

How NATO Envisions Open Skies

The following is the text of the Basic Elements Paper on Open Skies, agreed to by the North Atlantic Council meeting in Ministerial Session at NATO Headquarters, Brussels, December 14 to 15, 1989.

I. Introduction

1. On 12th May 1989, President Bush proposed the creation of a so-called Open Skies regime, in which the participants would voluntarily open their airspace on a reciprocal basis, permitting the overflight of their territory in order to strengthen confidence and transparency with respect to their military activities.

This proposal expanded on a concept that had already been proposed during the 1950s but had failed to reach fruition because of the unfavourable international political climate prevailing at the time.

Today, this new initiative has been made in a very different context as openness becomes a central theme of East-West relations and the past few years have been marked by important advances in the areas of confidence-building and arms control.

2. The provisions for notification and observation of military activities specified in the Helsinki Final Act were strengthened and made obligatory by the Stockholm Document concluded by the CDE in 1986.

With respect to arms control, in 1987, the INF Treaty, apart from its immediate goals, represented a very important precedent because of the extent of its verification provisions.

All this leads one to expect today that even more spectacular advances will be achieved in the near future. In particular, a two-pronged effort is under way in Vienna: on the one hand, to deepen the measures for confidence-

building and transparency among the 35 countries of the CSCE, and on the other, to reach an unprecedented agreement between the countries of the Atlantic Alliance and the Warsaw Treaty Organization on the elimination of large numbers of conventional arms.

Furthermore, one awaits important developments in other sectors of disarmament such as chemical weapons and the Soviet-American strategic arms negotiations.

3. All of these agreements will naturally require their own verification regimes, often of a highly intrusive nature. Moreover, the specific provisions

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of each verification treaty will be supplemented by the habitual means by which countries verify compliance with agreements (national technical means).

It seems useful, however, particularly in the prevailing context of improved East-West relations, to reflect on other ways of creating a broadly favourable context for confidence-building and disarmament efforts.

In this context, the Open Skies concept has a very special value. The willingness of a country to be overflown is, in itself, a highly significant political act in that it demonstrates its availability to openness; aerial inspection also represents a particularly effective means of verification, along with the general transparency in military activities discussed above.

This double characteristic of an Open Skies regime would make it a valuable complement to current East-West en-

deavours, mainly in the context of the Vienna negotiations, but also in relation to the other disarmament efforts (START, chemical weapons).

It would seem desirable to focus now on the European region, while also including the entire territories of the Soviet Union, the United States and Canada. Accordingly, we will be ready to consider at an appropriate time the wish of any other European country to participate in the Open Skies regime. This element could be complementary to their efforts at confidence-building and conventional arms control and would conform to the objectives of those negotiations.

4. To this end, the Open Skies regime should be based on the following guidelines:

- The commitment of the parties to greater transparency through aerial overflights of their entire national territory, in principle without other limitations than those imposed by flight safety or rules of international law.

- The possibility for the participants to carry out such observation flights on a national basis or jointly with their allies.

- The commitment of all parties to conduct and to receive such observation flights on the basis of national quotas.

- The establishment of agreed procedures designed to ensure both transparency and flight safety.

- The possibility for the parties to employ the result of such overflights to improve openness and transparency of military activities as well as ensuring compliance with current or future arms control measures.

II. Purpose

The basic purpose of Open Skies is to encourage reciprocal openness on the