

Arms Control and Disarmament in the Middle East: What Next?

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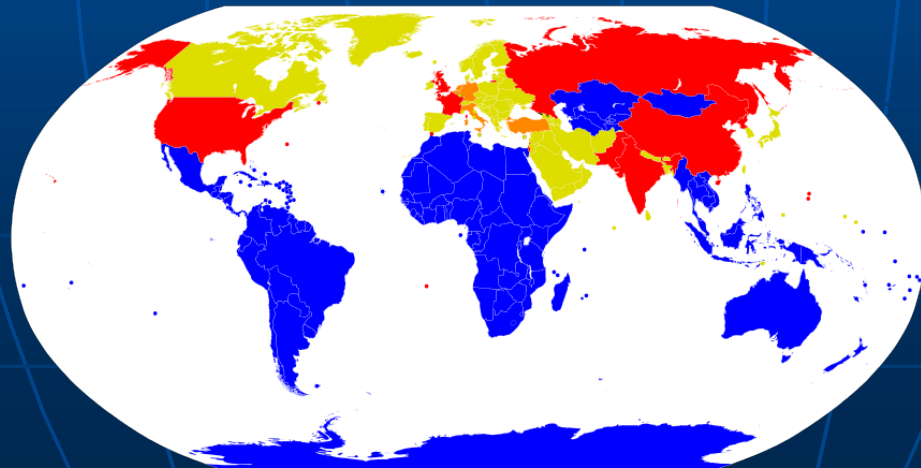
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Obstacles to a Middle East WMD-free zone

- An agreement to create a regional zone free of all nuclear, biological, and chemical weapons and their delivery systems has never been tried. Prospects for such a zone are remote. Obstacles include:
 - Deep enmity and distrust among states whose participation in bringing a zone into force is essential.
 - A continuing perceived utility of nuclear, chemical, and biological weapons.
 - Uncertainty due to internal transitions in key Middle Eastern states.
 - Complex, de facto linkages between issues.
 - Verification requires ceding sovereignty on the most sensitive matters of national security to former enemies.
 - No suitable existing regional institutions for discussion or negotiation.

Why bother? Nuclear Weapons Free Zones (NWFZs)

- Nuclear weapons free zones offer a number of advantages to their members.
- NPT Article VII affirms rights of states to establish NWFZs.
- Five regions currently covered under NWFZ agreements:
 - Latin America (the 1967 Treaty of Tlatelolco),
 - The South Pacific (the 1985 Treaty of Rarotonga),
 - Southeast Asia (the 1995 Treaty of Bangkok)
 - Africa (the 1996 Treaty of Pelindaba), and
 - Central Asia (the 2006 Treaty of Semipalatinsk).



Why NWFZs (1): Extra prohibitions and requirements

- NPT (Article II):
 - Non-nuclear weapons states agree not to "manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices"
- Tlatelolco (Article I):
 - Parties undertake to prohibit and prevent the "testing, use, manufacture, production or acquisition" and the "receipt, storage, installation, deployment and any form of possession of any nuclear weapons."

Why NWFZs (2): Negative Security Assurances

- Tlatelolco, Additional Protocol II:
"The Governments represented by the undersigned Plenipotentiaries also undertake not to use or threaten to use nuclear weapons against the Contracting Parties of the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean."

Why NWFZs (3): Other NWS Prohibitions

- Pelindaba: NWS will not test in the zone — all have signed: China, France, Russia, UK ratified; France will apply provisions to its territories in the zone — France ratified.
- Rarotonga: NWS with territories in the zone — NWS will not test in the zone — all signed, United States has not ratified.

Why NWFZs: (4) The Value of Regional Processes

- Smaller numbers sometimes make agreement easier.
- Common regional concerns can be addressed in more easily in a regional arrangement (e.g., no testing in a given region is easier than no testing globally).
- Getting there is half the fun.
- Regional institutions can evolve and accommodate changes more easily than global ones.

Consequences of creating a WMD-free zone in the Middle East

- Proliferation concerns in the region would be greatly diminished, even as nuclear energy in the region spread.
- Perceived threats from Israel's arsenal would disappear, as would the perceived double standards surrounding its nuclear program;
- Stocks and production of all HEU and plutonium in the region could be eliminated and banned.
- The continuing threat and use of chemical weapons in Syria would end.
- High standards for physical protection and security for peaceful nuclear, biological, and chemical facilities—so that the risk of terrorist theft or sabotage of dangerous materials would be greatly reduced.
- Addressing other security challenges in the region in a cooperative manner would be much enhanced.
- The Non-Proliferation Treaty (NPT) would be strengthened by fulfilling a key bargain that enabled indefinite extension of the treaty in 1995.
- Establishing a zone would be an important step toward global nuclear disarmament.

Middle East Zone: Early discussions

- Egypt and Iran first proposed an NWFZ for the Middle East in 1974; annual resolutions followed thereafter.
- Strategic rationales motivated original proposals
- Focus was on Israel's nuclear capability
- Israel argued (and continued to argue) the establishment of an NWFZ would require direct negotiation and could only be achieved after the conclusion of a regional peace process.
- This issue of sequencing has persisted.

Arms Control and Regional Security Talks

- 1990: President Mubarak introduced concept of WMD-free zone, linking bans on all WMD.
- Following the Madrid conference, Egypt and Israel (and others) began arms control and regional security discussions—the first regionally based direct arms control discussions in the history of the region.
- Agenda was broad; confidence building measures were a major focus.
- ACRS discussions broke down in 1995 without real results.

1995: NPT Review and Extension (and the Middle East)

- To achieve indefinite extension of the NPT, depository states agreed to sponsor a resolution on the Middle East.
- The resolution called on all states in the Middle East to “take practical steps in appropriate forums aimed at making progress towards, inter alia, the establishment of an effectively verifiable Middle East zone free of weapons of mass destruction, nuclear, chemical and biological, and their delivery systems, and to refrain from taking any measures that preclude the achievement of this objective.”
- This was a relatively major advancement of the issue.
 - It brought the issue for the first time into the NPT process;
 - it committed the sponsors of the resolution to support the establishment of a Middle East zone; and
 - forever after, the indefinite extension of the NPT would be linked to the Middle East issue.

2010: Finally, An Action Plan

- Following the 1995 resolution, there was essentially no action, for 15 years, aimed specifically at implementing the resolution.
- The 2010 review conference made the following “action plan.”
 - “The Secretary-General of the United Nations and the co-sponsors of the 1995 Resolution, in consultation with the States of the region, will convene a conference in 2012, to be attended by all States of the Middle East, on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction, on the basis of arrangements freely arrived at by the States of the region, and with the full support and engagement of the nuclear-weapon States. The 2012 Conference shall take as its terms of reference the 1995 Resolution”
 - Also called conveners and UNSG to find a host country and appoint a facilitator to assist with implementation by consulting with states of the region and reporting back to the NPT.

Helsinki Fails, Progress Ensues

- Finland agreed to host the conference, which would be in Helsinki, and a diplomat from Finland was chosen to be the facilitator.
- Israel insisted on agreement on agenda before scheduling meeting; Egypt insisted that nuclear weapons be discussed first and that there would be no change to the mandate described in the NPT review conference.
- Without agreement from regional parties, conveners announced postponement in late 2012.
- After 2012, the facilitator continued work, organizing five rounds of informal meetings to work out modalities for the Helsinki conference.
 - Iran participated in at least one of these consultations. Israel and several Arab states participated in all of them.
 - The facilitator reported being "impressed by the participants' readiness to engage, by their wish to make progress and their open and constructive approach."
 - The conveners later wrote, jointly, that the meetings were "positive and constructive." and the parties made "significant progress."

2015 and the Collapse of the Action Plan

- As the 2015 NPT review conference approached, Egypt and other Arab states refused further multilateral consultations unless they had a commitment from Israel on a date for the official conference.
 - Arab officials expressed concern that Israel was supplanting the process they had agreed to in 2010 with its own informal process.
 - In the end, the facilitator reported to the 2015 review conference that over the course of more than 600 meetings and consultations, he had been unable to bring the parties together for a conference in Helsinki.
- The 2015 NPT Review Conference ended without a consensus final document. Middle East issue was focus of disagreement.
 - A proposal to refer matter to UNSG seemed to violate basic principles of consensus and inclusive participation.
 - Gone were “arrangements freely arrived at by the states of the region.”
- 2010 Action Plan no longer operative.

Explaining Persistent Failure

- Why failure?
 - Actual progress toward the establishment of a Middle East zone is a low priority for everyone one involved and would come at a cost to other higher priority interests.
- Why persistence?
 - A fruitless process serves modest purposes for many key governments; all states wish to avoid blame for killing the issue outright.

Where next? (1)

- The collapse of the 2010 mandate and process gives rise to new dangers and opportunities.
- Dangers:
 - Sponsors of the 1995 Resolution have lost credibility on this issue—their willingness and ability to advance the process is largely gone.
 - Much of the progress of the past 5 years will be lost
 - Continued threats and non-cooperation in NPT processes and forums weakens undermines the treaty itself.
- Opportunities:
 - There is space now for new ideas; new positions
 - More bottom up and incremental work may become possible

Where next? (2)

- Pick up pieces one by one:
 - A zone free of nuclear testing?
 - A Middle East chemical weapons-free zone?
 - A ban on the separation of plutonium?
- Expert meetings on technical issues
 - Info sharing and verification of BW program dismantlement
 - How to define and verify bans on all WMD delivery systems?
- Track II meetings with interested parties on lessons learned.
- Bilateral Egyptian-Israeli discussions on where next are essential.
- A coordinating role for the EU?

THANK YOU!