



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

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



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1. Introduction and objective

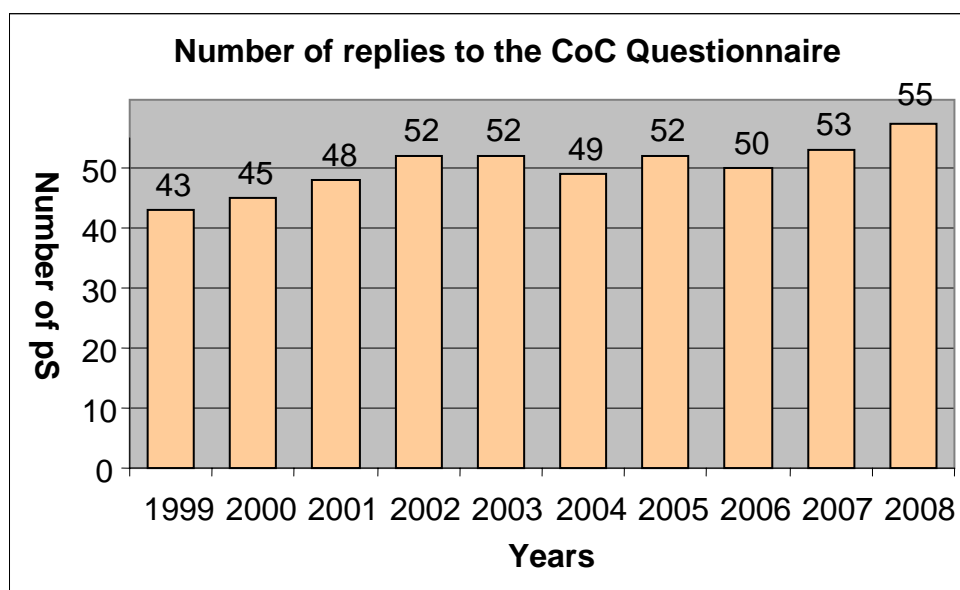
The OSCE Code of Conduct on Politico-Military Aspects of Security (hereafter referred to as the Code) is a normative document adopted by the OSCE participating States at the Budapest Summit in December 1994. The Code entered into force on 1 January 1995. By adopting it, the OSCE participating States 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 among the body of commitments developed within the politico-military dimension of the OSCE, and is still today unique in its kind.

This report is intended, in line with Madrid Ministerial Council Decision No. 3/07, to report on the progress of efforts to further improve the implementation of the Code. It addresses the information exchange between participating States on the Code's implementation, efforts that have been undertaken since the Madrid Ministerial Council and other additional activities conducted within the Organization to further its implementation. The report covers the period from November 2007 until November 2008¹.

2. Information exchange

The participating States have agreed to exchange information on a regular basis on various aspects of their implementation of the Code (FSC.DEC/4/98). This exchange constitutes a unique mechanism for fostering international transparency with regard to armed forces and their control by constitutionally established authorities. The information exchange is conducted by means of a specific questionnaire, which was developed in 1998 and updated in 2003. In its current form, the questionnaire contains seven questions. The participating States have committed themselves to replying to this questionnaire not later than 15 April each year.

The level of commitment to the information exchange is high. The majority of the OSCE participating States have abided by their commitment and provide information about their implementation efforts annually. All the participating States have provided replies to the questionnaire at least once.



¹ The deadline for submitting input for this report was 12 November 2008.

The replies often provide quite detailed information regarding procedural and legislative issues governing the politico-military aspects of security in the participating States. Most participating States give updates on relevant laws and decision-making processes, and many also provide details on their practical activities related to the democratic control of armed forces, such as training programmes, awareness-raising activities and participation in international events.

The reports of participating States differ with regard to the substance and extent. Also some overlaps in the replies of participating States can be observed. While this results in part from the complexity of the issue and from differences in national practices, it also results from the general wording of the questions. For example, there are differences in the weight that the participating States assign in their replies to the legislative base of the democratic control of armed forces on the one hand, and to the actual procedures ensuring this control on the other.

3. Efforts by the FSC

During the special FSC meeting in September 2006 and the special meeting of Working Group A in May 2007 on the subject numerous proposals to improve the implementation of the Code were made. A FSC Co-ordinator on the Code was appointed to support the FSC Chair in dealing with these proposals. Subsequently, the proposals were divided into three clusters related to awareness-raising and outreach, updating of the questionnaire, and supplementary measures to allow for a more structured approach in discussing these proposals.

Consultations and discussions on the first cluster on awareness raising and outreach started in October 2007. Several informal and formal meetings were convened on this cluster and could be brought to a successful ending on 27 February 2008 by adopting a decision on awareness raising and outreach (FSC.DEC/01/08). In general the decision provides for facilitation of a better implementation, promotion of awareness and outreach of the Code by posting the replies of participating States to the Questionnaire on the OSCE's public website², requesting the OSCE Secretariat to organize at least one specialized seminar or workshop each year, and encouraging participating States to contribute extra-budgetary funds to enable such events. Furthermore, the decision calls upon the FSC Chair to engage the OSCE Partners for Co-operation in a process aiming at adopting the principles of the Code.

Based on this decision three meetings with the OSCE Partners for Co-operation were held during the first half of 2008. The first one, convened on 28 February 2008, was conducted at the ambassadorial level, and the second one, on 8 April 2008, at the working level. In preparation for these meetings, the FSC Chair asked participating States and the OSCE Partners to submit their views on the scope and possible content of future meetings, as well as to raise questions and requests for clarification, where relevant. In addition to these meetings and in order to involve representatives from capitals, a side event for the OSCE Partners for Co-operation on awareness-raising and outreach of the Code of Conduct was organized on 1 July 2008 on the margins of the Annual Security Review Conference (ASRC). Furthermore, a presentation on the Code of Conduct was given at the meeting of the Contact Group with the Mediterranean Partners for Co-operation on 19 September 2008.

² Since April 2008, the replies of participating States are accessible on the public OSCE website, at <http://www.osce.org/fsc/22158.html>.

Soon after the adoption of FSC Decision No. 1/08, work on the second cluster started with the general aim of updating the existing questionnaire on the Code by improving its structure and terminology. Building on previous food-for-thought papers and extensive consultations and negotiations, the Co-ordinator tabled a proposal for a draft decision on the update of the questionnaire. The draft comprised of a compilation form, which would allow for an overview of new information exchanged and the update of the questionnaire, which consists of three sections devoted to inter-State elements, intra-State elements and public access. It provides for a first comprehensive reporting exercise in 2009 and annual updates of changes starting with 2010. This proposal enjoys broad support among participating States, and is still under discussion.

In order to achieve an overview of ideas on the third cluster, on supplementary measures, the Co-ordinator invited representatives of participating States for informal consultations and is preparing to continue and complete the work on improving the implementation of the Code.

4. Additional activities

The Conflict Prevention Centre, in co-operation with Switzerland and the OSCE Centre in Astana, organized a Seminar on the Implementation of the OSCE Code of Conduct on Politico-Military Aspects of Security in Central Asia. The Seminar took place from 22 to 24 September 2008 in Almaty. It was directed at government representatives and senior military personnel from the five Central Asian countries and was designed to raise awareness about the implementation responsibilities outlined in the Code. It was attended by around 40 participants from Kazakhstan, Kyrgyzstan and Tajikistan, as well as from research institutes and OSCE institutions. Two seminars arranged by the OSCE Mission to Bosnia and Herzegovina (BiH) were also conducted as “train the trainers” events, in 2008. During 2007-2008, about 150 senior officers from the BiH Armed Forces and senior civil servants were trained.

5. Conclusions

In summary, efforts to further improve the implementation of the Code were intensified in 2008 compared to the previous years. They were divided into the main areas - exchanging information, improving the awareness, engaging in outreach and conducting seminars/workshops.

As regards the information exchange, a continuing high level of commitment in terms of the quantity of replies could be registered. Nevertheless the reports differ with regard to the substance and extent. Also some overlaps in the replies of participating States can be observed.

This year’s regional and national seminars/workshops on the implementation of the Code not only provided a continuation of the endeavour already started, but also helped to raise awareness in and among participating States. Future seminars and workshops on the Code could also focus on outreach.

With regard to the efforts to further improve the implementation of the Code, a decision on awareness-raising and outreach was consulted on, discussed and adopted. The decision constitutes a successful outcome of an intensive debate on this matter and requires further attention as well as implementation by the participating States, the CPC and the FSC Chair. Although there is a broad support for the proposal on updating the Code’s Questionnaire, the adoption of the respective draft decision remains to be seen. On the supplementary measures, the participating States are at a stage in discussing proposed arrangements. The initial support

by many participating States justifies continuing discussions and focussing our future work on this subject in the coming year.