

## **Verification Options for Possible Palestinian-Israeli Peace Accord**

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### **Verification Principles**

In principle, the objective behind a verification system associated with a peace accord is to provide both parties with a certain level of confidence about whether or not the parties to the accord are complying with its terms. This is achieved by using a multi-layered system of mechanisms where each mechanism serves its own purpose but also works to reinforce the other methods.

Over time, verification procedures serve not only to ensure compliance with treaty provisions but, as they do so, they also serve to build confidence between the parties about the other parties' commitment and intentions, breaking down some of the barriers that have been built up through animosity and uncertainty about the other's capabilities and intentions, and thereby helping to reinforce the solidity of the accord itself.

In general, there is a direct relationship between the level of intrusiveness of verification procedures and the level of certainty about compliance – the more intrusive the measures the more certain one can be. Some compensation in this relationship can be made by using technology and other mechanisms to reduce the level of intrusiveness. Each party must decide on the balance between its desired risk level of certainty about compliance with the level of intrusiveness it is willing to accept.

The more detail that can be included in the terms of the treaty, or an annex to the treaty, the better. Including specific verification provisions in the treaty terms minimizes the possibility for misunderstanding, delay while details are negotiated after the treaty is signed, and even failure to implement the treaty if the two sides can't agree on the details of the terms the agreed on in principle in the treaty.

To the extent possible, this paper presents a maximum range of options for each issue area discussed, in order to allow for flexibility about the level of intrusiveness desired and the appropriate mechanism for each of the different issue areas.

### **I. International Treaties**

Probably, the Israeli-Palestinian treaty will include a commitment by Palestinians that they will sign on to the relevant international treaties when they achieve statehood. These treaties include: the Non-Proliferation Treaty, the Chemical Weapons Convention, the Biological Weapons Treaty and the Comprehensive Test Ban.

Each of these treaties involves commitments that may bring about international inspection of one kind or another of Palestinian bases and facilities. These commitments, therefore, once achieved, will supplement the specific provisions included in the peace treaty.

## **II. Overall Verification Structure**

Most verification systems share the same basic framework, which is shaped according to the needs of the specific agreements being verified. The basic elements include:

- information disclosure,
- verification of that information,
- use of observers to monitor the situation on an ongoing basis,
- ongoing information exchanges and monitoring
- the use of some kind of commission or liaison mechanism to oversee the process, deal with potential violations, and establish working procedures.

## **III. Demilitarization Issues**

### **Goal:**

The requirement in a demilitarization situation is to ensure that agreed troop levels are not exceeded, that troops are not engaging in prohibited activities, and that prohibited weapons are not in the demilitarized zone.

### **1. Overall process:**

- Information disclosure – both sides provide information as to the number and types of troops based in the designated area. This information is to be provided at a certain date and according to pre-arranged categories and definitions.
- Baseline inspections – within a specified time period after the information disclosure date (usually 30 days or some short time period to guard against circumvention), inspections are carried out to confirm the accuracy of the numbers provided in the initial disclosure.
- Ongoing information exchanges and inspection as outlined below.

### **2. Information Exchanges and Notifications**

#### **What kind of information?**

The more detailed the information provided, the higher the level of certainty about compliance. Information might include:

- the table of organization and equipment (TOE), which will include troop numbers and locations (i.e. by unit and their basing location) and their military equipment,

- a list of weapons and associated equipment in storage facilities and bases, listed by specific types (e.g. rifle type, ammunition, personnel carriers, jeeps etc.) and location,
- the annual military spending budget, ideally with the overall government budget as well (this helps cross reference the numbers – it allows the other party to have a sense of whether the numbers provided might be under or over-reported depending on the money being spent)
- at a high level of intrusiveness, the names of the personnel being declared will also be included - in conjunction with an open military personnel identification system this provides a high level of confidence.

In addition to the requirement for an initial (baseline) provision of information, the agreement should include a requirement for ongoing information exchanges.

**Regular information exchanges**, should occur at regular treaty-designated intervals, (i.e. every six months) using the same categories and requirements as the initial baseline information exchange, in order to keep the information base as current as possible.

In addition to information exchanges, some military activities should require advance notification.

**Advance notification of certain activities**, such as:

- -troop movements for troops numbering in excess of an agreed number, including information about which troops are being moved and where they are moving,
- -troop movements to certain areas or close to borders or border crossings,
- -major troop exercises – designate what number involved and type of exercise that requires notification,
- troop movements or activities involving certain types of weaponry,
- any other activities involving troops that may cause concern.

All or some of these activities could require inspection by the other party. Which activities require notification and inspection, and what form the inspection will take, is an issue to be decided by the parties.

### **3. Inspections – Baseline, Regular and Short-notice**

#### **Who?**

There are three options for the composition of the inspection teams.

- An inspection team composed of personnel from the other party to the treaty.

- A team of inspectors composed of representatives from both parties.
- A team of inspectors composed of representatives from both parties and a liaison officer from a third party.

#### **Associated treaty provisions:**

- The treaty should include provisions for choosing inspectors. This will include an agreement to provide overall lists of names to the joint commission (or the other party if there is no joint commission) in advance.
- Personnel for specific inspections will only be drawn from this overall list.
- Additional names and changes will be provided on an ongoing basis.
- The identities of the specific personnel to be included in a given inspection team for a given inspection should be provided within a designated time in advance of the inspection.
- The parties will have to decide what kind of say, if any, they want to have (and the other side to have) about who is on the lists.
- The treaty should also be specific about what kind of equipment the inspectors are permitted to bring with them on the inspection. (i.e. cameras, binoculars, video cameras etc.)

#### **Baseline Inspections**

The purpose of baseline inspections is to confirm the accuracy of the information provided in the initial information exchange after the signing of the treaty. This provides a “baseline” from which both sides then work.

Since baseline inspections are solely for the purpose of verifying the initial data, the inspections will take place only at the facilities in question and only at the beginning of the treaty’s implementation.

Some provisions can be made for limitations on how these inspections take place, in order to account for, if necessary, facilities where there may be legitimate inspection targets but also other legitimate equipment, personnel etc. that the party being inspected would prefer was not observed. Here, the subject of the inspection comes into play. If it is personnel levels that are being checked, this can be done with a minimum level of intrusiveness. On the other hand, if equipment and weapons are being checked, this requires greater intrusiveness.

In addition, the inspections should occur quite quickly after the data is provided (which itself should be provided as soon after the signing of the treaty as possible) and be completed within a very short time frame, in order to guard against the possibility of shifting personnel and equipment around.

#### **Regular Inspections**

Once the baseline inspections are completed, the two parties would move into a regime of regular inspections. These inspections are carried out at designated facilities and locations with a specific amount of advance notice (to be determined). Like baseline inspections, provisions can be made to allow for the protection of assets etc not covered by the treaty to be “off-limits” during an inspection.

A quota system can be established so that a specific number of these inspections are made each year. The goal is to monitor the maintenance of agreed personnel and weaponry levels and observe any declared changes or troop movements or exercises as specified in the treaty.

### **Short-notice Inspections**

The purpose of these inspections is to give each party the ability to pursue issues of concern. A short notice inspection is one that is announced and carried out within a short period of time (24 or 48 hours for example). The short notice guards against the other party making any major changes in anticipation of the inspection and gives the inspecting party an opportunity to check on the activity or problem while it is still ongoing.

Two options are available for the scope of short notice inspections, depending on the level of intrusiveness desired:

- short notice inspection anywhere,
- or short notice inspection at treaty-designated sites and locations only.

In order to avoid abuse of the system, an annual quota can be established (e.g. ten for each side).

The very fact that short-notice inspections can be used often adds to the confidence level of parties to a treaty even if they do not every exercise the option. The ability to use a short-notice inspection to pursue a potential problem or issue is a strong deterrent to a party considering a borderline or prohibited activity and means that issues which might otherwise become serious treaty-threatening problems can be resolved before they become major problems.

### **4. Ongoing On-site Monitoring**

With respect to demilitarized zones, ongoing monitoring facilitates the verification of personnel levels and activities, as well as weapons levels and types.

#### **Options:**

Depending on what the verification targets are there are a variety of methods and combination of methods available for this kind of monitoring that can be tailored to specific needs. Much does depend on the specific facilities and sites involved. Not every site, for example, lends itself to having limited entry/exit points.

- **Perimeter and Portal Monitoring**

- unmanned sensors can be used to monitor the perimeter of a base or of a specific facility
  - the basic principle is to ensure that there are only specified entry/exit points
    - the perimeter is monitored by sensors and the entry/exit points are monitored separately
  - entry/exit points can be monitored by video surveillance and other mechanical means (identity cards etc.)

- if equipment or weapons is an issue at the site in question, provisions can be made for a wide variety of accounting measures, such as:

- weighing vehicles entering and leaving the facility (a fairly non-intrusive measure – the vehicles do not have to be opened),
    - providing for a certain number of inspections of vehicle contents on demand,
    - or permitting full inspection access to all vehicles.

- **Observers**

- exit/entry points, and the entire facility or base can also be monitored by using observer teams

- the requirement for observers will likely depend on the size of the base or facility being monitored and the activity or equipment being monitored

- **Some combination** of observers and perimeter monitoring.

## **5. Tracking Military Personnel**

Keeping track of military personnel is facilitated by: information exchanges, inspections, ongoing surveillance, or any combination of these methods.

These methods can be supplemented by a system of identification cards for military personnel. These cards, a form of “smart” dog tags, would contain information about the identity of the carrier, including a picture, fingerprints and whatever other information might be desirable.

Inspectors could carry hand-held machines that could read the cards. Individuals without a card cannot claim to be military personnel (for example, this may have an impact if the individual is carrying a weapon only military personnel are permitted to handle).

In general, though, this kind of system facilitates keeping track of overall numbers, and provides inspectors with a “snapshot” of the number of people at a given facility at a given time. The information collected during a given inspection can be downloaded later and entered into the information database.

This is the kind of information that supports the larger picture developed by the combination of other methods used. When matched against information gathered from other sources, this kind of “snapshot” information helps to point out potential problems or anomalies.

## **6. Weapons Monitoring**

With respect to keep track of the number and types of weapons the options depend very much on the types of weapons involved.

In principle, the larger the weapon system, the easier the monitoring task, both because the weapon system is easier to see by a wide variety of observation methods and because there are likely to be fewer of them to track.

The verification choice depends on the limitation being monitored. If numbers are at issue and each party is required not to exceed specific levels, then tracking each and every weapon becomes important. For light weapons (e.g. rifles) tracking each weapon, is a daunting task, especially in societies where large numbers of civilian personnel own their own weapons. Still, there are possibilities for registration systems and storage monitoring.

For larger weapon systems, a system of tamper-proof electronic tagging is possible. This can be supplemented by an information system that requires each side to declare the number and location of the weapon systems. This information can then be monitored on an ongoing basis (perimeter portal monitoring or tagging), by inspection, and/or by non-intrusive measures such as aerial surveillance.

The primary method for ensuring the non-deployment of prohibited weapons is routine ongoing information monitoring, surveillance, observation and inspection, either through the provisions of the treaty or through national technical means of surveillance or both. As long as no prohibited weapons are found, the party is in compliance. Short-notice inspections play a particular role here as they give parties the ability of quick pursuit of possible violations.

## **7. Aerial Surveillance**

Aerial surveillance provides a relatively non-intrusive method of gathering a great deal of verification information. Aerial surveillance can be used, for example, to monitor military exercises, troop movements, troop numbers, equipment, and activities at bases and facilities. And, aerial surveillance does not require inspectors on the ground in order to be effective. The potential disadvantage is that much more than verification information might be gathered in the process.

One way of providing for aerial surveillance is a system of joint aerial surveillance along the model of the Open Skies treaty. In essence an open skies arrangement allows both parties a certain number of aerial inspections over each other’s territory each year. An

agreement would specify the required advance notice for a surveillance flight, the types of sensors and equipment that could be used, entry and exit points for the flight. Representatives of both parties (and a third party if desirable) would be present on all flights in addition to technical personnel.

The Open Skies Treaty is a detailed document with provisions for all of these technical issues and would be a very useful model for this kind of arrangement (the Open Skies treaty text can be found at [www.fas.org/nuke/control/os/index.html](http://www.fas.org/nuke/control/os/index.html)). Agreement on an open skies surveillance system could be included as an annex to any peace treaty.

### **III. Managing the Overall Process**

Any verification regime is well served by some form of central management organization which:

- monitors the process as a whole, keeping track of all the various activities and mechanisms;
- acts as a clearinghouse and database for the information flow of the verification regime;
- undertakes liaison activities
- acts as a central point for dealing with procedural decisions, process problems and treaty violations.

Options for this central management task, include:

- two separate liaison offices;
- liaison offices with a third party acting as the link;
- a joint commission chaired by a third party but made up of officials from both parties;
- a joint commission without a third party.

Liaison is an important element in any verification system. By its very existence, ongoing liaison provides yet another layer in the verification process. The more the parties are in contact with one another in a routine ongoing way, the more confidence there will be in the system as a whole.

### **Crisis management**

In addition to general liaison provisions, some form of crisis management mechanism should be included in the verification regime. This can take the form of:

- a hotline system between two key decision-makers, or the two liaison offices (if they exist). This gives leaders the possibility of defusing events in times of high crisis or when events are happening very quickly.



-use a joint commission or third party mechanism to deal with ongoing and crisis problems. The commission or third party could have a hotline system to both parties.

### **The Role of a Third Party**

The third party can be intimately involved in the process or act simply as an overseer of the other parties as they go about the process of verification (this role might best be described as monitoring the monitors).

The third party role can be permanent or can be phased out over time as the two parties gain confidence about the implementation of the treaty and get accustomed to working with one another.

#### **Advantages:**

- third party accompaniment in observation, inspection and patrol tasks guards against abuse of the system by either side;
- it provides a form of buffer for the two sides while they adjust to working and dealing with the other party on an ongoing basis;
- it provides the option of impartial judgment about problems, issues and violations. This avoids having small disputes escalate into larger, potentially damaging disputes;
- the use of the third party to monitor the monitors provides a less intrusive way of achieving the advantages of third party involvement.

#### **Options include:**

- third party role in joint commission, acting as chair;
- third party accompaniment of patrols, observation teams;
- third party observation of on-site monitoring (Sinai Field Mission model);
- third party involvement in aerial surveillance system;
- third party liaison offices for overall administration.

### **IV. Border Monitoring Options**

Border monitoring can be achieved using a combination of technological and human monitoring. Two basic options meet the requirements of minimum intrusiveness and maximum reassurance to the other party. The first option is based on the Sinai Field Mission model and involves a mix of buffer zones, separate surveillance stations, third party involvement and unmanned technological monitoring. This is less intrusive and less taxing on sovereignty than the second option. The second option involves joint monitoring with or without a third party. This option, however, may provide stronger reassurance to the monitoring party than the first, as the monitoring party will be able to see first-hand the level of professionalism and comprehensiveness being used.

## **Options**

- Sinai Field Mission/Multilateral Force Observers Model
  - buffer zones along border areas,
  - each party has a surveillance station at either end of a given area,
  - with third party observation of the surveillance stations
  - other watch stations are run by a third party,
  - supplemented by ground-based sensors, aerial surveillance every 7-10 days.
- Phased Out Joint Patrolling of Border Areas
  - joint patrols, involving both parties and a third party or just both parties
  - this system could be phased out over time, as parties gained confidence about the border system being professionally and adequately maintained
    - for example, joint patrols could occur for two years, then be phased out gradually, with a system of inspection to be used after joint patrolling came to an end
  - this could include joint manning of border points, or third party observation of one party manning the border points.

## **Air and Sea Ports**

A similar system to the border control system could be established at air and sea ports with either joint manning of the control points or joint manning under observation by a third party. Over time the joint manning could be phased out. In these instances, various technologies may also be useful, including unmanned sensors, video surveillance and perimeter/portal monitoring systems.

Like short-notice inspections, and the use of a joint commission and/or a third party, a time-limited joint patrolling system has the added benefit of offering a way to minimize potential crises, guard against crises escalating into confrontation, and increase the confidence of both parties in the process and in the ability of the inspected party to maintain the system in a professional manner.

Technology can play a role in minimizing intrusiveness in all of these options (see references below for specifics) but it can not replace the sense of certainty about compliance and professionalism in border monitoring that can be achieved through inspection and ongoing human monitoring.

## **V. Associated Issues**

### **Reciprocity**

The general practice in most verification situations is to carry out verification procedures on a reciprocal basis, regardless of the differing requirements of the two sides. This

principle is a product of the US-Soviet arms control negotiations and the determination, especially on the part of the Soviets, that all measures be applied equally to both sides. In other peace treaty situations, this principle has also been adopted either by acceptance of both sides to the principle or by the insistence of one of the parties.

Traditionally, by the time two parties are able to agree on a peace settlement, there is an accompanying political willingness to accept the measures required to verify it, on a reciprocal basis. During the negotiation process each party comes to a determination about the balance between the level of verification they are comfortable with within their own country, and the level of confidence they want about verification of the other party's commitments. Most unilateral verification provisions are associated with peace settlements that are imposed (not negotiated) on a party that has lost the conflict, such as is the case with the Security Council ceasefire provisions for Iraq.

The Israeli-Palestinian situation is unique in this sense. There is no reason, however, why any number of verification measures can not be undertaken on a unilateral basis, so long as the parties in question are in agreement as to the desirability of this option. The main reason a receiving party would accept unilateral verification provisions would be to provide a level of confidence to the verifying party as a gesture of its level of commitment to the peace process. Another possibility is to develop some form of "token" reciprocity whereby the inspecting party allows some limited form of inspection or monitoring, probably without military significance, on its own territory as a gesture of support for the process. And, presumably, there will be some aspects of the accord that the Palestinian delegation will have legitimate military objectives in implementing on a reciprocal or unilateral basis, such as prior notification of military maneuvers above a certain level of troops and within a certain distance from the border.

In a situation where reciprocity is not possible, the party accepting the burden of the verification provisions the level of intrusiveness The Palestinian delegation will need to determine what level of intrusiveness they are willing to accept in the shorter term in order to achieve the advantages of the accord in the medium term.

### **The Role of Technology**

A variety of equipment is available that can be used to enhance the verification process. In addition, it is possible, in certain circumstances, to use surveillance technology instead of human monitoring.

The best summary and starting point for descriptions of available technologies and their role in verification can be found at the Cooperative Monitoring Center, at the Sandia Laboratory in the United States. Their website is:

The Cooperative Monitoring Center home page:  
<http://www.cmc.sandia.gov/index.html>

For descriptions of the various technologies available and their roles:

<http://www.cmc.sandia.gov/tech/index.html>

## **Treaty Language Examples**

Provisions relating to demilitarized zones, military liaison, observation posts:

Israel-Egypt Peace Treaty 1979 <http://www.yale.edu/lawweb/avalon/isregypt.htm>

Separation of forces, demilitarized zones, third party involvement:

Sinai I, January 1974: [www.israel-mfa.gov.il/mfa/go.asp?MFAH00pw0](http://www.israel-mfa.gov.il/mfa/go.asp?MFAH00pw0)

Sinai II, September 1975:

Confidence-building measures, including prior notification of ground and air maneuvers:

Helsinki Final Act: <http://www.house.gov/csce/finalact.htm>

Hotlink and notification provisions:

Memorandum of Understanding Between the United States and the Soviet Union regarding the Establishment of a Direct Communications Link, 20 June 1963

Updated agreements, 29 April 1975, 17 July 1984

<http://www.fas.org/nuke/control/hotline/text/index.html>

Variety of OSCE agreements relating to confidence and security-building measures, information exchanges and prior notification measures:

<http://www.fas.org/nuke/control/osce/text/index.html>

Code of Conduct on Politico-Military Aspects of Security, including provisions for conflict prevention and resolution, respect for territorial integrity, sovereign equality and democratic control of armed forces:

<http://www.fas.org/nuke/control/osce/text/CODCONDE.htm>

Aerial surveillance: Open Skies Treaty

[www.fas.org/nuke/control/os/index.html](http://www.fas.org/nuke/control/os/index.html)