

CAB - Res 67/49 - Information on confidence building measures in the field of conventional arms - GERMANY

Jenny Fuchs to: Hideki Matsuno, Maria Santos-Puma
Cc: Elsie Haregwein

15/05/2014 01:22 PM

Dear Hideki,

For your report.

Dear Tess,

For logging, please.

Best,

Jenny

Jenny Fuchs
Social Sciences Assistant
Office of the Director and Deputy
to the High Representative
Office for Disarmament Affairs

----- Forwarded by Jenny Fuchs/NY/UNO on 15/05/2014 01:21 PM -----

From: ".NEWYVN POL-HOSP1-VN Koeber, Martin" <pol-hosp1-vn@newy.auswaertiges-amt.de>
To: "fuchs@un.org" <fuchs@un.org>,
Date: 15/05/2014 12:49 PM
Subject: German contribution to the report on resolution 67/49

ODA
OFFICE OF THE
DIRECTOR

MAY 15 2014

LOG No. 14-00705

Dear Ms. Fuchs,

replacing Ms. Amalie Harrison in this function for the next two and a half months, I am hereby sending you the German contribution to the report on resolution 67/49, entitled "Information on confidence building measures in the field of conventional arms". Please find the Note verbale No. /14, as well as the national contribution to the database on confidence-building measures attached. Please do not hesitate to contact me if you have any questions.

Kind regards,
Marton Köver

Mr. Marton Köver
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Permanent Mission
of the Federal Republic of Germany
to the United Nations
New York

Note No. /14

Note Verbale

The Permanent Mission of the Federal Republic of Germany to the United Nations presents its compliments to the Office for Disarmament Affairs to the United Nations and has the honour to submit hereby, with reference to Note Verbale ODA/016-2014/ICBM dated February 25th, 2014 and resolution 67/49 of December 3rd, 2012, intitled "Information on confidence building measures in the field of conventional arms" its reply to the request of the Secretary General.

The Permanent Mission of the Federal Republic of Germany to the United Nations avails itself of this opportunity to renew to the Office for Disarmament Affairs to the United Nations the assurances of its highest consideration.

New York,

L.S.

ODA
OFFICE OF THE
DIRECTOR

MAY 15 2014

LOG No. 14-00705



**Information on confidence-building measures
in the field of conventional arms (Resolution 67/49)**

**National contribution to the database on confidence-building measures
Federal Republic of Germany
2013**

Berlin, 30. April 2014

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1. Introduction

Germany is convinced that confidence-building measures (CBMs) play a key role in disarmament and arms control. Cooperative arms control approaches often start with CBMs, which contribute to post-conflict stabilization and rehabilitation. They create a climate of transparency, dialogue and cooperation that is the foundation of arms control or disarmament agreements between the parties to a conflict and often a precondition for conflict prevention. CBMs have to be developed and agreed to on a voluntary basis, on the principle of cooperative security. The confidence-building process is facilitated by good governance and the rule of law. CBMs should be in full compliance with the purposes and principles of the UN Charter and international humanitarian law. It is important that all states in all regions feel that their participation in transparency and confidence-building measures serves their security interests. Conflicts in various regions where CBMs were not initiated at an early stage have shown the need for worldwide awareness of the potential for CBMs to contribute to peace and stability. This implies, inter alia, verification regimes that ensure the reliability of the information provided. Bilateral, sub-regional and regional CBMs have produced encouraging results throughout the world in supporting peace and stability. With regard to Europe, the OSCE area is an encouraging example of how CBMs can contribute to the building of peace and stability at the bilateral and regional level. Since the first CBMs were agreed upon at the Stockholm Conference in the mid-1980s, the CFE Treaty, the successive Vienna Documents and the Treaty on Open Skies have been instrumental in the creation of a new military culture of openness and transparency. These documents, along with additional documents of the OSCE acquis, constitute a mutually reinforcing network of security in Europe. Current events in Ukraine show the importance of these CBMs, which, especially in a climate of tension and mistrust, have to be properly used.

For the Federal Republic of Germany, the Bundeswehr Verification Center (BwVC) ensures the implementation of arms control treaties and agreements. It acts in accordance with the directives of Germany's Foreign Office and under the direction of the German Ministry of Defense.

2. German participation in treaties and agreements with regard to CBMs and related activities

a) Treaty on Conventional Armed Forces in Europe (CFE Treaty)

Germany is a State Party to the Treaty on Conventional Armed Forces in Europe (CFE Treaty) that was concluded by the members of NATO and the Warsaw Pact in 1990. It was intended to create a secure and stable balance of conventional armed forces at lower levels and to eliminate the capability to launch surprise attacks or large-scale offensives in Europe. To this end, the Treaty limits the number of heavy conventional armaments and equipment (battle tanks, armored combat vehicles, artillery, combat aircraft and attack helicopters) and increases mutual trust through detailed information on holdings and on-site inspections to verify the fulfilment of the limitation and reduction requirements of the Treaty. By the mid-nineties, the reductions required by the Treaty had resulted in the destruction of some 60,000 heavy weapons systems. Greater transparency and enhanced cooperation between the armed forces also increased mutual trust. The CFE Treaty thus played a major role in ending the

arms build-up in Europe and reducing military tensions in the turbulent years following the end of the Cold War. Due to the radical changes in the security environment in Europe since the 1990s and the development of new military capabilities, the conventional arms control architecture in Europe needs a fundamental revision. The German Government continues to view conventional arms control in Europe as an indispensable part of any viable European security architecture. It therefore strongly backs a modernized conventional arms control regime in Europe that delivers verifiable transparency and thereby enhances security, stability, dependability and mutual trust. The Russian Federation ceased implementation of the CFE Treaty as of 12 December 2007 which has inevitably had an impact on the verification and transparency within the scope of the CFE Treaty. Despite this, the CFE Treaty further contributes to strengthening security and stability in Europe. Germany remains committed to full implementation. In 2013, Germany conducted a total of ten active inspections pursuant to Section VII of the Protocol on Inspection to the CFE Treaty. In addition, German guest inspectors participated in an additional ten inspections conducted by Allies. In return, eleven inspectors from other States Parties took part in German inspections. Unfortunately, no inspections could be conducted on the territory of the Russian Federation due to the suspension mentioned above.

In toto, five CFE inspections were conducted on the territory of the Federal Republic of Germany in 2013. The Bundeswehr Verification Center (BwVC) escorted the inspection teams.

Once again in 2013, continued changes to the structure of the Bundeswehr resulted in a high number of event-triggered notifications, updating the data provided in the annual exchange of information as of 1 January 2013:

- 19 notifications on a total of 169 changes to the structure and deployment of the German Armed Forces, and
- 89 notifications on a total of 508 changes to the holdings of armaments and equipment subject to the Treaty.

Moreover, Germany provided personnel and material support in the implementation of the Treaty. BwVC conducted training inspections for the verification personnel of other States Parties and also supported the NATO School at Oberammergau and the RACVIAC-Centre for Security Cooperation in providing international arms control training courses.

The text of the Treaty on Conventional Armed Forces in Europe can be found under <http://www.osce.org/library/14087>

b) Treaty on Open Skies

The Treaty on Open Skies, signed in 1992 by then-members of NATO and the Warsaw Pact states, entered into force in 2002 and today has 34 States Parties. The Treaty aims at improving openness and transparency, supporting the verification of existing and future arms control agreements and strengthening the capacity for conflict prevention and crisis management. State Parties have the right to conduct observation flights over each other's territories, with defined sensors for photography, radar and since 2006 infrared imagery. The Treaty follows a cooperative approach and provides for joint implementation between

observing and observed States Parties and equal access to all data collected for all States Parties.

Germany is a State Party to the Treaty on Open Skies and in 2013 made the following contributions to its implementation:

Within the scope of the Treaty on Open Skies, which authorizes observation flights over the territory of all States Parties from Vancouver to Vladivostok, BwVC conducted ten active observation flights which had at least a bilateral format, and two training flights carried out in international cooperation while one training flight was German only without international partners.

Furthermore, BwVC escorted two Open Skies observation flights which were conducted by Russia/Belarus and Ukraine over German territory.

BwVC actively supported Latvian Open Skies personnel during an observation flight of the Russian Federation over the territory of Latvia and with a basic training of Latvian personnel at the BwVC.

Personnel of the BwVC took part in an international data gathering campaign organized by the Russian Federation as a prerequisite for a certification of digital sensors for the use in Open Skies.

Germany also contributed actively to the efforts of the inter-governmental Working Group on Sensors of the Open Skies Consultative Commission (OSCC) to map out procedures for the certification and active use of digital cameras. In September 2013 the necessary decisions were taken by the OSCC. This allowed the Russian Federation to conduct the first certification of a digital camera between 21st until 27th September 2013. 22 State Parties participated in this event and 21 State Parties signed the certification report. Germany is one of the signatories.

As a result of the findings during the first certification of a digital sensor, the inter-governmental Working Group on Certification of the OSCC was re-established under the chairmanship of Germany.

The text of the Treaty on Open Skies is available on the following website:
<http://www.osce.org/library/14127>

c) Vienna Document

The “Vienna Document 2011 on confidence- and security-building measures” (VD 2011) traces its origins back to 1986 when the Stockholm Conference adopted the Final Document on confidence and security-building measures. The Vienna Document 2011 is based on those previous documents and is valid for all OSCE Participating States. Its provisions govern the military aspects of confidence- and security-building among the participating States which commit themselves to a system of cooperative security structures with the aim of conflict avoidance and prevention. The Vienna Document contains, inter alia, provisions on the

exchange of information on military forces, major weapon and equipment systems, defense planning (including information on budgets) and planned military activities, and it provides for procedures of inspections, evaluation visits and observation of significant military activities and exercises. Furthermore, there are mechanisms for consultation and cooperation.

Germany is a signatory to the Vienna Document and made the following contributions to its implementation in 2013:

In 2013, The United States invited the participating states to visit an air base and military facility of their stationed forces in Germany. 67 participants from 30 participating states, as well as from four partner states and three international organisations that took part in these events, were escorted by BwVC personnel from the points of entry to the US installations.

Two participating states carried out an exercise in 2013 which was subject to prior notification under Chapter V of the Vienna Document.

In toto, BwVC conducted two inspections and three evaluation visits in 2013, including two evaluation visits based on bilateral agreements. The practice of inviting guest inspectors to participate in every activity led by Germany has again proven its worth and serves as a means of making more OSCE participating States familiar with the verification regime of the Vienna Document and to involve those states actively in the implementation activities. In 2013 Germany dispatched one guest inspector each to four inspections conducted by other participating States.

BwVC representatives escorted two inspections and four evaluation visits (three of which took place on the basis of bilateral agreements) pursuant to the Vienna Document on the territory of the Federal Republic of Germany.

BwVC representatives participated in all contact activities under Chapter IV of the Vienna Document. These activities included three visits to air bases, three visits to military facilities.

Germany actively supports and calls for a substantial modernization of the Vienna Document. To this end, Germany presented in 2012 a draft proposal in the OSCE's Forum for Security Cooperation (FSC).

The text of the Vienna Document 2011 is available on the following website:
<http://www.osce.org/fsc/86597>

d) OSCE Code of Conduct on Politico-Military Aspects of Security

With the adoption of the OSCE Code of Conduct on Politico-Military Aspects of Security, which came into force on 1 January 1995, the OSCE participating States agreed on politically binding rules for the deployment (both internal and external) of armed forces and, in particular, for the democratic control of military forces and other armed government forces. Due to its broad scope based on the rule of law, the Code of Conduct combines the political and the human dimensions of the OSCE acquis. In 2003, the Code of Conduct gained further significance through the inclusion of information on national efforts to prevent and combat terrorism into the questionnaire for the yearly information exchange.

In 2013, as in previous years, Germany has fully implemented the Code of Conduct and once again participated in the information exchange on its implementation. In 2013, Germany supported a regional conference for the Mediterranean on the Code of Conduct in Malta. The main objective of this conference was to discuss the implementation of the Code of Conduct amongst the OSCE participating states of the Mediterranean region, as well as to raise awareness for the norms and principles enshrined in the Code of Conduct amongst the OSCE Mediterranean Partners for Co-operation. Additionally, Germany played a prominent and active role in the second annual discussion on the implementation of the Code of Conduct in the OSCE HQ in July 2013 in Vienna.

The text of the OSCE Code of Conduct on Politico-Military Aspects of Security is available on the following website:

<http://www.osce.org/fsc/41355>

The German answer to the Code of Conduct questionnaire is available at:

[http://www.auswaertiges-
amt.de/DE/Aussenpolitik/Friedenspolitik/Abruestung/KonvRueKontrolle/OSZE-
CoC_node.html](http://www.auswaertiges-
amt.de/DE/Aussenpolitik/Friedenspolitik/Abruestung/KonvRueKontrolle/OSZE-
CoC_node.html)

e) General Framework Agreement for Peace in Bosnia and Herzegovina (Dayton Peace Accords), Annex 1-B

In Annex 1-B of the Dayton Peace Accords, the Parties agreed on measures for regional stability and arms control on the territory of the former Yugoslavia. On that basis, the aim of the measures for sub-regional arms control of the Article IV Agreement signed in Florence on 14 June 1996 was the establishment of "...balanced and stable defense force levels at the lowest numbers consistent with the Parties' respective security." The Agreement provides for specific reduction methods, an extensive information exchange and an intrusive inspection regime.

In 2013, Germany continued to support the Parties to the Dayton Peace Accords in the implementation of their obligations under the Florence Agreement.

For example, members of the BwVC assisted in the conduct of five missions within the scope of inspections pursuant to the Florence Agreement. Germany also continues to support the Office of the Personal Representative of the OSCE Chairman-in-Office for Article IV of the Dayton Peace Agreement Annex 1-B, through the temporary attachment of a specialist staff officer.

In 2013, four verification activities were carried out in accordance with the Concluding Document of the Negotiations under Article V of the Dayton Peace Accords. These measures were carried out in the form of evaluation visits in accordance with the provisions of the Vienna Document.

Two German evaluation teams visited Montenegro and the Republic of Serbia to verify the data submitted by this country in its annual information exchange. The BwVC escorted one evaluation team from Bosnia and Herzegovina during their evaluation visit in Germany.

Germany continued its support to RACVIAC – Centre for Security Cooperation in Zagreb through the provision of instructors for courses. Germany's long-standing provision of personnel to RACVIAC concluded with the end of the term of duty of the last German Staff Officer as a Programme Manager in December 2012. However, Germany continues to substantially support the programme budget of RACVIAC.

Information on the Dayton Peace Agreement can be found on the following website:
http://www.ohr.int/dpa/default.asp?content_id=380

f) Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention)

Germany signed the Ottawa Convention on 3 December 1997 and, by 1 March 1999, had destroyed its national stockpiles of more than 1.7 million anti-personnel mines.

Between 2002 and 2013, Germany has committed an amount of 193.6 million EUR (approx. 270 million USD) to humanitarian mine action projects and victim support in about 45 mine-affected countries. In 2013, 14,9 million EUR were provided for this purpose.

Germany regularly takes part in the yearly transparency measures according to Art. 7 of the Convention.

The annual German reports are published on the following website:
[http://www.unog.ch/80256EE600585943/\(httpPages\)/A5378B203CBE9B8CC12573E7006380FA?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/A5378B203CBE9B8CC12573E7006380FA?OpenDocument)

g) Convention on Cluster Munitions of 30 May 2008

Germany signed the Convention on Cluster Munitions, which prohibits the use, the production and the transfer of cluster munitions, on 3 December 2008 and deposited its instrument of ratification with the United Nations Secretary General on 8 July 2009; it was the eleventh country to do so. The Convention entered into force on 1 August 2010, after the required 30 ratifications were achieved in February 2010.

The German Federal Armed Forces have never used cluster munitions. Germany unilaterally renounced the use of all types of cluster munitions one day before the adoption of the Convention in Dublin in May 2008 and intends to destroy its remaining stocks by 2015. The status of destruction of cluster munitions was 93 % at the end of 2013.

Germany regularly takes part in the yearly transparency measures according to Art. 7 of the Convention; cf.:

[http://www.unog.ch/80256EE600585943/\(httpPages\)/84610CE6A9FDDACDC1257823003BBC39?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/84610CE6A9FDDACDC1257823003BBC39?OpenDocument)

For further information please see:

[http://www.unog.ch/80256EE600585943/\(httpPages\)/F27A2B84309E0C5AC12574F70036F176?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/F27A2B84309E0C5AC12574F70036F176?OpenDocument)

h) UN 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 (CCW)

Germany ratified the Convention and its 5 Protocols and is implementing them. Germany regularly submits the annual reports

1. pursuant to Art. 13 of the Amended Protocol II;
2. pursuant to Art. 10 of the Protocol V; and
3. on compliance with the Convention.

The annual German reports can be found on the following websites:

1. [http://www.unog.ch/80256EE600585943/\(httpPages\)/66F87A925AAEBCF4C12574830030A9CF?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/66F87A925AAEBCF4C12574830030A9CF?OpenDocument)
2. [http://www.unog.ch/80256EE600585943/\(httpPages\)/B84B4C205835421DC12574230039C42E?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/B84B4C205835421DC12574230039C42E?OpenDocument)
3. [http://www.unog.ch/80256EE600585943/\(httpPages\)/E0339F1FE92C35FBC12573E900351CD5?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/E0339F1FE92C35FBC12573E900351CD5?OpenDocument)

i) UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

Germany submits a national report on the implementation of the UN PoA.

The biannual German report can be found on the following website:

<http://www.poa-iss.org/PoA/PoA.aspx>

In 2011, the International Technical Ammunition Guidelines (IATGs) were finalized. The IATGs had been developed from 2008 to 2011 by a group of experts including German participation. The group of experts was established on the basis of a recommendation by a Group of Governmental Experts that was launched according to General Assembly Resolution 61/72 from 2006. The IATG provide a tool that can be used on a voluntary basis by states wishing to apply recognized standards in handling, stockpiling and safeguarding of ammunition and explosives.

Germany has participated actively in the Second Review Conference on the PoA in August and September 2012.

In collaboration with partners worldwide including Germany, the United Nations has developed International Small Arms Control Standards (ISACS) that provide clear, practical and comprehensive guidance to practitioners and policymakers on fundamental aspects of small arms and light weapons control. The standards are used by the more than 20 UN entities that make up the UN Coordinating Action on Small Arms (CASA) mechanism in order to ensure that the United Nations as a whole consistently delivers, upon request, the highest quality advice and support to Member States on putting in place effective controls

over the full life-cycle of small arms and light weapons. Germany has funded a UNIDIR project developing a software tool that will make the implementation of the ISACS easier and measurable, provide indicators and benchmarks and will allow states to monitor their implementation efforts more effectively.

j) OSCE Document on Small Arms and Light Weapons (SALW)

Germany takes part in the information exchange pursuant to the OSCE Document on SALW every year.

The German report for 2013 is published on the following website:

http://www.auswaertiges-amt.de/sid_120F99DFC816F5ED63422F494E2C50EF/DE/Aussenpolitik/Friedenspolitik/Ab_ruestung/MinenKleinwaffen/KleinLeichtWaffen_node.html

Furthermore, Germany provides experts for staff assessment visits on a regular basis and evaluates the applications for support that are received from other participating States.

In 2003, the OSCE published a Handbook of Best Practices on Small Arms and Light Weapons (SALW). The Handbook is a set of guidelines developed by the Forum for Security and Co-operation to help reduce the number of illegally-held weapons in circulation, by providing a set of best practice guides relating to all stages of a gun's life, starting with manufacture and ending with destruction and disarmament, demobilization and reintegration. Germany has participated in the development of this handbook.

Germany provides financial and technical support to the Arab League in its endeavor to raise the awareness of the issue of small arms control in the region.

k) OSCE Document on Stockpiles of Conventional Ammunition

On 19 November 2003, the OSCE adopted the Document on Stockpiles of Conventional Ammunition. In 2008, the OSCE published a Handbook of Best Practices on Conventional Ammunition. The aim of this handbook is to give participating States and other interested States guidance on how to handle ammunition. Within the OSCE framework, the combination of the setting of standards, the exchange of experience and project work is unique. Many OSCE participating States use the possibility stipulated in the documents on small arms and conventional ammunition to request support of other participating States for securing and destroying surplus small arms and ammunition stockpiles. Germany takes part in assessment visits, training activities and other project work.

Further information is to be found on the following website:

<http://www.osce.org/fsc/15792>

<http://www.osce.org/de/fsc/33373>

l) OSCE Document on Principles Governing Conventional Arms Transfers

Germany takes part in the information exchange on conventional arms transfers every year. The report for 2012 was submitted to the OSCE on 28 June 2013.

Furthermore, Germany annually submits a response to the Questionnaire on the Participating State's Policy and/or National Practices and Procedures for the Export of Conventional Arms and Related Technology. The most recent response was submitted to the OSCE on 28 June 2013.

m) UN Register of Conventional Arms (Resolution 68/43 of the United Nations General Assembly)

Each year, Germany submits a national report under the UN Register of Conventional Arms. The Register covers seven categories of arms, which are deemed the most lethal ones. In 2003, countries decided that small arms could be added to the Register. Many countries now include small arms in their yearly reports. The German report includes information on military holdings, national production and small arms and light weapons exports and imports as additional background information as proposed by the resolution "Transparency in Armaments".

The annual reports can be found on the following website:
<http://www.un-register.org/HeavyWeapons/Index.aspx>

Germany participates in a group of governmental experts on the continuing operation and further development of the UN Register of Conventional Arms.

n) UN Report on Military Expenditures (Resolution 66/20 of the United Nations General Assembly)

Each year, Germany submits a national report in accordance with the UN Report on Military Expenditures. Germany continues to consider objective information on military matters, including transparency of military expenditures, a significant element for building confidence and enhancing better understanding among States. In 2010/2011, a UN Group of Governmental Experts reviewing the operation and further development of the UN Instrument was chaired by a German expert. The Group's recommendations were endorsed by Resolution 66/20 of the United Nations General Assembly.

The German report is included annually in the aggregate report of the Secretary General of the United Nations and can be found at:
<http://www.un.org/disarmament/convarms/Milex/>

3. Other German Activities (Conferences and Seminars) with regard to CBMs in 2013 (list is not exhaustive)

Germany pays particular attention to regional and subregional dialogue with regard to issues relating to confidence-building measures, landmines and small arms and light weapons and their ammunition. Activities in 2013 included:

- Continued support to training courses and seminars at the RACVIAC – Centre for Security Cooperation in Zagreb.
- Germany participated in the 2012/13 Group of Governmental Experts (GGE) on Developments in the field of information and telecommunications in the context of international security. The GGE had the mandate “to study existing and potential threats in the sphere of information security and possible cooperative measures to address them, including norms, rules or principles of responsible behavior of States and confidence-building measures with regard to information space” (A/RES/66/24).
- Germany actively contributes to the OSCE Informal Working Group established by OSCE Permanent Council Decision 1039 to build consensus on first CBMs for cyberspace.
- Continued support to training courses at the NATO School in the field of SALW/CA.
- Continued support to training courses and seminars in Turkmenistan in the field of SALW/CA.
- Continued support to training courses and seminars at the International Peace and Support Center (IPSTC) in Kenya in the field of SALW/CA.
- Continued support to the CASM-Projekt (Conventional Ammunition Stockpile Management) in Moldova.