

domestic affairs and international relations. But this is one of the reasons why states enter into them: in order to ensure that the conduct of all parties to an agreement is constrained in ways that benefit everyone.

60. With respect to the two remaining arguments, it is clear that monitoring compliance with restrictions on landmine use is not the same as verifying restrictions on the possession, trade, production and development of certain weapons. As the CCW Convention is likely to continue to regulate use only, its verification will not involve on-site inspections of production facilities or storage sites (ie. military installations). Thus, fact-finding in the CCW Convention is much less likely to involve the potential exposure of military or commercial secrets. Parenthetically, one might note that in the sphere of arms limitation and disarmament, concerns regarding intrusiveness have been addressed by carefully regulating the activities of inspectors. As this problem does not pose an insurmountable obstacle to compliance monitoring in the arms limitation context, it should not be considered a serious impediment to compliance monitoring in the CCW context.

61. In the initial phase of establishing a CCW verification regime, it may prove desirable to implement a two-track system in which on-site investigations are permitted in the context of international armed conflicts, but not in the context of non-international conflicts. This might be accomplished by temporarily suspending the on-site fact-finding provisions of the verification regime as they pertain to non-international armed conflict. It should be noted that military experts believe that, in order to monitor effectively compliance with restrictions on the use of landmines, on-site investigations are absolutely essential. Other types of fact-finding are definitely "second-best" options.

C. Hearings and Similar Investigatory Procedures

62. This procedure involves the solicitation of documentation and other information from various sources relating to the situation under investigation. This information can include:

- written material and documentary evidence;
- evidence in the form of films, videos, sound-recordings, and photographs.

63. It also involves hearings, either public or private. The purpose of this information-gathering exercise varies from case to case. In the context of the CCW Convention, however, the purpose would be to help establish the degree to which the Convention had been breached -- ie. to establish whether it had been widely and consistently violated.