



**FSC CHAIRPERSON'S PROGRESS REPORT
TO THE EIGHTEENTH MEETING
OF THE MINISTERIAL COUNCIL**

**EFFORTS TO FURTHER IMPROVE THE IMPLEMENTATION
OF THE CODE OF CONDUCT ON POLITICO-MILITARY
ASPECTS OF SECURITY**



December 2011, VILNIUS

MC.GAL/3/11
14 November 2011

Original: ENGLISH

1. Introduction and objective

The OSCE Code of Conduct on Politico-Military Aspects of Security (hereinafter referred to as the Code) is a normative document adopted by the CSCE participating States at the Budapest Summit in December 1994. The Code entered into force on 1 January 1995. By adopting the document, the CSCE participating States agreed to reform their domestic politico-military affairs and to apply internationally agreed principles of democracy and rule of law to their national security policies and doctrines. The Code occupies a fundamental place in the body of normative documents developed within the politico-military dimension of the OSCE, and remains unique among international commitments.

This report is intended, in line with Athens Ministerial Council Decision No. 16/09, to report on the progress achieved in respect of efforts to further improve the implementation of the Code. It addresses the information exchange between participating States on implementation of the Code, efforts that have been undertaken in the Forum for Security Co-operation since the Athens meeting of the Ministerial Council and other activities conducted within the Organization. The report covers the period from November 2009 to November 2011.¹

2. Efforts by the FSC

Since the Athens meeting of the Ministerial Council, the FSC has continued to work towards enhanced implementation of the Code. The Corfu Process, initiated in 2009, recognized that the principles embodied in the Code are of fundamental importance to security and stability in the OSCE area. During the reporting period, two FSC meetings focusing on the Code's principles were held, one in February 2010

and one in June 2011. The purpose of these meetings was to promote discussion on the principles inherent in the Code and to examine their relevance with regard to the evolving security situation.

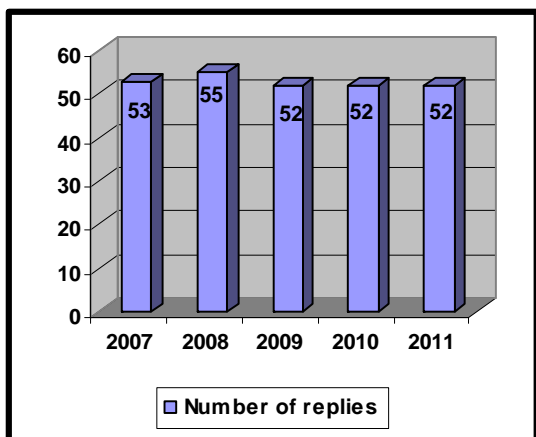
Following the technical update of the annual Code of Conduct questionnaire in 2009 (FSC.DEC/2/09), the FSC developed a Reference Guide to assist the participating States in preparing their national submissions. The Reference Guide, which was endorsed by FSC Decision 5/11 in July 2011, can be consulted on a voluntary basis and contains examples of relevant information that may be included in replies.

In October 2011, the FSC adopted a decision on an annual discussion on the implementation of the Code of Conduct (FSC.DEC/12/11). The purpose of this yearly meeting is to establish a focused and regularized mechanism through which participating States can intensify their discussion of the annual information exchange, as well as of other themes relating to the Code of Conduct. The meeting will take place during the second session of the FSC, starting in 2012. It will place greater emphasis on the important principles of the Code of Conduct and will provide for a regular and focused review of its implementation.

3. Information exchange

The participating States have agreed to exchange information on the implementation of the Code of Conduct (FSC.DEC/2/09) on an annual basis. The level of commitment to the information exchange has traditionally been high, and the majority of the OSCE participating States have abided by their commitment to provide information about their implementation efforts. All the participating States have provided replies to the questionnaire at least once.

¹ The deadline for submitting input for this report was 7 November 2011.



This information exchange is a unique mechanism for fostering international transparency with regard to armed forces and their control by constitutionally established authorities. Since 2008, the replies have been published on the OSCE website, where they can be accessed by the public.

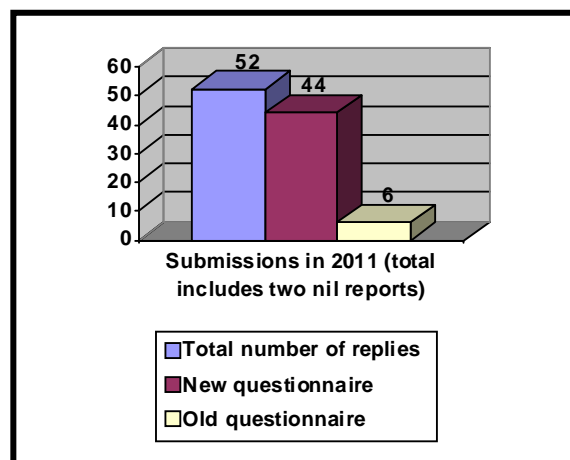
In 2010, 52 participating States provided information on their implementation activities. Equally, in 2011, 52 participating States had, by 7 November 2011, provided their annual replies.

When adopting the new questionnaire in 2009, the participating States agreed that the updated format would replace the old one in the 2010 information exchange. However, a number of countries still provided even their replies for 2011 in the old format.

Several replies also included additional information not directly requested in the questionnaire. In accordance with the interpretative statements appended to FSC.DEC/2/09, at least 16 participating States provided information on the implementation of UN Security Council resolution 1325 (2000) on Women, Peace and Security, and at least two participating States referred to private military and security companies in their 2011 returns.

In order to facilitate the drafting of the Reference Guide, the OSCE Conflict Prevention Centre (CPC) commissioned an

academic study (report published as FSC.GAL/99/10) to analyse the 2010 replies. The experts concluded that the new Questionnaire had considerably helped to ensure better and more structured answers, although some overlaps still remained. The Reference Guide should be helpful in further streamlining the reports. The study was funded through extrabudgetary contributions from Austria, Denmark, Finland, Germany, Switzerland and the United Kingdom.



4. Awareness-raising and outreach

FSC decision 1/08, on awareness-raising and outreach, tasked the CPC with organizing at least one specialized, extrabudgetary event annually to promote the principles of the Code and their implementation.

In accordance with this decision, in September 2010, the CPC organized a regional seminar for the Eastern European participating States in Minsk, Belarus. The participants included representatives from Belarus, Hungary, Lithuania, Moldova, Poland, the Russian Federation and Ukraine. The seminar examined both the inter- and the intra-State aspects of the Code, and the topics ranged from the indivisibility of security to the human rights of armed forces personnel. The event was organized in co-operation with the OSCE

Office in Minsk and was funded by contributions from Austria and Switzerland.

In July 2011, a regional seminar was organized in Odessa, Ukraine, for the South Caucasus and Black Sea region. The event was attended by representatives of six of the eight countries invited, namely, Armenia, Azerbaijan, Bulgaria, Georgia, Romania and Ukraine. The first part of the two-and-half-day seminar focused on the intra-State aspects of the Code, with emphasis on the democratic control of armed forces, the implementation of international humanitarian law and the human rights of armed forces personnel. All the countries invited also delivered presentations on their experiences and the challenges encountered in implementing the Code. To provide an additional forum for Security Dialogue, the second part of the seminar was dedicated to confidence- and security-building measures and arms control.

Furthermore, the agenda of the OSCE Mediterranean Conference that took place in October 2011 included an item on the democratic control of armed forces, and thus contributed to the implementation of FSC.DEC/1/08.

During the reporting period, the OSCE field operations were also actively promoting the implementation of the Code through awareness-raising and training activities.

The OSCE Mission to Bosnia and Herzegovina has continued its long-standing co-operation with the local authorities. The experience of this close co-operation was also shared with the Forum for Security Co-operation in June 2011, when the Head of the OSCE Mission and a representative of the armed forces gave a presentation on the contribution of the Code of Conduct to security in Bosnia and Herzegovina at a meeting of the FSC.

In May 2011, training on the Code of Conduct was for the first time included in

the programme of the Command Staff Course. The Code is also covered by the annual courses directed to the Verification Centres and unit commanders. In June 2011, the Mission, in co-operation with the Council of Ministers' Inter-Ministerial Working Group for Implementation of and Training on the Security Policy of Bosnia and Herzegovina, organized a seminar on the Code of Conduct. The event provided a briefing for security sector personnel, including representatives from the police, the border police, the intelligence forces and the armed forces, on the principles and provisions of the Code, designed to assist them in their daily activities.

During the reporting period, the Code was also presented to the participants of three Politico-Military Review Conferences. These events helped to raise awareness and provided a platform to discuss future implementation. Following the adoption of the new questionnaire, the Mission also organized workshops to facilitate the information exchanges for 2010 and 2011. Follow-up events will be organized at the end of 2011.

In December 2010, the OSCE Office in Yerevan organized a workshop on the implementation of the Code of Conduct. The workshop was targeted towards officials of the Ministry of Defence, members of the National Assembly and the Office of the Ombudsman. With regard to the ongoing reform of the armed forces, the Office has also provided training for the public information officers of the Ministry of Defence on successful interaction with the media and the public and on the right to access to information.

5. Conclusions

In summary, efforts to further improve the implementation of the OSCE Code of Conduct were enhanced by the initiatives of the FSC Chairs aimed at addressing and promoting the Code within the framework of a Security Dialogue in 2010 and 2011. Furthermore, the participating States adopted a Reference Guide complementing the technically updated Questionnaire. Lastly, a decision was adopted on holding an annual meeting on the implementation of the Code, which provides a sound basis for a comprehensive and fully-fledged discussion of all aspects of its implementation.

As regards the information exchange, a continuing high level of commitment in terms of the quantity of replies was evident. Some participating States extended their exchange of information and voluntarily shared information on the implementation of UN Security Council resolution 1325 (2000) and on issues related to private military security companies. As in preceding years, reports differ with regard to substance and extent. Also, some overlaps can be observed in the replies of participating States. Again, some participating States did not submit their reports at all, while others used old formats. There are high hopes that the Reference Guide adopted this year, and the implementation discussion next year will lead to more and better compliance in terms of both quantity and quality.

During the reporting period, several seminars on awareness-raising and training activities relating to the Code were conducted by the CPC and field missions. Participating States hosting or participating in such seminars contribute to transparency, national and regional stability and security. All the participating States are encouraged to continue supporting and hosting seminars or workshops among participating States, and with OSCE Partners.

With reference to the latter, an initiative on the outreach of the Code was taken by including the topic of the democratic control of armed forces in the agenda of the 2011 OSCE Mediterranean Conference. Especially at the present time, the Code has once more proven that it has an important role to play as a pool of principles and guidelines reflecting inter-State and intra-State norms of behaviour which have to be taken into account in security sector reform.

With the most recent FSC decisions on the Code, most of the recommendations and suggestions on improving its implementation put forward at the special FSC meetings in 2006 and 2007 have been successfully converted into tools and instruments for increasing awareness and outreach, improving the information exchange and discussing participating States' implementation of the Code. The attention of participating States may now focus on full and comprehensive compliance with the Code's implementation.