

Politically-Binding Agreements, Reciprocal Actions, Unilateral Declarations, and Other Non-Traditional Arms Control Initiatives

The Vienna Documents

The confidence- and security-building measures (CSBMs) contained in the Vienna Documents reflect agreed-upon efforts to promote the growth of confidence among the participating States with respect to each other's military intentions. The CSBMs permit verification by participating countries, involving on-site inspections; aircraft overflights are also permitted, although none have been employed to date. The unprecedented sharing of information about military structures and activities, including verification and evaluation, and the substantive exchanges by experts on technical issues related to CSBMs and their implementation, have played an important role in helping to ensure stability in Europe. In addition, the growth of bilateral measures and sub-regional and regional arrangements associated with confidence- and security-building has been a positive result.

Compliance with the Vienna Documents has been good and has displayed an impressive degree of transparency and openness. However, at the most recent Annual Implementation Assessment Meeting, there were reports of the failure of some participating States to transmit required military or defense-planning information on time or at all; concerns about the small number of states who actively participate in verification; objections to the "Cold War" thinking behind the selection of states in which verification is conducted; and "moderate" cases of non-compliance.

The Vienna Documents are politically-binding agreements. Discussion of compliance with their CSBMs raises a question of whether there are inherent differences between politically-binding and legally-binding agreements and measures. Some argue, for example, that non-compliance with politically-binding agreements is a different matter than non-compliance with a legally-binding agreement because they believe it is more difficult to enforce compliance. However, all agreements or measures to control arms and promote stability are exercises in political will, whether they are legally-binding treaties, politically-binding documents, unilateral declarations, or reciprocal actions. They are undertaken because, in the view of the parties concerned, national and international security is enhanced through participation in these agreements. No matter what form they take, they can result in compliance, non-compliance, ambiguous actions in need of resolution, or withdrawal. If the political will exists, if the norms inherent in the agreement or measure are shared, the differences in form need not be important to the NACD process.²⁷

²⁷ Politically-binding agreements may be easier to reach because no ratification by the parties' legislatures is involved.