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### NAVAL ARMAMENTS AND DISARMAMENT

#### Naval confidence-building measures

#### Working paper submitted by Finland

1. Since the Second World War, a sustained and significant naval arms buildup has been going on. This has implications for security both in global and regional terms. The reasons behind this development are many. Advances in arms technology, transportation and communications have made it easier to conduct naval operations on the high seas. An increasing number of States now have powerful naval forces. New exercise patterns have been adopted and naval activities have been extended to new regions.

2. Naval disarmament, arms control and confidence-building measures in the maritime environment should be considered in view of these developments.

3. The purpose of this paper is to focus on confidence building as a first step in a process that should eventually lead to the negotiation and adoption of actual disarmament measures affecting the maritime environment.

4. A fundamental feature of the global maritime environment, both military and non-military, is freedom of navigation on the high seas. Naval confidence-building measures should not infringe upon that freedom. The United Nations study on the naval arms race (A/40/535) properly stresses the importance of freedom of navigation on the high seas. At the same time, it provides a solid foundation for further efforts in the area of naval disarmament, including confidence-building measures. The study lays down four important principles in this regard:

(a) Disarmament measures should be balanced and not diminish the security of any State. Naval disarmament should be considered in the overall context of halting and reversing the arms race in general;

(b) Because of the geographically different situations of States, numerically asymmetrical naval force and weapons restrictions may be called for in order to maintain the overall military situation in balance;

(c) Naval disarmament measures should be embodied in legal instruments separate from the Law of the Sea Convention but in harmony with it;

(d) Appropriate verification and complaints procedures are essential for the proper implementation of agreed measures.

In outlining possible future measures, the study puts emphasis on confidence-building measures, such as notification and exchange of information on naval activities and the multilateralization of existing bilateral arrangements regarding prevention of incidents on and over the high seas.

5. "The draft guidelines for appropriate types of confidence-building measures", adopted by the United Nations Disarmament Conference at its 1986 session, should also be taken into account in considering the possibility of specific naval confidence-building measures. The "draft guidelines" concern both global and regional confidence-building measures. They may be implemented both in legally and politically binding forms. It is widely acknowledged that the purpose of confidence-building measures is to contribute to reducing the danger of armed conflict and of misunderstanding or miscalculation of military activities, particularly in a situation where a State lacks clear and timely information about the nature of such activities. The confidence-building measures should be seen as instrumental in facilitating the reduction of the level of armament generally, and in achieving the ultimate goal of general and complete disarmament under effective international control. The adoption of confidence-building measures should not diminish the security of any State.

6. In 1984, Finland submitted to the Disarmament Commission a working paper entitled "Considerations for elaborating guidelines for confidence-building measures" (A/CN.10/60). This working paper focused on the attainment of both militarily significant and politically-binding measures, i.e. measures which cover a major part of military activities, in particular such as may be perceived to be threatening. Such confidence-building measures would include arrangements for providing and obtaining information on military activities as well as qualitatively different measures and would provide for appropriate procedures for verifying compliance. In the view of Finland, these considerations would be valid for specific maritime confidence-building measures as well.

7. The Conference on Confidence- and Security-building Measures and Disarmament in Europe adjourned its work in Stockholm in September 1986 by adopting the so-called Stockholm Document. This document contains a set of confidence- and security-building measures. The role of groundforce, naval and air activities in European security were extensively discussed at the Stockholm Conference. The

measures adopted in Stockholm deal mainly with groundforce activities. As a new dimension of naval confidence building, prior notification of certain amphibious landings and their observation were also agreed upon. Furthermore, provision was made for providing information of naval activities relating to notifiable groundforce activities.

8. In considering recommendations for naval confidence building, the Disarmament Commission could pay particular attention to the following ideas in its further work in this area:

(a) The conclusion of multilateral agreements on the prevention of incidents on and over the high seas corresponding to existing bilateral agreements. These bilateral agreements are good examples of confidence-building measures at sea. The Commission could explore the feasibility and possible ways and means of starting negotiations on similar multilateral agreements both globally and regionally;

(b) Prior notification of naval exercises and invitation of observers. The type of confidence-building measures discussed, developed and to some extent agreed upon within the regional framework of the Conference on Security and Co-operation in Europe could be explored on a global level;

(c) Exchange of information and greater openness on naval matters in general.

9. The elaboration of confidence-building measures may be pursued independently or as collateral measures to disarmament. By their very nature, confidence-building measures may be viewed as conducive to creating conditions for disarmament agreements and, as appropriate, as instrumental in the verification of such agreements.

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