

Confidence Building and the CCW: A List of Possible CBMs

Drawing on the preceding discussion, it is apparent that a carefully crafted collection of measures, whether termed transparency measures or CBMs, could be included in the CCW as an important — if not central — component of a verification regime.³ Although a rigorous regime may be desirable, it is important to remember that more modest arrangements undertaken now can lead to significant expansion in the near-future, particularly if the initial package is seen by participants to be fair and successful.

What sorts of confidence building measures would contribute to the development of a more effective CCW? Bearing in mind that establishing a sound basis for further growth is at least as important as any immediate results, we should be careful in developing a CCW CBM package. We should also bear in mind that the use of confidence building measures should be seen to serve *two* basic purposes. While CBMs can provide a useful information framework to underpin a verification regime, their use also is important as a promoter of the confidence building process. It is the confidence building *process*, after all, that can help develop shared values and common perspectives with respect to humanitarian and professional land-mine use issues.

Indications thus far in the discussion of possible revisions to the CCW suggest that there is considerable sentiment for the creation of a Verification Commission composed of representatives from some or all of the participating states. This commission, if agreed to, would be able to dispatch on request a fact-finding mission of experts (probably drawn from a list of available experts) to ascertain the nature of an alleged instance of serious non-compliance. Thus, the most likely role for confidence building measures is as an adjunct, information-oriented element in a Verification Article to be added to Protocol II.

In the most "austere case," however, where CCW negotiators were unable to agree on the use of fact-finding missions and the creation of a verification commission, it is barely possible that a relatively robust collection of confidence building measures could provide some assurance that States parties were honouring existing and new commitments, including those flowing from information-oriented CBMs. In this case, however, it would be necessary to insist on, as an absolute bare minimum, the inclusion of a voluntary measure obliging participants to *consider* issuing invitations to "observers" (likely experts nominated by a central CCW consultative commission) in the event that concerns were registered about non-compliance. The willingness of States parties to undertake this clarifying step — to voluntar-