

# India–Pakistan: new role for forgotten monitors?

The conflict between India and Pakistan, the two South Asian nuclear powers, has persisted since independence and partition in 1947. Despite four wars, fought primarily over the state of Jammu and Kashmir, and the presence of a United Nations (UN) observation mission for more than 50 years, monitoring and verification have played a surprisingly small role in efforts to prevent further outbreaks of armed violence. Part of the difficulty is that the two countries have different visions of the mechanisms required. With the renewal of peace talks between the two neighbours in January 2004 and a decrease in cross-border incidents, there is a case for establishing an effective verification mechanism to ensure that the current peace does not end in a fifth war—this one potentially nuclear.

During partition in 1947 the majority Muslim state of Jammu and Kashmir was given the option of acceding to either India or Pakistan. The Hindu ruler chose to ally himself with India when confronted with large numbers of infiltrators from Pakistan. With the outbreak of war in 1948, a United Nations Commission for India and Pakistan (UNCIP) was deployed to investigate the facts of the dispute and to mediate. Military observers were later sent to assist the commission. With the declaration of a ceasefire in 1949, the observers were transferred to the United Nations Military Observer Group in India and Pakistan (UNMOGIP), while UNCIP was dissolved (in 1951). Headed by a chief military observer, UNMOGIP established headquarters in Rawalpindi (Pakistan) and Srinagar (India) and set up 11 field stations along the ceasefire line. Considering the task that UNMOGIP has faced, its strength has always been inadequate. While the maximum authorised number of observers was 60, the actual number deployed has oscillated between a low of 21 in 1949 and a high of 99 in 1965, when the mission was temporarily boosted following the breakdown of the ceasefire.

The monitoring capabilities of UNMOGIP decreased further after India and Pakistan signed the Simla Agreement in July 1972, establishing the 740-kilometre (450 mile) Line of Control (LOC) across Kashmir. India promptly declared that UNMOGIP's mandate had now lapsed on the grounds that the Simla Agreement had superseded the 1949 ceasefire. India continued to provide accommodation and transportation for the observers on its side of the border, but stopped reporting ceasefire violations to the mission and attempted, in effect, to ignore the UN presence. UNMOGIP has continued to receive reports from Pakistan and to report to the UN Security Council on ceasefire violations to the best of its limited ability. As UNMOGIP, like all other peacekeeping operations, can only be terminated through a decision of the Security Council, and no member wants to be seen taking the initiative to do so, it has limped on ever since. Although the Simla Agreement had committed India and Pakistan to holding regular

## In this issue . . .

Kavita Rajagopalan looks at the lack of monitoring and verification in the India–Pakistan conflict, while Larry MacFaul examines European unity in regard to action on climate change. Plus all of the usual features: Verification Watch, Science and Technology Scan, Peace Missions Monitor, Verification Quotes and VERTIC News and Events.

# Trust & Verify

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meetings to verify compliance with the accord themselves, neither country made any attempt to pursue this. Relations between them remained unstable for the next two decades.

In the past five years, India and Pakistan have made peace overtures on three occasions. The first came with the Lahore Declaration of February 1999, signed by the prime ministers of the two countries, which aimed to resolve all issues, including that of Kashmir. However, no monitoring mechanism was set up. Continued infiltration into Kargil and subsequent armed clashes meant that the Lahore Declaration was ignored. Another two-year silence followed, broken in April 2001 at the Agra Summit where Indian Prime Minister Atal Behari Vajpayee met with Pakistani President Pervez Musharraf. Talks once again concluded without the establishment of a monitoring mechanism. An attack on the Indian Parliament in New Delhi in December 2001 led to a state of alert on the border and preparations for war by both sides.

During this tense period, suggestions for various monitoring mechanisms were made. The United Kingdom and the United States offered to help monitor the border area, but the proposal was rejected by India, which wanted joint monitoring by India and Pakistan, along with a decrease in infiltration by militant groups based in Pakistan. Conversely, Pakistan wanted an expanded role for UNMOGIP, preferring international monitoring of the frontier to a bilateral mechanism. These attitudes reflect the overall view of the two governments regarding international involvement in the conflict: India has consistently sought to keep the issue bilateral, while Pakistan has looked for external assistance to solve the problem.

UNMOGIP has been unable to fulfil completely its original task of observing the ceasefire line and reporting violations. This has been partly due to India's lack of cooperation and partly due to its limited capabilities. As just one example of the former, when UNMOGIP asked India and Pakistan to help observe the International Day of Peace in 2002 and 2003, the mission was rebuked by India for allegedly going beyond its mandate. UNMOGIP has nonetheless continued quietly to attempt to fulfil its mandate. Since January 2004 it has been reporting to the Security Council on the building by India of a fence along the LOC.

### **A new beginning?**

For the third time in five years, a ceasefire was called by India and Pakistan on 23 November 2003: thus far no serious violations have been reported. This ceasefire has been accompanied by a crackdown by Pakistan on militant groups that have led the infiltration into India. A 'roadmap' for peace has been drawn

up and talks are set to resume between the heads of the two nations. The time would now appear to be ripe for the creation of a monitoring mechanism to nurture the peace, either bilaterally or internationally. Some research has already been done on the possibilities. In 2002, the US government-funded Sandia Cooperative Monitoring Center (CMC) in Albuquerque, New Mexico, outlined a scheme for bilateral cooperative aerial monitoring of the India–Pakistan border.

One possibility would be to revive and strengthen UNMOGIP's mandate and capacity to give it a proper verification role. Now the smallest and longest-running UN mission anywhere, UNMOGIP today comprises 44 military observers, 24 international civilian personnel and 47 local staff members. The appropriation for 2004 is an estimated US\$7.25 million. This seems sadly inadequate when compared to a similar border monitoring mission in Africa, the United Nations Mission in Ethiopia and Eritrea (UNMEE), which has a military strength of 4,004, a combined international and local civilian strength of 494 and an annual budget of US\$196.89 million for fiscal year 2003–04.

At the very least UNMOGIP's activities need to be made more transparent to encourage openness in the peace process itself. Although, along with all other UN peacekeeping missions, it reports regularly to the Security Council on its activities and findings, these are not made public due to Indian opposition. It is hard to see how India can justify this situation when it clearly favours the public release of reports on peacekeeping operations in which it participates, such as the one in Sierra Leone. The UN Secretary-General should end this practice immediately. Changing India's mind about the role of an international presence in resolving the Kashmir issue will be harder to achieve, but would be a natural consequence of India's new, much more outward-looking attitude towards international trade, technology transfer and investment, a turnaround that has seen the country's economy boom in recent years.

The current ceasefire and peace efforts could be the calm before the storm, a situation seen many times in India and Pakistan's intertwined history. Monitoring and verification by a neutral body formed out of the agreements reached between them would openly demonstrate that both are willing to honour their obligations, thereby increasing confidence between the parties themselves, as well as reassuring the rest of the world. This could pave the way for a lasting peace on the subcontinent. An expanded role for UNMOGIP or another international monitoring and verification presence might well be the answer.

**Kavita Rajagopalan**, VERTIC intern

# Climate change: European teething troubles

The European Union (EU) is clearly progressive in its environmental policy and much of the EU business community also purports to have green credentials. Yet Europeans appear to be having trouble maintaining a united front on climate change: a number of governments are still wavering over their commitments and a ripple of discontent has spread through industry in response to the new EU Emissions Trading Scheme (ETS). However, these problems should not be seen as a serious threat to action on climate change in the Union, but, rather, as the inevitable altercations that occur as new legislation and regulations begin to come into force. The ETS experience should serve as a salutary warning: parties to the 1997 Kyoto Protocol, a global multilateral environmental agreement on climate change, must prepare themselves as early as possible for the start of that agreement's first commitment period (2008–12).

Two years ago, the EU and all of its member states ratified the Kyoto Protocol. EU Commissioner for the Environment Margot Wallström announced in March that the Union has now adopted legislation that makes all of the remaining requirements under the protocol legally binding in every member country. She added that the EU has a special responsibility to show global leadership in this area. The adoption of this legislation, which sets out rules for monitoring greenhouse gas (GHG) emissions, will undoubtedly focus attention in the political and business worlds on the Kyoto Protocol's impending commitment period. However, it is the commencement of the ETS on 1 January 2005 that has been the major cause of the recent flurry of activity in the climate change arena.

## The Emissions Trading Scheme

The ETS, a powerful means of reducing GHG emissions cost-effectively, will be the first EU climate change policy to bite. It allocates carbon emissions quotas to various sectors of each member state's economy. Companies that emit less than their allocation can sell emissions permits, while those that emit more can buy permits. While legally separate from Kyoto, the ETS is compatible with the accord. It has an extensive monitoring and compliance system, which will be crucial to the overall success of the scheme and will ultimately contribute to implementation of the protocol.

Implementation problems are already apparent. All current EU member states were required to transpose the ETS Directive into national law by 31 December 2003, but only the UK met the deadline. EU member states are also required to submit their draft National Allocation Plan (NAP), which shows how emissions allowances are distributed between economic sectors and industrial installations, to the European Commission (EC) by 31 March 2004. There is a strong likelihood that some or many of them will fail to do so. It is also possible that some member states will not be able to become involved in the ETS on 1 January 2005, thereby, regrettably, ensuring that it has a staggered start. The EC also warned in March that some member states were at risk of giving their industry too many permits in the first round of trading. The EC has a veto over NAPs that it believes are too generous and, if a government refuses to amend its NAP, the commission can take court action. The EC has made it known that it will move quickly if faced with opposition.

The introduction of the ETS, and in particular the way it is being implemented, has also generated anger in some parts of the business world. In January, German industry slammed the German government's draft NAP, claiming that it gave too little credit for emissions reductions that it had already made. Arcelor, Europe's biggest steelmaker, issued a legal challenge, contending that the steel industry had not been treated fairly under the scheme. In March, the Confederation of British Industry (CBI) said that, while British business takes climate change seriously, the UK's commitments could damage business competitiveness if other countries do not make an equivalent effort. At the same time, the Union of Industrial and Employer's Confederations of Europe (UNICE) tried to open debate on the relationship between the EU's climate change policy and competitiveness, fearing that the former threatens the latter. Environmental non-governmental organisations (NGOs) urged ministers not to give competitiveness priority over the environment.

In addition, the CBI asserted that lack of clarity is causing uncertainty in regard to the accuracy of figures for past emissions and future projections. According to the CBI, inaccurate data heightens uncertainty over the impact of the emissions reduction targets on business. It has also stated that some industrial plants have been missed out or wrongly categorised. The CBI believes

that, if difficulties concerning inaccurate data and equivalent effort across the EU cannot be resolved before the ETS commences, the UK government should either relax its rules or adjust the targets. It emphasised that it is more important to produce a workable ETS than to 'rush' implementation in order to meet EU deadlines.

No doubt catalysed by the impending ETS, some EU governments have also begun to get cold feet over their commitments under the Kyoto Protocol. In January, Spanish Energy Minister José Folgado voiced concerns over the potential unemployment and loss of business that could result from implementation of emissions reduction rules. In February, Finnish Industry Minister Mauri Pekkarinen announced that the country would campaign for the renegotiation of national GHG targets if the protocol does not enter into force soon. In March, Italy attempted to impede progress towards emissions reductions and tried to foster a declaration in Brussels that future emissions reduction activities should depend on Russian ratification of the protocol. Even the EU Energy Commissioner, Loyola de Palacio, said that the emissions reduction regulations would damage EU competitiveness if countries like Russia did not apply similar rules.

### **No need to panic!**

The commitment to action on climate change in general and the Kyoto Protocol in particular is strong in the EU. The volume of legislation that is now binding on member states is so great and complex that it will be difficult to ignore or renegotiate. It is unlikely that the few voices of dissent, although noisy, will impede progress. Spanish opposition to action on climate change will almost certainly dissipate under the new government. Prime Minister-elect José Luis Zapatero has pledged to comply with the Kyoto Protocol's requirements and strongly supports action on climate change.

The debate over the NAPS, although fierce, should be seen as part of the normal policy process in which business attempts to obtain the best possible deal when faced with new regulation. It is important for the allocations to be seen to be fair while still maintaining environmental effectiveness in order to avoid a stalemate over their implementation.

It is also important that the debate over the perceived conflict between environmental issues and business competitiveness is correctly informed and does not become distorted. The EC and national governments must base their decisions regarding current and future Kyoto commitments on balanced appraisals of the risks of climate change and disinterested economic analyses in order to set effective and workable goals.

### **VERTIC on the world-wide web**

VERTIC is pleased to announce that the following websites now have links to [www.vertic.org](http://www.vertic.org).

#### **[www.opcw.org](http://www.opcw.org)**

The Legal Affairs page of the Organization for the Prohibition of Chemical Weapons' website contains a link to VERTIC's collection of national legislation to implement the 1972 Biological Weapons Convention.

#### **[www.disarmament.un.org](http://www.disarmament.un.org)**

The UN Department for Disarmament Affairs has added VERTIC to the Links to Other Sites section of its website and to the Verification and Compliance topic listing on its Disarmament and Non-proliferation Education Resource Database.

#### **[www.field.org](http://www.field.org)**

The website of the Foundation for International Law and Development (FIELD) includes a link to VERTIC under Other Resources.

To add a link to VERTIC on your website, please contact Jane Awford, Information Officer & Networker ([jane.awford@vertic.org](mailto:jane.awford@vertic.org)).

Finally, EU business should not feel so economically isolated: contrary to the impression given by the current US administration, there is support for emissions reduction action in the US, even though it has not ratified the Kyoto Protocol. A number of states have, without the push or support of federal law, set up their own emissions trading schemes. In addition, many large international corporations have voluntarily joined international emissions registries and have established emissions reduction instruments.

### **A lesson for the Kyoto Protocol**

The lesson to be drawn from the ETS experience is that EU member states, and indeed all parties to the Kyoto Protocol, should prepare their legislation and administrative and bureaucratic systems (such as national GHG emissions inventories and national registries used to account for Kyoto's tradable emissions reduction units) as far in advance as possible in order to meet the requirements of the protocol. Non-EU parties to the protocol may not have to deal with the infighting that can impede action within the EU, but all of them are likely to face many of the impediments to successful and prompt implementation, such as policy prioritisation, arguments over competitiveness and difficulties in setting up sound national systems to satisfy protocol requirements. Failure to address these issues early could result in a chaotic start to the Kyoto Protocol's first commitment period.

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### Verification tales: the good, the bad and the ugly

Never before have so many verification controversies been so prominent in international discourse. Verification issues involving the weapons of mass destruction (WMD) programmes of several countries have captured the headlines in recent months, embroiling governments, the UN, international verification organisations, the media and researchers. Below are some highlights.

#### *Libya*

Hitherto a pariah state because of its role in the bombing of a Pan American Airways aircraft over Lockerbie, Scotland, in December 1988, Libya has become the new disarmament role model after agreeing in December 2003 to surrender its WMD capabilities and to subject itself to intrusive verification. In addition to allowing the US to spirit away, under the seal of the International Atomic Energy Agency (IAEA), equipment materials and documents relating to its attempt to acquire nuclear weapons, it has also permitted inspectors from the US and the IAEA to verify its remaining holdings of nuclear material and to assess the extent of its past undeclared nuclear establishment. On 10 March Libya signed an Additional Protocol to its existing comprehensive nuclear safeguards agreement with the Agency, which will permanently open it up to even more intrusive inspections and require that, in future, it supply much more information to the IAEA about its nuclear activities. As a result, the IAEA Board of Governors passed a resolution on the same day that, while critical of Libya's past violations of the 1968 Nuclear Non-Proliferation Treaty (NPT), welcomed the country's new-found cooperativeness.

On the chemical weapons (CW) front, the Organization for the Prohibition of Chemical Weapons (OPCW) began examining more than a dozen folders containing details of Libya's CW programme, which were handed to it in a formal declaration by Libya in The Hague, Netherlands, on 5 March. Libya disclosed that it had produced and stored some 23 tons of mustard gas, as well as precursors intended for the production of sarin and other nerve agents. It also declared one inactive production site and two storage facilities, but no filled CW munitions. Libya told the OPCW that its programme had begun in the 1980s but that it ended in 1990. Production of the mustard gas had occurred at a long-suspected CW plant at Rabta, southwest of

Tripoli, in the Libyan desert. The organisation has been working closely with UK and US inspectors who had visited the Libyan CW sites. The OPCW has already supervised the destruction in Libya of more than 3,300 CW bomb casings and is drawing up plans to build a facility in Libya to eliminate the mustard gas.

As to what induced Libya suddenly to join the side of the angels, Martin Indyk, former US Ambassador to Israel and currently Director of the Saban Center for Middle East Policy, has disputed the view of US President George W. Bush's administration that the US invasion of Iraq sealed it. He argues that 12 years of diplomacy, beginning under President Bill Clinton, combined with harsh economic sanctions, was responsible.

Sources 'Implementation of the NPT safeguards agreement of the Socialist People's Libyan Arab Jamahiriya', Report by the Director General to the Board of Governors, International Atomic Energy Agency, GOV/2004/12, 20 February 2004; 'US government's assistance to Libya in the elimination of its weapons of mass destruction (WMD)', US Department of State, Washington, DC, 26 February 2004; Judith Miller, 'Libya discloses production of 23 tons of mustard gas', *New York Times*, 6 March 2004, www.nytimes.com; 'Libya submits chemical weapons declaration', Global Security Newswire, 9 March 2004, www.nti.org; Martin S. Indyk, 'The Iraq war did not force Gaddafi's hand', *Financial Times*, 9 March 2004, www.nytimes.com.

#### *Iran*

In contrast to Libya, Iran remained the bad boy of nuclear verification. Although it had bowed to international pressure to sign an Additional Protocol (in December 2003) and had agreed to act as if it were in force even before its parliament (Majlis) has ratified the document, it has since been revealed that Tehran failed to declare all of its nuclear programme to the IAEA in its purportedly complete declaration of October 2003. In particular it failed to admit that it had plans for more advanced centrifuges for enriching uranium (so-called P-2 machines, probably obtained from Pakistan), that it had experimented with polonium-211 (a material that can be used to facilitate nuclear explosions), that it had attempted laser isotope enrichment, and that it possessed uranium enriched to a higher degree than previously declared. While the US wanted the IAEA Board of Governors to issue a resolution in early March that was highly critical of Iran and which threatened to report its non-compliance activity to the UN Security Council, the Europeans preferred to avoid a confrontation with Tehran. Hence they promoted a balanced resolution that criticised Iran's omissions while praising its overall level of increased coopera-

tion. Even though the board passed a resolution on 12 March that essentially took the line advocated by France, Germany and the UK, Iran nonetheless reacted by cancelling the next round of IAEA inspections due later that month. Tehran later retracted this decision, but not before creating further doubts about the sincerity of its declared renunciation of nuclear weapons.

**Sources** Craig G. Smith, 'Alarm raised over quality of uranium found in Iran', *New York Times*, 11 March 2004, www.nytimes.com; Joe Fiorill, 'Iran refuses IAEA visit after resolution passed, then relents', *UN Wire*, 15 March 2004; Andreas Persbo and Dave Andrews, 'The IAEA and Iran: no smoking guns so far but the smell of gunpowder lingering in the air', *BASIC Notes*, British American Security Information Council (BASIC), 5 March 2004, www.basicint.org; Michael Evans, 'Iran "lied" over secret nuclear research', *The Times*, 25 February 2004, p. 37.

### *Iraq*

The multifaceted verification controversies over Iraq in recent months have been more about past than current activities, since there is currently no multilateral verification presence in the country. One issue was the quality (or otherwise) of UK, US and other intelligence information prior to the war, including that given to the IAEA and the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC). Most spectacularly, David Kay, former UN inspector and head of the Australian/UK/US Iraq Survey Group (ISG), which has conducted inspections in Iraq since the war, called for recognition that US and other intelligence had been wrong. On 28 January he told stunned US Senators that 'we were almost all wrong, and I certainly include myself here'. He later told *The Guardian* newspaper that 'I was convinced and am still convinced that there were no stockpiles of weapons of mass destruction at the time of the war'. While some clandestine activities were continuing in Iraq, these were, he believed, driven more by corruption than by central direction. A combination of UN sanctions, the part played by UN inspectors in locating, destroying and verifying non-production of WMD, and the nature of former President Saddam Hussein's autocratic regime, had prevented Iraq from reconstituting its WMD programmes.

Other revelations added to the growing view that UNMOVIC and its predecessor, the United Nations Special Commission (UNSCOM), as well as the IAEA, had done a better verification job than anyone had imagined, even in the face of Western intelligence failures. The US Central Intelligence Agency (CIA) admitted that it failed to provide the UN with information on 21 of the 105 sites in Iraq that the US had singled out before the war as being highly likely to house WMD. Nor, it has been revealed, did US intelligence officials or the ISG draw on

UNMOVIC's inspection records and experience in preparing for or conducting the failed ISG mission. Worse still, US intelligence officials have concluded that almost all of the Iraqi defectors whose information helped the Bush administration to make its case for war—and for an end to UNMOVIC inspections—exaggerated what they knew, fabricated tales or were coached by others in what to say. Meanwhile, the 'father' of Iraq's nuclear weapons programme, Jafar Dhia Jafar, has revealed that the speed at which UN inspectors operated, their use of aerial reconnaissance and the large size of Iraqi WMD equipment that had to be moved to keep it away from the inspectors led to Iraq's concealment operation failing within weeks of UNMOVIC's arrival. It also led Iraq to decide to dismantle and destroy the weapons and to end its programmes to prevent them from falling into the hands of the inspectors. Finally, the former head of UNMOVIC, Hans Blix, in his book *Disarming Iraq* (published in March), disclosed that US Vice-President Dick Cheney told him in October 2002 that, if UN inspections did not achieve results, 'the US was ready to discredit inspections in favour of disarmament', presumably by force. Blix himself has now concluded that: 'If anyone maintains there are programmes then I would like to see evidence of that'.

**Sources** Warren Hoge, 'Ex-inspector has harsh words for Bush', *New York Times*, 16 March 2004, www.nytimes.com; Julian Borger, 'The inspector's final report', *The Guardian*, 3 March 2005, pp. 2–3; Sam F. Ghattas, 'Scientist: Iraq had no atomic program', *Philadelphia Inquirer*, 9 March 2004, www.philly.com/inquirer; Ian MacIntyre, 'Blix bombshell proves a damp squib', *The Times Review of Books*, 13 March 2004, p. 13; Bill Nichols, 'UN: Iraq had no WMD after 1994', *USA Today*, 2 March 2004, www.usatoday.com; 'WMD in Iraq: evidence and implications', *Proliferation Brief*, vol. 7., no. 1, Carnegie Endowment for International Peace, Washington, DC, 12 January 2004; Douglas Jehl and David E. Sanger, 'CIA admits it didn't give weapon data to the UN', *New York Times*, 21 February 2004, www.nytimes.com.

### *North Korea*

The six-nation talks, involving North and South Korea, China, Japan, Russia and the US, which have been seeking to achieve a negotiated end to North Korea's nuclear ambitions, inched forward during the February session in Beijing, China. Significantly, for the first time, the North Koreans committed themselves publicly to the eventual dismantlement of their nuclear programme. But the devil will be in the detail: the US is rightly insisting that the dismantling be done in an 'irreversible, verifiable and complete way'. Meanwhile, in the absence of IAEA inspectors, it is possible that North Korea has extracted all of the plutonium in its 8,000 spent nuclear fuel rods and has used them to construct five or six nuclear weapons.

A former North Korean expert at the US Department of State, Jack Pritchard, who participated in a private visit to North Korea in January, confirmed that the cooling pond at the Yongbyon nuclear facility, formerly safeguarded by the IAEA, was now empty. The next round of talks is scheduled for April 2004.

**Sources** Steven R. Weisman and David E. Sanger, 'North Korea may get aid if it pledges nuclear curb', *New York Times*, 25 February 2004, www.nytimes.com; Jack Pritchard, 'What I saw in North Korea', *New York Times*, 21 January 2004, www.nytimes.com; Joseph Kahn, 'US and North Korea agree to more talks', *New York Times*, 29 February 2004, www.nytimes.com.

## **SORTing out implementation**

Russia and the US have failed to convene any sessions of the Bilateral Implementation Commission established under their 2002 Strategic Offensive Reductions Treaty (SORT). The agreement, which entered into force in June 2003, obliges each state to reduce aggregate numbers of strategic nuclear warheads to between 1,700 and 2,200, yet it contains no verification provisions. The joint commission is supposed to meet twice a year to discuss implementation issues and presumably to resolve any compliance concerns, although the treaty is silent on its mandate. Russian Deputy Foreign Minister Sergei Kislyak stated in January that the delay in holding the first session was due to differences over the commission's mandate which have now been resolved. However, no agenda or date for the first session has yet been set.

**Sources** 'Moscow treaty implementation group has yet to meet', Global Security Newswire, 5 March 2004, www.nti.org; 'Moscow treaty commission to begin soon, Russian official says', Global Security Newswire, 2 February 2004, www.nti.org; 'US-Russian arms reduction body yet to meet', *Arms Control Today*, March 2004, www.armscontrol.org.

## **Small arms export controls under fire**

The UK government is applying weaker criteria for licensing exports of arms components than for weapons platforms or complete items of hardware, in contravention of its obligations under the 1998 EU Code of Conduct on Arms Transfers. A report by the UK-based Control Arms campaign, led by Amnesty International, the International Action Network on Small Arms (IANSA) and Oxfam, examines UK export licensing decisions since 1998. It finds that there has been a significant increase in component export licenses since 2002, when the UK weakened its guidelines for such licences under the 2002 Export Control Act. The report cites instances of export licenses being granted for UK-manufactured components to states—including those under arms embargoes—which would be barred from obtaining complete weapons systems that include such com-

ponents. The NGOs also report inadequate enforcement of component end-user certificates, resulting in the re-export of components, usually integrated into complete weapon systems, to such states.

The report calls for UK licensing criteria for components to be made consistent with the EU code and for improved monitoring and enforcement of end-user certificates. A draft treaty on the marking and tracing of small arms, under negotiation by a governmental working group established by the UN General Assembly, on the recommendation of the 2003 UN Biennial Meeting of States on Small Arms and the Programme of Action, should assist states in improving monitoring and enforcement of end-use controls. Often there is a lack of transparency in regard to component exports, with only the number of licenses, rather than the physical quantity of components, being reported. A January 2004 report by the US General Accounting Office has criticised the US Department of Commerce for approving exports of dual-use technologies with inappropriate end-use monitoring and verification controls.

**Sources** 'Spotlight falls on UK, US export controls', *Jane's Defence Weekly*, 3 March 2004, p. 8; *Lock, Stock and Barrel: How British Arms Components Add up to Deadly Weapons*, Amnesty International, IANSA and Oxfam, London, 2004; Export controls: post-shipment verification provides limited assurance that dual-use items are being properly used', General Accounting Office, GAO-04-357, Washington, DC, 12 January 2004, www.gao.gov.

## **Anti-terrorism monitoring reformed . . .**

The UN Counter-Terrorism Committee (CTC) is likely to switch from passively monitoring implementation by states of Security Council Resolution 1373 (2001) to actively assessing compliance. The recommendation has resulted from a request by the Council in November 2003 to the CTC to report on how compliance with Resolution 1373 could be improved. The resolution, adopted two weeks after the events of 11 September 2001, obliges UN member states to enact and enforce comprehensive national counter-terrorism measures, including stemming the financing of terrorist groups, improving customs and border controls and preventing the acquisition of WMD.

Other changes proposed include restructuring the CTC into two parts: a plenary, comprising the committee Chair and Vice-Chair and the 15 members of the Security Council, to deal with strategic and policy decisions; and a new Counter-Terrorism Committee Executive Directorate (CTCED). To be headed by an Executive Director, the CTCED will consolidate Secretariat support staff and technical experts into one body. The proposal also recommends mandating the CTC to provide,

rather than merely facilitate, necessary technical assistance for the implementation of Resolution 1373. Poor implementation has been identified as an impediment to compliance with the resolution, especially by smaller, poorer states.

### ... while al-Qaeda panel gets the boot

Meanwhile, an expert panel established by the Security Council committee charged with monitoring implementation of the air flight and financial embargoes against the Taliban and al-Qaeda, imposed by Security Council resolution 1267 (1999), is to be replaced. The five-member panel had criticised the effectiveness of the sanctions regime. Over 100 states have yet to report on their implementation of the relevant Security Council resolutions, while studies of reports already submitted

reveal uneven implementation. Subsequently, the expert panel itself came under attack, primarily by countries that it had identified as having inadequate national measures. A new eight-member Analytical Support and Sanctions Monitoring Team will replace the panel. It has enhanced expertise in finance, border controls and threat analysis and is intended to be more professional than its predecessor.

**Sources** 'Security Council considers proposal to revitalize counter-terrorism committee', UN Security Council Press Release SC/8020, 4 March 2004, [www.un.org](http://www.un.org); 'Report by the Chair of the Counter-Terrorism Committee on the problems encountered in the implementation of Security Council Resolution 1373 (2001)', S/2004/70 Annex, 26 January 2004, [www.un.org](http://www.un.org); 'UN Security Council dissolves panel monitoring al-Qaeda', UN Wire, 2 February 2004, [www.unwire.org](http://www.unwire.org); 'Lack of reporting hinders work of UN committee on al-Qaeda, Taliban—Chairman', UN News Service, 12 January 2004, [www.un.org](http://www.un.org).

## Peace Missions Monitor

### New UN mission in Côte d'Ivoire

On 4 April the United Nations Operation in Côte d'Ivoire (UNOCI) will assume the responsibilities of the existing United Nations Mission in Côte d'Ivoire (MINUCI) and absorb troops from the Economic Community of West African States (ECOWAS) currently stationed there. UNOCI has been mandated initially for one year and will consist of 6,240 troops, including 200 military observers, 120 civilian staff and up to 350 civilian police officers. Its mandate includes monitoring implementation of the comprehensive ceasefire agreement of 3 May 2003 and investigating violations. It will also assist the government in border monitoring and with disarmament, demobilisation and reintegration programmes involving former combatants. The operation is authorised to use force to fulfil its mandate. It is hoped that the peace process will culminate in national elections in 2005.

**Sources** 'UN approves 6,240 peacekeepers for Ivory Coast', UN Wire, 1 March 2004, [www.unwire.org](http://www.unwire.org); 'Security Council establishes peacekeeping operation in Côte d'Ivoire, unanimously adopting Resolution 1528 (2004)', UN Security Council Press Release SC/8012, 27 February 2004, [www.un.org](http://www.un.org).

### Movement but no monitoring in Sudan

The Sudanese government and the Sudan People's Liberation Movement/Army (SPLM/A) signed a wealth-sharing agreement on 7 January 2004. The accord, which includes arrangements on oil revenue, brings the parties closer to negotiating a comprehensive peace deal. Further discussions were held in February on disputed territory in the Nuba Mountains and the areas of Abyei and the southern Blue Nile and on future power-sharing arrangements, in advance of comprehensive peace negotiations. Plans for monitoring the peace agreement during a planned six-and-a-half year transition period are yet to be finalised. The government prefers a monitoring mission along the lines of the current Verification and Monitoring Team (VMT), while the SPLM/A is calling for a UN-backed peacekeeping mission.

**Sources** 'Sudanese government, rebels reach wealth-sharing deal', UN Wire, 6 January 2004, [www.unwire.org](http://www.unwire.org); 'Sudan: parties differ on peacekeeping during transitional period', IRIN News, 10 February 2004, [www.irinnews.org](http://www.irinnews.org).

### Northern Ireland monitoring commission about to report?

The International Monitoring Commission, established in September 2003 to observe and report on paramilitary ceasefire breaches in Northern Ireland, may be about to issue its first report. The four-member body, which has maintained a low profile to date, comprises: Richard Kerr, former Director of the Central Intelligence Agency (CIA); Joe Brosnan, former Secretary-General of the Irish Department of Justice; John Grieve, former head of the London Metropolitan Police's Anti-Terrorism Unit; and John Allardice, the Speaker of the suspended Northern Ireland Assembly and former leader of the Alliance Party. The commission has been specifically asked to investigate whether the Provisional Irish Republican Army (IRA) broke the ceasefire by allegedly beating and abducting a prominent critic of its political wing, Sinn Féin, in February 2004.

**Source** David Lister, 'Blair denies Sinn Féin claims', *The Times*, 12 March 2004, p. 38.





### Satellite monitoring and global positioning round-up

A meeting of the intergovernmental Group on Earth Observations in Cape Town, South Africa, from 25–27 February, agreed on a political 'framework' for establishing a system to track global climate and meteorological changes. The framework is expected to be approved in Tokyo, Japan, at the next Earth Observation Summit from 22–23 April 2004. The tracking system will collect data from multiple sources, including land-, sea- and space-based facilities.

Meanwhile, the tracking of changes in polar ice is set to improve dramatically. In January 2003, the US National Aeronautics and Space Administration (NASA) launched the Ice, Cloud and Land Elevation Satellite (ICESat), which is designed to measure the Earth's ice sheets. It is providing hitherto unseen views of the ice covering Greenland and the Antarctic using three-dimensional (3-D) images. It will be possible to measure far more accurately how ice sheets are changing. The satellite supplies similarly novel 3-D images of cloud and aerosol layering. There is currently significant uncertainty in climate change science as to how aerosols affect radiation and clouds.

Another set of new measurements of the Antarctic ice sheet is being obtained from under the ice. Autosub 2, built by the Southampton Oceanography Centre in the UK, is being used by polar oceanographers from the UK's Open University to measure ice thickness in the Antarctic. These measurements will help to build a comprehensive picture of ice thickness and allow better monitoring and evaluation of the impact of global warming.

Although the US government has saved over US\$1 billion by deciding to combine civil and military satellite observation, budget constraints and mishaps to some of the satellites involved have opened up the possibility of a coverage gap towards the end of the decade. When these satellites eventually become fully operational they will provide better and faster data than current systems due to their advanced environmental monitoring systems. However, the combination of military and civilian applications raises a number of thorny points. For instance, civilian monitoring systems could, by default, become military targets, and there is also a risk that military monitoring priorities will unexpectedly supplant civilian needs, especially in time of war.

More issues concerning the combined military and civilian use of the satellites are highlighted as a result of the new global satellite navigation system, Galileo, which is being built by the European Commission and the European Space Agency (ESA). At the moment satellite navigation users in Europe must use the US Global Positioning System (GPS) or Russian's Global Orbiting Navigation Satellite System (GLONASS). Galileo, which will become fully operational in 2008, uses a network of 30 satellites and will be accurate to within one metre, compared to 30 metres for GPS.

The ability to pinpoint locations on Earth with great accuracy is invaluable for monitoring and verification, just as it is for various other non-military tasks. Yet, whereas the GPS and GLONASS are military networks that can be taken off-line if an enemy tries to misuse the system's data, Galileo is a civilian system guaranteed to run in all but the direst of circumstances. The US has expressed concern.

Sources 'Earth Observation System takes shape at South Africa meeting', UN Wire, 3 March 2004, [www.unwire.org](http://www.unwire.org); 'Weather report: delays in converged civil/military environmental satellite development could leave coverage gap by decade's end', *Aviation Week & Space Technology*, 10 November 2003, pp. 64–69; 'New US system to start monitoring climate change', UN Wire, 16 December 2003, [www.unwire.org](http://www.unwire.org); 'Inching forward', *Aviation Week & Space Technology*, 8 December 2003, p. 38; Global Monitoring for Environment and Security (GMES), [www.gmes.info](http://www.gmes.info), 8 January 2003; 'Ice mission delights scientists', BBC News, 15 December 2003, [www.bbc.co.uk](http://www.bbc.co.uk); Robert Adler, 'Roving sub explores under Antarctic ice', *New Scientist*, 13 December 2003, p. 17; 'Why Europe needs Galileo', ESA, [www.esa.int](http://www.esa.int), 22 August 2003; 'What is Galileo?', ESA, [www.esa.int](http://www.esa.int), 7 October 2003; 'Galileo: how will it work?', BBC News, [www.bbc.co.uk](http://www.bbc.co.uk), 26 March 2002.

### Unmanned aircraft detecting conventional explosives

Unmanned aerial vehicles (UAVs), which have been used daily in Iraq by both UK and US forces, have found an unexpected role—the detection of improvised explosive devices. Although the UAVs lack specialised sensors that can directly detect conventional explosives, the United States Air Force has attempted to detect fresh attempts to hide such explosives by comparing the images that UAVs transmit of the same location at different times.

Sources 'Finding the needle', *Aviation Week & Space Technology*, 22 December 2003, pp. 28–29.

### VERTIC receives FCO grant

VERTIC is grateful to the Foreign and Commonwealth Office for a grant of £15,000 to support its workshop on 'Strengthening tools and mechanisms for verifying biological weapons compliance'.

### VERTIC submits evidence to climate change inquiry

VERTIC has made a submission to the House of Lords EU Committee's inquiry into a sustainable EU climate change policy. VERTIC's submission advocates a cooperative and facilitative approach towards EU efforts to tackle climate change, rather than the adversarial one implied by some of the committee's questions, and stresses the importance of reporting and verification in the climate change regime. VERTIC's submission also explains the negative impact that inaction by EU member

states could have on efforts to reduce emissions globally and underlines the need for speedy compliance with the European Trading System (ETS) in order to set an example to other regions. The full text of VERTIC's submission is at [www.vertic.org](http://www.vertic.org).

### VERTIC BW verification workshop

As part of its project on existing and proposed mechanisms for verifying compliance with the 1972 Biological Weapons Convention (BWC), VERTIC is convening a closed workshop in London in May 2004 to bring together participants in past verification exercises, as well as other experts in the CBW field. The workshop—'Strengthening tools and mechanisms for verifying biological weapons compliance'—will consider, inter alia, the following issues: BWC non-compliance scenarios; verification challenges; the Russia/UK/US trilateral BW inspection experience; on-site inspections undertaken by UNSCOM and

### Regional monitoring made easy

*Monitoring Ecosystems: Interdisciplinary Approaches for Evaluating Ecoregional Initiatives* by David E. Busch and Joel C. Trexler (eds). Island Press, Washington, DC, 2003, pp. 447, £25.95 (soft cover), ISBN 1-55963-850-8

International awareness of the increasing pressures that unsustainable anthropogenic practices place on the world's ecosystems has led to a number of conservation and restoration initiatives, many dependent on effective monitoring mechanisms. Over the past couple of decades special emphasis has been put on initiatives at the regional level. Today, it is widely recognised that different regional actors should increasingly exchange information and experiences to facilitate the design of environmental monitoring programmes based on commonly accepted steps and principles. It is in this context that this volume reassesses three key US ecosystem monitoring programmes: the Northwest Forest Plan, which covers the forest and aquatic ecosystems of the Pacific northwest region; the lower Colorado River Basin; and the marine, wetland and terrestrial parts of south Florida's greater Everglades.

Ecologists and project managers closely involved in these initiatives share with the reader the successes and failures and the lessons learned. The main body of the book is divided into three parts, containing detailed reflections on the institutional and ecological dynamics behind the conceptualisation, implementation and evaluation of programmes. Each part has four or five chapters, written as independent essays, which are regionally oriented and sometimes quite technical. Nevertheless, the conclusions drawn in the final chapter are clear even to non-specialists. The book concludes that the monitoring principles extracted from the three US experiences can be applied successfully to other regions. In general, the work is comprehensively referenced in case one wishes to pursue a topic further. *Monitoring Ecosystems* is undisputedly a valuable new reference work, a must for those engaged in ecosystem management or working on environmental policy. In addition to this book, readers seeking further information are encouraged to visit the website of the World Conservation Union (IUCN)'s Commission on Ecosystem Management at [www.iucn.org/themes/cem/cem/index.htm](http://www.iucn.org/themes/cem/cem/index.htm).

**Vanessa Chagas**, former VERTIC Environment Research Assistant and currently *Blue Book* trainee at the Environment and Sustainable Development Unit, Statistical Office of the European Communities, European Commission, Brussels.

UNMOVIC; investigations of alleged CBW use under the authority and auspices of the UN Secretary-General; and alternative mechanisms for verifying compliance with BW norms. The UK Foreign and Commonwealth Office, the Ploughshares Fund and the John D. and Catherine T. MacArthur Foundation are funding the workshop. While participation is by invitation only, VERTIC invites anyone with an interest in the issues that the project is considering to contact its Legal Researcher, Angela Woodward (angela@vertic.org).

### New VERTIC intern

Kristie Barrow joined VERTIC on 5 April for a three-month internship. Kristie is a doctoral student at the School of Political Science and International Studies, University of Queensland, Brisbane, Australia. Her doctoral thesis is on the role of NGOs in security politics. She also holds a BA (Hons) degree from Griffith University, Queensland. At VERTIC she will work with Angela Woodward on civil society monitoring of arms control and disarmament agreements.

### Staff news

**TREVOR FINDLAY** gave a seminar on 15 January to Masters degree students at the School of Oriental and African Studies (SOAS), University of London, on the verification possibilities for a future Middle East peace settlement. On 22 January, along with Angela Woodward, he met with John Walker of the Arms Control and Disarmament Research Unit at the FCO to discuss biological weapons issues. From 27–29 January he participated in the Sixth Annual Asian Security Conference, run by the Institute for Defence Studies and Analyses in New Delhi, India. He presented a paper on the performance of UNMOVIC in Iraq. On 26 February he attended a meeting of the US Discussion Group of the Royal Institute of International Affairs (RIIA), at which Gary Samore of the International Institute for Strategic Studies gave a presentation on evolving US non-proliferation policy. In Ottawa, Canada, on 2–3 March, he participated in a workshop convened by the Canadian Department of Foreign Affairs and International Trade on WMD compliance and verification. He gave an interview to Austrian Radio on 8 March on the IAEA Board of Governors' impending resolution on Iran.

**JANE AWFORD** attended a panel discussion on 20 January on 'Laying ground rules for the media—should we even try?' organised by the Fifth Estate, the Institute of Public Relations' group for public relations professionals in the not-for-profit

## Verification Quotes

*'There was concealment in the beginning in all programs.'*

Jafar Dhia Jafar, 'father' of Iraq's nuclear weapons programme, referring to Iraq's efforts to hide it from UN inspectors, quoted in Sam F. Ghattas, 'Scientist: Iraq had no atomic program', *Philadelphia Inquirer*, 9 March 2004, [www.philly.com/inquirer](http://www.philly.com/inquirer).

*'... with the attitude of the Iraqis I could not have gone in good conscience to the Security Council and said I am convinced that they destroyed [their WMD] ... While you can't prove a negative, you can try to make it plausible.'*

Hans Blix, former UNMOVIC Executive Chairman, 'Blix says Iraq war could have been averted', *UN Wire*, 17 March 2004, [www.unwire.org](http://www.unwire.org).

*'Through enormous effort this would be discovered and verified beyond doubt.'*

William Langewiesche, 'The problem with Houston', *The Observer Magazine*, 11 January 2004, p. 29, referring to the Columbia Accident Investigation Board's conclusion that the 2003 shuttle disaster was caused by a piece of insulation foam hitting the left wing.

sector. On 28 January she represented VERTIC at the Volunteers & Friends Reception held by the Cranfield Trust at St Bartholomew's Hospital. Along with Trevor Findlay she attended the launch on 8 March of *Cutting the Costs of War: Non-military Prevention and Resolution of Conflict* by Dr Scilla Elworthy, founder and Executive Director of Peace Direct. The launch also provided an opportunity to meet Dr Elworthy's successor as Director of the Oxford Research Group, Dr John Sloboda. Jane, along with Trevor Findlay, met with Lisa Schappert of Educational Programs Abroad (EPA) during a site visit to VERTIC on 17 March. Jane is working with Angela Woodward on the forthcoming BW workshop. She has taken over from Angela as coordinator of the VERTIC intern programme.

**BEN HANDLEY** has produced financial statements for current and prospective funders and has helped to prepare the budgets for future VERTIC projects. He has also been overseeing plans for the proposed relocation of the Centre. Ben continues to deal with the day-to-day administration of the VERTIC office and the maintenance of its website. On 3 March he attended a seminar on 'Employment law and health and safety' organised by Peninsula Business Services.

**LARRY MACFAUL** attended two meetings at Chatham House: 'Progress and Prospects for the International Climate Regime' on 27 January, and 'Russia and the Kyoto Protocol: issues and challenges' on 17 March. On 10 March, Larry, Jane Awford and Kavita Rajagopalan met with Lane DeNicola, a doctoral student in the Department of Science and Technology Studies,

Rensselaer Polytechnic Institute, Troy, New York, to discuss his dissertation on the use by NGOs of remote sensing imagery. He also attended the Climate Action Network (CAN)-Europe General Assembly in Brussels, Belgium, from 26–27 March. Larry drafted VERTIC's submission to the inquiry—'Towards a Sustainable EU Policy on Climate Change'—by the House of Lords EU Committee.

**KAVITA RAJAGOPALAN**, in addition to researching India–Pakistan border monitoring and following developments in peace operations in Africa, has been helping Jane Awford to update the VERTIC contact database and to distribute the Centre's publications.

**ANGELA WOODWARD** met with Kate Dewes and Rob Green of the Disarmament Security Centre in Christchurch, New Zealand, on 13 January. She attended a presentation at the RIA on 23 January on 'Preventing bio-crimes: the global bargain for biosecurity' by Barry Kellman, Co-Director of the Consor-

tium on Law and Strategic Security. On 30 January Angela and VERTIC intern Elizabeth Yeung met with Jean Pascal Zanders, Director of the BioWeapons Prevention Project (BWPP), and Anthony Antoine to discuss the BWPP's publication plans. On 13 February she consulted with Jez Littlewood of the Mountbatten Centre for International Studies on VERTIC's BW project. Angela has been writing an article on landmines for the *Encyclopedia of Globalization* and continued preparations for VERTIC's BW workshop in May. On 16 March Angela participated in a meeting hosted by Saferworld to discuss the 1998 EU Code of Conduct on Arms Exports. Angela attended a meeting at the RIA on 18 March on 'Cuba's biotechnology industry: is it a threat?', featuring three speakers from the Cuban biotechnology industry. She also attended the Harvard Sussex Programme's sixteenth London Chemical and Biological Weapons Seminar, hosted by the FCO, on 'Ethics and weapons of mass destruction: a comparison of the response of biological and nuclear scientists' on 23 March.

## building trust through verification

VERTIC is the Verification Research, Training and Information Centre, an independent, non-profit making, non-governmental organisation. Its mission is to promote effective and efficient verification as a means of ensuring confidence in the implementation of international agreements and intra-national agreements with international involvement. VERTIC aims to achieve its mission through research, training, dissemination of information, and interaction with the relevant political, diplomatic, technical, scientific and non-governmental communities.

**PERSONNEL** Dr Trevor Findlay, *Executive Director*; Jane Awford MA, *Information Officer & Networker*; Kristie Barrow, *Intern*; Ben Handley, *Administrator*; Larry MacFaul, *Environment Researcher*; Kavita Rajagopalan, *Intern*; Angela Woodward BA (Hons), LL.B., LL.M., *Legal Researcher*.

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(*seismic verification*); Robert Mathews (*chemical and biological disarmament*); Dr Colin McInnes (*Northern Ireland decommissioning*); Dr Graham Pearson (*chemical and biological disarmament*); Dr Arian Pregenzer (*co-operative monitoring*); Dr Rosalind Reeve (*environmental law*).

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