



**Statement by
Dr Trevor Findlay, Executive Director
Verification Research, Training and Information Centre (VERTIC)
to the Fourth Meeting of States Parties to the Ottawa Convention
Geneva, Switzerland**

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Thank you Mr Chairman,

VERTIC is pleased to be able to take the floor today to introduce its draft Guide to Fact-Finding Missions under the Ottawa Convention.

VERTIC has produced the Guide as a contribution to states parties' discussions on ways and means of facilitating compliance under Article 8.

Given the degree of goodwill towards the Ottawa Convention and the cooperative nature of the landmine ban regime, we are confident that the dispatch of a fact-finding mission will be a rare event.

A fact-finding mission is, in our view, unlikely to be dispatched in cases of minor, technical or procedural non-compliance, in cases where deadlines are missed, or where states parties demonstrate good faith and seek assistance in meeting their obligations.

In our view a fact-finding mission is only likely to become necessary where there are substantiated, credible allegations of significant and deliberate non-compliance. Even some of these cases will be resolved through the various mechanisms that the treaty recommends prior to a fact-finding mission being considered.

Nonetheless we believe that it is important that fact-finding not become a dead letter of the treaty and that both the depositary and states parties undertake some basic preparations for the conduct of such missions. There are several reasons for this. First, in making such preparations, states parties will demonstrate their commitment to the implementation of all aspects of the Ottawa Convention. Second, such preparations will act as a confidence-building measure, reassuring other states parties that a fact-finding mission would be received in a spirit of cooperativeness and transparency. Third, making advance plans for receiving a fact-finding mission will serve to inform and alert government officials, industry and the general public about the existence and importance of the Ottawa Convention. Fourth, advance preparation and planning will make the conduct of an actual mission more effective and efficient and minimise the cost and duration of the mission. Finally, advance planning and preparation for fact-finding missions by both the depositary and states parties will give the compliance mechanisms of the Ottawa Convention more credibility. VERTIC regards it as especially important

that the UN Secretary-General be given the authorisation and resources to seriously prepare for the UN's role in fact-finding missions under the Convention.

Advance preparations for receiving a fact-finding mission of course do not imply that a state party expects ever to receive one, or that it is likely to engage in non-compliant activity that would trigger such a mission. On the contrary, preparations are a signal of the seriousness with which a state party takes its obligations under the landmine ban treaty.

As to the content of VERTIC's guide, it first seeks to put fact-finding missions into the context of all the other measures available under Article 8 and to describe how and when an actual mission might be initiated. It then makes suggestions about how states parties may undertake planning and preparations, well in advance, for a possible fact-finding mission. It also suggests activities that might be undertaken once a fact-finding mission is actually authorised. Finally it outlines state party responsibilities towards a fact-finding mission once the team has arrived, in addition to the states parties equally important rights vis-à-vis the mission.

I would stress that the Guide at this stage is a work in progress. We have looked closely at the treaty provisions, at state party preparations to date and at precedents from other arms control, disarmament regimes and humanitarian regimes. While we have had the assistance of some states parties and non-governmental organisations in compiling the Guide, it represents the views of VERTIC only. It is not intended to be a consensus document, but simply one view of how fact-finding should be implemented. In presenting it as a draft at this stage we hope that many more of you will approach us with your views about its content. You may do so at this meeting or by contacting us afterwards, preferably by mid-October. Copies of the draft guide are available at the back of the room and further copies may be obtained from VERTIC. The document may also be accessed at www.vertic.org and www.gichd.ch.

Our intention is to finalise the guide by November and distribute it to states parties and the landmine community generally by the end of the year. We will formally present it at the next intersessional meeting.

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Thank you Mr Chairman.

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