The Middle East Weapons of Mass Destruction Free Zone in the IAEA General Conference: Is There a “Grand Strategy” behind the IAEA Track?

Jasmine Auda and Tomisha Bino

ABSTRACT
While Review Conferences of the Treaty on the Non-Proliferation of Nuclear Weapons are generally considered the main multilateral forum for discussing the Middle East Weapons of Mass Destruction Free Zone, they are only one of three other multilateral forums that have the zone on their agenda. The often overlooked forum, which represents the main subject of this commentary, is the General Conference (GC) of the International Atomic Energy Agency (IAEA). On an almost annual basis, two resolutions, entitled Israeli Nuclear Capabilities (INC), and the Application of IAEA Safeguards in the Middle East, are included in the GC’s agenda. This commentary chronicles the evolution of the strategy coordinated by the League of Arab States to prevent regional nuclear proliferation and address an existing one at the IAEA GC through the INC resolution in the context of key regional dynamics and developments, and their impact on the pursuit of the zone.

Introduction
The issue of the Middle East Weapons of Mass Destruction Free Zone (ME WMDFZ) has featured in the agenda of numerous international forums, in a variety of different manifestations, since its introduction in 1974. While the Review Conferences of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) are generally considered the main multilateral forum for discussing the ME WMDFZ, they are only one of three multilateral forums that have the zone on their agenda.

The second forum is the United Nations General Assembly (UNGA), where two resolutions aimed at addressing the Arab threat perception regarding proliferation in the region are presented by the Arab states on an annual basis, including the resolution on the “Establishment of a nuclear-weapon-free zone in the region of the Middle East”, and a resolution entitled “The risk of nuclear proliferation in the Middle East”, which have been adopted annually since 1974 and 1994, respectively.1

1The resolution entitled “The risk of nuclear proliferation in the Middle East” has been adopted annually since 1994 and is the successor to the “Israeli nuclear armament” resolution. For more on the change of title see UN (1994).

CONTACT Tomisha Bino tomisha.bino@un.org United Nations Institute for Disarmament Research, Jordan
In 2018, the UNGA also adopted a decision\(^2\) entrusting the United Nations Secretary-General to convene an annual conference\(^3\) aimed at “elaborating a legally binding treaty establishing a Middle East zone free of nuclear weapons and other weapons of mass destruction” (UN 2018).

The third and often overlooked forum, which represents the main subject of this commentary, is the General Conference (GC) of the International Atomic Energy Agency (IAEA). On an almost annual basis – since 1986 and 1991, respectively – two resolutions, entitled Israeli Nuclear Capabilities (INC), and the Application of IAEA Safeguards in the Middle East, are included in the GC’s agenda.

Together, diplomatic efforts in these three forums comprise the strategy of the Arab states to realize the zone by keeping the international community of states engaged with it in multilateral forums.\(^4\) In fact, the collective position of Arab states in each of the three forums is coordinated through resolutions at the League of Arab States (LAS) Ministerial Summits and based on the recommendations of the Senior Officials Committee of the LAS. However, as will be discussed below, the IAEA resolution on the application of safeguards was sponsored by a group of Arab states that was submitted outside the coordinated approach.

This commentary chronicles the evolution of the LAS-coordinated strategy of Arab states to prevent regional nuclear proliferation and address an existing case of proliferation at the IAEA GC through the INC resolution. It also provides the context of key regional dynamics and developments, and their impact on the pursuit of the zone on the diplomatic action on the INC. The commentary draws on IAEA meetings records, documents, interviews with Arab diplomats familiar with process and other relevant sources. While the authors are unaware of academic analysis of the strategies of other states involved in the process, the perspectives of those states can be distilled from the meeting records of IAEA GC plenaries covering the resolutions discussed in this commentary\(^5\). The analysis in this commentary, however, focuses solely on the coordinated Arab strategy on the INC.

First, There Was the INC

First introduced in 1986\(^6\), the INC has been the boldest, yet most controversial vehicle for the Arab states to keep their concerns about Israel’s nuclear program on the international disarmament agenda. The language of resolution has undergone some changes over the

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\(^2\)Decisions are another type of formal action taken by UN bodies. They often concern procedural matters such as elections, appointments, time and place of future sessions. They are sometimes also used to record the adoption of a text representing the consensus of the members of a given organ. General Assembly resolutions and decisions have the same legal status.

\(^3\)For the purposes of this article, the Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction is not considered a separate forum, as it was created by an action at the UNGA that is part of the overarching Arab strategy outlined here.

\(^4\)For a comprehensive discussion of this strategy, see Rydell (2013).

\(^5\)For further reading on the perspectives of other states on the issue, several issues of Arms Control Today have included reporting and analysis of the discussions and vote outcomes in IAEA GC. For example, see Nurja and Crail (2010).

\(^6\)The year the INC was first introduced in 1986 (then entitled Israeli Nuclear Threat), it was not put to a vote, but rather the discussion on it was pre-emptively adjourned “in view of the confusion regarding the procedural votes which had taken place”. During the debates on the resolution, the United States representative requested that the resolution be decided by a two-thirds majority. That request was passed by 43 votes to 37, and 13 abstentions, perhaps signalling to the Arab states that their new resolution might not be able to get the votes it needed.
years. However, its core objective has remained the same: to call upon Israel to place all its nuclear facilities under IAEA safeguards. Since its inception, the resolution has consistently been met with criticism from the European and North American states and their allies. They have claimed that the resolution is “discriminatory”, as “it singled out one nation for treatment and demands which were not addressed to other countries in a similar situation” (International Atomic Energy Agency (IAEA) 1987a), and for infringing on Israel’s sovereignty by demanding that it place its nuclear facilities under full-scope safeguards, a demand that “fell outside the mandate of the Agency”, they argued (IAEA 1987b). On the other hand, the Arab states and their supporters from the Non-Aligned Movement (NAM), were steadfast in their conviction that these arguments were not valid. They argued that by being the only state in the region that has neither adhered to the NPT, nor subjected all nuclear installations to the purview of IAEA safeguards, Israel had “singled itself out” (IAEA 1987b), that its “actions were in breach of the spirit of the Agency’s Statute” and that the criticisms from European and North American states against the resolution represented a double-standard, as the same states had “harassed some States in the region for their alleged non-compliance with safeguards while continuing to provide nuclear assistance to Israel, and which sought by all available means to prevent the adoption of a resolution calling on Israel to accede to the NPT” (IAEA 2009c).

Various developments in the region in the early and mid-1980s provided both fundamental and immediate cause for the Arab States to seek action in the IAEA to address the Israeli nuclear issue. The fundamental causes related to developments that affected Arab threat perceptions directly. The most significant was the Israeli attack on Osirak, Iraq’s nuclear research reactor, in 1981. As indicated by the Tunisian representative during the GC in 1987, this attack demonstrated the danger from Israel’s nuclear capacity (IAEA 1987b). Operation Opera, which was internationally condemned, factored strongly in Arab perceptions toward the perceived Israeli nuclear threat, as it demonstrated how Israel’s nuclear capability resulted in Iraq’s attempt to counter that capability by developing its own. It also underscored the saliency of nuclear weapons in regional strategic security relations and the extent to which Israel was willing to go to prevent real or potential rivals from becoming nuclear competitors, and how its actions could have resulted in a catastrophic nuclear incident.

The immediate cause was increasing public knowledge about the extent of Israel’s nuclear program. The public revelations by the nuclear technician Mordechai Vanunu arguably contributed to the Arabs changing in 1987 the title of the resolution, from “The Israeli Nuclear Threat” to “Israeli Nuclear Capabilities and Threat”, which passed that year by a vote of 48 to 29, with 12 abstentions7 The explanatory memoranda for requesting the inclusion of the resolution submitted by Iraq (IAEA 1987c) and the Syrian Arab Republic (IAEA 1987d), both referenced the “information and photos presented by [Mordechai Vanunu,] a technician, formerly employed at Israel’s secret Dimona reactor, issued in October 1986”, and published by The Sunday Times. A review of the records of the statements of member states during the debate on the resolution shows that the Vanunu revelations appear to have greatly contributed to the adoption of the INC for the first time.

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7For a complete list of votes on both the INC and the resolution on the Application of IAEA Safeguards in the Middle East, please refer to Table 1.
The revelations also provide further insight into the origin of the Arab position that Israel’s program is a threat and their approach of addressing this threat by “bringing their case” to the international community through the international multilateral forums. As concerns about Israel’s nuclear capabilities emerged, some Arab states feared that this would trigger a nuclear arms race in the region that would only increase the volatility of regional security. The development of the INC represents one part of the Arab strategy to prevent such an arms race, through which the Arab states opted to promote the idea of establishing a ME WMDFZ through a diplomatic, international multilateral approach. The argument by Arab states is that the source of threat is not only Israel’s nuclear capabilities, but it is the “original threat” that other regional states may respond to by developing their own WMD capabilities, which necessitate a regional approach, as opposed to one that only addressed Israel’s nuclear capabilities. Addressing criticism why the INC resolution refers only to Israel, the Arab states have argued that as no Arab country successfully developed nuclear weapons, and all of them joined the NPT, that Israel has de facto “singled itself out”.

Table 1. Voting results for IAEA resolutions on the ME.

| Year | Israeli Nuclear Capabilities and Threat (INC) | Application of IAEA Safeguards in the Middle East | Action | Yes | No | Abstain | Action | Yes | No | Abstain |
|------|-----------------------------------------------|---------------------------------------------------|--------|-----|----|--------|--------|-----|----|--------|
| 1986 | Adjourned                                      |                                                   |        |    |    |        | Adopted |     |    |        |
| 1987 | Adopted                                       |                                                   |        |    |    |        | Adopted |     |    |        |
| 1988 | Adopted                                       |                                                   |        |    |    |        | Adopted |     |    |        |
| 1989 | Adopted                                       |                                                   |        |    |    |        | Adopted |     |    |        |
| 1990 | Adopted                                       |                                                   |        |    |    |        | Adopted |     |    |        |
| 1991 | Adopted                                       |                                                   |        |    |    |        | Adopted |     |    |        |
| 1992 | Suspended                                      |                                                   |        |    |    |        | Adopted |     |    |        |
| 1993 |                                                |                                                   |        |    |    |        | Adopted |     |    |        |
| 1994 |                                                |                                                   |        |    |    |        | Adopted |     |    |        |
| 1995 |                                                |                                                   |        |    |    |        | Adopted |     |    |        |
| 1996 |                                                |                                                   |        |    |    |        | Adopted |     |    |        |
| 1997 |                                                |                                                   |        |    |    |        | Adopted |     |    |        |
| 1998 | Withdrawn                                      |                                                   |        |    |    |        | Adopted |     |    |        |
| 1999 |                                                |                                                   |        |    |    |        | Adopted |     |    |        |
| 2000 |                                                |                                                   |        |    |    |        | Adopted |     |    |        |
| 2001 |                                                |                                                   |        |    |    |        | Adopted |     |    |        |
| 2002 |                                                |                                                   |        |    |    |        | Adopted |     |    |        |
| 2003 |                                                |                                                   |        |    |    |        | Adopted |     |    |        |
| 2004 |                                                |                                                   |        |    |    |        | Adopted |     |    |        |
| 2005 |                                                |                                                   |        |    |    |        | Adopted |     |    |        |
| 2006 | Adjourned                                      |                                                   |        |    |    |        | Adopted |     |    |        |
| 2007 | Withdrawn                                      |                                                   |        |    |    |        | Adopted |     |    |        |
| 2008 | Adjourned                                      |                                                   |        |    |    |        | Adopted |     |    |        |
| 2009 | Adopted                                       |                                                   |        |    |    |        | Adopted |     |    |        |
| 2010 | Rejected                                      |                                                   |        |    |    |        | Adopted |     |    |        |
| 2011 | Rejected                                      |                                                   |        |    |    |        | Adopted |     |    |        |
| 2012 | Rejected                                      |                                                   |        |    |    |        | Adopted |     |    |        |
| 2013 | Rejected                                      |                                                   |        |    |    |        | Adopted |     |    |        |
| 2014 | Rejected                                      |                                                   |        |    |    |        | Adopted |     |    |        |
| 2015 | Rejected                                      |                                                   |        |    |    |        | Adopted |     |    |        |
| 2016 | Rejected                                      |                                                   |        |    |    |        | Adopted |     |    |        |
| 2017 | Rejected                                      |                                                   |        |    |    |        | Adopted |     |    |        |
| 2018 | Rejected                                      |                                                   |        |    |    |        | Adopted |     |    |        |
| 2019 | Rejected                                      |                                                   |        |    |    |        | Adopted |     |    |        |
| 2020 | Rejected                                      |                                                   |        |    |    |        | Adopted |     |    |        |
| 2021 | Rejected                                      |                                                   |        |    |    |        | Adopted |     |    |        |
The INC language adopted in 1988 requested the Director General to “prepare a technical study on different modalities of application of IAEA safeguards in the region” (IAEA 1988). The study produced by the IAEA the following year entitled, “Technical study on different modalities of the application of safeguards in the Middle East”, stated that the “Agency Secretariat can take no initiative to suggest the conclusion of new safeguards agreements”, but did suggest a number of actions that member states could take to realize the application of safeguards on all nuclear installations in the region (IAEA 1989a). On the basis of the study, the 1989 INC requested the Director General to continue “to consult with the States concerned in the Middle East area with a view to applying Agency safeguards to all nuclear installations in the area, keeping in mind the relevant recommendations contained [in the study] and the situation in the area of the Middle East” (IAEA 1989b). The request was repeated the following year in 1990, adding that the Director General should also consider the proposals made by states in their replies with regard to their views on the 1989 study.8

Although the INC was adopted annually between 1987–1991, it was not clear if it would be able to continue to garner enough support for to be adopted, or, more broadly, if it would result in concrete steps to achieve its goal of getting Israel place all its nuclear facilities under Agency safeguards. During this five-year period, voting records indicate that votes for the resolution gradually dwindled from 48 “in favor” in 1987 down to 39 in 1991, while the number of votes “against” remained relatively steady, ranging from 27–31.

With the creation in 1991 of the Arms Control and Regional Security working group (ACRS)9 within the framework of the Middle East peace process, the Arab states decided to suspend their action on the INC. Although it was included in the agenda of the GC in 1992, it was decided that it would not be discussed or put to a vote. Instead, the President of the conference made a statement that:

extensive consultations with various groups and delegations over the past few days had revealed a general feeling among delegations that, in view of the peace process already under way in the Middle East, the aim of which was to conclude a comprehensive and just peace in the region, and which included in particular discussions on the establishment of a nuclear-weapon-free zone in the Middle East, it would be desirable not to consider the present agenda item at the thirty-sixth regular session. In the absence of any objection, he would take that to be the view of the General Conference (IAEA 1992).

On this basis, the INC was suspended and did not appear on the agenda again until 1997.

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8The replies can be found in IAEA (1990).

9Following the 1991 Madrid peace conference, the parties decided to proceed with dividing the talks to multilateral and bilateral tracks. The multilateral track included five working groups covering arms control and regional security, economic development, water, refugees, and the environment. The working groups complemented three bilateral peace negotiation tracks between Israel and its Arab neighbours (the Palestinians, Jordan and Syria). The ACRS group held six plenary sessions between 1992 and 1994 and was split into a conceptual and an operational basket. By mid-1995, due to complications in the peace process, the upcoming NPT Review and Extension conference and the ongoing disagreement between Israel and Egypt over the question of when to place a discussion of the nuclear issue on the agenda, ACRS talks were put on hold indefinitely and no formal meeting was held after September 1995.
The Resolution on the Application of IAEA Safeguards in the Middle East

In all three of the forums that discuss the ME zone, the common orthodoxy is that Arab states act as a monolithic group with a common position, and most meeting and voting records seem to support this view; however, a closer look reveals that the group’s internal dynamics are far from simple. Reading through the GC meeting records where the INC is discussed, it might seem that the introduction of the Application of IAEA Safeguards in the Middle East resolution was planned and coordinated among the Arab states, for example, through the request that the Director General prepare a “technical study on different modalities of application of IAEA safeguards in the region” (IAEA 1988), in 1989. Another example that might lead an observer to conclude that the resolution on safeguards was a product of coordinated Arab action is a proposal made by the representative from Egypt during the discussion in the IAEA Board of Governors on the INC in 1991 that “the subject be discussed under the item on safeguards” and suggested that the IAEA Secretariat set up a special unit dedicated to the question of the application of safeguards in the Middle East (IAEA 1991a). In reality, however, the two resolutions have separate origins. According to former LAS Ambassador Wael Al-Assad, the resolution on the application of safeguards was drafted by Egypt, and was not a resolution previously agreed to by all Arab states at LAS summits, unlike the INC. This distinction is further corroborated by the absence of mentioning of the resolution on the application of safeguards in the annual LAS resolutions, entitled “Dangers of Israeli armaments to Arab national security and international peace”, which outline the coordinated Arab actions in multilateral forums.

The resolution entitled “Application of IAEA Safeguards in the Middle East”, first appeared on the GC agenda in 1991 and made a direct reference to the UNGA resolution on the “Establishment of a nuclear weapons-free zone in the region of the Middle East” by calling upon “all States in the region to take measures, including confidence-building and verification measures, aimed at establishing a nuclear-weapon-free zone in the Middle East” (IAEA 1991d). Four significant political developments may have contributed to its introduction: First, the Mubarak initiative, which expanded the scope of the proposed Middle East zone from one that is free from nuclear weapons to also include other weapons of mass destruction (i.e. biological and chemical weapons) (IAEA 1991b). During the Gulf War, Saddam Hussein’s Iraq had threatened to retaliate against Israel and Saudi Arabia by using chemical and biological weapons in the case of an attack against it using weapons of mass destruction or in the case that coalition forces marched on Baghdad (Russell 2005, 201–202). Although not explicitly mentioned, a letter from foreign minister of Egypt to the United Nations Secretary-General regarding the new initiative emphasized that “recent developments in the region have further underscored the importance and urgency of safeguarding the Middle East from the ominous implications associated with nuclear weapons and other weapons of mass destruction” (United Nations (UN) 1990). Second, the Middle East Arms Control Initiative, launched by President George H.W. Bush in 1991, which included a call on all countries in the region to “implement a verifiable freeze on the production and acquisition of weapons-usable

10 Interview with Ambassador (ret.) Wael Al Assad conducted by the authors for the purposes of this piece.
11 Most LAS resolutions are available only in Arabic on the League’s website: http://www.lasportal.org/ar/councils/ lascouncil/Pages/default.aspx?RID = 75&Ctype = 1. For a translated example, see LAS (2018).
nuclear material (enriched uranium or separated plutonium)” (Bush 1991), was highlighted by the Director General in his report on the INC that year (IAEA 1991a). The third development was the adoption of UN Security Council resolution 687 (1991), after the end of the Gulf War, wherein the IAEA was tasked “to develop a plan . . . to confirm that Agency safeguards cover all relevant nuclear activities in Iraq” (UN 1991), which the IAEA Director General also cited in his report and expressed the “belief that the Agency could play a key role by virtue not only of its past safeguards experience in the Middle East but also of its more recent experience in implementing Security Council resolution 687” (IAEA 1991a). The final and most critical development was the creation of the ACRS process (mentioned above), wherein Egypt and Israel had begun to discuss nuclear and WMD non-proliferation and disarmament. This engagement contributed directly to the rationale for the introduction of the resolution on “Application of Safeguards in the Middle East”, whereby Egypt would have a consensual resolution that could implement political understandings that could serve as a platform for the technical implementation of the political understandings reached on nuclear non-proliferation through ACRS.

In stark contrast with reactions to the INC, the resolution on the Application of Safeguards in the Middle East was welcomed and praised by European and North America speakers during the debate. The representative from France described it as “positive, constructive and novel”, while the representative from the United States said that, unlike the INC, the new resolution was “much more in keeping with the Agency’s role and concerns, could be more effectively discharged by the Agency, and deserved approval by a consensus of the General Conference” (IAEA 1991c).

The new resolution was submitted jointly by Egypt, Kuwait, Lebanon, Morocco, Qatar, Saudi Arabia, Sudan, and the United Arab Emirates, not collectively by the Arab group, and thus, as meeting statements by some Arab representatives suggest, did not enjoy unanimous support from all Arab states. One former Arab diplomat interviewed for this commentary lamented the fait accompli manner in which the draft text was presented to Arab states. In the intervention by the representative of Algeria during the debate on the resolution, he criticized the “methods of preparation or the wording of the amended document”, lamenting that the version of the draft resolution under consideration had only been circulated at the start of the debate (IAEA 1991c). Both the representatives from Algeria and the Syrian Arab Republic also expressed the view that consideration of the resolution should be deferred to the following year as “immediate adoption of the resolution would have a negative effect on the Agency and on diplomatic and strategic considerations in the Middle East” (IAEA 1991c). As neither of the statements constituted a formal objection, and in the absence of formal objection by any other state, the resolution on the “Application of IAEA Safeguards in the Middle East” was adopted without a vote. This practice continued until 2005.

The INC’s Return to the Agenda and Breaking Consensus

As the ACRS talks faltered and eventually broke down in 1994, with the discussion on how to address nuclear proliferation in the region being the main disagreement between Egypt and Israel, and in light of the approaching NPT Review and Extension Conference the following year, the Arab states returned to their previous approach of putting the INC and Israel’s disarmament on the agenda of international multilateral forum. In the LAS
resolution 5380 on the “Coordination of Arab positions on weapons of mass destruction and mobilizing efforts towards the creating on a zone free of weapons of mass destruction in the Middle East”, the Arab states proceeded to create an expert group that would formulate a unified Arab position on the extension of the NPT. The same resolution also included a decision to continue “pressuring Israel to join the NPT and apply IAEA safeguards on its nuclear facilities” (League of Arab States (LAS) 1994). During the 1995 NPT Review and Extension Conference, the Arab states agreed to go along with the decision to indefinitely extend the treaty, contingent on the adoption of a resolution calling for the establishment of a ME WMDFZ (United Nations Office for Disarmament Affairs (UNODA) 1995). Initially, the Arab states, led by Egypt, had wanted the resolution to call on Israel by name to join the NPT. However, a compromise was reached between Egypt and the NPT depositary states – the United States, Russia and the United Kingdom – that the resolution would not name Israel in exchange for being submitted by the depositaries. Further strengthening the depositaries’ case against the singling out of Israel was the fact that three Arab states, Djibouti, Oman and UAE, were not yet members of the NPT either (Onderco and Nuti 2020, 123–154). The Arabs knew what needed to be done to counter criticisms that the Arab states were trying to unfairly single Israel out. By the time of the first Preparatory Committee in 1997, the three remaining Arab states had joined the NPT.

With no progress being made on the 1995 NPT resolution on the ME WMDFZ, and with the Middle East peace negotiations stalled, the Arab Group requested the re-inclusion of the INC onto the agenda of the 1998 IAEA General Conference. After “intensive consultations”, the Arab states sponsoring the draft resolution to withdraw it and agreed that the President of the GC would read out the following statement:

The General Conference recalls the statement by the President of the 36th session in 1992 concerning the agenda item “Israeli Nuclear Capabilities and Threat”. That statement considered it desirable not to consider that agenda item at the 37th session. At this 42nd session, this item was, at the request of certain Member States, reinscribed on the agenda. The item was discussed. The President notes that certain Member States intend to include this item on the provisional agenda of the 43rd regular session of the General Conference (IAEA 1998).

A critical linkage between the two IAEA resolutions developed over the years. The INC was included on the agenda of the GC and debated between 1998–2005 but the Arab states did not bring it to a vote until 2006. Although it is not stated explicitly in the GC meeting records, developments aimed at addressing the perceived Israeli nuclear threat, both within the IAEA and the NPT, are likely to have contributed to moderating the approach by the Arab states. In 2000, the IAEA GC issued a decision that requested the Director General to convene “a forum in which participants from the Middle East and other interested parties could learn from the experience of other regions, including in the area of confidence building relevant to the establishment of a nuclear weapon free zone” (IAEA 2000b). The idea of the forum had been proposed by the Director General in his report on his consultation with the States of the Middle East, which had been mandated by the resolution on the application of safeguards (IAEA 2000a). However, because Middle Eastern states struggled to harmonize their positions on the agenda and modalities over the following years, as reported by the IAEA Director General (IAEA 2009b),
the forum could only be held in 2011 after such an agreement on its agenda and modalities was eventually arrived at. In the NPT track, the final document of the 2000 Review Conference named Israel for the first time in this forum, reaffirming the “importance of Israel’s accession to the NPT and the placement of all its nuclear facilities under comprehensive IAEA safeguards” (UNODA 2000). In the years that followed the 2000 Review Conference, however, there was no tangible progress in bringing Israel into the NPT or in convincing it to apply IAEA safeguards to all its nuclear facilities. Over this same period, the Arab group’s continued inclusion of the INC on the agenda of the IAEA GC resulted in Israel threatening to break the consensus on the “Application of IAEA Safeguards in the Middle East” resolution (IAEA 2006a). Both Israel and the United States voted against the resolution on the application of safeguards in 2006. As for the INC, the representative of Canada moved to adjourn the debate on it that year, on the grounds that it “had proven very divisive and had led to an unfortunate situation where a long-standing consensual approach had collapsed” (IAEA 2006b). The motion carried with 45 votes in favor and 29 against, with 19 abstentions.

The Arab states continued their efforts to secure the adoption of the INC by the IAEA GC, which finally materialized in 2009. In addition to the meeting records of the 2009 GC, perhaps the most extensive account of the Arab states’ strategy to secure adoption can be found in Amr Moussa’s memoir detailing the years leading up to the monumental vote of that year, as chronicled in the statement provided by Ambassador Al-Assad in that memoir. Ambassador Al-Assad’s statement begins by providing insights into the Arab perspective on the INC, and how their motives to submit the resolution but not put it forward to a vote until 2009, which were ultimately due to not only a lack of Arab coordination and insufficient negotiation capacity of the Arab group in Vienna but was also fueled by their fear of its rejection given the fierce pressure the United States, European Union, and Israel put on the IAEA member states to vote against the resolution. As LAS Secretary-General during that time, Amr Moussa was galvanized to find a way to overcome these hurdles, and proceeded to devise a three-pronged strategy, which consisted of the following: lobby Arab officials to include the issue as a priority in their conversations with other member states of the IAEA; coordinate the actions of Arab ambassadors in Vienna, which were considered to constitute the “frontline” of this effort; and personally conduct outreach to different regional groups and states to solicit their support for the resolution (Moussa 2020).

Against the backdrop of this Arab strategy, the general mood going into the 2009 GC was strained and rife with tension, with the United States, European states and their allies still mostly confident that the INC would either not be tabled by Arab states or that debate on it could be adjourned if a vote were to be requested, as had been the case in 2006 and 2008.12 According to Amr Moussa’s memoir, against all the perceived difficulties, the intense lobbying of the Group of Western European and Other States (WEOG) against the resolution, and even IAEA Director General Mohamed El-Baradei urging him not to put the INC to a vote (Moussa 2020), the strategy was ultimately successful.

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12In 2007, the INC was included on the agenda of the GC and discussed, however the Arab states and their supports did not request a vote, but only that it be included in the agenda of the next session of the GC.
Following a motion to adjourn the debate by Canada, and another motion to suspend by Sweden, which both were defeated, the resolution was adopted with a vote of 49 to 45, with 16 abstentions (IAEA 2006b).

The following year, in its final document, which was adopted a few months prior to the IAEA GC, the 2010 NPT Review Conference agreed to several practical steps, including to “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”. This might be considered by many as a positive development in the NPT Review Conference, it had an adverse effect on the performance of the INC. In the replies of states to the Director General on their views on the INC, several member states\(^\text{13}\) expressed concern that the resolution could negatively impact the implementation of the outcomes of the 2010 RevCon (IAEA 2010). The Arab group still brought the resolution to a vote that year but was defeated with 46 votes in favor to 51 against, and 23 abstentions.

One year later in 2011, the Arab states decided not to submit the draft resolution. However, they did not decide to suspend it either, which would have removed it from the GC’s agenda as they had done in 1992 in view of the ACRS talks. Back then, the Arab states had viewed it as a good will gesture, which they felt – given the collapse of the peace process – was not reciprocated with good faith engagement from Israel. Nevertheless, the decision not to pursue the resolution was intended to signal the willingness of the Arab States to promote a political atmosphere conducive for the preparations of the 2012 conference (UNODA 2015), but given Israel’s official position was that it will not participate in that conference, they felt the INC should not be suspended (IAEA 2011). The Israeli side, however, viewed the Arab decision differently. In a commentary by Shimon Stein and Ephraim Asculai – two former Israeli officials with extensive experience on the issue – they described the Arab decision to withdraw the INC as a “diplomatic coup in such a hostile arena”, which they attributed to “an improved diplomatic campaign and better coordination with the United States and European Union member nations” (Stein and Asculai 2011). Although Israel had not yet agreed to participate in the planned 2012 conference on the zone, they argue, the European Union opposed the resolution because they were encouraged by the participation of Israeli experts in the Middle East Seminar it had organized in July 2011 and the willingness of Israel to participate in the IAEA Forum on the Nuclear-Weapons-Free-Zone for Middle East\(^\text{14}\), and so did not want the INC to jeopardize efforts toward that end (Stein and Asculai 2011). Stein and Asculai also recommended that, even if Israel didn’t participate in the 2012 conference, it should engage with the facilitator of the conference and preserve the support of IAEA member states against the INC (Stein and Asculai 2011).

In November 2012, the United States announced the postponement of the conference of the ME WMDFZ, which was mandated by the 2010 NPT RevCon, citing “present conditions in the Middle East and the fact that states in the region have not reached

\(^{13}\)Albania, European Union, Philippines, New Zealand, Norway and the United States.

\(^{14}\)The Forum on the Experience of Possible Relevance to the Creation of a Nuclear-Weapons-Free-Zone in the Middle East was held in response to a request by Member States at the IAEA’s General Conference in 2000 that the Director General convene a forum where participants from the Middle East and other interested parties could learn from the experiences of NWFZs in other regions.
agreement on acceptable conditions for a conference” (Nuland 2012). Following the postponement, the states of the Middle East engaged in five rounds of informal consultations in Switzerland to discuss the conference modalities, agenda, and other relevant elements, in hopes of finding a way to hold the postponed conference. However, the previous points of divergence could not be bridged. This, coupled with the failure of the 2015 NPT RevCon to adopt a consensus final document and remedy the postponement, increased Arab frustration with the progress towards achieving the goal of establishing a ME WMDFZ. It was decided that the Arab group would “continue to submit the draft resolution at future sessions of the General Conference, regardless of the outcome of the vote, because it addressed an issue of crucial importance to regional and international security”, and that it would “continue to pursue that goal at many levels” (IAEA 2016a). The consensus on the resolution on the “Application of IAEA Safeguards in the Middle East” has not been reestablished, but it has continued to be adopted with the abstention of Israel and no votes against\textsuperscript{15}.

**Epilogue**

The progression of the INC and its associated track record would indicate, notwithstanding a few notable exceptions, namely from its introduction in 1986 to 1991, and again in 2009, that the resolution has largely been defeated when put to a vote. From an Arab perspective, however, this does not necessarily suggest that this effort has been for naught. Since its inception, the INC was primarily created to highlight Arab concerns about Israeli nuclear capabilities as a precursor and motivation for possible proliferation by other states in the Middle East. By keeping the issue on the agenda of relevant multilateral nonproliferation and disarmament forums, they hoped the pressure will change Israel’s cost-benefit calculus for its nuclear program. As such, the Arab Group decided to continue to raise the resolution despite not having enough support among IAEA members states for its adoption, as a diplomatic tool of pressure. Their support for the INC, however, was not blindly pursued when there was a sense that it may jeopardize progress in other areas, as evidenced by the decision not to put the resolution to a vote at critical moments such as during the ACRS process, and again ahead of the then-planned 2012 conference on the establishment of the zone. Over 12 years have passed since the INC was last adopted, having either been rejected or not submitted for a vote during that time.

Despite the disappointment and dismay of member states of the IAEA at the breakdown of consensus on the resolution on Application of IAEA Safeguards in the Middle East, especially that of its sponsor Egypt, no notable efforts have been made to return to consensus. The insertion of an operative paragraph to the resolution by Algeria (IAEA 2009a) in 2008, which calls on all states in the Middle East to join the NPT, has been criticized by Israel, which has called since for a separate vote on it since its introduction, and has been voting against it. In several statements by the representative of Israel, it has been made clear that Israel would only consider a return to consensus if the paragraph on

\[\text{\textsuperscript{15}Since 2008, Israel has requested a separate vote and voted against operative paragraph 2 of the resolution, which calls on all states in the Middle East to accede to the NPT.}\]
NPT accession is omitted (IAEA 2016b). Egypt has been unwilling to accept this request. This suggests that consensus on this resolution may not be crucial for the Arab Group, as they chose to continue pursuing the INC.

At the time of writing, the Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction, created by UNGA decision 73/546 in 2018 has held two sessions that have surprised observers with their positive outcome. However, its success is unlikely to effect change in the Arab action in the other relevant multilateral forums, including on the INC in the IAEA. Recent LAS resolutions on the “Dangers of Israeli armaments to Arab national security and international peace” continue to coordinate the Arab position across the UNGA, NPT, IAEA and now, the Conference (LAS 2020, 2021).

The Arab Group strategy through the IAEA track has had little tangible impact on facilitating progress toward a ME WMDFZ. In particular, it has not succeeded in its core objective of Israel placing all its nuclear facilities under IAEA safeguards. Yet, this is not to say this effort has been without any practical effect. In the first instance, it served to consolidate international opposition to any acceptance of Israel’s possession of nuclear weapons. It thus also paved the way for related efforts in other forums that have maintained high levels of political pressure specifically targeting Israel and its status as a non-party to the NPT. In the absence of Israel’s interest in negotiating on the zone in isolation of its own regional political and security objectives, the international opposition to Israel’s nuclear capabilities functions as a brake against prospective normalization of this status. Most critically, this opposition continues to ground and galvanize a common Arab position on this issue and to maintain expectations for commitments or progress to be made through any available international forum, including the NPT review process and the Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction.

Disclosure Statement

No potential conflict of interest was reported by the author(s).

Notes on Contributors

Jasmine Auda is the Co-Founder and COO of Ambit Advisory, a non-governmental organization working on security and development issues across the Middle East. Previously, she was the Deputy Managing Director at the Middle East Scientific Institute for Security (MESIS), an NGO based in Jordan and associated with the Royal Scientific Society. In this capacity, Jasmine led the design and development of programs that addressed Chemical, Biological, Radiological, and Nuclear (CBRN) risks to security in the region. Jasmine received her undergraduate degree in Political Science from New York University, and a Master’s Degree in Political Economy from King’s College London.

Tomisha Bino is a Researcher with the Middle East Weapons of Mass Destruction Free Zone project. She has researched and published on Middle East politics and regional security issues. Before joining UNIDIR, Tomisha was a researcher at the Conflict Analysis and International Crisis Management Department of the Institute for Security Policy at Kiel University, focusing on context and actor analysis in Mali. She was also an Academy Fellow with the International Security Department at Chatham House. Tomisha’s areas of expertise include arms control,
disarmament and non-proliferation, and Middle East security policy. Tomisha holds a master’s degree in Peace and Security Studies from the Institute for Peace and Security Studies (IFSH) the University of Hamburg. She speaks Arabic, English and German.

**ORCID**

Tomisha Bino [http://orcid.org/0000-0001-9503-9255](http://orcid.org/0000-0001-9503-9255)

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