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GENERAL AND COMPLETE DISARMAMENT: CONFIDENCE-BUILDING MEASURES

Report of the Secretary-General

1. By resolution 34/87 B of 11 December 1979, the General Assembly decided to undertake a comprehensive study on confidence-building measures and requested the Secretary-General to carry out the study with the assistance of a group of qualified governmental experts, appointed by him on an equitable geographical basis, and to submit it to the Assembly at its thirty-sixth session.
2. Pursuant to resolution 34/87 B, the Secretary-General appointed the Group of Governmental Experts on Confidence-building Measures, which met from 8 to 11 April 1980 at Geneva, from 29 July to 1 August 1980 and from 26 May to 5 June 1981 in New York, and from 3 to 14 August 1981 at Geneva.
3. By a letter dated 14 August 1981, the Chairman of the Group of Governmental Experts transmitted the study to the Secretary-General which is hereby submitted to the General Assembly.

ANNEX

Comprehensive study of the Group of Governmental
Experts on Confidence-building Measures

EVEN THE LONGEST JOURNEY
STARTS WITH A SINGLE STEP

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Foreword by the Secretary-General

1. The attached study was prepared by a group of governmental experts who were appointed by the Secretary-General to assist him in carrying out a comprehensive study on confidence-building measures, as requested in paragraph 3 of General Assembly resolution 34/87 B of 11 December 1979.
2. Confidence-building measures aim at strengthening international peace and security and at fostering a climate of trust and international co-operation among States in order to facilitate progress in the disarmament field. The important role of confidence-building measures was recognized in the Final Document of the Tenth Special Session of the General Assembly devoted to Disarmament. Paragraph 93 of the Final Document stresses the necessity to take measures and to pursue policies to strengthen international peace and security and to build confidence among States in order to facilitate the process of disarmament.
3. As the experts point out, the present study represents a first attempt to clarify and develop the concept of confidence-building measures in the global context. The experts have expressed the hope that the report may be of use to Governments wishing to introduce and implement confidence-building measures in their respective regions. The report may also help to promote public awareness of the fundamental importance of the process of confidence-building for the maintenance of international peace and security in accordance with the purposes and principles of the Charter of the United Nations.

LETTER OF TRANSMITTAL

14 August 1981

Sir,

I have the honour to submit herewith the unanimously approved report of the Group of Governmental Experts on Confidence-building Measures. The group was appointed by you in pursuance of General Assembly resolution 34/87 B of 11 December 1979.

The experts appointed by you were the following:

Mr. Leopoldo Benites
Ambassador, Ecuador

Mr. Frank Boaten
Ambassador, Ghana

Mrs. Busba Bunnag
Second Secretary, Thailand
(for the first session) and

Mr. Pracha Gunakasem
Ambassador, Thailand
(for the second and subsequent sessions)

Mr. O. N. Bykov
Deputy Director of the Institute of
World Economy and International Relations,
Union of Soviet Socialist Republics

Mr. Franz Ceska
Director, Federal Ministry for Foreign Affairs, Austria
(for the first and second sessions)

Mr. Hans-Georg Rudofsky
Director, Federal Ministry for Foreign Affairs, Austria
(for the third and fourth sessions)

Mr. Charles C. Flowerree
Ambassador, United States of America

Mr. Ion Nicolae
Counsellor, Ministry for Foreign Affairs, Romania

His Excellency
Mr. Kurt Waldheim
Secretary-General of the United Nations
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Mr. Kamanda Wa Kamanda
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Senior Official, Defence Agency, Japan

Mr. Hugo Palma
Ambassador, Peru

Mr. Gerhard Pfeiffer
Ambassador, Federal Republic of Germany

Mr. Esko Rajakoski
Ambassador, Finland

Mr. P. M. Roberts
Ambassador, Canada

Colonel Milan Stembera
Federal Ministry of National Defence, Czechoslovakia

The study was prepared between April 1980 and August 1981, during which period the Group held four sessions, from 8 April to 11 April 1980 at Geneva, from 29 July to 1 August 1980 and from 26 May to 5 June 1981 in New York, and from 3 August to 14 August 1981 at Geneva.

At the second and third sessions, Mr. Nelson Dumevi participated as an expert from Ghana, and Mr. David Clinard participated as an expert from the United States of America.

The members of the Group of Governmental Experts wish to express their appreciation for the assistance which they have received from members of the Secretariat of the United Nations. They wish, in particular, to convey their thanks to Mr. Mats Marling of the Swedish Foreign Ministry, who served as consultant to the Group and to Miss Amada Segarra of the United Nations Centre for Disarmament, who served as Secretary of the Group.

I have been requested by the Group of Governmental Experts, as its Chairman, to submit to you on its behalf this study which was unanimously endorsed.

Accept, Sir, the assurances of my highest consideration.

(Signed) Gerhard PFEIFFER
Chairman
of the Group of Governmental Experts
on Confidence-building Measures

CHAPTER I
INTRODUCTION

1. At its thirty-third session, the General Assembly adopted resolution 33/91 B of 16 December 1978 under the item entitled "General and complete disarmament", in which it recommended consideration of confidence-building measures and invited all States to inform the Secretary-General of their views and experiences on confidence-building measures.
2. Pursuant to the above-mentioned resolution, the Secretary-General transmitted to the General Assembly the replies received from 30 States (A/34/416 and Add.1-3 and A/35/397).
3. At its thirty-fourth session, the General Assembly, in resolution 34/87 B of 11 December 1979, reaffirmed its conviction that commitment to confidence-building measures could contribute to strengthening the security of States and took note of the views transmitted by Member States. The General Assembly furthermore decided to undertake a comprehensive study on confidence-building measures and requested the Secretary-General to carry out the study with the assistance of a group of qualified governmental experts appointed by him on an equitable geographical basis, and to submit it to the Assembly at its thirty-sixth session.
4. The terms of reference for the study were set out in resolution 34/87 B, which read as follows:

"The General Assembly,

"Recalling its resolution 33/91 B of 16 December 1978 on confidence-building measures,

"Desiring to eliminate the sources of tension by peaceful means and thereby to contribute to the strengthening of peace and security in the world,

"Stressing again the importance of the statement in the Final Document of the Tenth Special Session of the General Assembly that it is necessary, in order to facilitate the process of disarmament, to take measures and to pursue policies to strengthen international peace and security and to build confidence among States in accordance with the purposes and principles of the Charter of the United Nations,

"Recognizing the need and urgency of first steps to diminish the danger of armed conflicts resulting from misunderstandings or from misinterpretations of military activities,

"Reaffirming its conviction that commitment to confidence-building measures could contribute to strengthening the security of States,

"Aware that there are situations peculiar to specific regions which have a bearing on the nature of confidence-building measures feasible in those regions,

"Convinced that the United Nations, in accordance with the Charter, can play an important role in creating conditions which are conducive to the consideration of confidence-building measures,

"Recognizing that a minimum of trust among States in a region would facilitate the development of confidence-building measures,

"Taking note of the views and experiences of Member States submitted to the Secretary-General of the United Nations in accordance with paragraph 2 of resolution 33/91 B,

"1. Recommends that all States should continue to consider arrangements for specific confidence-building measures, taking into account the specific conditions and requirements of each region;

"2. Decides to undertake a comprehensive study on confidence-building measures, taking into account the answers received by the Secretary-General and the relevant statements made at the thirty-fourth session of the General Assembly;

"3. Requests the Secretary-General to carry out the study with the assistance of a group of qualified governmental experts appointed by him on an equitable, geographical basis and to submit it to the General Assembly at its thirty-sixth session;

"4. Requests the Secretary-General to submit a progress report on the work of the group of governmental experts to the General Assembly at its thirty-fifth session;

"5. Invites States which have not yet done so to respond to the request of the Secretary-General in accordance with paragraph 2 of resolution 33/91 B and to acquaint the group of experts with their views and experiences through the Secretary-General;

"6. Decides to include in the provisional agenda of its thirty-fifth session the item entitled 'Confidence-building measures'."

5. Chapter II of the present study considers the current international situation as well as future steps which might be taken in confidence-building measures. It stresses the necessity, in order to facilitate the process of arms control and disarmament, to take measures and to pursue policies to strengthen international peace and security and to build confidence among States in accordance with the purposes and principles of the Charter of the United Nations.

6. Chapter III outlines the objectives of, as well as the characteristics and opportunities existing for, confidence-building measures.

7. Chapter IV contains a historical survey of confidence-building measures so far conceived or implemented and a description of the state of the confidence-building process in various parts of the world.
8. Chapter V elaborates on the principles in accordance with which confidence-building measures should be established and further developed.
9. Chapter VI discusses various approaches to negotiating and eventually implementing concrete confidence-building measures. The need is stressed that specific confidence-building measures should be adjusted to the particular conditions and requirements prevailing in various regions of the world and the relation to the security requirements of the States concerned.
10. Chapter VII lists various fields of application for confidence-building measures and gives some illustrative examples. These may, depending on the circumstances prevailing, be taken into consideration by States while negotiating and deciding on particular measures to develop and strengthen confidence in their respective regions and in the world at large.
11. Chapter VIII deals with the role the United Nations should play in the process of identifying and encouraging confidence-building measures.
12. Chapter IX summarizes the findings of the Group of Experts and makes recommendations for the course of action to be taken in the further development of the confidence-building process.
13. In fulfilling its task and in conformity with its mandate, the Group considered the opinions of Governments submitted and circulated in documents A/34/416 and Add.1-3 and A/35/397, as well as the views expressed by delegations in the course of the thirty-fourth and thirty-fifth sessions of the General Assembly.
14. On the basis of an examination of those views, it was agreed that the main concern expressed by Governments was the necessity to strengthen international peace and security and to promote or reinforce confidence among States.
15. After reviewing the present international situation and bearing in mind the diversity of critical situations - both result and source of mistrust and lack of confidence - the Group recognized that international confidence cannot be obtained by exclusively promoting military confidence, that is to say, exclusively by measures in the military field. Taking into consideration, however, that many States which replied to the inquiry of the Secretary-General have underlined the importance of confidence-building measures of a military character, especially in some regions where the military factor has undeniable priority, the study gives particular emphasis to these matters.

CHAPTER II

GENERAL CONSIDERATIONS

16. In recent years international relations have undergone a serious deterioration. The arms race has been further escalated. In the view of the Group if this trend continues, international tensions would be further exacerbated and mankind would be confronted with an imminent danger of war on a world-wide scale. In this situation, measures designed to build confidence and facilitate disarmament negotiations are more urgent than ever.

17. The assessment of various regional contexts shows that there are situations where confidence-building is an ongoing process, others where there is relatively little confidence yet, or where confidence is almost non-existent, and others where a confrontational relationship, accompanied by the accumulation of large arrays of armaments and marked by military preparedness, necessitates urgent measures for the initiation of the confidence-building process, which should be carried out on a step-by-step basis.

18. This assessment as well as the views presented by many Governments show that the causes of mistrust vary from region to region or even within the same region. They have their sources in a complex of historical experiences, as well as geographical, strategic, political, economic, social and other elements. These factors are related to perceptions of threat which form an additional psychological component. As some Governments have pointed out, there may also be a lack of confidence among States which are not neighbours.

19. The assessment and the views of Governments have also demonstrated that confidence is the result of a dynamic process, based on past experiences, present perceptions and future expectations, and affected by a multitude of elements. Being the product of a complex interrelationship, confidence is especially sensitive to the behaviour of States. The strict observance of the principles of the Charter of the United Nations and other relevant instruments of international law is a fundamental source of confidence.

20. This main concern was also expressed in the replies from Member States transmitted to the Secretary-General pursuant to General Assembly resolution 33/91 B, and in the relevant statements in the General Assembly. Several of these replies and statements laid particular emphasis on the right and duty of every State to ensure its own security while, at the same time, stressing that in an interdependent world no State can ensure its security in isolation, but it must always take into account the security interests of other States.

21. Actions assuring States that their rights and interests are being observed would create confidence in the broadest sense of the term; actions, however, which may endanger their rights and interests will lead to distrust and fear and can, in some circumstances, ultimately result in armed conflict. International confidence cannot be achieved through the building of military confidence alone.

22. Confidence, like security, is a result of many factors, both military and non-military. Consequently, confidence or its absence, cannot be based on the same combination of factors for all States and in all circumstances. In that context, it was recalled that a number of Governments from various regions have stressed the special necessity for confidence building in the political, economic or social fields. But, as the analysis showed, the bulk of the proposals were related to military concerns. They thus reflect the high priority accorded by Governments to security concerns and received, accordingly, a more detailed examination and consideration in the study.

23. The Group expressed the hope that building on the results of this study the United Nations will be able to widen its scope and to give more detailed attention to non-military approaches to confidence building than the one that was possible to concentrate upon in this study.

CHAPTER III

THE CONCEPT OF CONFIDENCE-BUILDING MEASURES

24. In its attempts to further clarify and outline the concept of confidence-building measures in the context of the Group's mandate, as elaborated in the First Committee of the General Assembly and derived from the Programme of Action adopted at the tenth special session of the General Assembly devoted to disarmament (General Assembly resolution S-10/2, sect. III), the Group agreed on a functional approach. Instead of proceeding from a pre-established notion of confidence-building measures, it was felt that it would be more appropriate to determine, as a first step, the objectives which would and should be attained by confidence-building measures. After having achieved the necessary clarification of the objectives of confidence-building measures, an attempt has been made in this study to deduce those characteristics which such measures ought to have in order to reach their objectives. Finally, attention is drawn to opportunities for the introduction and strengthening of the process of confidence-building.

A. Objectives

25. As was unanimously expressed in the replies from Member States to the Secretary-General, the final objective of confidence-building measures is to strengthen international peace and security and to contribute to the development of confidence, better understanding and more stable relations between nations, thus creating and improving the conditions for fruitful international co-operation. In other words, the goal of confidence-building measures is to contribute to, reduce or, in some instances, even eliminate the causes for mistrust, fear, tensions and hostilities, all of which are significant factors in the continuation of the international arms build-up in various regions and, ultimately, also on a world-wide scale. A second goal is to reinforce confidence where it already exists.

26. Confidence-building should facilitate the process of arms control and disarmament negotiations, including verification; facilitate the settlement of international disputes and conflicts; and facilitate the strengthening of the security of States, whether neighbouring or not.

27. Measures pursuing these objectives will add to greater rationality and stability in international relations and contribute, in accordance with the Charter of the United Nations, to inhibiting the use or threat of use of military force. In so doing, they help to create a political and psychological climate in which the impulse towards a competitive arms build-up will be reduced and in which the importance of the military element will be gradually diminished and finally eliminated. Thus, confidence-building measures will be conducive to reaching meaningful progress in ongoing and new negotiations on the limitation and reduction of armaments and armed forces ultimately aimed at general and complete disarmament under effective international control.

28. Although it is obvious that the causes referred to will vary from region to region, depending on the different social, political, economic, geographic and historical factors and experiences determining the security situation particular to each specific region, the Group felt that it was possible to identify the main causes which almost invariably results in insecurity, perceptions of threat and a lack of mutual confidence, which are exacerbating the international arms race. Among the causes of mistrust is the lack of reliable information on the military activities of other States and on other matters pertaining to mutual security. The destabilization caused by insufficient knowledge about opposing military forces is often aggravated by subjective misconceptions and a resulting lack of trust concerning the intentions of States.
29. Consequently, one of the main objectives of confidence-building measures must be to reduce the elements of fear and speculation in order to achieve a more accurate and more reliable reciprocal assessment of military activities and other matters pertaining to mutual security, which may cause mutual apprehensions and increase the danger of conflict.
30. All agreed that besides facilitating the dissemination and exchange of pertinent information, regular personal contacts at all levels of political and military decision-making should be encouraged and promoted with a view to achieving a better understanding of reciprocal concerns and to foster co-operation in the field of security-related communication. It goes without saying that all measures enhancing communication and information assume a particularly important function in times of crisis.
31. Confidence-building measures may serve the additional objectives of facilitating verification of arms control and disarmament agreements. The implementation of adequate verification does, of course, have a confidence-building effect of its own. Confidence-building measures cannot, however, supersede verification measures, which are an inseparable part of arms control and disarmament measures.
32. Even in situations where a great deal of information is available, some degree of incalculability and risk may still remain. Fairly accurate knowledge of the characteristics and parameters of military manoeuvres, for example, their size, the area concerned, and their objectives, may still in some cases leave doubts and suspicions as to whether such exercises, which involve a build-up of forces, cannot suddenly be used for launching a surprise attack. Similar misgivings can exist with respect to exercises arranged at short notice within the framework of normal, routine military activities in peace-time, which are indispensable for the maintenance of a credible defence potential.
33. Fear and insecurity resulting from important routine military activities can be allayed considerably if States agree to enlarge the scope and the area of application of confidence-building measures, which should be undertaken in such a manner as to indicate as reliably as possible their peaceful intentions. Any major deviation from agreed parameters of confidence-building measures would then give a strong indication of dubious intent. The value of such measures will increase the

more they relate to the nature of the specific military threat perceived to be of greatest concern in a specific region at a specific time.

34. If confidence-building measures are thus adjusted to the nature of specific threats perceived in a particular region, it may be more difficult for a potential adversary to comply with the relevant confidence-building measures while at the same time launching an effective attack. Failure to comply with the terms of a particular confidence-building measure could thus provide warning of a possible surprise attack. In this way, confidence-building measures can have the function of establishing restraining thresholds for political decisions to use military force in a manner contrary to the rules of interstate behaviour, or to act otherwise contrary to these rules, in particular to the purposes and principles of the Charter of the United Nations.

35. Under certain circumstances it may be possible to go a step further and to agree on confidence-building measures which would put certain constraints on the respective military options. While leaving the over-all military potentials intact, the objective of such constraints ought to be to make sure that the existing potentials cannot be used for aggressive purposes. Such mutual constraints could, for example, take the form of limitations of military activities, including measures of verification. Thus, confidence-building measures could make non-aggressive intentions more credible and ease feelings of military vulnerability.

36. Confidence-building measures cannot, however, replace measures which would directly limit and reduce military potentials. If one were to misunderstand confidence-building measures as a substitute for disarmament measures one would not only over-estimate their inherent positive potential, but might also run the risk that they are used as a pretext for avoiding real progress in arms control and disarmament or even to legitimize a continuing arms build-up.

37. While, as may be seen by the foregoing, there was a wide area of agreement on measures and approaches to confidence-building, differences of approach emerged on one important question. Although all experts agreed in principle on the need for an exchange of information on the military activities of States and matters related to mutual security, there were differences of view concerning the degree of openness necessary for building confidence (see also chap. VII).

B. Characteristics

38. Following the functional approach, i.e., that confidence-building measures should have those characteristics which are conducive to the objectives outlined above, the Group accorded particular importance to the following elements.

39. The establishment of a basis for confidence and the broadening of this basis can only be realized in a dynamic process of concrete measures taken step-by-step within the framework of appropriate policies and international commitments. Because confidence-building is by nature a process in which each previous measure

forms the basis for further measures which progressively and cumulatively consolidate and strengthen the building of confidence, States must, at each stage, be able to measure and to assess the results achieved. This implies that neither declarations of intent or a repetition of generally recognized principles nor mere promises for a certain behaviour in the future (e.g., in cases of armed conflict) satisfy the exigencies of removing perceptions of threat and suspicion. It is only on concrete actions, which can be examined and assessed, that confidence can be founded. Positive experiences, which are the essential prerequisite of the growth of confidence, are gained by actions only, not by promises.

40. One of the main characteristics of confidence-building measures must, therefore, be that they translate universally recognized principles, such as the renunciation of the use or threat of use of force in accordance with the United Nations Charter, into reality by the application of concrete, specific and verifiable measures. As outlined above, the effectiveness of a concrete measure in creating confidence will increase the more it is adjusted to the specific perceptions of threat or the confidence requirements of a given situation. If a measure is unrelated, or is only vaguely related, to those elements of threat which are considered urgent, it will not only be of doubtful use, but it can discredit the relevance and importance of the concept of confidence-building measures downgrading it to pure "cosmetics" and it may eventually even be used as an excuse for the lack of progress in the field of disarmament. Therefore, it should be stressed that confidence-building measures, in order to be able to achieve their objectives, contribute to strengthening the security of States or to reducing those security problems which are of concern within the region concerned.

41. Obviously, misconceptions and prejudices which may have developed over an extended period of time cannot be overcome by a single application of a confidence-building measure. The seriousness, credibility and reliability of a State's commitment to confidence-building, without which the confidence-building process cannot be successful, can only be demonstrated by the continuous, regular and full implementation of confidence-building measures and policies. Accordingly, these elements constitute another important characteristic of the confidence-building process.

42. Since States must, on the one hand, be absolutely clear about the specifics of the confidence-building measures and the proper application of them and since, on the other hand, they must be provided with a yardstick by which they can reliably assess the scope and degree by which other States participating in an arrangement implement confidence-building measures, it is indispensable to define the parameters of the established confidence-building measures as precisely and clearly as possible.

43. Two further considerations underline the importance of establishing accurate parameters. Confidence-building measures can only achieve their desired stabilizing effect and contribute to preparing progress in disarmament if they do not reduce, but rather enhance, the security of States. Therefore, in order to maintain and strengthen the security of States, it is indispensable to observe equality and

balance between those participating in the process. As far as confidence-building measures are concerned, the achievement of these objectives requires a uniform application by all States committed to a specific measure. It is evident that in the absence of well-defined criteria for implementation it will be extremely difficult - if not impossible - to achieve the necessary uniformity. A failure to satisfactorily clarify the parameters of confidence-building measures will, therefore, entail the risk of jeopardizing the security of States by upsetting equality and balance.

44. Rationality and stability in international relations as main characteristics of the confidence-building process will be greatly enhanced if subjective factors which may account for misconceptions and, in any event, are subject to sudden changes are in the long run replaced by objective elements; in other words: if speculation is superseded by knowledge.

C. Opportunities

45. Confidence-building measures as a means of lessening tensions and strengthening international security and stability are particularly relevant and necessary among States having a large military build-up and following conflicting policies. Since one of the main objectives of confidence-building measures is overcoming situations of crisis and conflict, States should examine every possibility, however modest, of developing and implementing confidence-building measures. This is not only desirable in times of positive political trends, when the internal and external political conditions are especially conducive to the introduction and expansion of confidence-building measures, but appropriate confidence-building measures such as adequate communication channels, including "hot lines", should be provided especially in situations of crisis where they can have an important stabilizing effect and improve existing instruments of international crisis management.

46. Although fully aware of the difficulties of building confidence between adversaries in actual situations of conflict, the Group considered that confidence-building measures should not be initiated only between States among which a certain basis of confidence already exists. Otherwise, an opportunity of contributing to the solution of conflicts by an important and security-oriented means would be lost and would, on the contrary, help to perpetuate such conflicts.

47. The final objective of confidence-building measures is indeed confidence itself, which contributes to strengthening the security of States, but its achievement should not be made a pre-condition for the initiation of the confidence-building process. On the other hand, it is important that confidence-building measures already existing between States enjoying good relations should be strengthened and consolidated in order to further improve mutual understanding and trust.

48. The following considerations on specific circumstances in which there would be an opportunity to introduce or develop confidence-building measures should therefore, not be understood as being exclusive. In particular, it was not the

intention of the Group to single out specific opportunities to the exclusion of others. On the contrary, the Group wishes to stress that States should endeavour to make fruitful use of the concept of confidence-building measures under any circumstances and should examine any opportunity to initiate confidence-building measures adequate and appropriate to the removal of fear and distrust.

49. One important opportunity for the introduction of confidence-building measures may exist in conjunction with joint efforts towards preventing and containing international conflicts. Confidence-building measures can considerably improve the capacity for effective international crisis management. A primary requirement is, however, that communication and contacts between the parties to a conflict are not broken off at any time, but are improved. By enhancing the calculability of the political and military conduct of those involved, confidence-building measures can lessen the dangers of acute crises and ensure that conflicts remain manageable and do not escalate as a result of suspicions and misunderstandings.

50. In this context, a particular opportunity might arise upon the introduction of peace-keeping forces into a region, should that be agreed. The many arrangements that have to be made in a mandate for peace-keeping forces are in a real sense confidence-building measures. Taking into account the particular circumstances, it might be useful to supplement a peace-keeping agreement by additional confidence-building measures. Should this complicate an already difficult negotiating process, a statement of political intent envisaging the pursuit of future confidence-building measures once the peace-keeping forces will have taken up their tasks may be most helpful for further consolidation and steps of peace-making. Under such circumstances, the parties should at the earliest possible time envisage the establishment of an adequate mechanism based on a corresponding mandate.

51. A third opportunity for agreements on specific confidence-building measures may arise on the cessation of hostilities between States. Any arrangement that is made to terminate hostilities will already imply some degree of confidence-building. Further specific measures can be included, as has previously been done in arrangements agreed upon at the end of wars. Examples can be found in many arrangements concluded in the past. Should States wish to achieve speedily an attainable agreement to stop hostilities without, for the time being, wanting to widen the scope of their negotiations by discussing confidence-building measures, a political declaration of intent to address the subject at a later time could represent a significant step and could improve cease-fire arrangements.

52. Negotiations on arms limitations and reductions may offer another advantageous opportunity for the establishment of confidence-building measures. Certain confidence-building measures may, in this context, form an ingredient of the envisaged agreement itself. An example is the so-called "associated measures" discussed in the framework of the Vienna talks on Mutual Reductions of Forces, Armaments and Associated Measures in Central Europe. Other confidence-building measures may be of a supplementary nature with respect to the arms control agreement concerned. Both types can have a positive effect on the parties' ability to achieve the purposes and goals of the respective negotiations and agreements by creating a climate of co-operation and understanding, by facilitating measures of verification and by fostering reliable and credible implementation.

53. In addition, review conferences of existing arms limitation agreements could provide an opportunity to strengthen such agreements by the development of confidence-building measures. Such confidence-building measures as may be agreed could form part of the concluding document of those conferences, without the need to amend the treaty formally.

54. Still further opportunities may arise in conjunction with agreements among States for co-operation in other spheres of inter-State relations. The confidence-building measures in the Final Act of the Conference on Security and Co-operation in Europe, held at Helsinki in 1975, are a good example. In the preliminary talks for that Conference, which were held in the early 1970s, participants agreed on the need for a balanced approach to include military measures in addition to political, economic, cultural and humanitarian questions. It is desirable that at the second follow-up Conference in Madrid, which started in 1980, efforts should be successful so that confidence-building measures applied to the whole of Europe can be negotiated within the framework of the Conference on Security and Co-operation in Europe.

55. There is no reason why States in other regions should not be able to add confidence-building measures to any agenda for the negotiation of co-operative arrangements among themselves.

56. Besides, confidence-building measures, or at least a statement of intent to develop them in future, could be included in any other form of political declaration on goals shared by two or more States. The Declaration of Ayacucho (see A/10044, annex) is a clear illustration of this possibility; similar declarations could well be attempted when communiqués are issued or other instruments agreed upon by States of a region.

57. Opportunities for the promotion of confidence may also arise in the case of joint undertaking of development projects, especially in frontier areas.

58. It is essential that statements of intent and declarations, which in themselves do not contain a commitment for the application of concrete, specific and assessable measures and are, therefore, only a preparatory step on the way to confidence-building measures, must be followed up and rendered more concrete by negotiations on clearly defined, applicable measures or policies, unless confidence-building value is clearly attributed to the step itself. In this respect, it seems clear that to have a lasting confidence-building value, declarations should be consistently implemented or supplemented by appropriate concrete action. Otherwise, there is a risk of the process becoming illusory, if not counterproductive. It is also recognized that confidence-building value can be clearly attributed to agreements on various subjects and would therefore constitute a component of such agreements.

59. As was stressed above, these particular opportunities to establish confidence-building measures that were identified by the Group are neither mutually exclusive nor exhaustive. Of course, not all of them arise in every area of the world and, indeed, in some areas the state of relationships may not allow the introduction of

confidence-building measures in any of these categories, although it is possible that other categories of opportunities exist. However, this limited outline may be of assistance to States wishing to define what might present a suitable opportunity to their region. It would seem that to some extent steps could be taken almost anywhere to initiate confidence-building measures based on local practices and experiences in the field of security policy.

CHAPTER IV

EVOLUTION OF CONFIDENCE-BUILDING MEASURES

60. Measures to dispel distrust and to build confidence have been known throughout the ages. There are many historical examples of symbolic gestures made to prove peaceful intentions. Thus, the meaning and significance of confidence-building are age-old. The concept of confidence-building measures as a component of international peace and security is, however, of rather recent origin. As a result of post-Second World War developments, mankind became aware of the need for stable international and bilateral relations.

61. It is now widely accepted that the process of confidence-building is aimed at a comprehensive and wide range of relations between States. Every country, in order to exist and develop according to its aspirations, needs to be assured of its continuing integrity and sovereignty. For that reason, the concept of confidence-building measures of a security-related nature seems to be instrumental for international co-operation.

62. In the second half of the 1950s a concept with regard to disarmament and arms control was developed by the Soviet Union and the United States, which was characterized by a new approach: the search for partial measures of arms control which were designed to build the confidence indispensable to a secure and lasting peace. After that notion of confidence-building measures had emerged, specific measures in this field began to be proposed at various conferences and arms control negotiations between the United States and the Soviet Union from the middle of the 1950s. However, it was not until 1963 that the first confidence-building measure - the hot-line agreement 1/ - could be agreed upon. The next round of negotiations related to confidence-building measures began in the late 1960s and led to agreement between the Soviet Union and the United States on specific confidence-building measures in subsequent treaties at the beginning of the 1970s.

63. In the European context, confidence-building measures were included in the Final Act of the Conference on Security and Co-operation in Europe, while confidence-building measures in the form of so-called associated measures are still under consideration in the Vienna talks on Mutual Reduction of Forces, Armaments and Associated Measures in Central Europe.

64. On a global scale, the Final Document of the Tenth Special Session of the General Assembly devoted to disarmament contains several propositions for confidence-building measures. Moreover, certain measures agreed upon in bilateral

1/ Memorandum of Understanding between the United States of America and the Union of Soviet Socialist Republics Regarding the Establishment of a Direct Communication Link (20 June 1963).

and multilateral treaties in countries of the third world may be regarded as efforts aimed at building confidence among nations.

65. The evolution of confidence-building measures, regardless of whether they are still under consideration or have already been agreed upon, is described in the following stages in the context of the different negotiations or treaties:

- (a) Final Document of the Tenth Special Session of the General Assembly devoted to disarmament;
- (b) Final Act of the Conference on Security and Co-operation in Europe;
- (c) Vienna Talks on Mutual Reductions of Forces, Armaments and Associated Measures in Central Europe;
- (d) Confidence-building process under way in various continents;
- (e) Confidence-building measures in bilateral agreements.

A. The Final Document of the Tenth Special Session of the United Nations General Assembly devoted to disarmament

66. During the Tenth Special Session of the General Assembly devoted to disarmament various proposals were made in order to further the process of confidence-building among nations. The Final Document refers to confidence-building measures in paragraph 93. It states that in order to facilitate the process of disarmament, it is necessary to take measures and pursue policies to strengthen international peace and security and to build confidence among States. It proposes the following measures:

- (a) Attacks which take place by accident, miscalculation or communication failure should be prevented by taking steps to improve communications between Governments, particularly in areas of tension, by the establishment of "hot lines" and other methods of reducing the risk of conflict;
- (b) States should assess the possible implications of their military research and development for existing agreements as well as for further efforts in the field of disarmament;
- (c) The Secretary-General shall periodically submit reports to the General Assembly on the economic and social consequences of the armaments race and its extremely harmful effects on world peace and security.

These proposals were by no means intended to be exhaustive; paragraph 93 explicitly stresses that other measures yet to be agreed upon would also serve the aim of strengthening international peace and security and building confidence among States.

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B. The Final Act of the Conference on Security and
Co-operation in Europe

67. In the Final Act of the Conference on Security and Co-operation in Europe of 1975, the participating States declare that they will refrain "from the threat or use of force against the territorial integrity or political independence of any State" as well as from "any manifestation of force for the purpose of inducing another participating State to renounce the full exercise of its sovereign rights". The section entitled "Document on confidence-building measures and certain aspects of security and disarmament" included in the Final Act of the Conference constitutes an effort to give operational significance to these general principles. The provisions on confidence-building measures of the document do not aim at a direct reduction in the competitive military efforts; they rather form elements in a framework for the indirect alleviation and reduction of the incentives for competition which derive from uncertainty and misunderstanding. In particular, the following measures which are politically calling for a high degree of compliance were included in the document on confidence-building measures of the Final Act:

(a) Prior notification of major military manoeuvres exceeding a total of 25,000 troops, independently or combined with any possible air or naval components in Europe and, in the case of a participating State whose territory extends beyond Europe, prior notification if manoeuvres take place in an area within 250 kilometres from its frontier facing or shared with any European participating State. Notifications to be given 21 days or more in advance, will contain information of the designation, the general purpose and of the States involved, the types and numerical strength of the forces engaged, the area and estimated timeframe of its conduct;

(b) Exchange of observers at manoeuvres, voluntarily and on a bilateral basis, in a spirit of reciprocity and goodwill towards all participating States. Moreover, the following measures have been included:

(c) Prior notification of other military manoeuvres involving less than 25,000 men;

(d) Prior notification of major military movements;

(e) Other confidence-building measures.

68. In the document, the participating States recognized that the experience gained by the implementation of the provisions on confidence-building measures, together with further efforts, could lead to developing and enlarging measures aimed at strengthening confidence.

69. At the Belgrade follow-up meeting of the Conference on Security and Co-operation in Europe, held in 1977, all delegations acknowledged that no State had failed to comply with the mandatory provisions of the Final Act concerning confidence-building measures. The debate at this Conference focused on the

varying degrees to which States had chosen to implement the discretionary provisions contained in the document. With regard to new confidence-building measures several proposals were made which aimed at expanding the scope of the confidence-building process. Efforts to combine and balance different suggestions failed, so that no tangible results were achieved at the Belgrade Conference with regard to further development of confidence-building measures.

70. At the second follow-up Conference in Madrid, which started in 1980, the question of promoting and intensifying the process of confidence-building in Europe was taken up again. The Madrid meeting was still not concluded at the time of the submission of this report.

C. The Vienna Talks on Mutual Reductions of Forces,
Armaments and Associated Measures in Central
Europe

71. At the Vienna talks, various proposals for confidence-building measures were put forward and discussed. The term "associated measures", which is generally used for the measures referred to in these negotiations, indicates the function for which they are designed. According to the negotiating parties, these confidence-building measures should form an integral part of an agreement on reduction of forces and armaments. Accordingly, they should be conceived in such a way that they facilitate the attainment of the purposes and goals of the agreement and foster its proper implementation. So far, however, no accord on specific measures has been achieved.

D. The confidence-building process in various continents

72. The process of confidence-building by pursuing certain policies and agreeing on certain measures has also been going on in various other continents where the factors determining the prevailing security situation differ in many respects from those existing in Europe.

73. The treaties of the Inter-American System, which are themselves designed to guarantee peace and stability throughout the continent, contain a number of provisions aimed at building confidence among American States. Thus, article 3 item c of the Charter of the Organization of American States (OAS), of 1948, amended by the Protocol of Buenos Aires, 1967, declares that good faith should govern the relations between States. According to article 23 all international disputes that may arise between American States shall be submitted to the peaceful procedures set forth in the Charter. In case of conflict, article 59 requires a Meeting of Consultation of Ministers for Foreign Affairs to consider problems of an urgent nature and of common interest to the American States.

74. Any Member State may request that such a Meeting of Consultation be called (art. 60); in case of an armed attack within the territory of an American State or within the region of security delimited by any of the treaties in force, a

Meeting of Consultation shall be called immediately by the Chairman of the Permanent Council of OAS (art. 63). According to articles 3 and 11 of the Inter-American Treaty of Reciprocal Assistance (the Rio-Pact of 1947), the Meeting of Foreign Ministers serves as the Organ of Consultation in the sense of article 59 of the Charter of the Organization of American States, i.e. as an executive organ which has to agree upon the measures that should be taken in case of an armed attack by any State against an American State. Finally, the provisions contained in the American Treaty on Pacific Treaty Settlement (the Pact of Bogotá, of 1948), especially those referring to Commissions of Investigation and Conciliation (art. XV), also aim at building confidence between the American States.

75. An example of a multilateral instrument capable of building international confidence is the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco), the first to establish a nuclear-weapon-free zone in a populated area. The Treaty binds its parties not to produce nuclear weapons or accept them from other States, but it permits the unrestricted peaceful use of nuclear energy under the control of the International Atomic Energy Agency (IAEA). It is administered by the Agency for the Prohibition of Nuclear Weapons in Latin America (OPANAL).

76. Apart from these treaties, the process of confidence-building is also being developed at the regional level, especially in South America. In the Declaration of Ayacucho (Peru, 1974) eight South American States (Argentina, Bolivia, Chile, Ecuador, Colombia, Panama, Peru and Venezuela) agreed to act through the Foreign Ministers in case of any situation that could affect the peaceful coexistence among their countries. Moreover, the signatories expressed their commitment to put a stop to the acquisition of arms for offensive purposes, in order to dedicate all possible resources to the economic and social development of each country. The implementation of this commitment would represent a genuine confidence-building measure. The underlying idea is to provide evidence of the absence of a military threat; its consequence is the possibility that resources would be freed for the economic and social development of the respective countries.

77. The Declaration of Ayacucho may thus be regarded as an effort to strengthen regional confidence. The same effect can be ascribed to the provisions agreed upon in the Riobamba Charter of Conduct, which emanated from the Declaration of Ayacucho and was signed in 1980 by Colombia, Ecuador, Peru, Venezuela, Costa Rica and Panama at Riobamba (Ecuador). In addition, Spain has also become a signatory. Together with these declarations, the Cartagena Mandate, which was set up at Cartagena (Colombia) in 1979 by the Member States of the Andean Group and which established political machinery for co-operation on the basis of a pluralist approach to regional peace and integration, represents a central factor in building confidence in that part of the world.

78. The ongoing implementation of the integration process in South America is by its very nature also capable of furthering the confidence-building process. In this respect, the River Plate Basin Treaty may serve as an example. This Treaty was signed by Argentina, Bolivia, Brazil, Paraguay and Uruguay in April 1969; its aim is to develop, through infrastructural projects, the natural resources located

in that vast region. It is the intention of the Treaty to extend this integration to other economic activities, facilitate the establishment of an economic union and strengthen confidence and stability among the neighbouring States of the region.

79. Another example is the Treaty of Amazon Co-operation concluded by Bolivia, Brazil, Colombia, Ecuador, Guyana, Peru, Suriname and Venezuela in 1978. The contracting States agreed upon a series of concrete measures aimed at economic, scientific, technological and ecological co-operation in the Amazon River Basin. These steps also aim at the building of confidence: they reflect the decision of the contracting parties to co-operate and to consult on the development of the region.

80. The confidence-building process has been developing also in the framework of the Organization of African States (OAU) as well as among the individual African States; so far, it has resulted in creating and strengthening confidence in this part of the world. It was already the underlying concept of the "Lusaka Manifesto", agreed upon in April 1964 by 14 African States, that the problems of that continent can only be solved on the basis of mutual trust and confidence. To enlarge this basis, the Commission of Mediation, Conciliation and Arbitration was founded within the framework of OAU. The aim of enhancing stability and building confidence is presently being pursued also within the framework of co-operation among several African States. In this respect, the work of the Economic Commission of West-African States (ECOWAS), to which 16 African countries belong, may serve as an example. Sometimes co-operation is promoted by special organizations as, for example, in the case of Senegal and the Gambia, where in the framework of the "Senegambia Permanent Secretariat" a ministerial inter-State committee as well as a conference of the Heads of State meet once a year.

81. Confidence-building activities have played a prominent part in the process of rapprochement between Zaire and Angola. This process began with the agreement to establish a control commission under the auspices of the Organization of African States in order to normalize relations between the two countries (July 1978). This commission, composed of members from the United Republic of Cameroon, Nigeria, Rwanda and the Sudan, had the task of monitoring any military development in either country. The next step of this confidence-building process was the establishment of diplomatic relations between Zaire and Angola, at the end of July 1978. A joint communiqué issued on that occasion, explicitly stated that both countries wished to establish a climate of mutual confidence between their two countries and their respective peoples. A recent step in this direction was taken in October 1979, when the Presidents of Angola, Zaire and Zambia agreed at Ndola (Zambia) to prevent any guerrilla activities on their respective territories directed against any of the other States.

82. Generally speaking, it can be recognized that the process of confidence-building is taking place throughout the entire African continent. In particular, the idea is gaining ground that efforts should be undertaken to guarantee that African countries will not serve as bases for subversive activities directed against neighbouring States. A growing number of African Governments have stated that they intend to prevent such activities within their countries. Statements to

that effect were made, inter alia, in the joint communiqué issued on the occasion of the meeting between the Heads of State of Gambia and Liberia in November 1980; these statements are intended to initiate a specific confidence-building process. When this intention is implemented by an agreement on concrete confidence-building measures to prevent the occurrence of the above-mentioned activities, a considerable step will have been taken in the direction of further strengthening the sovereignty and independence of African States.

83. There are also signs which indicate that the confidence-building process among Asian nations is growing and becoming more specific. In some areas where political, economic and cultural co-operation has been going on at the regional level, the confidence-building process has developed a concrete character. One example of such development is to be seen in the activities of the Association of South-East Asian Nations (ASEAN). Some aspects of the work of the various committees which exist within the framework of ASEAN, as well as the regular meetings of the Foreign Ministers from the ASEAN countries, are part of the confidence-building process. They also aimed at preventing the development of tension and conflict and establishing a zone of peace, freedom and neutrality among the States of the region of South-East Asia. Another project in the region with a confidence-building component which is currently under consideration by the States concerned is the establishment of a zone of peace in the Indian Ocean.

84. The ASEAN countries recently initiated efforts designed to increase close co-operation with countries in the Pacific area such as Japan, Australia and New Zealand, as well as with the members of the European Community, by inviting those States to the annually held expanded forum of the ASEAN Foreign Ministers' Meeting. An example of such close co-operation is the Joint Declaration of the Foreign Ministers of the Member States of the ASEAN and European Community countries issued at Kuala Lumpur on 7 March 1980, which could hopefully lead to a process of confidence-building beyond regional levels and to a better understanding between countries in different and distant parts of the world.

E. Confidence-building measures in bilateral agreements

85. Bilateral negotiations and subsequent agreements between various States have often included efforts designed to build confidence. Examples of this can be found in each region of the world and a few are cited below.

86. Wide-ranging bilateral efforts aimed at confidence-building have taken place between the United States and the Soviet Union from the middle of the 1950s. From 1955 to 1958 both the United States and the Union of Soviet Socialist Republics suggested various types of specific confidence-building measures. The United States has proposed a variety of categories of such measures, e.g. overlapping radar installations, exchange of military observers, aerial inspection, exchange of information, eyewitness reporting and inspection zones. The Soviet Union has proposed a number of measures, including the establishment of special zones, such as denuclearized zones, as well as various measures associated with arms limitation and disarmament steps and specific constraints with regard to military activities.

87. On 20 June 1963, the United States and the Union of Soviet Socialist Republics succeeded in agreeing upon the first important concrete confidence-building measure: the establishment of a direct line of communication between Moscow and Washington, D.C. (the "hot line"). The next steps were an agreement on the modernization of this line and an agreement on measures to reduce the risk of the outbreak of nuclear war between the two Powers, both dated 30 September 1971. The latter agreement committed both sides to take unilateral stabilizing measures and imposed certain obligations to inform each other about specific military activities. A fourth agreement, on the prevention of accidents on and above the seas, dated 25 March 1972, which provided for a whole series of measures, has considerably reduced the number of incidents caused by maritime activities.

88. The Strategic Arms Limitations Agreements (SALT I, 1972 and SALT II, 1979) signed by the Governments of the United States and the Union of Soviet Socialist Republics call for a series of additional bilateral steps which could be described as confidence-building measures. These include the exchange of information on certain activities, the non-impediment of certain reconnaissance activities, notification of missile launches which are planned to extend beyond the national territory of the contracting State, and the establishment of a Standing Consultative Commission in order to promote the objectives and to implement the provisions of the Treaties.

CHAPTER V

PRINCIPLES

89. As has been pointed out previously, particularly in chapter III, it is the objective of confidence-building measures to enhance respect for the principles laid down in the Charter of the United Nations, the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations (General Assembly resolution 2625 (XXV)), and other relevant international instruments.

90. The implications of this conclusion are twofold: first, States can evaluate each confidence-building measure proposed in a given confidence-building process against these principles. Second, the implementation of each specific measure thus helps translate the existing general principles of international law into concrete action, thereby enhancing their validity. The most important principles in this context are:

- (a) Refraining from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations Charter;
- (b) Peaceful settlement of disputes;
- (c) Non-intervention in internal affairs;
- (d) Co-operation among States in solving international problems and in promoting respect for human rights;
- (e) Equal rights and self-determination of peoples;
- (f) Sovereign equality, respect for the rights inherent in sovereignty;
- (g) Fulfilment in good faith of obligations under international law.

91. The Final Document of the Tenth Special Session of the General Assembly devoted to disarmament recognized and endorsed the function of confidence-building measures and policies in facilitating the process of disarmament and strengthening international peace and security. Consequently, the principles enunciated in the Final Document as being of fundamental importance for negotiations and measures in the field of disarmament (paras. 25 ff) have a decisive bearing on the introduction and implementation of confidence-building measures. Conversely, progress in the confidence-building process will enhance and strengthen the effectiveness of these principles. The Group wishes to draw special attention to the fact that the adoption of these measures should take place in an equitable and balanced manner that ensures the right of each State to undiminished security and also ensures that no individual State or group of States obtains advantages over others at any stage, taking into account the right of all States to participate on an equal footing in international efforts and negotiations.

92. To clarify the relationship between the principles enunciated above and confidence-building measures, it is necessary to outline realistically the scope and nature of confidence-building measures. While confidence-building measures help, for example, to establish the necessary foundation on which agreements on disarmament and arms control can be built, they cannot replace the obligation of Member States laid down in paragraph 42 of the Final Document of the Tenth Special Session of the General Assembly devoted to disarmament to make every effort faithfully to carry out the Programme of Action contained in the Final Document which ultimately aims at general and complete disarmament under effective international control. While confidence-building measures cannot be a substitute for the implementation of genuine disarmament measures, they should not be used as a pretext for avoiding the fulfilment of other substantial international obligations for co-operation in various fields. Confidence-building measures are an important tool for improving the political climate and facilitating more far-reaching arrangements on international security and co-operation. It would, however, be illusory and counterproductive to overlook the limits of this concept, which can and, indeed, must complement and strengthen other aspects of international peace, security and co-operation without replacing them.

93. A general analysis of the relationship between confidence-building measures and international law, must take into account the fact that confidence-building measures have only recently been identified as a specific means of easing tension between States and of enhancing international peace and security. Although throughout the ages there have existed various ways and means of increasing confidence among States, the singling out of certain concrete measures and their identification as complementary to disarmament and arms control measures proper began only a few years ago. Hence, there is as yet no specific set of rules of international public law which applies to confidence-building measures as such. It is obvious, however, that the existing rules of international law apply to the establishment and implementation of confidence-building measures. If and when such measures are agreed upon among States with the intention of creating legally binding obligations, they represent international treaty law between the parties.

94. States may also agree on confidence-building measures of a less obligatory character: in the absence of the will to create legally binding treaty commitments such confidence-building measures may represent politically binding commitments or recommendations as to a desirable conduct. According to international law, their non-observance would not entail a legal responsibility. It goes without saying, however, that failure to comply with such a non-obligatory measure will destroy the confidence the measure was designed to create and may jeopardize the confidence-building process as such.

95. Unilateral measures, too, can establish obligations of international law for the State, which declares itself to be bound.

96. Although agreement on legally binding measures will undoubtedly be of the greatest value for the building of confidence, non-legally binding measures containing political commitments are of significance for the confidence-building process. This is evident, for instance, from the provisions of the Final Act of

the Conference on Security and Co-operation in Europe. The implementation of politically binding measures can create confidence in the conduct of States. It can demonstrate their persistent will to implement certain pre-established norms.

97. In this respect, non-legally binding confidence-building measures can support the purpose of international law by providing for an internationally acceptable code of conduct.

98. The continuous and regular application of politically binding measures may create a practice which in the long run establishes the conviction of the participating States that only a behaviour corresponding to this practice can be regarded as lawful. Thus, the binding nature of a confidence-building measure may gradually be enhanced to the extent that its general acceptance as the correct pattern of behaviour grows. As a result, the consistent and uniform implementation of a politically binding confidence-building measure over a substantial period of time may lead to the development of an obligation under customary international law. In this way, the process of confidence-building may gradually contribute to the formation of new norms of international law.

CHAPTER VI

APPROACH

A. Regional, interregional, international and global

99. The United Nations study on all aspects of regional disarmament stated that "for the great majority of States, the perceived threats to their security and the need for military preparedness is primarily connected with conditions in their own region" (A/35/416, para. 136).

100. As was pointed out above, confidence-building measures, in order to be effective, must relate to the elements of threat which are of concern in a particular situation. Besides, they should be significant in that they contribute to reducing specific security problems.

101. The fact that many, if not most, problems of security and the perceptions thereof derive from regional factors and elements leads to the conclusion that a regional approach to confidence-building is both desirable and feasible.

102. As was set out in the above-mentioned study, the region in the context of disarmament is a flexible notion which cannot be defined generally or in advance. What is a suitable region for a specific measure will depend foremost on the initiative of the States concerned and the nature of the measure envisaged. Accordingly, an arrangement between two or more neighbouring States can constitute the nucleus of a regional arrangement, which may gradually be extended by the accession of **other** States.

103. Given the fact that confidence-building measures are concerned with the security perceptions which States have in relation to each other, the statement contained in the study on regional disarmament that "strictly geographical and security considerations will not always suffice to determine what might be a suitable 'region'" and that "in many cases regional disarmament might be promoted by taking into account such additional factors as the prior existence of cultural, economic, ideological and/or political links" (*ibid.*, para. 155) seems to bear a particular relevance for confidence-building measures.

104. The understanding that there are specific conditions and requirements of security which are peculiar to particular regions bears the following implications for confidence-building measures.

105. It is obvious that the States members of a region know best what the nature of their security problems is. Accordingly, the analysis and evaluation of the underlying causes for distrust, fear and tensions, which must be the starting point for any confidence-building effort, have to be made within the respective region and cannot be undertaken by States outside the region. It is the basis of such analysis, that States within a region are to decide freely and in the exercise

of their sovereignty, whether a confidence-building process is to be initiated. The initiative for taking up confidence-building measures in a certain region may also emanate from a regional organization.

106. The evaluation of the specific security conditions, and perceptions referred to, will provide for the criteria by means of which States of a region determine the nature, scope and area of the confidence-building measures which are appropriate and adequate for reducing those security risks that are of concern to them.

107. If, for example, States are particularly concerned about the danger of surprise attack, measures providing for additional warning time may be most relevant. If a lack of communication is perceived as particularly destabilizing, an improvement of the communication channels to be available, especially in times of crisis, might be most desirable. In other cases, measures providing for more information about military activities and other matters related to mutual security could be called for.

108. Similarly, the scope of the measures has to be adjusted, based on the equal rights and obligations of all States participating in the confidence-building process, to the specific conditions and requirements of the region in question. Commitments to notify military activities of a certain scope in one region might be irrelevant in another. The same is true for the determination of the territory to which the confidence-building measures should apply. This area should be defined according to its coherence in terms of its military conditions and the corresponding security perceptions and concerns of the States in question.

109. It will depend on the analysis of the regional security situation which of the confidence-building measures appropriate for the solution of its specific security problems can be considered as feasible and/or negotiable by the States members of this region. In regions where heavily armed States confront each other and a high degree of tension and mistrust exists, only the initiation of very modest steps of confidence-building will offer a realistic hope for gradual progress. In regions which are characterized by the absence of strong political and military divisions, States may be able to agree at an early stage on more ambitious restraints, thereby accelerating the confidence-building process.

110. Depending upon the causes for distrust, other measures or policies could be adopted by the States concerned in order to overcome particular situations or concerns.

111. Stressing the importance of the regional approach does not signify, however, that confidence could be regionalized or compartmentalized. Just as a security policy must be global in scope if it is to be successful in today's interdependent world, the process of building confidence is a universal task. The loss of confidence in one region of the world will lead to dangers which threaten inter international peace and security globally. Actions diminishing or even destroying confidence on a regional level do, by necessity, affect international trust and confidence and cause a deterioration in the political climate for arms control and

disarmament. Of course, the opposite is also true - and this is a decisive argument in favour of the regional approach: Measures creating and strengthening confidence and promoting security and stability in one region will have a stabilizing effect on a wider level, thereby enhancing global security.

112. Because of this interaction both between various regions and between the regions and the global level, it may be necessary that States within a region take into account the security concerns of extra-regional States when deciding on a regional confidence-building measure. Conversely, and no less important, non-regional States by also taking into account the security interests of the States from the region concerned should co-operate in implementing confidence-building measures agreed upon by the States of the region.

113. The security concern of extra-regional States can best be taken into account by including them and other regions, as appropriate, in the confidence-building process, without globalizing security concerns particular to one specific region. Accordingly, after a certain consolidation of the confidence-building process in one region, consideration should be given to the possibilities of enhancing the gains in regional security thus achieved by broadening the geographical scope of suitable confidence-building measures to interregional agreements. It must be pointed out, however, that confidence-building measures which are closely tailored to the special conditions prevailing in one particular region cannot normally be transferred "in toto" and without suitable adjustments into other contexts. Therefore, any broadening of the area of application and any effort to supplement regional confidence-building measure régimes by interregional ones will require a reassessment of the conditions determining the security requirements in the "new context". In accordance with this reassessment, appropriate confidence-building measures have to be selected or developed.

114. A further step in this process, taking into account the desirability of a global approach to confidence-building and drawing on the experiences gained in various regional and international spheres, may eventually be an international convention codifying a number of basic and universally applicable obligations for the implementation of confidence-building measures.

B. Method of implementation

115. Confidence cannot be built by a single implementation of a specific confidence-building measure, let alone by a declaration of good intentions. Confidence can only grow by historic experience. Thus, confidence is the result of a long building process created by the full and uniform application of concrete and verifiable actions and the pursuit of reliable policies.

116. Although confidence-building measures do not limit or reduce military potentials as such, in some cases, they can restrain freedom of military action and entail a certain limitation of the use of military force. Therefore, States can only be expected to introduce specific measures gradually. In the initial stage of a confidence-building process they will be inclined to preserve

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their freedom of action as much as possible and minimize the risks incurred by accepting only such confidence-building measures which are limited in scope and in the degree of commitment.

117. Since it is only the full and comprehensive implementation of modest confidence-building measures which creates the confidence necessary for the acceptability of more stringent measures, over-ambitious projects should be avoided in the initial phase. They might not only fail to achieve the desired success but could even be counter-productive. A selective and restrictive fulfilment of commitments concerning confidence-building measures will disappoint expectations created at the initiation of a confidence-building process and tend to discredit this process. What is needed is a patient step-by-step development in which the success of each step justifies the next one, until a comprehensive network of confidence-building measures provides the sound basis on which more far-reaching agreements in the field of international security can be built.

118. Once the process has been successfully started, there is a good chance that it can develop its own dynamics. The main reason for this is that the success of every single measure creates new confidence as to the feasibility of additional and possibly more ambitious measures. The improvements achieved by the mutual implementation of confidence-building measures will give States strong incentives for the continuation of the confidence-building process. It is therefore crucial that this process should get started, although the initial phase is in many respects the most sensitive and complicated one. This requires that States venture to take initiatives. In certain conditions even small unilateral first moves might be possible and may help to get an otherwise impossible process started. Of course unilateral measures are taken and maintained only if the initiator has good reason to expect that they will be positively and adequately responded to.

119. It is obvious that in the further development of the process unilateral and voluntary measures will have to be replaced by agreements of a more binding nature, because this is the only way by which States can be assured that measures will lead to balanced and equal results. Besides, measures incorporated in treaties cannot be made the subject of sudden changes in the international climate; they assist, therefore, in maintaining the continuity required for the process of confidence-building.

120. In the initial stages of the process, confidence-building measures relating to the intensification of personal contacts may be particularly useful in order to overcome prejudices and misinterpretations without involving any limitation of military options. In the long run, however, security relations between States should not solely depend on relations between individuals, the development of which is subject to many risks. In the course of confidence-building, personal relations should, therefore, be supplemented by measures which formalize and institutionalize the confidence-building process.

121. In the gradual and progressive building of confidence it should be a general rule to proceed from less restraining to more restraining measures. This development can take various forms. One possibility is to enhance the quantity

and quality of information exchanged between the parties in order to obtain a higher military value of such information. A point in case may be the establishment of rules for the treatment of observers to manoeuvres which enable the observers to make a proper assessment of the manoeuvre. In this respect, attempts should also be made to continuously refine the indicators for routine military activities with a view to improve their value for warning.

122. Another possibility is the expansion of the scope and area of application of existing confidence-building measures, which can greatly enhance their value. Thus, commitments to notify major military movements in a restricted area could be broadened so as to include all militarily relevant movements within a larger area. States should examine and agree on ways and means for dealing with other causes of concern.

123. A very important qualitative step in enhancing credibility and reliability of the confidence-building process can consist in strengthening the degree of commitment with which the various confidence-building measures are to be implemented. As soon as possible voluntary measures should accordingly be developed into politically binding provisions and politically binding provisions changed into legally binding obligations.

CHAPTER VII

ILLUSTRATIVE LIST OF MEASURES WHICH MAY CONTRIBUTE TO BUILDING CONFIDENCE

124. The Group is of the opinion that it would be very difficult to point out specific measures to be implemented in a particular region for the purpose of building and strengthening confidence. As has been stressed at various points in this study, policies to be applied or measures to be taken, their nature, scope and other aspects, are to be established by the countries concerned, taking into account the particular security conditions of a region.

125. Measures to strengthen international peace and security and to build confidence among States could be classified in accordance with some very general criteria. It would be possible to select them in accordance with the general categories: political, military, economic, social and cultural criteria. Needless to say, some overlapping would be difficult to avoid.

126. In compliance with its mandate, the Group examined the policies and measures mentioned by Governments in their replies and statements as essential or suitable for the purpose of building confidence. Many of the measures mentioned were of a general nature falling into one or more of the non-military categories, but a high proportion of the proposals were related to military concerns, reflecting the high priority that many Governments accord to problems of security.

127. To illustrate possible practical applications of the concepts and ideas which have been developed in this study in a more general way, the Group felt that it would be useful to identify fields of application for measures which may contribute to building confidence and to list some possible examples. They should be understood as being purely illustrative for any measures which States may take into consideration while deciding and negotiating to develop and strengthen confidence.

A. Confidence-building measures with special emphasis on military and security related aspects

128. The Group examined policies and measures related to the military aspects of security as having immediate and direct bearing on the maintenance of world peace and international security, and arrived at the following list of possible military and security-related measures:

(a) Information and communication of a military nature

- (i) Publication and exchange of information on military activities and other matters related to mutual security.
- (ii) Publication and exchange of information on matters of arms control and disarmament.

(b) Military expenditures

Gradual reduction of military budgets on a mutually agreed basis, for example, in absolute or in percentage terms.

(c) Prior notification of military activities

- (i) Prior notification of major military manoeuvres under agreed criteria.
- (ii) Prior notification of other military manoeuvres on a voluntary basis.
- (iii) Prior notification of major military movements.

(d) Exchange and visits

- (i) Invitation of military observers in connexion with military manoeuvres.
- (ii) Exchange of military delegations.
- (iii) Provision of scholarships in military schools for military personnel of other States.

(e) Consultation

Establishment of consultative mechanism to promote implementation of arms control and disarmament agreements.

(f) Military conduct

Provision of information on scope and extent of specific military activities like manoeuvres and specified movements according to pre-established procedures.

(g) Easing of military tensions

- (i) Steps conducive to easing current military tensions, particularly in situations where significant military forces confront each other.
- (ii) Measures to strengthen the security of non-nuclear-weapon States.

(h) Constraints

- (i) Limitations or exclusion of certain military activities.
- (ii) Establishing nuclear-weapon-free zones, demilitarized zones, zones of peace and co-operation on the basis of arrangements freely arrived at among the States concerned.

(i) Verification

Continued and enhanced elaboration of procedures for verification as an integral part of confidence-building measures and arms control and disarmament agreements.

(j) Crisis management

(i) Establishment of procedures for improving communication and for the reduction of misunderstandings as well as the containment of conflicts including the establishment of hot lines.

(ii) Disengagement and separation of forces.

(iii) Peace-keeping measures such as the establishment of observation posts.

(k) Settlement of disputes and conflicts

Steps conducive to the relaxation of tensions and the settlement of conflicts.

B. Specific confidence-building measures on which there was no consensus

129. There were experts who advocated the position that an important objective of confidence-building measures should be a high degree of openness in order to allow predictability of national security policies and who believed that measures corresponding to this aim would make an important contribution to eliminating misunderstandings and faulty estimates of military strength and intentions of other states that fed feelings of insecurity. In this context, the following measures were proposed:

(a) Widening information, fostering communication and promoting understanding on security-related issues;

(b) Widening information on military potentials and capabilities;

(c) Clarification and public presentation of defence doctrines;

(d) Establishing patterns and standards of routine peace-time military conduct, thereby creating, at the same time, warning indicators;

(e) Elaborating constraints concerning military options;

(f) Openness of military budgets and the adoption of a standardized reporting format for military expenditures.

130. The view was expressed, however, that the criterion for the exchange of pertinent information should be the scope and character of concrete confidence-building measures.

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131. Concerning confidence-building in Europe there was also disagreement as to whether it would be appropriate to include in the study certain specific proposals.

132. Some experts enumerated specific confidence-building measures in the European context and emphasized that Europe was a focal point in the global strategic situation, having a world-wide impact in terms of international stability and trust among States. They suggested a series of such measures which they hoped, if implemented, might set in motion a process leading towards a more wide-ranging variety of measures aimed at enhanced confidence among States in the interest of world peace and international security. Specific measures suggested were:

(a) Lowering the level of manoeuvres of land forces subject to prior notification from the current 25,000 to 20,000;

(b) Extending the time for the above-mentioned notification from the current three weeks to one month;

(c) Notifying in advance about major manoeuvres of air and naval forces;

(d) Confining military manoeuvres within the limits of 40,000 to 50,000;

(e) Notifying about troop movements of 20,000 and more;

(f) Extending confidence-building measures to the entire European part of the USSR, provided that the western States also undertake a corresponding expansion of the area of application of such measures;

(g) Ways should be explored with a view to extending confidence-building measures to the Far East.

133. A number of experts, while not necessarily disagreeing with some of the measures proposed, did not believe they were appropriate for inclusion in this study on the grounds that these or related proposals are under debate in other fora, that they represent the views of only certain countries and that all are not applicable to many regions of the world. In the latter regard, particular exemption was taken to the above references to the Far East.

134. Other experts disagreed with the parameters of the measures mentioned above and indeed some of these experts pointed to the proposals submitted by the neutral and non-aligned countries at the Conference on Security and Co-operation in Europe meeting in Madrid, which, in their view, are more far-reaching in their significance than the proposals listed above.

C. Policies and measures for the most part related to political, economic and social matters

135. In addition to the suggestions of military and security-related measures, policies and measures for the most part related to political, economic and social

matters put forward by Governments for the purpose of contributing to building confidence were, in most cases, formulated in general terms. For instance, many Governments expressed the view that it would be important for international confidence for all countries to observe the purposes and principles of the United Nations Charter and its provisions, as well as the provisions contained in other relevant documents of international law.

136. The Group did not study in-depth the various views of Governments nor did the Group consider which of them may have relevance for the approach to confidence-building which was given emphasis in the study. The Group felt that these views belonged to the broader approach to confidence-building that emerged from the discussions, the replies given to the Secretary-General, and the relevant statements in the General Assembly. They are listed below for consideration by Governments interested in taking part and contributing further to the confidence-building process:

- (a) Respecting the sovereignty, independence and territorial integrity of all States and non-intervention and non-interference in their internal affairs, having regard to the inherent right of States to individual and collective self-defence, in accordance with Article 51 of the United Nations Charter;
- (b) Terminating policies of aggression and colonialism;
- (c) Respecting human rights and fundamental freedoms in accordance with existing international instruments;
- (d) Making use of the United Nations and other appropriate fora for the continuing consideration and promotion of confidence-building measures;
- (e) Establishing a new international economic order, including international co-operation and integration for economic and social development;
- (f) Respecting the sovereignty of States over their natural resources;
- (g) Undertaking joint economic development projects, especially in border areas;
- (h) Elaborating bilateral or regional agreements on projects for co-operation and integration;
- (i) Using qualified personnel and resources in joint co-operation projects in the field of development and of a humanitarian nature; help in case of natural disasters.

CHAPTER VIII

ROLE OF THE UNITED NATIONS

A. The United Nations and confidence-building

137. The main tasks of the United Nations as they are laid down in Article 1 of its Charter are the maintenance of international peace and security, the development of friendly relations among nations, and the achievement of international co-operation in solving international problems of an economic, social, cultural or humanitarian character. The United Nations should be a centre for harmonizing the actions of nations in the attainment of these common ends.

138. The Charter twice refers to the goal of disarmament. In its Article 11 it states that the General Assembly may consider the general principles of co-operation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments. Article 47 mentions the questions on which the Military Staff Committee is to advise and to assist the Security Council "the regulation of armaments, and possible disarmament". Furthermore, Article 26 refers to a system for the regulation of armaments, plans for which are to be submitted to the members of the United Nations by the Security Council.

139. These purposes are to a large extent either identical with the over-all objective of confidence-building measures or are closely related to such measures. As has been shown in chapter III, their objective is to strengthen international peace and security and contribute to the development of confidence and better understanding between nations, thereby representing a necessary precondition for reducing the incentives for a competitive arms build-up and for bringing about meaningful progress in negotiations on the limitation and reduction of armaments and armed forces and, ultimately, on general and complete disarmament.

140. In the opinion of the Group, these references clearly show that the United Nations has an important role to play in the identification and promotion of agreements on confidence-building measures and their implementation. This is in line with the role of the United Nations in the field of disarmament as has been recognized in paragraph 8 of the Final Document of the First Special Session of the General Assembly devoted to Disarmament.

141. The United Nations can encourage Member States to consider and enter into negotiations on confidence-building measures. It can also help to establish a political climate in which successful negotiations can be conducted. It plays an essential role in maintaining and strengthening the will of its Member States to negotiate and implement agreements on the application of confidence-building measures. Negotiations on confidence-building measures must, in conformity with paragraph 8 of the Final Document, be based on the strict observance of the purposes and principles enshrined in the Charter of the United Nations.

142. By their nature, confidence-building measures can play an important role, particularly in the initial phase of the implementation of a Comprehensive Programme of Disarmament, which is being elaborated by the Committee on Disarmament. Accordingly, the elements of a comprehensive programme of disarmament, 2/ which have been adopted by the Disarmament Commission, list confidence-building measures among those which are to be implemented under the Programme.

143. Equally, confidence-building measures which contribute to the strengthening of the security of States have a priority role among the activities to be pursued during the Second Disarmament Decade, as has been stated in the Declaration of the 1980s as the Second Disarmament Decade (annex to resolution 35/46). The particular conditions and requirements of different regions must duly be taken into account.

144. Furthermore, as has been shown in chapter V, the Charter of the United Nations contains several specific principles which may be enhanced by the application of confidence-building measures. In the view of the Group, therefore, it can be said that there is a reciprocal relationship between confidence-building measures and the objectives of the United Nations. While many confidence-building measures can further specific goals of the United Nations, the Organization, for its part, can encourage and improve the functioning of confidence-building measures. In doing this, it can, in an exemplary way, discharge its task of being the centre for harmonizing the actions of nations.

B. United Nations organs and other bodies

145. In carrying out its manifold tasks the United Nations can promote confidence in various ways. All organs and other bodies of the United Nations should participate in encouraging the process of confidence-building. In particular, the General Assembly and the Security Council can further this process by adopting decisions and recommendations containing suggestions and requests to States to agree on and apply confidence-building measures. Depending upon the nature of the measure in question, such decisions and recommendations can be directed at all States or only at certain States in a particular region having particular interests, or, in case of an imminent crisis, at those States immediately affected by a rise of tensions. Both the General Assembly and the Security Council could, inter alia, recommend the evaluation of certain confidence-building measures which have been applied for a period of time and, on the basis of such evaluations, advise their continuation, modification, or, in case of regional measures, their extension to other regions.

146. In keeping with the distribution of tasks as established in the Charter of the United Nations, the Security Council would primarily be responsible for such measures which have a direct bearing on the maintenance of international peace and security. This would, among other activities, comprise the promotion of

2/ Official Records of the General Assembly, Thirty-fourth Session, Supplement No. 42 (A/34/42), sect. IV.

peace-making initiatives and of arrangements for the cessation of armed conflicts, should they break out. The peace-keeping operations of the United Nations and the introduction of peace-keeping forces, observers and mediators serve as practical and well-established examples of measures to increase confidence.

147. The General Assembly would include in its activities those measures which might be applied in the political, legal, economic and social fields. This, however, would in no way limit the possibility of the General Assembly recommending to Member States or to the Security Council any confidence-building measures which fall within the scope of the Charter of the United Nations. In order to be able to fulfill this task, it is essential that the General Assembly and, through it, all relevant United Nations bodies be kept duly informed of the results of negotiations and agreements on confidence-building measures. The application of a great number of measures which have been listed in chapter VII could thus be encouraged.

148. The tenth special session of the General Assembly devoted to disarmament constituted the starting point for the United Nations involvement in the specific task of promoting the evaluation and application of confidence-building measures. At its second special session devoted to disarmament, the General Assembly might continue its work concerning confidence-building measures.

149. The United Nations has a particularly important role in providing the necessary machinery for deliberations in the field of arms control and disarmament. This task is entrusted to the First Committee of the General Assembly which, in pursuance of a decision taken by the General Assembly at its tenth special session devoted to disarmament, deals only with questions of disarmament and related international security questions, and to the Disarmament Commission, a subsidiary organ of the General Assembly, which considers and makes recommendations on various problems in the field of disarmament. These bodies are especially qualified to deal with those confidence-building measures which have a direct bearing on security matters.

150. The same scope of activity can be pursued by the Committee on Disarmament, which is the single multilateral negotiating body and which has a special relationship with the United Nations and reports regularly to the General Assembly. It would be a natural task of the Committee to identify and negotiate on such confidence-building measures as are related to or included in agreements on disarmament and arms control that are being negotiated in the Committee. Among these, measures to enhance the verification of existing agreements or which are to facilitate the conclusion of new agreements come to mind as being of primary importance.

151. Within his primary responsibility aimed at maintaining international peace and security, the Secretary-General co-ordinates the activities of the various organs and other bodies of the United Nations in the field of confidence-building. Furthermore, he might support, when acting in accordance with Article 99 of the Charter in bringing to the attention of the Security Council a matter which may threaten the maintenance of international peace and security, such confidence-building measures as may seem appropriate to ease existing tensions and to stop the emergence of new ones, thereby preventing the development or aggravation of a crisis.

C. Specialized agencies

152. The specialized agencies of the United Nations could in their respective fields of activity contribute significantly to the process of confidence-building. In particular, the United Nations could, in programmes of aid to developing countries, help to alleviate, through its specialized agencies, political, economic and social inequalities, thereby reducing existing tensions and distrust and laying the basis for better understanding and co-operation in these areas.

153. The United Nations could, with the help of these agencies, create the basis for and give the economic resources to various types of regional co-operation that would help to strengthen mutual trust and confidence between States in those regions.

D. Other activities

154. To sum up, the Group held that all organs, organizations and other bodies of the United Nations, by carrying out their ascribed tasks, can in many ways contribute to the strengthening of confidence among States.

155. It was the Group's view, however, that the activities of the United Nations in fostering the process of confidence-building, important as they are, can only be complementary to other activities in this field. Negotiations on confidence-building measures will, as a rule, be conducted on a bilateral, regional or multilateral level depending on how in each case agreement on such measures can most readily be achieved. The measures agreed upon in the Document on confidence-building measures and certain aspects of security and disarmament, contained in the Final Act of the Conference on Security and Co-operation in Europe, are one practical example for this.

156. The United Nations should encourage and further any negotiations outside its own scope of activity whenever such negotiations seem promising. Thus, parallel talks and negotiations on identical or similar confidence-building measures inside and outside the United Nations could proceed simultaneously. Regardless of the body under whose aegis such negotiations take place, everything should be done to ensure their unimpeded course and successful outcome.

CHAPTER IX

CONCLUSIONS AND RECOMMENDATIONS

Conclusions

157. In assessing the role of confidence-building measures against the background of the current international situation, the study group considered that international relations have undergone a serious deterioration. The arms race has been further escalated. If this trend continues, international tensions will be further exacerbated and mankind will be confronted with the danger of war on a world-wide scale. In this situation, measures designed to build confidence and facilitate disarmament negotiations are more urgent than ever.

158. The Group emphasized that confidence is a result of many factors, both military and non-military. Consequently, confidence cannot be based on the same combination of factors for all States and in all circumstances. Governments from various regions have stressed in their replies to the Secretary-General the special necessity for confidence-building in the political, legal, economic and social fields.

159. Since the bulk of the proposals put forward by Governments were related to military concerns, these received a more detailed examination and consideration. The Group expressed the hope that, building on the results of this study, the United Nations would be able to widen further its scope and direct more attention to non-military approaches to confidence-building.

160. In the Group's view, the over-all objective of confidence-building measures is to contribute towards reducing or, in some instances, even eliminating the causes for mistrust, fear, tensions and hostilities as significant factors behind the international arms build-up. Although these causes vary from region to region depending on the different factors and experiences determining the respective security situation, the Group felt that it was possible to identify the main causes of mistrust and fear. Among these causes is a lack of reliable information on the military activities of States and matters related to mutual security.

161. With a view to achieving these objectives, confidence-building measures should have the following characteristics: they should translate universally recognized principles of international law, as enumerated in chapter V of this study, into reality by the application of concrete, specific and verifiable measures relating to the elements of threat which cause concern in a particular situation. Given the nature of the process of confidence-building, measures and policies designed to build confidence among States should be implemented fully, continuously and regularly. This requires defining their parameters as precisely as possible. In the long run, subjective factors, which may account for misconceptions, should be replaced by objective elements.

162. In the Group's view, opportunities particularly conducive to the introduction of confidence-building measures may exist in conjunction with joint efforts towards preventing and containing international conflicts including the introduction of peace-keeping forces, with arrangements on the cessation of hostilities between States, with negotiations on arms limitations and reductions, including review conferences in other spheres of interstate relations. The Group felt that these examples should not be understood as exclusive. On the contrary, States should endeavour to foster and strengthen the confidence-building process under any circumstances.

163. A survey of the evolution of confidence-building measures revealed that measures designed to dispel distrust and to build confidence have been known throughout the ages. The concept of confidence-building measures, however, as a component of international peace and security is of rather recent origin, and it was developed further in the course of bilateral, regional and global discussions and negotiations, which the Group examined in a more detailed way.

164. The authors of the study consider that the general principles of international law, in particular the principles laid down in the Charter of the United Nations, the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States and other relevant international instruments, provide, on the one hand, the standard for a critical assessment of each individual measures proposed in a specific context. On the other hand, the implementation of each measure helps translate the general principles of international law into concrete action, thereby enhancing their validity. The principles enunciated in the Final Document of the tenth special session of the General Assembly devoted to disarmament which have been of fundamental importance for negotiations and measures in the field of disarmament were found to have a decisive bearing on the introduction and implementation of confidence-building measures.

165. Concerning the relationship between confidence-building measures and international law in general, the study stresses that there is as yet no set of rules of international law relating specifically to confidence-building measures. The existing rules of international law, however, apply to the establishment and implementation of confidence-building measures, which, if agreed upon, may represent international treaty law between the parties.

166. Proceeding from the understanding that there are special conditions and requirements of security which are peculiar to particular regions, the Group considered that strictly geographical and security considerations will not always suffice to determine what might be a suitable situation and that in many cases confidence-building measures might be promoted by taking into account such additional factors as the prior existence of cultural, economic, ideological and political links.

167. On the basis of an evaluation of the causes for distrust and tensions peculiar to a region, States within the region are to decide freely and in the exercise of their sovereignty whether a confidence-building process is to be initiated. Owing to the interaction between various regions and between the regions and the global level, States should, in doing so, take into account the security concerns of

extra-regional States. After a regional process of confidence-building has been consolidated, consideration should be given to the possibility of broadening the geographical scope of suitable confidence-building measures to interregional levels. Any such broadening of the area of application will require a reassessment of the security conditions in the enlarged context.

168. In the gradual and progressive process of building confidence, the full and comprehensive implementation of less restraining measures creates the basis on which more restraining measures can be agreed upon. This development can, in particular, take the form of enhancing quality and quantity of security related information, of expanding the scope and area of application, and of strengthening the binding nature of particular arrangements.

169. Concerning the role of the United Nations, the study refers to the tenth special session of the General Assembly devoted to disarmament as the starting point for the General Assembly's involvement in the task of promoting the evaluation, introduction and implementation of confidence-building measures. It stresses that in line with the role accorded to the United Nations in the field of disarmament by the Final Document - all organs and other bodies of the United Nations can be instrumental in maintaining and fostering the will of its Member States to conclude and implement agreements for confidence-building measures.

170. In this context, particular emphasis was given to the role which the First Committee of the General Assembly, the Disarmament Commission as well as the Committee on Disarmament can play with respect to those confidence-building measures having a direct bearing on security matters. The United Nations can help to promote both governmental as well as public awareness of the value of confidence-building measures for the strengthening of international peace and security and can contribute to the creation of a political climate conducive to successful negotiations.

Recommendations

171. In the expert's view, the main function of this study is further to clarify and develop the concept of confidence-building measures in the global context, to provide guidelines and advice to governments which intend to introduce and implement confidence-building measures and to promote public awareness of the importance for the maintenance of international peace and security of developing and fostering a process of confidence-building. At the same time, the Group is aware of the fact that this study is but a first step in the efforts of the United Nations aimed at building more confidence among States.

172. Therefore, it seemed important to the experts that both the United Nations as well as its Member States should encourage and assist all efforts designed to explore further the ways in which confidence-building measures can strengthen international peace and security. Important objectives of future efforts could be to arrive at a more detailed analysis of the possibilities for confidence-building in various regions than was possible in this study, further to broaden and strengthen confidence-building measures in the military field, and to widen the approach by giving more attention to non-military aspects of confidence-building.

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173. In addition, it is recommended that the various bodies of the United Nations as well as governmental institutions, institutions of learning, and public opinion should contribute to create and strengthen public awareness of the vast - and in many cases unexplored - potential for the strengthening of peace and security and the promotion of disarmament measures inherent in confidence-building measures. In this context, it might be useful if the Secretary-General of the United Nations would keep a voluntary register of types of confidence-building measures applied throughout the world.

174. Furthermore, States committed to strengthening mutual trust and confidence might profit from the opportunities identified in this study as being particularly conducive to the introduction of confidence-building measures. It is recommended that States should consider the inclusion of a reference to, or an agreement on, confidence-building measures, as appropriate, in any joint undertaking containing political declarations. When developing and negotiating specific confidence-building measures, States may take into consideration the illustrative list of measures contained in chapter VII.

175. Where a confidence-building process is firmly established, States should undertake persistent and systematic efforts within the framework of appropriate fora and institutions to explore the possibilities of improving and extending existing confidence-building measures as well as developing additional ones, thus creating a solid confidence-building measures network. Expanding the substantive scope and the geographical area of application of confidence-building measures as well as strengthening their binding character would be particularly promising avenues.
