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Forum for Security Co-operation**

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**Yugoslav Chairmanship**

# **THIRD FOLLOW-UP CONFERENCE ON THE OSCE CODE OF CONDUCT ON POLITICO-MILITARY ASPECTS OF SECURITY**

**Vienna, 23 and 24 September 2002**

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## **CHAIRPERSON'S PERCEPTION PAPER ON THE THIRD FOLLOW-UP CONFERENCE ON THE CODE OF CONDUCT ON POLITICO-MILITARY ASPECTS OF SECURITY**

Excellencies, colleagues, ladies and gentlemen,

Please allow me to offer you, from the point of view of the Chair, some of my personal perceptions of the discussions that we have had during the conference. First of all, I would like to stress that the presence of many experts from the capitals significantly enhanced our debate and was, indeed, of particular value. I am also very pleased that, due to the excellent work of our moderators, and the active participation of many delegates, we have used our agenda in a very efficient way. We had rich opening and closing plenary sessions. The fruitful discussions that took place in all three working groups may lead us to some concrete results.

Let me express my views regarding our deliberations against the background of the four announced objectives of this Conference.

1. The continuing importance and the lasting validity of all the provisions of the Code of Conduct have been fully confirmed. The Code has proven to be a living document with significant potential for responding to some new security risks and challenges, although this potential has not been reached so far. Its cross-dimensional nature, which links the politico-military dimension with the human, economic and environmental aspects, was clearly highlighted by many delegations. Its emphasis on *bonum humanum*, in other words, the good side of human nature, especially good intentions when force has to be used, remains an inspiration for us all. We have agreed that the Code should not be reopened, but we also agreed that some of its aspects could be emphasized further.

2. On the basis of the excellent overview that was carefully prepared by the CPC, we evaluated our information exchange on the Code. The overview fully met the requirements established by the FSC. It also brought forward numerous ideas that deserve further consideration. The level of implementation of the commitments regarding the Questionnaire has been gradually and significantly improved since 1999, when this mechanism was introduced. We have reached the phase of starting to discuss how to improve our information exchange. It was rightly noted that the overview itself could serve as a useful tool to help the participating States improve their national returns. Two specific suggestions were made. According to the first one, we should re-formulate some questions in order to create a more structured, clear and focussed exchange of information. According to the second one, we should involve the CPC in the work on the model answer or guidelines for reporting. The FSC should carefully explore both options.

3. We also discussed how to improve implementation of the Code and to involve other OSCE bodies and institutions in these efforts. The Parliamentary Assembly, ODIHR and the OSCE missions were particularly mentioned. Regional and national seminars and workshops are a very useful tool for promoting the objectives of the Code, and they should be used even more. The CPC has an important role to play and the forthcoming Belgrade seminar that will be organized jointly with the Parliamentary Assembly is a very good example. Strong support

was voiced for further increasing awareness of the Code within the OSCE community and beyond. This would necessitate better co-operation with other international organizations, NGOs and the academic community.

I am convinced that all the national contributions, including examples of experiences in implementation of the Code, considerably enriched our understanding. We learned about new national legislation, new policy actions or the relevance of regional measures in the context of implementation of the Code. We should welcome various forms of bilateral assistance in this regard. Some new ideas were introduced, e.g., interaction of all the security forces in international assistance missions.

4. Finally, we closely examined the important issue of the possible contribution of the Code to combating terrorism, in line with the task assigned by the Bucharest Plan of Action. The overview prepared by the CPC stimulated a very lively debate. It seems to me that we all share a similar perception, namely, that we need more information, more consistency and more specificity in our future exchanges of information concerning national efforts to combat terrorism. The concrete proposal for the further expansion of Question 1 received wide support. The idea that national reports to the United Nations Counter-Terrorism Committee might be used in the OSCE also deserves consideration. Any possible changes in the existing system should aim to further develop our ideas for international co-operation in combating terrorism. The work on this issue represents an immediate challenge for the FSC. I am hopeful that it may soon bring some concrete results.

In conclusion, I would like to thank the CPC once again for the overview they prepared, for the excellent assistance they provided and for the survey of suggestions made during the Conference that will be prepared and circulated soon. I would also like to express my gratitude to all the moderators, reporters and interpreters. My special thanks go to all the distinguished delegates, especially those who came from their home countries. You can be proud of the job you have done during the conference, and of your lasting commitment to the success of the Code of Conduct. Of course, we are all aware that much remains to be done on its further implementation. This job will be taken over by the FSC.

## **WORKING SESSION I**

Monday, 23 September 2002

### **Report of the Working Session Rapporteur**

#### Review of the Information Exchange and Assessment of Overall Implementation

- Presentation by the Representative of the CPC on the Overview of the information exchanged on 15 April 2002 in response to the Code of Conduct Questionnaire
  - Discussion of the results of the information exchange and general assessment of the overall implementation of the Code of Conduct
  - Recommendations on future work
- 

### **1. Introduction**

Session 1, co-ordinated by Col. G. S. Aapo Cederberg (Finland), addressed the following major topics:

- Review of the Information Exchange on the Code of Conduct and assessment of the overall implementation;
- The second follow-up conference recommended to the FSC to assess the national returns to the Questionnaire in order to verify the level of implementation of the Code of Conduct;
- Modification/adaptation of the Questionnaire or the preparation of a Model Answer or guidelines for reporting.

#### **“CPC Overview on the Code of Conduct Information Exchange 2002”**

##### **Presentation by Mr. T. Rahm**

In his introduction to the concise presentation of the Overview, Mr. Rahm highlighted the task of the CPC and the goals and limits of this work. It was the first time that the CPC had had to prepare such an Overview and the complex nature of information given by the participating States, which had to be processed, meant it was not an easy task. He also stressed that it had not been the CPC's task to include any concrete proposals for a new structure for the Questionnaire. However it would be ready, if asked, to provide suggestions, should a need be expressed.

The Overview indicated where questions addressing similar aspects were leading to an overlap or to similar factual information on legislation, governing processes, authorities, institutions or forces and descriptions of the roles and missions of those institutions, authorities and forces.

Question 3 also had a repetitive effect, because similar information could be found in the Global Exchange of Military Information. In addition, the degree and content of the information requested was not always understood in the same way by the participating States; this led to divergent and heterogeneous answers. Parts of the answers were in some cases misleading, because they covered more aspects of the issue than those to which the question referred.

A reformulation of the questions could lead to more homogeneous and comparable information which could be processed and analysed more easily.

Since some information did not change every year, repetition could be avoided by providing the CPC with a one-off submission for a database open to all participating States.

## **2. Summary of the discussion**

After the presentation by the representative of the CPC, the moderator opened the discussion to the floor on the basis of his “General Questions” (FSC.DEL/497/02).

The delegations expressed the view that the Overview was a helpful tool for evaluating qualitative and quantitative aspects of the answers to the Questionnaire and for highlighting some shortcomings. It also allowed them to see in more detail, where there were possibilities for improvements with regard to its formulation or implementation. The overview recommended that the Questionnaire should be revised. On the other hand it was emphasized that there is no need to renegotiate, or even to reopen the discussion on, the Code of Conduct.

On the revision of the Questionnaire, the following points were stressed:

One delegation suggested that before beginning to restructure the Questionnaire, it would be useful to make an assessment about the added value of such work in the light of the relevance of the information exchange in its current form.

It was suggested that there were two possibilities for a revision of the Questionnaire: either a comprehensive approach, departing from paragraph 38, including not only the Questionnaire, but also other implementation instruments; or an approach focusing primarily on the Questionnaire and therefore on those elements that were identified in the Overview. Whichever approach was chosen, it was asked whether this process should be undertaken as a FSC negotiating exercise or whether the CPC should be tasked to develop guidelines for reporting.

As many participating States were approaching or entering into a phase of transition from compulsory military service to voluntary service, it was asked whether participating States needed more details and examples on this restructuring process in the upcoming information exchanges.

The information on democratic structures, institutions and processes as well as on relevant legislation did not need to be provided on an annual basis, if no changes had occurred. The repetition detracted from any new information or changes since the last exchange.

The question was also raised, whether repetition of information on legislation with each information exchange could be avoided by providing the CPC with a one-off submission on relevant laws for a database open to all participating States.

Some delegations favoured a model answer with clear and precise guidelines for the information exchange. Other delegations questioned the use of such an additional tool because it did not improve the questions themselves and could therefore hardly help to develop the information exchange.

In order to achieve full implementation by all participating States, one delegation proposed that use should now be made of the new level C of the FSC's Announcing and Reminding Mechanism, which included problem solving assistance.

### **3. Concluding remarks**

In his concluding remarks the moderator underlined the following points:

- The Overview had met well the requirements and criteria established up by the FSC. It had also raised ideas which deserved further consideration by the FSC.
- There seemed to be a common understanding that there was no particular need to reopen or revise the Code; on the contrary it seemed that the Code was still significant and valid.
- Also on the basis of the Overview, it could be concluded that there was room for improvement as far as implementation was concerned, despite the fact that the level of implementation had significantly improved.
- A number of delegations shared the view that either the Questionnaire should be improved or the FSC should look at the corresponding proposals of the CPC.
- There were two main ways to improve the level of the national returns, firstly by making the questions of the Questionnaire clearer, or secondly by creating a tool to enable participating States better to answer the questions, namely a model answer or guidelines for reporting.



## **WORKING SESSION II**

Monday, 23 September 2002

### **Report of the Working Session Rapporteur**

#### Implementation of Specific Provisions

- Discussion on the implementation of the specific provisions of the Code of Conduct and their impact on the security situation in the OSCE region (Sections I-X, except Section II to be addressed separately)
  - Discussion of specific implementation issues:
    - Democratic political control of military, paramilitary and internal security forces as well as of intelligence services and the police
    - Possible role and contributions of OSCE bodies and institutions regarding the implementation of the Code of Conduct
  - Discussion of the role and potential of the Code of Conduct for conflict management in the OSCE area including the co-operation of military and security forces and civil support elements in internal security missions
  - Recommendations on future work
- 

The first speaker explained the significant changes that had taken place during the process of achieving the full professionalism of the armed forces in his State. Different ways of maintaining links between the army and nation were put forward, together with integration of the army in the social environment.

One delegation drew attention to national efforts and experiences after the second follow-up conference on the Code of Conduct. The delegation paid special attention to paragraphs 10 and 11 of the Code (right to freely choose own security arrangements). More specifically, the importance of the process of NATO enlargement was stressed as a priority issue for that country.

Another delegate expressed the view that no one was disputing the rights in paragraphs 10 and 11 of the Code, but stressed that other paragraphs of the Code were also extremely important. He stated that any change resulting from NATO enlargement should not undermine regional and global security. He drew attention to issues of arms control, disarmament, CSBM and CFE amongst others. It was suggested that there should be no prioritizing between issues and principles of equal importance.

A delegate provided information about his country's White Paper on Defence which included implementation of the Code, along with other important issues.

A presentation was made on the process of reaching full professionalism of the armed forces in one participating State, and of national priorities in the field of defence. Questions concerning training for different situations and missions, including international assistance missions, were elaborated.

Several delegates emphasized the importance of democratic political control of the armed forces.

The importance of democratic political control and the integration of armed forces in society were underlined and national experience was shared by one delegate.

The importance of transparency was stressed by another delegate. Some delegates had introduced changes in the intelligence services of their respective countries, including strengthening of civil control of those services.

One delegation presented national legislative changes including alternatives to compulsory military service.

Several delegations stated the importance of the civil rights of all forces personnel and of instruction on international humanitarian law.

One speaker elaborated the tremendous potential of regional measures. Delegate stated that there were difficulties regarding the interaction and synergy of the interrelated complex of commitments vested in paragraphs 13-16 of the Code. Speaker proposed that regional CBMs could become a kind of transition module connecting national security interest of a single participating State at the regional level with the all European context of legally-binding commitments in security field.

The role of parliamentarians was underlined by several delegations. They stated that parliamentarians were often not aware of the Code. Future OSCE Code of Conduct seminars with the participation of parliamentarians were welcomed.

The importance of the provisions addressing conflict situations was raised by some delegations. One delegation emphasized the importance of paragraph 5 of the Code and of all Helsinki Final Act Principles in conflict situations.

Delegations exchanged views on the role of international assistance missions in the context of the Code, following a presentation on this issue. One delegation proposed further discussions on the conduct of interaction of all security forces in international assistance missions within the FSC.

The Code was assessed as the most original and far-reaching document that the OSCE had produced since the Helsinki Final Act of 1975. One delegate considered Section VII (Intra-state Conduct) as the most innovative part of the Code. Suggestions were made for possible improvements to implementation, such as the promotion of awareness, integration in all OSCE activities, development of the Ombudsman formula, and ensuring that the fight against terrorism was in line with basic norms and principles.

The role of OSCE bodies and institutions in respect of the implementation of the Code was reviewed. The enhancement of co-operation with the OSCE Parliamentary Assembly, Permanent Council and ODIHR was encouraged by number of delegations. It was suggested that a seminar should be organized for parliamentarians, NGOs, and academics. The importance of the Code for OSCE missions and those facing the situation on the ground was stressed. A further examination of those possibilities was proposed.

A number of delegations proposed improvements for the Questionnaire for information exchange on the Code of Conduct. During the discussion a number of different opinions were expressed. Several speakers considered that there was no desire to open negotiations on the Code. Some delegations proposed the development of a model questionnaire for information exchange within the FSC. Satisfaction was expressed with the level of information exchange reached in 2002. A proposal was made for the creation of some kind of guidance that would provide more uniform information. One delegation expressed the opinion that the development of a model questionnaire could become just a bureaucratic exercise. The same delegate proposed further discussion on this issue within the FSC.

One delegation stressed the importance of further security dialogue on implementation, including the questionnaire. It was suggested that a report with new information should be made only when national model had been changed. The delegate stated that implementation remained a national responsibility, with open security dialogue as a common responsibility.

Several delegations stressed the importance of the Code as a living document, together with the increasing need to respond to new challenges. One delegate stressed the need of implementation of all provisions of the Code in entirety.

The possibility was discussed of reviewing the implementation of the Code separately from AIAM. It was proposed that this issue should be addressed during the discussion on the agenda for the AIAM 2003.

## **WORKING SESSION III**

Tuesday, 24 September 2002

### **Report of the Working Session Rapporteur**

#### Contribution of the Code of Conduct to Combating Terrorism

- Assessment of the contribution of the Code of Conduct to combating terrorism, also in the light of the results of the Expert Meeting on Combating Terrorism Within the Politico-Military Dimension of the OSCE, held in Vienna on 14 and 15 May 2002
  - Review of the relevance of the Code of Conduct Questionnaire Question 1 and of the corresponding national returns
  - Discussion on possible ways to further the contribution of the Code of Conduct to the fight against terrorism
  - Recommendations on future work
- 

#### **1. Review of the relevance of the Code of Conduct Questionnaire Question 1 and of corresponding national returns**

The working session opened with a presentation by the representative of the CPC, Ms. T. Susiluoto, who presented an Overview of the information exchanged on 15 April 2002 in response to Question 1 of the Code of Conduct Questionnaire.

Ms. Susiluoto informed delegations of the findings of the participating States' information exchange relating to the measures taken in combating terrorism. She concluded that there seemed to be no common understanding on what to include in the reports in answer to this question. At the same time it was evident that a great deal of emphasis was placed on this part of the Questionnaire. The vast majority had given a detailed status report on their participation in the 12 United Nations Anti-terrorism Conventions. Only nine participating States reported being a party to all 12 United Nations Conventions, but a further 17 reported having only one or two Conventions pending entry into force, totalling 26 out of 55 participating States. The participating States also reported on a variety of different multilateral and regional agreements, but the reporting was not coherent and comprehensive enough to warrant calculating numbers or indicating any general trends with respect to specific conventions. The most ambiguous category seemed to be that reporting on other forms of international co-operation. Experts concluded that there was a lack of common reporting on those measures taken by the participating States against terrorism in addition to participation in international conventions.

It was recommended that common guidelines should be developed in order to compile information which would add value and could be of importance for reporting under OSCE auspices. Regarding reporting on relevant national legislation, it was suggested that in the next information exchange, participating States should provide the full titles of particular

laws with some brief indications as to modifications. More detailed information was also recommended for reports on the establishment of national State bodies dealing with anti-terrorism issues, including their mandates and roles. The FSC's work on the contribution of the Code of Conduct (CoC) to combating terrorism was considered essential, while keeping in mind the work undertaken in other international fora and in particular the information provided by the United Nations Counter Terrorism Committee. The CPC representative drew the attention of delegates to the possible duplication of the work of the OSCE bodies, and urged delegations to improve their co-operation with their capitals in this matter. It was also recommended that other OSCE bodies should be made more aware of the Code of Conduct.

The Moderator invited delegations to agree on a clear and distinct picture of whether Item 1 of the Questionnaire was being satisfactorily implemented, and whether and where there were gaps and therefore a need for further information and improved implementation in this field. He called on delegations to discuss the possibility of developing an extended and/or subcategorized Question 1, which could be reasonably integrated either into the present Questionnaire or a separate Questionnaire on combating terrorism. The discussion should include both the requirements and value added of such a question.

All delegations agreed that the Overview prepared by the CPC was a very helpful tool for addressing the information exchange. One delegation presented a proposal, in its own name and that of a co-sponsor delegation, on expanding Question 1 to produce more specific and detailed answers. The delegations expressed the opinion that rather than creating a new Questionnaire, extending the existing one would be more effective. In their view, participating States should not only report on their international commitments, but on national steps taken to fulfil them as well.

Another delegation supported the idea of expanding Question 1, but went further by expressing its opinion that re-structuring of the whole Questionnaire was necessary in order to prevent overlaps. The delegation also suggested that the Questionnaire might be enriched by adding questions relating to new security threats and challenges. However, this did not find consensus and deserved further reflection.

One delegation introduced another conceptual aspect by warning against overlapping with the United Nations questionnaire under United Nations resolution 1373, which went into more depth than the OSCE one. The delegation called on participating States to provide the OSCE with their answers to the United Nations questionnaire rather than concentrating on developing amendments to the CoC Questionnaire Question 1.

These opinions opened a discussion in which many delegations fully supported the two-delegation proposal of extending Question 1 only. The majority of delegations warned against the risk of re-opening the text of the Questionnaire, but were ready to discuss expanding Question 1 by adding certain subsidiary questions. One delegation suggested a discussion on the value added to the United Nations efforts. Many delegations called for closer co-ordination with other international organizations, particularly the United Nations, also to avoid repetition. The question of preparing a model answer to the Question 1 was addressed. Some delegations pointed out the terminology problem of Question 1. One delegation suggested the creation of a database on regional agreements.

**2. Assessment of the contribution of the Code of Conduct to combating terrorism, also in the light of the results of the Expert Meeting on Combating Terrorism within the Politico-Military Dimension of the OSCE, held in Vienna on 14 and 15 May 2002**

The Moderator called on delegations to discuss the role and possibilities of the Code, considering its limitations for use as an instrument against terrorism and addressing the need for an improved reporting and monitoring system. He called on delegations to address the following points:

- Apart from paragraph 6 of the Code, exploring other paragraphs which deserved more attention in respect of their political, diplomatic and military potential for countering the threat of terrorism;
- The Code's early warning and conflict prevention functions: need for specific measures;
- Raising the profile of the Code with the United Nations, the other international organizations and bodies; its purpose and value.

Some delegations approached the Code of Conduct from its historical context, i.e. as a document constructed to address the challenges of the time when it was created. One delegation doubted if the Code could be used as an effective instrument in combating terrorism because it was created for different purposes; its use for this purpose was thus limited. The delegation advised against trying to extend the flexibility of the Questionnaire too much. Twisting the questions might lead to destroying the whole purpose of the Document. Delegations agreed that paragraph 6 was the core paragraph dealing directly with the fight against terrorism, although one delegation indicated that paragraphs 25, 31, 36 and 37 also had some connections with those efforts. Some delegations argued that other paragraphs, apart from paragraph 6, had been drawn up to set standards of behaviour for the armed forces, and it might therefore be difficult to utilize them for the direct purpose of fighting terrorism. Nevertheless, as one delegation stated, their deterrent effect should not be forgotten. Various opinions were expressed on the implementation of paragraph 6, including further discussion on its interpretation.

Among suggestions on how to improve participating States' answers to Question 1, the improvement of national legislation, formulation of mechanisms on information exchange, and enhancement of co-ordination with other international organizations and institutions, predominated. One delegation stressed the importance of the commitment of each participating State not to promote any activities connected to terrorism on its territory.

Among other points, it was concluded that delegations generally agreed:

- not to open the Code of Conduct including paragraph 6. for further negotiations;
- to discuss the merits of the widely supported proposals for the further extension of Question 1 by the addition of sub-items requiring reports;
- to make the Code more widely known for its value as an instrument for combating terrorism;

- to address the conceptual question as to whether the FSC could discuss aspects not included in Code of Conduct itself that might merit another questionnaire;
- that the CPC Overview had proved to be a helpful tool, already enhancing implementation of Question 1 and that this practice should be further used;
- that common guidelines might be developed in order to compile information which added value and was of importance to reports under OSCE auspices.

## Log of Contributions to the Third Follow-up Code of Conduct Conference on politico-military aspects of security

(Vienna, 23 and 24 September 2002)

| Ref. No.                  | Date    | Originator                | Title/Subject   | Language |
|---------------------------|---------|---------------------------|---|----------|
| CIO.GAL/75/02             | 23.9.02 | Representative of the CIO | Opening statement   | E        |
| FSC.DEL/513/02/<br>Corr.1 | 23.9.02 | Yugoslavia/<br>FSC Chair  | Opening statement   | E        |
| FSC.DEL/508/02            | 23.9.02 | Switzerland               | Opening statement   | E/G      |
| FSC.DEL/526/02            | 24.9.02 | Azerbaijan                | Opening statement   | E        |
| SEC.GAL/169/02            | 23.9.02 | Director of the CPC       | Opening statement   | E        |
| FSC.DEL/497/02            | 17.9.02 | Finland                   | Review of information exchange and assessment of overall implementation                               | E        |
| FSC.DEL/498/02            | 17.9.02 | Ukraine                   | Implementation of specific provisions   | E        |
| FSC.DEL/499/02            | 17.9.02 | Switzerland               | Contribution of the CoC to combating terrorism  | E        |
| FSC.DEL/506/02<br>Rev.1   | 19.9.02 | USA/Russian Federation    | Proposal by USA and Russian Federation for expanding CoC Questionnaire                                | E        |
| FSC.DEL/510/02            | 23.9.02 | Germany                   | Co-operation of military and security forces and civil support elements in internal security missions | E        |
| FSC.DEL/512/02            | 23.9.02 | Turkey                    | Statement   | E        |
| FSC.DEL/514/02            | 23.9.02 | Netherlands               | Statement   | E        |
| FSC.DEL/515/02            | 23.9.02 | France                    | Statement   | F        |
| FSC.DEL/516/02            | 24.9.02 | Switzerland               | Statement   | G        |
| FSC.DEL/517/02            | 24.9.02 | Switzerland               | Statement   | G        |
| FSC.DEL/518/02            | 24.9.02 | European Union            | Statement   | E        |
| FSC.DEL/519/02            | 24.9.02 | Finland                   | Statement   | E        |
| FSC.DEL/520/02            | 24.9.02 | USA                       | Proposal by USA for expanding CoC Questionnaire   | E        |
| FSC.DEL/521/02            | 24.9.02 | Belarus                   | Statement   | E/R      |
| FSC.DEL/522/02/<br>Rev.1  | 24.9.02 | Russian Federation        | Statement   | E/R      |
| FSC.DEL/523/02            | 24.9.02 | Czech Republic            | Statement   | E        |
| FSC.DEL/524/02            | 24.9.02 | Czech Republic            | Statement   | E        |
| FSC.DEL/525/02            | 24.9.02 | Ukraine                   | Statement   | E        |
| FSC.DEL/527/02            | 24.9.02 | Switzerland               | Report by the Rapporteur of WS I  | E        |
| FSC.DEL/528/02/<br>Rev.1  | 25.9.02 | Yugoslavia                | Report by the Rapporteur of WS II   | E        |
| FSC.DEL/529/02            | 25.9.02 | Slovakia                  | Report by the Rapporteur of WS III  | E        |
| FSC.DEL/530/02            | 24.9.02 | Russian Federation        | Statement   | E/R      |
| FSC.GAL/109/02/<br>Rev.1  | 23.9.02 | FSC Chair                 | Timetable with working sessions, moderators and rapporteurs   | E        |
| FSC.GAL/111/02            | 25.9.02 | CPC                       | CPC presentation  | E        |
| FSC.INF/15/02/<br>Rev.1   | 24.9.02 | Conference Services       | Final list of participants  | E        |
| SEC.INF/507/02            | 2.9.02  | Conference Services       | Information circular  | E        |





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

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**364th Plenary Meeting**  
FSC Journal No. 370, Agenda item 3

**DECISION No. 13/02**  
**AGENDA, MODALITIES AND WORK PROGRAMME FOR THE**  
**THIRD FOLLOW-UP CONFERENCE ON THE CODE OF CONDUCT**  
**ON POLITICO-MILITARY ASPECTS OF SECURITY**

Vienna, 23 and 24 September 2002

**1. Context**

According to Decision No. 3 of 2002 of the Forum for Security Co-operation (FSC) the Third Follow-Up Conference on the Code of Conduct on Politico-Military Aspects of Security will be held on 23 and 24 September 2002 in Vienna.

The Code of Conduct, adopted in 1994 as Decision No. IV of the Budapest Summit, constitutes one of the key norm-and-standard-setting documents of the OSCE in the field of politico-military security. With its comprehensive character and integrated structure which embodies norms and principles directed to, *inter alia*, promoting responsible and co-operative behavior in the field of security, the Code of Conduct continues to make a significant contribution to stability and security throughout the OSCE area.

The regular information exchange initiated among participating States by the FSC Decision No. 4 of 1998 constitutes an important operational element contributing to the effective implementation of the Code of Conduct. By its Decision No. 7 of 2002 the FSC decided to request the Conflict Prevention Center (CPC) to prepare an overview of the information exchanged in response to the Code of Conduct Questionnaire. The Overview will be made available to the participating States two weeks before the Third Follow-Up Conference.

On the other hand, the Bucharest Plan of Action on Combating Terrorism adopted in December 2001 put a special emphasis on the relevance of the Code of Conduct to the fight against terrorism. This was also confirmed in the FSC Road Map adopted in March 2002 for the implementation of the relevant tasks under the Bucharest Plan (FSC.DEC/5/02). Both the Bucharest Plan and the FSC Road Map refer to the Third Follow-Up Conference as a key event that could further enhance the application of the Code of Conduct in combating terrorism.

FSC.DEC/13/02

17 July 2002

## **2. Objectives**

The objectives of the Conference are:

- To assess and review the implementation of the Code of Conduct in order to confirm its continuing importance in the OSCE area;
- To assess and review replies to the information exchange under the Code of Conduct Questionnaire;
- To explore practical suggestions to reinforce the effectiveness of the Code of Conduct and to improve its implementation;
- To examine the contribution of the Code of Conduct to combating terrorism.

## **3. Draft Agenda**

### **Opening Plenary:**

- Opening Address by the Chairperson of the Conference
- Statement by a Representative of the Chairman-in-Office
- Statement by the Director of the Conflict Prevention Centre (CPC)
- General Statements

### **Working Session I: Review of the Information Exchange and Assessment of Overall Implementation**

- Presentation by the Representative of the CPC on the Overview of the information exchanged on 15 April 2002 in response to the Code of Conduct Questionnaire
- Discussion of the results of the information exchange and general assessment of the overall implementation of the Code of Conduct
- Recommendations on future work

### **Working Session II: Implementation of Specific Provisions**

- Discussion on the implementation of the specific provisions of the Code of Conduct and their impact on the security situation in the OSCE region (Sections I-X, except Section II to be addressed separately)
- Discussion of specific implementation issues:

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- Democratic political control of military, paramilitary and internal security forces as well as of intelligence services and the police
- Possible role and contributions of OSCE bodies and institutions regarding the implementation of the Code of Conduct
- Discussion of the role and potential of the Code of Conduct for conflict management in the OSCE area including the co-operation of military and security forces and civil support elements in internal security missions
- Recommendations on future work

### **Working Session III: Contribution of the Code of Conduct to Combating Terrorism**

- Assessment of the contribution of the Code of Conduct to combating terrorism, also in the light of the results of the Expert Meeting on Combating Terrorism Within the Politico-Military Dimension of the OSCE, held in Vienna on 14 and 15 May 2002
- Review of the relevance of the Code of Conduct Questionnaire Question 1 and of the corresponding national returns
- Discussion on possible ways to further the contribution of the Code of Conduct to the fight against terrorism
- Recommendations on future work

### **Closing Plenary:**

- Reports by the Rapporteurs
- Final discussion
- Closing statement by the Chairperson, including a preliminary summary of conclusions and recommendations

## **4. Modalities**

The Conference will be held in Vienna on 23 and 24 September 2002. The working hours of the Conference will be from 10 a.m. to 1 p.m. and from 3 to 6 p.m.

The Conference will be organized in opening and closing plenaries as well as in three working sessions. There will be no formal statements in the working sessions.

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The Chair of the Conference will be held by the Chairmanship of the Forum for Security Co-operation. The Chairperson will be assisted by Moderators and Rapporteurs during the working sessions.

Participating States are invited to nominate volunteers for the function of Moderator and Rapporteur and to submit the names of candidates as well as the preferred sessions to the Chairperson not later than 10 September 2002.

OSCE participating States are encouraged to include relevant experts from capitals in their delegations.

The Mediterranean Partners for Co-operation and the Partners for Co-operation will be invited to participate in the Conference under existing modalities.

**Tentative timetable:**

|                               | Monday,<br>23 September 2002          | Tuesday,<br>24 September 2002           |
|-------------------------------|---------------------------------------|---|
| Morning<br>(10 a.m. - 1 p.m.) | Opening Plenary/<br>Working Session I | Working Sessions II/III                 |
| Afternoon<br>(3 - 6 p.m.)     | Working Sessions I/II                 | Working Session III/<br>Closing Plenary |