



**20th Anniversary of the OSCE Code of Conduct, Commemorative Event
Vienna, 8 July 2014**

Minister,
Excellencies,
Ladies and gentlemen,

In the beginning, let me excuse the Federal Government Commissioner for Disarmament and Arms Control, Ambassador Antje Leendertse. It was announced in the program that she would take the floor now. Seen the importance and the undiminished relevance of the Code of Conduct, Ambassador Leendertse would sincerely have liked to commemorate the 20 years of its existence with us. Unfortunately, she had an urgent, last-minute appointment elsewhere which she could not cancel. So, you will have to bear with me.

Ladies and gentlemen,

20 years after its adoption, the Code of Conduct on Politico-Military Aspects of Security is still a surprisingly modern and innovative document. Printed on six brief pages, it contains the most comprehensive compilation of OSCE norms related to security and the use of armed forces within and between states.

It is the first international document that codifies the principle of democratic control of the armed forces – a principle that due to Germany's history is very dear to us and that is deeply rooted in our constitution, the "Grundgesetz". The "Grundgesetz" stipulates that each and every deployment of the Bundeswehr has to be decided by the German Bundestag, even if it takes place in the context of a NATO or an EU mission. Thus, the Bundeswehr is a "Parlamentsarmee", a parliamentary army. The parliamentarians who decide about their deployment enter into a special duty of care with regard to the soldiers. On their side, the soldiers remain in full possession of their rights as citizens and a military commissioner ("Wehrbeauftragter") controls that these are respected. The fact that the Bundeswehr is deeply rooted in the German parliament and society is also shown by the very vivid debates which accompany each deployment of the Bundeswehr.

Ladies and gentlemen,

One of the most important achievements of the Code of Conduct was to turn these national norms, which are applied in many states, into international ones. Paragraph 1 of the Code stipulates: "The participating States emphasize that the full respect for all CSCE principles embodied in the Helsinki Final Act and the implementation in good faith of all commitments undertaken in the CSCE are of fundamental importance for stability and security, and consequently constitute a matter of direct and legitimate concern to all" participating States.

This is the key to the whole document. In the Code of Conduct the implementation of any OSCE norm is seen as a “matter of direct and legitimate concern to all” participating States. In my view, this is the most innovative feature of the whole Code of Conduct, because it acknowledges that the old strict division between domestic and international politics is no longer valid or at least not completely valid in a globalizing world characterized by mutual ties of interdependence.

Ladies and gentlemen,

Many academics write that the Code of Conduct is a good idea, but its implementation is lacking. This “landmark document”, as the Code is often called, in the end remains known only to a small group of experts. We shouldn’t waste our time deploring this fact, but work hard to make the Code of Conduct better known. Germany together with Switzerland and Austria has been supporting for many years seminars and projects to that end. In 2014, Germany already has given 30.000 EUR. The aim is to make the Code of Conduct better known within the OSCE participating states and beyond. Especially in the Mediterranean region, there is a clear interest in getting more acquainted with the norms and principles of the Code of Conduct. Therefore, last year, we have translated the Code into Arabic and have started a discussion on it with the Mediterranean Partners for Cooperation during a seminar in Malta. I am glad to hear that there is an interest to continue this debate this year in Tunis.

Within the OSCE area, we have also the yearly implementation discussion which we will hold tomorrow. They are an excellent occasion for a broad discussion on the Code of Conduct, its implementation and its continuing relevance.

Of course, the Code of Conduct is primarily a collection of highly abstract principles and norms, the implementation of which is difficult to verify. It is not a compendium of concrete rules whose observance can be directly monitored such as the stipulations of the CFE Treaty or the Vienna Document. The Code of Conduct is less an operational document. However, the yearly information exchange recalls to each participating state the norms and principles of the Code of Conduct and makes them reflect on their domestic implementation. The reports of other countries contain a number of good examples on how to strengthen the implementation of the Code of Conduct. On this last point, however, we can do better. We should finally give the Conflict Prevention Centre a stronger mandate to evaluate the information exchange and to set up a catalogue of best practices and recommendations.

Ladies and gentlemen,

Finally, we should also remember the norms and principles enshrined in the Code of Conduct when facing crises like the one in Ukraine. The Code of Conduct gives us good guidance on how to resolve crises – e.g. the principle of non-use of force, territorial integrity and political solution of conflict. Now that a solution of the crisis seems possible, we need to double our efforts to make these principles reality.

This evening we are celebrating the Code of Conduct in a museum, where the memory of the beginning of WWI is very present. The car, in which Francis Ferdinand and his spouse were shot to death, his uniform jacket and other items remembering the tragic events 100

years ago are right next to us. Sometimes I'm wondering if the Code of Conduct would have been of any help in those days to avoid this catastrophe of the last century. I know this is a purely academic question. Military culture, political culture and societies were very much different from today. And indeed we should not discuss possible contributions of the Code of Conduct in the past, very much likely of a complete theoretical nature. We should all work together to keep the Code of Conduct a relevant and living document in the future. So let me conclude by saying: The Code of Conduct can be celebrated very well in a museum, as shown by the organizers of today's event, but the Code of Conduct is far from being a museum piece.

Thank you for your attention.