



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

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Conference Services

NINETEENTH ANNUAL IMPLEMENTATION

ASSESSMENT MEETING

Vienna, 3 and 4 March 2009

CONSOLIDATED SUMMARY

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

FSC.DEC/9/08
8 October 2008

Original: ENGLISH

559th Plenary Meeting

FSC Journal No. 565, Agenda item 3

**DECISION No. 9/08
DATES AND VENUE OF THE NINETEENTH
ANNUAL IMPLEMENTATION ASSESSMENT MEETING**

The Forum for Security Co-operation,

Decides that the nineteenth Annual Implementation Assessment Meeting (AIAM) will be held on 3 and 4 March 2009 in Vienna.



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

FSC.DEC/16/08
17 December 2008

Original: ENGLISH

567th Plenary Meeting

FSC Journal No. 573, Agenda item 2

**DECISION No. 16/08
AGENDA AND MODALITIES OF THE NINETEENTH
ANNUAL IMPLEMENTATION ASSESSMENT MEETING**

3 and 4 March 2009

Vienna Document 1999:

- (148) *The participating States will hold each year a meeting to discuss the present and future implementation of agreed CSBMs. Discussion may extend to:*
- (148.1) — *Clarification of questions arising from such implementation;*
- (148.2) — *Operation of agreed measures, including the use of additional equipment during inspections and evaluation visits;*
- (148.3) — *Implications of all information originating from the implementation of any agreed measures for the process of confidence- and security-building in the framework of the OSCE.*
- (150) *The Forum for Security Co-operation (FSC) will hold such meetings. It will consider, as required, suggestions made during the Annual Implementation Assessment Meeting (AIAM) aiming at the improvement of the implementation of CSBMs.*

I. Agenda and indicative timetable

Tuesday, 3 March 2009

- 10–10.45 a.m. Opening session
- Opening of the meeting by the Chairperson;
 - Remarks by the Chairperson of the FSC;
 - Presentation of a summary report by the Conflict Prevention Centre (CPC).

- 11 a.m.–6 p.m. Working session 1: Implementation of the Vienna Document 1999 and Global Exchange of Military Information (GEMI): Clarification, assessment and conclusions
- Vienna Document 1999:
 - Annual exchange of military information;
 - Defence planning;
 - Risk reduction;
 - Military activities:
 - (i) Prior notification of certain military activities;
 - (ii) Annual calendars;
 - (iii) Constraining provisions;
 - (iv) Observation of certain military activities;
 - Contacts;
 - Evaluation;
 - Inspection;
 - Regional measures;
 - Communications Network;
 - GEMI.
- 1–3 p.m. Lunch break
- 3–6 p.m. Working session 1 (continued)

Wednesday, 4 March 2009

- 10 a.m.–1 p.m. Working session 2: Operation and implementation of other FSC-agreed measures/documents: Clarification, assessment and conclusions
- Principles governing conventional arms transfers;
 - Principles governing non-proliferation;
 - Stabilizing measures for localized crisis situations;
 - Questionnaire on Anti-Personnel Landmines;
 - Code of Conduct on Politico-Military Aspects of Security;
 - OSCE Document on Small Arms and Light Weapons (SALW);
 - OSCE Document on Stockpiles of Conventional Ammunition;
 - Principles for export controls of MANPADS;
 - Principles on the control of brokering in SALW;
 - Standard elements of end-user certificates and verification procedures for SALW exports.
- 1–3 p.m. Lunch break

- 3–4.30 p.m. Working session 3: Suggestions aiming at the improvement of the implementation of CSBMs
- 5–6 p.m. Closing session
- Working session reports;
 - Discussion;
 - Concluding remarks;
 - Agenda and dates of the 2010 AIAM;
 - Closure.

II. Organizational modalities

1. The AIAM will last two days and will have opening and closing sessions, as well as working sessions, dealing with the topics contained in the agenda (I). The indicative timetable provides more detail.

2. The organizational meeting of chairpersons, co-ordinators, rapporteurs, and the CPC will be held on 2 March 2009 at 3 p.m.

The working hours of the AIAM will be from 10 a.m. to 1 p.m. and from 3 to 6 p.m.

3. Interpretation into the OSCE official languages will be provided at all sessions of the AIAM.

4. The sessions will be chaired by representatives of the participating States, in rotation, in accordance with the French alphabetical order, following on from the chairing of the closing plenary meeting of the 2008 AIAM by Bosnia and Herzegovina. The chair of the opening session and working sessions will be held by Bulgaria. The chair of the closing session will be held by Canada.

5. Debates in the working sessions will be oriented towards problems and solutions and there will be no formal statements. Any national statements for the opening session should be presented in written form only and are to be distributed in advance. The working sessions are designed to be very informal meetings of national experts with the objectives of answering questions, exchanging information and allowing for constructive debate between participating States. Delegations are strongly encouraged to provide detailed explanations and concrete examples of their own implementation experiences. Delegations are welcome to distribute written contributions in advance of the Meeting, both on agenda items and on related matters for possible discussion. All delegations are strongly encouraged to provide national experts to participate in the AIAM.

6. The CPC will circulate the revised Annual Survey on CSBM Information Exchanged and the AIAM Survey of Suggestions 2008, no later than 13 February 2009. By the same date, the CPC will in addition circulate a summary report on recent trends in the implementation of the Vienna Document 1999 and other measures. These will serve as a basis for preparatory work by delegations and co-ordinators. In particular, the co-ordinators should focus on suggestions which might be supported by delegations.

7. Working session 1 will have two designated co-ordinators and two rapporteurs while working sessions 2 and 3 will have one co-ordinator and one rapporteur. The task of the co-ordinators will be to facilitate the discussion, while the task of the rapporteurs will be to present an oral report to the closing session.
8. The co-ordinators will circulate a list of topics and questions for facilitating the discussion in their working sessions. They will be supported by the CPC in this regard. They will ensure that all relevant areas are addressed.
9. During the first part of the closing session, the rapporteur from each working session will give an oral report to the delegates on the issues that were addressed during the sessions. This report should include problem areas, improvements in implementation accomplished by OSCE participating States, suggestions for further improvement, and any other relevant information. Delegations are encouraged to comment on or add to the reports presented by the rapporteurs.
10. Delegations that have volunteers to act as co-ordinators or/and rapporteurs for the working sessions should provide the names of the individuals to the Chairperson of the FSC as soon as possible, but no later than 13 February 2009. The names of the co-ordinators and rapporteurs for each working session will be made known to all delegations no later than 16 February 2009.
11. During the first FSC plenary meeting following the AIAM, the Chairperson of the closing session will report on the AIAM to the FSC and provide the Chairperson's report together with the reports of the rapporteurs of the working sessions. Within a month after the AIAM the CPC will circulate a written report on suggestions made during the Meeting aimed at improving the implementation of CSBMs.
12. The approach recommended in order to ensure the most productive discussion in the FSC when the participating States consider, as required, suggestions for improvement of the implementation of CSBMs made during the Meeting, 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.
13. Before the conclusion of the nineteenth AIAM, the participating States will agree upon the agenda and dates for the AIAM in 2010. Lack of agreement will not constitute sufficient reason to extend the Meeting, unless otherwise agreed. The agenda and dates may, if necessary, be agreed between Meetings.
14. The Partners for Co-operation and the OSCE Parliamentary Assembly are invited to attend all sessions of the 2009 AIAM.

**ANNOTATED AGENDA AND
INDICATIVE TIMETABLE OF THE NINETEENTH
ANNUAL IMPLEMENTATION ASSESSMENT MEETING**

3 and 4 March 2009

Tuesday, 3 March 2009

- 10–10.45 a.m. Opening session
- Chairperson: Bulgaria (also chairing the working sessions)
- Opening of the meeting by the Chairperson;
 - Remarks by the Chairperson of the FSC;
 - Presentation of a summary report by the Conflict Prevention Centre (CPC).
- 11 a.m.–1 p.m. Working session 1: Implementation of the Vienna Document 1999 and Global Exchange of Military Information (GEMI): Clarification, assessment and conclusions
- Co-ordinator: Mr. B. Donagh (Ireland)
Rapporteur: Mr. J. A. Sabadell Carnicero (Spain)
- Vienna Document 1999:
 - Annual exchange of military information;
 - Defence planning;
 - Risk reduction;
 - Military activities:
 - (i) Prior notification of certain military activities;
 - (ii) Annual calendars;
 - (iii) Constraining provisions;
 - (iv) Observation of certain military activities;
- 1–3 p.m. Lunch break
- 3–6 p.m. Working session 1 (continued)
- Co-ordinator: Mr. J Meyer (United States of America)
Rapporteur: Mr. N. P. Petersen (Denmark)
- Vienna Document 1999:
 - Contacts;
 - Evaluation;
 - Inspection;

- Regional measures;
- Communications Network;

- GEMI.

Wednesday, 4 March 2009

10 a.m.–1 p.m. Working session 2: Operation and implementation of other FSC-agreed measures/documents: Clarification, assessment and conclusions

Co-ordinator: Mr. W. Schweizer (Germany)

Rapporteur: Mr. J. Gosal (Canada)

- Principles governing conventional arms transfers;
- Principles governing non-proliferation;
- Stabilizing measures for localized crisis situations;
- Questionnaire on Anti-Personnel Landmines;
- Code of Conduct on Politico-Military Aspects of Security;
- OSCE Document on Small Arms and Light Weapons (SALW);
- OSCE Document on Stockpiles of Conventional Ammunition;
- Principles for export controls of MANPADS;
- Principles on the control of brokering in SALW;
- Standard elements of end-user certificates and verification procedures for SALW exports.

1–3 p.m. Lunch break

3–4.30 p.m. Working session 3: Suggestions aiming at the improvement of the implementation of CSBMs

Co-ordinator: Mr. P. von Arx (Switzerland)

Rapporteur: Mr. F. Pilot (Luxembourg)

5–6 p.m. Closing session

Chairperson: Canada

- Working session reports;
- Discussion;
- Concluding remarks;
- Agenda and dates of the 2010 AIAM;
- Closure.

OPENING SESSION

**STATEMENT BY THE CHAIRMANSHIP OF THE
FORUM FOR SECURITY CO-OPERATION AT THE OPENING
SESSION OF THE NINETEENTH ANNUAL IMPLEMENTATION
ASSESSMENT MEETING**

Mr. Chairperson,

It is a pleasure and an honour for me, as acting Chairperson of the Forum for Security Co-operation (FSC), to take the floor at this opening session of the 19th Annual Implementation Assessment Meeting (AIAM) to discuss the implementation of confidence- and security-building measures.

Mandated originally by the Vienna Document to consider solely issues concerning the document itself and the implementation of confidence- and security-building measures — which will be the theme of our first working session — the AIAM expanded subsequently to include the programme review of all documents and measures adopted by the FSC. It is therefore the annual meeting place of the OSCE politico-military dimension, the first dimension, which has rightly been at the forefront for the past several months. Marked by the implementation in the late spring of 2008 of Chapter III of the Vienna Document — much debated, of course, in terms of its concrete results — between the parties to a dispute that had erupted in the southern Caucasus, this strengthening of the first dimension continued thereafter through discussions which allowed these same parties, in the autumn of 2008, following the serious conflict that erupted in the Caucasus, to share their views in the framework of the FSC Security Dialogue. This role of the FSC as a forum for active discussions was underscored by the ministers in Ministerial Council Decision No. 13/08 on issues relevant to the Forum for Security Co-operation. It is continuing at present with the launching of a rich debate on the challenges and future of European security, marked in particular by the visit to the Forum of the Deputy Minister for Foreign Affairs of the Russian Federation, and by the holding last week of an expert round table on European security. Our Forum is thus in the front row of this return of the OSCE first dimension to centre stage.

Hence, this AIAM is not being held in an atmosphere of business as usual. On the contrary, we are meeting today against a backdrop of turmoil and questions: questions, as I have just said, concerning the future of European security in general and the role of existing instruments, including the Vienna Document, in what some call the future European security “architecture”; questions concerning the future of the Treaty on Conventional Armed Forces in Europe (CFE Treaty) regime, which is closely linked to the FSC’s work and discussions, although consideration of its implementation is entrusted to another forum; questions concerning the solidity and viability of the Vienna Document, the only arms control regime that has thus far remained intact within the OSCE area, but whose operation has recently been weakened; questions concerning even the rationale for this AIAM, which is sometimes considered as insufficiently bold in its investigations and conclusions. In this regard I note, in the report prepared by Bosnia and Herzegovina at the end of the 2008 AIAM, the following comment: “Some delegations referred to the need for more open discussions in the future and expressed their disappointment with the lack of such open and focused discussions during the Eighteenth AIAM”. I should also point out that an interesting informal note prepared by one

delegation with a view to the present annual gathering has harsh words for the AIAM, describing it as “pointless”.

And yet, with regard to the Vienna Document, which will be at the centre of our discussions during these two days, Ministerial Council Decision No. 13/08 elicits our enthusiasm. In that decision, the Ministerial Council declared its determination to continue to promote the implementation of confidence- and security-building measures in the framework of the Vienna Document, “taking into account the evolving nature of threats to security and stability in the OSCE area”. This implies that confidence- and security-building measures should take into account and adapt to these developments. We must therefore find our way between two temptations: on the one hand, the temptation of inactivity, which would mean rejecting any notion of improving or updating the Vienna Document and to some extent “consecrating” the content of an instrument whose tenth anniversary, in its current version, we will mark this year; on the other hand, the temptation to send the Vienna Document “back to the drawing board”, at the risk of losing its spirit and coherence.

We must preserve this essential confidence-building tool that is the Vienna Document — a confidence that has sometimes seemed to have taken a beating in these past several months. Yet the figures provided by the Conflict Prevention Centre speak for themselves: 55 evaluation missions conducted in the framework of the Vienna Document in 2008, or 14 more than in 2007; 109 inspection missions in 2008, compared with 88 in 2007. Of course, today’s discussions and the analysis performed by the co-ordinators will probably show that these figures sometimes mask dysfunctions in the implementation of the document. They nonetheless furnish proof of participating States’ attachment to this instrument, which has demonstrated its effectiveness.

Several years ago it became customary to add to the agenda of the AIAM, in addition to the Vienna Document, all of the other issues of interest to the FSC; this will be the subject of the second working session tomorrow. In this regard, I should like to emphasize the two decisions adopted by the Helsinki Ministerial Council meeting which constitute the Forum’s road map for 2009. In and of themselves, they cover the range of items appearing on the agenda of this second working session: the OSCE Code of Conduct on Politico-Military Aspects of Security; combating proliferation, mainly through the implementation of United Nations Security Council resolution 1540, which will be one of the common threads of the Forum’s three chairmanships in 2009; and, of course, small arms and light weapons and stockpiles of conventional ammunition, on which Ministerial Council Decision No. 11/08 requests the FSC to organize a meeting in 2009, and for which it may be possible to consider future modalities at this AIAM.

In conclusion, I should like to invite the delegations present and the experts sent by capitals not to consider this meeting as a theoretical, abstract exercise which must be gotten over with as quickly as possible, but as a real opportunity to share experiences and thoughts for the future. The number and richness of the informal notes sent to us in advance of this meeting, whether by delegations or by co-ordinators, are an indication of the quality of the discussions that we are going to have during these two days.

As FSC Chairperson, I wish this 19th Annual Meeting every success, and thank the Bulgarian chairmanship for its co-ordination and facilitation of the discussions.

DIRECTOR'S REPORT ON THE WORK OF THE CONFLICT PREVENTION CENTRE IN SUPPORT OF THE FORUM FOR SECURITY CO-OPERATION

3 March 2009

Mr. Chairperson, ladies and gentlemen,

Thank you for the opportunity to address the opening session of the nineteenth Annual Implementation Assessment Meeting. In my presentation, I would like to briefly present some highlights of the Summary Report prepared by the CPC on Recent Trends in the Implementation of the Vienna Document 1999 and Other Agreed Measures, as well as a short overview of the main activities of the CPC in support of the FSC during the last year.

Trends in summary report

By looking through the Summary Report distributed under FSC.GAL/17/09 on 13 February 2009, one can easily notice the similarity in the main implementation trends as outlined in last years report to the AIAM. The number of submissions under most information exchanges, such as the Annual Exchange of Military Information and the Code of Conduct on Politico-Military Aspects of Security, has remained at the same high level.

In order to improve the availability of the FSC-related information, the FSC decided on December 2007 to provide their information also in electronic format, making it available on Doc-In. Although 54 States provide their annual information, only 34 participating States made it also available for Doc-In this year. Apparently not all participating States have understood this additional commitment in a similar manner, which leaves room for improvement.

The information on defence planning and budgets is — after an increase in 2007 — back to its declining trend in submission. Although 33 participating States have regularly provided this information during the last five years, there is also room for increasing the responsiveness on this information exchange, here.

Another trend to discover in this report is the significant increase in visits to air bases and military facilities. Already 12 participating States having informed us about plans to organize visits in 2009. This trend mainly is the result of the five-year cycle which is set in paragraph 19 of the Vienna Document; we are now entering the third year of this cycle. One can also notice the dates-overlap for some events. On this point, the participating States may wish to consider an even distribution of the visits over the next three years to avoid last-minute scheduling of a large number of events for 2010–2011.

The prior notification of certain military activities — as addressed in Chapter V of the VD 99 — remain at a modest level. For the year 2009, four participating States have sent notification of — in total — six certain military activities. Five of them are voluntarily notifications well below the thresholds of the Document. It is also worth mentioning that for the first time since 2002 there is one invitation to observe certain military activities that exceeds the thresholds mentioned in Chapter VI.

The activities related to Chapter IX of the Vienna Document (Compliance and Verification) show a record number of 109 requested and conducted inspections. Also the number of evaluation visits which were requested and conducted show a significant increase towards 57. However, it may be taken into account that this effect is caused by the activities of one participating State. The remarks in inspection reports as well as in evaluation reports were positive in tone and often note that they contribute positively to mutual understanding and co-operation between the participating States.

Within the regional measures as stated in Chapter X of the Vienna Document we can detect two different developments. The amount of regional inspections has been very stable during the last 4 years (12–15) and all the reports the CPC received indicate no major problems. On the other hand, the evaluation visits conducted at regional level show a significant increase from 25–29, during the last years, up to 38 visits for 2008. From all evaluation visits the CPC received reports; no major problems were indicated. Generally, all briefings are reported to have been informative and transparent.

Overview of main activities CPC/FSC Support Section

Coming to some highlights of the CPC's day-to-day activities in 2008: An effective monitoring system and institutional memory retained by the FSC Support Section provided for continuing support to the FSC in monitoring and reviewing the implementation of CSBMs and other commitments in the politico-military area stemming from FSC documents. In line with the CPC mandate, periodic implementation overview reports (monthly, quarterly and annual reports) were provided to participating States.

Referring to FSC Decision No. 1/08 on awareness raising and outreach of the Code of Conduct — which mandates the CPC to organize at least one seminar or workshop — the FSC Support Section, together with Switzerland and the OSCE Centre in Astana, organized a seminar on implementation of the OSCE Code of Conduct on Politico-Military Aspects of Security in Central Asia. The CPC also provided input to national workshops on this subject in Bosnia and Herzegovina. In the same line of interest we support the sponsors and the FSC Chairmanship with the development of improvements on the Code of Conduct Document and Questionnaire.

The next major focus of the CPC agenda was small arms light weapons (SALW) and stockpiles of conventional ammunition (SCA). The CPC continued to be actively involved in helping participating States on a day-to-day basis. We prepared and supported a Workshop on the Implications of Technical, Managerial and Financial Issues of Existing and Planned Projects on SALW, and Stockpiles of Conventional Ammunition, which resulted in a wide array of proposals for further improving the OSCE response and work with other international organizations. Later in the fall, the FSC Support Section facilitated the first meeting among international organizations involved in SALW and SCA programmes.

At the international level, the CPC/FSC Support Section also co-organized, in co-operation with NATO EAPC), the Regional Organizations' Synergy Conference on SALW which was held at the NATO Headquarters in Brussels in April 2008. The Conference brought together over a hundred representatives from thirty regional and international organizations, together with civil society organizations from all over the world to discuss the implementation of the UN Programme of Action at regional level. The primary aim of the

Conference was to facilitate further co-operation and promote best practices between regional organizations.

During the Third Biannual Meeting of States in New York in July 2008, the OSCE not only delivered a report on the Implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, it also co-organized a successful side event on the outcome of the mentioned Synergy Conference which was held in Brussels.

The CPC created a comprehensive SALW and SCA programme to address the administrative challenges that may impede the fundraising process for project implementation. In this programme the OSCE will collect and hold funds whenever donors contribute. Then, as each project develops, the OSCE will allocate funds according to donor priorities and recipient requirements. This mechanism will bridge the time and resource gap between the actual donor contributions and project implementation within the OSCE rules and regulations.

In the framework of support to the individual participating States, assessment visits were carried out to Albania, Ukraine, Kazakhstan and Kyrgyzstan to develop respective project proposals. Two combined donors/assessment visits to Belarus facilitated an update of the implementation plan for the first and second phase of the OSCE-UNDP programme on SALW. Together with the UNDP, the OSCE is now running two large scale SALW and SCA projects in Montenegro and in Belarus. Together with the Centre in Ashgabat we organized a successful SALW and SCA seminar in Turkmenistan. And the second phase of the Comprehensive SALW and SCA Assistance Programme in Tajikistan is nearing completion.

The biggest challenge the OSCE Secretariat and the FSC Support Section took on during the last years is probably the overall project management of a project in the Ukraine, called: Assisting the Government of Ukraine in Eliminating Melange (Liquid Rocket Fuel Component) Stocks. The objective of this project is to ensure the disposal of melange in an environmentally sound, safe and cost effective manner. To date donors have pledged extrabudgetary funds estimated almost to be sufficient to dispose of the first 3,000 tonnes of melange under the Phase III-A of this complicated and time consuming project. After the evaluation phase and the contract negotiations, which are on the way, the actual elimination of the melange is planned to start this summer.

Last but not least, the FSC Support Section continued to operate and maintain the OSCE Communications Network at a very high level, to facilitate the implementation of numerous politico-military commitments laid down in the Vienna Document 1999 but also in the Treaty on Open Skies, the Treaty on Conventional Armed Force in Europe (CFE) and the Dayton Peace Agreement.

In the past year, the Network and the custom software utilized by delegations were further upgraded through a process of continuous improvement, including the addition of the Dayton Agreement to the custom software and the replacement of hardware which has passed its normal service life. The Network was also expanded, with Kyrgyzstan connecting to the Network. It is expected that Kyrgyzstan will be utilizing their connection fully in the near future. This gives us 51 of 56 participating States which are connected to the Network. The result is a highly reliable, state-of-the-art Network that meets the needs of participating States.

Finally, also this year, I would like to emphasize that the CPC will continue, in accordance with its mandate, to provide required support for the FSC and its Chairmanship in their efforts to further assist participating States. We will remain the focal point for enabling the monitoring of the implementation of existing commitments and of new initiatives in the politico-military dimension of security. This includes project activities in close co-ordination with other international and regional organizations, as well as the organization of seminars and training programmes. The CPC will continue to support and co-ordinate the activities of OSCE field missions aimed at assisting individual participating States in the implementation of their politico-military commitments, as well as address specific requests for assistance.

I wish you every success in your work today and tomorrow.

Thank you for your attention.

FOOD-FOR-THOUGHT PAPERS

FOOD-FOR-THOUGHT PAPER BY THE DELEGATION OF IRELAND

Some Thoughts for Discussion

Annual exchange of military information

1. General considerations

The annual exchange of information addresses the sharing of information on military organization, manpower and major weapons and equipments among participating States. The data is submitted by 15 December annually and the information is valid for the following year commencing 1 January. The following matters are addressed:

- (a) Information on military forces;
- (b) Data relating to major weapon and equipment systems;
- (c) Information on plans for deployment of major weapon and equipment systems.

2. Annual return

- (a) 2005 — 53 returns;
- (b) 2006 — 51 returns;
- (c) 2007 — 54 returns;
- (d) 2008 — 55 returns.

3. Possible issues for discussion

- (a) Does the present format and content of the annual exchange of information meet the requirements of participating States?
- (b) Can this exchange of information process be improved?

Defence planning

1. General considerations

This exchange of information presents data on medium to long term intentions of each participating State regarding size, structure, training and equipment. This information exchange encourages openness, transparency and predictability. It is also intended that this exchange should be used as a basis for dialogue among participating States. The following elements are included in the exchange:

- (a) Defence planning and doctrine;
- (b) Force planning;
- (c) Information on previous expenditure;
- (d) Information on budgets;
- (e) Clarification, review and dialogue;
- (f) Possible additional information.

2. Annual returns

- (a) 2004 — 48 returns;
- (b) 2005 — 45 returns;
- (c) 2006 — 40 returns;
- (d) 2007 — 47 returns;
- (e) 2008 — 41 returns.

3. Possible issues for discussion

- (a) Can we and how can we improve this CSBM?
- (b) Should a workshop be held on defence planning? If so what should be the focus of such a workshop?

Risk reduction

1. General considerations

This is a mechanism offering participating States opportunity to consult and co-operate in order to eliminate their concerns regarding unusual or unscheduled military activities or hazardous incidents and seeks to prevent misunderstandings. It includes the option of hosting visits to dispel concern about military activities. The following are provided for in Chapter III of the VD 99:

- (a) Request for an explanation: The participating State which has concerns about such an activity may transmit a request for an explanation to another participating State where the activity is taking place;
- (b) The reply will be transmitted within not more than 48 hours;
- (c) The request and reply will be transmitted to all other participating States without delay;

- (d) The requesting State may then request a meeting with the responding State;
- (e) Such a meeting will be held at a venue to be mutually agreed upon by the requesting and the responding States.

2. Annual returns

Two participating States made use of the Mechanism for Consultation and Co-operation as regards unusual military activities during 2008.

3. Possible issues for discussion

- (a) Do these terms offer effective response mechanisms that meet the concerns of participating States?
- (b) Should the FSC discuss this matter in detail?
- (c) Are there lessons to be learned from experiences of participating States during 2008?

Prior notification of certain military activities

1. General considerations

These four paragraphs are closely related. They address the following:

- (a) Prior notification of certain military activities (Chapter V, VD 99): This Chapter obliges participating States to notify all other participating States of their intention to conduct military activities that meet the terms of “notifiable activities” as specified in the Chapter. Troop strength, the number of armoured vehicles, main battle tanks and self propelled or certain towed artillery pieces is considered. Provision is also made when exercising amphibious, heliborne or parachute troops and specified levels of air force elements. Multinational activities are also covered;
 - (i) The engagement of formations of land forces of the participating States in the same exercise activity conducted under a single operational command independently or in combination with any possible air or naval component;
 - (ii) The engagement of military forces in an amphibious landing, heliborne landing or parachute assault in the zone of application for CSBMs;
 - (iii) The engagement of formations of land forces of participating States in a transfer from outside the zone of application for CSBMs to arrival points in the zone, or from inside the zone of application for CSBMs to points of concentration in the zone, to participate in a notifiable exercise activity or to be concentrated;

- (b) Observation of certain military activities (Chapter VI, VD 99): This Chapter obliges participating States to invite all participating States to specified notifiable military activities;
 - (i) The engagement of formations of land forces of the participating States in the same exercise activity under a single operational command independently or in combination with any possible air or naval components;
 - (ii) The engagement of military forces in an amphibious landing, heliborne landing or parachute assault in the zone of application for CSBMs;
 - (iii) Military activities without prior notification;
 - (iv) Threshold levels apply: 13,000 personnel or 250 main battle tanks, etc. Divisional size activities;
- (c) Annual calendars (Chapter VII, VD 99): Each participating State will exchange, with all other participating States, an annual calendar of its military activities subject to prior notification, within the zone of application for CSBMs, forecast for the subsequent year. A model for the provision of information is provided in the Chapter;
- (d) Constraining provisions (Chapter VIII, VD 99): This Chapter defines the numbers of notifiable military activities that may be conducted by a participating State (alone or multinational) over specific periods (annually and over a three-year period) within defined scales and ranges of military forces participating in the activity.

2. Annual returns

- (a) Prior notification and observation of certain military activities: In 2008, seven participating States sent prior notification of certain military activities conducted during 2008. These were communicated following the FSC Chairperson's statement on voluntary submission of prior notification of major military activities conducted below the threshold of the VD 99. In February 2009, participating States sent notification of a total of six certain military activities during 2009. One State also submitted an invitation to observe certain military activities in 2009 in accordance with the VD 99. This is the first such invitation since 2002;
- (b) Annual calendars and constraining provisions: A total of 54 participating States provided information on annual calendars and constraining provisions for 2008. All submissions on constraining provisions were NIL returns. In 2007, eight participating States submitted prior notification of military activities for the year 2008. Seven were provided according to the FSC Chairperson's statement from 5 October 2008 regarding major military activities notification on a voluntary basis.

3. Possible issues for discussion

Is the voluntary notification process satisfactory? Should the conducting State invite observers to such military activities?

FOOD-FOR-THOUGHT PAPER BY THE DELEGATION OF THE UNITED STATES OF AMERICA

Assessing Implementation of the Vienna Document 1999 (VD 99): Thoughts for Discussion

1. Reference Documents

- (a) FSC.AIAM/1/09, annotated agenda and indicative timetable of the nineteenth Annual Implementation Assessment Meeting;
- (b) FSC.GAL/17/09, Summary Report on Recent Trends in the Implementation of the Vienna Document 1999 and Other Measures Addressed during the Annual Implementation Assessment Meeting.

Co-ordinator: Lieutenant Colonel Jerome Meyer, United States of America.

2. General

In accordance with reference A, session 1B of the 2009 AIAM will focus on assessing the implementation of provisions for State-to-State measures contained in paragraphs 19 to 152 of the VD 99, as well as implementation of the Global Exchange of Military Information (GEMI).

At the beginning of the session, delegations wishing to table specific food-for-thought (FFT)/discussion papers, germane to the session's agenda, will be invited at their discretion to make an initial five-minute introductory presentation on their paper and answer any questions of clarification. This introductory period will provide delegations, which have expended considerable time and effort in preparing their topics, equal time to introduce their papers. Following this introductory period, the co-ordinator will proceed by topic according to the agenda. Delegations wishing to comment further on FFT/discussion papers or introduce new issues are encouraged to do so during the relevant blocks.

To date, the Secretariat has distributed four discussion/food-for-thought papers covering issues applicable to session 1B. These include FSC.AIAM/2/09 on analysis of the implementation of the Vienna Document 1999; FSC.AIAM/5/09 on Chapter IX — Compliance and Verification: Inspections and Evaluation Visit Quotas; FSC.AIAM/6/09 on size of inspection and evaluation teams; and FSC.AIAM/8/09 on the Vienna Document 1999 — A best practice guide for implementation of Chapter IV — Contacts. In preparing for session 1B, delegations are encouraged to review these papers with an eye toward discussing their content during the related block(s) of discussion.

As an additional primer, the co-ordinator offers the following material for the sole purpose of stimulating focused discussion. The statistical data cited below is drawn from reference B.

Contacts

1. Background

According to the VD 99 paragraphs 19 to 29 all participating States with air combat units are obliged to arrange a visit to one of their peacetime air bases once every five years. In addition, paragraph 30.4 requires every participating State to arrange a visit to a military facility, military formation or certain military activity for the purposes of observation once every five years.

Last year was the second year of the current five-year period (2007–2011). According to the CPC summary report referenced above, only four contact visits were planned and executed in 2008; the same number as organized for 2007. Participating States have also indicated that they plan to organize 12 visits in 2009. When taken together, one could note that the rate of execution for the current five-year period is on pace with that of the previous 2002–2006 period. Unfortunately, the total number of visits for the previous five-year period (47, including airbases, all military facilities, units, activities and demonstrations) was well below that required by the VD 99.

2. Questions

- What, if any, general conclusions can be drawn from the CPC report regarding contacts?
- Do participating States believe that visits organized in 2008 met the intent of paragraphs 19 to 29 and paragraphs 30 to 35?
- Did these visits meet participating States' expectations?
- What might account for the low numbers of visits?
- Are there measures participating States can take individually or collectively to encourage greater participation?

Evaluation

1. Background

Section 72 of the VD 99 references the Madrid Mandate's call for agreed CSBMs to provide for adequate forms of verification. As one key component of verification, VD 99 paragraph 107 states, "Information provided under the provisions on Information on Military Forces and on Information on Plans for the Deployment of Major Weapon and Equipment Systems will be subject to evaluation."

According to the referenced CPC report, participating States conducted 55 evaluations in 2008; 14 more than in 2007. The number of participating States hosting evaluations increased by eleven, from 33 to 44, while the number of participating States conducting evaluations fell from 27 in 2007 to 22 in 2008. The number of guest evaluators also decreased from 18 to 16. Of the 53 reports received by the CPC, 96 per cent (51 of 53)

indicated that the evaluation visit had been conducted “in compliance with VD 99 provisions.”

2. Questions

- What, if any, general conclusions can be drawn from the CPC report regarding evaluation visits?
- Did participating States’ implementation meet their expectations for evaluation visits under the provisions of paragraphs 107 to 137?
- If not, how do we account for the difference between results reported to the CPC and participating States’ perceptions?
- Could the drop in number of participating States conducting evaluations be due to budgetary factors? If so, could an increase in multinational teams help mitigate such concerns?

Inspections

1. Background

Paragraph 72 of the VD 99 references the Madrid Mandate’s call for agreed CSBMs to provide for adequate forms of verification. As one key component of verification, the VD 99, paragraph 74 states, “...each participating State has the right to conduct inspections on the territory of any other participating State within the zone of application for CSBMs.”

The CPC’s report notes a significant increase in the number of inspections conducted by participating States in 2008 (from 88 in 2007 to 109 in 2008). In addition, the number of participating States conducting inspections in 2008 increased from (27 in 2007 to 34 in 2008), while the number of guest inspectors invited by participating States increased by seven (from 39 to 46.) Based on the 108 reports received by the CPC, approximately 95 per cent (103 of 108) indicated that the inspection “took place in full compliance with the provisions and often in the spirit of the VD 99.”

2. Questions

- What, if any, general conclusions can be drawn from the CPC report regarding inspections?
- Did participating States’ implementation meet their expectations for inspections under the provisions of paragraphs 74 to 137?
- If not, how do we account for the difference between results reported to the CPC and participating States’ perceptions?

Regional Measures

1. Background

Chapter X of the VD 99 encourages participating States to undertake bilateral, multilateral or regional measures to increase transparency and confidence.

In 2008, participating States requested 13 inspections under the provisions of Chapter X. All of these visits were accepted and executed with no major problems reported.

In 2008, participating States requested and executed 38 evaluation visits under this provision. This was a significant increase from the 25 visits made in 2007. Additionally, both the number of hosting participating States and evaluating participating States increased from 2007 to 2008 (from 13 to 19 and 11 to 21 respectively). Ninety-two per cent of the reports indicated “no major problems,” while issues arose in three inspections over “counting” equipment.

2. Questions

- What, if any, general conclusions can be drawn from the CPC report?
- Are participating States generally satisfied with the regional measures they take part in?
- What accounts for the increase in the number of evaluations conducted in 2008 under Chapter X?
- Does this increase offset the decreased participation of participating States in evaluations as noted above?
- Did regional measures meet participating States’ expectations?
- If not, how do we account for the difference between results reported to the CPC and participating States’ perceptions?
- Could further increase of participating States’ use of regional measures overcome perceived shortfalls in other areas of verification?
- How could we encourage further use of regional measures?

Communications Network

1. Background

According to the VD 99, paragraph 151, “The participating States will use the OSCE Communications Network for transmission of messages relating to agreed measures contained in this document. The Network complements the use of diplomatic channels.”

According to the most recent OSCE Communications Configuration Control Board report (FSC.GAL/145/08), “27 [End Unit Stations (EUSs)] exceeded 99 per cent availability [and] ... of these, 14 exceeded 99.5 per cent availability. A total of 46 EUSs exceeded 95 per cent availability. The average connection availability decreased marginally by 0.05 per cent since the last CCB, mainly due to lengthy outages in [three participating States] which are beyond the control of [Network Management Team] ... If the problems in these three countries is discounted, the overall reliability increased by 0.02 per cent.”

According to the referenced CPC report, of the 210 inspection and evaluation reports received (including all Chapter IX and X activities), only five reports revealed some difficulties in participating States sending or receiving notifications.

2. Questions

- Given the high level of reliability reported in the Network and the corresponding low number of difficulties reported by participating States, can we conclude that at present the Communications Network is functioning as envisioned?
- For those participating States affected by connectivity issues, what are the principal impediments to reliable connections?
- What can be done to assist/persuade participating States that are still not connected to do so?

GEMI

1. Background

According to the CPC report, a record number of participating States (54, up from 52 in 2007) forwarded their GEMI submission within the deadline. Of these, 46 exchanged data electronically.

- Do participating States feel GEMI is on track?
- Do participating States see added value in the electronic exchange of GEMI?

FOOD-FOR-THOUGHT PAPER BY THE DELEGATION OF GERMANY

Operation and implementation of other FSC-agree measures/documents: Clarification, assessment and conclusions

Reference documents

- (a) FSC.GAL/2/09/Corr.1, Annual CPC Survey on CSBM Information Exchanged in 2008;
- (b) FSC.GAL/17/09, Summary Report on Recent Trends in the Implementation of the Vienna Document 1999 and Other Measures Addressed During the Annual Implementation Assessment Meeting;
- (c) FSC.AIAM/25/08, Survey of suggestions from 18th AIAM;
- (d) MC.GAL/2/08/Rev.2, FSC Chairperson's Progress Report to the Sixteenth Ministerial Council on the Continuing Implementation of the OSCE Document on SALW;
- (e) MC.GAL/3/08/Rev.2, FSC Chairperson's Progress Report to the Sixteenth Ministerial Council on the Continuing Implementation of the OSCE Document on Conventional Ammunition.

Working session 2 will, in line with FSC.DEC/16/08, cover implementation issues on the following subjects:

- 1. Principles governing conventional arms transfers;
- 2. Principles governing non-proliferation;
- 3. Stabilizing measures for localized crisis situations;
- 4. Questionnaire on Anti-Personal Landmines;
- 5. Code of Conduct on Politico-Military Aspects of Security;
- 6. OSCE Document on Small Arms and Light Weapons;
- 7. OSCE Document on Stockpiles of Conventional Ammunition;
- 8. Principles for export controls of MANPADS;
- 9. Principles on the control of brokering in SALW;
- 10. Standard elements of end-user certificates and verification procedures for SALW exports.

Based on the above-mentioned reference documents, the following initial comments and thoughts are provided with a view to allow for a structured dialogue during the session and to make best use of the available time. It is also intended to stimulate and encourage discussion about the implementation of these FSC-agreed documents. Delegations may raise any other issue pertinent to implementation of these measures.

1. Principles governing conventional arms transfers (CAT)

While the CAT principles still seem to be a valuable tool for preventing illicit trafficking in weapons, its implementation still lacks consistency. Exports reported by a participating State do not always match reports on imports by the respective participating State. Often this is due to different reporting periods in which the exports/imports are reported, but also through misunderstandings in the implementation of the principles (e.g., a whole weapon system to be reported vice versa parts delivered).

Is there a need for the FSC to provide further clarification to allow for better and more thorough reporting? What could the implementation of the principles be used to prevent destabilizing accumulation of conventional arms? What role could the FSC play in awareness-raising with a view to improve the number of returns to the CAT Questionnaire and the CAT information exchange?

| CAT Questionnaire | CAT information exchange |
|--------------------------|---------------------------------|
| 2004 — 46 returns | 2004 — 46 returns |
| 2005 — 43 returns | 2005 — 47 returns |
| 2006 — 44 returns | 2006 — 47 returns |
| 2007 — 40 returns | 2007 — 48 returns |
| 2008 — 40 returns | 2008 — 47 returns |

The latest update of the reporting categories (FSC.DEC/8/08) includes, for the first time, a commitment by participating States to include SALW exports to and imports from other participating States as additional background information on transfers of SALW as an attachment to their reports to the UN CAT register.

Do participating States have already preliminary views on the implementation of this new transparency measure?

2. Principles governing non-proliferation

The OSCE Document on Principles Governing Non-Proliferation was adopted in December 1994. One could argue (as it was done at the FSC in 2006) that the Document would now require revision to align it with developments in the security framework. On the other hand, only one proposal has been made during last year's AIAM in conjunction with this Document, namely to encourage participating States that are not party to the Global Initiative to Combat Nuclear Terrorism (GICNT) to endorse it. Could that be taken as a

general expression of the view, that the implementation of the principles document on non-proliferation is actually doing fine that no further action required?

What are the views of participating States on the implementation of the Document?
Are there any other endorsements of the GICNT to be reported?

3. Stabilizing measures for localized crisis situations

The OSCE Document on Stabilizing Measures for Localized Crisis Situations was adopted in November 1993. It has never been used, although discussion on its possible use came up before and after the armed conflict in August 2008. The question arises: why were provisions of the Document not used to prevent the conflict or in an attempt to restore confidence and trust?

Is there a need for the FSC to review this Document with a view to allow for its use and implementation? Or should the Document remain in “hibernation mode” and eventually be forgotten?

4. Questionnaire on Anti-Personnel Landmines

- (a) 2005 — 48 returns;
- (b) 2006 — 48 returns;
- (c) 2007 — 49 returns;
- (d) 2008 — 52 returns.

The special meeting of the FSC’s Working Group A held on 23 January 2008 identified several areas for possible OSCE action within the framework of defining a more active role of the OSCE in combating anti-personnel mines. No further action has been taken so far. However, there were more replies to the Questionnaire on Anti-Personnel Landmines than in previous years. Could that be taken as an agreement, that this issue is indeed very topical and the FSC should take further action, e.g., by commissioning a study on the situation on anti-personnel landmines and explosive remnants of war in the OSCE area?

5. Code of Conduct on Politico-Military Aspects of Security (CoC)

- (a) 2003 — 52 replies;
- (b) 2004 — 49 replies;
- (c) 2005 — 52 replies;
- (d) 2006 — 50 replies;
- (e) 2007 — 53 replies;
- (f) 2008 — 54 replies.

The overall submission rate remains high, although 50 per cent of replies were again submitted after the deadline, which is 15 April. The ongoing FSC work on updating the Questionnaire might be finalized soon. Is there a need to find a better date for the replies to the Questionnaire to allow all participating States to submit in time? What about a permanent mechanism to assess the implementation of the CoC outside of the yearly AIAM?

The CoC seminar conducted in Almaty in September 2008 was in fulfilling FSC Decision No. 1/08 on awareness raising and outreach of the Code of Conduct. Are there any issues participating States could raise during the AIAM on the implementation of this decision? How do participating States assess the efforts undertaken by the FSC chairmanships and the FSC Co-ordinator on the CoC to get OSCE Partners for Co-operation informed about the CoC? Should the CoC be a standard topic for the regular OSCE meetings with partners?

6. OSCE Document on Small Arms and Light Weapons (SALW)

Since the adoption of the OSCE Document on SALW, participating States destroyed approximately 7.6 million pieces of SALW. Now, the number of destruction projects is on the decline, while issues on stockpile management and export control tend to prevail. Is this the time for the OSCE to work on supplementary measures to improve the implementation of the document such as stockpile management, marking and tracing, standardization of end-user certificates, and further implementation guidelines on brokering? How could additional guidelines on diversion further the implementation of the Document on SALW?

Through Ministerial Council Decision No. 11/08, the FSC was tasked to organize a meeting in 2009 to review the OSCE Document on SALW and its supplementary decisions with a view to explore possible further action. Are there any specific views by participating States on how to conduct this review and its possible content?

7. OSCE Document on Stockpiles of Conventional Ammunition (SCA)

Projects on SCA continue to constitute an important element of OSCE activities on the ground. The number of projects is relatively high, compared to SALW projects and a lot of work remains to be done. The OSCE project on eliminating melange stockpiles in Ukraine will most probably become one of the largest OSCE projects so far. In addition the FSC endorsed with Decision No. 6/08 the Handbook of Best Practices on Conventional Ammunition. Consequently, the conclusion might be drawn, that there is no need to further improve the normative framework for SCA projects, as the implementation of the current ones seems to run smoothly.

8. Principles for export controls of MANPADS

In May 2008, the FSC adopted Decision No. 5/08 on updating the OSCE Principles for Export Controls of MANPADS, which reflected changes adopted in the framework of Wassenaar Arrangements in December 2007.

Are there initial views on the implementation of this decision with a view to the incorporation of the principles into national legislation, policies and practices? Have there any steps been taken to promote the application of these principles to OSCE partners for co-operation and/or non-OSCE countries?

9. Principles on the control of brokering in SALW

In May 2008, the CPC published a summary report on replies provided by participating States on the one-off information exchange with regard to OSCE Principles on the Control of Brokering in SALW. A follow-up measure is contained in the Ministerial Council Decision No. 11/08, in which participating States are requested to establish or to reinforce, as necessary, a legal framework for lawful brokering activities within their national jurisdiction by the end of 2010. Should the OSCE, in line with decisions of other international organizations, develop a set of politically binding criteria for assessing export licence applications? Are there any other views on how to strengthen the OSCE's export control package?

10. Standard elements on end-user certificates (EUC) and verification procedures for SALW exports

In accordance with FSC Decision No. 12/08, the deadline for participating States' returns on the one-off information exchange with regard to sample formats of end-user certificates and relevant verification procedures is by 27 March 2009. This will enable the FSC to undergo an analysis of the information exchanged and to assess the level of implementation of existing commitments in line with the OSCE document on SALW and in pursuit of FSC Decision No. 5/04.

In support of the outcome document of the Third Biennial Meeting of States in support of the UNPOA on SALW, participating States could discuss possible further measures stemming from this analysis and assessment. Would a standardization of end-user certificates within the OSCE region be a possible avenue? Would such a measure strengthen the OSCE's export control package on SALW? Are there any specific views, which could be exchanged between participating States on EUCs during the AIAM?

FOOD-FOR-THOUGHT PAPER BY THE DELEGATION OF SWITZERLAND

Introduction

The issue of the improvement of the implementation of existing CSBMs had been raised on numerous occasions in the past, both in and outside the AIAM, even at highest level of the Organization. For example, the Lisbon Summit issued a list of suggestions in relation to possible development of new measures in conformity with the risks and challenges encountered; several non-consensual suggestions have been advanced, as for example the extension of CSBMs to naval activities, exchange of information on internal security forces, exchange of information on multinational raid reaction forces, measures concerning the deployment of armed forces on foreign territories. Specific proposals on improvement of the implementation of CSBMs have been put forward by some delegations in the FSC during the last years, most of them didn't reach consensus. A Special FSC Meeting on Existing and Future Arms Control and Confidence- and Security-Building Measures in the OSCE Area has been held in 2007 (consolidated summary FSC.GAL/122/07), which recognized the need to enrich the arms control *acquis* in areas where there is a security need and finding the way back to co-operative security relationships.

The working session dealing with the improvement of the implementation of CSBMs had been included in the AIAM's agenda for the first time in 2007. Despite some discussions in 2007, the Chairperson of the 2008 AIAM concluded this session by noting an almost complete lack of discussion, inviting the delegations to consider whether a similar session should still take place at the AIAM in 2009.

In order to facilitate the preparation of the working session 3 the co-ordinator issued this food-for-thought paper stressing out the work done at the FSC during the year 2008, announcing some possible proposals for improving implementation of CSBMs in accordance with the Vienna Document 1999 (VD 99), as well announcing more global suggestions aiming at the improvement of the implementation of CSBMs.

Work of the FSC

In 2008, the Ministerial Council adopted Decision No. 13/08 on issues relevant to the Forum for Security Co-operation (MC.DEC/13/08), welcoming the progress report on efforts in the field of arms control agreement and CSBMs and requesting to submit a report to the 2009 Ministerial Council. The FSC adopted only one decision concerning the implementation of CSBMs, Decision No. 2/08 on taking national holidays into account when planning verification activities (FSC.DEC /2/08). The Chairperson of the FSC issued a Chairperson's statement on complying with the timeframes for requesting an inspection or an evaluation visit.

Numerous food-for-thought papers have been submitted for consideration of the FSC and has been negotiated between 2007 and 2008 in order to improve the implementation of CSBMs, however without reaching consensus for a FSC decision or a FSC Chairperson's statement. Among them:

- Food-for-thought paper on possible FSC action toward improving the application of Vienna Document 1999 compliance and verification measures (FSC.DEL/51/08);
- Draft Chairperson's statement on complying with the timeframes for requesting an inspection or an evaluation visit (FSC.DEL/75/08/Rev.2);
- Food-for-thought papers on prior notification of deployment of foreign military forces on the territory of an OSCE participating State in the zone of application of CSBMs (FSC.DEL /21/07/Restr);
- Food-for-thought papers on prior notification of a large-scale military transit in the zone of application of CSBMs (FSC.DEL/20/07/Restr);
- Food-for-thought paper on procedure for submitting reports on the results of verification activities (FSC.DEL/491/07);
- Food-for-thought paper on single deadline for submission of information on defence planning (FSC.DEL/494/07/Rev.3/Corr.1);
- Food-for-thought paper on specification of the dimensions (surface) of the specified area (FSC.DEL/493/07/Rev.1).

Present situation in the field of implementation

The need for retaining the Organization's central *acquis* and the full implementation of CSBMs by all participating States are largely accepted principles. However, some participating States had expressed some concerns about the fact that new geopolitical challenges are not always adequately taken into account and are calling for a new generation of CSBMs, the VD 99 may have become partially outdated. At the same time, the recent crisis showed the necessity for respecting all elements of the VD 99 and for an improvement of the implementation; which raise the question of fulfilment of arms control commitments in crisis situation as well as in regions not applying OSCE rules.

In order to reduce the impact of linked political issues on the discussion, it was suggested by the past that the work on improvement of existing CSBM shall be considered autonomously. However, it has also been stated that no discussion can take place in a political vacuum, CSBMs being linked with other arms control agreements. A modern approach to the further development of OSCE instruments, taking into account the present requirements and endeavours of our security environment as well as the continuous improvements in implementing this *acquis*, can be an interesting discussion.

Suggestions aiming at the improvement of the implementation the Vienna Document 1999

Among the standing discussions, the “quota race” as well as the definition of *force majeure* are attracting some interest within the FSC and could be further developed at the 2009 AIAM.

A unified approach to the organization and implementation of visit to air bases and military formations with methodical recommendations that would help verification centres to prepare and conduct such measures effectively.

The Forum might adopt an appropriate decision permitting the combination of demonstration for new types of major weapon and equipment systems, with visits to air bases and military formations, considering that such measures are extremely expensive.

Suggestions aiming at the improvement and development of CSBMs

Is there any room for new CSBMs to respond to new challenges regarding the security of the OSCE area? While the VD 99 is a basis CSBM tool, the prospect of entirely new CSBMs should not be ruled out in principle. It was already suggested that voluntary measures can fill gaps in the VD 99 and improve the implementation of CSBMs. New CSBMs can not necessarily be achieved through formal decisions, but also through the flexible interpretation of the VD 99 provisions. However, its was also suggested that measures aimed at better implementation of CSBMs must be approved as formal FSC decisions, or at least as the Chairperson’s statement, in order to be really effective.

A practical approach (bottom-up approach) might foster regional CSBMs, as most of them are successful example in the field confidence and security building; regional CSBMs could be a tailor made approach for dealing with regional security concerns.

Using verification activity to monitor compliance with other (arms control) agreements: in a more comprehensive approach, it could be meaningful to use verification activities in order to monitor compliance also with other (arms control) agreements, i.e., CoC, SALW, CA etc. Creating synergies among the different regimes would not only strengthen confidence and security building in the CSBM application area, but also allow participating States to show their efforts and achievements in matters of transparency in an atmosphere of mutual openness and trust.

Another topic could be the amelioration of risk reduction through the creation and the implementation of mechanisms for CSBMs during a crisis; this would need a thorough and result oriented discussion on criteria, as for example verifiability and added value to security and stability; compatibility and complementary with already existing CSBMs, or concerns related to security of each participating State.

REPORTS OF THE WORKING SESSION RAPPORTEURS

WORKING SESSION 1

Tuesday, 3 March 2009

Report of the Working Session Rapporteur

Implementation of the Vienna Document 1999 and Global Exchange of Military Information (GEMI): Clarification, assessment and conclusions

- Vienna Document 1999:
 - Annual exchange of military information;
 - Defence planning;
 - Risk reduction;
 - Military activities:
 - (i) Prior notification of certain military activities;
 - (ii) Annual calendars;
 - (iii) Constraining provisions;
 - (iv) Observation of certain military activities.
-

The co-ordinator opened the session with an introduction of his paper “Some Thoughts for Discussion”, circulated in advance under reference FSC.AIAM/7/09.

He mentioned three goals for the discussion: clarification about our implementation of agreed confidence- and security-building measures (CSBMs) during 2008; assessment of implementation; and the drawing of certain conclusions. He added that the activities of the two days would be considered successful when suggestions made at the present meeting were transformed into food-for-thought papers within the appropriate working group of the FSC.

The following is a brief account of the discussion.

1. Annual exchange of military information

The co-ordinator launched the debate by asking two questions:

- Does the present format and content of the Annual Exchange of Military Information (AEMI) meet the requirements of participating States?
- Can this exchange of information process be improved?

Seven delegations contributed to the discussion under this point of the agenda.

One delegation indicated that their analysis of exchanges suggested that two basic positions of principle became evident. The first group of exchanges presented a minimum of

information. The second demonstrated a more open, voluntary and generous exchange which captured the spirit of the Vienna Document 99. The delegation further suggested that there was a need to broaden the tables of content in order to capture a more current reflection of military organizations, formations and units. Other delegations indicated a need to include military storage bases in the exchange.

Another delegation considered that qualitative development of military capabilities should be taken into account, and that clear definitions of weapon systems should be agreed; this delegation also mentioned the need for CSBMs in the naval area.

There was general agreement that a thinning of information exchange should be arrested in order to avoid the situation where this CSBM could become less relevant.

A number of delegations referred to the information exchange process. Participating States were encouraged to improve the timeliness of their exchanges of information and to present data in electronic format. Participating States also agreed on the possibility of the Conflict Prevention Centre and other States supporting this exercise. One delegation offered its logistical support to States seeking to meet the requirements of the VD 99.

One delegation outlined their efforts and procedures undertaken to maximise the value of the information provided in their exchange.

2. Defence planning

The co-ordinator introduced the subject and formulated two issues as a basis for the discussion.

- Can we and how can we improve this CSBM?
- Should a workshop be held on defence planning? If so, what should be the focus of such a workshop?

Eleven delegations participated in this debate.

There was a general agreement that this was an important CSBM and that returns were disappointing to a certain extent, considering that 15 participating States (26 per cent) had not returned information. Several delegations considered it necessary that support would be given to States requiring it.

Some delegations supported the idea of a single deadline (not a final date deadline as explained by one delegation) for the exchange of information, and one delegation mentioned the possibility of a reminding mechanism. Other delegations questioned whether a single deadline would improve the level of returns and considered that it was impractical on account of differences between budget calendars. One delegation proposed that a distinction between defence planning and budget approval may be worthy of consideration in order to overcome this obstacle.

One delegation spoke against the need for additional paperwork. One delegation suggested that the issue required deeper analysis and found the current exchange procedures adequate.

3. Risk reduction

In order to facilitate the dialogue, the following questions were put forward:

- Do these terms offer effective response mechanisms that meet the concerns of the participating States?
- Should the FSC discuss this matter in detail?
- Are there lessons to be learned from the experiences of participating States during 2008?

Four delegations took part in the discussion under this point.

All the delegations that intervened acknowledged that this instrument was not perfect. However, it had proved to be a useful tool for the purpose of fostering dialogue and exchanging information among participating States. The key was not to be found in mechanisms, but in political will.

One delegation mentioned the possibility of a legally-binding treaty on security in Europe as a means to improve the instrument. Another delegation considered that conflict prevention and resolution could be discussed during the Annual Security Review Conference (ASRC).

A number of references were made to the experience of last year, when this mechanism was used.

4. Military activities

- (i) Prior notification of certain military activities**
- (ii) Annual calendars**
- (iii) Constraining provisions**
- (iv) Observation of certain military activities**

After a brief introduction to the issues under this point, the co-ordinator suggested the following questions:

- Is the voluntary notification process satisfactory?
- Should the conducting State invite observers to such military activities?

Ten delegations participated in this discussion.

Several States announced military activities below the threshold of notification as a gesture of good will.

One delegation considered that the chapters in question were not useful now and would not be applicable in the foreseeable future, because the quantitative requirements were set too high.

Some delegations proposed reducing the threshold for notification. Others considered that some notifications that were presently voluntary should become mandatory. These proposals were not accepted by other delegations.

One delegation stated that illegal military activities in conflict areas, including the illegal presence of heavy weaponry, should not be ignored and that the FSC should deal with them consistently within the area of its competence.

WORKING SESSION 1 (continued)

Tuesday, 3 March 2009

Report of the Working Session Rapporteur

Implementation of the Vienna Document 1999 and Global Exchange of Military Information (GEMI): Clarification, assessment and conclusions

- Vienna Document 1999:
 - Contacts;
 - Evaluation;
 - Inspection;
 - Regional measures;
 - Communications Network;
 - Global Exchange of Military Information (GEMI).
-

Working session 1, part B, was co-ordinated by Lieutenant Colonel Jerome Meyer, Adviser at the United States Mission to the OSCE; the Rapporteur was Lieutenant Colonel Niels Poul Petersen, Senior Military Adviser at the Mission of Denmark to the OSCE, IAEA and CTBTO. The co-ordinator had distributed his food-for-thought paper in advance (FSC.AIAM/9/09), which considered questions that might be discussed at the session. His introductory remarks were made along the lines of the paper, and provided a good basis for further discussions.

Before proceeding with the agenda, the co-ordinator opened the floor to delegations who had prepared discussion papers and suggestions on topics to be included in the working session.

One delegation presented a discussion paper on Vienna Document 1999 (VD 99) Chapter IX — Compliance and Verification, entitled “Inspections and Evaluation Visit Quotas” (FSC.AIAM/5/09). The difference between Inspection Visits and Evaluation Visits was recalled and it was noted that only very few occasions gave reason to conduct inspection visits in the spirit of VD 99 paragraph 80. It was argued that of the 109 inspections carried out in 2008 most had been carried out in lieu of evaluation visits — resulting in a loss of inspection opportunities when these were actually needed. It was concluded that there was a need for more evaluation visits and it was therefore proposed that the quota-calculating system should be adjusted — on a voluntary basis — in a way that could double the number of passive evaluation quotas.

Another delegation presented a discussion paper, also related to VD 99 Chapter IX, entitled “Size of Inspection and Evaluation Teams” (FSC.AIAM/6/09). Recent trends showed

an increase of up to approximately 45 per cent in the use of guest inspectors and evaluators. It was argued that this could indicate a need for more training opportunities for personnel working in the field of arms control. On the other hand, it was suggested that this increase could lead and contribute to more multilateral co-operation and more transparency, and also perhaps help reduce the practice of using inspections to compensate for a lack of evaluation quotas. Consequently it was suggested that — on a voluntary basis — 5 inspectors (instead of 4) should be allowed on each inspection team and 4 evaluators (instead of 3) on each evaluation team, not counting additional auxiliary personnel.

One delegation gave a general overview of its proposal that inspection teams should be able to use digital cameras without applying to the host country in advance for permission to do so, and that the same should be the case with regard to the use of a Global Positioning System (GPS) during inspections. The delegation furthermore proposed that if the use of the inspector's own GPS was denied, the host country should be responsible for providing the inspecting party with a GPS. It announced that the full proposal would be submitted to the Forum for Security Co-operation (FSC) soon.

Another delegation announced that it would submit a proposal to Working Group A of the FSC for a Best Practice Guide (BPG) for briefings given by military commanders in connection with VD 99 evaluations and inspections.

Two delegations proposed “A Best Practice Guide for Implementation of Chapter IV on Contacts” (FSC.AIAM/8/09). The purpose of the BPG was to share experiences with regard to arranging visits to air bases and military facilities or formations, in order to maximize their contribution to the CSBM process.

One delegation gave a brief introduction to its food-for-thought paper “Analysis of the Implementation of the Vienna Document 1999” (FSC.AIAM/2/09) and remarked that the observations and recommendations in the paper already should be well known to all participating States and that these should be the object of further discussion in the FSC.

Another delegation suggested that there was inconsistency between the perceptions of participating States with regard to stock-taking on evaluation visits. It was recalled that the VD 99 (paragraph 127) only provides for evaluator teams to see major weapon and equipment systems and does not provide for access to warehouses and storage facilities to count inventories. The delegation believed that the information subject to evaluation was delivered in the commander's briefing. The delegation called for the development of a common rule on this issue.

This view was supported by at least one other delegation, which argued that evaluation visits should not be used to make up for the lack of other instruments designed for the counting of equipment.

One delegation announced that during an inspection in another participating State its interpreter had been denied access, even though the inspecting participating State was paying for the interpreter itself. The delegation called for a common definition on this issue. The delegation furthermore called for a common definition of *force majeure*.

Finally, the delegation welcomed the distributed analysis paper on the VD 99 and remarked that the 25,000 km² suggested as the maximum size of a specified area was too specific.

1. Contacts

The proposal for a BPG on the implementation of VD 99 Chapter IV on Contacts received wide support, and many delegations looked forward to discussing the topic further in the FSC. One delegation added that in addition to the BPG it would be useful if countries took part in a visit to an air base or a military facility before commencing preparations to arrange such an event themselves.

Several delegations provided information on their 2009 and 2010 programmes of military contacts and co-operation in accordance with VD 99 paragraph 30.

2. Evaluation and inspection

Several delegations welcomed the discussion papers “Inspections and Evaluation Visit Quotas” and “Size of Inspection and Evaluation Teams” and looked forward to continuing discussion on these topics in the FSC. Many delegations provided further comments on the two discussion papers, as follows.

One delegation said that it had mixed feelings about the high number of inspections conducted at times of decreasing military activity. The current practice was not satisfactory and there was an urgent need for a “gentlemen’s agreement” among participating States to save the VD 99 inspection regime from being misused. It could not be recommended to lower the military thresholds for inspections. The delegation furthermore expressed the opinion that neither to spread nor to raise the number of passive quotas was an appropriate solution.

Another delegation pointed out that inspection visits were a confidence-building measure designed to establish and maintain military contacts. A total of 109 inspection visits in 2008 had resulted in more than 1,000 arms control personnel having the opportunity to meet their counterparts and improve their relations.

One delegation provided information about its policy of only carrying out inspection visits when conditions existed that were in accord with VD 99 paragraph 80. Furthermore, it argued that to conduct inspections only in order to maintain relations would be to undermine the real value and purpose of the inspection regime.

Another delegation emphasized the prerogative of each participating State to decide whether and when to request an inspection, but also agreed on the analysis that suggested to increase the number of evaluation quotas. Doubt was expressed whether an increase of evaluators/inspectors would be appropriate and if it would actually improve the quality of the inspections.

One delegation informed of its voluntary acceptance of four additional inspection quotas as a regional measure. Although some dissatisfaction was expressed as to how these inspections quotas were utilized by the regional participating States, it was recommended to increase quotas on a voluntary basis.

Another delegation expressed its concern at increased costs that could result from increasing quotas and/or number of evaluators/inspectors. It hoped that a solution would be found for combining greater transparency with cost-effectiveness. This view was supported by another delegation, which was sceptical whether it would be able to support proposals that would lead to a cost increase.

Concluding the discussion on evaluations and inspections, the two delegations that had provided the discussion papers on the issue argued that their suggestions would lead to lower overall costs. For example, if there was a decrease in inspection visits, which included helicopter transportation provided by the visited participating States, and an increase in evaluation visits, which were less expensive, overall costs would decrease. It was also suggested that any increase in the number of evaluation/inspection team members should be covered by the visiting participating States.

Another issue raised by one delegation concerned visa policies. The delegation announced that one participating State had given notification that due to a change in national legislation some States would only be able to access the participating State through a specific Point of Entry (POE). Furthermore, they would no longer be able to request a visa upon arrival, but would have to apply in advance instead. The delegation pointed out that in order to obtain visas, inspection teams would have to announce their arrival at a point in time inconsistent with the timeframe established in the VD 99. The delegation asked the participating State in question how this new procedure would influence inspections by inspection teams of various nationalities. It also asked whether the new procedure was temporary or permanent, and whether teams would be diverted to another POE than the one requested, thereby obstructing the VD 99 regime.

Two other delegations aligned with the concern voiced. The delegation of the participating State in question assured the delegations that the new procedures were fully consistent with the VD 99, furthermore stating that the VD 99 did not cover the topic of POEs, which was just one of its many shortcomings. The delegation asked to have the questions submitted in writing, so they could be studied more thoroughly.

One delegation returned to the issue of a definition of *force majeure*. This issue had previously been raised (2001) and was still an obstacle to the successful development of the VD 99. The delegation expressed its hope that this matter would be tackled by the FSC in the near future.

Two other delegations also aligned with this position, stating that they knew of concrete examples of the abuse of the *force majeure* paragraph. In one case, a participating State had been refused an inspection in another participating State on account of an energy crisis and rough weather, which the participating State to be inspected interpreted as sufficient grounds for claiming *force majeure* and thus rejecting the inspection. The delegation emphasized that the *force majeure* paragraph should only be used in the case of a direct threat to the health and security of team members.

The other aligning delegation argued that it had itself been unjustifiably denied an inspection by another participating State on grounds of *force majeure*. This was unacceptable and could undermine the transparency of the VD 99 regime. No rejection of inspectors should be based purely on the assessment of the participating State to be inspected. The delegation

explained that it had asked for documentation for the basis for the refusal of the inspection but had never received it. It then repeated its request.

The delegation of the participating State that had refused the inspection on grounds of *force majeure* responded that the announcement of the inspection had been issued shortly after the requesting participating State had violated its sovereign territory. Afterwards, the requesting participating State had acted as if nothing had happened and had furthermore requested an inspection shortly after. The delegation argued that it had every right to refuse this inspection on grounds of *force majeure*.

The delegation of the participating State that had requested the inspection replied that the area it wanted to inspect had been completely within the control of the participating State to be inspected. It once again urged the participating State that had refused inspection to comply with its commitments as according to the VD 99.

One delegation announced that another participating State had been denied an inspection in a region of its territory that it described as being occupied by a separatist movement and also by military personnel of another participating State. The delegation informed the AIAM that three inspections in this region were denied every year, without any explanation.

The participating State that had been refused the inspection in question replied that the information on the refusal of the inspection was correct and that it had been very disappointed by this. It furthermore added that it deeply regretted that these kinds of opaque areas still remained within the Area of Application.

Another delegation responded that this was not the first time this had happened and asked why participating States continually requested inspections in the region when they were fully aware that there was an ongoing conflict taking place there. It emphasized that the participating State that had raised the issue did not have control of this area, and that its claims that inspections should be allowed there, were unreasonable. The delegation urged participating States to help to create a constructive atmosphere in the region instead of simply making things worse.

One delegation announced that it had also applied to conduct an inspection in a fellow participating State, in accordance with the VD 99, but had had its requests refused without proper explanation.

Another delegation, which had previously announced that it would present a proposal on *force majeure* at the 2009 AIAM, hoped it would be able to present the proposal to the FSC within a few weeks instead.

One delegation commented on the distributed analysis paper on the VD 99 and on the many suggested changes. It pointed out that the VD 99 was still a functioning mechanism and argued that it should not be fixed or changed before it was broken. This approach was questioned by two delegations. Furthermore, as a comment on the distributed discussion paper on inspections and evaluation visit quotas, it was suggested that the number of evaluation and inspection quotas for each participating State be added together to form one total, and that it then should be up to the visiting participating State to decide whether to

conduct an inspection or an evaluation. This view was not shared by another delegation, which favoured a clear distinction between evaluation and inspection activities.

Finally, two delegations welcomed all the initiatives undertaken with a view to creating greater transparency: the suggestions on inspection and evaluation quotas and team size, the BPG on the implementation of “Contacts”, the proposal related to the use of digital cameras and GPSs, and the analysis paper on the VD 99.

3. Regional measures

Several delegations reported ongoing examples of successful regional co-operation with other participating States. These included additional inspections (some also allowing the participation of third parties) and joint military training exercises. Great satisfaction with these arrangements was expressed by several States.

One delegation stated that it would like to also focus on co-operation in the maritime area. Several delegations expressed satisfaction with an existing regional agreement on maritime co-operation, one delegation expressing a wish to expand this aspect of co-operation to the Baltic Sea as well.

4. Communications Network

The co-ordinator informed the delegations that the latest report from the Conflict Prevention Centre (CPC) showed that most participating States were now part of this arrangement, but that a few participating States were still not.

The CPC informed the delegations that one of the problems related to this topic was that some participating States had forgotten to inform the CPC when they changed their Internet address. Other problems that faced some of the participating States were power cuts that caused systems to go down, and the lack of an adequate Internet provider.

One delegation urged participating States that had not become part of the network to do so as soon as possible.

5. Global Exchange of Military Information (GEMI)

The co-ordinator announced to the delegations that submissions seemed to be coming in according to plan. No delegations had any comments on this agenda point.

6. Conclusion

The discussion was lively and constructive, and provided an opportunity for effective exchanges of opinions on a number of important issues.

WORKING SESSION 2

Wednesday, 4 March 2009

Report of the Working Session Rapporteur

Operation and implementation of other FSC-agreed measures/documents: Clarification, assessment and conclusions

- Principles governing conventional arms transfers;
 - Principles governing non-proliferation;
 - Stabilizing measures for localized crisis situations;
 - Questionnaire on Anti-Personnel Landmines;
 - Code of Conduct on Politico-Military Aspects of Security;
 - OSCE Document on Small Arms and Light Weapons (SALW);
 - OSCE Document on Stockpiles of Conventional Ammunition;
 - Principles for export controls of MANPADS;
 - Principles on the control of brokering in SALW;
 - Standard elements of end-user certificates and verification procedures for SALW exports.
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Working session 2 was co-ordinated by Mr. Walter Schweizer, Military Adviser to the Permanent Mission of Germany to the OSCE; the rapporteur was Mr. Pierre Linteau, Senior Military Adviser to the Delegation of Canada to the OSCE. The co-ordinator had distributed his food-for-thought paper (FSC.AIAM/10/09) in advance, which was aimed at stimulating and encouraging discussion about the implementation of the FSC-agreed documents.

1. Principles governing conventional arms transfers

The co-ordinator introduced the topic by raising a number of issues related to the implementation of the current regulations governing conventional arms transfers. He stated that while the Principles Governing Conventional Arms Transfers still seemed to be a valuable tool for preventing illicit trafficking in weapons, they were not being consistently applied. He reminded the participants about the latest update of the reporting categories (FSC.DEC/8/08), which for the first time contained a commitment by participating States to include SALW exports to and imports from other participating States as additional background information on transfers of SALW as an attachment to their report to the United Nations Register of Conventional Arms Transfers.

With reference to the armed conflict of 8 August, two delegations accused one another of various violations related to the conflict and claimed that the Principles had not been observed. One of the two denounced military expenditures and the acquisition of military equipment for offensive purposes by the other, claiming that this had been destabilizing and could lead to a dangerous situation. The other delegation claimed transparency and respect of all OSCE and international norms, presenting a list of measures taken within these instruments. The two participating States accused one another of having been the aggressor in the conflict. Both participating States urged all participating States to abide by the Principles.

One group of delegations referred to a previous statement of theirs on the situation regarding the supplying of arms to a certain participating State and reiterated that their statement was still valid.

Another delegation also referred to a previous statement of theirs regarding their involvement in providing military equipment to a certain participating State and their motivation in so doing. A proposal to “look forward” was presented, including the possible renewal of the OSCE mission in that participating State.

2. Principles governing non-proliferation

The co-ordinator introduced the topic by asking the participants if the OSCE Principles Governing Non-Proliferation, adopted in December 1994, required a revision to align it with developments in the security framework.

Three delegations reiterated their commitment to this document, saying that the subject was still very topical and that the document provided added value. They referred to previous work and to documents elaborated in the FSC. They emphasized that these documents should serve as the basis for further review or discussions on that topic. One delegation recalled UNSCR 1540 and the survey of suggestions of the 2007 AIAM, while another recalled UNSCR 1810, pointing out that it provided room for regional organizations such as the OSCE.

3. Stabilizing measures for localized crisis situations

The co-ordinator introduced this subject by stating that the document had never been used since its adoption in 1993. One delegation commented that, although they did not use it last summer in relation to the armed conflict, such measures were useless unless there was political will to build confidence.

4. Questionnaire on Anti-Personnel Landmines

The co-ordinator indicated that 2008 saw the highest number of returns on the questionnaire. He offered various areas of future work and invited new ideas to develop this topic further.

There was no discussion on this subject.

5. Code of Conduct on Politico-Military Aspects of Security

Numerous delegations testified to the continuing importance of this document, to which they accorded strong support. Many also urged all participating States to adopt the new questionnaire in the short term.

One delegation commented on the conduct and results of the regional seminar devoted to the Code that was held in Almaty in September 2008. It indicated its intention to hold another seminar of that nature in 2009. Details would be provided at a future FSC meeting.

One delegation declared that the principles of the Code had been grossly violated and ignored by one participating State during the armed conflict of 8 August.

One delegation suggested that a permanent review mechanism be established to review the Code.

The FSC Co-ordinator for the Code of Conduct presented a brief update on the ongoing efforts to promote the Code. He also stressed its continuing importance and the overarching aim of improving its implementation and understanding. An appeal was made to all the participating States to become actively involved in the issue by promoting new ideas and possible initiatives designed to improve implementation.

6. OSCE Document on Small Arms and Light Weapons (SALW)

The co-ordinator opened the discussion by recalling that since the adoption of the OSCE Document on SALW, the participating States had destroyed more than 7.6 million items of SALW. He pointed out that although the number of destruction projects was on the decline, the areas of stockpile management and export control were still of great importance.

Many delegations reiterated their strong support for this document and welcomed Ministerial Council Decision No. 11/08, which gave the FSC the task of organizing a meeting in 2009 to review the OSCE Document on SALW and its supplementary decisions with a view to exploring possible further action.

Two delegations suggested principles upon which the review should be conducted. Many spoke out in favour of building on previous work in the FSC, notably in relation to documents, decisions and exchange of information. Other principles advocated included transparency and the inclusion of other international organizations and NGOs.

Two delegations expressed their support for a thematically structured agenda.

One delegation argued for a review of the implementation aspect of SALW, advocating that the parameters, scope and outcome of the review should be in line with the UN Programme of Action.

One delegation expressed gratitude for the assistance provided to it in implementing one of the SALW projects on its territory and informed the participants about the latest developments.

The FSC Co-ordinator for SALW projects reported and commented on current projects, drawing attention to the activities planned in the near future.

The meeting co-ordinator asked the participants about the idea of hosting a regional conference on SALW prior to Fourth Biennial Meeting of States to be held in 2010. The outcome of such a conference could enhance the OSCE's work under UN auspices. There was no further discussion on this topic.

7. OSCE Document on Stockpiles of Conventional Ammunition (SCA)

The co-ordinator introduced the topic, pointing out that projects on SCA continue to constitute an important element of OSCE activities in the field. He stated that the number of projects was still relatively high compared to SALW projects, and that a lot of work remained to be done. He commented on the OSCE project on melange in Ukraine, which will most probably become one of the largest OSCE projects so far. Finally he commented on FSC Decision No. 6/08 on the Handbook of Best Practices on Conventional Ammunition.

One delegation took the opportunity to describe the ongoing efforts to implement the SALW project on its territory.

One delegation described the close link between SALW and SCA projects and suggested that the review process for SALW include a portion on SCA. It was further suggested that the availability of experts be advertised, and that the Best Practice Guide be exported and translated. One delegation supported this idea and recalled FSC Decision No. 13/08, which tasked the CPC with ensuring the widest possible distribution of the Best Practice Guide to the OSCE Partners for Co-operation and to the UN.

One delegation inquired about the legal aspects of the project in Ukraine, asking for a report as to where matters stood. Ukraine and the CPC provided clarification and precise information on the status of the project.

One delegation maintained that a workshop on this topic would be very worthwhile and would bring added value.

There was discussion on the lack of sponsorship for the chapter on surpluses. One delegation highlighted the difficulties with this concept, pointing out that it was a national prerogative to identify ammunition surpluses.

8. Principles for export controls of MANPADS

The discussion on this topic was initiated by a reference to FSC Decision No. 5/08 on Updating the OSCE Principles for Export Controls of MANPADS adopted in May 2008. One delegation commented that this decision was basically a repeat of the Wassenaar Arrangement but that its introduction at the OSCE would bring added value for participating States that are not currently members of the Arrangement.

Another delegation referred to FSC Decision No. 5/08, with its provision that assistance outside the OSCE area can be given to OSCE Partners for Co-operation.

Another delegation provided feedback on the conduct and results of a seminar conducted in Vienna with the Mediterranean Partners for Co-operation. The delegation indicated that they anticipated further work in this area on the basis of requests from OSCE Partners.

9. Principles on the control of brokering in SALW

The co-ordinator referred to the summary published in May 2008 by the CPC on the replies provided by the participating States in the one-off information exchange with regard to the OSCE Principles on the Control of Brokering in SALW and to FSC Decision No. 8/04. He also recalled the follow-up measure contained in Ministerial Council Decision No. 11/08, in which participating States are requested to establish or to reinforce, as necessary, a legal framework for lawful brokering activities within their national jurisdiction by the end of 2010.

There was no discussion on this subject.

10. Standard elements of end-user certificates and verification procedures for SALW exports

The co-ordinator recalled FSC Decision No. 12/08, and emphasized the deadline of 27 March 2009 for participating States' returns on the one-off information exchange with regard to sample formats of end-user certificates and relevant verification procedures. He indicated that the FSC would be able to undertake an analysis of the information exchanged and to assess the level of implementation of existing commitments in line with the OSCE Document on SALW and in pursuit of FSC Decision No. 5/04.

One delegation suggested a thorough analysis of the information exchanged and proposed that a best practice guide (BPG) be considered. The BPG could include verification procedures and the OSCE could set a standard for that procedure. Another delegation suggested that a more definite answer as to the way ahead could only be developed once the results of the exchange of information were known. It emphasized that a clear picture was required before any further discussion might be undertaken.

One delegation questioned whether there would be sufficient political will to proceed with any further work in this area. The co-ordinator agreed with many ideas and suggested that further deliberation take place after a thorough analysis of the results had been carried out.

11. Conclusions

The discussion was open and lively and showed that the issue of operation and implementation of other FSC-agreed measures and documents continued to be a significant element in the AIAM agenda.

WORKING SESSION 3

Wednesday, 4 March 2009

Report of the Working Session Rapporteur

Suggestions aiming at the improvement of the implementation of CSBMs

Working session 3 was co-ordinated by Dr. Pierre von Arx, Senior Military Adviser to the Permanent Mission of Switzerland to the OSCE; the rapporteur was Colonel François Pilot, Senior Military Adviser to the Delegation of Luxemburg to the OSCE. The co-ordinator had distributed his food-for-thought paper (FSC.AIAM/03/09) in advance, which was aimed at stimulating and encouraging discussions on the implementation of the Confidence and Security Building Measures (CSBMs).

Introduction by the co-ordinator

The co-ordinator opened the session by recalling that the working session dealing with the improvement of the implementation of CSBMs had been included in the Annual Implementation and Assessment Meeting's (AIAM) agenda for the first time in 2007. Despite some discussions in 2007, the 2008 AIAM showed an almost complete absence of discussions. In 2008, the Chairperson invited the delegations to consider whether a similar session should take place at the 2009 AIAM; the participating States decided to keep this agenda item. The quality of the debates this year will be decisive whether to keep this session on the agenda of the 2010 AIAM or not.

The co-ordinator reminded the audience of the Special FSC Meeting on Existing and Future Arms Control and Confidence- and Security-Building Measures in the OSCE Area held in 2007, which recognized the need to enrich the arms control acquis. The co-ordinator also recalled Ministerial Council Decision No. 13/08 on issues relevant to the Forum for Security Co-operation (MC.DEC/13/08), welcoming the progress report on efforts in the field of arms control agreement and CSBMs and requesting the Forum for Security Co-operation (FSC) to submit a report to the 2009 Ministerial Council.

Unfortunately in 2008 the FSC adopted only one decision concerning the implementation of CSBMs, "Taking National Holidays into Account when Planning Verification Activities" and the Chairperson of the FSC issued a Chairperson's statement on complying with the timeframes for requesting an inspection or an evaluation visit. Those two documents can be qualified as minor issues.

The co-ordinator then opened the floor for discussion.

The first participating State to take the floor reminded the audience of two anniversaries: 16 November 2009 as the tenth anniversary of the Vienna Document 1999 on confidence- and security-building measures (VD 99) and an extremely worrying tenth anniversary, 17 November 2009, as ten years of stand still of CSBM development, stating that lack of any progress will lead to the erosion of CSBMs. It recalled its written analysis to conclude that 50 per cent of the provisions remain dormant while the other 50 per cent are not

implemented seriously enough. It recalled its proposal launched two years ago to revise the VD 99 or at least to take the different proposals for improving the Document as stand alone decisions to be inserted later in the VD 99. It concluded that these proposals will remain on the table and asked, while all international organizations revise periodically their main documents, why this was impossible to achieve in the OSCE.

As no answer came from the floor, the co-ordinator relaunched the discussion by bringing up the topic of the effectiveness of the implementation of the VD 99.

The same participating State came back, qualifying the effectiveness of implementation as being only partially fulfilled, making a link between the effectiveness of implementation and the lack of progress in the adaptation of CSBMs to the new realities. This participating State denounced the lack of political will. Taking as an example Chapter I of the VD 99 on exchange of information, which is considered as being one of the most important, the information exchanged are still cold war information, artillery pieces being counted but not naval forces and recalls its proposal for an annual exchange on naval forces.

Another participating State stated that in order to improve the effectiveness of the VD 99, one should start by living up to the document by having serious implementation through the entire zone of application. This participating State did not agree to open VD 99, arguing this could put into question the entire range of the *acquis*. As example it cited the recent conflict in the Caucasus in 2008, where the VD 99 was not applied, denouncing a political will to go to war and not to solve the crisis using existing commitments. It also stated that the VD 99 does not stand in a political vacuum, the CFE Treaty being considered as the biggest CSBM, denouncing the suspension of the implementation of this Treaty by one participating State. Concerning naval CSBMs, this participating State asked which the security concerns were and recalled that this proposal had already been discussed and dismissed. However, this participating State recognized the necessity to remain open and confirmed its willingness to engage in substance, mentioning conditions for any new proposal: the proposal should be reciprocal, militarily significant and viable. Furthermore, this participating State urged not to exchange the VD 99 for the CFE Treaty.

The other participating State came back, recalling that during the wars in Iraq and in the former Republic of Yugoslavia naval forces were in the front line. It also stated that there was no intent to exchange the VD 99 for the CFE because they are different in nature: CFE was about limitations while the VD 99 was about confidence and transparency. It came back to the conditions put on the table by the previous speaker and stated that for the military significance naval forces are more important than battle tank units, that the viability should come out of the negotiations and that there is no way of having reciprocity all the time, asking as an example which kind of reciprocity there could be between the Russian Federation and San Marino.

Another participating State recalled the proposal on multinational reaction forces that were not agreed upon but that should be reconsidered again. It insisted on the political will to find solutions and recalled also the document of 2002 concerning the "New threats in the 21st century" and that this document should be considered together with the VD 99.

Another participating State stated that the VD 99 is a success story in its daily practice and that this CSBM was the victim of its own success. Furthermore, the CFE Treaty will not replace the VD 99.

The co-ordinator summed up the discussions by recognizing encouraging signs. The debates, while pulling in different directions, are characterized by a lot of energy, which should be captured and transformed. While the diplomatic situation (the big picture) is worsening, the implementation situation (small picture) is improving. At the political level, participating States have difficulties finding confidence to engage in discussions in order to improve the VD 99 and CSBMs, but implementation by military personal shows a high level of transparency and real confidence has been created through daily practice, inspectors even using international teams and making multinational training.

The co-ordinator recalled that VD 99 and CFE have not only different goals, but the CFE Treaty is not *per se* an OSCE document as 26 participating States are not parties to this Treaty. The co-ordinator tried to launch once again the discussion by asking whether VD 99 could be fully implemented in a time of crisis and launched the idea of depolitization of CSBMs, by using the CSBMs as a non-political tool in order to really create confidence, e.g., in crisis situations.

One participating State recalled the discussion of the round table in the FSC of 25 February 2009 on the European Security Architecture initiative and selected precise wording of one of the speakers, "benign negligence", to characterize the actual situation. One should not underestimate the results in confidence and transparency we have reached. What would be our situation without the VD 99 while the CFE Treaty is not functioning? Even if the implementation is not perfect, the previous sessions of this AIAM brought two good proposals concerning the improvement of evaluation and inspection. And even if it is difficult to find an agreement at 56, we have to continue working with "*bona fide*".

The next participating State agreed with the preceding participating State concerning the "benign neglect", the reason being that we feel secure. It argued that in the 1990s, all participating States were active in creating new CSBMs, because this period was characterized by a high feeling of mutual confidence. Unfortunately, this confidence has been lost over the last years and the thrust has eroded, recalling for example that one participating State suspended unilaterally the implementation of the CFE Treaty. It called for finding areas where we could pull again in the same direction, expressing its queries about the utility of coming back to proposals that had already been rejected.

Another participating State drew the attention to take care not to abandon the actual documents to find the way to a new architecture, advising to rather improve the existing instruments than to take the risk of losing them.

The co-ordinator summed up the discussion in a single phrase: keep the *acquis* by continuing to fully and seriously implement them, and in parallel work on improving and further developing the existing CSBMs by adapting them to the present security concerns. The co-ordinator launched a new idea, where verification activities held within the frame of the VD 99 could be used in order to monitor compliance with other OSCE documents and commitments like the Code of Conduct, SALW, etc. Creating synergies could strengthen confidence and thus security building and would allow participating States to show their efforts and achievements in an atmosphere of mutual openness and trust.

One participating State argued that the FSC should take up all its important documents (e.g., the VD 99, SALW, CAT) and work on improving them, as tasked by several

Ministerial Council decisions. The current documents could remain in place while reviews are going on. This process will take time, but this is all the FSC was about. This participating State urged the OSCE community to come back to its important documents and core competences and not lose time with documents like UNSCR 1540 that anyway are treated somewhere else. It agreed with the previous speaker that we are pulling in different directions and encouraged all participants to work even harder to find common ground. It concluded by stating that this year five participating States agreed that certain provisions needed an update.

The co-ordinator concluded that there are a lot of ideas, which unfortunately were not going in the same direction. He suggested to create a box where free dialogue could take place, in order to capture those ideas and find a common ground for a common endeavor.

One participating State stated that the AIAM by itself was one box, the meeting of the heads of verification centres (HOVC) could be a second one. It suggested to hold such a meeting at the end of 2009 and proposed an agenda item in the 2010 AIAM as “issues stemming from the meeting of the HOVC”.

The co-ordinator proposed a bottom up approach for improving the implementation of CSBMs based on the success of regional CSBMs. On one hand, regional CSBMs could be a tailor made approach for dealing with regional security concerns having not only an impact on global security, but it could also be applied to the Caucasus region. On the other hand, the reasons for the success of regional CSBMs should be carefully studied and taken into account for developing or improving existing global CSBMs.

One participating State took the regional CSBM in the Black Sea area as an example and put forward the question whether such a CSBM could not be negotiated in the Baltic Sea area.

Another participating State agreed on the importance of the regional measures, specifically in conflict areas. Such measures should be part of the negotiation process. Another participating State argued that there is a difference between the practice on the ground and the theory concerning regional measures. It depends on the area. Once the confidence has completely disappeared, it is almost impossible to talk about confidence-building measures. This participating State did not reject the idea to keep a window for discussions open.

As time was running out, the co-ordinator had to resume the debates. During his report to the plenary, the rapporteur stated that it had been a very lively session, due to a major part to the excellent job done by the co-ordinator and recommended that the same session should be on the agenda of the next year's AIAM.

CHAIRPERSON'S REPORT

REPORT TO THE FORUM FOR SECURITY CO-OPERATION ON THE ANNUAL IMPLEMENTATION ASSESSMENT MEETING BY THE CHAIRPERSON OF THE CLOSING SESSION

Vienna, 3 and 4 March 2009

Mr. Chairperson,

In Canada's capacity as chairmanship of the closing session of the nineteenth Annual Implementation Assessment Meeting (AIAM) held in Vienna on 3 and 4 March 2009, I have the honour to report to the Forum for Security Co-operation (FSC) on the main proceedings, discussions and results of this Meeting.

The aim of the Meeting was to discuss the present and future implementation of agreed confidence-and-security-building measures (CSBMs), as established in Chapter XI of the Vienna Document 1999 (VD 99). In open and constructive discussions, the experts and officials who attended the AIAM exchanged experiences, made suggestions, and gave their assessments of the implementation of OSCE commitments in this area.

FSC Decision No. 16/08 set the agenda and modalities of the Meeting which consisted of three working sessions. The chairmanship for the opening session was Bulgaria, while Canada chaired the closing session. The discussions in each working session were moderated by a co-ordinator and summarized by a rapporteur.

1. Opening session

Bulgaria, as chairmanship of the opening session, stressed the importance of the AIAM as an opportunity for participating States to productively discuss and assess the implementation of VD 99, other agreed CSBMs and FSC decisions; in so doing, participating States are promoting full and timely implementation of these commitments and are preparing the fertile ground for work to be continued in the FSC. The chairmanship encouraged delegations to raise their concerns, offer constructive suggestions and note positive achievements, as well as think of new ways to fill the pipeline and produce new and effective products.

France, as the current Chairmanship of the FSC, gave a short summary of the report (FSC.AIAM/13/09) on FSC activities and the implementation of CSBMs since the last AIAM in March 2008. The FSC Chairmanship reminded delegations of Ministerial Council Decision No. 13/08 requesting the FSC to submit, through its Chairperson, progress reports on its work to the Seventeenth Meeting of the Ministerial Council in 2009. France also reiterated its conviction that the Vienna Document 1999 has to be fully respected and implemented by all the participating States, and urged all delegations to "*preserver cet outil indispensable*".

The Director of the Conflict Prevention Centre (CPC) (FSC.AIAM/29/09) referred to the summary report on trends and main CPC activities in support of the FSC's work during 2008. In reviewing the summary report distributed as FSC.GAL/17/09 on 13 February 2009, he flagged the similarities in the main implementation trends, as outlined in last year's report to the AIAM. He noted that the number of submissions under most information exchanges,

such as the Annual Exchange of Military Information and the Code of Conduct on Politico-Military Aspects of Security, has remained at the same high level.

Of the long list of activities undertaken by the CPC/FSC Support Section in the area of the Code of Conduct, small arms and light weapons, and stockpiles of conventional ammunition, the CPC Director flagged that one of the biggest challenges facing the OSCE is the overall project management of a project called: “Assisting the Government of Ukraine in Eliminating Melange”.

The Director also noted that the CPC/FSC Section continues to operate and maintain the OSCE Communications Network to facilitate the implementation of numerous politico-military commitments, the Treaty on Open Skies, the Treaty on Conventional Armed Forces in Europe (CFE Treaty), and the Dayton Peace Agreement.

The CPC Director concluded by emphasizing that his Centre would continue, in accordance with its mandate, to provide the required support for the FSC and its Chairperson in their efforts to further assist OSCE participating States.

Several delegations distributed their statements during the opening session.

2. Working sessions

Working session 1 was co-ordinated by Colonel Bernard Donagh, Military Adviser to the Permanent Mission of Ireland. The rapporteur was Mr. Jose Antonio Sabadell Carnicero, Deputy Permanent Representative for Politico-Military Issues to the Permanent Mission of Spain. Working session 1 (continued) was co-ordinated by Mr. Jerome Meyer, Adviser to the United States Mission. The rapporteur was Mr. Neils Poul Petersen, Military Adviser to the Mission of Denmark.

Working session 2 was co-ordinated by Mr. Walter Schweizer, Military Adviser to the Permanent Mission of Germany. The rapporteur was Mr. Pierre Linteau, Senior Military Adviser to the Delegation of Canada.

Working session 3 was co-ordinated by Mr. Pierre von Arx, Military Adviser to the Delegation of Switzerland. The rapporteur was Mr. Francois Pilot, Military Adviser of the Permanent Representation of the Grand-Duchy of Luxembourg.

The co-ordinators of the working sessions had circulated introductory papers and many delegations had also distributed food-for-thought papers in advance of the AIAIM aimed at stimulating and encouraging discussions on topics covered in the various sessions.

Detailed and comprehensive information about the debates in each session can be found in the reports of the respective working session rapporteurs (FSC.AIAM/28/09; FSC.AIAM/30/09; FSC.AIAM/31/09 and FSC.AIAM/32/09).

3. Closing session

At the closing session, the four rapporteurs delivered their reports on the proceedings and results of the working sessions. One delegation clarified dates with respect to a previous statement made during one of the working sessions, while another delegation made a correction to a term used by a rapporteur. No disagreements were expressed with the substance of the reports that were presented.

There was no discussion under the item “general discussion”.

It was agreed that the agenda and dates for the 2010 AIAM will be decided by the Forum for Security Co-operation in the near future.

Canada, as chairmanship of the closing session, noted that the review of implementation of confidence-and-security-building measures was an important annual event, and the implementation of those measures remains a priority for the FSC.

In closing, the chairmanship expressed its appreciation to all OSCE delegations and to the OSCE Partners for Co-operation for participating in the Meeting. The chairmanship also thanked France, as current FSC Chairmanship, and Bulgaria, as chairmanship of the opening AIAM session, as well as the co-ordinators and rapporteurs of the working sessions, the experts who came from capitals, the representatives from the CPC, and the OSCE’s interpreters and Conference Services for their invaluable support and contributions that helped make this year’s AIAM a success.

Mr. Chairperson, this concludes my brief abstract of the nineteenth AIAM session.