



TRUST AND CONFIDENCE-BUILDING MEASURES IN SOUTH ASIA

Geneva - 23-24 November 1998

PRIVATE DISCUSSION MEETING HOSTED BY UNIDIR

INTRODUCTION

The United Nations Institute for Disarmament Research (UNIDIR) hosted a private, off-the record meeting on Trust- and Confidence-Building Measures in South Asia at the Palais des Nations, in Geneva, on 23-24 November 1998. This was the second meeting in a series designed to address the needs of policy makers in their evaluation of recent events in South Asia. It took place thanks to a generous contribution from the Government of France.

More than fifty people from over twenty countries attended the meeting. The participants comprised high-level governmental and non-governmental experts both from the region and from outside the region. Unfortunately, the Government of India was unable to send representatives to attend the meeting. The discussion that took place therefore does not reflect the official positions of India, although a conscious effort was made to take into account India's known views.

The following was presented at the end of the two-day meeting in an attempt to provide an inclusive summary of the positions taken during the meeting. Although a number of proposals did not elicit agreement, this summary reflects most ideas shared during the meeting. The present summary is intended for participants in the meeting, and a fuller report will be prepared by UNIDIR at a later date for a broader readership.

After some points of general relevance, the more specific suggestions discussed are grouped under five themes: bilateral measures; unilateral measures; multilateral measures; institutional framework; and context and timing. Some proposals might be contradictory or not consistent because they arose from different standpoints. They are included because they may prove to be an interesting or challenging way of analysing the problem.

A - GENERAL POINTS

The initiation of CBMs does not require the pre-existence of trust.

The existing record of CBMs is ambiguous. CBMs in some contexts have proved feasible and beneficial, whereas in South Asia there is a certain disaffection with the very notion of CBMs.

The expectation of quick results should be avoided (in Europe, it took in excess of twenty years for the CBM process to become effective).

A clear general rule is that once in place, CBMs must be abided by. CBMs, if disregarded and abused, can be worse than none at all. The building of trust requires reliability.

The reliability of existing CBMs is particularly important in times of crisis: special efforts should be made to use relevant CBMs when they are most acutely needed.

Experience shows that CBMs have a better chance of effectiveness if they operate within the context of an ongoing peace process rather than in the absence of such a process (as illustrate the contrasting examples of Ireland and Bosnia).

It is an open question whether the building of trust through CBMs can sometimes require the deliberate avoidance of some particularly sensitive issues. The cases of Berlin and of Kashmir were raised in this connection.

B - BILATERAL MEASURES.

Effective bilateral measures require the development and use of appropriate tools, including:

- Reliable communications which do not break down when they are most needed;
- Professionalism in crisis management;
- Increasing transparency, particularly with regard to information on military doctrines and force levels.

A series of practical measures were suggested and discussed as follows:

- Institutionalising Foreign secretary talks, and holding them at predetermined times and places;
- Regional open skies and incidents at sea agreements;
- Advance notification of flight testing of ballistic missiles by India and Pakistan (in designated areas, and not towards each other's territory)
- Deployment of ballistic missiles away from borders and population centres;
- An agreement to avoid attack on population centres, with checks built in;
- An agreement on the presence of observers at military exercises;
- Rules of engagement along the LOC should be clarified, made public, and adhered to;

- Verifiable cease-fire along the LOC;
- Limited and cooperative aerial reconnaissance of the LOC;
- Measures to facilitate trade across the LOC;
- Conduct joint policing operations against organized crime (whether in hot pursuit, interviewing suspects, or in cyberspace);
- A jointly funded annual analysis and review of force levels and CBM efforts should be carried out; it would contribute both to transparency and to informed public debate;
- Efforts by India and Pakistan to develop joint positions on international issues of converging interest;
- Measures in the border areas to facilitate the unification of families and access for NGOs;
- The release of detained fishermen from both sides;
- Concerted approaches to environmental problems (such as flooding in Bangladesh);
- Sharing electrical power;
- Increasing trade flows;
- Improving and extending existing bus services across the border;
- Promoting railway freight traffic across the border;
- Improving telecommunications links;
- Make newspapers from both sides available across the border;
- Encourage joint research projects for the information of civil society on issues of mutual interest;

Argentina and Brazil's trust- and confidence-building experience drew particular interest, although any tensions between them never reached a level comparable to that in South Asia.

C - UNILATERAL MEASURES

It was argued that neither side needs to wait for encouragement or clearance from the international community to make a positive gesture. Unilateral measures can be effective catalysts for a confidence building process.

The ideas discussed included:

- The "Gujral doctrine"
- Starting small, and building up;
- The value of "shuttle diplomacy";
- Desisting from adverse propaganda, and promoting genuine debates;
- Adopting a capacity-building approach, and building political will by encouraging stakeholders in confidence-building processes;
- Building up expertise on CBMs among decision-makers;
- Consider a policy of no-first-use on both sides;
- Encourage doctrinal transparency on the thinking and modes of operation of national security forces;

- Adopt a policy of increased transparency on conventional capabilities and orders of battle;
- Consider the impact of powerful symbolic gestures (e.g. Sadat's visit to Israel).

D - MULTILATERAL MEASURES.

There was no consensus on the role of outside powers in the confidence building process;

SAARC was generally felt to have significant potential for building confidence across the region, although its possible role in creating a nuclear-weapons-free zone had been overtaken by events;

Some inspiration could be drawn from ASEAN's constructively low-key approach to contentious issues, although it was recognized that tensions within ASEAN were never as great as in South Asia.

Nuclear CBMs, including de-alerting, were discussed. There was no agreement on implications for China.

E - INSTITUTIONAL FRAMEWORK.

It was broadly felt that South Asian countries need to build a process to facilitate the growth of trust;

Taking inspiration from South Africa's "channel" process, each Prime Minister could nominate a senior and respected person with special responsibility for CBMs;

More generally, efforts should be made to clarify which institutions are to handle the settlement of disputes;

Enhanced institutionalisation of the TCBM process would help to ensure that confidence-building facilities do function in times of crisis (unlike the hotline during the "Brasstacks" crisis);

A permanent institutionalised mechanism to oversee CBMs and their implementation should be mandated to report to the public, thus helping to broaden and deepen the impact of confidence building.

F - CONTEXT AND TIMING

Participants noted that some States are ready to enter a confidence-building process whereas others are not. For those that are not yet ready, the lessons from the ASEAN process may be useful. It was also argued that it is important for South Asia to develop a regional approach to empowering civil society and to hold

governments accountable so that the process of talking about CBMs becomes a CBM in itself.

Confidence building measures cost money. Donors could be encouraged to pay to enhance security in the region. However, South Asian countries will also have to meet the donors halfway and be aware of good governance issues (human rights, appropriate military spending, opportunities to strengthen institutions of civil society).

To address the fact that there prevails much confusion between policies and postures, every effort should be made to increase communications and clarity on matters related to CBMs.