



Auswärtiges Amt

**Information on confidence-building measures
in the field of conventional arms (Resolution 63/57)**

**National contribution to the database on confidence-building measures
Federal Republic of Germany
2009**

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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 the 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 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 a 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 what CBMs can contribute to the building of peace and stability at the bilateral and regional level. Since the first CBMs were agreed 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.

For the Federal Republic of Germany, the Bundeswehr Verification Center (BwVC) ensures the implementation of those arms control treaties and agreements that are binding under international law. 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. The CFE Treaty aims to eliminate the capability to launch surprise attacks and to initiate large-scale offensive action in Europe by creating a force ratio balance through the reduction and numerical limitation of certain conventional weapon systems in combination with a comprehensive information and verification regime. Between the first exchange of information, which was submitted when the Treaty was signed in November 1990 and today, the number of conventional armaments and equipment limited by the Treaty within the Treaty's Area of Application Europe has decreased by approximately 110,000 weapon systems, meaning that the current total holdings are less than half the original holdings. During the three-year 40 month reduction phase alone, i.e. between November July 1992 and November 1995, the 30 States Parties destroyed more than 50,000 weapon systems to attain their stipulated ceilings. The rules on the exchange of information and on verification laid down in the CFE Treaty provide the States Parties with the opportunity to verify compliance with the limitations, the reduction liabilities and other Treaty provisions by conducting on-site inspections. However, the Russian Federation suspended the implementation of the CFE

Treaty for an indefinite time as of 12 December 2007, because the Agreement on the Adaption of the CFE-Treaty had not been ratified by NATO member states. It has inevitably had an impact on Germany as regards the verification and evaluation within the scope of the CFE Treaty. Nevertheless, in 2009, Germany conducted a total of eleven active inspections pursuant to Section VII of the Protocol on Inspection to the CFE Treaty. Out of these inspections, two were quota inspections, three were supplementary inspections at cost, and six were bilaterally agreed inspections. In addition, Germany dispatched guest inspectors to participate in further 15 inspections conducted by Allies. In return, 16 inspectors from other States Parties took part in German inspections. Unfortunately, none of these inspections could be conducted on the territory of the Russian Federation due to the suspension mentioned above.

In toto, 6 CFE inspections were conducted on the territory of the Federal Republic of Germany in 2009. The Bundeswehr Verification Center (BwVC) escorted the inspection teams.

Once again in 2009, 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 01 January 2009.

In this context during the reporting period Germany's notifications included:

- approximately 29 changes to the structure and deployment of the German Armed Forces, and
- approximately 450 changes to the holdings of armaments and equipment limited by the Treaty (TLE) of the units.

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 in the conduct of international arms control training courses. In addition, BwVC detached instructors to verification agencies of NATO countries other State Parties to assist in the conduct of arms control training courses.

The text of the CFE treaty can be found under
http://www.osce.org/documents/doclib/1990/11/13752_en.pdf

For further information please see
<http://www.auswaertiges-amt.de/diplo/en/Aussenpolitik/Themen/Abruestung/Uebersicht.html>

(in particular the summary of the German Federal Government's 2009 Annual Disarmament Report) http://www.auswaertiges-amt.de/diplo/de/Aussenpolitik/Themen/Abruestung/Aktuelles/100113-Abr_C3_BCstungsbericht2009.pdf

b) Treaty on Open Skies

Germany is a party to the Treaty on Open Skies and in 2009 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 nine active observation flights which had at least a bilateral format, and six training flights carried out in international cooperation.

Furthermore, BwVC escorted three Open Skies observation flights which were conducted by Russia/Belarus and Ukraine over German territory. Germany supported RACVIAC in the preparation and conduct of an Open Skies training seminar. The seminar included the planning of training flights. Due to the technical failure of the observation aircraft, it was not possible to actually carry out the training flight.

During training flights over the Republic of Serbia and the Republic of Montenegro, Germany supported the Open Skies personnel of the respective verification organizations in implementing and exercising specific procedures under the Open Skies Treaty.

For further information please see:

http://www.osce.org/documents/doclib/1992/03/13764_en.pdf

c) Vienna Document

The “Vienna Document 1999 of the negotiations on confidence- and security-building measures (CSBMs)” (VD 99) is an agreement that is valid throughout the entire OSCE area. Its provisions govern the military aspects of confidence- and security-building among the participating States, which commit themselves to refraining from the threat or use of force. VD 99 contains, *inter alia*, provisions on the exchange of information on military forces, major weapon and equipment systems, defence planning (including information on budgets) and planned military activities, and it provides for procedures to verify the submitted data. Furthermore, there are mechanisms for consultation and cooperation.

Germany is a signatory to the Vienna Document 1999 and made the following contributions to its implementation in 2009:

BwVC representatives participated in all contact activities under Chapter IV of VD99.

These activities included ten visits to air bases, eleven visits to military facilities, four demonstrations of new major weapon systems and one observation visit. Moreover, Germany fulfilled its obligation to issue invitations for contact events. 50 participants from 28 OSCE countries and 4 OSCE partner countries¹ as well as representatives from the Regional Arms Control Verification and Implementation Assistance Center (RACVIAC – Centre for Security Cooperation) took part in the visit to an air base and to a military facility in Germany. Germany also supported the United States of America in the organization and hosting of a demonstration of a new major weapon system on German territory.

Kazakhstan, Finland and Belarus carried out an exercise in 2009 which was subject to prior notification under Chapter V of VD 99. Due to its scale, the military activity in Finland was

¹ Japan, South Korea, Thailand, Algeria.

also subject to observation under Chapter VI of VD 99. BwVC representatives, together with observers from another 18 OSCE countries, participated in this activity.

In toto, BwVC conducted four inspections and three evaluation visits in 2009, including two evaluation visits based on bilateral agreements.² 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 VD 99 and to involve those states actively in the implementation activities. In 2009, Germany dispatched one guest inspector each to two inspections and one evaluation visit conducted by other participating States.

BwVC representatives escorted two inspections and two evaluation visits (one of which took place on the basis of a bilateral agreement) pursuant to VD 99 on the territory of the Federal Republic of Germany.

In 2009, Germany additionally supported the training of officers from Central Asia in the implementation of VD 99 during a training course at the PfP training center in Turkey.

The text of the Vienna Document 1999 is available on the following website:

http://www.osce.org/documents/fsc/1999/11/4265_en.pdf

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.

In 2009, as in previous years, Germany has fully implemented the Code of Conduct and once again participated in the information exchange on its implementation.

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

http://www.osce.org/documents/fsc/1994/12/4270_en.pdf

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

[http://www.auswaertiges-
amt.de/diplo/de/Aussenpolitik/Themen/Abruestung/KonvRueKontrolle/OSZE-CoC.html](http://www.auswaertiges-
amt.de/diplo/de/Aussenpolitik/Themen/Abruestung/KonvRueKontrolle/OSZE-CoC.html)

² One activity each with Bosnia and Herzegovina, Montenegro, Serbia and Ukraine.

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 2009, 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 participated as assistants in ten missions within the scope of inspections pursuant to the Florence Agreement. Germany is also continuing its personnel support to the Office of the Personal Representative of the OSCE Chairman-in-Office for Article IV of the Dayton Peace Agreement Annex 1-B..

In 2009, five verification activities were conducted on the basis of 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 pursuant to the provisions of the Vienna Document 1999.

Four German evaluation teams with guest inspectors, some of whom were nationals from states in the region, visited Albania, Montenegro, Serbia and the former Yugoslav Republic of Macedonia to verify the data submitted by these countries in their annual information exchanges.

A BwVC team escorted an evaluation team from the former Yugoslav Republic of Macedonia during its evaluation visit in Germany.

Germany will continue to support the NATO School by providing instructors for training activities within the framework of the Dayton Peace Accords. In addition, Germany continues its support to RACVIAC – Centre for Security Cooperation where, in addition to providing instructors for courses, Germany provides a Staff Officer as a Programme Manager and funds a number of activities.

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. Since 1992, Germany has committed an amount of more than 228 million USD to mine action projects in more than 40 mine-affected countries. Germany regularly takes part in the yearly transparency measures according to Art. 7 of the Convention.

The annual German report is 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 enters into force on 01 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 provided that the budget and industrial resources allow.

In order to promote implementation of the Convention, Germany hosted an expert meeting on the subject of the destruction of cluster munitions stockpiles in June 2009, inviting all signatory states as well as relevant international organizations and non-governmental organizations involved in this field.

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:

Re 1:

[http://www.unog.ch/80256EE600585943/\(httpPages\)/66F87A925AAEBCF4C12574830030A9CF?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/66F87A925AAEBCF4C12574830030A9CF?OpenDocument)

Re 2:

[http://www.unog.ch/80256EE600585943/\(httpPages\)/B84B4C205835421DC12574230039C42E?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/B84B4C205835421DC12574230039C42E?OpenDocument)

Re 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 annual German report can be found on the following website:

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

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 annual German report is published on the following website:

<http://www.auswaertiges-amt.de/diplo/de/Aussenpolitik/Themen/Abruestung/Downloads/KleineLeichteWaffen-OSZE-InfoAustauschSALW2009.pdf>

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

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. In November 2009, the Foreign Office invited the so-called small arms contact points of the Arab League members to Germany. The small arms information trip took place in Berlin and focused on weapon storage and registration within the German Armed Forces and the Federal German Police. The tour provided ample opportunities for an exchange of ideas. The Federal Government's commitment regarding the small arms issue as well as cooperation mechanisms were demonstrated.

k) OSCE Document on Stockpiles of Conventional Ammunition

On 19 November 2003, the OSCE adopted the Document on Stockpiles of Conventional Ammunition. Currently, best practice guides are being prepared for conventional ammunition issues; they are intended to serve as practical implementation aids. The aim of this handbook is to give the member 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.auswaertiges-amt.de/diplo/en/Aussenpolitik/Themen/Abruestung/MinenKleinwaffen/KleinLeichtWaffen.html>

l) OSCE Document on Principles Governing Conventional Arms Transfers

Germany takes part each year in the information exchange on conventional arms transfers. The report for 2008 was submitted to the OSCE on 30 June 2009.

Furthermore, Germany annually submits answers to the Questionnaire on the Participating State's Policy and/or National Practices and Procedures for the Export of Conventional Arms and Related Technology.

m) UN Register of Conventional Arms (Resolution 64/54 of the United Nations General Assembly)

Each year, Germany submits a national report under the UN Register of Conventional Arms. The annual German report can be found on the following website:

http://disarmament.un.org/un_register.nsf

n) UN Instrument for Reporting Military Expenditures (Resolution 64/22 of the United Nations General Assembly)

Each year, Germany submits a national report in accordance with the Instrument for Reporting 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 group of governmental experts, on the basis of equitable geographical representation, will review the operation and further development of the UN Instrument. Germany is committed to support actively the work of the group of governmental experts and hosted a first brainstorming seminar in May 2009 in preparation for it.

The German report is included annually in the aggregate report of the Secretary General of the United Nations and can be found at:

<http://disarmament.un.org/milex.nsf>

3. Other German Activities (Conferences and Seminars) with regard to CBMs in 2009 (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 2009 included:

- Continuation and completion of the project on “Integrated Small Arms Control and Improvement of the Storage of Ammunition and Explosives in Cambodia;”
- Continued support to training courses at the NATO School in the field of SALW/CA.
- Continuation of “Berlin Seminars on Conventional Arms Control”, a forum introduced by the Federal Foreign Office, Division on Conventional Disarmament and Arms Control in Europe. In 2009, senior experts met for presentations and discussions – from March 24 to 26, 2009 at RACVIAC Centre for Security Cooperation, on “Conventional Arms Control and Disarmament in the Current Strategic Environment” - from November 25 to 26, 2009, at the Federal Academy on Security Studies, Berlin, on “Collective Military Defence and Conventional Arms Agreements as Decisive Elements of the Security Environment in Europe”
- Brainstorming seminar “Group of Governmental Experts (GGE) to review the operation and further development of the United Nations Instrument for Reporting Military Expenditures” on 4 and 5 May, 2009, in Berlin
- High-Level Meeting “The Future of Conventional Arms Control in Europe”, from June 9 to 10, 2009, in Berlin
- Berlin Conference on the Destruction of Cluster Munitions on 25 and 26 June, 2009 (in cooperation with the Royal Norwegian Ministry for Foreign Affairs)
- Visit of SALW Focal Points of the Member States of the League of Arab States to Berlin and Vienna from November 23 to 27, 2009