QUESTION OF GENERAL AND COMPLETE DISARMAMENT: REPORT OF THE
CONFERENCE OF THE COMMITTEE ON DISARMAMENT

CANADA

WORKING PAPER ON THE PROVISIONS OF ARTICLE III OF THE DRAFT TREATY ON
THE PROHIBITION OF THE EMPLACEMENT OF NUCLEAR WEAPONS AND OTHER WEAPONS
OF MASS DESTRUCTION ON THE SEA-BED AND OCEAN FLOOR AND THE SUB-SOIL
THEREOF (ANNEX A, DOCUMENT A/7741)

(1) In order to promote the objectives of and ensure compliance with the
provisions of this treaty, each State party to the treaty shall have the right to
verify through observation the activities of other States parties to the treaty on
the sea-bed and the ocean floor and in the subsoil thereof beyond the zone
referred to in Article I, provided that observation does not interfere with such
activities or otherwise infringe rights recognized under international law.

(2) If after such observation reasonable doubts remain concerning the
fulfilment of the obligations assumed under the treaty, the State party having such
doubts and the State party that is responsible for the activities giving rise to
the doubts shall consult with a view to removing the doubts and, if the doubts
persist, shall co-operate on such further procedures for verification, as may be
agreed, including appropriate inspection of objects, structures, installations
or other facilities that reasonably may be expected to be of a kind described in
Article I. Parties in the region of the activities and any other party so
requesting, shall be notified of, and may participate in, such consultation and
col-operation.
(3) If the State responsible for the activities giving rise to the reasonable doubts is not identifiable by observation of the object, structure, installation or other facility, the State party having such doubts shall notify and make appropriate inquiries of States parties in the region of the activities, and of any other State party, either directly, or through appropriate international procedures including the good offices of the Secretary-General of the United Nations. If it is ascertained through these inquiries that a particular State party is responsible for the activities, that State party shall consult and co-operate with other parties as provided in paragraph 2 above. If the identity of the State party responsible for the activities cannot be ascertained through these inquiries, then further verification procedures, including inspection, may be undertaken by the inquiring State party, which shall invite the participation of the parties in the region and of any other party desiring to co-operate.

(4) If consultation and co-operation pursuant to paragraphs 2 and 3 of this article have not removed the doubts concerning the activities and there remains a reasonable doubt concerning fulfilment of the obligations assumed under this treaty, a State party may, in accordance with the provisions of the Charter of the United Nations, refer the matter to the Security Council, which may take action in accordance with the Charter.

(5) Verification pursuant to this article may be undertaken by any State party using its own means, or with the full or partial assistance of any other State party, which may be sought directly, or indirectly through appropriate international good offices including those of the Secretary-General of the United Nations.

(6) All verification activities conducted pursuant to this treaty shall be conducted with due regard for the sovereign or exclusive rights of a coastal State with respect to the natural resources of its continental shelf under international law.