

inspection team, provided it spends no more than ten days within the inspected state.

Challenge inspections do not focus on a declared site or declared OOVs, but are intended to provide a means of checking for unnotified equipment or movements in other areas.

The duration of inspections varies with the type of inspection, as do the requirements for notification and responses. There are also limits on the number of simultaneous inspections a party is obliged to receive, and on the proportion of inspections a party is obliged to receive from any single party.

Inspection teams can be composed of up to nine inspectors. Multinational inspection teams are expressly permitted, though one country must be responsible for leading the team and, in the case of declared site and challenge inspections, the inspection is charged against the quota of one country.

Inspectors must designate in advance whether they will conduct the inspection on foot, by cross-country vehicle, by helicopter or by some combination of these. The inspected state is obliged to provide the helicopters for such inspections within certain specified parameters. Use of the inspecting state's cross-country vehicles is possible.

Only challenge inspections can be refused. Inspectors of declared sites have the right of access to all structures capable of holding TLE, except sensitive points from which they may be barred. However, in such cases there are obligations on the inspected state to demonstrate that the Treaty is not being violated. During their work, inspectors have the right to use a wide variety of their own equipment, including cameras.

At the end of an inspection, an inspection report is prepared by the inspecting team and signed by both the inspection team leader and the escort team leader.

NTM/MTM

The third component of the CFE verification package is the right to use national or multinational technical means (NTM/MTM). These are not defined in the Treaty but generally can

be assumed to include surveillance satellites as well as aircraft, ships and ground-based sensors operating from outside the monitored country's borders. The Treaty also, importantly, obliges parties not to interfere with the use of NTM/MTM for verification nor to use concealment measures that impede such use. These provisions are similar to those in several bilateral agreements between the US and the USSR. What is new and noteworthy, however, is the explicit mention of a party's right to use multinational technical means. While such MTM do not yet exist, several possible multinational systems have been suggested, including Canada's PAXSAT concept.

Aerial Inspections

The fourth pillar of CFE verification — aerial inspections — is not yet in place. However, the Treaty states that each party shall have the right to conduct and be obliged to accept an agreed number of aerial inspections beginning after the completion of the residual level validation period, i.e., approximately 44 months after entry into force of the Treaty. The modalities of such aerial inspections are to be worked out in the follow-on negotiations to the CFE Treaty. Aerial inspections will involve the use of specialized remote sensors (such as aerial photographic systems, radars, etc.) on aircraft that fly within the territorial boundaries of the inspected state, unlike NTM/MTM. The introduction of an aerial component to CFE verification will provide a powerful additional verification method to complement and reinforce other components of the verification package.

Joint Consultative Group

The final, though not least important, component of the CFE verification package consists of the methods for seeking clarification concerning exchanged information, resolving ambiguities relating to compliance, and handling difficulties with regard to implementing the verification provisions. In this regard, the main provision in the Treaty is Article XVI, which establishes the Joint Consultative Group (JCG), a body composed of representatives from each party. While the scope of the JCG

is broader than verification, its functions include addressing questions relating to compliance and resolving ambiguities of interpretation concerning how the Treaty is implemented, which would encompass the verification provisions.

Alliance Cooperation

These, then, are the five components of the verification system established by the CFE Treaty. Another essential element exists, however, which is not explicitly referred to in the Treaty itself: the cooperation and coordination procedures established within NATO. The alliance has created a Verification Coordinating Committee together with a small Verification Support Staff to assist in verification by establishing a shared database and procedures to coordinate inspection efforts of the NATO parties, and by providing for other inspection support such as training.

Summary and Assessment

The negotiation of the CFE verification package proved long and arduous, in part because of the detail involved and in part because of the number of parties and their varying political interests. It is a major accomplishment. However, it must be acknowledged that the effectiveness of the package will be subject to considerable attention. At this early stage, the package may best be described as satisfactory, with some significant qualifications.

To begin with, it is disappointing that aerial inspections could not be incorporated into the package at an earlier point in the implementation of the Treaty. This powerful technique would have made a significant contribution to the "layered" approach to verification (involving multiple, complementary methods) that has long been advocated by Canada. Other methods, too, such as entry/exit points, portal/perimeter monitoring and tagging may warrant further consideration as part of the CFE follow-on talks. Their utility may depend on how well the existing CFE verification system operates in practice.

While the situation is still unclear, there is considerable concern that NATO countries may have significantly fewer ground inspections in the USSR than they had anticipated because the