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Group of Governmental Experts to consider the role of verification in advancing nuclear disarmament**Second session**

Geneva, 12-16 November 2018

Agenda item 5

Consideration of the role of verification in advancing nuclear disarmament, taking into account the report of the Secretary-General on the development and strengthening of practical and effective nuclear disarmament verification measures and on the importance of such measures in achieving and maintaining a world without nuclear weapons**GGE to Consider the Role of Verification in Advancing Nuclear Disarmament****Submitted by Mr. Vladimir Leontiev (Russian Federation)**

1. Russia is convinced that any attempt to develop “generic” verification mechanisms and tools dissociated from actual nuclear arms control and disarmament regimes would be counterproductive and finally harmful to further progress in this area. We are particularly troubled by requests to explore eventual ways to add new verification provisions to those that already exist in the area of non-proliferation, arms control and disarmament, for this would not only create unacceptable risk of collapse of well-tuned verification machineries, but could also endanger the entire system of international cooperation in these fields.
2. Verification is in no way a “means” to advance nuclear disarmament. A verification regime is nothing but a set of technical measures agreed and implemented by the parties to actual non-proliferation, arms control and disarmament agreements. Verification regimes have no separate existence. Therefore, developing technical instruments that are not linked to a concrete nuclear disarmament regime cannot have any practical value.
3. To address the issue of verification international community should first develop a realistic model of multilateral nuclear disarmament taking into account the totality of factors that could affect this process and involving all countries with military nuclear capacity. This approach is widely recognized. It is clearly reflected in disarmament-related documents adopted within the NPT review process. It is contained in the formula “in a way that promotes international peace and security and undiminished and increased security for all”. As long as this goal is not reached, it would be premature to focus on designing “tool boxes” for the purpose of eventual future treaties or on filling the unspecified “gaps in the current verification architecture” that does not exist.
4. Nuclear disarmament will necessarily be a gradual step-by-step process carried out in a way that promotes international stability, peace and security and based on the principle of undiminished and increased security for all. Actual steps conducive to reduction, limitation

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and ultimate elimination of nuclear weapons may include unilateral, bilateral, regional and multilateral measures, each of them requiring appropriate verification arrangements to be agreed by the participants.

5. It is noteworthy that there is a general rule of international law derived from the most basic of general principles of law: the treaties in their application bind only parties, a treaty does not create either obligation of rights for a third state without the parties' explicit consent.

6. Special verification arrangements may be developed for unilateral nuclear weapons reduction/elimination/disarmament measures in full agreement with the country carrying out these measures.

7. Verification is an important element of any effective arms control agreement that normally should include a set of appropriate provisions. As a rule, negotiators pay special attention to this particular aspect of their work.

8. Verification is guided by several basic principles:

- It should follow universally recognized norms of international law, first of all – non-interference into internal affairs of a State;
- Verification measures should correspond to scale and nature of the engagements contracted by the Parties;
- They should be reliable, realistic and economically sound.

9. As they negotiate verification provisions parties to a treaty chose and approve actual instruments from a tool-box that includes:

- National technical means operating from outside (satellites, radars, etc.);
- On-site inspections;
- On-site instrumental controls (including radiation detection equipment);
- Telemetry exchanges;
- Cooperation-based measures;
- Notifications;
- Exhibitions, technical and operational data exchanges;
- Etc.

10. Choice of actual tools is guided by both treaty requirements and practical experience resulting from previous verification activities. Different treaties require different verification mechanisms. There are no “one size fits all” solutions in this area. There are also no “mandatory essentials” imposed from the outside that parties should be obliged to include into their agreements.

11. Modalities for verification procedures should be elaborated by concerned parties and fixed in international treaties. No “best practices”, “principles” or “general rules” can substitute for full international legal regulation.

12. Parties may also agree on eventual “outreach” measures including, if they believe it necessary, release of specified information to outsiders. Nevertheless, most verification data by definition is not a shareware. It concerns information related to national security that is also highly proliferation-sensitive. That is why parties agree in advance on nature and amount of information they will exchange on the basis of reciprocity and establish appropriate confidentiality regime applicable to their activities under a treaty. Same approach should apply to eventual “outreach” dimension.

13. Under international law verification of a treaty implementation is an exclusive prerogative of its parties – unless they explicitly decide to extend this right to external actors. It is also important to follow the exact wording of the Article VI of the NPT that inserts verification into the context of general and universal disarmament carried out under strict international control. Pretending to extend this formula to a different kind of disarmament would go against the letter and the spirit of the NPT, that clearly links “control” – or

“verification” – in the area of nuclear disarmament to a corresponding treaty (with or without a capital “T”). Any attempts to break this link and to promote the idea of self-sufficiency of verification with regard to actual disarmament process are contrary to this fundamental arrangement that was officially recognized and approved by the Parties.

14. The NPT text does not contain any timeframe for the Article VI implementation and does not envisage verification for its implementation by the international community. The IAEA safeguards are the key element for control of the NPT fulfilment. The Treaty itself and the IAEA Charter explicitly determine modalities for safeguards implementation. It would be extremely counterproductive to try to extend these provisions to other issues, including nuclear disarmament verification, that are not provided for by the NPT and the IAEA Charter.

15. Any attempts to associate non-nuclear weapon States, NGOs and academic community to verification of practical steps in the area of nuclear arms control create strong risks of disclosing information on nuclear weapons technologies and composition. They may also put at risk nuclear weapons production and storage facilities by disclosing their locations, outlays and security arrangements. Obligations under the NPT Articles I and II of the NPT were specially designed as major safeguards against nuclear proliferation. It would be totally irresponsible to undermine these cornerstone elements that are the very heart of the Treaty.

16. This is one of the main reasons why Russia is strongly opposed to the idea of establishing a “Group of Scientific Experts on Nuclear Disarmament Verification” under whatever venue.

17. For Russia, the GGE is most of all a platform for exchanging views and explaining respective approaches and positions of both nuclear and non-nuclear weapons States, and to have such a discussion on official level. This is a point we would like to see in the final report. Taking into account visibly inflated expectations concerning nuclear disarmament, we believe it would also be useful to outline in the final report of the GGE actual restrictions and limitations applicable to this area.
