

Chemical Weapons Convention. Whereas the Geneva Protocol of 1925 banned the use of chemical weapons in warfare it allowed the manufacture of chemical weapons, and it had no provisions for verification. The Chemical Weapons Convention of 1993 is incomparably stronger. It prohibits the development, production, stockpiling and use of chemical weapons, and provides for their destruction. The greatest difficulties in the long process of negotiations arose from the arrangement for verification, which, in order to be effective, demanded an unprecedented degree of co-operation by the inspected party and intrusion by the inspecting agency.

The ultimate objective of permitting challenge inspections to be allowed "anywhere, anytime" proved unacceptable, and the agreement puts limitations described as "managed access." However, even with this restriction, the provisions for verification of the CWC are the most intrusive of any international agreement in force today.

The CWC provides for the Organization for the Prohibition of Chemical Weapons (OPCW), which will be responsible, via its Executive Council, for verifying compliance. Article XII of the convention provides for recommendations for collective measures in the event of serious non-compliance and for reporting to the General Assembly and the Security Council in cases of particular gravity. (See Chapter IV of this study for more detail on the CWC.)

Biological and Toxin Weapons Convention. This 1972 convention prohibits the development or production of biological agents and toxins. There are no provisions for verification, and no specific body is charged with the "management" of the convention. States parties have recourse to the Security Council if they believe there is a breach of obligations. Several review conferences of the states parties have undertaken to establish a number of confidence-building measures to increase transparency. An ad hoc Group

of Governmental Experts to investigate potential verification measures recently concluded its study. Efforts are in progress to convene a conference of the states parties to examine the experts' report and decide on any further action.

Antarctic Treaty. This 1959 treaty offers free access to any place in the relevant area, and verification of the absence of military activity is provided by the right of on-site inspections any time and anywhere, accompanied, if desired, by unlimited aerial inspection. This treaty has no provision for a body to manage compliance, but there are so few worries over accumulation of armaments or conduct of military activities in the Antarctic that interest has shifted to co-operative scientific projects and to concerns over the environment.

Outer Space Treaty. This 1967 treaty, which prohibits the presence of weapons of mass destruction in space⁴ or on celestial bodies, contains no provisions for verification and no specific body for management. However, states parties are asked to publish information regarding their space activities, and the technical facilities of several countries should be able to detect launchings and follow the trajectories of space vehicles.⁵

Seabed Treaty. This 1971 treaty stipulates the right of any participating state to verify the absence of any weapon of mass destruction from any installation on the seabed beyond the 12-mile limit of national sovereignty. While only a few states have the technology or equipment that would enable them to inspect a structure on the bed of the deep ocean, a state can seek the co-operation of another participating state for the purpose of pursuing an investigation. There is no body per se for the management of the treaty.

Environmental Modification (ENMOD) Convention. This 1977 convention has no provision for verification, but encourages consultations if compliance questions arise. It encourages

⁴ A nuclear-armed ballistic missile that transits through space on its way to a terrestrial target is not considered to be a space vehicle.

⁵ While it is usually possible to track space vehicles, it is much more difficult to ascertain what is inside them.

