



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

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Chairmanship: Moldova

**ANNUAL DISCUSSION ON THE
IMPLEMENTATION OF THE CODE OF CONDUCT ON
POLITICO-MILITARY ASPECTS OF SECURITY**

Vienna, 9 July 2014

CONSOLIDATED REPORT

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

FSC.DEC/2/14
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748th Plenary Meeting
FSC Journal No. 754, Agenda item 1

**DECISION No. 2/14
AGENDA, TIMETABLE AND MODALITIES FOR THE THIRD
ANNUAL DISCUSSION ON THE IMPLEMENTATION OF THE
CODE OF CONDUCT ON POLITICO-MILITARY
ASPECTS OF SECURITY**

The Forum for Security Co-operation (FSC),

Recalling FSC Decision No. 12/11 on an annual discussion on the implementation of the Code of Conduct on Politico-Military Aspects of Security,

Recalling the importance of the Code of Conduct and taking into account the provision of paragraph 38 of the Code of Conduct stating that appropriate bodies, mechanisms and procedures will be used to assess, review and improve if necessary the implementation of the Code of Conduct,

Taking into account the deliberations of the first and second Annual Discussions on the Implementation of the Code of Conduct held in 2012 and 2013,

Decides to organize the third Annual Discussion on the Implementation of the Code of Conduct, which is to take place on 9 July 2014 in Vienna, in accordance with the agenda and organizational modalities contained in the annex to this decision.

ANNUAL DISCUSSION ON THE IMPLEMENTATION OF THE CODE OF CONDUCT ON POLITICO-MILITARY ASPECTS OF SECURITY

I. Agenda and indicative timetable

Wednesday, 9 July 2014

- | | |
|-------------------|--|
| 10–10.30 a.m. | Opening session <ul style="list-style-type: none">– Opening and introduction by the FSC Chairperson– Remarks by the OSCE Secretariat representative– General statements |
| 10.30 a.m.–1 p.m. | Working session 1: Sharing of views on the implementation of the Code of Conduct in the context of the existing political and military situation <ul style="list-style-type: none">– Introduction by session moderator– Keynote speakers– Discussion– Moderator’s closing remarks |
| 3–4.45 p.m. | Working session 2: Evaluation discussion on the implementation and effectiveness of the Code of Conduct including the 2014 annual exchange of information pursuant to the Questionnaire <ul style="list-style-type: none">– Introduction by session moderator– Keynote speaker– Discussion– Moderator’s closing remarks |
| 4.45–5 p.m. | Closing session <ul style="list-style-type: none">– Discussion– Concluding remarks– Closure |

II. Organizational modalities

Background

In FSC Decision No. 12/11 it was decided, *inter alia*, to “regularize a focused discussion on implementation of the Code of Conduct on Politico-Military Aspects of Security by devoting an annual special one-day meeting to the Code of Conduct” and to “invite, as appropriate, representatives of think tanks of international standing and security-related scientific institutes to a morning session of this meeting to share views on implementation, while the following evaluation discussion of the afternoon session of the meeting is to be restricted to participating States.”

The third Annual Discussion on the Implementation of the Code of Conduct will therefore provide opportunities to discuss how to promote and improve the implementation of the Code of Conduct, including its annual information exchange, and to undertake an evaluation discussion and examine the application of the Code of Conduct in the context of the existing political and military situation. In addition it will serve to mark the twentieth anniversary of the Code of Conduct.

Organization

The Annual Discussion on the Implementation of the Code of Conduct will take place on 9 July 2014 in Vienna.

The OSCE Rules of Procedure and standard working methods will be followed, *mutatis mutandis*, at the annual discussion on the implementation of the Code of Conduct.

A representative of the FSC Chairmanship (Moldova) will chair the opening and closing sessions. Each session will have a moderator and a rapporteur.

Simultaneous interpretation between all six working languages of the OSCE will be provided at all sessions.

The FSC Chair will provide a report on the Annual Discussion on the Implementation of the Code of Conduct within one month, including a survey of suggestions and recommendations made during the meeting.

Participation

The participating States are encouraged to ensure that they are represented at policy and expert level at the Annual Discussion on the Implementation of the Code of Conduct.

The OSCE Secretariat, the ODIHR, field operations, the OSCE Parliamentary Assembly and the OSCE Partners for Co-operation are invited to participate in the Annual Discussion on the Implementation of the Code of Conduct.

Only the morning session will be open for the invited representatives of think tanks of international standing and security-related scientific institutes.

General guidelines for participants

In accordance with FSC Decision No. 12/11, a report on the implementation of the Code of Conduct prepared by the Conflict Prevention Centre of the OSCE Secretariat will be made available to participating States not later than 2 July 2014.

The Annual Discussion on the Implementation of the Code of Conduct will be conducted in four sessions.

The working sessions will concentrate on major topics, which will be introduced by keynote speakers. The introductions shall be followed by discussions of any number of relevant subtopics that delegates may wish to raise. The aim is an interactive and free-flowing discussion.

Delegations are welcome to distribute written contributions in advance of the meeting, both on agenda items and on related matters for possible discussion. In order to ensure the most productive discussion when the participating States are considering suggestions made during the meeting, the recommended approach is for delegations to bring forward suggestions or topics of interest by means of food-for-thought papers. Discussions on initial papers could lead to further work in the FSC.

Guidelines for keynote speakers

The introductions given by the keynote speakers should set the scene for the discussion in the sessions and stimulate debate among delegations by raising appropriate questions and suggesting potential recommendations based on OSCE realities. The keynote speakers' contributions should set the stage for substantive, focused and interactive discussions. The available speaking time is approximately 15 minutes per keynote speaker.

Keynote speakers should be present during the entire session they are speaking at and be ready to engage in the debate following their presentation.

Guidelines for moderators and rapporteurs

The moderator chairs the session and should facilitate and focus the dialogue among delegations. The moderator should stimulate the debate by introducing items related to the subject of the opening and working sessions, as appropriate, in order to broaden or focus the scope of the discussion.

The rapporteurs' reports should deal with issues raised during the respective sessions; they should cover lessons learned, best practices, challenges, improvements, and suggestions made at the session, and any other relevant information.

Personal views shall not be advanced.

Guidelines on the timing of submitting and distributing written contributions

Participating States and other participants of the meeting are invited to submit any written contributions by 2 July 2014.

THIRD ANNUAL DISCUSSION ON THE IMPLEMENTATION OF THE CODE OF CONDUCT ON POLITICO-MILITARY ASPECTS OF SECURITY

Vienna, 9 July 2014

Annotated agenda

Wednesday, 9 July 2014

10–10.30 a.m. Opening session

Chairperson: Ambassador A. Popov, Chairperson of the Forum for Security Co-operation

- Opening and introduction by Ambassador A. Popov
- Remarks by Mr. C. Neukirch, Deputy Director of the Conflict Prevention Centre
- General statements

10.30 a.m.–1 p.m. Working session 1: Sharing of views on the implementation of the Code of Conduct in the context of the existing political and military situation

- Introduction by session moderator
- Keynote speakers
- Discussion
- Moderator's closing remarks

Moderator: Colonel I. Dvořák, Senior Defence Adviser, Permanent Mission of the Czech Republic to the OSCE

Rapporteur: Lieutenant Colonel M. Shiaelos, Senior Military Adviser, Permanent Mission of Cyprus to the OSCE

“The relevance of the Code of Conduct and of its outreach” – Mr. T. Göbel, Head of the Arms Control Division, the Federal Foreign Office of Germany

“Twenty years of the Code of Conduct: a historical perspective on its development and milestones” – Dr. A. Lambert, Academic Director/Professor, School for International Training, Geneva, Switzerland

“A civil society perspective from South Eastern Europe on the Code of Conduct” – Mr. M. Milošević, Researcher, Belgrade Centre for Security Policy, Serbia

- 1–3 p.m. Buffet lunch
- 3–4.45 p.m. Working session 2: Evaluation discussion on the implementation and effectiveness of the Code including the 2014 annual exchange of information pursuant to the Questionnaire
- Introduction by session moderator
 - Keynote speakers
 - Discussion
 - Moderator’s closing remarks
- Moderator: Lieutenant Colonel D. Hempel, FSC Co-ordinator for the Code of Conduct on Politico-Military Aspects of Security
- Rapporteur: Major M. Álvarez Arribas, Military Adviser, Permanent Mission of Spain to the OSCE
- “The 2014 annual information exchange on the Code of Conduct” – Mr. F. Grass, FSC Support Officer, Conflict Prevention Centre
- “The protection of the human rights of armed forces personnel through the lens of the Questionnaire on the Code of Conduct” – Ms. P. Marrinan Quinn. S.C., former founding ombudsman for the Defence Forces of Ireland (2005–2012)
- “Promoting and enhancing the implementation of the Code of Conduct: practical perspectives from an OSCE field operation” – Mr. L. Salaru, Politico-Military Officer, OSCE Office in Yerevan
- “The way ahead towards better implementation and outreach” – Colonel P. Chaudhuri, Head of Swiss Verification Unit and Deputy Head of Euro-Atlantic Security Co-operation, Switzerland
- 4.45–5 p.m. Closing session
- Discussion
 - Concluding remarks by FSC Chairmanship
 - Closure

**OPENING STATEMENT BY THE CHAIRPERSON
OF THE FORUM FOR SECURITY CO-OPERATION AT THE
THIRD ANNUAL DISCUSSION ON THE IMPLEMENTATION OF
THE CODE OF CONDUCT ON POLITICO-MILITARY
ASPECTS OF SECURITY**

Excellencies,
Ladies and gentlemen,

It is a pleasure and an honour, on behalf of the OSCE Forum for Security Co-operation, to welcome you to the third Annual Discussion on the Implementation of the Code of Conduct on Politico-Military Aspects of Security.

Today's Discussion has a particular significance as it also serves to mark the twentieth anniversary since the adoption of this key normative document governing the role of armed and security forces in democratic societies. Notwithstanding major transformations that have taken place in the last two decades, the Code of Conduct remains a very relevant instrument in the OSCE politico-military toolbox, and is a core issue on the FSC agenda. The FSC has promoted further discussions on this milestone document by continuing to regularly host Security Dialogues on this important issue. And it is very valuable today to be able to use the Code of Conduct as a unifying element in which the basic rules for inter-State conduct and the rules for the democratic control of armed and security forces are spelled out clearly

Since the 2008 decision to raise awareness and to strengthen outreach, the OSCE Secretariat has done valuable work to promote understanding among participating States, to improve the annual reporting, and to look into concrete aspects of the Code. In particular, the conference held in Malta in September 2013 allowed for the first time to reach out to the Mediterranean Partners. The OSCE-wide workshop held in Belgrade in March 2014 allowed the staff members of OSCE executive structures to be trained on how to promote and support the implementation of the Code.

During the previous two Annual Discussions under the FSC Chairmanships of Latvia and Lithuania we had a productive exchange of ideas on ways to improve the implementation of the Code of Conduct, with a number of practical proposals being put forward in this regard.

This year's event will provide a new opportunity for the participating States and experts to exchange experience and consider the implementation of the Code of Conduct, and also to examine its application in the context of the existing political and military situation, as mandated by the meeting of the Ministerial Council in Vilnius and FSC Decision No. 12/11.

In line with the annotated agenda circulated on 8 July 2014 under reference number FSC.GAL/81/14/Rev.2, today's Annual Discussion will be conducted in two working sessions, with our guest speakers addressing various aspects of the implementation of the Code of Conduct.

I would also like to thank all those colleagues whose work and support have made this event not only possible but also very rich in content, and especially to recognize the valuable contributions made by Lieutenant Colonel Detlef Hempel, FSC Co-ordinator for the Code of Conduct, and Mr. Fabian Grass from the OSCE Secretariat. I would also like to express our gratitude to Austria, Germany and Switzerland for having provided extrabudgetary funding for the holding of this conference and for the commemoration event that took place yesterday.

In conclusion, I would like to wish all of us successful and productive discussions.

**OPENING REMARKS BY THE DEPUTY DIRECTOR OF
THE CONFLICT PREVENTION CENTRE AT THE THIRD ANNUAL
DISCUSSION ON THE IMPLEMENTATION OF THE CODE OF
CONDUCT ON POLITICO-MILITARY
ASPECTS OF SECURITY**

Mr. Chairperson,
Excellencies,
Ladies and gentlemen,

It is a great pleasure to address you on behalf of Ambassador Adam Kobieracki, Director of the OSCE Conflict Prevention Centre, who is unfortunately not able to be with us today on account of other commitments.

Nearly twenty years have passed since the adoption of the Code of Conduct on Politico-Military Aspects of Security at the Budapest CSCE Summit in 1994. Since then the security environment has changed considerably. Nevertheless, we have come to see that the principles contained in the Code of Conduct remain as relevant as ever. The commitment to putting armed and security forces under democratic control is needed as much as it was twenty years ago. This also remains true of all basic rules for inter-State conduct, such as the principles of not increasing security at the expense of others, of taking consideration of the legitimate security interests of other States, and of respecting one another's territorial integrity and sovereignty. Those principles remain a key requirement today within the OSCE area, but also beyond.

Within the OSCE family, the Code of Conduct provides valuable guidance for our work. When we aim to build accountable and effective security institutions, when we co-operate with parliamentarians on the democratic control of armed forces, or when we work with the military and the police to foster respect for human rights and humanitarian law, we live up to the Code's ultimate goal, which is to govern the role of armed forces in democratic societies.

The OSCE Secretariat, the institutions and the field operations have remained highly active in contributing to awareness-raising and to the outreach and improved implementation of the Code of Conduct. Since the last annual implementation discussion held in July 2013 the CPC has held targeted seminars and workshops in line with FSC Decision No. 1/08. At events in Malta, Bosnia and Herzegovina, Serbia and Slovenia we have included parliamentarians and representatives of ministries of defence and foreign affairs, academia and civil society. In this respect I would like to express our gratitude in particular to Austria, Bosnia and Herzegovina, Germany, Malta, Serbia and Switzerland as well as the Belgrade Centre for Security Policy, the Geneva Centre for the Democratic Control of Armed Forces, the Mediterranean Academy of Diplomatic Studies, NATO, the ODIHR, the OSCE Parliamentary Assembly and RACVIAC for their financial or in-kind contributions, without which those activities would of course not have been possible.

As tasked by FSC Decision No. 2/14, the CPC has provided a statistical report on the 2014 annual information exchange of the Code of Conduct. Given that my colleague from the

CPC will give you a detailed briefing this afternoon, I would like to limit myself to some general remarks:

With 51 participating States having provided their replies this year, the level of submissions remains relatively stable. However, of these 51 only 30 participating States submitted their replies on time, i.e., before the deadline of 15 April 2014. This remains a key challenge in our eyes. Moreover, as in previous years, submissions by participating States vary greatly from reply to reply, from section to section, and even from question to question.

In several instances we have noted a certain confusion in the replies to individual sub-questions, the meaning of which seems not to have been entirely clear to all participating States. On the very positive side, however, it is to be emphasized that the number of participating States providing qualitative replies has grown greatly as compared with the previous year. There have been significant increases in the numbers of participating States providing information on the role of different government branches, on intelligence services, and on ombuds institutions. This may largely be due to the availability of the reference guide in all OSCE languages, and to the list of voluntary indicators to improve reporting, which were developed together with the FSC Co-ordinator for the Code of Conduct.

I look forward to our discussions today and I thank you for your attention.

REPORTS OF THE WORKING SESSION RAPORTEURS

OPENING SESSION

Report of the Opening Session Rapporteur

One delegation speaking on behalf of the European Union argued that during its twenty years of existence, the Code of Conduct on Politico-Military Aspects of Security had become a widely acknowledged OSCE document in the field of security sector governance, reaffirmed a number of times. The delegation considered that full respect for and implementation of the Code of Conduct, both in letter and in spirit, would have been and was at the present time still of vital importance to de-escalating the crisis and to promoting a peaceful solution in a participating State. Additionally, she pointed out that it would be of value if the yearly information exchanges were assessed and analysed, so that more meaningful, rather than purely statistical information might be obtained. Moreover, she stated that further discussions, seminars and workshops on the Code of Conduct would contribute to increasing awareness of the document and to fulfilling its potential for outreach.

Another delegation announced a financial donation being made to promote the outreach, the better implementation and the application of the Code of Conduct.

Another delegation argued that the Code of Conduct on Politico-Military Aspects of Security was a core document of the OSCE in that it described the democratic control of the armed forces.

Another delegation pointed out the importance of the implementation of all, and not just certain selected provisions of the Code of Conduct by all OSCE participating States and stated that systematic work was needed in this regard; she also highlighted the breach of some fundamental provisions of the Code of Conduct by a participating State.

Another delegation highlighted the cross-dimensional character of the Code of Conduct, underlined the importance of its implementation, and stressed the dangers for regional peace stemming from a participating State's non-compliance with certain provisions of the Code.

WORKING SESSION 1

Report of the Working Session Rapporteur

Sharing of views on the implementation of the Code of Conduct in the context of the existing political and military situation

The session was introduced by the moderator, Colonel Ivan Dvořák, Senior Defence Adviser of the Permanent Mission of the Czech Republic to the OSCE.

Colonel Dvořák first noted that the Code of Conduct, originally signed during the Budapest Summit in 1994, was now celebrating its twentieth anniversary. He then pointed out that as the subjects it covered included the democratic control of armed forces, human rights of armed forces personnel, and certain gender issues, it constituted a model document for partners of the OSCE. Finally, he turned to the current political and military situation and its implications for the implementation of the Code of Conduct, stressing the importance of higher levels of implementation and awareness in the future.

Mr. Thomas Göbel, Head of the Arms Control Division, Federal Foreign Office of Germany, gave a presentation entitled “The relevance of the Code of Conduct and of its outreach”, in which he first gave a historical survey of the Code of Conduct and then explained the section on democratic control and integration with respect to the German armed forces. Furthermore, he added that the OSCE must continue to work to make the Code of Conduct more widely known. At the same time it also had to be ensured that the Code of Conduct remained meaningful in the interaction between OSCE participating States. Additionally, he stressed the need to revisit the contents of the Questionnaire on the Code of Conduct; the need to continue its adaptation process to current developments in a systematic manner; and the need for much more comprehensive and detailed answers to the Questionnaire. He emphasized the role of the Code of Conduct in the de-escalation of the crisis in and around Ukraine and finally underlined the importance of the Code’s outreach to the OSCE Mediterranean Partners, describing the Code of Conduct as a source of inspiration for national and regional reforms in the security sector not only in the Mediterranean area and the Balkans but also eastwards.

Dr. Alexandre Lambert, Academic Director and Professor, School of International Training, Geneva, Switzerland, gave a presentation entitled “Twenty years of the Code of Conduct: a historical perspective on its development and milestones”. He stated that the past two years had been filled with incredible achievements related to the Code of Conduct, including: outreach to the Mediterranean; the Arabic translation of the Code; the update of its Questionnaire; and the development of a reference guide. In a flashback to 1994 he referred especially to the key role of the European Union in the signing of the document of the Code of Conduct. Returning to the present time, he noted the contribution and innovations to the Code’s implementation process made by the Geneva Centre for the Democratic Control of Armed Forces, also stating that the Code of Conduct was the OSCE’s most widely appreciated export product. Additionally, he supported the view that given the situation in Ukraine it was not the right way ahead to abuse and downgrade the Code as a mere finger-pointing exercise and to reopen it for negotiation. Finally, he argued that private

military and security companies, intelligence services and police reform must be expressly referred to in the Code of Conduct.

Mr. Marko Milosevic, Researcher, Belgrade Centre for Security Policy (BCSP), Serbia, gave a presentation entitled “A civil society perspective from South Eastern Europe on the Code of Conduct”, in which he pointed out that the Code of Conduct was directly related to security sector reform and provided the basis for many principles of security sector guidance, for example, the need for a comprehensive approach to security going beyond a purely military perspective, and the need to ensure the accountability of the security sector through its democratic control. Additionally, he gave an assessment of his own country, Serbia, with reference to the Code of Conduct. Finally, he referred to future challenges for the OSCE Code of Conduct, such as examining the results of reporting; training for parliamentarians; a better inter-agency approach among the institutions active in the security sector; and placing more emphasis on follow-up activities with civil society organizations, including using the annual report as a platform for promoting transparency and consultations on security issues.

Discussion

One delegation examined the implementation of the Code of Conduct in the context of the current political and military situation in the OSCE area, and presented the violations of provisions of the Code of Conduct in its territory by another participating State, finally showing presenting photographic material related to this matter.

The OSCE’s Parliamentary Assembly presented the Resolution on the Democratic Control of the Public and Private Security Sectors, recently adopted as part of the Baku Declaration during the Assembly’s 23rd Annual Session in June/July 2014.

Another delegation pointed out the importance of the Code of Conduct and its provisions, which, the delegation emphasized, were still valid; underlined its cross-dimensional character; stressed the important role of Conflict Prevention Centre (CPC) to the proper implementation of the Code of Conduct; and finally appealed to other participating States to do more to boost the Code’s application.

Another delegation argued that recent events in a participating State were relevant to the utility and merit of the Code of Conduct for all participating States, adding that the Code included all elements for the de-escalation of the present crisis. At the same time it called upon another participating State to fully implement the Code of Conduct in order that peace might prevail.

Another delegation supported the view that some participating States remembered international rules and the Code of Conduct and its values when it suited them and mentioned a number of cases in which participating States had violated it, both inside and outside the OSCE area. It underlined the geopolitical aspect of the crisis in and around another participating State; presented violations of the Code of Conduct by yet another participating State; and called for the application of common sense to ensuring that peace and stability might prevail in the area of the crisis.

Another delegation argued that the principles of the Code of Conduct must become an integral part of the military training of both officers and soldiers of the armed forces of the

participating States. It added that there was no need for big changes to the Code: on the contrary, what the participating States had to discuss was the application of the Code as such. Finally, it charged another participating State with having recently acted in and around another participating State in a way that constituted a clear violation of the Code.

Answers and final remarks

Mr. Thomas Göbel argued that the Code of Conduct was a source of guidance in and beyond the OSCE area; even if some of its provisions were violated, it still provided standard and abstract principles and a means of properly assessing States' activities. Finally, the ultimate means of developing the Code was to explore its potential.

Dr. Alexandre Lambert concluded that participating States had to enhance transparency if the Code of Conduct was to be a successful means of addressing violations, and underlined the need for greater analysis of the flow of data and information.

Mr. Marko Milosevic argued that the Code of Conduct addressed conflicts that were more or less internal in character.

Lieutenant Colonel Detlef Hempel, FSC Co-ordinator for the Code of Conduct, stated that the ideas that had been heard during the session would be discussed further by the Group of Friends of the Code of Conduct.

The moderator closed the session by thanking the keynote speakers and by arguing that the Code of Conduct was a source of guidance for all participating States. Its implementation and the continuation of a dialogue were indispensable for the resolution of the recent crisis in a participating State.

WORKING SESSION 2

Report of the Working Session Rapporteur

Evaluation discussion on the implementation and effectiveness of the Code of Conduct including the 2014 annual exchange of information pursuant to the Questionnaire

The moderator, Lieutenant Colonel Detlef Hempel, FSC Co-ordinator for the Code of Conduct on Politico-Military Aspects of Security, opened working session 2 by expressing thanks for the collaboration undertaken in order to organize the meeting, by stressing the need to evaluate the implementation and effectiveness of the Code, and by suggesting a possible way ahead for moving forward the ideas presented.

He also mentioned that there might be room for possible improvements in the implementation of the Code, stressing that co-operation with the OSCE Secretariat was essential in this field.

The representative of the Conflict Prevention Centre (CPC), Mr. Fabian Grass, gave a summary of the statistical analysis of the 2014 annual information exchange conducted under the Code of Conduct. Among the highlights was the fact that the overall response rate was still both high and stable, with 51 participating States being compliant (all of them in accordance with FSC Decision No. 2/09). Section I of the Questionnaire had the highest completion rate, with information on counter-terrorism being particularly well reported. He also noted that the answers concerning the involvement of armed forces in peacekeeping operations had decreased slightly to 27 reports by participating States (36 participating States reported in 2013). Section II had not been as comprehensively attended to and the fewest responses received had been those concerning the implementation of political norms, principles, decisions and international humanitarian law. However, the number of participating States reporting on the role of parliaments, intelligence services and Ombuds institutions has greatly increased. Finally, Section III had had the fewest replies, with only 42 participating States providing information on the national point of contact for the implementation of the Code of Conduct. On a voluntary basis, seven participating States had provided information about private military and security companies, and 34 participating States on issues related to women, peace and security.

The moderator opened the floor for a first round of questions:

A delegation asked a question about there possibly being a pattern in the participating States not fulfilling their obligations regarding the Questionnaire. Secondly, the delegation expressed its satisfaction about the level of responses made on a voluntary basis on issues related to women, peace and security, pleading for these questions to be made part of the “mandatory” Questionnaire.

Another delegation asked why it was that participating States that had taken part in the information exchange in the previous year did not do so again in 2014? The delegation also asked about how the problem of different languages for the subsequent analysis might be solved, and how to approach and monitor military education on Code of Conduct affairs.

Another delegation asked about possible consequences for participating States that did not fulfil their commitments as included in the Code. The delegation also reflected upon the value of the Reference Guide and considered the matter of whether it should be made an integral part of the Questionnaire.

Mr. Grass answered the questions as follows. The reminding mechanism was working as intended: to date four letters had been sent to participating States that had not fulfilled their obligations; the list of participating States that had not taken part in the exchange of information was basically the same; 43 participating States had educational programmes outside their borders and 42 had such programmes for their own military forces. He confirmed that the Reference Guide had indeed increased the number and quality of the answers provided.

One delegation thanked the CPC representative, affirming that it was good to share information on the state of play regarding the reminding mechanism.

The next speaker was Ms. Pauly Marrinan Quinn, S.C., who had been the founding ombudsman for the Defence Forces of Ireland (2005–2012). Ms. Quinn's presentation was entitled "The protection of the human rights of armed forces personnel through the lens of the Questionnaire on the OSCE Code of Conduct" and had been distributed under reference FSC.NGO/2/14/Rev.1, 7 July 2014. In it Ms. Marrinan presented extracts from the procedural part of the analysis she had conducted on the quality of the answers from a practical point of view. In her recommendations she warned about the risk of becoming immune to the challenge of providing high-quality answers to the Questionnaire by giving in to the temptation to work in a cut-and-paste mode. Ms. Marrinan called for the process to be simplified, so that the greatest potential might be gained from the elements included in the Code of Conduct, and for the Questionnaire to be refreshed and given a different focus in successive years. She also pleaded for the Reference Guide to be made an integral part of the Questionnaire.

One delegation asked about the extent to which the ombudsman institutions had increased the level of effectiveness of the Irish armed forces.

Another delegation expressed an interest in the Reference Guide being made an integral part of the Questionnaire, requesting opinions from other participating States.

The ODIHR representative described the contribution of the Code of Conduct in the fields of human rights and gender equality. He also announced the event due to take place in the FSC on 17 July.

Ms. Quinn gave her answers, affirming that all the Chiefs of Staff of the Irish armed forces that she worked with were really satisfied with the results obtained, which had improved the morale and effectiveness of the forces; in addition, the scope of the Ombudsman Institution had increased over the years.

The next speaker was Mr. Lilian Salaru, Politico-Military Officer, OSCE Office in Yerevan. His presentation was entitled "Promoting and enhancing the implementation of the Code of Conduct: practical perspectives from an OSCE field operation". Mr. Salaru referred to the Code of Conduct as a framework document and a point of entry. As well as being a framework, he said, it was also a platform for work in the fields of security sector governance and security sector reform, providing elements for parliamentary oversight, defence reform,

police reform, civil society oversight, and cross-dimensional outreach. He spoke about good practices for the implementation of the Code of Conduct, such as building partnership and co-operation, programmatic activities, and cross-dimensional areas of implementation.

The moderator opened the floor for a new round of questions and declarations.

One delegation declared its readiness to co-operate on sector security reform projects through the implementation of the Code of Conduct. It also pleaded for the inclusion of the Reference Guide as a mandatory part of the Questionnaire, because this would help to promote the best possible quality of answers and also make the Questionnaire easier to analyse.

The final speaker of the second session was Colonel Prasenjit Chaudhuri, Head of the Swiss Verification Unit and Deputy Head of Euro-Atlantic Security Co-operation, Switzerland. His presentation was entitled “The way ahead towards better implementation and outreach” and had been distributed under reference FSC.DEL/125/14, 8 July 2014. Colonel Chaudhuri began his presentation by talking about the priorities of the Swiss OSCE Chairperson-in-Office, describing objectives and activities and requesting from participating States a better implementation of the Code of Conduct through legal instruments and relevant internal documents and procedures. He supported the idea that the Code of Conduct had never been so greatly needed as at the present time, reaffirming that its norms and principles had been never disputed. Colonel Chaudhuri gave accounts of various past and future projects related to the Code of Conduct and concluded his presentation with the idea that the Code of Conduct could be made the object of outreach, not only geographically but also topically and without labels.

The moderator opened the floor for a new round of questions and declarations.

One delegation focused on two different matters. Firstly, the Questionnaire had to be consistent with the content of the Code of Conduct, in which there was no reference either to sector security reform issues nor to gender issues. As it was clear that there was no chance to re-open the document for discussion, there were two possible solutions if the aim was to include new elements in the exchange of information: either work out another document or include the new elements on a voluntary basis. The delegation urged the other participating States not to overload the Questionnaire with issues that did not belong to the Code of Conduct; secondly, the Reference Guide constituted a voluntary document and there had been no changes in its own national position on the matter.

Another delegation fully agreed with the outreach vision presented by Colonel Chaudhuri, namely, of enhancing the values inside the Code of Conduct and extending them outside of the OSCE area.

Another delegation also expressed support for the outreach proposals, requesting some more information about the project in Tunisia. Regarding the overloading problem raised by another delegation, the delegation expressed the opinion that certain issues overlapped with others and that they still needed to be considered even though they were not strictly included in the Code of Conduct. Colonel Chaudhuri affirmed that the problems with re-opening the document should not prevent voluntary provisions from being included; what had to be done was to identify what should be tackled, without labels.

The session was closed by the moderator, who gave summary of the main ideas presented.

CLOSING SESSION

Report of the Closing Session Rapporteur

One delegation thanked those who had taken the floor. Not implementing the Code of Conduct would not be acceptable, and voluntary measures were additional pieces of information provided by participating States.

The Chairperson gave a summary of the main ideas presented during the working sessions of the meeting.

The Code of Conduct remained a relevant instrument and a core issue on the FSC and OSCE agendas.

The answers to the Questionnaires provided by participating States to the Conflict Prevention Centre in the current year had shown a qualitative improvement as compared with the previous year. Nevertheless more work was needed in this respect. Compliance with and respect for all provisions could be helpful for the peaceful settlement of crises in the OSCE area, as could the further implementation of the Code of Conduct in all cases and in line with other international norms.

Further discussions, seminars and workshops on the Code of Conduct would contribute to increasing awareness of the document and promoting outreach.

The Code of Conduct was a living document. As such it must retain its significance and become better known to society at large, not only being referred to by experts.

The Code of Conduct retained its relevance for the crisis in Ukraine but was also important beyond the OSCE area as well.

Despite the fact that the democratic control of the armed forces was an important element of the Code of Conduct, it should also address private military companies, intelligence services, paramilitary forces and police issues.

More emphasis had to be placed on follow-up activities with civil society organizations.

The annual report could be used as a platform for promoting transparency.

If work with the Code of Conduct was to be continued efficiently in the future, there was a need for further discussions, enhancement of transparency, and a more concrete qualitative analysis of the data provided.

Compliance with regard to the annual exchange of information on the Code of Conduct was at a high and stable level, with some increase in answers about parliamentary control, ombudsman institutions and intelligence services, although some confusion still existed regarding how to answer Section III of the Questionnaire.

Ms. Marrinan Quinn had talked about the importance of quality answers from a practical perspective. There was a need to refresh the Questionnaire in order to avoid the risk of participating States becoming immune to the challenge of fulfilling it.

Mr. Salaru had offered some elements for the better implementation of the Code of Conduct, highlighting the importance of the Code as a framework, a platform for outreach, a cross-dimensional facilitator, and a tool for partnership.

Colonel Chaudhuri had stressed that the Code of Conduct was never so much needed as at the present time; its norms and principles had never been disputed and there was a need to identify new challenges and to make the Code the object of outreach, not only geographically but also topically and without labels.

**CONCLUDING REMARKS BY THE CHAIRPERSON
OF THE FORUM FOR SECURITY CO-OPERATION AT THE
THIRD ANNUAL DISCUSSION ON THE IMPLEMENTATION OF
THE CODE OF CONDUCT ON POLITICO-MILITARY
ASPECTS OF SECURITY**

Excellencies,
Ladies and gentlemen,

We have successfully concluded the third Annual Discussion of the Code of Conduct on Politico-Military Aspects of Security. During our two working sessions, we have managed to thoroughly assess the implementation of the Code of Conduct and to consider ways to strengthen our commitments envisaged in this important normative document. Today's discussion reconfirmed that twenty years after its adoption, the Code remains one of the most important document in the politico-military toolbox of the OSCE and that we need to continue discussions on ways to improve its implementation.

During our morning session, which was moderated by Colonel Ivan Dvořák, we shared views on the Code's implementation in the context of the existing political and military situation. The rapporteur of the session, Lieutenant Colonel Michalakis Shiaelos, has prepared the following extract from its proceedings:

- The answers to the Questionnaires provided to the CPC by participating States this year showed a qualitative improvement on last year. Nevertheless, more work is needed in this respect;
- Compliance with and respect for all provisions and further implementation of the Code of Conduct in all cases and in line with other international norms can be helpful for the peaceful settlement of crises in the OSCE area;
- The Code of Conduct remains relevant and retains its relevance for the crisis in and around Ukraine but it is also important beyond the OSCE area;
- Further discussions, seminars and workshops on the Code of Conduct will contribute to increasing awareness of the document and to facilitating outreach;
- Despite the fact that the democratic control of the armed forces is important in the Code of Conduct, private military companies intelligence societies, paramilitary forces and police issues should be addressed as well;
- More emphasis has to be placed on the follow-up activities with civil society organizations;
- If work with the Code of Conduct is to be carried on efficiently in the future as well, note should be taken of the need for further discussions, for the enhancing of transparency, and for more concrete qualitative analysis of the data provided.

During our afternoon session, which was led by Lieutenant Colonel Hempel, we evaluated the implementation and effectiveness of the Code. The rapporteur of this session, Major Álvarez Arribas, has proposed the following brief points:

- Compliance with the Code of Conduct's requirements related to the annual exchange of information is on a high and stable level, with some increase in answers about parliamentary control, ombudsman institutions, and intelligence services. Nevertheless, some confusion still exists regarding how to answer Section III of the Questionnaire;
- Ms. Marrian Quinn spoke about the importance of the quality of the answers from a practical perspective and about the need to refresh the Questionnaire in order to avoid the risk of participating States becoming immune to the challenge of filling it out.
- Mr. Salaru provided us with some input for better implementation of the Code of Conduct by highlighting its importance as a framework, a platform for outreach, a cross-dimensional facilitator and, also, as a tool for partnership.
- Colonel Chaudhuri stressed that the Code of Conduct was never needed so much as today. Although its norms and principles have never been disputed, there is a need to identify new challenges and to ensure outreach, not only geographically but also topically and without labels.

Dear colleagues,

In conclusion, let me once more express our thanks to everybody involved in organizing this event. We very much look forward to the follow-up to the discussions in the FSC. As was mentioned today, the Code of Conduct is a perfect toolbox, in which every participating State can find appropriate tools for promotion and improvement, for the common good and security.

**SURVEY OF SUGGESTIONS
MADE DURING THE THIRD ANNUAL DISCUSSION ON
THE IMPLEMENTATION OF THE CODE OF CONDUCT ON
POLITICO-MILITARY ASPECTS OF SECURITY**

Vienna, 9 July 2014

| Reference | Suggestions | Remarks |
|---------------------------------|--|----------------------------------|
| Information Exchange | Consider answering the Questionnaire more in the form of tables in order to reduce the length of replies and to increase the possibility of comparisons. | FSC.DEL/126/14 |
| | Take additional efforts to improve the quality and comparison of national submissions. | FSC.DEL/128/14 |
| | Task the CPC with a more conceptual analysis and an assessment of the implementation of the Code of Conduct by participating States. | FSC.DEL/128/14 FSC.DEL/126/14 |
| | Do not overload the Code of Conduct Questionnaire. | FSC.GAL/96/14 |
| | Integrate the reference guide into the Questionnaire. | FSC.NGO/2/14/Rev.1 |
| | Amend the Questionnaire and reference guide to better include human rights in armed forces and gender aspects. | FSC.NGO/2/14/Rev.1 |
| | Make further voluntary use of the indicative indicators to improve reporting (FSC.DEL/61/14). | FSC.GAL/96/14 |
| | Encourage all participating States to provide voluntary information on women, peace and security and on private military and security companies (PMSCs). | FSC.DEL/128/14 |
| | Include information on UNSCR 1325 in the Code of Conduct information exchange as a mandatory part of the Questionnaire. | FSC.GAL/96/14 |

| Reference | Suggestions | Remarks |
|----------------------------|--|---------------------------------------|
| Outreach activities | Hold further discussions, seminars and workshops on the Code of Conduct for OSCE participating States, and for Partners for Co-operation to increase awareness and improve implementation. | FSC.DEL/128/14 |
| | Increase awareness about the Code of Conduct beyond expert levels. | FSC.GAL/96/14 |
| | Review the questionnaire to take into account new threats and challenges. | FSC.GAL/96/14 |
| Implementation | Strengthen the implementation of the Code with regards to inter-State elements. | FSC.GAL/96/14 |
| | Better identify deficiencies in reporting and implementation of the Code. | FSC.GAL/96/14 |
| | Strengthen the general coverage of human rights and gender considerations in the Code of Conduct. | FSC.GAL/79/13/Corr.2 FSC.GAL/85/13 |
| | Integrate better the police structures in the implementation of the Code. | FSC.NGO/3/14 FSC.GAL/96/14 |
| | Develop a multi-stakeholder approach to the Code's implementation process, including civil society. | FSC.NGO/4/14 |
| Other suggestions | Use the Code as an inspiration and framework for SSG/R processes. | FSC.GAL/96/14 |
| | Increase information on the oversight of intelligence services. | FSC.NGO/4/14 |
| | Promote inter-agency co-operation in the implementation of the Code. | FSC.NGO/4/14 |
| | Improve the use of the reminding mechanisms. | FSC.GAL/96/14 |
| | Consider negotiating a separate Code of Conduct on counter-terrorism and adjacent transnational threats. | FSC.NGO/4/14 |
| | Consider training directly the national points of contact on the implementation of the Code. | FSC.GAL/96/14 |