

Principal Findings and Conclusions

Central Argument

- The central argument of this report is that a revised CCW Convention will require an effective verification regime to provide all participating states with reasonable assurances that parties are in compliance. Such a regime will likely be modest at first, but may become more rigorous as states become more aware of the benefits verification can confer. As a first step in the process of regime formation, this report advocates the creation of a two-track verification regime. The first track, dealing with *international* conflicts, will involve the creation of a Verification Commission comprising representatives of the States Parties to the CCW Convention and the use of fact-finding missions to investigate allegations of non-compliance. The second track, dealing with *non-international* conflicts, will involve confidence-building measures. It is envisaged that, over time, as all Parties become more comfortable with CCW verification, these two tracks will converge. The end product will be a verification regime that is both effective and comprehensive, and that enjoys the support and confidence of all the States Parties.

Main Points

- Verification is a process which establishes whether parties are complying with their obligations under an agreement. Verification measures are important for three principle reasons:
 1. they can instill confidence within participating states that other states are meeting their obligations under a treaty;
 2. they can discourage non-compliance;
 3. they can contribute to the creation and reinforcement of international norms.
- In the CCW context, verification is deemed to be "effective" if it can demonstrate a consistent pattern of gross and reliably attested violations of the Convention.
- The ideal verification process involves several stages:
 1. The "trigger" stage during which the verification process is initiated.
 2. The initial review stage during which frivolous, unfounded or otherwise inadmissible allegations are screened out.
 3. The investigation stage during which the verification authority uses a variety of means to collect and compile data regarding a case. These means range from interviews and hearings to on-site fact-finding missions.
 4. The evaluation stage during which a decision is made