



British American Security  
Information Council

## Agenda issues before the 2012 conference on a WMD-free zone

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This is a personal summary of a Track 2 meeting in early September 2011 in Malta to discuss agenda issues surrounding the 2012 conference to consider a WMD-Free Zone in the Middle East. The workshop was attended by regional experts who took part in their personal capacity. The report includes observations that some may find difficult or challenging, but are offered with the intention to identify key issues and engage in the search for common ground.

Paul Ingram, BASIC Executive Director, London 21<sup>st</sup> September 2011

### Political complexity

Disarmament requires a certain level of trust in the process and commitments made by one's negotiating partners. The key challenge is in the sequencing between the peace process and arms control negotiations. But technical issues do not necessarily have to wait for a positive political climate for experts and negotiators to consider modalities, approach and detail. Arms control has been achieved elsewhere between states with deep mutual suspicion, and has led to a process that warms relations. Other elements of extensive cooperation may be possible earlier, for example in WMD counter terrorism, security and safety, and peaceful uses of nuclear science and technology.

### Ripeness for action

Whilst the task is daunting, there are reasons for hope:

- there is a global political will to see progress on global disarmament and non-proliferation and this has become strongly linked in many people's minds with progress in the Middle East.
- the Arab Spring could yet strengthen calls for disarmament alongside democracy.
- there exist common interests in seeing a regional mechanism and the NPT itself to flourish.
- there is yet an indication that Israel will attend the conference if it is held.
- a sense of urgency is widespread, from the current trends and the risks of diversion, and the threat to the global non-proliferation regime.
- experience from other Nuclear Weapons-Free Zones (NWFZs), each emerging as more sophisticated than the last, provides hope and relevant best-practice.
- Israel has become more engaged in arms control since the 1991 Madrid conference, and has itself endorsed the eventual establishment of a zone through UN General Assembly resolutions.

## Process for the 2012 conference and follow-on

Expectations need to be controlled early on. The conference can be seen as a modest start of a slow and cautious but comprehensive process, with a formal declaration of principles accompanied by follow-on steps establishing an open-ended process aspiring to an eventual treaty. The meeting needs to be carefully managed, involving a high level of political participation – foreign ministers or government leaders – with minimal debate, and with a duration and focus aimed to maximise areas for agreement. The process is also an opportunity to stimulate and engage civil society within the region, facilitating the essential public education and support for a WMD-free zone. There are possibilities that the process of negotiation later on could include baskets of asymmetrical negotiated steps, but state-parties will be cautious to ensure incentives remain to ensure progress towards disarmament.

## Transparency

Transparency is essential in arms control and disarmament processes, the secrecy surrounding WMD programmes across the region means there will be an uphill struggle in establishing trust. At some point Israel will need to reconsider its policy of nuclear ambiguity; this could include private declarations of stocks, storing warheads and fissile material under dual-key system with the International Atomic Energy Agency (IAEA), or some other form of strategic escrow. States will be looking for some degree of amnesty if they are to be encouraged to engage in transparency, and this should be encouraged. Otherwise they will maintain secrecy for fear of exposure, harming future progress. In parallel, states would do well to consider a region-wide code for whistle-blowers exposing current or past programmes, to encourage one of the most effective forms of accountability and assured transparency. Any unilateral action to dismantle facilities or dispose of sensitive materials needs to be adequately documented so that future needs to verify such activities can be presented if necessary.

## Possible conditional offers for the negotiating table

States will need to look for win-win solutions, and be prepared to make offers to the table. Most of the following proposals will need reciprocal measures.

**... from Israel:** Offers might involve the Comprehensive Test-Ban Treaty (CTBT), the Chemical Weapons Convention (CWC) and the Biological and Toxin Weapons Convention (BTWC) ratification, no first-use declaration, and agreement to joining a Fissile Material Cut-off Treaty (FMCT); the CTBT could be the easiest for Israel, but a unilateral switch-off of fissile material production at Dimona would elicit a more enthusiastic response – signalling a cap on the nuclear arsenal, and opening the possibility of a regional FMCT. Israel could also consider inspection visits of the less sensitive parts of Dimona, and negotiate a limited Additional Protocol with the IAEA. Israel could consider a general freeze on weapons production and related activities, and develop plans to roll back its capability and dismantle warheads and facilities, just as South Africa has done.

**... from Iran.** There is an intense regional interest in seeing Iranian compliance with UN Security Council mandates and IAEA requests, for it to implement and ratify the Additional Protocol, to clarify suspicions over its past and current possible weapons-related research. There are also proposals for Iran to internationalise its enrichment facilities. Iran will look for recognition of its right to produce fuel, albeit under tight safeguards. Iran could drop its opposition to Israeli involvement in a number of key regional processes, offering the promise of some level of half-way accommodation.

... **from Arab states.** They could sign and ratify the CWC in particular. Bioweapons present significant challenges, but also opportunities for cooperation – notably in best practice for biosecurity and safety procedures, and standardised lab practice. Arab states could consider their willingness to invite the IAEA to carry out Special Inspections as a precursor to a region-wide arrangement, to build confidence and establish procedure & precedent.

... **from the Nuclear Weapon States.** States with nuclear weapons should be asked for security assurances... and possibly positive security assurances, particularly the United States to Israel, in return for its own reduced dependence on nuclear weapons. There would need to be assurances from nuclear weapon states that they would abide by any agreement banning the deployment of nuclear weapons in the region. There could also be an involvement of nuclear weapon states in verifying warhead dismantlement, using processes they are already developing for their own purposes.

### **Regional cooperation**

There may be indirect routes towards a regional FMCT worth exploring in the process. For example, all states in the region could agree that all enrichment facilities be under international operation and supervision, to forswear any reprocessing (for now), and accept an Additional Protocol plus. There would be support in the region to set up a regional verification and inspection body to supplement existing global institutions, with responsibilities to roll out extensive safeguards training for nuclear personnel. This would assist regional cooperation in peaceful nuclear activities. The 2012 conference process could strengthen the capacity of regional states to take greater roles in handling potential challenges to the non-proliferation regime. It is not effective to isolate negotiating partners. It is difficult to see how either Iran or Israel can positively engage with or abide by decisions arising from processes from which they are excluded.