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FSC.EMI/339/20
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Annex

N o t e V e r b a l e

The Permanent Mission of Austria to the OSCE presents its compliments to the Missions and Delegations of the participating States to the OSCE and to the OSCE Conflict Prevention Centre and has the honour, in reference to the decision No. 10/02 of the Forum for Security Co-operation, to provide herewith a reply of Austria to the Questionnaire on Anti-Personnel Mines and the Explosive Remnants of Wars.

The Permanent Mission of Austria to the OSCE, Vienna, avails itself of this opportunity to renew to the Missions and Delegations of the participating States to the OSCE and to the OSCE Conflict Prevention Centre the assurances of its highest consideration.

Vienna, 31 July 2020



To all
Delegations/Permanent Missions to the OSCE
To the Conflict Prevention Centre
Vienna

OSCE QUESTIONNAIRE ON ANTI-PERSONNEL MINES (FSC.DEC/7/04)

REPUBLIC OF AUSTRIA

Reporting Period: 1 January – 31 December 2019

Part I

1. Is your country a State Party to the 1996 Amended Protocol II on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices annexed to the 1980 Convention on Conventional Weapons (CCW)?

Austria is a State Party to the 1996 amended Protocol II on Prohibitions and Restrictions on the Use of Mines, Booby-traps and Other Devices annexed to the 1980 Convention on Conventional Weapons (CCW). The Amended Protocol II entered into force for Austria on January 27, 1999.

2. Please attach the most recent annual report submitted by your country in accordance with Article 13 of the Amended Protocol or give the appropriate electronic address for the report.

See attached document.

3. Is your country considering ratification/accession to the Amended Protocol II?

Not applicable.

4. What measures have been taken to prevent the indiscriminate use of mines, booby-traps and other devices?

Not applicable.

5. Would your country be interested in receiving assistance related to the implementation of this Protocol? If so, please describe.

No.

6. Does your country have the capacity to assist others related to this Protocol? If so, please describe.

Yes, in general on the condition that the partner country is a State Party to the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (Ottawa Convention). Description of assistance activities see recent report submitted by Austria in accordance with Article 7 of the Ottawa Convention, part "J" (attached).

Part II

7. Has your country ratified or acceded to the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction?

Austria ratified the Ottawa Convention on June 29, 1998. It entered into force for Austria on March 1, 1999.

8.(a) If yes, please attach the most recent report submitted by your country in accordance with Article 7 of the Convention or give the appropriate electronic address for the report.

See attached document.

(b) If no, is your country considering ratification/accession to the Convention?

Not applicable.

(c) Has your country adopted legislation to address the humanitarian objectives of the convention, or taken any specific measures regarding the use, production, storage, transfer and destruction of anti-personnel landmines? In case a moratorium has been introduced, what is its scope and duration and when was it introduced?

The Austrian Federal Law on the Ban of Anti-Personnel Mines, published in the Federal Law Gazette I 1997/13, prohibits production, procurement, sale, brokering, transfer, import, export, use and possession of anti-personnel mines.

9. Does your country have any specific measures in place to provide assistance to victims?

See recent Austrian report under Art. 7 of the Ottawa Convention (attached).

10. Does your country require assistance in mine clearance, stockpile destruction, mine awareness and/or victim assistance? If so, please describe.

No.

11. Does your country have the capacity to assist others in mine action? If so, please describe.

Yes, in general on the condition that the partner country is a State Party to the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (Ottawa Convention). Description of assistance activities see recent report submitted by Austria in accordance with Article 7 of the Ottawa Convention, part "J" (attached).

**CONVENTION ON THE PROHIBITION OF THE USE, STOCKPILING, PRODUCTION AND TRANSFER OF
ANTI-PERSONNEL MINES AND ON THEIR DESTRUCTION**

Reporting Formats for Article 7

STATE [PARTY]:

REPUBLIC OF AUSTRIA

POINT OF CONTACT:

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Form A National implementation measures

Article 7.1 "Each State Party shall report to the Secretary-General ... on:
a) The national implementation measures referred to in Article 9."

Remark: In accordance with Article 9, "Each State Party shall take all appropriate legal, administrative and other measures, including the imposition of penal sanctions, to prevent and suppress any activity prohibited to a State Party under this Convention undertaken by persons or on territory under its jurisdiction or control".

State [Party]: AUSTRIA reporting for time period from 01 01 2019 to 31 12 2019

Measures	Supplementary information (e.g., effective date of implementation & text of legislation attached).
Already prior to the entry into force of the Convention, the Austrian Federal Law on the Ban of Anti-Personnel Mines came into effect. Art. 2 of the said bill prohibits the production, acquisition, sale, procurement, import, export, transit, use and possession of anti-personnel mines. Under Art. 4 of the bill, existing stockpiles of anti-personnel mines shall be destroyed by the Federal Ministry of the Interior within one month after the entry into force of the law. The bill further imposes a penalty on whoever, even by negligence, contravenes the prohibitions of Art. 2 of the bill. Thus, the bill fully transforms all prohibitions of the Convention.	The Convention came into force for Austria as of 1 March 1999 (reference: BGBl (Federal Law Gazette) III Nr. 39/1999). The Austrian Federal Law came into effect as of 1 January 1997 (reference: BGBl I Nr. 13/1997).

Form B Stockpiled anti-personnel mines

Article 7.1 "Each State Party shall report to the Secretary-General ... on:

b) The total of all stockpiled anti-personnel mines owned or possessed by it, or under its jurisdiction or control, to include a breakdown of the type, quantity and, if possible, lot numbers of each type of anti-personnel mine stockpiled."

State [Party]: AUSTRIA reporting for time period from 01 01 2019 to 31 12 2019

1. Total of stockpiled anti-personnel mines

Type	Quantity	Lot # (if possible)	Supplementary information
-	-		The destruction of all anti-personnel mines belonging to the Austrian Armed Forces was completed in 1996.
-	-		
TOTAL	-		

2. Previously unknown stockpiles of anti-personnel mines discovered after the deadlines have passed. *(Action #15 of Nairobi Action Plan) **

Type	Quantity	Lot # (if possible)	Supplementary information
-	-		-
-	-		-
TOTAL			

* Pursuant to the decision of the 8MSP, as contained in paragraph 29 of the Final Report of the Meeting, document APLC/MSP.8/2007/6.

Form C Location of mined areas

Article 7.1 "Each State Party shall report to the Secretary-General ... on:

c) To the extent possible, the location of all mined areas that contain, or are suspected to contain, anti-personnel mines under its jurisdiction or control, to include as much detail as possible regarding the type and quantity of each type of anti-personnel mine in each mined area and when they were emplaced."

State [Party]: AUSTRIA reporting for time period from 01 01 2019 to 31 12 2019

1. Areas that contain mines*

Location	Type	Quantity	Date of emplacement	Supplementary information
The territory of Austria does not contain any mined areas.				

2. Areas suspected to contain mines*

Location	Type	Quantity	Date of emplacement	Supplementary information
No areas in Austria are suspected to contain anti-personnel mines.				

* If necessary, a separate table for each mined area may be provided

Form D APMs retained or transferred

Article 7.1 "Each State Party shall report to the Secretary-General ... on:

d) The types, quantities and, if possible, lot numbers of all anti-personnel mines retained or transferred for the development of and training in mine detection, mine clearance or mine destruction techniques, or transferred for the purpose of destruction, as well as the institutions authorized by a State Party to retain or transfer anti-personnel mines, in accordance with Article 3"

State [Party]: AUSTRIA reporting for time period from 01 01 2019 to 31 12 2019

1a. **Compulsory:** Retained for development of and training in (*Article 3, para.1*)

Institution authorized by State Party	Type	Quantity	Lot # (if possible)	Supplementary information
Austrian Ministry of Defence; Austrian Ministry of the Interior	-	-		While Art. 3 of the Federal Law on the Ban of Anti-Personnel Mines authorises the retention of APMs for training purposes, neither ministry has retained APMs in the reporting period.
	-	-		
TOTAL	-----			

1b. **Voluntary information** (*Action #54 of Nairobi Action Plan*)

Objectives	Activity / Project	Supplementary information
		<i>(Description of programs or activities, their objectives and progress, types of mines, time period if and when appropriate...)</i>
		“Information on the plans requiring the retention of mines for the development of and training in mine detection, mine clearance, or mine destruction techniques and report on the actual use of retained mines and the results of such use”

NOTE: Each State Party should provide information on plans and future activities if and when appropriate and reserves the right to modify it at any time

Form D (continued)

2. **Compulsory:** Transferred for development of and training in (*Article 3, para.1*)

Institution authorized by State Party	Type	Quantity	Lot # (if possible)	Supplementary information: e.g. transferred from, transferred to
As above	-	-		-
TOTAL	-----			

3. **Compulsory:** Transferred for the purpose of destruction (*Article 3, para.2*)

Institution authorized by State Party	Type	Quantity	Lot # (if possible)	Supplementary information: e.g. transferred from, transferred to
As above	-	-		
TOTAL	-----			

Form E Status of programs for conversion or de-commissioning of APM production facilities

Article 7.1 "Each State Party shall report to the Secretary-General ... on:

 e) The status of programs for the conversion or de-commissioning of anti-personnel mine production facilities."

State [Party]: **AUSTRIA** reporting for time period from **01 01 2019** to **31 12 2019**

Indicate if to "convert" or "decommission"	Status (indicate if "in process" or "completed")	Supplementary information
-	-	No facilities had to be converted

Form F Status of programs for destruction of APMs

Article 7.1 "Each State Party shall report to the Secretary-General ... on:

f) The status of programs for the destruction of anti-personnel mines in accordance with Articles 4 and 5, including details of the methods which will be used in destruction, the location of all destruction sites and the applicable safety and environmental standards to be observed."

State [Party]: AUSTRIA reporting for time period from 01 01 2019 to 31 12 2019

1. Status of programs for destruction of stockpiled APMs (*Article 4*)

Description of the status of programs including:	Details of:
Location of destruction sites	
No destruction during reporting period (destruction of all APMs had been completed prior to the entry into force of the Convention, on the basis of the Federal Law on Anti-Personnel Mines).	Methods
	Applicable safety standards
	Applicable environmental standards

2. Status of programs for destruction of APMs in mined areas (*Article 5*)

Description of the status of programs including:	Details of:
Location of destruction sites	
No destruction during reporting period.	Methods
	Applicable safety standards
	Applicable environmental standards

Form G APMs destroyed after entry into force

Article 7.1 "Each State Party shall report to the Secretary-General ... on:

g) The types and quantities of all anti-personnel mines destroyed after the entry into force of this Convention for that State Party, to include a breakdown of the quantity of each type of anti-personnel mine destroyed, in accordance with Articles 4 and 5, respectively, along with, if possible, the lot numbers of each type anti-personnel mine in the case of destruction in accordance with Article 4"

State [Party]: AUSTRIA reporting for time period from 01 01 2019 to 31 12 2019

1. Destruction of stockpiled APMs (*Article 4*)

Type	Quantity	Lot # (if possible)	Supplementary information
-	-		No destruction during reporting period.
-	-		
TOTAL	-		

2. Destruction of APMs in mined areas (*Article 5*)

Type	Quantity	Supplementary information
-	-	No destruction during reporting period.
-	-	
TOTAL	-	

Form G (continued)

3. Previously unknown stockpiles of anti-personnel mines discovered and destroyed after the deadlines have passed. (*Action #15 of Nairobi Action Plan*)*

Type	Quantity	Lot # (if possible)	Supplementary information
-	-		
-	-		
TOTAL	-		

* Pursuant to the decision of the 8MSP, as contained in paragraph 29 of the Final Report of the Meeting, document APLC/MSP.8/2007/6.

Form J Other relevant matters

Remark: States Parties may use this form to report voluntarily on other relevant matters, including matters pertaining to compliance and implementation not covered by the formal reporting requirements contained in Article 7. States Parties are encouraged to use this form to report on activities undertaken with respect to Article 6, and in particular to report on assistance provided for the care and rehabilitation, and social and economic reintegration, of mine victims.

State [Party]: **AUSTRIA**

reporting for time period from **01 01 2019 to 31** to

12 2019

[Narrative / reference to other reports:]

Austria is providing assistance to mine action through bilateral and multilateral programs and as a Member State of the European Union is supporting mine action activities of the European Union.

In 2019, Austria provided ICRC with € 500.000,- for victim assistance and mine risk education in Ukraine. In addition Austria supported a mine clearance project in northeast Syria by ITF with € 2.000.000,-. Also in 2019, Austria provided support to the amount of € 10.000,- to the Convention's implementation support unit. The Austrian Embassy Kiev provided additional € 10.000,- for victim assistance in Ukraine.

Austria has continued to provide mine/UXO clearance teams during this reporting period in the framework of EUFOR ALTHEA and KFOR. Training programmes on mines and UXO's are implemented for all units conducting collective training as well as for all units during predeployment training for operations in Libanon (UNIFIL), Bosnia and Herzegovina (EUFOR ALTHEA), Kosovo (KFOR), Mali (EUTM) and Afghanistan (ISAF).

AMENDED PROTOCOL II

**PROTOCOL ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF MINES,
BOOBY-TRAPS AND OTHER DEVICES, AS AMENDED ON 3 MAY 1996, ANNEXED
TO THE CONVENTION ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF
CERTAIN CONVENTIONAL WEAPONS WHICH MAY BE DEEMED TO BE
EXCESSIVELY INJURIOUS OR TO HAVE INDISCRIMINATE EFFECTS
(Protocol II as amended on 3 May 1996)**

REPORTING FORMATS

for Article 13 paragraph 4 and Article 11 paragraph 2

NAME OF THE HIGH
CONTRACTING PARTY: Republic of AUSTRIA

DATE OF SUBMISSION: _____

NATIONAL POINT(S) OF CONTACT: Federal Ministry of European and
International Affairs
Department on Disarmament, Arms
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Federal Ministry of Defence
Military Policy Division
Subdivision 2 / Arms Control
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Fax: +43 50201 1017085
Email: milpol.ref2@bmlv.gv.at
(Organization, telephones, fax, e-mail)

AMENDED PROTOCOL II

This information can be available to other interested parties and relevant organizations:

YES

NO

Partially, only the following forms:

A

B

C

D

E

F

G

AMENDED PROTOCOL II

Form A **Dissemination of information**

Article 13,
paragraph 4 (a)

“The High Contracting Parties shall provide annual reports to the
Depositary [...] on [...]:

(a) dissemination of information on this Protocol to their armed forces and
to the civilian population;”

Remark:

High Contracting Party:

Republic of AUSTRIA

Reporting for time period

from: **01 01 2019**

dd/mm/yyyy

to:

31 12 2019

dd/mm/yyyy

INFORMATION TO THE ARMED FORCES:

The information submitted in the previous report 1st January - 31 December 2018 remains valid. Austria considers that there is no further need for specific implementation measures flowing from the contents of the Amended Protocol II with regard to anti-personnel mines and booby-traps due to the implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction and of the Federal Law on the Ban of Anti-Personnel Mines (Federal Law Gazette I Nr. 13/1997). The destruction of stockpiles of anti-personnel mines was completed in 1995 and the use of booby traps was prohibited by Federal Act (see also remarks made under Form D). All existing regulations with regard to the provisions of amended Protocol II had been corrected by the end of 1999 on a provisional basis. Instruction and training of soldiers is going on and encompasses active personnel as well as non-active personnel when activated temporarily for routine military activities.

INFORMATION TO THE CIVILIAN POPULATION:

There are no changes to the previous reports concerning the period 27th January 1999 to 31st December 2018. Since amended Protocol II has been transformed into Austrian law the content has been published and is therefore available to the civilian population.

AMENDED PROTOCOL II

Form B **Mine clearance and rehabilitation programmes**

Article 13,
paragraph 4 (b) “The High Contracting Parties shall provide annual reports to the
Depository [...] on [...]:

(b) mine clearance and rehabilitation programmes;”

Remark:

High Contracting Party:

Republic of AUSTRIA

Reporting for time period

from: **01 01 2019**

dd/mm/yyyy

to: **31 12 2019**

dd/mm/yyyy

MINE CLEARANCE PROGRAMMES:

As indicated previously, Austria is a non-mine-affected country (including mines, booby traps and other devices). Nevertheless UXO and APM discoveries, left from previous wars, do occur.

According to the 2. Stability Act (2. StabG 2012, Federal Law Gazette I No. 35/2012 of 24.04.2012), the tasks of demining services (Entminungsdienst - EMD) are conducted under the Ministry of Defence. The legal basis are regulated in § 42, para. 5 and 6, Weapons Act 1996 (WaffG) Federal Law Gazette I Nr. 86/2000.

The demining service is an independent department within the Ministry of Defence. This service was transferred from the Ministry of the Interior to the Ministry of Defence on January 1, 2013. A report on the discovered war material of all kinds and all levels of dangerousness is published annually.

In the reporting period, following types of ERW (regarding to internationally notifiable types of ammunition) were found and destroyed:

120 cluster bombs

3 anti-personnel mines

REHABILITATION PROGRAMMES:

During the reported time period no person in Austria became a victim of mines, booby-traps or other devices. Despite that fact Austria has been developing and establishing a variety of acts and principles to ensure social security and, depending on particular situations, full rehabilitation.

AMENDED PROTOCOL II

Form C Technical requirements and relevant information

Article 13,
paragraph 4 (c) “The High Contracting Parties shall provide annual reports to the
Depository [...] on [...]:

(c) steps taken to meet technical requirements of this Protocol and any
other relevant information pertaining thereto;”

Remark:

High Contracting Party:

Republic of AUSTRIA

Reporting for time period

from: **01 01 2019**

dd/mm/yyyy

to:

31 12 2019

dd/mm/yyyy

TECHNICAL REQUIREMENTS:

The response given by Austria in its previous reports covering the period 27th January 1999 to 31st December 2018 remains valid for this reporting period. The Austrian Armed Forces do not possess mines, booby-traps and other devices which are not in compliance with the technical provisions of this Protocol or which would be in contradiction with the obligations from other international treaties. The Austrian Armed Forces will not use improvised explosive devices which are not in compliance with the technical provisions of this Protocol. The Austrian Armed Forces are prepared to record and mark locations of any weapons covered by this Protocol in accordance with the respective provisions.

ANY OTHER RELEVANT INFORMATION:

Austria did not claim for deferment of compliance with respect to Art.2.c. and 3.c. of the Technical Annex.
There are no indications of Austrian companies producing weapons, which are not in compliance with the provisions of amended Protocol II or which would violate other treaty obligations entered by Austria.

AMENDED PROTOCOL II

Form D Legislation

Article 13,
paragraph 4 (d) “The High Contracting Parties shall provide annual reports to the
Depositary [...] on [...]:

(d) legislation related to this Protocol;”

Remark:

High Contracting Party:

Republic of AUSTRIA

Reporting for time period

from: 01 01 2019

dd/mm/yyyy

to: 31 12 2019

dd/mm/yyyy

LEGISLATION:

No changes to the previous reports: Amended Protocol II is an integral part of the Austrian Law. The Protocol entered into force on 27 January 1999 and was published under the reference number "Federal Law Gazette III Nr. 17/1999". In addition, the following legal instruments are applicable in Austria with regard to the use of certain weapons: Federal Law on the Ban of Anti-Personnel Mines (Federal Law Gazette I Nr. 13/1997), the Convention on the Prohibition of the Use, Production, Stockpiling and Transfer of Anti-Personnel Mines and on Their Destruction, the Geneva Conventions and their respective Protocols.

AMENDED PROTOCOL II

Form E **International technical information exchange, cooperation on mine clearance, technical cooperation and assistance**

Article 13,
paragraph 4 (e)

“The High Contracting Parties shall provide annual reports to the
Depositary [...] on [...]:

(e) measures taken on international technical information exchange, on
international cooperation on mine clearance, and on technical cooperation
and assistance;”

Remark:

High Contracting Party:

Republic of AUSTRIA

Reporting for time period

from: **01 01 2019**

dd/mm/yyyy

to:

31 12 2019

dd/mm/yyyy

INTERNATIONAL TECHNICAL INFORMATION EXCHANGE:

NIL

INTERNATIONAL COOPERATION ON MINE CLEARANCE:

Austria is providing assistance to mine action activities through bilateral and multilateral programs and as a Member State of the European Union is supporting mine action activities of the European Union.

On a bilateral basis Austria has contributed during the reporting period to mine clearance, mine awareness and mine victims assistance programs/activities of international agencies and organisations or NGO's in the following countries: Syria, Ukraine. Austria has also contributed to the programs and activities of the International Campaign to Ban Landmines (ICBL), the Geneva International Centre for Humanitarian Demining (GICHD) the Ottawa Treaty ISU and the ICRC's Special Fund for Disabled in Africa.

AMENDED PROTOCOL II

TECHNICAL COOPERATION AND ASSISTANCE:

Austria has continued to provide mine/UXO clearance teams during this reporting period in the framework of EUFOR ALTHEA and KFOR. Furthermore Austria provides Mobile Training Teams in that regard in Moldova.

Training programmes on mines and UXO's are offered for all units during predeployment training for operations in Libanon (UNIFIL), Bosnien and Herzegowina (EUFOR ALTHEA), Kosovo (KFOR) and MALI (EUTM).

AMENDED PROTOCOL II

Form F Other relevant matters

Article 13,
paragraph 4 (f)

“The High Contracting Parties shall provide annual reports to the
Depositary [...] on [...]:

(f) other relevant matters.”

Remark:

High Contracting Party:

Republic of AUSTRIA

Reporting for time period

from: **01 01 2019**

to:

31 12 2019

dd/mm/yyyy

dd/mm/yyyy

OTHER RELEVANT MATTERS:

NIL

AMENDED PROTOCOL II

Form G **Information to the UN-database on mine clearance**

Article 11,
paragraph 2,

“2. Each High Contracting Party undertakes to provide information to the database on mine clearance established within the United Nations System, especially information concerning various means and technologies of mine clearance, and lists of experts, expert agencies or national points of contact on mine clearance.”

Remark:

High Contracting Party:

Republic of AUSTRIA

Reporting for time period

from: **01 01 2019**

dd/mm/yyyy

to:

31 12 2019

dd/mm/yyyy

MEANS AND TECHNOLOGIES OF MINE CLEARANCE:

No changes for this reporting period since 1st January to 31st December 2017.

LISTS OF EXPERTS AND EXPERT AGENCIES:

In conformity with the reports of the previous years, governmental experts for humanitarian demining operations as well as for military mine clearance activities are principally members of the Austrian Armed Forces (AAF).

About 100 persons are currently trained in accordance with international practices and standards for such operations. The deployment of such experts is decided strictly on a case by case basis in accordance with the rules regulating the operation of members of the Austrian Armed Forces abroad in accordance with Austrian constitutional and legal requirements. Operation teams can be composed up to five members (generally specialized in complementary capabilities).

The following equipment is used for mine detection respectively mine clearance: SCHIEBEL MIMID AN-19/2, VALLON VMM3, VALLON VMCÖ1, FÖRSTER FEREX 4.032, CEIA MilD1, DOK-ING MV 4 Mine Clearing System, DOK-ING MV 10 Mine Clearing System (implementation process), HYDREMA 910 MCV (implementation process)

AMENDED PROTOCOL II

NATIONAL POINTS OF CONTACT ON MINE CLEARANCE:

**Federal Ministry of European and International Affairs
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**Federal Ministry of Defence
Military Policy Division
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**Federal Ministry of the Interior:
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