

## 2011 ANNUAL IMPLEMENTATION ASSESSMENT MEETING

### Opening session

1. Date: Tuesday, 1 March 2011  
  
Opened: 10.10 a.m.  
Closed: 10.45 a.m.
  
2. Chairperson: Ambassador J. H. Bernhard (Denmark)
  
3. Subjects discussed – Statements:  
  
Agenda item 1: OPENING SESSION
  - (a) OPENING OF THE MEETING BY THE CHAIRPERSON (FSC.AIAM/9/11 OSCE+)
  - (b) REMARKS BY THE CHAIRPERSON OF THE FSC (FSC.AIAM/10/11 OSCE+)
  - (c) PRESENTATION OF A SUMMARY REPORT BY THE CONFLICT PREVENTION CENTRE (CPC) (FSC.AIAM/8/11 OSCE+)
  - (d) PRESENTATION OF A REPORT BY THE CPC ON THE MEETING OF THE HEADS OF VERIFICATION CENTRES HELD ON 13 DECEMBER 2010 (FSC.DEC/4/10) (FSC.AIAM/8/11 OSCE+)

Hungary-European Union (with the candidate countries Croatia, the former Yugoslav Republic of Macedonia, Montenegro, Iceland and Turkey; the countries of the Stabilisation and Association Process and potential candidate countries Albania, Bosnia and Herzegovina and Serbia; the European Free Trade Association countries Liechtenstein and Norway, members of the European Economic Area; as well as Armenia, Moldova, San Marino and

Ukraine, in alignment) (FSC.AIAM/11/11/Corr.1), United States of America,  
Canada (FSC.AIAM/19/11 OSCE+), Germany, Chairperson

4. Next Meeting:

Tuesday, 1 March 2011, at 11.30 a.m., in the Neuer Saal

## Working session 1

1. Date: Tuesday, 1 March 2011  
  
Opened: 11.30 a.m.  
Suspended: 12.30 p.m.  
Resumed: 3 p.m.  
Suspended: 4.05 p.m.  
Resumed: 4.40 p.m.  
Closed: 5.05 p.m.
  
2. Chairperson: Mr. N. P. Petersen (Denmark) (Chairperson)  
Ms. E. Sourani (Greece) (Co-ordinator)  
Mr. L. Simonet (France) (Co-ordinator)
  
3. Subjects discussed – Statements:  
  
Agenda item 2: IMPLEMENTATION OF THE VIENNA DOCUMENT 1999  
AND GLOBAL EXCHANGE OF MILITARY  
INFORMATION (GEMI): CLARIFICATIONS,  
ASSESSMENTS AND CONCLUSIONS  
  
– VIENNA DOCUMENT 1999  
  
– ANNUAL EXCHANGE OF INFORMATION  
  
(i) INFORMATION ON MILITARY FORCES  
  
(ii) DATA RELATING TO MAJOR WEAPONS AND  
EQUIPMENT AND SYSTEMS  
  
(iii) INFORMATION ON PLANS FOR THE DEPLOYMENT OF  
MAJOR WEAPON AND EQUIPMENT SYSTEMS  
  
– DEFENCE PLANNING  
  
(i) EXCHANGE OF INFORMATION  
  
(ii) CLARIFICATION, REVIEW AND DIALOGUE  
  
– RISK REDUCTION  
  
(i) MECHANISM FOR CONSULTATION AND  
CO-OPERATION AS REGARDS UNUSUAL MILITARY  
ACTIVITIES

- (ii) CO-OPERATION AS REGARDS HAZARDOUS INCIDENTS OF A MILITARY NATURE
- (iii) VOLUNTARY HOSTING OF VISITS TO DISPEL CONCERN ABOUT MILITARY ACTIVITIES

Chairperson, Co-ordinator (Greece) (FSC.AIAM/5/11 OSCE+), Ukraine, United States of America, Turkey, France, Germany, Czech Republic, Switzerland, Co-ordinator (France) (FSC.AIAM/4/11 OSCE+), Italy, Greece, Holy See, Netherlands (Annex 1), Sweden, Austria, Ireland

4. Next Meeting:

Wednesday, 2 March 2011, at 10 a.m., in the Neuer Saal

## Working session 2

1. Date: Wednesday, 2 March 2011

Opened: 10.05 a.m.

Suspended: 11.10 a.m.

Resumed: 11.35 a.m.

Closed: 12.55 p.m.

2. Chairperson: Mr. N. P. Petersen (Denmark) (Chairperson)  
Mr. M. Gannon (Ireland) (Co-ordinator)

3. Subjects discussed – Statements:

Agenda item 3: IMPLEMENTATION OF THE VIENNA DOCUMENT 1999  
AND GLOBAL EXCHANGE OF INFORMATION (GEMI):  
CLARIFICATIONS, ASSESSMENTS AND CONCLUSIONS

– VIENNA DOCUMENT 1999

– MILITARY ACTIVITIES

(i) MILITARY CONTACTS

(ii) PRIOR NOTIFICATION OF CERTAIN MILITARY  
ACTIVITIES

(iii) OBSERVATION OF CERTAIN MILITARY ACTIVITIES

(iv) ANNUAL CALENDARS

(v) CONSTRAINING PROVISIONS

– COMPLIANCE AND VERIFICATION

(i) INSPECTION

(ii) EVALUATION

(iii) REGIONAL MEASURES

(iv) COMMUNICATIONS NETWORK

– GEMI

Co-ordinator (Ireland) (FSC.AIAM/2/11 OSCE+), Greece, Belarus, Luxembourg, Ukraine, Norway, Austria, Netherlands, Turkey, Switzerland, France (Annex 2), Germany, Russian Federation, Canada, United Kingdom, United States of America, Denmark, Hungary (Annex 3)

4. Next meeting:

Wednesday, 2 March 2011, at 3 p.m., in the Neuer Saal

### Working session 3

1. Date: Wednesday, 2 March 2011

Opened: 3.05 p.m.

Closed: 4.35 p.m.

2. Chairperson: Mr. N. P. Petersen (Denmark) (Chairperson)  
Mr. P. von Arx (Switzerland) (Co-ordinator)

3. Subjects discussed – Statements:

Agenda item 4: SUGGESTIONS AIMING AT THE IMPROVEMENT OF  
THE IMPLEMENTATION OF CSBMs

Co-ordinator (Switzerland) (FSC.AIAM/6/11), Greece, Germany,  
United States of America, Norway, Russian Federation, Turkey,  
United Kingdom, France, Moldova (Annex 4), Georgia, Kazakhstan, Holy See

4. Next meeting:

Wednesday, 2 March 2011, at 5 p.m., in the Neuer Saal

## **Closing session**

1. Date: Wednesday, 2 March 2011

Opened: 5 p.m.

Closed: 5.30 p.m.

2. Chairperson: Ambassador M. Betanzos Roig (Spain)

3. Subjects discussed – Statements:

Agenda item 5: CLOSING SESSION

(a) DISCUSSION

None

(b) CONCLUDING REMARKS

Chairperson (FSC.AIAM/16/11 OSCE+), Canada, Netherlands

(c) CLOSURE

The Chairperson formally closed the 2011 Annual Implementation Assessment Meeting.

4. Next meeting:

It was agreed that the dates, agenda and modalities of the 2012 Annual Implementation Assessment Meeting would be agreed by a decision of the FSC before the end of 2011.





**21st AIAM**

FSC-AIAM Journal No. 14, Agenda item 2

## **STATEMENT BY THE DELEGATION OF THE NETHERLANDS**

### **Introduction**

After years of stagnation, the Ministerial Council, at its meeting in Athens, adopted Decision No. 16/09 on issues relevant to the Forum for Security Co-operation, tasking the Forum for Security Co-operation, *inter alia*, with exploring ways of strengthening the Vienna Document 1999 (VD 99).

The provisions in the VD 99 with regard to early warning, conflict prevention and crisis management are singled out as one area for special attention. The current Vienna Document does not meet the expectations of the participating States in that area.

Paragraph 16 of the VD 99 stipulates that participating States should, upon request, give clarification regarding activities of their armed forces, which are militarily significant, and which give rise to concern in one or more other participating State(s). In practice however, this mechanism for consultation and co-operation as regards unusual military activities has to a large extent remained a dead letter.

Further to discussions in the framework of the Corfu Process aimed at reinforcing the OSCE's capacities to prevent, manage and resolve conflicts, it is of the utmost importance to reinvigorate the implementation of this paragraph. Therefore, in a situation where the current mechanism for consultation and co-operation has not provided adequate clarification, (a) participating State(s) should be entitled to request the conduct of a VD 99 inspection by the OSCE in the area of application for CSBMs. At one time, proposals for such an OSCE inspection were discussed (ref. FSC.VD/34/99, dated 20 October 1999). The conflict in Georgia proves today that such a mechanism is both relevant and timely.

### **Rationale**

Empowering the OSCE to conduct an inspection can put “teeth” into paragraph 16 of the VD 99. It will give a great deal of impetus to the overall aim of military transparency in the OSCE, thereby enhancing trust and confidence. This is in the interest of all the participating States.

This proposal does not affect the rights and obligations of the participating States with regard to the conduct of inspections under the provisions of Chapter IX of the Vienna Document. These provisions will, *mutatis mutandis*, be applied to inspections for clarification regarding military activities giving rise to concern.

An OSCE inspection is merely an instrument of last resort. Participating States should first and foremost make every effort to clarify any unusual military activity through mutual consultations. Only if this mechanism for consultation and co-operation as regards unusual military activities is not concluded in a satisfactory manner can requesting an OSCE inspection be an option. Therefore, an OSCE inspection cannot be used indiscriminately or on impulse.

### **Proposal**

To insert into the VD 99 the following new paragraph 17:

#### **OSCE INSPECTION FOR CLARIFICATION REGARDING MILITARY ACTIVITIES GIVING RISE TO CONCERN**

- (17) At the request of one or more participating State(s) for clarification regarding military activities giving rise to concern, and if the mechanism for consultation and co-operation as regards unusual military activities set forth in paragraphs 16 to 16.1.4 has failed to provide adequate clarification, the (Permanent Council or the Chairperson-in-Office) may, after appropriate consultations, entrust a group of participating States with conducting an inspection in the zone of application for CSBMs. The inspection will be conducted in those areas in which there may be cause for such concern.
- (17.1) The request to conduct such an inspection will be transmitted in writing by one or more participating State(s) to the Chairperson-in-Office and all the other participating States (or, for onward transmission to the Permanent Council).
- (17.1.2) Within no more than 48 hours, the (Permanent Council or Chairperson-in-Office) may, after appropriate consultations, entrust one participating State, but not the requesting State or a neighbouring State, to lead the inspection (“lead nation”).
- (17.1.2.1) The inspection will be conducted on a multinational basis.
- (17.1.2.2) The inspection team will have no more than six inspectors.
- (17.1.2.3) The inspection team may be accompanied by two interpreters as auxiliary personnel and will include representatives of at least three participating States.

- (17.1.2.4) The participating State holding the OSCE Chairmanship and the participating State holding the FSC Chairmanship, if different, will each participate by providing one member of the inspection team, except if one of them is or they are the inspected State(s). In that case, the (Permanent Council or Chairperson-in-Office) will have to find (a) replacement(s) for the team.
- The requesting State(s) will also participate in the inspection with one member, but will not be involved in preparation of the final report. Further participants may be nominated by the (Permanent Council or Chairperson-in-Office).
- (17.1.3) The members of the inspection team and, if applicable, auxiliary personnel will be granted, during their mission, the privileges and immunities provided for in the Vienna Convention on Diplomatic Relations.
- (17.1.4) The modalities regarding inspections specified in paragraphs 72 to 104 of the Vienna Document 1999 will, *mutatis mutandis*, be applied to inspections for clarification regarding military activities giving rise to concern.
- (17.1.4.1) Such an inspection will not be subject to quotas.
- (17.1.4.2) The expenses of the inspections will be borne by the requesting State(s).
- (17.1.4.3) If requested, the Conflict Prevention Centre may provide technical support for the inspection.
- (17.1.5) The inspection will be notified by the entrusted State (lead nation). The final report of the inspection will be communicated to all the participating States as soon as possible, but no later than 48 hours after the end of the inspection, and will be discussed at a joint meeting of the PC and the FSC no later than four days after the date of the report. The chief of the inspection team will give an oral report at this meeting. The participating States will decide on appropriate follow-up to this inspection.



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**21st AIAM**

FSC-AIAM Journal No. 14, Agenda item 3

**STATEMENT BY THE DELEGATION OF FRANCE**

Mr. Chairperson,  
Distinguished colleagues,

I should like to present to you again, on behalf of the co-sponsors of this initiative, proposal FSC.DEL/107/10 on lowering thresholds for prior notification of certain military activities within the framework of Chapter V of the Vienna Document 1999; I note that a second revised version of this proposal was distributed to delegations to the Forum for Security Co-operation (FSC) on 1 February 2011. The aim of this proposal is to contribute to adapting the Vienna Document 1999 (VD 99) to the changes that have occurred in recent years with regard to the format and activities of the armed forces.

As has been demonstrated frequently, the quantities of troops and equipment on European soil have diminished considerably since the Helsinki Summit in 1992, but, 19 years later, the thresholds for notification and observation of military activities remain the same. Therefore, these thresholds, as they are currently defined by the VD 99, reflect the status of forces in Europe as it existed at the start of the 1990s.

The result of this time-lag is that most military activities have remained in recent years below the thresholds envisaged by the VD 99, and that, at the same time, the number of military exercises subject to notification and observation on the basis of Chapter V of the VD 99 has diminished considerably. This led one delegation, in 2009, to describe this chapter as a “sleeping chapter”.<sup>1</sup> This situation has led to a proliferation of “grey zones” and to a decrease in transparency and confidence between States. In fact, of the 12 prior notifications of military activities listed by the Conflict Prevention Centre (CPC) at the start of 2011, only 1 came under paragraph 38 of the VD 99; the other 11 were carried out on a voluntary basis in accordance with the FSC Chairmanship’s statement of October 2005.<sup>2</sup>

Lowering the thresholds would therefore bring about greater transparency and openness, as recognized by the participants in the round table organized by the Icelandic

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1 See FSC.AIAM/2/09, 20 February 2009.

2 See FSC.GAL/19/11, 11 February 2011, p. 9.

Chairmanship of the FSC on 16 February 2011.<sup>3</sup> Unless I am mistaken, this analysis seems to have received the endorsement of all participating States and not to have been contested by anyone. This is precisely the purpose of FSC.DEL/107/10, which proposes to update Chapter V of the VD 99 by significantly lowering the thresholds for prior notification of certain military activities.

Proposal FSC.DEL/107/10 is consistent with FSC Decision No. 7/10, which defined two chapters of the VD 99, including Chapter V, as chapters to be updated on a priority basis. The proposal is a concrete and suitable response to the new military realities in Europe and to the evolution of the technology and the format of the armed forces. It brings the framework for notifications and inspections more into conformity with the current activities and size of these forces on the basis of objective and quantitative data, thereby helping to increase transparency and to strengthen confidence and security in the OSCE area.

Our proposal is not new. It was formulated in its current guise on 2 March 2010, during the previous Annual Implementation Assessment Meeting (AIAM), by the head of the French Verification Unit.<sup>4</sup> But I should like to point out that, as early as 2003, Russia and Belarus recommended lowering the thresholds for notification in Chapter V by 10 to 25 per cent.<sup>5</sup>

Our proposal has found favour with a large number of participating States. Thirteen are currently co-sponsoring it – I thank them – and many other delegations support it. Of all the proposals made in the FSC since 2010, FSC.DEL/107/10 is the one which seems to enjoy the strongest support from participating States.

Our proposal is “easily technically achievable”, in the words of the FSC VD 99 Co-ordinator; the figures which it puts forward were deemed balanced by many delegations.

Our proposal is financially neutral. This dimension is rightly considered by many States to be paramount in 2011.

Our proposal is consistent with the new “core issues/topics” approach outlined in 2011 by the FSC and its Co-ordinator.<sup>6</sup>

France concurs fully with the need for a strategic analysis of the modernization of the VD 99. The year 2010 showed the need for deep reflection and the need to step back and gain perspective in order to guide our action. However, this strategic reflection, which is absolutely indispensable, should not lead to preventing and artificially delaying the adoption of decisions on which there is consensus in principle. Yesterday morning, during the opening session of the AIAM, I heard the permanent representative of a participating State say that, in our approach to updating the VD 99, it was necessary to “combine a holistic approach with

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3 See FSC.DEL/49/11, 15 February 2011, p. 7.

4 See FSC.AIAM/22/10, 4 March 2010.

5 See FSC.DEL/172/03, 14 May 2003.

6 See FSC.DEL/40/11, 1 February 2011.

step-by-step progress”. The adoption of FSC.DEL/107/10 as a decision would indeed represent an extremely significant and very specific “step”. Since the beginning of this AIAM, several speakers have mentioned the commitment made by participating States to produce an updated version of the VD 99 in 2011. Proposal FSC.DEL/107/10 could be a centrepiece of this VD 2011.

On behalf of the group of co-sponsors, I should like, therefore, to again urge participating States to share with us their comments and suggestions concerning proposal FSC.DEL/107/10, particularly as regards the figures it contains. Our proposal was removed from the FSC agenda precisely for this reason, in order to take the time to adapt it in accordance with these suggestions, if necessary. This day, in the presence of distinguished experts from our capitals, could offer us a special opportunity to discuss it, either at a meeting during this second working session or informally, on the sidelines of our gathering.

I thank you, Mr. Chairperson, and I request that this statement be attached to the journal of today’s meeting.



**21st AIAM**

FSC-AIAM Journal No. 14, Agenda item 3

**STATEMENT BY THE DELEGATION OF HUNGARY**

Mr. Chairperson,

Taking the floor on this agenda item I would like to contribute to the issue of regional co-operation by sharing with you some thoughts on the basis of the implementation of the bilateral CSBM agreements and initiatives we have with our neighbours and other participating States.

In general the Republic of Hungary observes the bilateral CSBM agreements as unique and invaluable tools for enhancing the regional security and my country gives priority to the smooth implementation and possible development of those measures. At the moment we have two of them: one with Serbia and one with Ukraine. Additionally we also have two bilateral co-operation with Cyprus and Montenegro.

**The Hungarian-Serbian bilateral agreement on CSBMs complementing the VD 99 entered into force in 2006**

Our assessment of the implementation of this particular Agreement is very positive. We recognize with great pleasure the openness and transparency demonstrated by our Serbian colleagues and we can state that the Agreement fulfils its original goals. At this stage we would like to reaffirm our readiness to go further on this mutually satisfactory path.

**The Hungarian-Ukrainian bilateral CSBM agreement entered into force in 2002**

On 15 February 2011 we had Annual Assessment Meeting of the Ukrainian-Hungarian agreement in L'viv during which we have agreed to inform the participating States about our achievements. I have the pleasure to fulfil this obligation. So, let me focus on some elements of the document and its implementation.

From the beginning we agreed to decrease the levels for notifications and observations and decided to give additional verification possibilities in a form of one inspection and two evaluation visits each year. But it was only the starting point. During the years of successful implementation we could improve the measures agreeing on very important issues, for example on the size of the specified area for inspection, on the content of the briefings given by the commanders during an inspection, or evaluation visit.

During the mentioned Assessment Meeting held in Ukraine recently we noted with satisfaction the results of the implementation of the Agreement and put emphasis on its further development.

According to the Vienna Document 1999 the Republic of Hungary actively co-operating with Republic of Cyprus and Montenegro. We use this form of co-operation for sharing our experiences. We would like to inform the participating States that our co-operation is fruitful and contribute to further strengthening of the regional CSBMs.

Mr. Chairperson, I have listed only a couple of important points of the implementation of those particular agreements. We believe that they are living documents which deserve high attention not only because of the security building aspects from all sides but because of the possible role as an example of further development of the provisions of the Vienna Document, too.

Having said that I would like to commend again our partners for their willingness and readiness to work towards those common goals, and thank them for their very professional and friendly approach to the implementation of the bilateral agreements, which serve one common goal: enhancing our security environment.

Thank you Mr. Chairperson.





**21st AIAM**

FSC-AIAM Journal No. 14, Agenda item 4

**STATEMENT BY THE DELEGATION OF MOLDOVA**

Thank you, Mr. Chairperson.

I would like to state that, undoubtedly, cross-dimensional implementation of CSBMs could play a positive role in crisis situations and in all phases of conflict cycles. That is why we value the role of other instruments, in particular the Code of Conduct on Politico-Military Aspects of Security.

In the context of examining the Exchange of Information on the Code of Conduct by the participating States, I would like to draw the attention of the distinguished delegates to the the information presented by the Russian Federation on 12 May 2010.

Under item 3 of the Questionnaire – Deployment of the military forces on the territory of another participating State in accordance with freely negotiated agreements as well as in accordance with international law – with reference to Moldova, the Russian Federation has listed the following three documents:

1. Agreement between the Russian Federation and the Republic of Moldova on the principles of the peaceful settlement of the conflict in the Transnistrian region of the Republic of Moldova (21 July 1992);
2. Agreement between the Russian Federation and the Republic of Moldova on the legal status, order and time of withdrawal of the military units of the Russian Federation temporarily deployed on the territory of the Republic of Moldova (21 October 1994); and
3. Agreement between the Russian Federation and the Republic of Moldova on the issues of jurisdiction and mutual legal assistance in the problems connected with military units of the Russian Federation temporarily deployed on the territory of the Republic of Moldova (21 October 1994).

Let me also remind the distinguished delegates that the authorities of the Republic of Moldova have repeatedly requested, in the frameworks both of previous AIAMs and of regular FSC meetings, clarifications on the relevance of the aforementioned documents to item 3 of the Questionnaire relating to the Information Exchange on the Code of Conduct.

Regretfully, to this date, the Russian Federation has failed to provide a conclusive answer to our query.

Mr. Chairperson,

In the light of the above, this delegation would like to reiterate that the Republic of Moldova does not consider any of the above documents as providing a legal basis for a Russian military presence on its territory. The 1992 Agreement foresees actions for a complete and earliest possible ceasefire, and does not reflect in any case on the status or the conditions of stationing of the Russian forces. The other two Agreements, as is correctly pointed out in the Exchange of Information, have not entered into force and thus have no legal effect whatsoever on the foreign military presence in my country. Moreover, let me reiterate, Mr. Chairperson, that the presence of Russian troops on the territory of the Republic of Moldova does not enjoy host-nation consent and defies the generally recognized norms and principles of international law.

In conclusion, this delegation considers that the issue of respect of the principle of consent by the host nation requires special attention and further debate, perhaps in the framework of a special meeting of the FSC devoted to the implementation of the Code of Conduct.

Thank you, Mr. Chairperson. I request that this statement be attached to the journal of the day.