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Peeling the Onion



Towards a Middle East
nuclear weapons free zone

Nuclear Non-Proliferation Treaty Review Conference 2010 Papers – 1

Peeling the Onion: Towards a Middle East nuclear weapons free zone

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Fears of a nuclear arms race in the Middle East have been mounting steadily. Iran remains undaunted by the threat of additional sanctions and its mastery of the nuclear fuel cycle has set alarm bells ringing around the world. The Middle East peace process is on life-support. Bold initiatives are being sought to break out of the deadlock.

There is one such initiative that would bind in both Israel and Iran. Yet it has lain dormant for many years, becoming the object of acrimonious diplomatic disputes. It is the U.N. resolution on a Middle East nuclear weapons free zone, reinforced in 1995 by all the parties to the Nuclear Non-Proliferation Treaty (NPT) as a condition of the pact's indefinite extension. The zone would run from Libya in the west, to Iran in the east, Syria in the north and Yemen in the south.

With Egypt leading redoubled efforts by the Non-Aligned Movement to secure concrete progress towards establishing the zone, the May 2010 Review Conference of the 189 NPT members could provide a golden opportunity to address this matter in good faith. But for these efforts to succeed, the negotiators seeking to strengthen the NPT, the cornerstone of global security, will have to show flexibility and a political determination that has been lacking until now. And a major player to be engaged – Israel – remains outside the NPT. While the difficulties cannot be underestimated, the fact remains that a nuclear arms race in the Middle East would run counter to the security interests of all the states in the region.

The tensions in the Middle East, whose core members include Israel and Iran, mean that the costs of failure of the May 2010 Review Conference on the non-proliferation pillar would be exceptionally high. A key

challenge of the day is to prevent the spread of nuclear weapons throughout the region, something which President Obama evoked in his Cairo speech in June 2009 when he said the world had reached a “decisive point” on nuclear weapons. “This is...about preventing a nuclear arms race in the Middle East that could lead this region and the world down a hugely dangerous path,” he said.

The proposals for a Middle East zone free of weapons of mass destruction, based on the model of other such zones, which now cover the entire southern hemisphere, go to the heart of this argument. This paper looks at the background and history of the quest for such a zone and makes recommendations for progress before the Review Conference.

The main protagonists must break out of the diplomatic deadlock that has bedevilled this issue, with the objective of holding an international conference in the coming months, attended by Israel and Iran. Israel insists that the Middle East conflict is resolved before agreeing to the establishment of a zone, seeing the Non-Aligned Movement's proposals as an attempt by some states committed to its destruction to disarm it in particular. But bold initiatives – consider how Presidents Reagan and Gorbachev went on to negotiate the START nuclear disarmament treaty after the failure of Reykjavik – have throughout history seized victory from the jaws of defeat.

The difficulty lies not in garnering support for the proposal, which has universal backing from governments including Israel, but in creating the zone in a region marked by a lack of trust or downright hostility among countries that have fought several wars.

Background

Iran, under the Shah, first mooted the idea of a Middle East nuclear weapons free zone in 1974. Egypt and Iran sponsored the first U.N. General Assembly resolution the same year and it has been adopted annually by consensus since 1980. Israel is among the governments supporting the resolution, despite its policy of ambiguity over its nuclear weapons status. Israel's position remains that it will “not be the first” to introduce nuclear weapons into the Middle East. In 1990, President Mubarak successfully broadened the

reach of the resolution by calling for a zone free of all weapons of mass destruction.

A significant diplomatic step was taken at the 1995 NPT Review Conference when Egypt and its Arab Group partners achieved the adoption of a resolution on establishing the Middle East zone, in return for the indefinite extension of the NPT. The deal was struck in the final hours of the conference. The 1995 resolution called for establishment of “an effectively viable Middle east zone free of weapons of mass destruction, nuclear chemical and biological and their delivery systems” and committed the three sponsors – the United States, the United Kingdom, and Russia - to extend their cooperation to this end.

The next Review Conference in 2000 was convened after the Indian and Pakistani tit for tat nuclear tests two years earlier and the U.S. Senate’s rejection of the Comprehensive Test Ban Treaty in 1999. However, it resulted in an “unequivocal commitment” to nuclear disarmament by the nuclear weapons states, and adoption of a 13-point action plan. Yet five years later, the 2005 Review Conference ended in acrimony over the Bush administration’s hard-line positions on Iran and non-aligned states’ accusations that the nuclear states had failed to live up to their disarmament commitments. It was also marred by bitter divisions between Arab states and nuclear weapons states over the Middle East resolution, pursued relentlessly by Egypt.

Problems

The main obstacle to negotiations stems from the lack of political will. But there is concern over the officially unacknowledged Israeli nuclear weapons and the deep sense of injustice among Arab states which accuse the nuclear weapons states of double standards. They are accused of shielding Israel while sanctioning states like Iran which continues to insist on its treaty right to pursue civilian nuclear energy.

On the other side, the lack of diplomatic recognition by Israel’s neighbors, except for Egypt and Jordan, is another obstacle. Arab states remain reluctant to recognize Israel in the absence of a Middle East settlement, and continuing conflict. Israel – backed by the United States – has continued to link the

establishment of the nuclear free zone to progress on the Middle East process.

But if this Catch-22 situation is allowed to continue at the Review Conference, it would be tantamount to handing Israel, a non-NPT member, a veto over the future of the entire NPT treaty.

This would be the effect if Egypt and its allies withdraw support in other areas of the treaty should the United States, seen as acting in the interests of Israel, withhold support at the conference for a definitive process leading towards establishment of a zone.

Egypt’s demand for Israel to join the NPT as a non-weapons state has been flatly rejected by the Israeli government. A possible compromise, such as an offer to Israel similar to that extended to India by the Bush administration in order to pull them closer into the wider non-proliferation regime, is rejected by non-aligned states which see that solution as another example of U.S. double standards in which India was rewarded for obtaining the bomb.

The International Commission on Nuclear Non-proliferation and Disarmament (ICNND) has recommended “a major new effort” to implement the 1995 resolution, calling in particular for the U.N. Secretary-General to convene a conference of all states concerned and with a special representative to facilitate it. The Commission said that “participating in a conference would not require an immediate and, some would argue premature, end to Israel’s policy of nuclear ambiguity.” However, Israel’s deep-seated mistrust of the United Nations has hindered the convening of a U.N.-sponsored international conference.

Conclusion

Egypt has made clear its intention to keep the issue right at the fore of the agenda for the Review Conference in May. As international support for a zone has grown, ideas have focused on Egypt’s call for an international conference to be held by 2011 (with both Iran and Israel at the table) and if not for a standing committee, then for a special coordinator to prepare for the forum and subsequent steps. But the United States and its allies are cautious about process.

A roadmap has evolved since a 1990 U.N. study laid down detailed proposals on “effective and verifiable measures” for the zone, including safeguards, transparency and security assurances. Possible compromises are on the table. Governments cannot legitimately argue that an agenda for the conference is lacking. The WMD Commission of Hans Blix recommended that member states of the future zone would freeze enrichment and reprocessing activities, with fuel cycle services assured from outside. Dr. Blix points out that this – more radical - proposal would deal with the core problem posed by both Israel and Iran.

Recommendations

1. The United States, United Kingdom and Russia have a special responsibility, as co-sponsors of the 1995 resolution, and should be preparing to convene an international conference. If Israel is to be invited, as it must be, the conference would have to be held outside NPT auspices, and an agreement in principle secured outside the Review Conference.
2. The U.N. Secretary-General should be standing ready to call the conference under U.N. auspices if their efforts falter and if a request is forthcoming from a critical mass of states.
3. The United States needs to engage meaningfully with Israel before the Review Conference, outlining the risks to Israeli security from regional nuclear proliferation. But there is also a need to begin forging a constituency for change within Israeli public opinion where the issue of the Israeli nuclear arsenal remains taboo. President Lula of Brazil has now endorsed a Middle East zone free of weapons of mass destruction in a speech to the Knesset. But the fundamental problem remains Israel’s policy of nuclear opacity which should be revisited, as Avner Cohen argues in a forthcoming book, “The worst kept secret: Israel’s bargain with the bomb.”
4. Negotiating parties must be open to possible trade offs, not necessarily within the NPT framework.
5. Track two unofficial contacts should be pursued, in particular informal multilateral meetings of core countries with the United States.
6. The United States, Israel and Egypt (along with out holdouts) should ratify the Comprehensive Test Ban Treaty.

Peeling the onion and taking the incremental steps towards a Middle East nuclear weapons free zone will be a source of tears and take time. The challenges are multiple: they come from within and outside the NPT regime as regional powers consider the value of nuclear weapons not only as deterrence but also from the perspective of regional hegemony, national pride and prestige. But if the political will is there, the security of all the states in the region will be reinforced through negotiation, and the NPT will survive as the foundation of global security.

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