

**Preliminary Report for the General Committee on Political Affairs and Security**

**OSCE Parliamentary Assembly / 2014 Annual Session /**

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**Democratic Control of Armed Forces and the Vienna Document**

Mr. Chairman, Dear Colleagues at the OSCE,

First of all, I would like to express my gratitude for the trust you placed in me when I was elected to the position of Rapporteur last summer. It is my pleasure and privilege to share some of my thoughts today on how the OSCE could be developed in the spirit of Helsinki +40. The agenda for this meeting is the democratic control of armed forces and the Vienna Document. I will be suggesting ideas from the standpoint of arms control and monitoring.

Before we proceed to the particular topic of this meeting, it might be useful to remind ourselves about the relevant documents and how they relate to one another.

**The Vienna Document**

As you all recall, the Vienna Document is one of the most important politically binding documents of the politico-military dimension of OSCE. It encompasses the goals of the Helsinki Final Act Decalogue of 1975 and incorporates them into a politically binding document. The Helsinki Final Act principles created the initial confidence- and security-building measures that would be elaborated upon, first in the Stockholm Document (1986) and later in the first Vienna Document. The first document, Vienna Document 1990, would have successors in Vienna Documents 1992, 1994, and 1999. All of the Vienna Documents have sought to strengthen the transparency and openness in the OSCE area.

The participating States exchange information annually on their military forces concerning the military organization, manpower and major weapon and equipment systems. The information is provided to all participating States by 15<sup>th</sup> of December and is valid on January 1<sup>st</sup> the next year. Apart from the exchange of various kinds of information, other obligations to the signatories include Confidence and Security Building Measures such as inspection and evaluations of military sites, areas and exercises.

Dear colleagues,

I now ask you to look back on our last summer's meeting in Turkey. In the 2013 Istanbul Declaration OSCE PA underlined the need to proceed with the ongoing discussions and negotiations in order to update and modernize the 1999 Vienna Document. It also underlined the need for further updating the Vienna Document in order to create predictability by increasing

openness and transparency. The questions remain: should **the thresholds at which States are obliged to inform each other on their military exercises be lowered, should the opportunities for verification activity increased, the exchange of military information modernized, risk reduction mechanisms strengthened and the scope of confidence and security-building measures enlarged?**

The democratic control of armed forces refers to the norms and standards governing the relationship between the armed forces and society in general. This definition includes the oversight of all types of security forces in a given country. For this purpose, *the OSCE Code of Conduct on Politico-Military Aspects of Security* was entered into force in January 1995. It both echoes and is in accordance with the principles and commitments of the Helsinki Final Act and the Charter of Paris. The fundamental basis for democratic control<sup>1</sup> over one's military is **strong and effective parliamentary oversight**, which should be based on principles of constitutionality, legality and accountability. The role of parliaments is to adopt an appropriate legislative basis from which to derive the necessary framework and conditions.

The next Annual Implementation Discussion will take place in July 2014, and is seen as a milestone event in light of the Code of Conduct's 20-year anniversary. Highlights of the year 2013 included the translation of the Code into Arabic by Germany and Switzerland and a regional conference for the Mediterranean region held in Malta in September. It was stated that the Code of Conduct remains a relevant and valuable document in the current political context. The League of Arab States displayed genuine interest in the document.

Dear colleagues, in order for the exchange of information to be truly open and transparent in the spirit of the Vienna Document, we must be able to count on the fact that the armed forces are truly subjected to the control of the democratic process. It is hardly possible for the armed forces to be controlled this way, if the rest of the society is also lacking in freedom and democracy. Military spending must be decided solely by the national parliaments without any kind of shortcuts or work-arounds. As a community of countries committed to democracy, the OSCE places great emphasis on promoting democratic elections. The commitments agreed upon by all OSCE participating States in the 1990 Copenhagen Document, for example, emphasize fundamental principles that are central to a democratic tradition and can be summed up in seven key words: **universal, equal, fair, secret, free, transparent, and accountable**. After all, the people who in the end are tasked with carrying out the parliamentary control of armed forces must themselves be elected according to truly democratic processes.

***Mr. Chairman, Dear Colleagues. I now move to the most important part of my presentation: For discussion on the future of OSCE***

To which direction should we proceed from here? I shall bring up four points for discussion.

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<sup>1</sup> This should be interpreted as democratic oversight of the security parliaments, entailing shared responsibility between the legislative and the executive for the effectiveness of the military, police and security structures of a given state (as defined in FSC.GAL/146/02/Corr.1).

**1** First of all, I think that the most important thing is to strengthen the common political will of all 57 participating States of OSCE. I truly hope that there is enough political will and ambition in this forum also in the future in order for us to reform previous documents and to promote openness and transparency in the politico-military dimension. I firmly believe in the potential of the OSCE to be a constructive, transformative force in the field of international relations and security policy. In my opinion, this is the most important point of all.

As we all know, different parts of the world have totally different security threats. The situation in the Caucasus is completely different from Switzerland or Luxembourg, for example. Nevertheless, consisting of 57 countries, the OSCE is the world's largest regional security arrangement under Chapter VIII of the United Nations Charter. It brings together 57 participating States spanning the globe from Vancouver to Vladivostok and 11 additional partner countries to discuss vital issues affecting the OSCE area. Through its partners for co-operation, the OSCE can also influence events in Asia and North Africa. We will have to make sure that previously agreed-upon documents that increase security are committed to.

**2** As my second point, I would like to emphasise the importance of developing and finding new substance to the Vienna Document. The Document is related to the Treaty on Conventional Armed Forces in Europe (CFE and adapted CFE) and the Open Skies Treaty.

The CFE consists of 5 different categories of key armaments and weapon systems that can be used for large-scale offensive operations. We should in particular look back to our successes. The Code of Conduct has proved itself useful in reforming armed forces, for example with Bosnia-Herzegovina. Although there have been doubts about the future of the CFE treaties, we should not forget that since the adoption of CFE, the number of Treaty-Limited Equipment, or TLE, has been reduced by a significant number, 118 000 units. Of these, more than 40 000 have been main battle tanks. And the Open Skies has been generally seen as a success.

When it comes to applying the Vienna Document and CFE in actual crisis management operations, we can draw conclusions from the peace mission's operational experience during the Kosovo crisis. Because of both legal and political restraints and commitments, it was essential for the alliance to comply with both CFE and VD. One particular difficulty turned out to be the friction between compliance and the need for operational security and force protection. It reflects the general dilemma in security policy: how much can nations reduce and limit their military capabilities without altering delicate power balances or making themselves vulnerable?

One additional difficulty has been the way states interpret details in the treaties differently. Some military maneuvers have not been reported since they have been conducted with local forces – and according to one interpretation, only troops transferred from other areas must be counted. In some cases, forces not belonging to the direct control of the ministry of defence have also been deliberately ignored. And there has not been consensus on whether all maritime and paramilitary forces, border guard units etc. should also be included in the limits.

Some countries have suggested that training units, logistics and repairing installations and air transport units should be included in the existing information exchange obligations. Some have

also suggested that the focus should be on smaller combat units, which would reflect the growing importance of battalion-sized units in military actions.

In total, there are more than twenty so-called VD Plus proposals and other suggestions. To name a few: expanding information exchange on military matters, the notification for military exercises, maritime arms control procedures, monitoring of rapid deployment forces and large force transfers and the improvement of the effectiveness of inspections and evaluation visits.

If there is agreement that the current treaties must be updated, then to what direction should we proceed? Within the OSCE the focus is in the VD discussion. As to the CFE Treaty, this is up to the State parties themselves. In this regard, it must be decided whether there is a need to reform the existing CFE treaty – or is concentrating to the Vienna document and the implementation of the Code of Conduct a better way of moving forward.

**3** Mr. Chairman, dear colleagues,

We should remind ourselves about the geopolitical situation that created the need for these treaties and how the situation has changed in the last few decades. The treaty was formulated at a time when the biggest security threat in Europe was the possibility of a large-scale land invasion. As I said previously, this is no longer the case.

Since the end of the Cold War, new threats have emerged with new operational tactics and weapon systems. Terrorism, cyber warfare, unmanned aerial vehicles and the way they can be used to conduct more limited operations are more relevant to modern security policy, and demand new responses. The growing danger to privacy and human rights posed by potential cyber attacks must be recognized. Future efforts could be coordinated with the EU's cyber security strategy and EC directives and there should be regular reporting and classification of attacks, should they occur.

As threats have changed, the quantitative assessments of troop and material counts do not carry the same weight they used to. In an age when one can theoretically cripple an entire nation with a successful cyber attack, simple counts of a country's main battle tanks or other equipment are of little value. Future treaties should increasingly focus also on parameters that measure quality and potential of different elements of military force. Even small steps in this direction would be welcome.

The list of modern security issues is long and varied, and as said earlier, is not limited to what are understood as traditional military warfare in the form of large-scale invasions. Some additional issues that must be addressed are: chemical and biological weapons, missile defence programs, strategic and tactical nuclear weapons and of issues of proliferation. The role of women in the prevention and resolution of conflicts and compliance for United Nations Security Council resolution 1325 should be carefully observed. New regional conflicts also pose additional challenges for the OSCE.

Mr. Chairman, dear colleagues,

**4 As my last, fourth point,** I would like to bring to discussion the role that the OSCE can take when a nation near us descends into chaos or even civil war.

As we all remember, there has been much discussion on the topic of Syria. Many have felt frustrated and powerless when dealing with the crisis, as it seems that international organisations have had very limited influence in finding any sort of resolution to the conflict. The widespread bombing of civilian targets and the reported use of chemical weapons are of course a clear violation of international treaties, including the Geneva Convention.

Syria is not a member of OSCE, but what if a situation like that were to present itself to one of us? Therefore, I especially want to bring into discussion the role of OSCE in the internal crises of states. The threat of internal conflicts is real also within OSCE. The most recent example is the situation in Ukraine, which must be carefully followed. We must do all that we can to ensure that further escalation of the crisis can be avoided and the situation resolved in a peaceful way.

In our meeting of the Nordic-Baltic delegations in Vilnius on the 31<sup>st</sup> of January, we issued a statement expressing our strong condemnation of the violence, which has led to the aggravation of the situation and subsequent bloodshed. We called upon the parties involved in the conflict to resolve the crisis by constructive political dialogue. The OSCE must continue to take an active role in this process. We are thankful for the efforts by the OSCE Chair, Switzerland, in this regard.

I look forward to a lively discussion from many points of view on this matter. Based on this discussion the decision can be made whether to include the subject matters of cyber warfare and terrorism to this report more broadly, since they are both relatively new issues but must be addressed more extensively by the OSCE in the future.

Mr. Chairman, dear colleagues,

I would like to remind you again that the OSCE is in a great position to reclaim its role to increase security, openness and transparency. As the 40th anniversary of the Helsinki Final Act is approaching, we need to move forward in the Helsinki +40 process. This process is an opportunity to strengthen mutual trust and confidence and improve co-operation among the participating States. We hope to see substantial results over the coming year.

We have a shared commitment to ensure that we will live in a secure, peaceful world. How we achieve that goal depends solely on us and our common political will. I hope that we can live up to the challenge.