



Trust and Verify

The Bulletin of the Verification Technology Information Centre

No. 45 March 1994

ISSN 0966-9221

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IAEA inspections of North Korea

Negotiations between the International Atomic Energy Agency (IAEA) and the Democratic People's Republic of Korea (DPRK) regarding inspections of the latter's nuclear facilities have continued.

In the middle of February the DPRK indicated that it would allow certain inspection activities at the seven declared nuclear facilities. These would verify the non-diversion of nuclear material from the facilities since earlier inspections and would also involve the changing of seals and reloading the installed cameras with film and batteries.

The inspections started on 3 March, however inspectors were prevented from carrying out some of the agreed activities and left on 15 March.

At a special meeting of the IAEA Board of Governors on 21 March, the Agency concluded that it was unable to verify that the DPRK had not diverted safeguarded nuclear material. The meeting reported the country's non-compliance to the Security Council, it made no specific recommendation for action by the Council.

As the tension continues, the US has agreed to supply South Korea with Patriot anti-missile systems and moves have been made to re-instate the 'Team Spirit' exercises held with the US, although the earliest that these could take place is probably the autumn.

On 18 March the Central Intelligence Agency's Director that the DPRK was developing two new types of ballistic missiles, each with a longer range than the 1000-km range missile tested last year.

Missile targetting

On 15 February, the UK and Russia agreed to no longer target nuclear missiles at each other. This follows a similar agreement between the US and Russia agreed in January.

The text of the Joint Declaration is as follows:

The President of the Russian Federation and the Prime Minister of the United Kingdom of Great Britain and Northern Ireland,

- Affirming the fundamental importance of the relationship of partnership between their two countries based on the Treaty on the Principles of relations between the Russian Federation and the United Kingdom of Great Britain and Northern Ireland of November 1992;

— Emphasising that an element of principle in this relationship of partnership is cooperation between the two countries in the strengthening of European and global security and in building new, non-confrontational international relations.

— Welcoming the agreement between the Russian Federation and the United States of America of 14 January 1994 on the de-targeting of strategic nuclear missiles;

— On the basis of discussions between the sides on nuclear weapon issues, and on the basis of their desire to make a weighty practical contribution to the strengthening of strategic stability in the world;

— Declare that they will ensure the adoption of all necessary measures so that strategic nuclear missiles under their respective command will be de-targetted not later than 30 May 1994.

Accordingly, the day-to-day management of both sides' nuclear forces will be carried out in accordance with the mutual recognition that the Russian Federation and the United Kingdom of Great Britain and Northern Ireland are not adversaries.

US Nuclear testing

On 15 March President Clinton announced that his administration had decided to extend the moratorium on nuclear testing for another year, through September 1995. This leaves only one further year covered by the US legislative restrictions on testing, which then becomes a prohibition unless any other state tests.

Russian nuclear device

Further attempts are being made to remove a Russian nuclear device that was sealed in a shaft at the Semipalatinsk test site in 1989 in readiness to carry out a nuclear test. The test fell victim to the moratorium declared that year. The latest attempt is understood to involve a hand-drilled shaft parallel to the test shaft.

As Semipalatinsk is now in Kazakhstan, Russia is prohibited from carrying out nuclear tests there under the US-Russian Threshold Test Ban Treaty which stipulates that tests have to be carried out on the territory of the testing state.

Climate Change Convention INC

The ninth meeting of the Intergovernmental Negotiating Committee (INC9) of the Framework Convention on Climate Change (FCCC) took place in Geneva on 7-18 February. As in earlier meetings, the provisional agenda was full; the main thrust of the meeting aiming to consolidate preparations for the first Conference of Parties (CoP) which is scheduled to take place in Berlin on 28 March-7 April 1995. Since the

last meeting (INC8), the fiftieth state had deposited its instrument of ratification to the Convention; which means that the Convention now enters into force on 21 March 1994. When INC9 opened, a total of 54 states (plus the EC) had deposited their instruments of ratification.

The scheduled dates for INC10 are 22 August–2 September 1994 and for INC11 are 6–17 February 1995.

New address

The secretariat to the FCCC has moved, its new address is:

Climate Change Secretariat (UNFCCC)
Geneva Executive Centre
11/13 Chemin des Anémones
Chatelaine, Geneva.
tel: +41-22 979 9111/fax: 979 9034
e-mail: unfcc@igc.apc.org

Convention ratifications

The following states deposited their instruments of ratification to the Framework Convention on Climate Change before the ninth INC meeting: Mauritius, Seychelles, Marshall Islands, United States of America, Zimbabwe, Maldives, Monaco, Canada, Australia, China, St Kitts and Nevis, Antigua and Barbuda, Ecuador, Fiji, Mexico, Papua New Guinea, Vanuatu, Cook Islands, Guinea, Armenia, Japan, Zambia, Peru, Algeria, St Lucia, Iceland, Uzbekistan, Dominica, Sweden, Norway, Tunisia, Burkina Faso, Uganda, New Zealand, Mongolia, Czech Republic, Tuvalu, India, Nauru, Jordan, Micronesia, Sudan, Sri Lanka, United Kingdom, Germany, Switzerland, Republic of Korea, Netherlands, Denmark, Portugal, Portugal, Spain, Cuba, Mauritania, Botswana.

The EC has also ratified the Convention as an international organization.

'Catching the Cheats'

The need for verification of international environmental treaties was clearly shown by the presentations at VERTIC's recent one-day seminar 'Catching the Cheats: making environmental treaties work'. The seminar was held at the Royal Institute for International Affairs (Chatham House), and was attended by journalists, non-governmental organisations and government officials.

Monitoring compliance with international environmental treaties was identified as a major problem by Sara Parkin who introduced the day's proceedings. There are over 200 international environmental treaties in existence, but few have any implementation or verification procedures. There is now pressure to change this according to Dr Alexander Timoshenko, Chief of the International Legal Instruments department at the United Nations Environment Programme (UNEP). The UNEP mandate to develop international environmental law emanates from the 1972 Stockholm Conference, and was reinforced twenty years later by the UN Conference on Environment and Development (UNCED). UNEP initiated and promoted negotiation and adoption of several successful legal frameworks and actively assists in their enforcement. Their areas of work include: ozone layer protection; control of hazardous wastes; conservation and sustainable use of the planet's biological diversity; and protection of global climate. UNEP also promotes new legal regimes in the areas of protection of the marine environment from land-based activities, control of chemicals in international trade, and combating illegal wildlife trade.

Plugging the Ozone Hole

An example of the success of strong verification procedures in environmental treaties is the Vienna Convention for the Protection of the Ozone Layer. It started as a broad convention with no firm commitments agreed in 1985, and has developed rapidly with the inclusion of the Montreal Protocol and the London and Copenhagen Amendments. The Montreal Protocol (1987) strengthened the agreement by adding commitments by parties to take measures leading to the total elimination of emissions of certain ozone-depleting substances, and included provisions for monitoring compliance. The London and Copenhagen Amendments (1990 and 1992 respectively) further refined the regime by adding to the list of substances of which emissions are controlled, and bringing forward phase-out dates for controlled substances. The London Amendment also added provisions about technology transfer and financial assistance, particularly for developing countries. As Owen Greene (University of Bradford) pointed out, the Convention has to a certain extent been shaped by the verifiability of emissions of ozone-depleting substances. Data that can be collected for CFCs, halons, carbon tetrachloride, and methyl chloroform have formed the basis of the treaty.

Changing the Climate in Geneva

Dr Michael Grubb (Royal Institute of International Affairs) also mentioned the usefulness of the Vienna Convention in influencing the Framework Convention on Climate Change (FCCC), agreed at the Rio Earth Summit in 1992. Geneva is the location for the meetings to negotiate the details of the FCCC before the first meeting of the Conference of the Parties which will be held in 1995. Dr Grubb views the impact of the Convention as being dependent on how vigorously governments pursue its spirit, as opposed to the minimal obligations it includes, and how far continuing meetings are used to clarify and strengthen the nascent regime which has been created. (See also the report of the latest meeting of the Conference of Parties in this issue).

Biodiversity

The United Nations Convention on Biological Diversity, also signed in Rio in 1992, seeks to maintain the biological diversity of the Earth's flora and fauna. Dr Robin Pellet (Director of the World Wide Fund for Nature) illustrated the gravity of the problem the Convention aims to address with the estimate that approximately 20,000 species are being lost each year at present. He claimed the greatest threat to species is not trade, but habitat destruction, followed by subsistence hunting. Despite being based on a nebulous concept, the treaty contains a fully operational text setting out how signatory countries should set about sustainably conserving biological resources; how species should be identified and monitored; and how to implement incentive measures, research and training, impact assessment schemes, technology transfer and many other sound measures. The effectiveness of the treaty however, may be undermined by the question of who will provide the funding — estimated by WWF at around \$17 billion.

CITES

The problem of financial resources is also common to the Convention on the International Trade of Endangered Species (CITES). Agreed in 1973, this Convention aims to regulate trade in wild species and their product derivatives rather than act as a conservation tool. It is the largest environmental treaty

with 120 parties. According to Dr Pellew, more money is needed to make improvements in the analysis and assessment of trade and sustainability; investigation of countries; and analysis of amendments. Key issues for the ninth Conference of Parties meeting in Florida in November this year include the trade in elephant ivory, live birds and tropical hardwoods.

Agenda 21

Felix Dodds, Coordinator of the United Nations Environment and Development UK Committee which is the national committee for UNEP in the UK and which oversees the implementation of Agenda 21, gave the presentation of this rather complex agreement. Arising out of the Earth Summit, its main aim is to achieve sustainable development throughout the world during the next century, while preserving the natural environment and protecting certain basic human rights. It is not a legally-binding agreement, but lays down certain principles to which most governments at the Summit agreed. A feature of the agreement is the inclusion of both non-governmental organisations (NGOs) and governments in its drafting, and the potential for involvement by NGOs and local bodies in its implementation which is monitored by the UN Commission on Sustainable Development.

Muzzling the Whale Hunters

The International Convention for the Regulation of Whaling signed in 1946, is an example of a treaty which has adapted to changing interpretations. Dr Ray Gambell, Secretary to the International Whaling Commission (the conference of the parties to the Convention and the Secretariat for the Convention) described the Convention as having evolved from a treaty aimed at controlling over-exploitation of whales as a resource, to a conservation instrument more in tune with the current environmental ethic. There is a move to include the protection of small cetaceans (dolphins, etc.) under the Convention, although there is some dispute over this issue. Review procedures built into the Convention have allowed regular revision, thus making it possible to keep the agreement relevant and useful long after other agreements signed in the same period have become moribund.

The Convention also has its share of problems, however. The discovery that Russia took over 9000 blue whales in the Antarctic over a period of some years illustrates the difficulty of deterring cheats. Independent international observers are appointed to monitor implementation of the Convention, but there is a lack of resources to carry out this task effectively.

Effective implementation of environmental treaties depends on a number of factors. Dr Timoshenko identified the following: a fair reflection of major interests through wide participation in the negotiating process; provisions encouraging states to adhere and comply; and mechanisms for verification of compliance and settlement of disputes. He said recent trends are to ensure the participation of all parties concerned in the negotiations; to provide incentives rather than punitive stimuli to comply; to establish mechanisms for reporting and non-compliance procedures; and to build national legislative and institutional capacities to fulfil international obligations.

The presentations at the VERTIC seminar showed the value of verification and implementation review procedures in making international environmental treaties work, but also indicated the lack of financial resources as a major obstacle to their effectiveness.

For further information see the *Environmental Briefing Sheets* written for the seminar by John Lanchbery,

Environmental Projects Director at VERTIC; copies are available from the VERTIC office. For more detailed examination of environmental agreements see the *Verification Report/Verification* series of yearbooks.

Mirzayanov trial

On 22 February Dr Vil Mirzayanov was released from prison. His case had started on 24 January, postponed from 6 January, in the Moscow City Court. He was charged with divulging state secrets after revealing details of secret chemical weapons research that was contrary to Russia's treaty obligations. He did not attend the second day of the trial, attending instead a press conference hastily convened by the Russian-American Press and Information Center and the Foundation for the Protection of Glasnost. On the 26 January he was arrested and detained in Matrosskaya Tishina prison.

On 14 February the Moscow City Court approved a petition from the prosecutor in the case for the case to be referred back to the Procurator-General for further investigation. This followed reports earlier in the month that President Yeltsin had been briefed in detail on the case.

As *Trust & Verify* went to press, VERTIC received reports that Dr Mirzayanov had been cleared by the Moscow Court.

'Gulf War Syndrome'

On 28 February the Committee established in January by the US Departments of Defense and Veterans' Affairs to look into the health of Gulf War veterans held its first public hearing. US authorities have also established a 'Persian Gulf Veterans Coordinating Board' to review research projects currently underway into the subject.

US officials have confirmed a report that 13 out of 15 babies born in the town of Waynesboro, Mississippi, to veterans of the 624th Quartermaster Company, which served in the Gulf, have developed unexplained health problems. Some members of the unit believe it had twice been under Iraqi CBW attack.

Czechoslovak reports

On 10 November 1993, US Secretary of Defense Les Aspin stated that there was no evidence of the use of chemical weapons by either side during the Gulf War. However, Aspin did confirm reports that on 19 January 1991, a Czechoslovak unit had twice detected low levels of sarin, a nerve gas, in the air near Hafar Al Batin in northern Saudi Arabia, and that, on 24 January, the unit had been summoned to investigate what it determined to be a small patch of liquid mustard gas near King Khalid Military City. US authorities have indicated that the agents are unlikely to have been released by allied bombing of Iraqi chemical-weapons sites as the prevailing winds were blowing in the wrong direction.

When US investigators visited Paris they were told that two French CW detection alarms had sounded during 24-25 January 1991 in Saudi Arabia 15 miles south of King Khalid Military City, at a time when the wind-direction was towards Iraq; asked to verify the detection, the Czechoslovak unit did so, confirming the presence of a nerve agent and mustard gas.

UK position

The UK Ministry of Defence stated in late November 1993 that 5 former members of the armed forces had contacted the Ministry between August and November complaining of 'Desert Storm syndrome'. However,

some 250 Gulf War veterans are reported to be preparing to lodge claims for £25 million in compensation for the effects of the syndrome.

In response to a Parliamentary Question in February, the MoD stated that it: 'has applied standard epidemiological and statistical criteria, universally employed by the medical profession when researching existing or possible new diseases, in judging the scientific merits of all information received relating to the alleged Desert Storm syndrome. The application of such criteria to information available to date has not identified any scientific evidence proving the existence of a new medical condition peculiar to service in the Gulf conflict.'

In the News

Kazakhstan and the NPT

Kazakhstan has acceded to the Non-Proliferation Treaty, depositing its instrument of accession in Washington on 14 February and in London on 21 March.

BWC verification

The legal requirements for a Special Conference be convened to examine options for verification measures for the Biological and Toxin Weapons Convention (BWC), as contained in the final VEREX report have now been fulfilled.

Such a conference can only be organized after a majority of states parties to the BWC have formally requested that it be held. A request from Zimbabwe in mid-February now means that over half of the states parties have made formal requests.

US exports to Iraq

The American Type Culture Collection, a nonprofit organization, has confirmed that, in response to requests from Iraqi government representatives, cultures of *Bacillus anthracis* and *Clostridium botulinum* were shipped to Iraq with licences from the US Commerce Department in the period 1985-89.

New US export guidelines

On 24 February the US Commerce Department released the administration's export control legislation

proposals. The proposals would replace the current Export Administration Act which expires in June.

Iraq CW allegations

It has been reported that the samples taken in the southern marshlands of Iraq by UNSCOM inspectors have shown no traces of chemical weapons. The samples were taken by UNSCOM last November following allegations that attacks by Iraqi forces with chemical weapons had taken place in September.

THORP review

On 4 March, a High Court judge ruled that the radioactive emissions authorizations for the Thermal Oxide Reprocessing Plant (THORP) at Sellafield had been granted lawfully. The ruling followed a judicial review brought by Greenpeace and Lancashire County Council.

VERTIC News

VERTIC seminar

VERTIC is hosting a seminar to be addressed by Ambassador Miguel Marin-Bosch, Mexican Ambassador to the Conference on Disarmament in Geneva and chair of its *Ad Hoc* Committee on a Nuclear Test Ban. The seminar will also be addressed by John Edmonds, who was on the UK delegation to the trilateral negotiations in the late 1970s, and will be chaired by VERTIC Director Dr Patricia Lewis.

The seminar will be held on Friday 6 May at 11 am at the National Liberal Club, Whitehall Place, London SW1A.

Welcome to Tiffany

VERTIC has appointed Tiffany Edwards as its new administrator/projects co-ordinator following the departure of Philip McNab (see last *Trust & Verify*).

Although Tiffany's background is in art and design, she is experienced in office administration having worked with the World Press Network and the Mushroom Growers Association, having responsibilities for conferences and publications at the latter.

Trust & Verify is edited and produced by Richard Guthrie with additional reporting by Julian Salt and Kim Tay.

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Trust & Verify

Trust & Verify is produced by VERTIC 10 times a year. Anyone wishing to comment on its contents should contact the VERTIC office.

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Subscriptions

Subscription rates are £15 (individual) or £25 (organization) per year. Payments may be made by cheque or credit card.

What is VERTIC?

VERTIC is an independent organization aiming to research and provide information on the role of

verification technology and methods in present and future arms control and environmental agreements.

VERTIC co-ordinates six working groups comprising 21 UK consultants and 11 overseas advisors.

VERTIC is the major source of information on verification for scientists, policy makers and the press.

VERTIC is funded primarily by grants from foundations and trusts and its independence is monitored by an Oversight and Advisory Committee.

Other publications

In addition to *Trust & Verify*, VERTIC publishes the *Verification* series of yearbooks, in association with Brassey's, and a variety of research reports each year. Details of VERTIC publications are available on request.

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