



Toward a Conference on a Nuclear Weapon or WMD Free Zone in the Middle East

**Some points for consideration
26 September 2011**

Over the course of the past 18 months and more, Pugwash has held a series of consultations on regional security and nuclear weapons and other weapons of mass destruction in the Middle East. As states move closer to concretizing plans for a proposed conference on a Middle Eastern WMD Free Zone, some questions and points raised in these meetings might prove useful. This summary is not a comprehensive report, it is meant to stimulate further discussions on outstanding questions, and to highlight possible next steps that could contribute to a more positive and creative environment.

Logistical questions need to be further addressed

The outstanding logistical questions are well understood, and need resolution. Attention currently is focused on the choice of a facilitator and the host country (will it be in the region or outside the region, in a city with UN headquarters?). In addition to these important questions, other logistical items should be addressed. Budgetary questions may become important (will the host country pay, to what extent is the UN budget process likely to drive some decisions, etc). What will be the division of labor between the UNSG, the co-sponsors of the 1995 Resolution, the regional states, and the facilitator? Answering this question will begin to better clarify the regionalization versus the internationalization of the process leading to the conference. What role will the UN Secretary General play? Some believe it could be important to bring issues to the attention of the UNSG early in the game, before they reach the conference. If there is no preparatory phase, then states may have to rely on UNSG as focal point. The facilitator should be helped by a group of experts with experience in related areas, and civil society can play a role in this process.

Issues related to the agenda

1. What range of issues will the conference address: nuclear, chemical weapons, biological weapons, missiles, other weapons, regional security, etc?
2. How long will it run? Will it be one conference, but perhaps divided into different sessions? Will it have subsidiary working groups to address more narrow issues, such as specific categories of weapons?
3. Is there a need for an early preparatory phase of the conference, to sort out these and related issues?

Further substantive work needs to be done

The facilitator or some other entity could do advance work to identify “green lines” (not just “red lines”) to begin to define process, benchmarks, and a timeframe. Topics that could benefit from advance work include:

1. Geographical boundaries (for example, would it include Turkey?).
2. Scope of prohibition? Would it be one agreement or a series of agreements or regional measures?
3. Monitoring and verification mechanisms (the IAEA for nuclear and OPCW for chemical or something more?) and what would be compliance issues for the related aspects (depending on the scope)?
4. Entry Into Force provisions. (Would EIF require a certain number of countries, specific countries, or creation of a certain environment? Would a staggered entry into force or incremental activation of obligations be helpful?)

In addition, the following points need further exploration (intermediate steps will need to be addressed in the lead-up to the conference, at the conference and after):

1. What immediate arms control steps are acceptable to all regional actors? Realistically, these are the only ones that might emerge from the conference. Identifying some such set of steps would indicate some minimum harmonization of interests if countries in the region could agree on concrete practical steps. It would be useful, although not easy, to try to think hard and realistically about what steps, that might be considered in 2012/2013, fall into that category.

2. What expert and working groups should be formed as a concrete result of the conference? For example, if the goal is a regional verification system such a big, important, and constructive step would need a detailed hard assessment of related technical and political issues.

3. What wider processes might be launched at the proposed 2012/2013 conference? How will states address issues related to regional security – via an ACRS-style process or “ACRS Plus”? Perhaps there might be several regional settings for ongoing deliberative processes regarding doctrines, threat perceptions, etc. It might be possible to further define common interests, discuss threat perceptions and the use of confidence and security building measures, perhaps in tandem with the 2012/2013 process (some suggest this might take the form of a pre-2012 ASEAN-type exercise). Emphasis should be placed on building a culture of dialogue: with several sub-processes including the many conventional weapons and of course WMD, could be initiated at a Madrid-like conference, taking the Arab Peace Initiative as the most suitable building block for the dialogue. However, all those preliminary and exploratory steps and processes will be much more difficult to launch if the official opening of the Conference is delayed beyond early 2013.

Topics might include all nuclear weapons and other weapons of mass destruction and other classes of weapons, possibly including missiles, rockets, and other conventional weapons. Questions of asymmetry likely will need to be addressed in some way. There was some additional discussion on the need for some sort of progress on the Palestine issue. The role of non-state actors may need to be incorporated. Some noted the possible importance of progress on the Israel-Syria track.

The need for further progress on and dialogue with Iran was noted. There was a general understanding that any possible military attack on Iran would have an extremely negative, if not potentially insurmountable, impact on hopes for the proposed 2012/2013 conference. A related point was that it would be difficult envisage a zone without Iran having similar obligations to those of other countries in the region

4. What can be done to prevent 2012/2013 from being a damaging experience? If this is a failure (or presented as a failure), it could be substantial setback or a permanent derailment of an idea many think is on the right track. It was noted that in other settings steps that were meant as confidence-building measures destroyed confidence instead. If the goal is to barricade 2012 against damaging outcomes, it is essential to find some good answers to first three questions, namely, identifying some immediate arms control measures, setting up expert and working groups, and progressing regional security issues. There is a need to examine the range of possible measures and map the range of ideas versus the interests of states.

5. What WMD-related confidence-building measures might be considered?

In the lead-up to the 2012/2013 conference, incremental steps can be taken to decrease salience of WMD in region. These can go far to create a positive environment, since in order to achieve the goal of a Middle East free of nuclear weapons and other weapons of mass destruction a spectrum of declaratory measures, national measures, and negotiated measures will be needed.

There is an extensive menu of options for states wishing to promote progress in these areas, and any one of the following (or a combination of several of them) would potentially contribute enormously to demonstrating seriousness of purpose and goodwill toward the goal all states in the region share. Some may be voluntary steps, which might perhaps be reciprocated. It is possible to start with some minimal expectations, and build slowly on the confidence that such a process might start to generate.

The following list includes ideas that have surfaced in various meetings, though there was no attempt to discuss these in depth, nor to seek consensus on their merits. The list is by no means comprehensive, nor is it prioritized. Further discussion could be held on these sorts of issues, and Pugwash was encouraged to continue to help generate such options.

a. Countries which have not yet ratified, or are not yet members of, certain regimes (NPT, CTBT, BWC, CWC, etc) could behave as if they were (and publicly reinforce this). They could possibly implement national legislation in accordance with the regime. Each state should be a member in good standing of at least some of the treaties.

b. Regional discussions might begin on how to manage transition to a region marked by reliance on nuclear power (and related proliferation issues). This might or might not include discussions on regionalizing or internationalizing of the fuel production. Regional verification measures might prove a promising avenue of exploration, although for some countries it may be easier to imagine an inspection by an international agency than by one or another of its members.

c. Progress might be possible on fissile materials in the region. For example, if the Fissile Material Cut-off Treaty is agreed, it might be possible for Israel to join. Or perhaps the region might agree to an "FMCT Lite," a regional FMCT, or another fissile materials agreement.

d. Increased cooperation on nuclear security might be possible, seeking to prevent trafficking in WMD and related components, and involving more experts working with nuclear materials in the process. This might include collective visits to nuclear, chemical and biological facilities (not for verification purposes), meetings and other forms to exchange best practices, joint exercises, etc. If managed properly, this avenue, apart from its main objective, may become a real confidence building instrument.

- e. A treaty or MOU banning attack on nuclear facilities might be discussed, based on the example of agreements between India and Pakistan.
- f. A treaty or agreement on No First Use (or Non-Use) might be possible. (While Israel might not be the first to agree to such a treaty, perhaps conditions might be created where they might eventually consider it?) Progress might be possible on declaratory policy, perhaps through quasi-negotiated unilateral statements.
- g. A regional ban on radiological weapons might be discussed, perhaps in conjunction with an agreement on non-attack on nuclear facilities.
- h. Perhaps all states in the region might generate White Papers and then meet to discuss mutual threat perceptions, etc.
- i. Perhaps, contrary to conventional thinking, it might be helpful to start from the form and mechanism, instead of substance. This might include creation of a Middle Eastern WMD prevention bureau (or Center of Excellence) for exchange of information, best practices, etc. Technical arms control may serve in this case as a confidence-building measure (promoting increased transparency, etc), prior to consensus or agreement on the ultimate (political) goals. (History has proven that by their nature arms control agreements are agreements among adversaries, and that peaceful relations are not required before negotiating and securing arms control agreements.)
- j. A Palestinian State should consider being a part of all relevant treaties, statements by the leadership committing it this objective might be helpful. In this case there is no need for linking this commitment with comparable steps by other regional countries
- k. All states in the region might agree, either unilaterally or in concert, to set up their regional Open Skies regime, with the possible technical assistance by the Euro-Atlantic Open Skies members.
- l. An agreement by states with nuclear weapons not to deploy nuclear-capable forces to the region might contribute to increased confidence in the region.