

Ceasefire Monitoring and the U.S. Role:

What Powell Did and Didn't Say

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Brief Analysis

As car bombs inside Israel and the Israeli targeting of Islamic Jihad operatives postpones for another day the start of the seven-day "no incident period" arranged by Secretary of State Colin Powell last week, yesterday's retaliatory attack by Israeli F-16 aircraft against a Syrian radar station in the Bekaa Valley highlights another theme of the Powell visit—the role of third-party monitors in the Arab-Israeli arena. Indeed, Israel's reprisal for Hizballah's missile attacks in the Shebaa Farms area across the international border provides a timely reminder about the limitations of monitoring conducted by peacekeeping forces such as the United Nations Interim Force in Lebanon. Moreover, it underscores the key missing ingredients in virtually all Middle East monitoring arrangements: the willingness to engage in open, public, truthful, and non-politicized verification of compliance/non-compliance and the creation of effective enforcement mechanisms.

Background

Last Thursday, June 28, Secretary of State Colin Powell touched off a boomlet of controversy when he confirmed in a press conference with PLO leader Yasir Arafat that Washington supported the idea of "monitors and observers" to supervise the implementation of the "security work plan" negotiated by Director of Central Intelligence George Tenet. His full quotation follows:

"I think as we get into the confidence-building phase there will be a need for monitors and observers to see what's happening on the ground, to serve as interlocutors, to go to points of friction and make an independent observation of what has happened. Now what the nature of that monitoring or observer regime might look like, who might be members of it, we have not yet come to any conclusion on that. But I think there is clear understanding of the need for some kind of monitoring observer function performed by some group."

Later in the day, during a press conference with Israeli prime minister Ariel Sharon, Powell clarified his views:

"Earlier today, when we were talking about monitors or observers, I had it in the context of what the two sides might decide to do within their own resources or whatever resources might be appropriate by mutual agreement . . . Not some outside group of forces coming in . . ."

Powell's comment is important both for what he said and what he didn't say.

Timing

Powell specifically noted that monitoring is a job for the "confidence-building phase." As he clarified during his trip, the confidence-building phase of Mitchell's four-part sequence may be coterminous with the cooling-off period (the cooling-off period is the first of Mitchell's fourteen confidence-building measures), but it certainly follows the full implementation of the ceasefire, i.e., the seven-day no-incident period to which the parties are committed as the trigger for the cooling-off period. In other words, Powell said there will be no third-party monitoring until the cooling-off period is well underway and perhaps not until later in the process.

Participation

Powell never did endorse Arafat's call for international—UN, European Union, and/or Arab—monitors, although he did not rule it out in Arafat's presence. Later in the day, after a flurry of news reports suggested that Powell had indeed supported Arafat on this, he told the media that any monitoring effort would require the approval of both Israelis and Palestinians. Given Israel's opposition to UN/European/Arab participation, that effectively rules out anyone but U.S. personnel.

Objective

Perhaps most interesting, Powell described not just a monitoring role (i.e., liaising with the local parties and monitoring their reports and complaints) but an on-the-ground, on-the-spot observation role as well. His statement suggested that observers would rush to the scene of violent flare-ups (e.g., a shoot out at the Rafah border zone, a road shooting near Maale Adumim) to check the veracity of each side's claims about the righteousness of its own behavior and the culpability of the other. Indeed, about the need for such an "observer group," he said he believed the two sides had a "clear understanding," which certainly was not the case. There was probably not even a clear U.S. position on the matter, given that fulfilling this sort of observation function would amount to a quantum-leap toward the level of American engagement that every administration, especially the current one, would consider anathema—i.e., scores of unarmed U.S. intelligence agents ready to deploy at a moment's notice to the site of every possible violent incident, quite likely finding themselves in harm's way.

Significantly, Powell did not, however, mention three key potential functions of a monitoring initiative: 1) no reference was made to a role in any on-site verification of compliance with the responsibilities of the Tenet "work plan," such as confiscation of illegal weapons as well as arrests and continued incarceration of terrorists; 2) no reference was made to any monitoring function as concerns incitement; 3) and no mention was made of an enforcement mechanism buttressing the monitoring.

Indeed, Powell's statements beg the central question about monitoring: Why? To what purpose will the information gathered by the monitors/observers be put? Will the end result of the this effort be limited to hush-hush conversations between the local CIA station chief in Tel Aviv, the head of the Israeli Security Agency (Shin Bet) and the heads of Palestinian security services (as was the case with the post-Wye River Memorandum monitoring), or will it include public, open, clear, and direct statements of one or the other side's non-compliance and/or willful violation of the ceasefire? A strong argument can be made that it is more useful to the success of the ceasefire to have a single official stand at a rostrum in Washington pronouncing on each side's performance based on professional assessment of the information given by the security officials of each side, than it is to have numerous intelligence agents braving live fire to write reports whose distribution will be limited to the parties themselves on a strictly need-to-know basis. Moreover, a monitoring system that emphasizes observation but not verification of compliance could easily degenerate into a work-heavy, value-light exercise. Only the public, vocal, and open form of monitoring is likely to do what U.S. officials really want it to do—act as a sort of enforcement mechanism that would give the

Palestinians the incentive to fulfill their obligations and to provide the Israelis with the political rationale for continued restraint.

Conclusion

Creating a new and effective format for monitoring and verification is essential to fixing one of the key errors of the Oslo process—the absence of systematic enforcement mechanisms to ensure both that difficult but essential provisions of agreements are honored before the parties move on to subsequent negotiations, and that those provisions continue to be honored throughout all subsequent phases of the process. To be sure, there are potential costs with this approach: on the one hand, repeated criticisms of Palestinian non-compliance are bound to earn the ire of precisely those Palestinian officials and Arab leaders who have been urging deeper U.S. involvement; on the other hand, public pronouncements on compliance may cause friction in the U.S.-Israel relationship, given that Israel may sometimes find itself the object of U.S. critiques.

Nevertheless, merely recreating the Wye River format of private, CIA-based monitoring is a mistake. Without public truth-telling by the United States, the onus of responsibility will most likely fall on Israel to cry foul when violations occur; Washington's patience will probably then wear thin as calls mount from around the world to press on to the later stages of the Mitchell recommendations. As with most other issues in the Arab-Israeli arena, monitoring is a political, not just a technical, matter, and there is no advantage for the United States to acquiesce in a structure that virtually ensures conflict with Israel on the issues of violence, terrorism, and incitement. Getting the politics of monitoring and verification right now—as Powell seems to have done with the issue of timing for the "no-incident" and the "cooling-off" periods—is a key ingredient in easing the way for political progress down the road.

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