

CHAPTER 11

THE ROLE OF NON-GOVERNMENTAL ORGANIZATIONS IN THE MONITORING AND VERIFICATION OF INTERNATIONAL ARMS CONTROL AND DISARMAMENT AGREEMENTS

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SUMMARY

The verification of international agreements in the arms control and disarmament field has traditionally been framed in terms of formalized international regimes and institutions. A relatively recent phenomenon is the role of civil society in the monitoring of these agreements. This chapter examines non-governmental organization (NGO) monitoring activities and involvement in verification processes in order to assess their value to arms control and disarmament. Drawing from a number of recent case studies, we explore how such NGO activities can be developed in the future.

INTRODUCTION

In many regions of the world—particularly since the end of the Cold War—the nature of the relationships between civil society and governments has been changing. This has been reflected in the growth of non-governmental organizations worldwide.¹ Ten years ago, the United Nations estimated that there were nearly 29,000 international NGOs² in existence and since then research indicates that the number of NGOs has continued to increase apace.³

In certain issue areas, this growth in NGO numbers has coincided with a perceived increase in the influence that NGOs can and do exert upon governments. Indeed much research has highlighted the important roles

NGOs have played in promoting and influencing the negotiation of a wide variety of international agreements on issues of global concern whether they be on the environment, public health, human rights or debt, trade and development.⁴ In the field of human rights, for example, NGOs have played important roles in developing proposals, and promoting and building government support for a number of international agreements, processes and bodies such as the UN Convention Against Torture, the UN Convention on the Rights of the Child, and the International Criminal Court.

Even in the more sensitive areas of arms control and disarmament, there have been some important NGO achievements, most notably the successful signing of a global treaty to ban anti-personnel mines in 1997. In recent years, NGOs have done much to highlight the devastation wrought by conventional weapons—particularly small arms and light weapons—and to promote national, regional and international governmental action on this issue, culminating in an ongoing global campaign—*Control Arms*—for an Arms Trade Treaty to control conventional arms transfers.⁵

While such NGO campaign and advocacy work has, by its very nature, received widespread attention, NGOs are also increasingly involved in the implementation of international agreements, sometimes directly and sometimes through assistance to states. In this regard, one area of NGO activity that has not been adequately studied has been the crucial role played by the NGO community in monitoring, and in some cases verifying, international agreements. Indeed, non-governmental monitoring, sometimes referred to as “citizens’ reporting”, “inspection by the people” or “civil society monitoring”, has become an important element in the international community’s evaluation of how effectively states implement their treaty obligations on a wide range of issues.

This chapter will examine the roles that NGOs currently play in monitoring international agreements, particularly those covering arms control and disarmament issues, by reviewing a number of case studies of organizations and networks currently active in the field. The chapter will then explore how such activities can be developed in the future. However, a short descriptive overview of monitoring and verification in the context of arms control and disarmament is provided first.

DEFINING VERIFICATION AND MONITORING

In terms of international relations, verification can be defined as “a process covering the entire set of measures aimed at enabling the parties to an agreement to establish that the conduct of the other parties is not incompatible with the obligations they have assumed under that agreement”.⁶ In 1995, a UN verification panel defined verification as “a process in which data is collected, collated and analysed in order to make an informed judgment as to whether a party is complying with its obligations”.⁷

The fundamental function of verification is to gather facts, which subsequently can be assessed against some standard. Guido Den Dekker has broken down this process into three fundamental stages:

- fact-finding (establishing the factual behaviour of the state);
- review (testing the established facts against the rules set out in a treaty); and
- assessment (deciding or estimating the degree of compliance with the rule).⁸

Verification sets very high demands on the impartiality, objectivity and professionalism of any organization—specifically those UN and other inter-governmental organizations tasked and empowered to verify international treaties and other multilateral agreements. In 1988 the UN General Assembly endorsed a set of 16 principles to ensure efficient and effective verification.⁹ These have been regularly reviewed and endorsed subsequently, most recently in 2004.¹⁰ These principles formulate two important requirements that any verification arrangement should fulfil:

- it must be able to produce “clear and convincing evidence” of compliance or non-compliance; and
- it must produce this evidence in a timely fashion.

In terms of arms control and disarmament, verification is often a highly legalistic process to determine whether States Parties to a treaty are in compliance with the provisions of that treaty. For certain arms control treaties, verification is undertaken by a specific named international verification body that has been established by the States Parties to that treaty, while for other agreements verification is undertaken by the states

themselves. Given the extremely serious potential consequences of a failure to discover covert cheating of certain arms control agreements or of delivering a “false positive” determination, verification bodies will often be given extensive powers and resources by the States Parties to those treaties. Sometimes these powers will extend, for instance, to undertaking intrusive on-site inspections or remote sensing with satellite technology.

The nature of the verification body and the intrusiveness of the verification permitted can vary considerably. Besides being dependent upon the treaty itself, it is often related to the nature of the arms system being controlled or prohibited and its importance to national and international security. In certain circumstances the verification body may undertake some but not all of the steps outlined by Dekker for a complete verification process.

Effective verification often requires the cooperation of the States Parties.¹¹ It is not likely that a verification process lacking cooperative elements will be particularly successful. For example, direct communication with a state under investigation and direct observation on the ground are essential elements of any verification regime (see Box 11.1 overleaf). Observation—which for instance is necessary to corroborate a governmental declaration—requires access to the state. Only a cooperative state is likely to allow access.¹² It has been noted by the International Atomic Energy Agency that the effectiveness of its verification regime to a large degree is dependent on the effectiveness of national systems of accountancy and control, and on the degree of cooperation afforded by those systems.¹³

To facilitate cooperation from States Parties, the verification regime itself needs to be objective, impartial and non-discriminatory. Indeed, freedom from the influence of other parties and autonomy in decision-making are key factors in providing a guarantee of trust, credibility and transparency in the working of the verification regime.¹⁴ To support a conclusion of non-compliance, data must be collected, audited and assessed in a principled and careful manner, preferably in a process where subjective determinations are kept to a minimum. Of course NGOs are potentially able to do this quite efficiently. However, there is a risk that, in certain cases, the “progressive” mandate of an NGO may compromise its credibility as a neutral verification body in the eyes of certain states. The danger of this is greater if the NGO has a strong campaigning or advocacy agenda running in parallel with its monitoring and verification activities (see Box 11.2 on page 230).

Box 11.1. What methods are usually employed to gather information?

One essential component of both monitoring and verification is data collection. Organizations that are attempting to monitor and verify compliance with international arms control and disarmament agreements need to be able to collect large amounts of raw data and in ways in which they can have confidence it is accurate. Several methods can be employed to collect data, including:

- observation—passive monitoring by humans or technical means of an area, site or activity of particular interest;
- on-site inspection—a visit, of limited duration, by an inspection team to an area, site or facility; and
- remote monitoring—monitoring of treaty-related objects or activities from a distance. Techniques include satellites, aircraft, electronic intelligence and seismic, hydroacoustic and infrasound monitoring.¹⁵

The list is by no means exhaustive. Other methods can be used. The rapid technical progress in information technology and expansion of the internet means that there are many opportunities to monitor and collect verification-relevant information. The World Wide Web is available for most NGOs, which should massively enhance their monitoring capacity. However, assuming that NGOs can perform effective monitoring because they have access to the internet may not be true. While the collection and collation of internet materials could constitute “monitoring”, the accuracy of such data is notoriously variable and therefore requires stringent sourcing, quality control and information audit procedures. John Carlson, a recognized authority on nuclear safeguards, has observed “media reporting and the internet ... contain large amounts of inaccurate, incomplete, biased, repetitive or even fabricated material. Even when reports in the media or the internet appear to provide useful information it is difficult to assess the information’s validity and origin”.¹⁶ And while following a situation from afar by compiling press reports or other documentation relating to a certain state behaviour can be defined as “monitoring”, such compilation can seldom, if ever, replace a human observer on the ground.

Monitoring is a somewhat wider concept. It can be described as “efforts to detect, identify and measure developments and activities of interest”.¹⁷ Monitoring is often used with the purpose of finding indications of certain behaviour. Importantly, monitoring does not need to focus on finding evidence that necessarily must match a legal standard. Neither does it need to focus on a certain suspicious occurrence or incident. Instead, monitoring efforts can focus on finding information that helps paint a picture of overall

government compliance, even though the information in itself does not have direct relevance to the question of whether a state has breached an international obligation. In addition, a monitoring mechanism can monitor states that are not parties to a certain agreement. Often, monitoring forms the first stage of the verification process (fact-finding).

Box 11.2. Differentiating advocacy from monitoring

In 1999, the Cambodian government appointed Global Witness, a London-based NGO, as an independent forestry monitor. Under the terms of its contract, it had the right to carry out independent field inspections in concessions, review production and export records and other data.¹⁸ In 2001, Global Witness published a report on the extent of illegal logging in Cambodia, allegedly without consulting with the Cambodian authorities. Later, advocacy by the organization for greater public scrutiny of forest concession plans led the Cambodian government to question whether the NGO had followed the terms of the agreement. Global Witness's contract was terminated.¹⁹ Verification services are now handled by a commercial company, *Société Générale de Surveillance* (SGS). As a result of its experience in Cambodia, Global Witness now has largely separated its campaign and advocacy activities from its monitoring functions and continues to bid on tenders for independent forestry monitors.²⁰

Although verification is primarily undertaken by inter-governmental organizations (IGOs) charged to do so under the specific treaty being verified, for certain issues, examples can be found of successful de facto civil society verification. For instance, in the human rights field, well-resourced and respected international organizations such as Human Rights Watch²¹ and Amnesty International²² operate stringent monitoring, review and assessment procedures that, using the above-mentioned definitions, fall very close to verification and are recognized as such by many in the international community.²³

Furthermore, although not the subject of this paper, it should be noted that there are examples of profit-driven verification companies operating outside the governmental sector. For instance, the SGS is a multinational inspection, verification, testing and certification company with some 43,000 employees and about 1,000 offices and laboratories around the world. The company was founded in 1878 as a French shipment inspection house. Today, the company provides services relevant to verification in

areas such as agriculture, consumer testing, environment, trade assurances, industry, life sciences, minerals and oil, gas and chemicals. These services include inspection, testing and certification.

However, when it comes to arms control and disarmament, research indicates that NGO activities largely fall into the monitoring category. It is difficult to find examples of non-governmental organizations that carry out formal verification, something corroborated by a recent study by the Canadian Centre for Treaty Compliance.²⁴

DIFFERING APPROACHES TO NGO MONITORING AND VERIFICATION

In a previous Verification Research, Training and Information Centre (VERTIC) study²⁵ of NGO monitoring of international agreements, the authors, Meier and Tanner, divided NGO interaction with the official treaty verification regime into three parts:

- official interaction—as part of a formal international verification mechanism;
- quasi-official interaction—loosely linked to official mechanisms; and
- informal interaction—outside of official verification mechanisms.

Such sub-divisions are by their nature imprecise and fluid. An unofficial monitoring process over time can acquire enough prestige and respect to become used by states, relevant IGOs and treaty-implementation mechanisms as a semi-official monitoring process. However, with such caveats aside, the categories are useful in helping to describe the possible roles that NGOs presently play and can play in future monitoring of arms control and disarmament agreements.

OFFICIAL NGO INVOLVEMENT IN MONITORING INTERNATIONAL AGREEMENTS

In a number of issue areas, such as the environment, NGOs have been able to establish formal links with the international treaty organizations that carry out official verification, or take part in aspects of such verification

themselves. However, such relationships are rare in the field of arms control and disarmament where the extent of NGO input into the official monitoring process is often restricted to the delivery of statements at meetings of State Parties. Examples of such NGO reporting can be seen at the Review Conferences of the UN Programme of Action on Small Arms and Light Weapons, the Biological and Toxin Weapons Convention and the Nuclear Non-Proliferation Treaty. Although NGOs are often allotted several hours or more to deliver their reports, the utility of this as a tool for feeding into monitoring processes is limited at best. An NGO may be able to highlight individual compliance concerns but is rarely given time to give an in depth overview required for comprehensive monitoring reporting. Furthermore the attention and weight given by states to NGO statements at such conferences can vary considerably.

Although formal agreements between an NGO and the relevant international treaty organization in the arms control and disarmament field are rare, there is precedence for such interaction. The Stockholm International Peace Research Institute (SIPRI) and the Preparatory Commission for the Organization for the Prohibition of Chemical Weapons (OPCW) exchanged letters establishing rules for sharing unclassified information. The exchange of letters was repeated after the Chemical Weapons Convention entered into force in 1997.²⁶

More developed formal interaction between IGOs, states and NGOs has taken place with regard to issue areas impinging upon arms control and disarmament. An example of this is the so-called Kimberley process.

The Kimberley Process

Global Witness is one of several NGOs that conduct technical monitoring and verification in respect to “conflict diamonds”.²⁷ Monitoring activities are conducted under the Kimberley Process Certification Scheme. This is a joint agreement involving governments, the international diamond industry and civil society actors to stem the flow of diamonds sold in order fund international armed conflict and civil war.²⁸ The Certification Scheme has enjoyed strong support from the UN Security Council.²⁹ The accord is a political agreement. It is not binding as a matter of international law. Under the scheme, each country must certify all rough diamond exports as conflict-free and must only allow rough diamond imports from other participating countries that are certified as conflict-free.³⁰ The initiative

centres on trade controls and minimum certification standards.³¹ Some of the diamond trade associations have developed checklists outlining actions that members should take to implement self-regulation. As of November 2005, 69 participating states had passed relevant legislation.³² One important component of the system is the *Kimberley Process Certificate* issued by designated authorities in exporting countries. This is a forgery-resistant document, which identifies a shipment of rough diamonds as complying with the requirements of the Certification Scheme.³³

How does Kimberley Process monitoring and verification work in practice? Participating states submit annual reports on the implementation of the certification scheme to a working group on monitoring, of which Global Witness is a member.³⁴ This group determines whether the report provides adequate information on the implementation of the scheme and whether the information contained in the report raises any significant issues that may require follow-up by the working group or the wider Kimberley Process. The working group follows an agreed methodology. The national report forms the basis of the evaluation. Each member of the working group then assesses the report by filling out an agreed “standard matrix”. The chair of the working group collates the individual assessments into a “consolidated matrix”. The working group may, based on the consolidated matrix, ask the state to clarify aspects of its initial report (almost all participants receive such requests for clarification).³⁵

The annual reports, together with the clarifications, are collated into a summary assessment. In this assessment, the working group may note that further clarification would be useful. It also notes where clarification questions have been adequately answered.³⁶

The process is supplemented by “review visits”. These visits are voluntary and are carried out with the agreement of the host state. Visits are to be carried out in an “analytical, expert and impartial manner”.³⁷ The purpose of the visit is not to gather information relating to compliance or non-compliance, but rather to focus on “helping participants meet the requirements of the scheme, while identifying weaknesses where they exist and ensuring that serious compliance issues are taken up by the Kimberley Process as appropriate.”³⁸ The process has been characterized by transparent behaviour, with no reported cases of participants having “sought to hide or falsify implementation practices or documentation”.³⁹ The self-assessment of the working group on monitoring suggests that the

process has been able to live up to the requirement of objectivity and impartiality.⁴⁰

QUASI-OFFICIAL NGO INVOLVEMENT IN MONITORING INTERNATIONAL AGREEMENTS

Landmine Monitor

The International Campaign to Ban Landmines (ICBL) established Landmine Monitor⁴¹ in June 1998. Landmine Monitor's mission is to monitor and report on implementation of and compliance with the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines (APMs) and their Destruction (also known as the Ottawa Convention). It is the first attempt to create a systematic and global non-governmental monitoring network for APMs.⁴² While Landmine Monitor has no official status under the treaty, nor is it formally recognized by the treaty implementation bodies, it does work closely with governments and is funded in large part by them.

Landmine Monitor is a comprehensive, annual publication often numbering more than 1,000 pages. Its reports cover every aspect of treaty implementation and compliance. It also presents information on the anti-personnel mine problems and policies in all countries, including non-states parties, as well as thematic issues. It is normally tabled at the annual conference of States Parties to the Mine Ban Treaty, the first report being presented to the First Meeting of State Parties in Mozambique, in May 1999.⁴³ Its findings carry considerable weight. Alleged State Party violators are named, as are signatories that have violated the spirit of the agreement, and unusually non-state parties that would be in violation had they signed the treaty. In September 2001, at the Third Conference of States Parties, Landmine Monitor accused one State Party, Uganda, along with six signatories (Angola, Burundi, Eritrea, Ethiopia, Rwanda and Sudan) of having used APMs.⁴⁴ More recently, in 2005 it accused several non-party states—specifically Georgia, Myanmar, Nepal and Russia—of using APMs.⁴⁵

Although Landmine Monitor does not claim that it is a formal monitoring mechanism or a technical verification regime,⁴⁶ it has gained such respect and trust through the quality of its research and analysis that it has become the de facto monitoring mechanism for the Mine Ban Convention. ICBL,

Human Rights Watch and the other key organizations producing the Monitor have sought to ensure the quality of the research through the careful choice of contributing researchers and organizations, stringent fact checking and review processes and a standardization of research methodology—which is detailed in Landmine Monitor’s research manual.⁴⁷ The manual is designed to address questions related to, among other things, relevant research standards, key terminology and research coordination.⁴⁸ Even a brief review of the manual suggests that the Landmine Monitor team employs sound research methods. For example, the researchers should pursue at least three independent sources for each fact. The researchers are encouraged to doubt the reliability of the sources and to maintain an open mindset during fact collection. During fieldwork, the researchers are requested to be completely transparent with the examined state in regards to the purpose of the fact collection. If one fact cannot be solidly confirmed, the researchers must appraise the reliability of their source.

Important sources of information include interviews with government officials, the local population, community-based organizations, refugees, mine survivors, humanitarian aid organizations (including security personnel), church groups, ex-soldiers and journalists. The researchers are also encouraged to use a wide range of public documents, seeking out primary sources wherever possible. These include materials from the UN Mine Action Service, and agencies such as the United Nations Children’s Fund, the UN Development Programme, the UN High Commissioner for Refugees and the UN Department for Disarmament Affairs, as well as regional organizations and governments (e.g. Ottawa Convention article seven reports). Data is also collected and collated from bodies such as the International Committee of the Red Cross, non-governmental demining organizations, commercial demining companies and national mine action centres.

Despite the potential weaknesses sometimes inherent in a system which incorporates the collection and analysis of open source material, Landmine Monitor has over the years succeeded in collecting a large amount of information on state compliance with the Mine Ban Convention.⁴⁹ While this inevitably remains an imperfect monitoring system in some respects, it is certainly preferable to the absence of any system and has had an important impact on the Convention’s implementation.

INFORMAL NGO INVOLVEMENT IN MONITORING INTERNATIONAL AGREEMENTS

Most NGO monitoring of international arms control and disarmament agreements is completely outside the formal verification system of the treaty (if indeed the treaty has one at all). Such independent monitoring processes are often based upon the systematic collection and evaluation of open source information.

Examples of NGOs providing regular and comprehensive information on treaty compliance include the SIPRI Yearbook, and the CBW Conventions Bulletin produced by the Harvard Sussex Program on Chemical and Biological Weapons.

There are certain processes that, although currently informal, may in time grow to become quasi-formal as states grow to trust them and make greater use of the results obtained. A good example of a relatively new civil society monitoring process that has gained considerable respect from states is the Red Book produced by the Biting the Bullet project.

The Red Book

The illicit trafficking, proliferation and misuse of small arms and light weapons (SALW) is associated with enormous numbers of deaths and injuries worldwide. There are an estimated 300,000 people killed by SALW every year and over one million injured by these weapons.⁵⁰ There are an estimated 600 million or more SALW in existence today.⁵¹ They are legally traded for use by government armed forces, police and civilians under licence. However, some of these state-sanctioned small arms transfers have been to military, security or police forces that have used such weapons for human rights violations or breaches of international humanitarian law. SALW have also fallen into the hands of criminals, terrorists and warlords, though diversion from the legal trade, theft from legal stores or through illicit manufacture.

In July 2001, a UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects was agreed by the international community.⁵² The Programme of Action (PoA), although politically binding and not a legal treaty, is the most comprehensive international instrument that relates to controlling SALW.⁵³

The PoA sets out a range of minimum standards, commitments and measures to be taken by states in areas such as the import, export and transit of SALW, the enforcement of UN Security Council embargoes, the regulation of arms brokering activities, stockpile management and the marking and tracing of SALW. It also contains references to issues such as the disarmament, demobilization and reintegration (DDR) of ex-combatants, and the impact of small arms on development. However, although the PoA also contains a range of commitments relating to information exchange and transparency, there has been little systematic implementation of these commitments, with the levels of such information exchange and transparency varying across SALW issues. The only substantial global information exchange that has so far taken place has been the production of national reports on PoA implementation produced for the Biennial Meetings of States (BMS) and the Review Conference. As of September 2006, 137 states had submitted at least one national report on PoA implementation to the UN Department of Disarmament Affairs (UN DDA). Electronic versions of many of these national reports are available from the UN DDA website.⁵⁴ However it should be noted that the scope and regularity of these reports have varied considerably.⁵⁵

UNIDIR, together with its research partners, has produced two detailed analyses of this reporting at the request of governments.⁵⁶ These examinations have determined that reporting has increased and improved overall, but that there remains significant scope for further improvement. While some states have used such reporting and the BMS process to share detailed information on systems and standards in place, and some have identified areas in which assistance is needed, overall the character of information exchange is still uneven, and the utility of information provided has varied.

In 2003, in an attempt to fill the monitoring gap, the Biting the Bullet (BtB) initiative—comprised of Bradford University, International Alert and Saferworld—together with the International Action Network on Small Arms (IANSA),⁵⁷ published the first comprehensive and detailed examination of progress toward implementing the PoA. This “Red Book” was followed by two similar, but more detailed publications, released in 2005 and 2006.

The 2006 Red Book, which built on the findings of its 2003 and 2005 predecessors, attempted to outline and assess progress toward implementation of the PoA at the local, national, regional and international

levels. It drew on a wide range of primary and secondary sources gathered from over 180 countries. The Red Book aimed to:

provide a resource for states, regional and international organisations, civil society groups, experts and citizens by: providing a broad, detailed and reliable empirical overview of progress towards implementing the PoA and associated national, regional and international commitments across all regions of the world since 2001 ... illustrating experiences and identifying and analysing lessons learned in each of the regions ...⁵⁸

The research was primarily conducted by a research team from Biting the Bullet in cooperation with over 100 members of IANSA and other experts from around the world. Project partner organizations and independent analysts were commissioned to research and provide the information used to prepare some national case studies and regional analyses. This was supplemented by further research, secondary data and the expertise of Biting the Bullet and IANSA members.⁵⁹

The authors explained that considerable efforts were taken to verify facts and assessments contained in the Red Book. Efforts were made to contact as many governments as possible to invite them to provide relevant information in addition to that provided in their periodic reports on PoA implementation to the UN.

However, the 2006 report (combined with the information published in the 2005 and 2003 Red Books) does not claim to provide a complete picture of implementation. The authors explain that there have been several factors that prevent this, apart from limited project resources.⁶⁰ These include:

- A lack of transparency in many countries, which made it difficult to conduct research on certain aspects of implementation. The authors state that in some cases verification of information was extremely problematic.
- The wide scope of the PoA, which provides significant opportunities for different interpretations of what constitutes implementation-focused action.
- Implementation of the PoA has been an ongoing process—the Biting the Bullet report was completed in May 2006 and by the time it was published in July 2006, a number of countries had produced updates in time for the 2006 Review Conference.

However, despite these qualifications, the Red Book series has been a very important contribution to the process of implementation of the PoA and a significant resource for governments, international organizations and civil society.

Another civil society process worthy of mention is that of the Bio-weapons Prevention Project (BWPP).⁶¹ The BWPP is a global civil society initiative established in 2002. It tracks governmental and other behaviour that is pertinent to compliance with international biological weapons treaties and other agreements, especially those that outlaw hostile use of biotechnology. Its role is particularly important given the lack of monitoring and verification provisions in the Biological and Toxin Weapons Convention (BTWC) and the subsequent failure of the international community to agree a Verification Protocol. The project works to reduce the threat of biological weapons by monitoring and reporting throughout the world. In this regard, BWPP supports and is supported by a global network of partners. By July 2006, BWPP had some 54 NGO partners that can contribute to the collection and compilation of open source information on BTWC implementation as well as on relevant industry and research developments.⁶² The BWPP promotes its research via an annual Bioweapons Report and a searchable online database, the Bioweapons Monitor. These, together with other ad hoc reports produced by the BWPP secretariat or its members, are available on the BWPP website.

ENHANCING THE QUALITY AND SCOPE OF FUTURE NGO MONITORING AND VERIFICATION OF ARMS CONTROL AND DISARMAMENT AGREEMENTS

Arms control and disarmament agreements are intimately connected with the defence and security of states. The tendency of many states has usually been to seek to limit the degree of intrusiveness of all forms of external monitoring or verification whether conducted by other states or IGOs, and most particularly when carried out by NGOs. However, as can be seen from the case studies in this chapter, comprehensive non-governmental monitoring and even de facto verification is possible in certain circumstances. At the heart of such initiatives has been the development of trust between the States Parties and the NGO community, which itself has followed from government recognition and confidence in the independence and expertise of the relevant NGOs.

There are certain steps that can be taken now to increase the effectiveness of unofficial NGO monitoring of arms control and disarmament treaties and to explore the greater use of such NGO-derived information by the relevant treaty regimes.

A previous VERTIC study⁶³ analysing non-governmental monitoring of international agreements across the environment and arms control arenas, noted that such NGO monitoring has been most effective when:

- NGOs coordinate their monitoring activities internationally;
- NGOs have good access to official declarations and other relevant information;
- there is a clear legal basis for interaction between official verification mechanisms and non-governmental actors or the official verification mechanisms provide a role for NGOs; and
- international organizations and States Parties are open to NGO contributions.

Building upon this study and the findings of VERTIC's current review, we believe that the following initiatives may prove fruitful avenues for enhancing the quality and scope of NGO monitoring of arms control and disarmament agreements:

SECURING A STABLE FINANCIAL BASE FOR NGO MONITORING AND VERIFICATION

One relatively simple measure that would do much to strengthen existing NGO monitoring and allow further development of such activities would be the establishment of a stable budgetary foundation for the relevant non-governmental organizations. Financial stability would allow NGOs to recruit, train and retain skilled professionals with relevant monitoring and verification knowledge and experience. Adequate and secure funding would potentially allow NGOs to support all the steps in the monitoring and verification process from information gathering, through fact checking and analysis of the raw research data, to undertaking a compliance determination—thereby ensuring stability and development of these procedures and the building up of long-term contacts with relevant government officials and civil society actors. States that have expressed support or appreciation for a certain NGO-driven monitoring mechanism should consider establishing monetary mechanisms to support this work.

Direct financial contributions by states can be viewed as potentially compromising to NGO impartiality, so stringent mechanisms need to be introduced to preserve NGO independence and objectivity. One possible solution could be the establishment of a multilateral fund that would channel funds from states, or other donors (such as charitable foundations), to specific NGO monitoring and verification processes for a certain treaty. The workings of such a fund would need to be fully transparent, ideally being made public in an annual report as well as being reported regularly to all the States Parties to the treaty.

FACILITATING NGO ACCESS TO RELEVANT STATE MONITORING EXPERTISE, TRAINING AND RESOURCES

International NGO monitoring activities such as Landmine Monitor and the Red Book rely, to varying degrees, on informal networks of local researchers to conduct primary research and fact collection. Arguably, this can lead to a certain degree of unevenness in the quality and quantity of the collected information and also potentially lead to possible bias and inconsistency in the consequent analysis and final report.⁶⁴ Greater NGO access to governmental or inter-governmental verification professionals—possibly seconded to the NGO—or through NGO attendance at national or international verification training centres may well improve the professionalism of the organization or network considerably. In certain circumstances it may be possible for national governments, regional organizations or international organizations to provide the NGO with access to verification and monitoring information, technology or other resources to facilitate research, for example limited use of satellite information. If such support is offered and accepted, mechanisms would need to be established to preserve the impartiality of the NGO and to verify the research data that arises from such governmental sources.

MECHANISMS TO ENSURE OBJECTIVITY AND RELIABILITY OF NGO MONITORING

NGOs must establish stringent operational control mechanisms to safeguard NGO objectivity and the impartiality of their monitoring processes.

In terms of the primary research and information collection and collation, NGOs need to ensure standardization of procedures, reinforced by training

of paid and unpaid researchers. Processes to ensure the veracity of information obtained should be instituted, ranging from basic fact checking, use of multiple sources, internal review processes and external peer review processes. Where practicable, NGOs should be transparent as to their research and editorial methodology, for example publishing their guidelines for field researchers, as in the case of Landmine Monitor.

Those NGOs engaged in advocacy and campaigning, as well as research, need to ensure that their monitoring and verification work is completely separated from their campaign activities (see Box 11.2).⁶⁵ This separation safeguards against the organization's advocacy agenda influencing or appearing to influence the conduct or results of its monitoring work. Such a separation may also encourage greater state cooperation in the organization's monitoring activities.

To combat allegations of partiality and inconsistency in monitoring of treaty implementation, NGOs should give consideration to undertaking comprehensive reviews of the activities of all state parties, not just the so-called "problem states". Comprehensive coverage may also lead to the uncovering of activities of concern previously unknown because research had not been concentrated on other states. The aim of universal geographical coverage may well not be feasible for a single NGO and may require the development of, or support from, a network of researchers and NGOs across the world. Landmine Monitor and the Red Book are two successful examples of this. If such a research network or coalition is established, the standardization of research methodologies and establishment of stringent review processes becomes even more important.

Ideally, an NGO treaty monitoring system should review the entirety of States Parties obligations under that treaty rather than be restricted to a narrow range of treaty articles. Such a process would also allow the information to be more readily utilized by relevant international treaty organizations and fed into the treaty review structure. However, as recently reported by the Canadian Centre for Treaty Compliance, explicit, systematic comparison with treaty requirements in an article-by-article fashion is rare.⁶⁶ If such universal coverage is not possible given limited resources or NGO mandate priorities, then it is important that the NGO be clear about which specific articles it does monitor and be consistent in monitoring these obligations over time.

DEVELOPING GREATER INTERACTION BETWEEN NGOS AND RELEVANT IGOs

While it is important that NGOs and international organizations maintain their autonomy and focus on their relative strengths, overall monitoring and verification of treaties may well be strengthened if there is a greater interaction between the two communities. This could be facilitated by international organizations becoming more transparent to civil society, for instance by allowing NGOs greater access to data and information that international organizations have collected or have been provided with by states. The international organizations could also be more receptive to, and develop better channels for, NGOs to supply them with information.⁶⁷ For such interaction to be successful will require that NGOs maintain the highest standards of professionalism and integrity when researching, analysing and using information, respecting confidentiality and working with regard to the mandates of the relevant IGOs. Depending on the mandate of the international organization, it may be possible to establish clearer rules for interaction between NGOs and the IGO. In some situations it may be possible to formalize these arrangements in agreements detailing the rights and obligations of both sides.

FACILITATING GREATER NGO ACCESS TO STATE TERRITORY AND ACTIVITIES

While some progress has been made to improve contact and build relationships among governments and NGOs, there still are a number of societies—particularly in the developing world—that remain suspicious of NGOs and oppose their involvement in treaty monitoring. In particular, they oppose NGO monitoring activities on their territories. It is therefore important for those NGOs carrying out such monitoring activities to develop a common understanding with the state whose territory or activities they intend to monitor. Misunderstandings between the NGO and the state on the nature and scope of the monitoring and the use to which the information will be put can lead to a breakdown in relations. In the worst-case scenario, misunderstandings can lead to open disagreement between the NGO and the state, resulting in the state restricting or interfering with NGO activities, even detaining NGO members and ejecting and banning the NGO from its territory.

Such situations can be avoided, or at least ameliorated, through greater transparency and clarity of intentions and processes from both sides. One possible mechanism to aid such clarity is by the exchange of “memoranda of understanding” between the NGO and the state. Such documents create an informal or formal foundation on which the subsequent activities of the NGO can rest. The memoranda can also establish legally binding rights and obligations for the NGO and the state respectively.

ENHANCING AND FORMALIZING NGO INVOLVEMENT IN OFFICIAL MONITORING AND VERIFICATION PROCESSES

In the longer term for certain treaties, particularly those lacking adequate monitoring or verification systems, the international community should give consideration to developing a role for specific NGO monitoring activities, allowing them to feed into the existing formal treaty review processes.⁶⁸ The extent of such NGO involvement would be dependent on a range of factors, including:

- the defence and security implications of the weapons system under consideration;
- the specific nature of the control regime, for instance whether the particular weapons system is prohibited, such as with anti-personnel landmines;
- the extent and effectiveness of existing IGO monitoring and verification regimes;
- the relationship and degree of trust between States Parties and the NGO community; and
- The level of NGO expertise on how to verify states’ compliance with the norm in question.

Such a formalization of the relationships between NGOs and States Parties and IGOs would have potential benefits for all the actors and could do much to strengthen existing monitoring and verification processes.

For IGOs, the greater formalization of relations with NGOs could well strengthen and lead to the further development of existing fruitful partnerships. Given the mandate constraints that a number of IGOs face, such formalization may allow IGOs greater freedom to allot resources and personnel to joint monitoring operations with the NGO. Such formalization may also allow the IGO to use the information provided by the NGO as the

basis for further verification activities, increasing the likelihood that the IGO would detect breaches of compliance.

For NGOs, their involvement in the formal process would give their organizations and their research findings increased legitimacy and credibility among States Parties—potentially leading to NGO-highlighted breaches of compliance being more readily acted upon by states. Furthermore, NGO involvement in a formalized treaty monitoring process may lead to NGOs being accorded greater cooperation by all States Parties, for instance with regard to access to relevant sites, facilities and individuals. In time, this could in turn lead to a more official granting of rights and powers to the NGO.

For states, as well as benefiting from potentially more efficient and effective treaty monitoring and verification processes, a formalization of NGO involvement in treaty monitoring would mean that such NGO activities would be clearly defined and their limits established. The activities of such NGOs would become more predictable for the state, and concerns about national security should be consequently reduced.

The development of such formalized mechanisms would likely be a step-wise process, as trust is built between the various actors and the benefits for all are recognized. However, in the present political climate, it is admittedly difficult to envision a world where states would agree to surrender to non-governmental organizations, even to a limited degree, any of the sovereignty that they extend to intergovernmental organizations. Indeed today there are even difficulties in preserving the existing international verification organizations and ensuring that they are properly resourced, allowed to operate without restrictions and that their findings and recommendations are respected and acted upon by the international community.

FINAL THOUGHTS

Traditionally, when multilateral policy makers in arms control and disarmament have focused on verification of international agreements, they have framed these undertakings in terms of formalized international regimes and institutions. Verification efforts by the International Atomic Energy Agency, the Organisation for the Prohibition of Chemical Weapons

and the work of UN Security Council mandated verification commissions in Iraq are diverse examples of these kinds of approaches. Meanwhile, civil society involvement in comprehensive monitoring of international arms control and disarmament regimes is a relatively recent phenomenon and with a range of ramifications that have still to be fully considered by multilateral policy makers.

Such NGO activity is not specific to arms control and disarmament, but appears to be reflective of broader trends in civil society efforts to influence international behaviour including in human rights, international humanitarian law and the environment. Some of these NGO initiatives have been innovative, flexible and effective, strengthening the relevant control regimes to the benefit of all. Other examples have not been so successful, possibly due to a lack of NGO resources or relevant expertise, or because cooperation was not forthcoming from the governmental community.

In this chapter, we do not argue that NGO monitoring activities are a solution that can always substitute well for official monitoring and verification. However, we do believe that NGO engagement with, contribution to and involvement in official processes should be given greater consideration by policy makers. For, in the appropriate circumstances, such NGO activities can add value to existing monitoring or verification regimes, as in the case of the Kimberley Process, or help to fill a monitoring gap, as in the case of ICBL's Landmine Monitor.

This chapter aims to encourage multilateral policy makers' to think about new ways in which they can encourage, facilitate and benefit from appropriate NGO involvement in the monitoring and verification of arms control and disarmament agreements. It may be by sharing experience on effective methodology, or by discussing functional arms control areas where NGO monitoring could be practical and politically acceptable. Policy makers could also think about ways to work in partnership with NGOs, as appropriate. Indeed, NGOs may have roles to play that are more flexible, innovative, cheaper and perhaps even more effective than governments can achieve themselves.

Notes

- ¹ See, for instance, Dieter Deiseroth, "Societal Verification: Wave of the Future?", in Trevor Findlay (ed.), *Verification Yearbook 2000*, VERTIC, 2000, p. 278.
- ² See Commission on Global Governance, *Our Global Neighbourhood: Report of the Commission on Global Governance*, Oxford University Press, 1995.
- ³ See "The Growth in the Number of NGOs in Consultative Status with the Economic and Social Council of the United Nations", <www.staff.city.ac.uk/p.willetts/NGOS/NGO-GRPH.HTM>.
- ⁴ See, for example, Elin Enge and Runnar Malkenes, "Non-Governmental Organisations at UNCED: Another Successful Failure?", in Helge Ole Bergesen and Georg Parmann (eds), *Green Globe Yearbook of International Co-operation on Environment and Development*, Oxford University Press, 1993, pp. 25–35; Cathleen Fisher, *Reformation and Resistance: Nongovernmental Organizations and the Future of Nuclear Weapons*, The Henry L. Stimson Center, Stimson Center Report no. 29, 1999; Margaret Keck and Kathryn Sikkink, *Activists Beyond Borders: Advocacy Networks in International Politics*, Cornell University Press, 1998; and Philippe Sands, "International Law, the Practitioner and Non-State Actors", in Michael Anderson (ed.), *The International Lawyer as Practitioner*, British Institute of International Comparative Law, 1998.
- ⁵ For details of the Control Arms Campaign, see <www.controlarms.org>.
- ⁶ Serge Sur, "General Considerations on Verification", in Serge Sur (ed.), *Verification of Current Disarmament and Arms Limitation Agreements: Ways, Means and Practices*, Dartmouth Publishing Company, 1991, p. 13.
- ⁷ UN General Assembly, *Verification in All its Aspects, Including the Role of the United Nations in the Field of Verification, Report of the Secretary-General*, document A/50/377, 22 September 1995, para. 15.
- ⁸ Guidio Den Dekker, *The Law of Arms Control: International Supervision and Enforcement*, Martinus Nijhoff Publishers, 2001, p. 105.
- ⁹ UN General Assembly, *Special Report of the Disarmament Commission to the General Assembly at its Third Special Session Devoted to Disarmament*, document A/S-15/3, 28 May 1988, para. 60.

- ¹⁰ UN General Assembly, *Verification in All its Aspects, Including the Role of the United Nations in the Field of Verification*, document A/RES/59/60, 16 December 2004, p. 2.
- ¹¹ Allan Krass, *Verification: How Much is Enough?*, Taylor and Francis, 1985, p. 254.
- ¹² Ibid.
- ¹³ International Atomic Energy Agency, *The Safeguards Implementation Report for 2004: Report by the Director-General*, document GOV/2005/32, 13 May 2005, p. 12, para. 50.
- ¹⁴ VERIFOR, *Minutes of the Experts' Meeting on Verification in the Forest Sector*, 27–28 April 2006, pp. 7–8, <www.verifor.org/meetings/Meeting%20Report.pdf>.
- ¹⁵ UN General Assembly, *Verification in All its Aspects, Including the Role of the United Nations in the Field of Verification, Report of the Secretary-General*, document A/50/377, 22 September 1995, pp. 125–126, 128.
- ¹⁶ Annette Berriman, Russell Leslie and John Carlson, *Information Analysis for IAEA Safeguards*, Australian Safeguards and Non-Proliferation Office, 2004, p. 4.
- ¹⁷ Guidio Den Dekker, *The Law of Arms Control: International Supervision and Enforcement*, Martinus Nijhoff Publishers, 2001, p. 102.
- ¹⁸ Arnoldo Contreras-Hermosilla, *Law Compliance in the Forestry Sector: An Overview*, SNV Report, 10 August 2001, p. 31, <www.illegal-logging.info/textonly/papers/law_and_compliance.pdf>.
- ¹⁹ US Department of State, “Cambodia’s Termination of Forest Monitoring by Global Witness”, press statement, 25 April 2003, <www.state.gov/r/pa/prs/ps/2003/19958.htm>.
- ²⁰ Discussion with David Young, head of IFM (Independent Forestry Monitoring), Global Witness, 27 April 2006.
- ²¹ <www.hrw.org>
- ²² <www.amnesty.org>
- ²³ Human Rights Watch often relies on interviews with victims or key officials. Testimonies are corroborated with a range of other evidence collected by Human Rights Watch. For an example of Human Rights Watch methodology, see, for instance, Human Rights Watch, “No Exit: Human Rights Abuses Inside the MKO Camps”, p. 3, <www.hrw.org/backgrounder/mena/iran0505/iran0505.pdf>.

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- ²⁴ See Richard Bruneau, *Unofficial Monitoring of Compliance with Arms Control Treaties: A Survey*, Canadian Centre for Treaty Compliance, Compliance Chronicles no. 2, 2006.
- ²⁵ Oliver Meier and Clare Tenner, "Non-governmental Monitoring of International Agreements", in Trevor Findlay and Oliver Meier (eds), *Verification Yearbook 2001*, VERTIC, 2001, pp. 206–227.
- ²⁶ *Ibid*, p. 210.
- ²⁷ For an interesting account of Global Witness and the government of Canada's role in stemming the flow of conflict diamonds, see Kim Richard Nossal, "Smarter, Sharper, Stronger? UN Sanctions and Conflict Diamonds in Angola", in Andrew Fenton Cooper et. al. (eds), *Enhancing Global Governance: Towards a New Diplomacy*, United Nations University Press, 2002, pp. 248–267.
- ²⁸ See <www.kimberleyprocess.com>.
- ²⁹ UN Security Council, "Security Council Expresses Strong Support for 'Kimberly Process', Aimed at Halting Illicit Diamond Trade Used to Fuel Conflicts: Resolution 1459 (2003) Adopted Unanimously", document SC/7648, 28 January 2003.
- ³⁰ Global Witness, *Making it Work: Why the Kimberley Process Must Do More to Stop Conflict Diamonds*, 2005, p. 6.
- ³¹ Halina Ward, *Legal Issues in Corporate Citizenship*, International Institute for Environment and Development, 2003, <www.sweden.gov.se/content/1/c6/02/39/81/3ce0b609.pdf>.
- ³² Global Witness, *Making it Work: Why the Kimberley Process Must Do More to Stop Conflict Diamonds*, 2005, p. 1.
- ³³ "Kimberley Process Certificate means a forgery resistant document with a particular format which identifies a shipment of rough diamonds as being in compliance with the requirements of the Certification Scheme". Taken from "Kimberly Process Certification Scheme", <www.kimberleyprocess.com:8080/site/?name=kpcs>, section I.
- ³⁴ The Kimberley Process Working Group on Monitoring is composed of the governments of Canada, the Central African Republic, the European Community, India, Israel, the People's Republic of China, the Russian Federation, South Africa, the United States; the World Diamond Council (WDC) and organizations representing civil society (Global Witness and Partnership Africa Canada), and is chaired by the European Community. See Report to the Moscow Plenary Meeting of the Kimberley Process, <www.kimberleyprocess.com:8080/site/www_docs/working_groups4/monitoring_wg-report_to_plenary-final_as_sent_to_chair-11-_05.pdf>.

- ³⁵ Kimberley Process Working Group on Monitoring, *Annual Report 2004 Consolidated*, 2006, p. 5, <www.kimberleyprocess.com:8080/site/?name=documents>.
- ³⁶ *Ibid.*, p. 6.
- ³⁷ Kimberley Process Working Group on Monitoring, *Review KPCS: Response Working Group on Monitoring*, 2006, p. 16, <www.kimberleyprocess.com:8080/site/?name=documents>.
- ³⁸ *Ibid.*, p. 13.
- ³⁹ *Ibid.*, p. 14.
- ⁴⁰ *Ibid.*, p. 16.
- ⁴¹ The Landmine Monitor Report website is at <www.icbl.org/lm/>. For background and discussion about the activities of the Monitor, see Mary Wareham, "The Role of Landmine Monitor in Promoting and Monitoring Compliance with the 1997 Anti-Personnel Mine Ban Convention", in John Borrie and Vanessa Martin Randin (eds), *Disarmament as Humanitarian Action: From Perspective to Practice*, UNIDIR, 2006, pp. 79, 84–86.
- ⁴² For further information on the "unofficial" verification system under the Ottawa Convention, see Angela Woodward, "Verifying the Ottawa Convention", in Trevor Findlay and Oliver Meier (eds), *Verification Yearbook 2001*, VERTIC, 2001, pp 106–108.
- ⁴³ Dieter Deiseroth, "Societal Verification: Wave of the Future?", in Trevor Findlay (ed.), *Verification Yearbook 2000*, VERTIC, 2000, p. 272.
- ⁴⁴ Oliver Meier and Clare Tenner, "Non-governmental Monitoring of International Agreements", in Trevor Findlay and Oliver Meier (eds), *Verification Yearbook 2001*, VERTIC, 2001.
- ⁴⁵ Landmine Monitor, *Landmine Monitor Report 2005*, Human Rights Watch, 2005.
- ⁴⁶ This formulation is repeated in all editions of Landmine Monitor. See for example Landmine Monitor, *Landmine Monitor Report 1999*, Human Rights Watch, 1999, p. 1.
- ⁴⁷ See <www.icbl.org/lm/research>.
- ⁴⁸ See <www.icbl.org/content/download/20150/387933/file/res_guide_2002.pdf>.
- ⁴⁹ Trevor Findlay, "Verification of the Ottawa Convention: Workable Hybrid or Fatal Compromise?", *Disarmament Forum*, vol. 1, no. 4, UNIDIR, 1999, p. 54.

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- ⁵⁰ See IANSA, *Gun violence: A Global Epidemic*, IANSA, factsheet, <<http://www.iansa.org/documents/2006/Gun-violence-a-global-epidemic.pdf>>.
- ⁵¹ UN Small Arms Review Conference website, <www.un.org/events/small_arms_2006/faq.html>.
- ⁵² *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects*, UN Document A/CONF.192/15, 9–20 July 2001.
- ⁵³ Another major international agreement that should also be considered is UN General Assembly, *Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the Convention against Trans-national Organised Crime*, document A/RES/55/255, 31 May 2001.
- ⁵⁴ See UN DDA pages recording “data and information provided by States on a voluntary basis, including national reports, on the implementation of the Programme of Action ...”, <<http://disarmament2.un.org/cab/salw-nationalreports-2004.htm>>.
- ⁵⁵ For comprehensive and up-to-date review and analysis of progress towards implementation of the Programme of Action in the lead-up to the June 2006 Review Conference, see briefings produced by *Biting the Bullet* (editions 2003, 2005 and 2006), <www.international-alert.org/our_work/themes/biting_the_bullet.php#briefings>.
- ⁵⁶ Elli Kytömäki and Valerie Yankey-Wayne, *Implementing the United Nations Programme of Action on Small Arms and Light Weapons: Analysis of the Reports Submitted by States*, UNIDIR, 2003; and Elli Kytömäki and Valerie Yankey-Wayne, *Five Years of Implementing the United Nations Programme of Action on Small Arms and Light Weapons: Regional Analysis of National Reports*, UNIDIR, 2006.
- ⁵⁷ The International Action Network on Small Arms is the global movement against gun violence—a network of more than 700 civil society organizations active in 100 countries. Members work to reduce the proliferation and misuse of small arms and light weapons through advocacy and campaigning, research, information, awareness raising and victim support. See <www.iansa.org>.
- ⁵⁸ *Biting the Bullet, Reviewing Action on Small Arms 2006: Assessing the First Five Years of the UN Programme of Action*, IANSA, 2006, p. 18, <www.international-alert.org/pdf/red_book_2006.pdf>.
- ⁵⁹ *Ibid.*, p. 21.
- ⁶⁰ *Ibid.*, p. 22.

- ⁶¹ For further details of current BWPP activities and reports, see <www.bwpp.org>.
- ⁶² Ibid.
- ⁶³ Oliver Meier and Clare Tenner, "Non-governmental Monitoring of International Agreements", in Trevor Findlay and Oliver Meier (eds), *Verification Yearbook 2001*, VERTIC, 2001, pp. 206–227.
- ⁶⁴ Interview with Alun Howard, Policy Officer, IANSA, 17 March 2006. This unevenness is often countered by research guides (such as the one published by Landmine Monitor) or through an extensive peer-review process.
- ⁶⁵ Interview with Kimberley Process Certification Scheme personnel from Global Witness, 8 March 2006.
- ⁶⁶ Richard Bruneau, *Unofficial Monitoring of Compliance with Arms Control Treaties: A Survey*, Canadian Centre for Treaty Compliance, Compliance Chronicles no. 2, 2006.
- ⁶⁷ Such increased transparency- and substance-related changes to IGO working practices may have to be agreed or endorsed by the States Parties at a Review Conference or through some other mechanism of the treaty.
- ⁶⁸ There are a number of examples of successful formal NGO participation in treaty implementation and verification procedures, particularly in the environmental sector, such as the 1973 *Convention on International Trade in Endangered Species* and the 1971 *Ramsar Convention on Wetlands*. See Oliver Meier and Clare Tenner, "Non-governmental Monitoring of International Agreements", in Trevor Findlay and Oliver Meier (eds), *Verification Yearbook 2001*, VERTIC, 2001.