

whether non-compliance has occurred. This process can be judicial, quasi-judicial or political in nature.

- Experience suggests that, to be most effective, verification systems should have several specific features. These include:
  1. a broad-based complaints system;
  2. an effective screening process;
  3. an ability to detect systematic violations; and
  4. a quasi-judicial evaluation process.
- While a rigorous regime based on these elements may be desirable, it is important to recognize that less ambitious arrangements undertaken now can lead to significant improvements over time, particularly if the "first phase" package is perceived by the majority of participants to be fair and beneficial.
- An incremental approach, involving phased improvements in the effectiveness of the regime as well as a gradual extension of its scope of application, would seem to offer benefits for creating an effective CCW verification regime.
- There need be no pre-determined end point to this incremental process. The regime and its specific elements need only evolve to the point where they are as effective as the international community agrees is adequate.
- As the first step in this incremental process, a two-track approach is recommended. The **first track**, dealing with *international* armed conflict, would start with:
  1. a modest "states-plus" triggering mechanism;
  2. a states-based initial screening process; and
  3. the use of on-site fact-finding procedures in the context of international armed conflict.
- Over time, these measures should be amended to redress deficiencies in this first phase regime.
- The **second track**, dealing with *non-international* armed conflicts, would involve largely voluntary confidence building measures.
- At set intervals (presumably at periodic Review Conferences) the Parties to the Convention could decide to extend the verification provisions covering international armed conflict to various types of non-international armed conflict as well.
- Movement toward a more comprehensive regime would be based on progress in building confidence. *Inter alia*, one aspect of confidence-building in the CCW context would involve successfully transforming ideas and beliefs about the "risk" posed by intrusive compliance monitoring measures.