



CANADA

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La Mission Permanente du Canada
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BEFORE THE

CONFERENCE ON DISARMAMENT

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GENEVA

Mr. President,

Since I am talking about verification I am happy to hear references in speeches before me to verification. I doubt that it would have happened last year and I am encouraged.

I have asked for the floor today to table two documents. The first of these is a summary report of the Outer Space Workshop which was held for heads of CD and observer delegations in Montreal on 14-17 May 1987. The second is a compendium of Arms Control Verification Proposals compiled by the Verification Research Unit of the Canadian Department of External Affairs.

Delegations may recall that in my address to the Conference on April 30 I drew attention to Canada's emphasis on practical work towards arms control agreements. Consistent with this approach we have undertaken continuing research on the verification of such agreements. The two documents that I am tabling are both examples of this practical approach.

Mr. President, it is the essence of an arms control and disarmament agreement that contracting parties agree to renounce, limit or destroy armaments or military forces in return for treaty commitments by other parties to do the same. To ask states to renounce or scrap weapons in return for treaty obligations as a preferable way of protecting their security is to demand of them a

very serious and difficult decision. In effect a state accepts a treaty in lieu of weapons as a means of protecting its security. This is an extremely important undertaking since a primary responsibility of all governments must be to protect the security, however defined or perceived, of their respective countries. Given the traditional and contemporary concern with national security, the importance of verification becomes evident: it is the means by which a party ensures confidence, throughout the life of an arms control agreement, that other parties are complying with their obligations, while at the same time demonstrating its own good faith.

It is the Canadian position, which I wish to emphasize, that the careful negotiation and drafting of adequate and effective verification provisions is essential to preventing a deterioration of confidence in an arms control or disarmament agreement. This applies a fortiori to agreements involving nuclear weapons and nuclear tests. In a world where there are relatively few internationally effective sanctions, verification inevitably must play a critical role in ensuring that a treaty is and remains effective, and does not become a source of tension rather than a means of lessening or eliminating it.

As pointed out in during a seminar in Ottawa on June 19 at the Conference on Nuclear Weapons and the Law, verification can be perceived to perform a series of central functions, but there

would seem to be four of particular importance: deterrence of non-compliance; confidence-building; removal of uncertainty; and treaty assessment.

Through its primary role in holding out a credible prospect of detection of non-compliance with an agreement, verification serves to protect the security of all the parties to an agreement. When adequate and effective verification increases the risk of detection that a prospective violator would face, the temptation to seek advantage by violating an agreement is reduced and deterrence is enhanced. There are political costs to a violator in being exposed.

Second, verification also seeks to demonstrate compliance, not merely non-compliance or possible non-compliance. Continued evidence of compliance with an agreement can develop and maintain confidence in the intentions of other parties. The concept of good faith is central to the law of treaties as a whole, and arms control in particular, and is applicable both to the fulfillment of treaty obligations and their interpretation. Thus increased trust based on demonstrated good faith can have positive benefits for the conduct of relations between states in question as well as for international relations generally. Equally so, the cynical assumption of the automaticity and inevitability of bad faith on the part of the other side negates the whole arms control process and risks becoming a self-fulfilling prophecy.

Verification has a third role, however - perhaps even the most important - that of clarifying facts and removing uncertainty, where doubts arise. When an ambiguous activity is detected, an effective verification system will counteract false alarms by producing clear evidence. If uncertainty continues with respect to an activity's legitimacy, it may be an indication of an inadequacy in a treaty provision, as much as an indication of bad faith.

Finally, verification can provide a means of surveillance and appraisal of the effectiveness of the treaty itself. By providing a broad range of objective, relevant data, verification provisions can provide an invaluable information base for the continuing review and assessment of a treaty's operation in practice and, perhaps, point the way to possible changes in either the substance of the treaty and/or its manner of application, as well as providing useful and instructive guidelines for future treaties.

It was with these considerations in mind that we invited heads of CD and observer delegations to attend the Outer Space Workshop in Montreal on 14-17 May 1987.

The workshop was intended to provide tangible evidence that the Canadian Government takes seriously the responsibility which the CD has accepted "to examine, and to identify, through

substantive and general consideration, issues relevant to the prevention of an arms race in outer space". Mr. President, it will be recalled the Canadian delegation has already submitted a series of working papers to the CD on this subject. Indeed we have tabled three papers dealing respectively with the stabilizing and destabilizing characteristics of arms control agreements on outer space; with international law relevant to arms control in outer space; and with terminology relevant to outer space.

These working papers were not meant to propound a specifically Canadian Government viewpoint but rather to build upon and contribute to the pool of information in this area and to outline the issues as comprehensively as possible. Consistent with this objective, the purpose of the Outer Space Workshop in Montreal was to provide an opportunity for an exchange of views, in an informal setting, on a number of broad legal questions relating to the prevention of an arms race in outer space, focussing in particular on the current legal regime relevant to outer space. The Workshop also exposed participants to presentation of some of the results of Canadian PAXSAT research concerning the use of space-based remote sensing techniques for arms control and disarmament verification.

Today, I would like to table a summary report on the Outer Space Workshop, as CD/773 together with its annex, the detailed report. The report seeks to provide a distillation of the

issues and viewpoints which emerged during discussions at the various segments of the workshop. In keeping with the aim and atmosphere of the Workshop, the report does not attempt to draw conclusions or recommendations from these deliberations and we would apologise if any participant has not had his observations adequately represented. We tried our best.

We were pleased that representatives of 35 countries, in addition to Canadian officials and a representative of the CD Secretariat, were able to attend the Workshop. The positive response to the Canadian Government's invitation attests, in our view, to the importance attached by member and observer delegations of the CD to the prevention of an arms race in outer space.

The Canadian Government fully shares this interest and concern. It is hoped that the Outer Space Workshop has stimulated some new ideas and approaches to this subject and brought out the complexity and variety of viewpoints on many of the questions relating to the prevention of an arms race in outer space, complexities and varieties which we must try to develop into common ground. Clearly, there can be no "quick fixes" in this area. It is our hope that the Outer Space Workshop has contributed, in a modest way, to our efforts to achieve progress.

I now turn to the compendium of arms control verification proposals. One principle that underlies Canada's

Department of External Affairs Verification Research Programme is that verification can be profitably examined independently of specific treaty contexts. While the verification provisions of a particular treaty must be determined by the purposes, scope and nature of that agreement, much valuable work on general principles, provisions and techniques can be done well before actual negotiations begin. The work of the United Nations Disarmament Commission which recently began examining the question of "verification in all its aspects" is an example of a potentially profitable international study of procedures to assist arms control negotiators.

It is for the foregoing reasons that Canada has undertaken considerable research work of a specific nature relating to verification. One aspect of that research relates to the multitude of verification proposals now existant. In the post-World War II years, during which arms control negotiations have been almost continuously in progress, large numbers of verification proposals have been put forward from many sources from which many lessons can be drawn. Many have been made by governments in connection with arms control topics that are still under discussion, if not active negotiation; others have been developed by interested analysts and published in open literature. Even those proposals which are several years old may remain highly relevant to current conditions.

It is for this reason that the Canadian Government has compiled a compendium which is intended to be a quick reference catalogue to almost 700 arms control verification proposals originating in publications and statements of governments and intergovernmental bodies as well as academic literature on the subject.

We are making this compendium available to the CD so as to ensure that all delegations have an opportunity to work from the same comprehensive information base compiled in a readily available format. The Canadian Government hopes that this will contribute to progress towards developing arms control and disarmament agreements.

involve short-notice, on-site inspections. As formulated, the proposed Annex aims to include provisions relating to procedures, techniques and responsibility allocation at appropriate levels of both generality and precision, while allowing for the reality that many procedural and technical details will need to be worked out, by the Technical Secretariat, under the supervision of the Executive Council. The annex aims to provide the necessary framework and guidance within which the more detailed procedures and techniques can be devised and effectively implemented. We join with the Norwegian delegation in commending it to the attention of the Conference for inclusion in the rolling text of the Convention.

Mr. President, earlier in my remarks, I made a generally positive appreciation of the manner in which our negotiations are now proceeding. I also cited concrete events which underline the importance of our making progress with maximum haste. In concluding, I would like to register a cautionary note. We are embarked on one of the most politically sensitive, legally intricate and technically demanding multilateral arms negotiations ever undertaken. If we are successful, this will be the first time in the history of multilateral arms control that a major disarmament agreement will have been concluded that also involves the creation from scratch of an elaborate, permanent new institution to oversee the implementation of such an agreement. (We might usefully recall that the International Atomic Energy Agency

preceded the conclusion of the Nuclear Non-Proliferation Treaty and its responsibilities continue to embrace other than arms control questions.) Moreover, the implementation of this agreement will necessarily involve an unprecedented degree of intrusiveness into both military and civilian sectors of our societies. We therefore need to proceed with care and deliberation. Several important issues remain unresolved. On the question of challenge inspections, for example, while some considerable progress has been made, we have not yet been able to reach agreement with the required degree of precision. There also remains much detailed work to be done not only on technical questions but also on matters relating to the establishment, operation and governance of the International Authority which will be responsible for overseeing the implementing the Convention.

I emphasize these points not for the purpose of inducing pessimism or despair. We have already achieved much and we should not be daunted by the heavy workload that remains. It is essential, however, that we get it right. No useful purpose can be served, therefore, by the invocation of unrealistic and artificial deadlines. Let us proceed expeditiously, by all means, but let it be with care and deliberation toward the creation of a Convention whose authority will be self-reinforcing due to its demonstrable workability and efficacy.

I would like to express appreciation to those delegations which have thanked Canada for the two workshops on outer space and seismic data exchange.