

Chairmanship: France

## 574th PLENARY MEETING OF THE FORUM

1. Date: Wednesday, 25 March 2009

Opened: 10.05 a.m.

Closed: 11.55 a.m.

2. Chairperson: Mr. E. Lebédel

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

Agenda item 1: SECURITY DIALOGUE

(a) *Presentation by the Deputy Assistant Secretary for Strategic Affairs, Security Policy and Disarmament of the Ministry of Foreign Affairs of the French Republic, Mr. Jacques Audibert, on French Perspectives on the Security Challenges:* Chairperson, Mr. J. Audibert (FSC.DEL/69/09 OSCE+), Finland, Austria, Ireland, Greece, Switzerland, Armenia, Czech Republic

(b) *Presentation by Ambassador Mikhail Uliyanov (Russian Federation) on Analysis of the difficulties to update the VD 99 since the beginning of the 2000s versus the 1990s:* Chairperson, Mr. M. Uliyanov (Annex 1), Switzerland, Belarus, United States of America, Germany, United Kingdom, Austria, Latvia, Greece

Agenda item 2: GENERAL STATEMENTS

*Implementation of the Code of Conduct on Politico-Military Aspects of Security:* United Kingdom (Annex 2)

Agenda item 3: ANY OTHER BUSINESS

*Preparation for the 2009 Annual Security Review Conference (ASRC):* Chairperson, Greece

4. Next meeting:

Wednesday, 1 April 2009, at 10 a.m., in the Neuer Saal



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

FSC.JOUR/580

25 March 2009

Annex 1

ENGLISH

Original: RUSSIAN

---

**574th Plenary Meeting**

FSC Journal No. 580, Agenda item 1(b)

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

At the end of February 2009, the Russian delegation distributed its “Analysis of the implementation of the Vienna Document”, in which, in particular, it proposed to discuss in the OSCE Forum for Security Co-operation (FSC) a question that is by no means idle and that is entirely pertinent: Why, during the 1990s, was the aforementioned document updated four times to general satisfaction, while in this decade the very thought of possibly introducing any kind of amendment to it is perceived as seditious, evoking an extremely suspicious and at times almost panicky response?

During the recent Annual Implementation Assessment Meeting (AIAM), the delegation of the United Kingdom expressed the opinion that such a stark contrast is explained by the fact that today, unlike in the 1990s, there is no certainty that all States are pursuing one and the same goals in the context of confidence- and security-building measures (CSBMs). There is no question that this point of view has the right to exist; upon closer examination, however, it gives rise to serious doubts. If that logic is followed, then it turns out that in the mid-1970s, when the Helsinki Final Act was adopted, the unity of goals in the OSCE region was substantially higher than it is today. It also turns out that, in contrast to the current situation, the goals were fully unified in 1986, when the document of the Stockholm Conference on Confidence- and Security-Building Measures and Disarmament in Europe was agreed on. Does such a point of view still really exist in London? We hold a slightly different opinion, in any case. What is more, recent experience shows that in fact there is no direct correlation between the state of affairs in European politics and the ability of arms control and CSBM regimes to develop and adapt; rather, the very opposite is true. In 1999, for instance, relations between Russia and the North Atlantic Treaty Organization (NATO) were frozen, but this did not impede the successful elaboration of the Agreement on Adaptation of the Treaty on Conventional Armed Forces in Europe (CFE Treaty) and the adoption of the Vienna Document in its new version. At the beginning of this decade the exact opposite occurred. In European affairs, positive tendencies prevailed, culminating in the adoption of the Rome Declaration “NATO-Russia Relations: A New Quality”. But meanwhile, our Western partners introduced a de facto moratorium on ratification of the adapted CFE Treaty and blocked any work on updating the CSBM regime. So the version expounded by our British colleagues does not provide a satisfactory response to the question posed by the Russian delegation.

In reality, in our view, the reason why the development of confidence- and security-building measures has been at a standstill for so long is, above all, the lack of political will and the appreciable decline in interest in CSBMs on the part of a fairly significant group of States which feel entirely comfortable with the current situation and therefore see no need for any improvements. Besides, a number of countries have developed an “allergy” to agreement in general on any new steps which limit freedom of action in the military sphere. Such a position appears to be rather short-sighted. It might perhaps be justified if the feeling of comfort were shared by all OSCE participating States, but that is not the case. For this reason, ignoring the concerns of particular countries is fraught with negative consequences, as has been borne out, in particular, by the onset of a crisis with regard to the CFE Treaty. We should not like to see such a fate eventually befall the Vienna Document as well, a document which, like the aforementioned CFE Treaty, is increasingly losing its connection to reality.

Another substantial factor is the fairly widespread opinion that the current CSBM regime is functioning more or less satisfactorily because some of its flaws are entirely tolerable. Such a complacent assessment does not fully reflect the real state of affairs, chiefly, the negative trends that have appeared in the last few years. As we tried to show in our analysis of the implementation of the Vienna Document 1999 (VD 99), even in such relatively successful spheres as exchange of information and verification activities, not all is well. A clear indication of the deterioration of the existing CSBM regime was the Georgian authorities’ recent refusal to accept Russian inspection teams on political grounds. Of course, it is possible to close our eyes to all these facts while consoling ourselves with the thought that the mechanism is still operating, but with such an approach the risk is very great that we shall be witness to the further erosion of the VD 99.

One cannot fail to mention the psychological factor either. Ten years of virtually complete stagnation in the implementation of key elements of the mandate of the OSCE Forum have resulted in the fact that not only in the sphere of CSBMs but also in other areas the very possibility of any serious innovations has begun to be regarded, almost subconsciously, as some kind of “taboo”. If there is talk of the need to review the implementation of any of the OSCE’s politico-military documents, the initiator, being aware of the attitudes of most delegations, first of all tries to assure them that his proposal does not envisage any “opening up” of the relevant norms. We see this, for instance, with the Document on Small Arms and Light Weapons, although we believe everyone understands that its section dealing with arms deliveries to conflict regions has proved to be ineffective and requires further work. It is also revealing that no one even raises the question of holding conferences to review the OSCE Code of Conduct, although direct provision for such conferences is made in the Code itself. Another striking example is the OSCE document “Principles Governing Non-Proliferation”, the content of which is hopelessly outdated and reflects not even yesterday but the day before yesterday. It is true that the delegation of Italy, and recently the delegation of the United Kingdom as well, have spoken out in favour of updating this document, but it is most likely that this proposal will share the fate of all the other entirely justified but as yet unrealized substantive initiatives that have been put forward in the OSCE Forum.

Apart from the aforementioned fundamental obstacles to the updating of the Vienna Document, there are also a number of secondary aspects connected with the absence of a

common understanding of the essence of the existing problems and possible ways of resolving them.

For example, judging by our contacts, the opinion that the existing regime of pan-European CSBMs will find itself paralysed if work starts on the modernization of the Vienna Document is fairly widespread. This kind of fear has no connection with reality whatsoever. In multilateral diplomacy, as evidenced by the OSCE's own experience in the 1990s, the rule applies that as long as a new document has not been fully agreed upon, the old one continues to apply as usual.

As far as we understand, many partners are concerned that an attempt to update the VD 99 may result in an opening up of all its provisions and require a massive, and perhaps even excessive, amount of work. As we see it, these concerns are unfounded. In actual fact, the number of proposals to date on the modernization of the VD 99 is not so great and they deal with not all but merely some sections of the Vienna Document. For the most part, they concern the information exchange regime. For example, Russia proposed an exchange of information on naval activities and — together with Belarus — an exchange of information on multinational rapid reaction forces. As shown by the recent AIAM, Ukraine and Norway also have a number of ideas in this regard. Another group of proposals concerns Chapter IX, which deals with verification activities. What is required here is further definition of the concept of *force majeure* and examination of a number of specific ideas put forward by Russia, Denmark, Norway and a number of other countries. Chapters V to VIII do not require any particular changes. Here, in our view, it might be possible to limit ourselves to an understanding on compulsory notification of major military activities. And that generally speaking is all there is to it. Of course, it is entirely possible that once agreement is reached as to the advisability of updating the Vienna Document, some new proposals will also appear from those countries that for some reason prefer to remain silent now. But we do not believe that their ideas will be too radical in nature. In any case, in the interests of predictability we could agree in advance which sections of the document will be subject to further work as a matter of priority and formalize this by means of an FSC decision.

Some colleagues are concerned that the modernization process may drag on indefinitely. I would imagine that no one is interested in this kind of scenario. For this reason, we could evidently agree in advance on specific deadlines. Only those changes and additions on which it had been possible to reach an agreement by a specified date would be included in the updated version of the document. Unresolved issues would be put on hold until the next review. Such reviews should, in our opinion, normally be held every four to five years and should be regarded not as something extraordinary but as part of the routine and necessary efforts to bring the CSBM regime into line with changing circumstances.

We would ask that you regard this Russian presentation as “food for thought”, which undoubtedly is not exhaustive in nature and, it goes without saying, reflects our national views, which other delegations may not share. But we believe that no one should have any doubts that our statement stems from concern at the current state of affairs in the area of CSBMs and a sincere desire to rectify this situation as soon as possible. We would also ask that this statement be regarded as a contribution to the dialogue on more effective ways of ensuring European security.

In conclusion, Mr. Chairperson, we propose returning to the question we raised as to why the Vienna Document was updated four times in the last decade while in the present decade this has become completely impossible. We look forward to hearing the opinion of other delegations on this matter.



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

FSC.JOUR/580  
25 March 2009  
Annex 2

Original: ENGLISH

---

**574th Plenary Meeting**  
FSC Journal No. 580, Agenda item 2

**STATEMENT BY  
THE DELEGATION OF THE UNITED KINGDOM**

Mr. Chairperson,

In the context of our obligations in respect of the OSCE's Code of Conduct on Politico-Military Aspects of Security, in particular paragraphs 32 and 33 concerning the fundamental freedoms of members of our armed forces and their legal and administrative protection, I would like to draw participating States' attention to the recent report of the United Kingdom's Service Complaints Commissioner (SCC).

The new post of SCC was created in the United Kingdom by the Armed Forces Act 2006, with a remit to cover any complaint made by any service personnel after 1 January 2008. Dr. Susan Atkins was appointed as the United Kingdom's first SCC on 1 December 2007 to provide independent oversight of the new service complaints process. One of the roles of the SCC is to report annually on the fairness, effectiveness and efficiency of the service complaints process to the Secretary of State. The SCC has published her first annual report for 2008.

The report acknowledges that the new complaints process is well designed and is working, but it also identifies areas for improvement. Many of the recommendations have already been the subject of work by the Ministry of Defence over the past year. The Chief of the Defence Staff commented that "The effectiveness of the armed services depends upon mutual trust and respect amongst our people, so it is important that they have confidence in our system for investigating complaints. The process must deal with issues promptly and fairly, while underpinning the command structure that is fundamental to military operations. The Service Complaints Commissioner's independent oversight of the system is a key element in delivering the necessary confidence, and I welcome her first annual report. We will consider it in detail, and work with the Commissioner on addressing the recommendations."

A copy of the full report is available on the Internet on the Service Complaints Commissioner's website at <http://armedforcescomplaints.independent.gov.uk/>.

Thank you, Mr. Chairperson.

We would ask that this statement be attached to the journal of the day.