

**Information on confidence-building measures  
in the field of conventional arms (Resolution 65/63)**

**National contribution to the database on confidence-building measures  
Federal Republic of Germany  
2011**

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**Federal Foreign Office  
Division 241  
DE-11013 BERLIN  
GERMANY**

**Telephone** +49 30 18 17 42 79  
**Facsimile** +49 30 18 17 5 42 79  
**Email** 241-2@auswaertiges-amt.de

## **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 (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 (tanks, armoured combat vehicles, artillery systems, combat aircraft and attack helicopters) and increases mutual trust through detailed information on holdings and on-site inspections to verify their accuracy. 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 part 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 transformation of 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 evaluation 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 among implementing States. In 2011, Germany conducted a total of ten active inspections pursuant to Section VII of the Protocol on Inspection to the CFE Treaty. In addition, Germany dispatched guest inspectors to participate in further 12 inspections conducted by Allies. In return, 13 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, 4 CFE inspections were conducted on the territory of the Federal Republic of Germany in 2011. The Bundeswehr Verification Center (BwVC) escorted the inspection teams.

Once again in 2011, 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 2011.

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

- approximately 5 changes to the structure and deployment of the German Armed Forces, and
- approximately 600 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 and the RACVIAC-Centre for Security Cooperation in the conduct of international arms control training courses.

The text of the CFE treaty can be found under  
<http://www.osce.org/library/14087>

For further information please see  
[http://www.auswaertiges-amt.de/EN/Aussenpolitik/Friedenspolitik/Abruestung\\_/KonvRueKontrolle/KSE-Vertrag\\_node.html](http://www.auswaertiges-amt.de/EN/Aussenpolitik/Friedenspolitik/Abruestung_/KonvRueKontrolle/KSE-Vertrag_node.html)

(in particular the summary of the German Federal Government's 2011 Annual Disarmament Report)  
[http://www.auswaertiges-amt.de/EN/Aussenpolitik/Friedenspolitik/Abruestung\\_/Aktuelles/120229\\_Jahresabruestungsbericht\\_2011-node.html](http://www.auswaertiges-amt.de/EN/Aussenpolitik/Friedenspolitik/Abruestung_/Aktuelles/120229_Jahresabruestungsbericht_2011-node.html)

## **b) Treaty on Open Skies**

The Treaty on Open Skies, signed in 1992 by then-members of the NATO and the Warsaw Pact states, entered into force in 2002 and today has 34 State 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 2011 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 share partners.

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

For further information please see:

<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 a document on confidence- and security-building measures. The Vienna Document 2011 is based on the 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 2011:

BwVC representatives participated in all contact activities under Chapter IV of the Vienna Document.

These activities included nine visits to air bases, thirteen visits to military facilities and six demonstrations of new major weapon systems.

No partner state carried out an exercise in 2011 which was subject to prior notification under Chapter V of the Vienna Document.

*In toto*, BwVC conducted three inspections and three evaluation visits in 2011, including three evaluation visits based on bilateral agreements.<sup>1</sup> 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 2011, Germany dispatched one guest inspector each to four inspections and one evaluation visit conducted by other participating States.

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

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.

In 2011, 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/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)

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<sup>1</sup> One activity each with Georgia, Czech Republic 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 2011, 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 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 2011, three 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.

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

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

Germany continues its support to RACVIAC – Centre for Security Cooperation in Zagreb 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](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 224.5 million EURO (approx. 300 million USD) to mine action projects in more than 42 mine-affected countries.

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 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.

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 annual 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 for a tool that can be used on a voluntary basis by states wishing to apply recognized standards in the handling, stockpiling and safeguarding of ammunition and explosives.

**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/DE/Aussenpolitik/Friedenspolitik/Abruestung/MinenKleinwaffen/box-osze.html>

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.

**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 others interested 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>



### **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 2010 was submitted to the OSCE on 29 June 2011. 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 66/39 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://unhq-appspub-01.un.org/UNODA/UN\\_REGISTER.nsf](http://unhq-appspub-01.un.org/UNODA/UN_REGISTER.nsf)

### **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://disarmament.un.org/milex.nsf>

### **3. Other German Activities (Conferences and Seminars) with regard to CBMs in 2011 (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 2011 included:

- Continued support to training courses and seminars at the „Regional Arms Control Verification and Implementation Assistance Center“ (RACVIAC) in Zagreb.
- Group of Governmental Experts (GGE) to review the operation and further development of the United Nations Instrument for Reporting Military Expenditures” chaired by Germany
- Continued support to training courses at the NATO School in the field of SALW/CA.
- Continued support to training courses and seminars in Tadjikistan in the field of SALW/CA.
- Support of an OSCE/UNDP Fact-finding mission in Serbia in the field of conventional ammunition

- “High-Level Seminar on CBMs and Preventive Diplomacy” co-chaired by Germany and Indonesia within the framework of the ASEAN Regional Forum, Berlin, 27.-29. November 2011.