The early history of Confidence-building measure was concerned with avoiding a clash between two military blocs armed on a scale never seen before. In modern times, especially in the post second World War era, concern over surprise attack determined contacts on confidence building measures among the nuclear powers. After the Cuban missile crisis of 1962, several arms control agreements were entered into between the US and the Soviet Union aimed at reducing the risk of war through accident or miscalculation or failure of communication. The United Nations since its infancy encouraged and facilitated these confidence promoting measures. In fact in 1978, the First UN Special Session Disarmament (UNSSOD-1) reaffirmed by consensus the goal of general and complete disarmament under effective international control.\(^1\) The final document of the UNSSOD-1 stated that in order to facilitate the process of disarmament, it was necessary to pursue policies to strengthen international peace and security and to build confidence among States.\(^2\) For reensuring its stand, at its forty-fourth session, the General Assembly adopted four resolutions dealing with confidence-building and the related areas of naval disarmament and defensive


security concepts. The General Assembly, has subsequently adopted various resolutions on confidence-building measures and a study on the subject has been prepared by the Secretary-General. The Disarmament Commission, furthermore, submitted a set of draft guidelines for appropriate types of confidence-building measures to the General Assembly in 1986.

Conference on disarmament in Europe that opened in Stockholm, Sweden in January, 1984 was part of the multilateral negotiating process of the Conference on Security and Cooperation in Europe (CSCE). While the Stockholm document came into force on January 1, 1987, its implementation began earlier and already in late 1986 the participants of the Conference on Security and Co-operation in Europe exchanged action plans for 1987. Prior to this certain kind of CSBMS were developed during 1950s, the 1960s and 1970s. In fact these can be traced back as far back as to the 1648 Treaty of Westphalia. However, these acquired significance in CSCE because of the major breakthrough in verification modalities like "On site inspection" resulting in dispelling the fear of mutual suspicion and lack of confidence.


6. Macintosh, James, Confidence (Security) building Measures in Arms Control Process: Canadian View Perspective (Ottawa, Department of External Affairs, August 1985, pp. 16-26.)
At the Vienna talks on 'Mutual Reduction of Forces and Armaments and Associated Measures in Central Europe (MURFAAMCE or MFR), these were referred to as "Associated Measures" and were linked specifically with the verification of troop reductions and ceilings. CSBMS underwent a step by step development. The first ones, called CSBMS of the 'First generation' were enshrined in the Final Act of the Conference at Helsinki in 1975. The Madrid follow up meeting concluded in 1983 laid down the mandate for a second stage of negotiations on CSBMS. The conference ended that stage with the adoption of the Stockholm Document in 1986. The concluding Document of the Third Follow up meeting of the CSCE was signed in Vienna in January 1989 and marked the beginning of a third undertaking with regard to CSBMS. In March 1989, the negotiations on Confidence and Security Building Measures commenced in Vienna and after 7 rounds of negotiations, a third CSBM was signed on 19 November, 1990 and subsequently endorsed by the Paris Summit on 21 November 1990. It came into force on 1 January, 1991.


The first set of measures for the promotion of confidence and security in Europe was incorporated into the Helsinki Final Act. These measures were implemented from 1975 until the Stockholm Document in Confidence-building came into effect, i.e. until 1st January, 1987.

The Helsinki Measures, rather modest by today's standards represented the "First generation CSBMS" and first step on the road to more openness and predictability in military activities. It marked the first phase of detente between East and West in Europe. The Helsinki Final Act of 1975 laid the foundation and charted the course for the realization of peaceful order such as the West had been demanding ever since 1967, in NATO's Harmel Report.

Helsinki Final Act is a remarkable development, as East-West relations seriously deteriorated at the end of 1970s and the of the 1980 due to the Soviet invasion of Afghanistan, the proclamation of martial law and the prohibition of solidarity in Poland and serious violations of human rights in Eastern Europe. Gradually a compromise could be achieved, greatly stimulated by the relaxation of tension between East and West as a result of the West German 'Ostpolitik', the new policy towards Eastern

11. Sharma, n. 8, p. 29.

Europe pursued since 1969. This change of policy on the part of the Federal Republic of Germany resulted in the conclusion of four 'ostvertrage' which normalized the relations of the FRG, with the USSR, Poland, Czechoslovakia and the GDR. Moreover, in September 1971 the Four-Power Agreement on Berlin was concluded. The Final decision about the convening of a conference on Security and Co-operation in Europe - which was agreed to be the official name for the conference - was taken in 1972 after the conclusion of first Salt Agreement between the USA and the USSR (26th May). In the light of these favourable developments, Foreign Ministers agreed to enter into multilateral conversation concerned with preparations for a conference on Security and Co-operation in Europe. This was stated by the Foreign Ministers of the fifteen NATO States in the final communique of the meeting of the NATO Council of 30 and 31 May, 1972. At the same time, NATO Ministers repeated their proposal "that multilateral explorations on mutual and balanced force reductions be undertaken as soon as possible. In this way NATO states once more stressed their opinion that an indissoluble link exists between military and political detente. In the course of 1972 this connection was also accepted by the East European States. This resulted in a parallel, but simultaneous start of two diplomatic conferences: The CSCE in Helsinki and the negotiations on Mutual and balanced Force Reductions with a


14. Ibid.

smaller number of participating States and which started in 1973
and dragged until the beginning of 1989 when it was replaced by
Negotiations on Conventional Forces and Armament in Europe.

At the invitation of the Finnish Government, Multilateral
Preparatory Talks (MPT) started at Dipoli (Near Helsinki) on 22
November 1972. The heads of the diplomatic mission accredited
in Helsinki of 32 European States, Canada and the U.S.A. were the
participants in these MPT. Albania was the only European State
which rejected the Finnish invitation to participate. The
perception was that Security in Europe could not be arranged by a
conference that was organised by the two super-powers trying to
resolve major international problems between themselves and at
the expense of other States and world public opinion.

The MPT, usually referred to as Helsinki Consultations, were
held to solve the numerous preparatory aspects connected with the
organisation of the Conference (date, place, agenda,
participation, financial questions, rules of procedure, etc.).
However, the MPT actually far exceeded the scope of a meeting
with a purely preparatory function. The disagreements between
East and West were so fundamental that it took more than half a
year in reaching a compromise on all outstanding issues on 8
June, 1973. This compromise consisted of the adoption of the

16. Hanspeter, Neuhold, (ed), CSCE: N+N Perspectives, (Wilhelm

and Disarmament, SIPRI Year Book 1973, Almqvist and
Wiksell, Stockholm) p.103.

"Final Recommendations of the Helsinki Consultations" usually referred to as the Blue Book. In the Blue Book, the blueprint for the conference was established, which determined the essence and nature of the CSCE process so far to a great extent, both as far as its scope and its rules of procedure are concerned. As far as the organisation of the Conference was concerned, the Blue Book stated that it was to be held in three stages. The first stage was to be held in Helsinki at the ministerial level. The Ministers for Foreign Affairs should officially approve the Final Recommendations and present their Government's views on the problems at stake. The second stage was to be the "Working Stage" to be held in Geneva. At this stage, a final CSCE document had to be negotiated. At the third and final stage of the CSCE again in Helsinki, a final document was to be adopted.

The major part of the Blue Book was devoted to the agenda which encompassed a detailed enumeration of all the problems which had to be discussed in the second stage of the conference. In this agenda the main issues of the CSCE process were officially determined. It gave birth to the four main areas or baskets of the CSCE:

20. Ibid.
21. Ibid.
Basket 1: Security and human rights.

Basket 2: Co-operation in the field of economics, science, technology and environment.

Basket 3: Co-operation on humanitarian matters broadly conceived (inter-personal contacts and informational, cultural and educational exchanges).

Basket 4: Follow up to the conference.

In the Blue Book it was laid down that all European States, the US and Canada were entitled to participate in the CSCE. In practice there were the 34 States which participated in the MPT, whereas Monaco decided to join the CSCE. Albania therefore remained the only European State which abstained from the conference. The Blue Book also provided for "Contributions" to the CSCE by non-participating States and in particular by those States which are situated adjacent to Europe. This provision which was inserted under the strong pressure of Malta referred specifically to Mediterranean States. It was laid down that all States would participate as Sovereign and independent equal States. Moreover, it was specifically stated that the conference "shall take place outside military alliances." The principle of consensus would be followed for decision making and Chairmanship would be on rotation. The conference was to function through a number of Working bodies: the central organ was to be the co-ordinating committee. In addition committees and sub-committees were provided which could set up their own working groups. It was decided that the working languages of

23. Ibid.
the CSCE would be English, French, German, Italian, Russian and Spanish. The conference had a limited administrative support with minimal secretariat service and no verbatim records except at the meetings of the first and third stages. The socialist countries put forward constructive proposals on all items on the agenda, "calling for greater co-operation between the participating States." The German Democratic Republic made proposals on the second item on the agenda regarding co-operation in the field of economics, trade, science and technology and the environment. The People's Republic of Bulgaria and the Polish People's Republic submitted a draft document on the third item about ways of developing cultural co-operation, human contacts and information exchange. The Czechoslovak Socialist Republic, proposed the establishment of a "European Centre for reducing the threat of war and preventing surprise attack".

The Western countries argued that human contacts were the main condition of detente. The points was stressed in speeches by the Foreign Ministers of Federal Republic of Germany, France, Britain, the United States and some other countries.

The West also made proposals for the dissemination of information from abroad, travel to foreign countries, marriage to

25. Ibid.
foreigners and contacts between organizations and people. Behind it all was an attempt to penetrate socialist society ideologically.

Soon after the successful ending of the MPT, the first stage of the conference started in Helsinki on 3 July, 1973. This meeting which took place at the level of Foreign Ministers lasted until 7 July. At this meeting, the Ministers of the 35 CSCE States officially adopted the Final Recommendations of the Helsinki Consultations and presented their views on the problems which were to be negotiated at the conference in the following Stages.

In general, this first stage of the CSCE did not encounter serious problems due to the fact that real negotiations did not take place. In essence, the meeting consisted of the delivery of official speeches which also had the purpose of informing the press and the public at large, at the open sessions of this first stage. Disagreement arose only about the question of the access to the meeting by representatives of non-participating States. As no agreement could be achieved on this problem, the principle of consensus precluded the participation of any non-CSCE State.

The main work was done at the second stage of the conference at the expert level which started on 18 September 1973 in Geneva and lasted until 21 July 1973. Due to differences the progress could not be made in basket I but rapid progress was made regarding the third basket. For the success of basket I, neutral and non-aligned States acted as "mediators" between East and
West. As insurmountable differences seemed to have emerged in Geneva, the leaders of the States had to intercede. A powerful impetus to the work at Geneva was provided by bilateral meetings of the leaders of the participating countries which took place in the years 1973-75. At these summits, Soviet leaders discussed the problems arising at the European Conference with President Giscard d'Estaing of France, West German Chancellor Helmut Schmidt, British Prime Minister Harold Wilson, U.S. President Richard Nixon and other leaders. 27 A great constructive role was played by personal messages sent by Leonid Brezhnev to the leaders of these countries in 1974-75. Finally on 21 July, 1975, all CSCE States reached agreement on the adoption of an extensive document.

As agreed during the MPT, the third stage of the conference again took place in Helsinki. The great importance of this meeting was expressed in the fact that all 35 CSCE States were represented by their heads of State. On 1 August, 1975, Final Act of CSCE was signed. 28 Those who were present in the Finlandia Hall on July 30 - August 1, 1975 could not help feeling that they were witnessing a unique event of global importance. Indeed, those were history making days. It was an impressive ceremony marked by the solemn atmosphere and remarkable speeches of political leaders - the Presidents and Prime Ministers of 35 nations.

27. Yuri, n. 24, p. 22.
In those days some journalists compared the Helsinki Summit with such major events of European and world history as the Vienna Congress of 1814-15 and the Paris Peace Conference of 1919-20. Although its task was entirely different not to decide the borders but to build inter-state relations on a basis of peace and co-operation.

Urho Kekkonen, President of Finland said "it was the point of departure for the European Conference as a whole. Although the code was based on the principles and aims of the United Nations, it went further than the U.N. Charter because it related them to the specific conditions of the European continent."

This way the conference was concluded after several years of negotiations in which a great number of diplomats of the 35 participating States had been involved. The Final Act of Helsinki consists of four baskets. Basket I being security and confidence related is of prime importance. It consists of two main parts. The First part is the "Declaration on Principles Guiding Relations. Between Participating States" and the Second part is the "Document on Confidence-building measures and certain aspects of security and disarmament." The Declaration on "Principles" is undoubtedly the most important part of this basket. It contains an elaboration of ten fundamental principles, focussed on the European context. Those ten "Principles" are the following:


1. Sovereign equality, respect for the rights inherent in sovereignty.

2. Invulnerability of frontiers.

3. Territorial integrity of States.

5. Peaceful settlement of disputes.


7. Respect for human rights and fundamental freedom, including the freedom of thought, conscience, religion or belief.


10. Fulfilment in good faith of obligation under international law.

The second part of the first basket contained the first confidence-building measures. The scope of the agreement in this "military" part of the Final Act was very modest, not only because of the reluctance of the States concerned but also because of the fact that disarmament questions for Central Europe were simultaneously discussed in the MBFR Negotiations in Vienna.

The CBMS in the Final Act were mainly of a voluntary nature, as the States were not ready to accept firm obligations in this field.

The document states that the signatories shall notify all other participating States of major military maneuvers exceeding 25,000 troops 21 days or more in advance. The area covered by this agreement was the whole of Europe with a special regulation

31. Helsinki Final Act Document 2(HFA 2), Paras 1,5.
applying to the Soviet Union: Soviet territory more than 250 Kilometers east of the western boundaries was not covered by the regime agreed upon.32

CBMS in Europe emerged only after the borders had been recognized and the German issue had been regulated in a more satisfactory manner at the beginning of the 1970s.

The Document represented the first East-West agreement on a new type of measure, a confidence building measure, different from a classic arms control that consisted of reduction and or limitations of armed forces. Confidence building measures are intended in the first instance "to contribute to the flow of information about the armed forces of participating countries increasing visibility and diminishing the secrecy of routine military activities, thus providing participants with assurance that preparations for attack are not under way".33

A second category of confidence building applies to restriction of various kinds on force deployments, e.g. on their size or area.

In the document States were encouraged but not obliged to invite military observers from other nations to such manoeuvres.34 All these measures were to be seen under the

32. HFA2, paras 3, 4.
34. HFA2, Para 9.
umbrella provision that States had a duty to "refrain from the threat of war of force in their relations with one another", but it goes little further than the Charter since it covers also an indirect approach, i.e. the "persuasion" of another State by undertaking military manoeuvres beyond a certain level. A quick glance at the record of compliance with the Helsinki CSBMS shows that all States have duly fulfilled their duty to inform the other participating States about military exercises above the 25,000 level. The Eastern European countries adhered closely to the 21 day regulation whereas the Western and the neutral and non-aligned States extended the notification time beyond the required minimum. Those States chose rather quickly to notify also of a manoeuvres at a lower threshold. Norway and Yugoslavia were the first countries to do so. Austria even gave notification of a command post exercise involving only some 5,000 men. Hungary was the first Warsaw Treaty country to provide notifications of manoeuvres below the required threshold but only at very short notice. It is very significant to state that no country has been accused of failing to fulfil its obligation under the Helsinki regime.

Nevertheless it had its share of disappointment as naval and air exercises were ignored which had been tactfully stated under

35. Ibid, para 2, p.3.


'may notify' other manoeuvres conducted by them" No State gave notification of such undertakings. These CSBMS entailed a political commitment undertaken at the highest level but imposed no mandatory obligations.

An examination of 1975-86 implementation record of Western, Eastern, Neutral and Non-aligned participating States provides no conclusive evidence that any State or group of States failed to provide notification of a major military manoeuvre. Although these 15 NATO countries conducted a greater number of notifiable manoeuvres (77) when compared to the Seven Warsaw Pact countries (32), the West provided a much more expansive range of on-site verification opportunities by inviting observers to more than twice as many of its exercises (65% v/s 31%). All intended activities included in the annual calendars for 1987 were notified with the exception of one French, one British and one Swiss manoeuvre which in the event fell below the verification threshold specified in the Stockholm agreement".

In most Western cases these invitations were addressed to all CSCE participants or to a large proportion of them including Warsaw Pact States. Generally observers to NATO manoeuvres were given ample opportunity to carry out their tasks by providing


them with detailed briefings, experienced escorts, fixed mobile observer posts and by allowing visits to the actual exercise area, contacts with command elements and troops in the field. Use of binoculars and in most cases cameras were also permitted.

NNA countries implemented the security provisions of the Final Act with evident goodwill. A total of 21 manoeuvres were notified and a substantial number of observers were invited representing Eastern, Western and other NNA nations. These observers received similar privileges as extended by Western CSCE States "and were thus able to conduct their observations in a satisfactory manner". On the other hand observers invited by Warsaw Pact States, were denied adequate facilities "to enable them to carry out their tasks successfully. By and large the observers faced obstacles like restriction of observation time to a few hours, lack of free movements and observers were not allowed to move freely and "were shown set piece demonstrations rather than actual simulated battlefield manoeuvre activity. This immensely limited the application of 'observers' provision. However, for implementation of CSBMS, Warsaw States displayed greater transparency about their military activities, hence fulfilled "to some extent one of the original Western objectives in the CSCE.  

42. *Ibid.*
The Helsinki played a valuable role, not only for the promotion of detente in Europe also fostered a meaningful regime of CSBMs in Stockholm and Vienna.

CSBMs


The Stockholm measures represented the "The Second Generation CSBMs". It not only confirmed and reinforced the Helsinki Final Act, but further elaborated CSBMs by "improving, expanding and enlarging them".

The Helsinki final Act provided for review conferences at five year intervals to assess past implementation of the Act and to develop the CSCL process. The first review conference began in Belgrade in October, 1977 and lasted until March, 1978. It was an unproductive and sterile season with no new agreements by detail adopted.

From the conclusion of the Helsinki Final Act until the CDE came into force, "a total of one hundred and thirty manoeuvres were notified and twenty-two invitations issued to observers".

44. Sharma n.6, p.95.
47. Ghebali Victor-Yves, n.38, p.19.
In the field of confidence building and security, NATO participants at Belgrade proposed increasing the notification period for major maneuvers from twenty-one to thirty days, lowering the threshold from 25,000 to 10,000 troops, providing more detailed information on maneuvers and more frequent exchange of observers and improved access for observers to the maneuvers they were witnessing. The NNA States proposed pre-notification of related small maneuvers when they totalled more than 25,000 men and expanding the obligatory notifications of major troop maneuvers to cover all out of garrison movements. Sweden proposed publication of defence expenditures. The Soviets proposed a treaty on no first use of nuclear weapons; freezing military alliances at their present membership and limitation of the size of maneuvers to 40,000. Then Romania proposed a ban on new military bases and a freeze on military budgets; and East Germany proposed a ban on neutron warheads. Despite the larger number of proposals presented at the Belgrade Review Conference, it produced no tangible outcomes. But before the next review conference in late 1980 in Madrid two important developments took place. Two months after the close of the Belgrade Review Conference, a new active player appeared in East-West Arm Control Negotiations. On May 25, 1978 the President of France Valery Giscard D'Estaing made a major speech

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49. Five draft mandates were submitted, a Polish, a French draft, three other drafts by Yugoslav, Swedish and Romanian respectively - CSCE/RM/6 of 8 Dec., CSCE/RM/7 of 9 Dec., CSCE/RM/27 of 12 Dec., CSCE/RM/31 of 15 Dec., CSCE/RM/34 of 15 Dec., 1980 respectively.
at the meeting of the UN Special Session on Disarmament New York. His two main proposals were for an international satellite verification agency and for a conference on disarmament in Europe to be held within the framework of CSCE.

The conference on disarmament proposed by President Giscard was to be divided into two phases. In the first phase, a number of separate confidence building measures would provide for information exchange, notification of military activities and verification. In the second phase, conventional armaments that could be used in attack would be reduced on a country by country basis. The proposal was welcomed by the NATO Ministerial Council. But the US enthusiasm for a new European Security Conference with the Soviet Union, diminished with the Soviet invasion of Afghanistan in December, 1979. In May 1979, a year after the French proposal, the Warsaw Pact countered it with a proposal for a "Conference on Military Detente and Disarmament in Europe" to consist of a phase of confidence-building measures to be followed by a phase of force reduction. The confidence building measures were to cover air and naval maneuvers and extended to include military activities in the Mediterranean (but not to the urals in the Soviet Union). The emphasis was also on items like non-expansion of alliances and their eventual dissolution; zones free of nuclear weapons and commitments on non-use of force and no first use of nuclear weapons. The French and Soviet proposals provided the main material for discussion of security issues at the second review. But Helsinki's Final

50. Arie Bloed, n.30, p.15.
Act in Madrid which began in November, 1980 and ended in September, 1983, drew attention of the participants on the Soviet invasion and suppression of the solidarity movement in Poland. Nevertheless the French idea of a disarmament conference of all CSCE states with a first phase devoted to CBM question was endorsed by the Reagan Administration in February, 1981. The NATO Allies insisted on criteria to ensure that such a conference would produce a significantly improved CBM regime in Europe to enhance confidence in Europe were to be politically binding, militarily significant, verifiable and should comprise the whole of the European continent.

The later criterion produced considerable controversy in Madrid. Since two of the signatories of the Helsinki document had large territories outside Europe - Turkey and the U.S.S.R - the Helsinki CBM regime had been applied to a relatively limited part of these countries, stretching 250 K.M. from their Western borders. At the end of February 1981 the Soviet Government unexpectedly agreed that a future CBM would be applicable to the whole of the European Part of the Soviet Union. While this decision was meant to promote a future CDE, agreement was nevertheless delayed by several circumstances. The USSR demanded compensation which to West seemed unacceptable. The Western powers were anxious to ensure balance in the whole CSCE process and were unwilling to agree on a CDE until agreement had been reached in other areas, particularly human rights and communication across the East-West dividing line. Finally, the

communication across the East-West dividing line. Finally, the Polish crisis and particularly its culmination in December 1981 was a major set-back for the CSCE process and for East-West politics in general. Thus, it was only on the late summer of 1983 that the participating States at the Madrid meeting could agree on a final document, which inter-alia, envisaged convening a conference on Confidence and Security-building Measures and Disarmament in Europe. It opened in Stockholm on 17 January, 1984 under the chairmanship of Swedish Foreign Minister L. Bodstrom. Welcoming the Foreign Ministers, Swedish Prime Minister Olof Palme voiced his profound concern over the serious international tension and said: "The hands on the "doomsday clock" of the Bulletin of Atomic Scientists have been again moved forward". The Soviet Foreign Minister too highlighted the prevailing tension in the international scenario and categorically stated that the U.S. was responsible for it. New deployment of U.S. medium-range nuclear missiles in Western Europe had led to a Soviet walk-out from all on going arms control negotiations with the West. Stockholm became the only forum at which East & West continued important negotiations and the agenda of these talks - to create confidence or rather to dispel massive distrust between East and West - appeared particularly important in the prevailing tense situation. The Soviets said that "it would go only for serious talks and not for such as would be used as smoke screen for militaristic plans".

54. Ani Alexeyev, n.52, p.33.
Nevertheless, to win the goodwill of the Europeans both super-powers emphasized their preparedness to the negotiating table and the Europeans tried to exert pressure on them to renew contacts at the highest possible level. This pressure was successful in so far as the decision of the West European States to send their Foreign Ministers to the opening ceremony in Stockholm and induced all participating States including the USA and the USSR, to accept a relatively high level of the initial phase of the conference.

The introductory addresses brought no surprises. The Swedish Prime Minister recalled the importance that the conference had acquired as a result of the renewed antagonism and lack of confidence between East & West, and stressed that the negotiations ought to be part of the attempts to lessen dependence on deterrence and to strengthen confidence and co-operation as means to safeguard peace.

The US Secretary of State, Shultz appealed to Moscow to return to the various negotiating forums on disarmament and assured the meeting that his government was ready to do so whenever its counterpart had reassessed its negative position. It attracted considerable public attention when he spoke of the "artificially imposed division of Europe" and stressed that the USA did not recognize its legitimacy. This declaration did not diverge from the previous US position, but it emphasized one of
the most sensitive issues in East-West politics in a way hardly likely to lessen East-West tension.

On the other hand the Soviet Foreign Minister Gromyko used strong language accusing the USA of aggressive behaviour throughout the world; from the deployment of medium-range missiles in Western Europe to intervention in Central America, Grenada and Lebanon. He emphasized the interdependence between events in Stockholm and on the international scene in general, but said that in its proposal to the conference the USSR would exert itself to improve the international climate and to stop the arms race.

It was hoped that exchange of opinion between Foreign Ministers of the super-powers would renew the contact that had been in jeopardy since the shooting down of the South Korean Airlines in September, 1983. The first concrete result of the Shultz-Gromyko talks surfaced shortly afterwards when it was announced that the Vienna talks on force reductions in Central Europe would be resumed in 1984, thus demonstrated the "seriousness of the purpose with which the West has approached the CDE". The Foreign Ministers in their introductory speeches did not limit to an analysis of the international situation, but presented a number of proposals for different types of CSBMs. Their ideas were put forward in the formal proposals by the NATO allies, Romania, the NN States, the USSR and Malta.

55. Ibid.
PROPOSALS BY NATO - The Western Alliance tabled a package of six measures, initially prepared in the CSCE Review meeting in Madrid at the opening of Stockholm conference on January 24, 1984. 57 The American delegation was led by Max Kampelman, now the Chief United States negotiator in the nuclear and space talks. The four underlying objectives were to ensure verifiability, military significance, political binding and inclusion of extensive territory (from the Atlantic to the Urals).

These had political as well as military dimension. For example, the applicability of CSBMS (in Helsinki its range was 250 KM into the USSR and Turkey) from Atlantic to the Urals was sought so that new CSBMS apply to all Europe including all Soviet territory west of Urals. Verifiability would ensure compliance effectively and the more binding an agreement, the more seriously it would be taken. The military significance based on information calendar notification etc. would build up greater openness and predictability which in turn would strengthen CSBMS.

The package of six measures were as follows: 58

1. "Exchange of military information, on a yearly basis, covering the structure of ground and air forces in all of Europe, giving unit designations, normal headquarters locations and the composition of the forces.

57. Confidence and Security-Building Measures (CSBMs, proposals submitted by the delegations of Belgium, Canada, Denmark, France, Federal Republic of Germany, Greece, Iceland, Italy, Luxembourg, Netherlands, Norway, Portugal, Spain, Turkey, UK and USA.

2. Exchange of forecasts of activities notifiable in advance, on a yearly basis; the annual forecast would include the name and the purpose of notifiable activities, the countries participating, the size and type of forces involved, and the places and times of occurrence.

3. Notification of military activities, 45 days in advance, that involve field training of units at division level or above and certain mobilization and amphibious exercises.

4. Observation of certain military activities, a requirement that States invite observers from all other States to all prenotified activities and to certain alert activities.

5. Compliance and verification provisions, by which states would agree (a) not to interfere with other states' "National Technical Means" (e.g., photoreconnaissance satellites) for monitoring compliance with the provisions of an agreement and (b) to allow each other to send observers, on a limited basis, to observe activities that seem not to be in compliance with negotiated agreements.

6. Development of means of communication, to enhance capabilities and procedures for urgent communication."

NATO sought to curtail the highly discretionary authority permitted and practised under the Helsinki Act.

PROPOSAL BY NEUTRAL AND NON-ALIGNED COUNTRIES (NNS)

A group of neutral and non-aligned countries (Austria, Cyprus, San Marinad, Finland, Switzerland, Sweden and Yugoslavia) tabled their proposal on March 9, 1984, by the end of the first session of the conference. The gist of their proposal is as follows: 59

1. A balanced package of complementary measures should provide for further development and extension of the confidence-building measures foreseen by the Helsinki Final Act.

2. For tailoring them to the mandate of the conference and for the adoption of fundamentally new confidence and security-building measures, specifically on limiting certain military activities.

3. Refrain from the threat or use of force in their mutual relations and in international relations in general.

4. It implied that the disputes should be settled peacefully as registered in the United Nations Charter and the Final Act Talks in Stockholm should promote dialogue and improvement of relation between the participating States in general and thereby enhancing trust and ease tension.

The neutral and non-aligned countries further proposed that prior notification of following activities should be extended:

- "major military manoeuvres or smaller-scale manoeuvres held close to each other in time and place if the total of forces involved exceeds the level agreed for major manoeuvres;

- military manoeuvres involving amphibious, sea-shipped, air-borne, airmobile forces or combinations thereof with the parameters being much lower than those for major military manoeuvres;

- major troop movements, redeployment of large military units, and major rotations of military personnel;

- major military activities, including manoeuvres in the adjacent sea (ocean) region and air space in conformity with the mandate of the conference agreed in Madrid;

- certain other types of major military activities."

These proposals also envisage limitations on:

- the level of forces involved in a major military manoeuvre or manoeuvres held close to each other in time and place;

- the amphibious, airborne, airmobile forces or their combinations involved in military manoeuvres (with their parameters being much lower than in the item above);

- deployment in areas subject to definition of military units and/or armaments and combat technology vital for
sustained offensive operations.

In addition to that, the proposals envisage invitation of observers to military manoeuvres and troop movements, and exchange of annual plans of major military activities.

The neutral and non-aligned countries also noted in their document that the conference could consider other measures foreseen by the mandate and aimed at reducing the danger of military confrontation, lowering the risk of a surprise attack, curbing the build-up of arms, and promoting confidence, security and disarmament.60

This document had tilted towards military technical measures. These were complicated. Nevertheless it tried to bridge the gulf between the superpowers and NATO delegates exaggerated in every way its measures, cutting off other proposed measures and preventing their development. They forcefully made it clear that measures limiting military activities or covering naval forces did not suit them.

PROPOSALS BY MALTA:

Even Malta's proposal on confidence and security-building measures on the Mediterranean of November 9, 1984 was rejected by the NATO countries, although the Helsinki Final Act had directly pointed to a close link between security in Europe and security in the Mediterranean.

Some of the main provisions were as follows:

- to limit to certain areas of the Mediterranean troop deployments and manoeuvres involving the use of warships and (or) combat technology, which are vital for sustained offensive operations;

- to gradually limit the number of major annual naval manoeuvres involving amphibious and airborne units and surface warships;

- to limit the strength of military personnel and the number of surface warships in new independent or combined naval manoeuvres in the Mediterranean;

- not to use land, naval and (or) air forces in the Mediterranean against coastal countries;

- not to allow the use of foreign armaments, troops, bases and military installations on the territory of the participating States against the coastal countries of the Mediterranean;

- to refrain from such deployment of naval forces, as would create a threat or use of force against the coastal countries of the Mediterranean;

- not to deploy nuclear weapons in the waters of the Mediterranean.

However, these were resisted by the United States, may be because of the presence of Sixth Fleet for decades, and of its hostile operations to the coastal region resulting in Soviet's discontent.

PROPOSALS BY THE SOVIET UNION - 8 MAY, 1984.


The Soviet proposals were based on the premise that the situation in Europe and worldwide demanded a dramatic turn in the policy of States from confrontation to peaceful cooperation, and required major practical steps commensurate with the scale of the threat to peace.

Acting in conformity with the Helsinki Final Act and guided by the mandate of the conference, adopted in Madrid, the Soviet delegation submitted the following proposals and considerations:

1. The participating States of the Conference possessing nuclear weapons should assume an obligation not to be the first to use them. Such an obligation could be assumed unilaterally by each nuclear State which has not yet done so or it could become the subject of an appropriately drafted international agreement.

In order to preclude the emergence of situations fraught with the risk of nuclear conflict, provision could be made for the nuclear States participating in the Conference to hold urgent consultations, seek clarifications and provide each other with the necessary information in the event of such a danger arising.

2. The conclusion of a treaty on the non-use of military force and on the maintenance of relations of peace.

The States participating in the Conference could assume such obligations in accordance with their constitutional procedures, irrespective of whether they belong to military alliances, neutral or non-aligned. Of course, all States of both the Warsaw Treaty and the North Atlantic alliance, military confrontation between whom is particularly dangerous in Europe, should become parties to such a treaty.

An obligation not to be the first to use either nuclear or
conventional arms against each other, and, hence, not to use military force against each other at all, could form the central provision of the treaty.

Such an obligation would cover the territories of all parties to the treaty, as well as their military and civilian personnel, naval, air and space craft, and other facilities belonging to them, wherever situated. Further, the parties to the treaty should undertake not to endanger the security of international sea, air and space communications passing through areas not covered by any national jurisdiction.

The treaty could also contain other important provisions aimed at creating confidence, furthering cooperation and reducing military confrontation.

The Soviet proposals at Stockholm were not only aimed at sealing the principle of the 'non-use of force' but also took into account the existing experience in implementing confidence building measures that were contained in the Helsinki Final Act. It laid a broad base for discussing and seeking mutually acceptable agreements on the basis of rights, balance and reciprocity and equal respect for the security interest of all the participating States.

However, these proposals were rejected by the U.S.A. and the NATO countries. The slow progress at the Stockholm conference was due to the unwillingness of the U.S. to admit the inseparable link between the confidence building and military security. But the "greater obstacle to progress was the United States' fear
that an agreement on confidence-building and security would lead to serious limitations on the possibilities of using armed forces".63

In December 1984, an agreement was reached to set up two working groups to examine measures to strengthen trust and security on political and military fields on an equal basis. In January 1985, the Soviet Union, proceeding from the mandate provisions of the Stockholm conference submitted for discussion a new and important document - a draft treaty on the mutual renunciation of the use of armed forces and on the maintainance of peaceful relations.

In February-March 1985, Bulgaria, the German Democratic Republic and the Soviet Union put forth new proposals on limiting the scale of military activities in Europe and in the seas and air space in the adjoining area. Other positive developments like Soviet-French summit meetings held in Paris in 1985 and in Moscow in 1986, and the Soviet-American summit meeting in Geneva in 1985, facilitated the negotiation process.

The CDE concluded in September 1986 after three years of negotiations with the adoption of the so called Stockholm Document.64

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The Stockholm document:

It consists of six main elements:

It is implied that the document stresses and confirms the reinforcement of the Helsinki Final Act and further elaborates on CSBMS by improving, expanding and enlarging them. As the Stockholm measures do have an impact on the military situation in Europe and mark a tangible advancement over Helsinki regime they are referred to as "Second generation" CSBMS.

"Refraining from the threat or use of Force"

The Stockholm document reaffirms the principle of the avoidance of the use or threat of force in the mutual as well as the international relations of the participating States. It explicitly stresses that countries have the obligation to fulfill the provisions "regardless of a States' political social economic or cultural system and irrespective of whether or not they maintain with the State relations of alliances". Besides, being politically binding, it is more "military significant" verifiable and geography extensive (From the Atlanticic to the Urals) than the Helsinki document. The document consists of six main elements being the "regulation of verification". This not only strengthened the document but it also boosted the morale and confidence of the participating States resulting in transparency.


and predictability. This is evident from the fact that the British Government invited the delegates to visit the KAF base at Wildenrath, in the Federal Republic of Germany. 68 And in the fall of 1989, Hungary arranged a visit of its Szombathely garrison for a demonstration of its wheeled and tracked vehicles and helicopters. "Both visits were organized in a completely open manner, giving the participants an unprecedented opportunity to observe and study in detail the facilities in question". 69

"Prior Notification of Certain Military Activities":

The provisions of the Helsinki Final Act with regard to notification of military manoeuvres have been amplified in the following ways. States have to give notification, 42 days in advance, for four types of military activities: first, land-force exercises involving at least 13,000 troops or 300 battle tanks and organized in a divisional structure (if more than 200 sorties of aircraft are to take place in the framework of such activities, they have to be included in the notification); secondly, amphibious landing exercises involving at least 3,000 troops; thirdly, parachute assault engagements involving at least 3,000 troops; and fourthly, the engagement of land-force formations in a transfer from outside the zone subject to the Stockholm Document to arrival points in the zone, or from inside the zone to points of concentration in the zone, to participate


69. Ibid.
in a notifiable exercise activity or to be concentrated. The same threshold as above (13,000 men or 300 battle tanks) applies also for this regulation. For activities carried out without prior information on the troops involved -- so-called "alerts" - notification shall be given at the time when such engagements begin. The Stockholm Document reaﬀirms the Final Act's obligation to disclose the manoeuvre's designation, purpose, States involved, and types and strength of the forces participating, but it requires in addition the revelation - on a mandatory basis - of the level of command, the starting and finishing dates, the number and types of divisions taking part in the exercise, and specific data on the devices and ammunition used.

"Observation of Certain Military Activities: 70

The Stockholm Document improvises also the regime concerning the participation of observers, as it puts invitations on a mandatory basis. Observers from all participating States have to be invited if the exercise employs land forces exceeding 17,000 troops, or if amphibious landing or parachute assault exercises involve more than 5,000. Each State is allowed to send two military and/or civilian observers. The host country is obliged to give information on the purpose, the basic situation and other features of the manoeuvre and to provide the observers with appropriate equipment and/or to allow them to bring their own equipment. There is, again, an exception for alerts: they do not

70. Ibid, Paras 38 to 54.
require observation if they take no longer than 72 hours. A second exception was agreed upon with regard to mobilization activities, pursuant to the insistence of some neutral and non-aligned countries whose defence strategy is based on the militia-like structure.

"Annual Calendars":

A new element of the Stockholm in the obligation to exchange an annual calendar of its military activities subject to prior notification. It will be transmitted every year in writing through diplomatic channels "not later than 15 November for the following year."

"Constraining Provisions":

This again is a novel feature not having precedent in the Helsinki Final Act. It calls for placing on the calendar, two years in advance any notifiable activity in excess of 75,000 troops and of 40,000 troops with exceptions implied for the later, but not the former.

"Compliance and Verification" is the major achievement of this document. It states three on site inspections per year of any participating State by air, ground or both, with the State being inspected in effect supplying any transport and communication. No limit is inserted on how often inspection can be requested by

71. Ibid, Paras 55 to 56.
72. Ibid, Paras 59 to 62.
73. Ibid, Paras 63 to 98.
However it is mentioned that 'no participating State shall be obliged to accept on its territory within the zone of application for CSBMs, more than three inspections per calendar year'. More so no State will be obliged to accept more than one inspection per calendar year from the same participating State. The inspection has to be terminated within 48 hours. The requesting State has to indicate the reasons for its request and the receiving State must permit the inspection with 36 hours. Inspection is possible on the ground, from the air or air area specified by the requesting State.

**Assessment of the Stockholm agreement:**

The Stockholm document that came into effect on January 1, 1987 had been sincerely implemented with a few exceptions here and there.

All forecasted activities included in the annual calendar of 1987 were duly notified with the exception of one French, one British and one Swiss manoeuvre. In any case it fell below the verification threshold specified in the Stockholm agreement. The United States and the FRG notified two land force exercises which had been included in their annual calendar but in practice involved less than 13,000 troops. Similarly Hungary notified Exercise BASALT 87 which was composed of only 8000 ground forces and the Soviet Union notified its joint venture on the territory of Hungary. 74

74. Ghebali, n. 65, pp. 87 to 98.
There have been neither refusals for on site inspections nor violations of the requirement to invite observers to designated activities. In fact Warsaw Pact countries even permitted the carrying of binoculars, though tape recorders and cameras were not allowed in exercise areas. This of course led to disappointment because this prevented the full assessment and follow up of the exercise. Nevertheless no CSCE State refused on site inspection. Eighteen inspections were carried out. Nine by Western countries and nine by members of the Warsaw Pact. The Soviet Union conducted five inspections: two in the FRG; one each in Turkey, Norway and the United Kingdom. On the other hand the United States conducted five including two in the USSR and one each in Hungary, Poland and the GDR. The United Kingdom too executed two inspections: one each in the Soviet Union and the GDR. And GDR conducted two inspections, both in FRG. Turkey conducted one in the USSR, Bulgaria one in Italy, Poland one in the FRG and the FRG conducted one in GDR. However, NNA States did not conduct any inspections so far. Another instance of 'Openness' was the invitation of 240 generals officers and diplomats from 20 CSCE States by the GDR Government to inspect 6 military exercises on its territory. The observers were given ample facilities to conduct the inspections. They could visit the position of troops and zones of activities, to communicate.


with commanders and troops. Also were able to use their own cameras and dictaphones. The conclusion derived from the inspection reports were handed over to all CSCE participating States which testified that no provision of the Stockholm document had been violated. The inspections were in accordance with the parameters set out in the Stockholm document. Inspectors were well equipped with maps, detailed information about the activity and worked in a businesslike atmosphere. Of course the degree of openness towards the foreign observers had varied. As of January 1990, all 35 participating States have complied with the terms of the Stockholm Document concerning the exchange of annual calendars and forecasts, notifications and observations as well as on site inspections.

For 1990, 21 military activities have been notified: 7 by WTO countries, 10 by NATO countries and 4 by neutral and non-aligned (NNA) countries; 22 countries will not hold a military activity in 1990 at or above the notification threshold, even though some are participating in such activities. The forecast comprises 2 NATO exercises to be held in 1991. For 1987, 47 military activities were notified in the calendars; this figure decreased to 38 for 1988 and 31 for 1989. The figure for 1990, 21 notified military activities, clearly shows a continuing decline, resulting from the two-thirds reduction of notified military exercises by the WTO (7 in 1990 compared to 17 in 1989).

Table 13A.3 shows the numbers of NATO, WTO and NNA exercises notified in the calendars since 1987.

For the period from the implementation of the Stockholm Document in 1987 until December 1990 a total of 137 military activities have been listed in the SIPRI calendars. Until 1987 NATO always conducted fewer military activities than the WTO, though involving higher numbers of troops. The USSR has only forecast one exercise involving more than 40,000 troops, but the WTO has conducted more military activities on a somewhat smaller scale. For 1990 this picture has changed - for the first time WTO countries will conduct fewer military activities at or above the notification threshold than NATO.

Anual number of military exercises notified in the annual calendars by NATO, WTO and NNA countries:

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<td>NATO</td>
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<td>13</td>
<td>11</td>
<td>10</td>
<td>51</td>
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<tr>
<td>WTO</td>
<td>25</td>
<td>22</td>
<td>17</td>
<td>7</td>
<td>71</td>
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<tr>
<td>NNA</td>
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NATO reduced its notifiable military exercises to about 50 per cent of the total for 1987. Although the NATO figure was decreasing less dramatically than that for the WTO, the general

trend was towards fewer and smaller exercises? The West was searching for new manoeuvre concepts which are cost effective and less disturbing to the civilian population, indicating a future mixture of command post and field training exercises. The role of computer simulation of combat activities would therefore increase. A general reduction of the number of military exercises and troops involved was already under discussion at the Vienna CSBM Negotiations.

Inspections were conducted in accordance with the provision of Stockholm provisions (para 65-66). During 1989, 16 on site inspections were conducted, compared to 13 in 1988 and 5 in 1987.

The ratio of inspections conducted was nearly seven in 1988 (seven by NATO and one by the WTO). In 1989 the Western countries conducted nine inspections, and the Eastern countries held seven; the USSR held most - with a total of five inspections it was far ahead of the other participating countries. The FRG, the GDR, Italy and the USA each conducted two and Canada, France and the UK each conducted one inspection. Inspections on the territory of the WTO countries have been held in Bulgaria, Czechoslovakia, the GDR and the Soviet Union. Inspections on NATO territory took place in Belgium, Denmark, the FRG, France, Italy and Turkey. This was the first time that Canada, France and Italy made use of the provisions of the Stockholm Document to conduct on-site inspections.

All inspections went well and all host countries met the terms and conditions of the Stockholm Document. On the whole it was the most successful document as it could incorporate three vital steps:

1. Expansion of the territorial regime to all of Europe.
2. Exchange of information on military activities.
3. On site inspection.

It enhanced the confidence among the States and also dispelled mutual fear and mistrust.

Drawbacks:

The document was not perfect as it could not include naval activities or independent activities of air forces.

Eastern European countries, in particular, called repeatedly for the development of CSBMs embracing these types of military activities.

Another area of short-coming was mobilization activities and special regulation for alerts. It was been argued that mobilization led to a certain concentration of armed forces and should, therefore, not be excluded from the notification and observation regime. More so prior notification and exchange of annual calendars of military activities did not deter large scale military activities. In the NATO Exercise series "Autumn-Forge" 500,000 troops were trained from the polar circle to the Mediterranean. This revealed the fact that inspite of so many CSBM provisions the attitude of NATO remained unaltered.

However, on the brighter side, the Vienna agreement
redressed some of the short comings of the Stockholm document and substantial achievement had been made through the process of increasing openness and transparency.

Third Generation CSBMs - Vienna Agreement.

The Vienna agreement or measures represented the "Third Generation CSBMs". This not only elaborated and expanded the achievements of Stockholm agreement, but was designed to reduce the risk of military confrontation in Europe. It committed itself to build a new European military security system.

The attempts for 'Third Generation CSBMs" were started as early as 1986 itself.

On December 11, 1986 NATO's North Atlantic Council of foreign ministers issued the "Brussels Declaration on Conventional Arms Control" calling for two distinct sets of negotiations:

79. "To build upon and expand the results of the Stockholm Conference on Confidence and Security-Building Measures.

- To eliminate existing disparities, from the Atlantic to the Ural's and establish conventional stability at lower levels between the countries whose forces bear most immediately upon the essential security relationship in Europe, namely those belonging to the Alliance and the Warsaw Pact."

This was later confirmed on June 12, 1987 at NATO Reykjavik Ministerial Conference, which resulted in two separate forms:


1) "confidence and security-building measures among the 35 CSCE States; and

2) autonomous negotiations between the 23 NATO and Warsaw Pact members on conventional stability in Europe within the framework of CSCE process.

**UN Efforts:**

On the other hand, the UN conscientious of its obligation encouraged efforts in this direction. It accepted the first draft resolution entitled "Confidence and Security-building Measures and Disarmament in Europe" submitted by France and Federal Republic of Germany on 30 October 1989. The first revision was submitted by nine States and later joined by two others. The Second revision was sponsored by Cyprus, the German Democratic Republic and Yugoslavia. In introducing it on 17 November, France stated that the text was the result of consultations that had been carried out primarily among the States engaged in the CSCE process but that in drawing up the draft resolution, the sponsors had felt it necessary to consider the wishes of countries outside Europe that were not participating in the ongoing process in Vienna. The sponsors deemed it essential that the text contained a clear approval of the Vienna process by the United Nation's General Assembly. On 17 November the First Committee approved the draft resolution without a vote and on 15 December, the General Assembly adopted

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82. Austria, Belgium Finland, France, the Federal Republic of Germany, Greece, Hungary, Luxembourg, Poland and Sweden.

the draft resolution. Welcoming the opening of two negotiations in the framework of the process of the CSCE, the ball was set rolling in the field of confidence and limitation of conventional aramaments. The participating States agreed to adopt a new set of mutually complimentary confidence and security building measures designed to reduce further the risk of military confrontation in Europe and establishing stability.

The CSBM negotiations have been marked from their very beginning by a constructive and dynamic atmosphere, accompanied by frank and free discussion. Even those military issues that used to be strictly taken were discussed freely without much hassle. Military doctrines, structures, training and budgets were discussed frankly by the highest military authorities of the CSCE countries. It was termed as a 'Genuine CSBM' by Admiral Dieter Welbershof.

Both sets of negotiations in Vienna were preceded by a Conference of Foreign Ministers (6-9 March 1989). Opening proposals at the CSBM negotiations were made on 9 March by the group of 16 NATO States and by four WTO States (Czechoslovakia, Hungary, the GDR and Bulgaria), on 22 March by Romania, and on 12 July by the 12 NNA States. Poland and the USSR preferred a flexible position rather than being associated with the opening proposals of their WTO partners.

84. The United Nations and General Assembly, n. 81, p.30.

The WTO proposal.

The proposal is in five parts: (a) six constraining measures seek to limit the scale, number and duration of major military activities in the ATTU zone; (b) a set of CSBMs for air and naval forces; (c) measures to amplify provisions in the Stockholm Document; (d) proposals to establish CSBM zones in Europe in which military forces would be restructured into more defensive postures; and (e) measures to improve the transparency of military activities and postures. 86

The NATO proposal:

At the Conference of foreign ministers the British Foreign Secretary Geoffrey Howe emphasized five goals for the talks: better information exchange, more detailed notification of military exercises, improved arrangements for observing exercises, greater freedom of movement on each other's territory and much stronger provisions for on-site inspection. The proposals highlighted the urgency of "measures for refining the Stockholm CSBMs, for improving contacts and communications for the organization of a seminar on military doctrines. 87

The formal NATO proposal offered by Canada proposed 12 CSBMs. The first three related to transparency about military organization; exchange of information on force posture and weapon developments, and ways to establish a random evaluation system. The other nine CSBMs related to transparency about military

86. Peter Hohenfeller, n. 45, p. 28.
87. Ibid.
activities; enhanced information for the annual calendar under the 1986 Stockholm Document and when notifying military activities, improved observation modalities, lower observation thresholds, lower thresholds for longer notice of large-scale activities, improved access for observers, improved means of communication, and equal treatment of host and visiting media representatives. As a separate measure the NATO group also proposed a seminar to exchange views on military doctrine.

Neutral and non-aligned Nations Proposals

In July 1989, the neutral and non-aligned States delegations in turn submitted proposal concerning the:

1. the exchange of information on the structure of land, air and naval forces,

2. notification of all non-offensive passage of warships through the territorial waters of another participating States,

3. setting up of a rapid communication system among the 34 States.

So on 9th March, 1989 these two separate foras came into action.

The summit meeting of heads of State participating in the Conference on Security and Co-operation in Europe (CSCE), held in Paris from 14 to 21 November 1990, culminated in CFE treaty and the document on a new set of confidence and security-building measures, approved in Vienna. This document was adopted in Vienna on 21 November 1990, after seven rounds of negotiations.

This came into force on 1 January 1991.

The unusual feature of the document was establishing a security building institution namely the Conflict Prevention Centre of CSCE. 89 This was to be set up in Vienna. The document was an advancement over the Stockholm document in four respects:

1. A main series of measures dealing with the exchange of information on armed forces. The participants were committed to furnish a series of detailed data each year on their armed land-bases and air forces in Europe. Coupled with this is the possibility of verifying the accuracy of these data by means of a random assessment procedure including visits on short notice to another party's units.

2. They relate to the annual schedule of military activities and feasibility of observation and inspection modalities.

3. It was decided to conduct meetings of chief military officials to assess and improve the implementation of Stockholm document and exchange of military budgets, etc.

4. This document pointed out that unusual activities must be reported separately and it will be implemented by the Conflict Prevention Centre.

The Vienna Document: It consists of ten sections: 90

The First Section entitled Annual Exchange of Military Information, contains three new measures that are substantially parallel to the corresponding NATO proposals:

1. an annual information exchange on military forces down to brigade/regiment level for ground and amphibious forces and to wing/air regiment for air forces and naval aviation permanently based on land - including normal peacetime locations, data that the Soviet Union had refused to provide during the Stockholm negotiations;


90. The Text of the treaty is annexed.
2. an annual information exchange on the deployment of major weapon and equipment systems; and

3. information on military budgets on the basis of the categories set out in the United Nations Instrument for Standardized International Reporting Expenditures, which requires resource cost disclosures on operating costs, operations and maintenance, procurement and construction, and research and development for 14 items ranging from strategic to paramilitary forces.

The Second Section entitled Risk Reduction\(^{91}\) contains two provisions:

a) Establishment of Conflict Prevention Centre.

b) Reporting and clarification of hazardous incidents of a military nature within the zone of application for CSBMs in order to prevent possible misunderstanding.

The Third Section highlights 'Contacts' comprising of two measures:

1) Visits to normal peacetime air bases so that viewing opportunity can be provided and to know the number of air sorties and type of missions being flown for a minimum of 24 hours. However, no participating State will be obliged to arrange more than one such visit in any five year period; and

2) to promote military contacts, i.e. encouraging military meets including military sporting and cultural events between senior and military defence representatives of participating States.

The Fourth Section: Prior notification of certain military activities is an advancement over Stockholm document as it requires information exchange on the designation, subordination, number and type of formation units down to and including brigade/regiment or equivalent level.

The Fifth Section: Observation of certain military activities, contains more changes to the Stockholm Document. First, the host

State will adequately inform its official personnel and troops about the presence, status, and functions of observers so as to avoid risks to their safety. Second, the map provided to observers will indicate the activity area and initial tactical situation, and its scale cannot exceed to 250,000 - half the Stockholm ratio. Third, whereas under the Stockholm regime, observers were only permitted personal binoculars, they will now also be permitted to use personal maps, photo and video cameras, dictaphones, and hand-held passive night vision devices. Fourth, an aerial survey of the observation area was encouraged. Fifth, at the close of the observations, time will be allowed for a discussion of impressions with host State officials and military representatives of other States engaged in the activity, if applicable. Finally, media representatives should be invited from all participating States and treated equally.

The Sixth Section. Annual Calendars, upliftment of Stockholm document by requiring notification one year in advance of the fact that no military activity subject to prior notification is planned, and immediate notification of a cancelled activity or changes to the activity threshold which would bring it below the notification level.

The Seventh Section: “constraining provisions”, lowers the threshold for activities requiring notification two years in advance from 75,000 to 40,000 troops. This section retains the Stockholm clause which allows a notifiable military activity to

92. Ibid, p. 123.
be carried out without declaring annual calender although it is subject to inspection and review in the annual implementation meeting as well as in the Conflict Prevention Centre.

The **Eighth Section**, refers to compliance and verification which in turn covers inspection and a new measure of evaluation. As far as inspection is concerned three countries may evaluate and inspect any participating State.

The new measure (evaluation) requires each State to accept a quota of one evaluation visit to its normal peacetime locations for every 60 brigades/regiments reported in the information exchange measures. No State is obliged to accept more than 15 visits per calendar year, with the Soviet Union having sought a lower quota on grounds of undue hardship in view of the already taxing CFE verification provisions. A right of refusal does exist when "formations or units may be in their normal peacetime location but be unavailable for evaluation," but this right can only be invoked five times per year. The evaluation measure applies only to active units, with a solution to be found in the continuing negotiations regarding non-active units activated for routine training purposes.

The **Ninth Section** covers communication, i.e. establishes a direct communications link between capitals for transmission of messages related to agreed measures. Participating states "may agree among themselves to use the network for other purposes".

This is a novel feature as it can be used for non-military aspect and can boost up morale of Europeans, thus strengthening
confidence and security-building measures.

The Tenth and Final Section entitled "Annual Implementation Assessment Meeting" provides that a meeting will be held each year within the Conflict Prevention Center to discuss implementation. The Charter of Paris, which actually created the Vienna based CPC aims to reduce the "risk of conflict". This document was a great step towards European security although there is room for further elaboration and expansion, like:

1) Information exchanges could be extended to include information on the production of weapons and equipments,

2. thresholds for notification could be reviewed; and

3. the right to question unusual military activities could be applied to those conducted onsite normal peacetime locations such as aircraft 'stand-downs' or command post and command field exercises.

From a modest but innovative beginning in 1975, the Helsinki process led to Vienna via Madrid and Stockholm. The Helsinki Accord was a remarkable document. It not only laid the foundation for a new framework of European Security but also created the political climate conducive to arms reduction and political reconciliation. It also achieved modest success regarding all the three baskets, namely, security and human rights, co-operation in the fields of Economic, Science, Tecnology and Environment and Co-operation on humanitarian matters.

President Reagan went to the extent of saying it set up 'new Standards of conduct" in human rights and international security.
He further added: "it grapples with the full range of our underlying differences and deals with East-West relations as an interrelated whole".\textsuperscript{93}

The second generation Stockholm CSBMs came into force on 1 January, 1987. It was a mile stone in the history of arms control as it not only recaptured a lost 'Spirit of Helsinki' but also vastly improved the original CSBMs by including, constraining verification provisions like notification exchange of annual calendars etc.

The first generation Helsinki CSBMs had not been supported by any verification. The Stockholm agreement was unprecedented in initiating the principle of on-site inspection including aerial inspection without the right of refusal, "with minimum possible financial, material and human expenses".\textsuperscript{94} In pursuant to the policy in 1987 itself, 47 military activities were included in the annual calendar: 25 by Warsaw Treaty States, 17 by NATO States and 5 by neutral and non-aligned States. In 1988, 38 activities, and in 1989, 31 activities were notified. With the reduction of the military activities, all over the area the Soviet Union notified 4 activities only.\textsuperscript{95}


The third generation CSBMs supplemented the Stockholm Document. It not only retained the notification, observation and verification provisions but also made it obligatory to provide information on the participants' planned deployment of major weapon systems in Europe. Moreover it was required to exchange annually, information on their military budgets using the United Nations registers instrument for standardized reporting of military expenditures. Military contacts, consultations and communication technology (packet switched data network enabling transmission of messages between the participants were to be established). New institutions created in the Vienna document are themselves reflective of the new security framework of Europe.

A novel feature of the Vienna document is the creation of the Conflict Prevention Centre, meant to solve political conflicts through such measures, as fact finding missions, the sending of advisers or the holding of consultations.

Sometimes confidence-building measure have been referred to as the 'junk food of arms control', or 'window dressing'. However, it would be a grave error to use such terminologies, as these very measures beginning from Helsinki via Stockholm to Vienna were very vital for consolidation of security in Europe.


97. Lyn Marvin Hansen, "The Evolution from transparency to Constraint" Disarmament, n. 94 p. 59.
These CSBMs would ensure stability through the mutually agreed 'provisions' and 'accountability'. The agreed principles, transparency, openness, predictability of military activities on-site inspection, exchange of military calendars, consultations and rapid communications were easy to agree but difficult to implement. A major defect of CSBM measure is the exclusion from prenotification of alert exercises of any size. Also its exclusion from observation until they have been under way for 72 hours. 98 This must be remedied.

Therefore, CSBMs would require careful and step by step diplomacy, foster mutual understanding and co-operation in humanitarian, cultural and political fields, which would be the foundations for a new Europe. Future CSBMs should foster greater potentiality for contributing to stability, peace and prosperity.