

promptly disseminated; each country will produce, for an annex to the agreement, a list of where these public announcements can be found. The minimum altitudes for such flights may vary depending upon air safety considerations. The extent of ground control over aircraft will be determined in advance by agreement among the parties on compatible rules such as those recognized by ICAO. In the application of these considerations and procedures, the presumption shall be on behalf of encouraging the greatest degree of openness consistent with air safety.

8. The operation of the Open Skies regime will be without prejudice to states not participating in it.

IX. Mission Results

The members of the same alliance will determine among themselves how information acquired through Open Skies is to be shared. Each party may decide how it wishes to use this information.

X. Transits

A transit flight over a participating state on the way to the participating state over which an observation flight is to be conducted shall not be counted against the quota of the transmitted state, provided the transit flight is conducted exclusively within civilian flight corridors.

XI. Type of Agreement

The Open Skies regime will be established through a multilateral treaty among the parties.

XII. Open Skies Consultative Body

To promote the objectives and implementation of the Open Skies regime, the participating states will establish a body to resolve questions of compliance with the terms of the treaty and to agree upon such measures as may be necessary to improve the effectiveness of the regime. ■

CFE Update

Spurred by calls for an early agreement by both Western and Eastern leaders, and encouraged by political developments in the USSR and Eastern Europe, the Negotiation on Conventional Armed Forces in Europe (CFE) is proceeding rapidly and in a business-like fashion.

Shortly after the West tabled its Chapter III position on September 21, 1989 (see Fall 1989 *Bulletin*), chief Soviet negotiator Oleg Grinevsky announced that the USSR was moving to assuage Western concerns by raising its proposed ceiling on frontal tactical aircraft to 4,700 (per side) and on com-

Negotiation is progressing rapidly

bat helicopters to 1,900. These revised ceilings continued to exclude Soviet air defence interceptors. The Soviet announcement was followed, on October 17, by East-West agreement on a definition of artillery, which would allow for limits on current and future systems.

The third round of negotiations ended on October 19 with the East tabling its own Chapter III (verification, stabilization and information exchange) proposal. Commenting in plenary sessions, Western negotiators expressed the view that there was a great deal of convergence between the Western and Eastern packages and that work on reaching agreement should proceed as quickly as possible in the next round. A Canadian proposal that additional weekly working group meetings be held beginning in Round Four was adopted unanimously.

NATO used the time between rounds to complete drafting work on a proposed treaty text. Though Round Four got off to a slow start, the extra

meetings on Chapter III paid off quickly, as both sides reached agreement on certain measures related to information exchange. On November 28, the East added to its package of stabilizing measures by proposing ceilings on the number of equipment and personnel permitted in exercises.

The importance of regular high-level political involvement to progress in the CFE negotiation was underscored in December. A series of Heads of Government meetings early in the month, and a NATO Ministerial meeting mid-way through, resulted in a fast pace at the negotiating table. On December 12, the West tabled a new proposal on main battle tanks and armoured combat vehicles that covered a previously-excluded range of light tanks and heavy armoured combat vehicles. The inclusion of these "grey area" vehicles went a long way toward accommodating Eastern concerns, but necessitated an increase in the proposed armoured troop carrier ceiling from 28,000 (per side) to 30,000. This was followed two days later by the tabling of both Eastern and Western draft treaty texts. The texts, which contain many similarities, are now being subjected to serious scrutiny in Round Five, which opened on January 12, 1990.

During 1990, developments in Eastern Europe in particular will continue to put pressure on the negotiators to achieve an agreement by the end of the year. Appreciating the significance of this dynamic, the 23 foreign ministers of NATO and the WTO have agreed to hold a separate discussion on CFE issues when they meet at the Open Skies Conference in Ottawa in February.

Both East and West recognize that it is in the interests of long-term stability in Europe to have a CFE agreement as a major vehicle for political and legal consolidation of the emerging politico-strategic realities on that continent. ■