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Towards the 2012 Conference on the WMD-Free Zone on the Middle East

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The fast moving controversial developments in the Middle East and North Africa seem to be sidelining the search for responses to some fundamental security challenges in the region. This refers, among many other issues, to the discussion of steps for the preparation and successful conduct of this year's conference on the WMD-Free Zone in the Middle East. Furthermore, some think that there is not a favorable environment for such a conference now or in the foreseeable future.

It should be recalled that the decision to hold a conference on the creation of a Middle East NWFZ was made through consensus at the NPT Review Conference 2010. Without that decision it would have been impossible to adopt the final document of that conference - the result of a fragile but viable compromise that helped preserve and even strengthen somewhat the architecture of the international nuclear nonproliferation regime at a difficult time. It is equally important that the aim of establishing a zone free of nuclear and other weapons of mass destruction (WMD) in the Middle East was recorded in the NPT Conference decision in 1995 when the treaty's future, including its extension, was discussed. There should be no illusions: Without the obligation to move toward freeing the Middle East of nuclear weapons there would not have been an

indefinite extension of the treaty that, four decades after it entered into force, remains a cornerstone of global stability.

However, the main obstacle in the path of a NWFZ conference in 2012 is even not so much impediments from the opponents of a nuclear-free Middle East as skepticism and distrust that any progress in this field is possible in the first place. Such conclusions are not entirely baseless -they arise from the assessment of what has been achieved on a Middle East NWFZ since 1974 when it was first declared: Indeed, it has for the most part been marking time ever since. As a result, both experts and diplomats sometimes wish to brush aside the question of creating an NWFZ in the Middle East; is hopeless and unviable. This approach leads to the risk of zero expectations from the 2012 conference and, as a result, complete inaction.

Without going into another extreme and painting the situation in rosy colors which would be entirely inappropriate with regard to the Middle East – Russia and the United States (together with U.K.) as co-sponsors of the 1995 resolution should introduce a constructive element in the discussion on what issues the Conference should consider and how the extent of its success or failure should be measured.

Today's Situation

Two and a half has passed since the Review Conference adopted the Final Document. At this dramatic moment, some experts suggest that it would be expedient to postpone the conference to a later date (2013). Different arguments are put forward. Some say that the current events in the region will for a long time distract many Middle East states from the issue of nuclear weapons, weapons of mass destruction and a WMD free zone. Others believe that the year 2012 is extremely inappropriate as it is a year of presidential elections in the United States. Still others think that Iran's chairmanship in the Nonaligned

Movement could be an impediment: Iran, they say, will be rocking the boat of multilateral diplomacy especially vehemently. There may be a grain of truth in each of these approaches but all of them are the result of the implicit admission of the lack of readiness for an important conversation and therefore the wish to postpone its start under any pretext.

However, as a representative of the UN Secretariat who was in charge of 2010 NPT Review Conference mechanism commented, there is a resolution by the signatories to the NPT. It mentions the year 2012 in no uncertain terms. It would be against the document to postpone the start of the conference to a later date.

Israel and Iran

For purposes of the discussion of a WMD free zone it was rightly proposed that, based on the IAEA procedure of 20 years ago, "core states" in the region are identified and then "peripheral" states are added. Since there is not a generally accepted definition of "core states," they could be designated geographically as follows: from Morocco in the west to Iran in the east and from Syria in the north to Yemen in the south.

In any case, there is no doubt that the 2012 conference will be an exercise in futility unless Israel and Iran - the only two non-Arab states in the region, each of which has questions to answer, without which it is impossible to move toward the creation of a WMD free zone - are invited and accept the invitation.

As of now, Iran has confirmed its participation while Israel has not made its final decision known yet.

Scope of Work

First of all, the conferees should agree to limit the subject of consideration. Many diplomats and experts are concerned that the subject of discussion will be not only nuclear weapons but also other types of WMD, as well as their means of delivery. Indeed, there is no experience in such a broad approach to zones on the global level. There is a high risk of "drowning."

However, I believe that the complexity and scale of the task is exaggerated. There is a good proposal from Egyptian expert Nabil Fahmi, who at one time prepared the 1990 Egyptian initiative on a WMD-free zone. He proposes that the conference focus on nuclear weapons and direct the states in the region toward drafting a treaty on a nuclear-weapon-free zone. Later, at a certain stage when the treaty on a nuclear-weapon-free zone ceases being purely hypothetical, the states that have not joined the Chemical Weapons Convention (CWC), which contains an effective verification mechanism, should do so. The same should be done with regard to the Biological Weapons Convention (BWC) but in that case a regional verification agency will need to be created.

All participants in discussions on the prospects for the implementation of the 1995 resolution stumble over a point related to the Middle East free of delivery vehicles. I suspect that the 2012 conference will be out of its depth on this issue. However, it will not be possible to ignore it in the future. In this context I recall the Russian initiative concerning a multilateral character for the bilateral Russian-US intermediate-range and shorter-range missiles treaty (INF). It is essential to resume the efforts to implement this initiative; this could also become a "zero" missile solution for the Middle East but only in the long term and in the event that other efforts toward a peace settlement are crowned with success.

Possible Decisions

Even if it is well prepared and has a full-fledged makeup of participants, the

2012 conference cannot be expected to become a panacea for the region. No, the best it can be is the long awaited first step toward the practical implementation of the 1995 resolution. Nevertheless, the conference should make several decisions showing the way forward.

In my opinion,

- *First of all*, there could be a decision to **establish a permanent regional confidence-building mechanism in the nuclear sphere**, as well as chemical and biological weapons. In this context, it is useful to revisit proposals made within the framework of the ACRES in the early 1990s although the scope of participants should be broader than now.
- *Secondly*, **nuclear safety** issues should be considered as crucial and urgent for the region which has entered into the nuclear age by constructing new NPPs (Iran, UAE, Jordan, and then possibly others). Discussion on how it would be better to approach this topic at the conference should be launched by United States and Russia soon, both through track 1 ½ and track 2.
- The *third* decision could be a joint statement by all conferees to **refrain from attacks on all of the nuclear installations they have declared as well as from the threat of such attacks**. The recent course of events around Iran's nuclear program, which was attacked with information weapons (the *Stuxnet* virus), both confirms the relevance of this issue and raises the question of defining the scope of such attacks.
- *Fourthly*, there could be a decision to develop a **"roadmap" pointing the way to gradually placing all installations of the nuclear infrastructure in the region under IAEA safeguards**. Of course such a decision will be impossible without Israel's consent to place the Dimona facility under

IAEA safeguards. At the same time, it would not be reasonable to insist that Israel necessarily declare its entire nuclear arsenal.

- *Fifthly*, conference decisions may include a recommendation for all states in the region **to ratify Additional Protocols to the IAEA Safeguards Agreements as a matter of urgency**. An example might be set by Iran, which could, in the spirit of goodwill, finally ratify Additional Protocol before the conference.
- *Sixthly*, another step, possibly on the margins of on in parallel with the Conference, could be **unilateral parallel statements by Israel, Egypt and Iran about their readiness to ratify the Comprehensive Test Ban Treaty (CTBT) in the very near future**.
- *Finally*, the conference could make a decision to **establish an intergovernmental group on drafting the text of a treaty on the nuclear-weapon-free Middle East with the understanding that in the course of that all states in the region will join the Chemical and Biological Weapons Conventions**.

These would be good achievements to approach the 2015 NPT Review Conference that should "gauge" the effectiveness of the efforts over the preceding five-year period.

Russia has been actively involved in preparations for the 2012 conference. However, no efforts, either by Russia or by other co-sponsors, will be crowned with success unless the states in the region themselves show enough will for cooperation in the development of the nuclear energy sector and the promotion of peace in the region free from conflict and weapons of mass destruction.