

VERIFICATION

ISSUE: Will compliance with the provisions of the CCW, particularly those relating to landmines, be subject to effective verification?

BACKGROUND:

The CCW does not at present include explicit provisions relating to the verification of compliance. Presumably, allegations of violations might be investigated by the UN Secretary General drawing upon the precedent of past investigations into allegations of the use of chemical and biological weapons in violation of the 1925 Geneva Protocol. There have never been such investigations relating to the CCW.

In view of our expertise in the field of verification, Canada has been active on this issue at the Group of Experts meetings which preceded the RevCon. At the Jan95 meeting of the Experts Group, Canada tabled two reports by independent researchers containing the results of commissioned background research relating to verification and to confidence building aspects of the CCW.

At the Experts Group meetings, a number of Western countries, including Canada, tabled a proposal (CCW/Conf.I/GE/CRP.49 or Alternative C of the Rolling Text), which involves a rigorous and intrusive verification regime. This proposal is now part of the rolling text. It includes the creation of a Verification Commission, the use of *ad hoc* fact-finding missions with the power to conduct on-site inspections (the fact-finding teams would be organized by the Depository -- that is, the UN Secretary General), and measures that can be undertaken in the event of non-compliance. This proposal has been resisted by a hard-core group of NAM countries (China, Cuba, India, Iran, Pakistan). These countries have tabled their own proposal (CCW/Conf.I/GE/CRP.51 or Alternative B of the Rolling Text), also part of the rolling text, which is essentially a modest transparency measure. It involves obligations that parties take the necessary steps to implement the CCW and that they prepare annual reports to the Depository containing general information about the steps taken. There is no provision for the independent assessment of this information or the investigation of allegations of non-compliance. In addition, the Russian Federation has proposed the creation of a Commission of States Parties (CCW/Conf.I/GE/CRP.35 or Alternative A of the Rolling Text) which would consider annual reports submitted by parties.

During the Jan95 meeting of the Experts Group, at the request of Amb. Molanders, Chairman of the Experts Group, Canada prepared an informal compromise text drawing extensively on the proposals on the table and on the Canadian background research reports. This text attempts to preserve the intrusive verification regime of the West for application to international conflicts while postponing its application to internal conflicts though an opt-out provision. It also incorporates information transfer measures along the lines favoured by the NAM.