

The Treaty on Open Skies

Proposed initially by President Eisenhower in 1955, the “Open Skies” initiative was reactivated by President Bush on 12 May 1989. After an agreement in principle with the Soviet Union, three sets of negotiations were needed to reach a final agreement, and to establish the «Treaty on Open Skies».

With the collapse of the Soviet Union and the dissolution of the Warsaw Pact, the Open Skies Treaty became the first multilateral arms control agreement of the post cold war uncharacterized by a «bloc to bloc» approach. The Treaty was signed by 25 States Parties of the then Conference on Security and Cooperation in Europe (CSCE) during the Helsinki Ministerial Council on 24 March 1992. The foundation of the Czech Republic and the Slovak Republic in early 1993 and the accession of the Kyrgyz Republic in December 1992 raised the number of States Parties to a total of 27. With the Russian and Bielorussian ratification on 2 November 2001, the Treaty has been ratified by 26 States Parties.

II – Aims of the Open Skies Treaty

1/ a significant enhancement of transparency:

Within its area of application from Vancouver to Vladivostok, the “Open Skies” Treaty constitutes a unique tool of transparency. It establishes a regime of open flights by the States Parties for military observation. Flights are carried out with unarmed aircraft, equipped with agreed sensors, according to a flight plan defined by the observing State and accepted by the observed State. Each State Party is allowed to carry out observation flights (active quota) over the territories of the other States Parties within the limit of its passive quota (number of

flights it has to accept over its own territory). The repartition of active quotas is subject to an annual assessment, whereas passive quotas are defined by the Treaty

2/ a sound contribution to the verification of arms control agreement and other CSBM :

Open Skies observation flights could complete field inspections carried out according to the Treaty on Conventional Forces in Europe (CFE), and the Vienna Document 99 . They may also be used for conflict prevention and crisis management; furthermore, the preamble of the Treaty mentions other possibilities of observation flights such as the protection of environment. Germany and the United States already gained experience in the field of disaster control, respectively during the fight against the Oder Flood in 1997, and in Central America in 1998 to assess the damages caused by the Mitch hurricane.

III Future developments

Three Informal Working groups **on Certification, Sensors, and Rules and procedures**

have been established. They will start their activities soon after 2 November. They will deal in Vienna with the legal and technical aspects in view of the implementation of the Treaty.