Fifteenth special session
Agenda items 9, 10, 11, 12, 13, 14 and 15

REVIEW AND APPRAISAL OF THE PRESENT INTERNATIONAL SITUATION, ESPECIALLY IN THE LIGHT OF THE VITAL OBJECTIVE OF TERMINATING THE ARMS RACE AND THE PRESSING NEED TO ACHIEVE SUBSTANTIAL PROGRESS IN THE FIELD OF DISARMAMENT

ASSESSMENT OF THE IMPLEMENTATION OF THE DECISIONS AND RECOMMENDATIONS ADOPTED BY THE GENERAL ASSEMBLY AT ITS TENTH AND TWELFTH SPECIAL SESSIONS

CONSIDERATION AND ADOPTION OF THE COMPREHENSIVE PROGRAMME OF DISARMAMENT

ASSESSMENT OF DEVELOPMENTS AND TRENDS, INCLUDING QUALITATIVE AND QUANTITATIVE ASPECTS, RELEVANT TO THE DISARMAMENT PROCESS, WITH A VIEW TO THE ELABORATION OF APPROPRIATE CONCRETE AND PRACTICAL MEASURES AND, IF NECESSARY, ADDITIONAL PRINCIPLES, TAKING DUTY INTO ACCOUNT THE PRINCIPLES AND PRIORITIES ESTABLISHED IN THE FINAL DOCUMENT OF THE TENTH SPECIAL SESSION OF THE GENERAL ASSEMBLY, THE FIRST SPECIAL SESSION DEVOTED TO DISARMAMENT


UNITED NATIONS INFORMATION AND EDUCATIONAL ACTIVITIES IN THE FIELD OF DISARMAMENT, INCLUDING MEASURES TO MOBILIZE WORLD PUBLIC OPINION IN FAVOUR OF DISARMAMENT

RELATIONSHIP BETWEEN DISARMAMENT AND DEVELOPMENT, IN THE LIGHT OF THE ACTION PROGRAMME ADOPTED AT THE INTERNATIONAL CONFERENCE
Letter dated 27 May 1988 from the representatives of Canada and the Netherlands to the fifteenth special session of the General Assembly addressed to the Secretary-General

We have the honour to refer to the fifteenth special session of the General Assembly, the third special session devoted to disarmament, which will be held at United Nations Headquarters from 31 May to 25 June 1988.

We ask that the attached paper entitled "Verification and the United Nations" (see annex) be circulated as a document of the fifteenth special session of the General Assembly, the Third Special Session Devoted to Disarmament, under agenda items 9, 10, 11, 12, 13, 14 and 15.

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Ambassador for Disarmament  
Acting Head of Delegation of Canada

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Ambassador Extraordinary and Plenipotentiary, Permanent Representative of the Kingdom of the Netherlands at Geneva
ANNEX

Verification and the United Nations

Paper Submitted by the Netherlands and Canada on 31 May 1988

1. Introduction

There now exists an international consensus that provisions for adequate and appropriate verification form an essential component for arms control and disarmament agreements to be effective. In addition, there is a recognition that verification serves functions that are critical to the long-term success of the entire arms control and disarmament process.

The importance of verification rests on the fact that an arms control agreement is essentially a compromise between nations in which each party to the agreement bases part or all of its national security on the undertakings of other contracting parties rather than relying exclusively on its own capabilities.

Since the benefit from an arms control agreement for each participating state derives from the compliance of the other participants in the agreement, there is a natural desire for some form of impartial assurance that all participants are fulfilling their obligations. Consequently, reciprocal confidence that all parties are abiding by their obligations, is indispensable to the successful negotiation, conclusion and implementation of arms control and disarmament agreements. Expressed simply, verification is the process by which such confidence is created and maintained.

There is also growing awareness of the important role that multilateral agreements (in addition to bilateral agreements) will play in the arms control and disarmament process and, consequently, the significance that multilateral verification is likely to have in the future. However, the exact forms of this multilateral verification cannot be clear in advance of the actual negotiation of specific agreements.
It is generally recognized that the United Nations has a central role to play in the arms control and disarmament process. As the only international organization of its kind with global responsibilities, the United Nations can make an important contribution to the verification of arms control and disarmament agreements, deriving from its primary responsibility in the promotion of the arms control and disarmament process.

2. **Historic Background**

The basic idea for an international verification organization (IVO) linked to the United Nations is not new. In September 1961, for example, the USA and the USSR agreed on a set of principles for disarmament negotiations. Among these principles were the following:

"All disarmament measures should be implemented from beginning to end under such strict and effective international control as would provide firm assurance that all parties are honouring their obligations. During and after the implementation of general and complete disarmament, the most thorough control should be exercised, the nature and extent of such control depending on the requirements for verification of the disarmament measures being carried out in each stage. To implement control over and inspection of disarmament, an International Disarmament Organization including all parties to the agreement should be created within the framework of the United Nations. This International Disarmament Organization and its inspectors should be assured unrestricted access without veto to all places as necessary for the purpose of effective verification."

Later, fairly detailed schemes for IVOs were advanced by both the USSR and USA as part of their general proposals in the context of discussions on general and complete disarmament (GCD). However, in both cases, though the IVO was conceived as being global and comprehensive in terms of the scope of its functions, it nevertheless remained treaty-specific in the exercise of those functions: its powers would apply only to parties of the agreement. Moreover, the IVO was to be composed only of parties to the agreement. While the expectation at the time was that most countries of the world would participate in any GCD agreement, it is still clear
that there were serious reservations about giving an IVO linked to the United Nations any powers for monitoring global military affairs outside the legal and political context of treaty specified arms control and disarmament measures.

Toward the end of the 1960s and during the 1970s, the focus of arms control and disarmament discussions shifted away from GCD towards the negotiation of specific, more narrowly focussed, agreements. For the most part discussions on verification reflected this shift and similarly focussed on provisions and mechanisms that concentrated on the precise purposes of specific treaties. Some suggestions for a broader IVO continued to be made, however, such as that by France in 1978 for an International Satellite Monitoring Agency.³

Paralleling these proposals for a comprehensive IVO linked to the United Nations were others representing a more evolutionary approach to the role of the United Nations in verification. The Netherlands, for example, put forward a proposal in 1978 and in 1982, during the First and Second Special Sessions on Disarmament, which was intended to streamline consultations and implement verification measures in a staged approach as the number of complex multilateral arms control treaties increased.⁴ The proposed IVO was to be linked with the United Nations and develop incrementally, at first being entrusted only with the verification of a chemical weapon (CW) treaty. However, it was envisaged that such an agency would take on the verification of other future agreements as well, as the need arose.

Several comparable proposals for an IVO were put forward on the occasion of the Second Special Session on Disarmament in 1982.⁵ It was still the expectation that, over time, an IVO that was initially treaty-specific would serve as a stepping-stone toward the creation of a more general IVO with broader responsibilities.

During the period from the late 1960s to the 1980s, there were other developments which gave concrete expression to the concept of multilateral verification. The International Atomic Energy Agency safeguards systems, for example, provides a key model of an international mechanism for verification in the context of the Non-Proliferation Treaty, among other agreements. The current negotiations respecting the verification of a chemical weapons convention also illustrate the recognition that international verification is an important component in verifying multilateral agreements.
Until recently, the role of the United Nations was, for the most part, limited to the inclusion of references in specific arms control agreements concerning the use of the United Nations to provide assistance in verification activities upon request, most commonly involving consultations. For example, Article V of the Biological and Toxin Weapons Convention of 1972 provides for consultation and cooperation to resolve ambiguities, which may be "undertaken through appropriate international procedures within the framework of the United Nations and in accordance with its Charter". Reference was also made to the use of the Security Council to resolve concerns regarding compliance (Article VI).

In 1985, however, the United Nations began a more fundamental consideration of the process of verification and its role in this field. At the fortieth session of the General Assembly, the first comprehensive resolution (40/152(o)) on verification was initiated by Canada. This resolution was adopted by consensus. Canada undertook this action as a result of a systematic examination of the subject of verification begun in the early 1980s. It was recognized by Canada that verification was and would remain a fundamental component of the arms control process concerning which there was little serious international study. Canada believed that an important first step in the establishment of an appropriate role for the United Nations was to develop a basic understanding of the verification process and the role of multilateral institutions in that process.

The two following sessions of the General Assembly adopted similar resolutions on verification by consensus. In 1987, pursuant to resolution 41/86(q), Canada chaired a working group at the United Nations Disarmament Commission (UNDC) on "Verification In All Its Aspects." In May of 1988, a UNDC working group, again under Canadian chairmanship, succeeded in concluding consideration of this subject with the adoption by consensus of a non-exhaustive list of sixteen principles that elaborate upon the principles respecting verification enunciated in the Final Document of the First Special Session on Disarmament. The work of the UNDC in 1987 and in 1988 has served to deepen the international community's understanding of the complexities of verification and its appreciation of the difficulties involved in developing a United Nations role in this context. Moreover, the list of sixteen verification principles agreed at the 1988 session of the UNDC, constitutes a new consensus and a new foundation for further work by the United Nations in this field.
There have also been other recent suggestions with respect to the United Nations role in verification. In September 1987, the USSR suggested setting up "under the aegis of the U.N. Organization a mechanism for extensive international verification of compliance with agreements to lessen international tension, limit armaments and for monitoring the military situation in conflict areas."\(^7\)

The governments of the Group of Six Nations also proposed in their Stockholm Declaration of January 21, 1988, the establishment of an "integrated multilateral verification system within the United Nations, as an integral part of a strengthened multilateral framework required to ensure peace and security during the process of disarmament as well as in a nuclear free world."

While recent proposals for the establishment of an IVO linked to the United Nations represent an increased awareness of the significance which multilateral verification can play in the international arms control and disarmament process, it is only through an evolutionary approach that any specific role for the United Nations can be developed. This process of evolution must begin with a systematic and careful examination of the constructive opportunities open to the United Nations.

3. Considerations Respecting the Role of the United Nations in Verification

In defining any United Nations role with respect to verification, a few basic considerations must be kept in mind.

Verification, by its very nature, is fundamentally a cooperative exercise involving the consent of all the parties to an agreement. When such consent is absent, monitoring activities no longer constitute arms control verification and could be viewed as an unwarranted interference in the sovereign affairs of states. This, in turn, could impede prospects for further arms control agreements and could damage the image of the United Nations itself. The United Nations must only become operationally involved in verification that is treaty-related and only with the express consent of all parties and at their request. There will not, therefore, necessarily be a direct United Nations role in all arms control agreements. It is up to the parties involved to decide whether or not to involve the United Nations or any other organization. However, the United Nations and its members could profit indirectly from information provided by the parties as well as their practical experience in devising verification provisions or in their
implementation. Parties entering into arms control agreements might, therefore, be encouraged to communicate relevant texts and to make further reports on the matter available to the United Nations. In accumulating this information, the United Nations could start to serve as a "database" or "verification information point" (VIP) to provide data and advice at the request of member states.

Verification operations by their nature must also be treaty-specific activities. Designing, negotiating and agreeing upon appropriate verification provisions for a specific agreement are intimately related to the particular arms control measures to be undertaken pursuant to that treaty. In addition, verification requires considerable specialized expertise and technology that will vary depending on the arms control measures in question.

A verification agency, which would seek to cover in one organization a number of arms control agreements, introduces serious complexities because each arms control agreement has a different set of parties that have signed and ratified it. Numerous difficulties can be envisaged, in terms of decision-making, operations and control of information, with regard to a verification agency whose duties covered a number of different agreements. At the same time, these difficulties could well make the agency unworkable.

It is also essential to have clear plans concerning the operational missions that a possible single verification organization would have to undertake. It is difficult to identify such missions if the arms control measures to be verified do not yet exist: at present, there are few multilateral agreements that would warrant the creation of an extensive United Nations verification organization for operational monitoring purposes. It would therefore be preferable to install separate arrangements for individual arms control agreements. The CW convention and the organization foreseen in the draft treaty is an example. These separate arrangements would be more effective and probably less costly than an international verification organization to cover all treaties.

Another consideration is that, at present, the United Nations has limited involvement and expertise with respect to operational aspects of verification. It is costly and time consuming to develop such expertise on a large scale. Efforts to acquire an operational verification capability should only
be undertaken when a clear requirement is identified and consent is properly provided by the parties to an arms control agreement.

The cost of any new United Nations agency must be of critical concern in this period of severe financial constraints on the United Nations. The costs for a verification organization, especially one covering a number of agreements, would be very high if the job is to be done thoroughly and properly, as it must be. It is also inappropriate during this time of constraint to further proliferate institutions within the United Nations.

These considerations lead Canada and the Netherlands to have clear reservations about proposals for the early establishment of any United Nations agency with broad operational responsibilities for verifying a number of arms control agreements. Under current international conditions, such a body does not seem to be a realistic possibility, and will not become so until the most important of these concerns have been addressed.

4. A Role for the United Nations in Verification

The general role of the United Nations in the arms control process is enunciated in the Final Document of the First Special Session (para. 114) which states:

"The United Nations, in accordance with the Charter, has a central role and primary responsibility in the sphere of disarmament. Accordingly, it should play a more active role in this field and, in order to discharge its functions effectively, the United Nations should facilitate and encourage all disarmament measures -- unilateral, bilateral, regional or multilateral -- and be kept duly informed through the General Assembly, or any other appropriate United Nations channel reaching all Members of the Organization, of all disarmament efforts outside its aegis without prejudice to the progress of negotiations."

One way that the United Nations can facilitate and encourage arms control agreements is in the field of verification.

The role of United Nations with respect to verification must be based on a considered appraisal of what is realistically feasible, both in terms of the prevailing political environment and the resources available to the United
Nations. This role must be a pragmatic one that is primarily responsive to the existing requirements of the international community and not constructed on the basis of hypothetical events. Elaborate mechanisms devised to monitor agreements which do not in fact exist as yet, for example, should be avoided. Moreover, consent of all the parties to any agreement to be monitored must remain a prerequisite to United Nations involvement as part of any verification mechanism.

In the view of Canada and the Netherlands, the United Nations could play a constructive role in verification by undertaking the following functions:

1. The development of internationally agreed goals and principles concerning arms control verification, such as through the activities in which the Disarmament Commission has been engaged.

2. The promotion of the exchange and provision of information relevant to the negotiation and the mechanics of verification, so as to function as a verification database or "verification information point" (VIP).

3. The systematic compilation and maintenance of a register of institutions and individuals with relevant expertise in the area of verification, upon whom parties to an agreement could call for services or assistance.

4. The provision of assistance, advice and technical expertise to Member States and in particular their arms control negotiators, on request.

5. Assistance in the organization and conduct of review conferences for existing arms control and disarmament treaties, with the view of improving assessments of the functioning of verification systems.

6. The systematic identification, coordination, conduct and fostering of research into the process, structures, procedures and techniques of verification.
7. On a responsive basis and with the explicit consent of parties to an arms control and disarmament agreement or negotiation, assistance in the development of additional verification provisions and procedures for an existing agreement and potential involvement in the formulation and implementation of verification arrangements for a proposed agreement.

How these "information clearing-house" and "assistance and expertise" functions could be organized remains to be considered carefully. For example, would these functions be centrally located within the Department of Disarmament Affairs or dispersed throughout several parts of the United Nations? Existing structures, organizations and resources within the United Nations should be used to the maximum extent possible to undertake these functions, in view of the serious restrictions existing at present on United Nations finances. New machinery or resources are not necessarily needed, but rather a fresh look at priorities. Member States could also be asked to contribute actively to the United Nations, for example, by making information and assistance available without cost.

The foregoing functions involve a role for the United Nations in verification that is responsive to the actual needs of parties to specific negotiations and to specific agreements. The main focus of this advisory and service function of the United Nations would be to provide assistance to national negotiators and executors of arms control agreements. It might also be appropriate for the United Nations in this capacity to provide assistance to institutional actors involved in arms control negotiations, such as the Secretariat of the Conference on Disarmament.

What must be avoided is to have the United Nations impose itself in the field of verification or on member states, whether in bilateral, regional or multilateral agreements. The United Nations should be able to assist, on request, and to supply services in terms of information as well as, to a limited extent, manpower and machinery. In this way, the United Nations, in its best tradition of stimulating international cooperation, could develop relevant and pertinent services needed for verifying existing arms control agreements. Furthermore, its present role in the organization of review conferences, could be enhanced by better coordination and use of expertise. In short, the United Nations could provide a data and service base.

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There are already resources upon which the United Nations can draw to provide advice and assistance to parties concerning verification matters. Of greatest interest as a model is the safeguards system of the International Atomic Energy Agency which verifies compliance with the Non-Proliferation Treaty, among other agreements. Also relevant is the experience of the Secretary-General in investigating allegations of CW use. Finally, United Nations peacekeeping activities, while different in fundamental ways from verification, do involve operational aspects which are or could be relevant for verification (e.g., monitoring of troop levels).

5. **A Specific Proposal**

It was clear from the discussions of the Disarmament Commission that the subject of verification is a complex one, involving detailed questions of policy, technology, law and cost. While the UNDC has concluded its consideration of the subject, this does not mean that the United Nations should forgo further examination of verification. On the contrary, there remains constructive work that can yet be done within the framework of the United Nations. Verification is and will remain a critical element in achieving progress in the arms control and disarmament process. Moreover, the importance of multilateral verification will undoubtedly increase in the future and the role which the United Nations could play warrants close examination.

At this stage, the avenue which seems most likely to advance international understanding of verification within the United Nations framework, as well as help develop an appropriate role for the Organization in this field, is an in-depth United Nations study by a Group of Experts. This approach has several potential advantages. First, experts would be able to bring to bear their knowledge and skills to address the subject matter in considerable detail. They would, in addition, be able to focus sufficient time on the relevant questions. This ability of a relatively small group of experts to focus on the subject should produce a thorough and useful study.

The report of the Group of Experts could become a key international document respecting the future activities of the United Nations in this area. The findings of the Group of Experts could form the basis for further action by the General Assembly or the Disarmament Commission, as appropriate.
The Group of Experts would in no way duplicate the efforts of the Disarmament Commission; rather, it would build upon the work already accomplished by the Commission.

The mandate of the study would focus on the role of the United Nations in verification. As described above there have been a number of proposals respecting appropriate roles for the United Nations in this context, including those suggested by Canada and the Netherlands in this paper. The Group of Experts study would systematically identify existing and possible activities by the United Nations in multilateral verification and then review and assess each in terms of its merits and implications. The assessment would focus on the organizational, technical, operational, legal, and cost characteristics of each option. The report of the Group of Experts would provide specific recommendations regarding possible further action by the United Nations in this area.

In a time of severe financial restraint on the activities of the United Nations, we are all obliged to be extremely cautious in imposing new demands on the Organization's limited resources. In order to minimize disruptions to the budgetary process of the United Nations, it is suggested that the first meetings of the Group of Experts be held after January 1990. The report of the Group of Experts would be tabled at the 46th Session of the General Assembly in 1991. This schedule would permit the bulk of the study's costs to be drawn from the next United Nations financial biennium budget. In addition, the Secretary-General would be asked to undertake preparatory work during 1989 utilizing existing resources.

For the foregoing reasons, the Special Session may wish to consider making the following request to the Secretary-General:

"The Third Special Session on Disarmament requests the Secretary-General, with the assistance of a group of qualified governmental experts and making appropriate use of the capabilities of the United Nations Institute for Disarmament Research (UNIDIR) in a consultant capacity, to undertake an in-depth study on the subject of the existing and possible activities of the United Nations in the verification of multilateral arms control and disarmament agreements. It further requests the Secretary-General to submit a comprehensive report on the subject to the General Assembly at its Forty-Sixth session in 1991. The Group of Experts would identify
and review existing activities of the United Nations in the field of multilateral verification, would assess the need of any additional activities or improvements of existing activities, taking into account organizational, technical, operational, legal and cost aspects and would provide specific recommendations for future action by the United Nations in this context.

To minimize demands on United Nations budgetary resources arising from the foregoing recommendation, the Third Special Session on Disarmament requests that the Group of Experts hold its first meeting after January 1990. It urges the Secretary-General to undertake such preparatory work in 1989 as is feasible prior to that date, with a view to facilitating the Group of Experts meetings, drawing upon existing resources of the Secretary-General and the World Disarmament Campaign Fund."

Endnotes:


5) See for example: Italy, UN Document A/S-12/AC.1/19, June 18, 1982; and Japan, UN Document A/S-12/AC.1/43, June 28, 1982.
