

BTWC Verification Experts Complete Study

The Biological and Toxin Weapons Convention (BTWC) includes an undertaking to consult and cooperate in solving problems that may arise in relation to the objective of, or in the application of the provisions of, the Convention. It also makes provision for lodging a complaint with the UN Security Council in relation to a breach of obligations. It makes no other provision for verification, a fact that has led to proposals from various quarters for strengthening the BTWC.

In September 1991, the Third Review Conference of the BTWC agreed to establish an Ad Hoc Group of Governmental Experts, open to all States Parties, to identify and examine potential verification measures from a scientific and technical standpoint. This study, which completed its work in September 1993, is often referred to as VEREX.

Since one of the issues frequently raised in VEREX had to do with concerns about the potential loss of commercial proprietary information in the course of an inspection, the Netherlands and Canada decided to organize a trial inspection that would target such concerns as one purpose of the exercise. In May 1993, a trial multinational inspection (involving the

Netherlands, Canada and the UK) took place in the Netherlands at a state-of-the-art vaccine production facility to test inspection procedures that might eventually come to apply under the BTWC.

The inspection team concluded that its suspicions would have been aroused had there been a significant diversion of activity, equipment or materials to the production of biological weapons. The team also concluded that commercial confidentiality did not stand in the way of the effective conduct of the inspection. The report of the Netherlands/Canada trial — one of only two such trial inspections conducted — was submitted to VEREX and is reflected in the final report of the experts' study.

VEREX itself identified and evaluated 21 potential verification measures, all singly and some in combinations to highlight any synergies that might result. The experts' report was adopted by consensus, a significant achievement given the amount of work channelled into four intense sessions. The next step, if a majority of States Parties (68) requests it, will be for the depositaries (namely the US, the UK and Russia) to convene a conference to examine the experts' report and decide on

any further action.

By the end of November, Canada and some 49 other States Parties had already submitted their requests that such a conference be convened. At this rate, the chances are good that the conference will take place in the fall of 1994. This does not mean, however, that the establishment of a verification regime for the BTWC is just around the corner. The conference, and the States Parties as a whole, will need to decide what further action to take and how to go about taking it.

In the meantime, the UK has organized another multinational trial inspection for December, once again involving participants from the Netherlands and Canada. If a BTWC verification regime is to be established, answers will have to be found to the question of how to determine compliance or non-compliance with the Convention while at the same time taking into account the reality (as opposed to the anxiety) of concerns associated with the potential loss of commercial proprietary information. As was the case in negotiation of the Chemical Weapons Convention, the assistance and cooperation of industry will be particularly helpful in finding those answers. ■

Disarming Iraq: UNSCOM Sets Verification Precedents

For more than two and one half years, the United Nations Special Commission (UNSCOM) and the International Atomic Energy Agency (IAEA) have cooperated jointly in a monitoring and verification program to verify compliance by the government of Iraq with obligations it accepted under UN Security Council Resolution 687 (1991). Under that resolution, Iraq agreed unconditionally not to acquire or develop nuclear weapons. It also accepted unconditionally the destruction, removal or rendering harmless, under international supervision, of all chemical and biological weapons and all ballistic missiles with a range greater than 150 km. The IAEA, with the support and cooperation of UNSCOM, assumed the international responsibilities relating to nuclear weapons; UNSCOM undertook the international supervision obligations in the other three areas of concern.

Between May 15, 1991 and November 1, 1993, UNSCOM and the IAEA undertook 64 on-site inspections in Iraq to ensure Iraqi compliance with its obligations under Resolution 687. Approximately one-third of the inspections were related to the nuclear weapons program, another third to the ballistic missile field, and the remainder to matters associated with Iraq's inventory of chemical weapons as well as with Iraq's biological weapons research program.

The hallmarks of UNSCOM's inspection program have been thoroughness, balance and innovation. In the chemical weapons area, with the completion of baseline inspections, action has focused on destruction activities relating to the massive inventory (numbering in the thousands) of chemical weapons and immense quantities of chemical agents and precursors amassed by Iraq. Destruction of precursors, chemical agents

and ammunition should be completed by mid-summer 1994.

In the ballistic missile area, efforts have concentrated on three aspects: establishing a definitive material balance for the SCUD missile inventory, acquiring an accounting of Iraq's production capability in the ballistic missiles area, and establishing a means for longer term monitoring as required by UN Security Council Resolution 715 (1991). UNSCOM's intensive ballistic missile inspection program has provided a degree of confidence that the total inventory of SCUD missiles has been accounted for and that a residual SCUD capability in Iraq is unlikely.

The importance of UNSCOM's activities for multilateral verification can hardly be overestimated. The credibility of the UNSCOM/IAEA inspection and monitoring program under difficult — often confrontational — conditions has established