

### III. The Nature of Effective Verification

#### A. The Nature of Verification

11. Broadly speaking, verification is a process which is intended to confirm that parties are complying with their obligations under an agreement. The 1990 Group of Experts Report on the Role of the United Nations in the Field of Verification<sup>1</sup> describes verification as a three-stage process involving the collection of relevant information, the analysis of that information, and the rendering of judgements regarding compliance.

12. The verification process is important for several reasons. First, verification measures can instill confidence within participating states that other states are meeting their obligations under a treaty. An important element of this confidence-building process is the ability to gather credible information relative to the agreement in question that will confirm compliance. Confidence can also be generated when verification provisions allow states to demonstrate clearly that they are in compliance.

13. Second, well-designed verification procedures are important in that they can discourage non-compliance. In connection with inhumane weapons, potential violators may be deterred if they have foreknowledge that verification measures will generate clear and unambiguous evidence that can be used in diplomatic and public forums.

14. Third and finally, verification measures are important because they can contribute to the creation and reinforcement of international norms. In the longer-term, weapons such as landmines can probably only be regulated effectively if the "public conscience" can be mobilised in a way which effectively stigmatises their indiscriminate use. The status and importance of the public conscience was one of the more important factors in bringing the use of chemical and biological weapons under control. Accordingly, one of the functions of any CCW verification regime should be to create/reinforce the normative belief that the indiscriminate use of weapons such as landmines is "inhumane" -- ie. different from their legitimate use by virtue of the unnecessary and unacceptable nature of the suffering they cause.

#### B. Effective Verification in the CCW Context

15. In the context of the CCW Convention, an effective verification regime is one which provides for the ability to demonstrate a consistent pattern of gross and reliably attested violations of the Convention, because it is only these types of violations that are demonstrably deliberate acts of policy.

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<sup>1</sup>UN Document A/45/372,28 August 1990.