



EUROPEAN UNION

OSCE Forum for Security Co-operation N°1028 Vienna, 9 November 2022

EU Statement on “Code of Conduct – Annual Discussion revisited”

The European Union and its Member States commend the Belgian FSC Chair for holding this important Security Dialogue on the OSCE Code of Conduct on Politico-Military Aspects of Security. We also thank the keynote speakers for their insightful presentations.

The Code of Conduct is a fundamental and unique OSCE document fostering democracy, the rule of law, human rights and the principles of international law. It contains principles and measures setting clear inter-state and intra-state behaviour standards, which – today, amidst Russia’s war of aggression against Ukraine - are more pertinent than ever. It is a tool designed to preserve peace, prevent conflicts and strengthen international security and cooperation, in accordance with international law.

Democratic control, parliamentary oversight, the respect for international humanitarian and human rights law by armed and security forces personnel as well as the respect of their human rights are essential for sustainable peace and stability. The Code of Conduct provides sound normative, ethical and political standards to guide all participating States in strengthening comprehensive and indivisible security in the OSCE area.

Eleven years ago, the participating States decided to establish a focused discussion on the implementation of this important document in the form of an annual meeting. Russia’s war of aggression against Ukraine, in blatant violation of international law, including the UN Charter, rendered a sober and thorough evaluation of the application of the Code of Conduct in the OSCE area impossible to conduct this year. All participating States have committed to the Code and it needs to be implemented in letter and spirit by all. However, Russia’s actions and the support by Belarus, are in

contradiction to nearly all tenets of the Code of Conduct that they subscribed to in 1994.

The meaningful implementation of the provisions of the Code becomes even more urgent when thousands of Ukrainian civilians have been and continue to be systematically killed, tortured, harassed, sexually assaulted and kidnapped by Russian forces and when Ukrainian children are torn away from their families and deported to Russia, in violation of international humanitarian law and basic human decency. Bucha, Irpin, Iziium and many other Ukrainian towns and villages are stark reminders of Russia's brutality. Those responsible must be held to account, as also clearly mentioned in the Code of Conduct.

Likewise, the mobilisation in Russia, and in the territories under temporary Russian military control, breaches paragraph 27 of the CoC. The recruitment or call-up of personnel for service in its military, paramilitary and security forces must be consistent with the obligations and commitments, with respect to human rights and fundamental freedoms. Reports that members of national minorities are especially targeted by conscription are very concerning.

Furthermore, the increased involvement by Russia of Private Military and Security Companies (PMSCs) on the battlefield underlines the need for regulating and overseeing PMSCs, especially with regard to the respect of human rights and international humanitarian law. The EU supports the Montreux Document and is a member of the Working Group on the International Code of Conduct Association, as well as of the Working Group on the use of Private Military and Security Companies in maritime security. The EU also contributes, in the context of the Human Rights Council, to the development of international guidelines. In addition, we take the opportunity to remind all of us of the voluntary supplement to the questionnaire of the annual information exchange on the Code of Conduct, in order to contribute to more transparency in this area.

The EU and its Member States call for a gender perspective, encompassing the full, equal and meaningful participation of women, both as an essential goal and as an effective way to help prevent and resolve conflicts and to promote a culture of inclusive and sustainable peace. Gender mainstreaming in the military needs to happen for all ranks of the armed forces and throughout the entire career of military personnel. This unfortunately remains a work in progress and further efforts are needed to integrate a gender perspective and enhance the full, equal and meaningful participation of women

in all their diversity at all levels, including in the decision-making ranks. We regret that few participating States could not join consensus on an important MC draft decision put forward last year by Sweden and Austria.

We equally appreciate practical work on the implementation of UNSCR 1325 and the Women, Peace and Security Agenda in the OSCE context and continue to strongly support voluntary reporting on topics related to women, peace and security in connection with the Code of Conduct Questionnaire. In this vein, we encourage the efforts being undertaken by Belgium and UK towards developing a reference guide on the voluntary reporting on WPS through the Code of Conduct, in line with the existing CoC Questionnaire reference guide with the aim of facilitating the work of the responsible stakeholders when providing voluntary WPS reports and assist them in providing insightful and relevant information. Offering the same career opportunities to all personnel in the Armed and Security Forces, thus advancing gender equality in all aspects of the OSCE conflict cycle, remains of crucial importance.

Mr. Chair, we remain ardent supporters of the Annual Discussions and are in favour of holding the 11th Annual Discussion on the implementation of the Code under circumstances that are more conducive to evaluate the Code's effectiveness and reconfirm its relevance. We reiterate that the current politico-military challenges and in particular the Russian war of aggression against Ukraine further underline the relevance of the commitments stipulated in this Document, which remain essential to foster more transparency and confidence-building between OSCE participating States.

Thank you

The Candidate Countries NORTH MACEDONIA*, MONTENEGRO*, ALBANIA*, UKRAINE and REPUBLIC of MOLDOVA, the Potential Candidate Country GEORGIA, the EFTA countries NORWAY, ICELAND and LIECHTENSTEIN, members of the European Economic Area, as well as SAN MARINO align themselves with this statement.

* North Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.