

Chairmanship: Latvia

689th PLENARY MEETING OF THE FORUM

1. Date: Wednesday, 25 July 2012

Opened: 10.10 a.m.

Closed: 11.55 a.m.

2. Chairperson: Ambassador G. Apals

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

Agenda item 1: GENERAL STATEMENTS

- (a) *Financial contribution to the project for destruction of stockpiles of conventional ammunition in Albania and to the MONDEM programme in Montenegro*: Germany (Annex 1), Montenegro (Annex 2), Albania (Annex 3), FSC Co-ordinator for Projects on Small Arms and Light Weapons and Stockpiles of Conventional Ammunition (Hungary)
- (b) *Compliance issues with regard to commitments vis-à-vis the annual exchange of military information*: Russian Federation (Annex 4), Georgia, United States of America, Bulgaria, United Kingdom, Turkey
- (c) *Issues related to Mongolia's request to become a participating State of the OSCE*: Russian Federation (Annex 5), Chairperson, United States of America

Agenda item 2: ANY OTHER BUSINESS

- (a) *Farewell to the Latvian Chairmanship of the Forum for Security Co-operation*: Ireland, Chairperson
- (b) *Regional Workshop on Implementation of United Nations Security Council resolution 1540 (2004): Innovative Approaches to Capacity Building and Assistance, held in Warsaw on 12 and 13 July 2012*: Poland

- (c) *Matters of protocol:* Spain, Chairperson, Finland, Cyprus-European Union, Kyrgyzstan, Slovakia

Agenda item 3: CLOSING STATEMENT BY THE CHAIRPERSON
OF THE FORUM FOR SECURITY CO-OPERATION,
H.E. AMBASSADOR GINTS APALS

Chairperson (FSC.DEL/102/12 OSCE+), the former Yugoslav Republic of
Macedonia

4. Next meeting:

Wednesday, 12 September 2012, at 10 a.m., in the Neuer Saal



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

FSC.JOUR/695

25 July 2012

Annex 1

ENGLISH

Original: GERMAN

689th Plenary Meeting

FSC Journal No. 695, Agenda item 1(a)

STATEMENT BY THE DELEGATION OF GERMANY

Mr. Chairperson,

As you will surely remember, at a previous meeting of the Forum for Security Co-operation, Albania requested assistance in the procurement of blades for the bandsaws obtained in 2010 for the destruction of ammunition. Approximately 41,000 euros are needed for the saw blades. I am pleased to be able to inform you today that the Federal Republic of Germany will now support this procurement with the total sum of 41,000 euros. In this way, the destruction of ammunition in Albania continues to be ensured.

In addition, I am pleased to inform you that the Federal Republic of Germany will also support Montenegro in the refurbishment of the two ammunition depots in Brezovik with 200,000 euros. The funding agreement for this Montenegro Demilitarization (MONDEM) programme was signed on 5 July 2012.

We are convinced of the importance of these projects in Albania and Montenegro and are pleased to have made a contribution in this way to the strengthening of security in both countries.

I thank you for your attention and 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/695

25 July 2012

Annex 2

Original: ENGLISH

689th Plenary Meeting

FSC Journal No. 695, Agenda item 1(a)

STATEMENT BY THE DELEGATION OF MONTENEGRO

Mr. Chairperson,

I would like to thank the distinguished representative of Germany for raising this issue at the FSC. Montenegro is very grateful to Germany for this significant donation for the MONDEM programme which is of utmost importance for us.

The agreement on donation was signed by Minister of Defence of Montenegro Pejanović-Đurišić and Ambassador Fischer, thus confirming the continued support of the Federal Republic of Germany to defence reform in Montenegro and to our path towards Euro-Atlantic integration.

The donation will enable us to improve conditions for the storage of ammunition, hence increasing our own security and security of the region as whole. With this donation, the project of reconstruction of ammunition depot Brezovik got a significant boost which will hopefully lead to its successful implementation in the near future.

I would also like to take this opportunity to thank all contributors to MONDEM programme for recognizing its value and importance and to the FSC Co-ordinator for SALW Lt. Col. Szatmári who is actively working on co-ordination and promotion of all ongoing demilitarization projects.

Once again I thank Germany and I would like to express hope that the donations for MONDEM programme through the OSCE will continue so that we would be able to conclude this programme successfully and close this important chapter in increasing overall safety and stability in Montenegro and the region.

Thank you, Mr. Chairperson.



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

FSC.JOUR/695

25 July 2012

Annex 3

Original: ENGLISH

689th Plenary Meeting

FSC Journal No. 695, Agenda item 1(a)

STATEMENT BY THE DELEGATION OF ALBANIA

Thank you, Mr. Chairperson.

I wish to join my Montenegrin colleague in thanking Germany for the donation of 41,000 euros and its support to the efforts of the Government of Albania to destroy the remaining stockpiles of conventional ammunition.

The bands that will be purchased through this donation will certainly contribute to accelerate the destruction process, which is already well underway. The destruction of the remaining stockpiles of conventional ammunition is expected to finish by the end of next year.

I avail myself of this opportunity to thank all those participating States that have provided financial support to this process.

I request this statement is 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/695

25 July 2012

Annex 4

ENGLISH

Original: RUSSIAN

689th Plenary Meeting

FSC Journal No. 695, Agenda item 1(b)

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

Mr. Chairperson,

On 30 June of this year the deadline expired for the submission of information by participating States on conventional arms transfers and the export of small arms and light weapons (SALW) as part of the implementation of documents of the politico-military dimension of the OSCE.

Unfortunately, as we already mentioned at the last meeting, not all countries were able to meet the deadline and implement their political commitments as required. To date, 14 participating States have not submitted information on conventional arms transfers, while 15 participating States have not submitted information on the export/import of SALW. We urge them to do this as quickly as possible.

An analysis of the information submitted by certain participating States gave rise to serious concern on the part of Russia and questions regarding the export policy of these countries, which, in our view, contravenes their international political and legal commitments. They continue to believe it possible to supply arms to Georgia. They are either already supplying arms, or are processing Georgian orders, or simply have the intention of doing so.

For example, within the framework of the information exchange on conventional arms transfers, Bulgaria included information on the delivery of 20 large-calibre artillery systems (122 mm howitzers) to Georgia. According to the data provided by Georgia within the framework of the Global Exchange of Military Information (GEMI), these are Soviet designed self-propelled 2C1 Gvozdika howitzers.

Within the framework of the information exchange on transfers of small arms and light weapons, the same country reported the transfer to Georgia of 15,000 assault rifles, 450 sub-machine guns and 6,000 hand-held grenade launchers (RPG-22). The United States of America provided information to the effect that during 2011 it had transferred to Georgia 507 revolvers and self-loading pistols and 47 rifles and carbines. Turkey reported the export of 62 semi-automatic pistols to Georgia.

Georgia itself, however, has so far still not found time to submit data on the import of conventional arms or on the import of SALW, and has limited itself to merely information under the GEMI, an analysis of which shows a build-up of arms and military equipment by that State.

In this connection, Mr. Chairperson, Russia expresses its profound concern at the remilitarization of Georgia and at the fact that some OSCE participating States are assisting with this in a most active manner. The Russian position on this matter remains unchanged.

Until 2008, many countries were exporting arms to Georgia in volumes that considerably exceeded its defence and security needs. Russia repeatedly warned the exporter countries that their deliveries were of a destabilizing nature, would lead to an escalation of tension in the region and were likely to result in the use of force by Tbilisi against South Ossetia. We turned out to be right. The Saakashvili regime sanctioned a military operation against its own people in South Ossetia. As a result, there were countless victims among the civilian population and Russian peacekeepers were killed.

The same people with the same ambitions and aspirations and with the same ideas of how their goals should be achieved by any means are in charge in Georgia today. And if they have such means, then there is a real risk of a recurrence of armed conflict with new victims. For this reason, States supplying arms to Georgia under these conditions are taking on a huge political responsibility for the possible consequences.

From time to time, representatives of these countries try to justify their actions by arguing that such deliveries are not prohibited by any international documents. Indeed, there is currently no ban on the export of arms to Georgia. However, at a time of continuing tension in the region, this kind of export directly contravenes the political commitments the States have adopted within the United Nations and the OSCE, and also the legal commitments within the framework of the European Union, which, incidentally, were drawn up and adopted with the participation of one of the States mentioned above.

When we say commitments within the United Nations we are referring to the Guidelines for international arms transfers in the context of General Assembly resolution 46/36 H of 6 December 1991. It states (paragraph 19) that economic or commercial considerations should not be the only factors in international arms transfers; the maintenance of international peace and security and efforts aimed at easing international tensions and peacefully resolving regional conflicts should also be taken into account. Arms producing or supplier States are called upon (paragraph 20) to ensure that the quantity and level of sophistication of their arms exports do not contribute to instability and conflict in countries and regions.

With respect to the OSCE region, the reference is to the Principles Governing Conventional Arms Transfers and the OSCE Document on Small Arms and Light Weapons, which were adopted by all the participating States including those mentioned above. These documents contain political commitments on the part of the OSCE participating States to take into account in arms transfers the internal and regional situation in and around the recipient

country, in the light of existing tensions or armed conflicts, and to avoid arms transfers which would be likely to introduce destabilizing military capabilities into a region, or instability.

Turning now to the European Union (EU), we draw attention to the commitments undertaken by the EU Member States within the framework of the legally binding document entitled the “Common Position” of the EU. This document was adopted in December 2008 to replace the politically binding European Union Code of Conduct on Arms Exports of 1998.

Criterion Three of the Common Position contains the commitment to take into account in arms transfers the internal and regional situation in and around the country of final destination, as a function of the existence of tensions or armed conflicts, and to avoid arms transfers which would be likely to introduce destabilizing military capabilities into a region, or instability.

Furthermore, regardless of whether South Ossetia and Abkhazia are regarded as Georgian territory or as independent States, arms transfers to Tbilisi will inevitably contravene either Criterion Two or Criterion Four of the Common Position, which are directed respectively against the arms received being used for internal repression and against the pursuing of territorial claims by force.

What is more, Criterion Two of the Common Position obliges the EU Member States to take into account in arms transfers the degree to which the purchasing country respects its international commitments regarding the non-use of force and international humanitarian law. Meanwhile, it is now perfectly clear how the Georgian authorities “respected” international humanitarian law, with their night-time shelling of the sleeping city of Tskhinval using multiple rocket launchers.

So, can one violate one’s commitments? Or does it all depend on who is doing the violating? One can if it is “us”; one cannot if it is “them”? Is it the same as George Orwell’s *Animal Farm*: “All animal are equal, but some animals are more equal than others”?

Since it is not a member of the EU, Russia has not acceded to the aforementioned Common Position. However, we are left bewildered as to why some EU Member States consider it acceptable to supply arms to Georgia in simultaneous violation of several criteria of that legal instrument. It is especially important to know this in the context of the current process within the United Nations to prepare a draft international arms trade treaty. The fact is that one of the arguments for the Common Position was the need to increase confidence in the European Union’s actions to promote an international arms trade treaty by making its own arms exports regime legally binding (paragraph 7 of European Parliament resolution B6-0074/2008 of 13 February 2008). An arbitrary interpretation of the provisions of the Common Position may, however, have the opposite effect to what was initially intended.

It is well known that economic interests from arms transfers frequently take precedence over States’ commitments. In view of this fact and in order to protect the national interests of the Russian Federation, on 16 January 2009 the President of the Russian Federation signed the Decree on measures to prohibit deliveries of military and dual-use products to Georgia (No. 64c). The text of the Decree was published and, what is more, its contents were brought to the attention of the leaders of all States through our

embassies. We draw particular attention to paragraph 3 of the Decree, which contains instructions for the Government of the Russian Federation.

Section “a” states: “in the event of the discovery of deliveries to Georgia by foreign States ... of military products, which lead to a destabilizing accumulation of arms and military equipment or otherwise contribute to regional instability, [the Government is] to immediately submit proposals regarding the application of special economic measures to them”. The large calibre self-propelled artillery systems supplied to Georgia in 2011 are clearly offensive weapons and introduce destabilizing military capabilities into the region. The latter also applies to the very significant volumes of SALW.

Section “b” instructs the Government of the Russian Federation “in the event of the discovery of deliveries, sale or transfer to Georgia by foreign States and (or) foreign organizations of arms and military equipment of Russian (Soviet) design or Russian (Soviet) production to submit proposals regarding the restriction or termination of military-technical and military-economic co-operation with these States and (or) organizations”. The models of the arms transferred to Georgia have not been specified. However, we have sufficient grounds to believe, *inter alia* taking into account data provided by Georgia under the GEMI, that these are Soviet designed weapons.

In this context, we believe it necessary to make the following point. Georgia’s desire to acquire weapons of Soviet design or production is most alarming however we look at it. The fact is that Tbilisi has repeatedly declared its plans to rearm in line with NATO standards. The Soviet weapons, however, are in all likelihood not required for the long term but for immediate use in the near future. Elementary logic suggests the most obvious targets for such use are South Ossetia and Abkhazia.

In the light of this, we would ask our partners once again to carefully weigh up all the pros and cons of their co-operation with Georgia in the military-technical sphere.

This applies in full measure to any OSCE participating State supplying conventional arms or SALW to Georgia.

Mr. Chairperson, I should like to request that this statement be attached to the journal of today’s meeting.



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

FSC.JOUR/695

25 July 2012

Annex 5

ENGLISH

Original: RUSSIAN

689th Plenary Meeting

FSC Journal No. 695, Agenda item 1(c)

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

Mr. Chairperson,

Last week, in Working Group B, our delegation drew attention to the need to ensure the Forum's participation in preparing the ministerial decision on admitting Mongolia to the OSCE, which contains provisions relating to the competence of the Forum for Security Co-operation (FSC).

At that meeting, our delegation suggested that, as a compromise, the usual procedure for preparing Ministerial Council decisions affecting the competence of the Forum be applied in this case too – the so-called FSC contribution. It was also stressed that it is of fundamental importance to Russia that the ministerial decision contain the familiar language on not extending the zone of application for confidence- and security-building measures (CSBMs) to the territory of Mongolia and on the resulting features of Mongolia's implementation of the provisions of the Vienna Document.

However, judging by the hastily arranged meeting of the Preparatory Committee yesterday, not even that compromise could satisfy some of our partners. At the meeting they expressed general doubts that a ministerial decision needed to contain such language. According to our distinguished partners a letter from Mongolia about its intentions would be enough, on the grounds that it was undesirable to create a precedent.

But what kind of a precedent are we talking about here? The case of Mongolia, a State outside Europe, outside the zone of application for the CSBMs, is unique and should not be regarded as a precedent in and of itself. Or do our distinguished colleagues wish to set in motion a process of admitting States outside the region to the OSCE? In that case we should like to know who is next, and how the proponents of this idea would go about addressing such issues as the implementation of commitments, including those in the politico-military sphere. And why are these issues, which directly concern the Vienna Document in particular and therefore the exclusive mandate of the Forum, not under discussion in this room? This is what an undesirable precedent looks like to us.

I must stress once again – in order to make Mongolia’s participation in the Vienna Document possible, the parameters of the commitments of this country outside the CSBM zone must be set in a consensus-based decision on its admission to the OSCE. No letter, with all due respect for such an official document, can take the place of this. The other approach carries the risk that consideration of Mongolia’s application could be severely delayed. Naturally this would not be our choice.

In conclusion, I should like to call on our partners to respect the mandate of each of the OSCE bodies and the procedures for the preparation and adoption of decisions that were decades in the making and that ensure that various issues receive the most objective consideration possible, and not to try to manipulate them according to their own interests.

Mr. Chairperson, I should like to request that this statement be attached to the journal of today’s meeting.