W. McDermott
(FSC.DEL/199/15/Add.1 OSCE+), Mr. R. Linaker (FSC.DEL/197/15
OSCE+), Mr. B. Gahre (FSC.DEL/197/15 OSCE+), OSCE Parliamentary
Assembly, Serbia (FSC.DEL/200/15 OSCE+), Luxembourg-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 country Liechtenstein, member of the
European Economic Area; as well as Georgia, Moldova and Ukraine, in
alignment) (FSC.DEL/202/15), Switzerland, United States of America,

FSC Co-ordinator for the Code of Conduct on Politico-Military Aspects of
Security (Czech Republic)

Agenda item 2: GENERAL STATEMENTS

Situation in and around Ukraine: Ukraine (FSC.DEL/203/15), Luxembourg-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 country Norway, member of the European Economic Area; as well as Georgia, Moldova, San Marino and Ukraine, in alignment) (FSC.DEL/201/15), United States of America, Russian Federation (Annex 1) (Annex 2), Romania (Annex 3), United Kingdom, Poland, Ukraine (Annex 4), Canada

Agenda item 3: ANY OTHER BUSINESS

- (a) *Matters of protocol:* Belarus, Chairperson
- (b) *Meeting of the Informal Group of Friends regarding the project for the security upgrade of ammunition and weapons storage sites (SECUP) in Bosnia and Herzegovina, to be held on 3 November 2015:* Chairperson of the Informal Group of Friends on Small Arms and Light Weapons (Slovenia) (on behalf of the FSC Co-ordinator for Projects on Small Arms and Light Weapons and Stockpiles of Conventional Ammunition (United States of America))
- (c) *High-Level Military Doctrine Seminar, to be held on 16 and 17 February 2016:* Sweden (Annex 5)
- (d) *Informal meeting on the Vienna Document 2011, to be held on 3 November 2015:* FSC Chairperson's Co-ordinator for the Vienna Document (Switzerland)

4. Next meeting:

Wednesday, 4 November 2015, at 10 a.m., in the Neuer Saal



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

FSC.JOUR/807
28 October 2015
Annex 1

ENGLISH
Original: RUSSIAN

801st Plenary Meeting
FSC Journal No. 807, Agenda item 2

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

Mr. Chairperson,

In connection with the reference to Crimea in the statements by a number of delegations today, the delegation of the Russian Federation feels obliged to make the following observations.

The proclamation of independence of the Republic of Crimea and its incorporation into the Russian Federation was a legal expression of the right of the people of Crimea to self-determination at a time when Ukraine, with outside support, was in the throes of a *coup d'état*, with radical nationalist elements exerting a forceful influence on the decisions adopted in the country, which in turn resulted in the interests of the Ukrainian regions and Russian-speaking population being ignored.

The multi-ethnic population of Crimea took the corresponding decisions by a huge majority in a free and fair expression of its will. The status of the Republic of Crimea and the city of Sevastopol as constituent entities of the Russian Federation is not open to reconsideration or discussion. Crimea is and will remain Russian. This is a fact that our partners will have to come to terms with.

This position is based on and fully complies with international law.

Thank you, Mr. Chairperson. I 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/807
28 October 2015
Annex 2

ENGLISH
Original: RUSSIAN

801st Plenary Meeting
FSC Journal No. 807, Agenda item 2

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

Mr. Chairperson,

We are obliged to point out that our Western partners are continuing massive destabilizing deliveries of weapons and other materiel to Ukraine.

We shall merely cite some data we are aware of for the period from May to October 2015.

United States of America

According to information published by the United States Ambassador to Ukraine, Geoffrey Pyatt, on 30 September 2015, Washington has already provided Kyiv with military and technical assistance worth more than 265 million US dollars, of which some 66 million US dollars were used to fund work programmes of instructors with the Ukrainian armed forces and the National Guard of Ukraine, 33 million US dollars to obtain secure communications equipment, 22.5 million US dollars to purchase radar and electronic warfare systems, 21 million US dollars to provide uniforms and equipment, 15 million US dollars to purchase field hospitals and medicines, 13 million US dollars to obtain night-vision goggles, and 12 million US dollars to purchase unmanned aerial vehicles. A total of 230 Humvee (Hummer) armoured vehicles have been handed over to the Ukrainian armed forces and National Guard.

In addition, 46 RF-7800-MP001 backpack radios, 12 Falcon RF-7800H-V002 high-frequency vehicular radios and one RF-7800H-MP001 high-frequency fixed radio were delivered.

Using the Bulgarian company Bulkomers KS EOOD, the United States provided Ukraine with KS-1 unmanned aerial vehicles worth 714,000 US dollars. The same company offered to help Kyiv obtain M107A1 and 82A1 rifles worth 7.5 million US dollars.

According to the general representative of Southwest Florida Aviation International in Ukraine, Serhiy Tverdokhle, the United States plans initially to assemble and later manufacture Bell UH-1 Iroquois helicopters on Ukrainian territory.

In May 2015, Ukraine asked the United States for 400 sniper rifles, 2,000 assault rifles, 720 hand-held grenade launchers and around 200 mortars, 40 of them 120 mm in calibre. Furthermore, Petro Poroshenko announced in late July that Ukraine needed 1,240 American Javelin anti-tank missile systems.

On 29 September 2015, the Minister of Internal Affairs of Ukraine, Arsen Avakov, circulated information indicating that large-calibre sniper rifles from the American company Barrett (M107A1 reconfiguration, 12.7 mm in calibre) and DRTG-73 anti-tank rocket grenades had entered service with the National Guard.

As representatives of Ukroboronprom (the Ukrainian defence industry conglomerate) reported in late September, a co-operation agreement has been signed with the American company Textron Systems to produce heavy armoured equipment. Initially this involves extensive modernization of the Humvee armoured vehicle for the Ukrainian army's needs.

On 1 October, Barack Obama signed an order to supply the Ukrainian armed forces with AN/TPQ-36 counter-battery radar systems (manufactured by Northrop Grumman and ThalesRaytheonSystems) worth around 20 million US dollars.

Military cargo is delivered to Ukraine via the seaports of Odessa and Mykolaiv and the airports at Zaporizhia, Mariupol and Dnipropetrovsk. A temporary warehouse for weapons and other materiel intended for use by United States military personnel and for subsequent transfer to Ukrainian armed formations has been established at Kharkiv airport.

Romania

This year alone this country has supplied Ukraine with 60,000 30 mm high-explosive fragmentation shells for the Tunguska anti-aircraft gun and missile system, 40,000 VOG-25 and 20,000 VOG-25P rounds of ammunition for GP-25/30 under-barrel grenade launchers, 20,000 152 mm high-explosive fragmentation shells and 5,000 cartridges for 152 mm high-explosive fragmentation shells.

United Kingdom

In summer 2015 delivery to Ukraine of a consignment of 75 AT105 Saxon armoured vehicles was completed. This equipment entered service with the Ukrainian armed forces following modernization at the Mayak factory in Kyiv, during which it was fitted with 7.62 mm KT machine guns and 12.7 mm DShKM machine guns.

Canada

Canada provided Ukraine with 22 Falcon-III RF-7800H backpack radios. Ottawa is also exploring the possibility of supplying weapons directly to Ukraine. For example, in mid-June the Export and Import Controls Bureau of the Department of Foreign Affairs, Trade and Development of Canada proposed considering the inclusion of Ukraine in the Automatic Firearms Country Control List.

Czech Republic

In July, this country supplied Ukraine with high-grade explosives (pentaerythritol tetranitrate mark D) along with spare parts for the UTD-20 motor used in BMP-1/2 armoured infantry fighting vehicles, BMD-1/2 airborne infantry fighting vehicles and BTR-60/70 armoured personnel carriers.

France

An agreement was reached whereby the French company Thales Communication and Security S.A.S. will deliver tactical radio communications equipment to Ukraine, and the Airbus Helicopters company will supply H125 single-engine helicopters for the Ukrainian military's needs.

Bulgaria

This country supplied Ukraine with 240,000 shells for 2A42 automatic cannons, 160,000 rounds of ammunition for GP-25 grenade launchers, and 7,000 rounds of ammunition for AGS-17 grenade launchers. Furthermore, in spring 2015 the private Bulgarian company BIEC offered to supply the Ukrainian firm Spetstekhnoeksport with 300 emergency rescue vehicles based on the German Marder armoured infantry fighting vehicle at a cost of 48,000 euros.

Poland

In late September, according to a representative of Ukroboronprom, an agreement was concluded with the Polish company WB Electronics to develop a new tactical unmanned aerial vehicle.

Lithuania

On 21 June, the Lithuanian Ambassador to Kyiv, Marius Janukonis, announced that Lithuania had decided to set an example to everyone by delivering weapons to Ukraine. We would ask the Lithuanian representatives to clarify what weapons deliveries they were talking about.

Furthermore, we note that in August ammunition manufactured using plastic parts was discovered near Stanytsia Luhanska. Such models had not been used by the Ukrainian army in the past, nor by the Russian army. However, it is known that a number of NATO countries have this kind of ammunition. Thus, officially or unofficially, NATO countries are providing "lethal" military assistance to Ukraine.

Some participating States no longer restrict themselves to delivering weapons and materiel. They are setting up large-scale training of Ukrainian soldiers who take part in combat operations in Donbas.

For example, 380 United States military personnel are training units of the National Guard and armed forces of Ukraine. In addition to the three Ukrainian National Guard battalions, Washington plans to train five battalions of the Ukrainian armed forces

(approximately 2,500 military personnel) at the Yavoriv training ground near Lviv with the involvement of 305 instructors from the 173rd Airborne Brigade of the United States army.

As the British Secretary of State for Defence, Michael Fallon, noted, London will double its financing for the programme to train Ukrainian military personnel. According to the information available, over 2,000 Ukrainian soldiers will have completed this programme by the end of 2015.

Furthermore, 200 military instructors from Canada have been seconded to Ukraine until 31 March 2017.

These instructors regularly appear with their charges in the conflict zone, for the purpose among other things of directing and monitoring sabotage and reconnaissance operations by Ukrainian security forces on the territory of the Donetsk People's Republic (DPR) and Luhansk People's Republic (LPR).

This undoubtedly intensifies the general destabilization in the region.

We note Kyiv's persistent efforts to build up destabilizing stockpiles of conventional weapons through imports.

For example, on 1 July the Verkhovna Rada of Ukraine ratified two agreements with NATO, which, in particular, regulate co-operation regarding deliveries and purchase of goods and technical assistance.

The Ukrainian Ambassador to the United States of America, Valeriy Chaly, announced on 10 July that Ukraine is receiving weapons, including lethal ones, from ten European countries. This is at variance with the repeated assurances by Western leaders that they are not supplying Ukraine with such weapons.

During the visit by NATO Secretary General, Jens Stoltenberg, to Ukraine in September 2015, agreements were reached on strengthening co-operation between NATO and Kyiv in strategic communications, naval affairs and the conduct of special operations. A decision was taken to combine the NATO civilian and military centres operating in Ukraine and expand the powers and functions of the new office.

With a view to facilitating the receipt by Kyiv of foreign materiel and dual-purpose goods, the Ministry of Social Policy of Ukraine issues decrees on the recognition of cargo as humanitarian aid (signed by Minister Rozenko), according to which virtually any equipment and materiel delivered from abroad is recognized as humanitarian aid.

As we analyse the situation in Ukraine, we should like to also draw our partners' attention to the continuing build-up by Kyiv of destabilizing stockpiles of conventional weapons through domestic production.

For example, in June representatives of Ukroboronprom reported that 767 pieces of military equipment had been transferred to the Ukrainian armed forces since January 2015, including 298 new models, among them 163 missile and artillery systems. Four hundred and sixty-nine pieces of military equipment, including 25 tanks, 128 armoured personnel carriers

and armoured infantry fighting vehicles, 266 missile and artillery systems and 5 aircraft, have been overhauled.

In early August, the Ukrainian Deputy Minister of Defence, Petro Mekhed, announced that by the end of the year the Ukrainian army will have received 40,000 vehicles, 300 pieces of armoured equipment, over 30,000 missiles and ammunition, and 3,000 units of small arms and light weapons. Since the start of the year, the army has already been provided with 266,000 missiles and ammunition, and 1,200 pieces of weaponry and military equipment.

Ukraine's defence spending has increased by 250 million US dollars in 2015. There are plans to increase the number of regular armed forces in Ukraine in 2015 from 232,000 to 250,000 personnel.

In the second half of June, with reference to the German Chancellery Chief of Staff, Peter Altmaier, there were reports in the media that Kyiv had resumed research into the development of its own nuclear weapons. We would ask our partners to clarify how far this information is in keeping with reality.

It is revealing that on 11 April the Secretary of the National Security and Defence Council, Oleksandr Turchynov, in reply to a journalist's question regarding the possibility of Ukraine creating a so-called dirty bomb, said that all resources would be used for this. The most important thing is that the weapon is effective: "Whether it will be dirty or clean is a matter of technology."

We regard some utterances by Ukrainian officials as extremely destabilizing.

For example, on 30 April in an interview on the Ukrainian television channel STB Petro Poroshenko announced: "The war will end when Donbas and Crimea return to Ukraine."

On 19 August, the Chairperson of the Parliamentary Committee on National Security and Defence, Serhiy Pashinsky, announced on the Ukrainian television channel ICTV that Kyiv was looking into the possibility of attacking Russian territory and storming the Russian city of Belgorod.

These statements are evidence of Kyiv's aggressive intentions and its unwillingness to resolve the political problems in the country by peaceful means.

The decision by the Ukrainian authorities to transfer weapons, including those received from OSCE participating States, into the hands of various nationalist groups, over which they have practically no control, is a serious destabilizing factor.

Such radical armed nationalists operate both in the combat zone in Donbas and in other regions of Ukraine. The extensive use by Right Sector militants of weapons during clashes with the police in Mukacheve in the Zakarpattia region in July, which resulted in human casualties, is one example. Despite this, Kyiv officially continues to use nationalist volunteer battalions against the DPR and LPR.

According to reports in mid-August by the British newspaper *Daily Mail*, the Azov volunteer battalion made up of nationalists set up a special camp near Kyiv, where a new generation is being prepared and children as young as six are being trained to use weapons, including firearms. Similar information was heard on the German television channel ARD regarding camps for children aged between 11 and 16 set up by Right Sector in Uzhhorod. In this way, weapons are not only being handed over to nationalists, which is already a destabilizing factor, but are also being entrusted to children raised in a nationalistic spirit.

On 31 August, during clashes provoked by Ukrainian nationalists near the Verkhovna Rada using weapons and grenades, two police officers were killed and more than 130 people injured.

Given the absence of proper control of the circulation of weapons in Ukraine, a corresponding black market has formed, which further destabilizes the situation in the country. Representatives of the Swiss Small Arms Survey project state that there are around 4.5 million firearms circulating illegally in Ukraine, according to the most conservative estimates. For example, a Kalashnikov rifle can be obtained for between 100 and 200 dollars in the area where the so-called anti-terrorist operation is being conducted.

These problems are also recognized by the authorities in Kyiv. On 25 May, the First Deputy Head of the Criminal Investigation Department of the Ukrainian Ministry of Internal Affairs, Serhiy Redka, announced: "Firearms, ammunition and explosives were seized from 23 volunteers, and weapons were held illegally by volunteer battalion fighters in 43 cases, by military personnel of the Ukrainian armed forces in 83 cases, by members of the National Guard in 3 cases, and by Ministry of Internal Affairs staff in 3 cases."

Recent examples also confirm the absence of proper control of the circulation of weapons in Ukraine. On 14 August, the Ukrainian Security Service seized a depot in central Kyiv, where they found 18 anti-personnel and 4 anti-tank grenades, rifles and ammunition. On 10 September, an illegal depot was discovered on the territory of a military unit in Chuhuiv in the Kharkiv region, including 472 mortar shells of 120 mm calibre.

Sooner or later, weapons circulating unchecked in Ukraine could end up on the corresponding black markets in European Union countries.

Another destabilizing factor is the Ukrainian authorities' use and arming of mercenaries.

For example, in late May 2015, around 100 mercenaries from the so-called Georgian volunteer battalion were deployed in Verhnotoretske, around 100 mercenaries from the United States and Poland between Horlivka and Dzerzhynsk, and around 100 Polish citizens in Dmytrov, Sloviansk, Dzerzhynsk, Myronivsky, Konstantinovka and Kramatorsk. Several hundred mercenaries are also deployed in Lastochkyne and 60 in Slavne. According to the leaders of Right Sector, there are more than 40 so-called foreign volunteers among their ranks.

On 6 October 2015, the Verkhovna Rada of Ukraine supported draft law No. 2389 on the introduction of amendments to certain legislative acts regarding military service in the armed forces of Ukraine by foreigners and stateless persons. In line with that document, the

Ukrainian Ministry of Defence will be permitted to sign contracts with such categories of persons to serve in the armed forces for a period of six months, which essentially legalizes the use of mercenaries.

All these factors lead not just to the destabilization of the situation but also to a continuation of hostilities in Donbas.

According to the United Nations Assistant Secretary-General for Human Rights, Ivan Šimonović, as of 29 September 2015 over 8,000 people had died as a result of the hostilities in Donbas, more than a million people had been forced to flee Ukraine and some 1.5 million people had become internally displaced persons.

From 31 May to 1 September 2015 alone, as a result of the shelling of towns and villages in the DPR and LPR, 45 civilians were killed and 160 injured, including children, and over 163 civilian facilities, including residential buildings, schools, kindergartens, electrical substations, and water and heating supply systems, were partially or completely destroyed. The situation was most serious in Luhansk, Horlivka, Kramatorsk, Snizhne, Ilovaisk, Yasynuvata and the suburbs of Donetsk.

Such actions by the Ukrainian security structures are a gross violation of the provisions of the Convention relative to the Protection of Civilian Persons in Time of War and Protocol II Additional to the Convention (Geneva, 8 June 1977), the Convention on the Prevention and Punishment of the Crime of Genocide (Paris, 9 December 1948) and the Convention on the Rights of the Child (New York, 20 November 1989).

As Kyiv has introduced an economic and financial blockade of the south-east, the humanitarian situation in Donbas has continued to deteriorate.

In that connection, we urge our partners not to pour oil on the fire and to refrain from supplying Kyiv with weapons and other materiel, from helping it to train Ukrainian units or individuals, and from other forms of military and technical co-operation until there is a political resolution of the situation in the south-east and conditions in the country have completely normalized.

Thank you, Mr. Chairperson. I request that this statement be attached to the journal of the day.



**Organization for Security and Co-operation in Europe
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FSC.JOUR/807
28 October 2015
Annex 3

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801st Plenary Meeting
FSC Journal No. 807, Agenda item 2

STATEMENT BY THE DELEGATION OF ROMANIA

In response to the presentation by the Russian Federation, I would like to make the following remarks:

Romania would like to inform the OSCE Partners that the National Authority for Export Controls neither received any export licence applications nor approved any export licences for military goods to Ukraine in 2014 and 2015. Romania considers export licence applications on a case-by-case basis, with multi-criteria analysis, against the European Union common licensing criteria as established by Council Common Position 2008/944/CFSP of 8 December 2008.

Romania values transparency regarding the export of military goods, including within the OSCE.

Information on all export licences granted by Romania is published in the quarterly and annual reports on arms exports on the National Authority for Export Controls public website, www.ancex.ro. Quarterly and annual reports on arms exports are also available in English.

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



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

FSC.JOUR/807
28 October 2015
Annex 4

Original: ENGLISH

801st Plenary Meeting
FSC Journal No. 807, Agenda item 2

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 fulfilment 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.



801st Plenary Meeting

FSC Journal No. 807, Agenda item 3(c)

STATEMENT BY THE DELEGATION OF SWEDEN

Mr. Chairperson,

I would like to make the following statement in my national capacity, and not as co-ordinator of the High-Level Military Doctrine Seminar (HLMDS).

The HLMDS is scheduled for 16 and 17 February next year. Sweden regards this seminar to be a valuable opportunity for high-level military to military contact, in light of the tensed and unpredictable security situation we find ourselves in. Communication, dialogue, and of course understanding of different national perspectives and concepts on how to protect and promote vital national interests are extremely important brick stones when we build our common security based on shared values and commitments. Sweden regards the HLMDS to be an important confidence- and security-building measure in itself and a key event in the OSCE next year.

To support the successful execution of the event, Sweden has decided to contribute with a sum of up to 20,000 euros.

In order to facilitate dialogue on the very highest level, it is also Sweden's intent to send the Chief of Defence (CHOD), General Micael Bydén, to participate in the Seminar. Sweden would like to take this opportunity to encourage other participating States to do likewise.

It is Sweden's sincere hope that the HLMDS will have a positive outcome and that it may pave way for further discussions in this and other Forum.

Mr. Chairperson, I would kindly like this statement to be added to the journal of the day.