

388th Plenary Meeting

FSC Journal No. 394, Agenda item 4

DECISION NO. 4/03
TECHNICAL UPDATE OF THE QUESTIONNAIRE ON THE
CODE OF CONDUCT

The Forum for Security Co-operation (FSC),

Recalling FSC.DEC/4/98 of 8 July 1998 which establishes an annual exchange of information on the Code of Conduct on Politico-Military Aspects of Security not later than 15 April of each year,

Remaining committed to the Code of Conduct and its full and effective implementation,

Determined to build upon the Third Follow-up Conference on the Code of Conduct on Politico-Military Aspects of Security of 23-24 September 2002 and to strengthen the important role of the exchange of information on the Code of Conduct,

Recalling FSC.DEC/16/02 to expand question 1 of the Code of Conduct Questionnaire on combating terrorism,

Concluding that a more focused exchange of information between the participating States through a technical update of the questionnaire will enhance the implementation of the Code of Conduct,

- Decides that the participating States will provide each other, and the Conflict Prevention Centre (CPC), relevant information on the Code, including steps taken for its implementation, in accordance with the attached updated questionnaire by 15 April of each year;
- Decides that the information exchange based on this decision will for the first time be carried out not later than 15 April 2004;
- Encourages participating States to consider providing copies of relevant national legislation concerning questions 2, 3 and 5 to the CPC, preferably in a digital format and translated into an official OSCE language, in addition to other possible documents;

- Tasks the CPC with maintaining a record of this information as well as of the information exchange which will be accessible on the OSCE Delegates' Website;
- Decides to consider development of model answers to the questions as a means to facilitate the implementation of the information exchange and to encourage dialogue on matters related to the questionnaire among participating States.

This decision will enter into force on the date of its adoption and will supersede FSC.DEC/4/98.

INFORMATION EXCHANGE ON THE CODE OF CONDUCT ON POLITICO-MILITARY ASPECTS OF SECURITY

Participating States will supply relevant information (including documents where appropriate) on the following items:

1. Appropriate measures to prevent and combat terrorism, in particular participation in international agreements to that end (Paragraph 6):
 - (a) List of international agreements, including all United Nations conventions and protocols related to terrorism, to which the participating State is a party;
 - (b) Accession to and participation in other multilateral and bilateral agreements or measures undertaken to prevent and combat terrorist activities;
 - (c) National measures, to include pertinent legislation, taken to implement the international agreements, conventions and protocols cited above;
 - (d) Information on national efforts to prevent and combat terrorism, including appropriate information on legislation beyond United Nations conventions and protocols (e.g., pertaining to financing of terrorist groups);
 - (e) Roles and missions of armed and security forces in preventing and combating terrorism;
2. Description of the national planning- and decision-making process - including the role of the Parliament and Ministries - for the determination/approval of
 - (a) the military posture;
 - (b) defence expenditures;(Paragraphs 13, 22)
3. Description of
 - (a) constitutionally established procedures ensuring effective democratic control of the military, paramilitary, and internal security forces, as well as intelligence services, and the police;
 - (b) constitutionally established authorities/institutions responsible for the democratic control of military, paramilitary and security forces;

- (c) roles and missions of the military, paramilitary and security forces as well as controls to ensure that they act solely within the constitutional framework;
- (d) public access to information related to the armed forces;

(Paragraphs 20, 21, 22)

4. Stationing of armed forces on the territory of another participating States in accordance with their freely negotiated agreements as well as in accordance with international law;

(Paragraph 14)

5. Description of

- (a) procedures for the recruitment or call-up of personnel for service in the military, paramilitary, or security forces, if applicable;
- (b) exemptions or alternatives to compulsory military service, if applicable;
- (c) legal and administrative procedures protecting the rights of all forces personnel;

(Paragraphs 27, 28, 33)

6. Instruction on international humanitarian law and other international rules, conventions and commitments governing armed conflict included in military training programmes and regulations;

(Paragraphs 29, 30)

7. Any other information