The Quest for a WMD Free Zone in the Middle East: History, Lessons Learned, and the Way Forward

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ABSTRACT
It has been almost five decades since the initiative to transform the Middle East into a zone free of nuclear weapons was launched in the UN General Assembly in 1974. Despite sustained diplomatic efforts by the Arab states, the zone remained an unrealized concept that is stuck in the pre-negotiation phase. For every step forward there were two backward. The history of the zone is littered with unfulfilled promises by the international community. Nonetheless, the latest developments in the last few years indicate that the zone concept is still very much alive. This article will highlight some of the milestones in the history of the zone, look at some of the misconceptions surrounding the initiative, and examine the motivations and rationale behind it and why the advocates of the zone to continue to pursue it in all relevant international forums. The article will also attempt to draw some lessons learned along the way in the turbulent and long history of the zone, and, finally suggest some steps to move forward toward the endgame. In the analysis of these issues, the article will present an Arab perspective, which has not been sufficiently reflected in much of the literature or research available.

Introduction
Since its inception, an initiative for a zone free from weapons of mass destruction (WMD) in the Middle East has been the subject of highly charged political debate at a number of international forums, particularly the International Atomic Energy Agency (IAEA), the review conferences of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), and the United Nations General Assembly (UNGA). Moreover, research centers and think tanks around the world have organized, since the 1990s, countless track 2 and track 1.5 meetings to support the official track 1, investigating possibilities for breaking the gridlock on the discussion of the zone, but without success. Furthermore, hundreds of papers and articles were written on the initiatives of creating a nuclear-weapon-free zone (NWFZ) and a weapons-of-mass-destruction-free zone (WMDFZ) in the Middle East, yet none really found an acceptable strategy to achieve it.
Discourse on the zone is usually heated, biased, and reflective of the political inclinations of the different parties. The main reason for this is that the topic entails a discussion of Israel’s nuclear weapons and security versus the region’s security. At the formal level, states are mainly divided between two main groups; on one side, the Western Europe and other States Group, which fully supports Israel and refuses to discuss its nuclear capabilities, and, on the other side, most of the members of the Non-Aligned Movement (NAM), supporting the Arab states and their initiative. Other groups or states are either divided on the issue or maintain silence to avoid angering either party.

Motivations and Rationale

The origins and motivations for the Arab states’ push for a WMDFZ in the Middle East dates back to the 1950s and 1960s, when rumors and information trickled to the Arab states that Israel was developing a military nuclear program with the support of France, in spite of Israel’s policy of nuclear ambiguity (Hussain 2019). These developments and information increased the threat perception of the Arab States, and it was clear to them that they had to react and address it. Israel felt that developing its own nuclear program was the only way to safeguard itself; it felt the task was too sensitive to trust it to its allies. However, as the international community was moving toward nonproliferation, Israel saw that it also needed to safeguard its nuclear program from this trend by initially keeping it a secret and later adopting the policy of nuclear ambiguity.

According to the nuclear opacity policy, Israel neither officially confirms nor denies that it possesses nuclear weapons. Hence, the Arab States were faced with a serious security dilemma. Ultimately they were faced three alternatives:

- to accept and coexist with nuclear weapons in the hands of their main adversary at the time, Israel, which would aggravate the security imbalances in the region;
- to retaliate by developing their own military nuclear programs, which they realized was politically dangerous and financially costly, not to mention heightening and exacerbating the regional arms race. There was no NPT at the time, so that option was theoretically available to them; or
- to resort to the international community to pay attention to the inherent dangers and to exert pressure on Israel in order to reach a regional agreement to rid the region of these menacing weapons. Therefore, when Egypt and Iran introduced the zone initiative to the General Assembly in 1974, the rest of the Arab states seized the opportunity and adopted the zone concept as a way out of the regional nuclear proliferation dilemma. Since then, the Arab states have placed the issue on the agenda of the UNGA, the IAEA, and the NPT review conferences. With tens of resolutions adopted by these forums in support of a Middle East Nuclear Weapons and WMD Free Zone, the Arabs kept their security concern alive at the international level.

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1 The Non-Aligned Movement has been weakened and does not speak with one voice, yet on the issue of the zone, the majority support its realization.
2 Since Israel’s establishment, the country aspired to achieve nuclear capabilities in order to ensure its survival in the face of its many challenges. Aided by France, these efforts ultimately led to the beginning of Israel’s nuclear project in 1957–58 (Reut Group n.d.).
This is the main motivation for the Arab states to persist and insist, despite setbacks, in calling upon Israel to join the NPT and to subject its nuclear facilities and programs to comprehensive IAEA safeguards. Israel and its friends claim that all the Arabs want is to “name and shame” Israel by “singling out” Israel in its resolutions. The real reason behind the Arab demands is more serious than this naïve explanation, as it emanates from their security concerns and threat perceptions. Moreover, calling upon Israel to join the rest of the international community in the NPT should not be considered “naming and shaming”.

If the motivation is rooted in the threat perception of the Arabs, a perception shared by Iran, the rationale for the zone is more constructive. In spite of failures and setbacks, the rationale for creating the zone has never been more relevant. When established, the zone would be an excellent response to the Iranian nuclear situation, and a more comprehensive structure than the Joint Comprehensive Plan of Action. It would be based on collective agreements rather than coercive measures. It would, at the same time, remove the sense of double standards over Israel’s nuclear program (Fitzpatrick 2012), and eliminate nuclear, chemical, and biological weapons and threats from the whole region. Undoubtedly the realization of the zone would strengthen the NPT, create trust and confidence in its processes, and restore some of its lost credibility. More importantly, it would help create the conditions for regional cooperation on issues beyond disarmament, moving to areas of collective development and peace. The zone would be the first regional security structure in a region that has suffered from decades of conflicts, distrust, and lack of transparency.

The Division over the Initiative

When the zone initiative was first introduced in 1974, it received official support and was welcomed by almost all states at these forums. But unofficial opinions, among both experts and diplomats, were split into two groups. The first group has branded the initiative as unrealistic and an exercise in futility, while the second group viewed the concept as a viable and unique solution to the proliferation of WMD in the region.

The first group believes that after almost fifty years of setbacks without any serious progress and Israel’s continuing refusal to join most of the international arms control and disarmament treaties or engage in any official negotiations regarding regional nuclear disarmament, the prospects are bleak and continuing down that road is futile.

The other group believes that the idea of the zone has endured and evolved over these five decades and is still very much alive on the agendas of many multilateral forums, in spite of the obstacles it faced and the little progress it achieved. The members of this group believe that the main reason for its survival is that it is the only initiative that provides a comprehensive regional approach to the regional proliferation dilemma and avoids the “state by state” approach that has been used by some major powers over the years, which has proven to be a selective and biased approach. It has endured because no one at the international level has yet to come up with a better security arrangement.

Six Main Landmarks in the Evolution of the Middle East WMDFZ

In order to assess the progress or the context of the evolution of the zone, it’s important to look into some of the main milestones that were instrumental in achieving this evolution:
1. In 1990, Egypt launched an initiative to expand the scope of the zone concept to include all WMD. This was partly prompted by Iraq’s use of chemical weapons in the 1980s against Iran and against its own people, but also partly to respond to Israel’s claim that the objective of the zone initiative was only to target Israel and its nuclear weapons. The zone concept evolved to include new threats from other regional parties, and the narrative and discourse changed. Some observers believed that this new expansion, though tactically sound, dilutes the original concept and complicates its implementation.

2. The second milestone was in 1991, when the Madrid peace process forked into bilateral and multilateral tracks. The multilateral track included five working groups, one of which was the Arms Control and Regional Security (ACRS) working group. The ACRS was an important landmark despite its failure in the end because it provided a platform for direct official negotiations that produced agreements on a number of issues that no one thought possible before that. The ACRS met during the period from 1991 to 1994 and held six sessions, until it reached a deadlock and stopped completely because. That was partly because the main Egypt-Israel bilateral track of the peace process collapsed and partly because the Egyptians insisted on discussing the Israeli nuclear file. Different narratives emerged since then to explain what happened during the ACRS, why it failed, and who was responsible for the failure.

3. The third landmark was the adoption of the Resolution on the Middle East by the 1995 Review and Extension Conference of the NPT. The resolution, though it is problematic and does not include implementation steps, gave the zone issue a prominent and permanent place in the work of the NPT review conferences. This resolution changed the approach to the issue for three main reasons:

   - The creation of the zone was no longer an Arab initiative but became an international commitment and responsibility.
   - The zone concept was expanded to include the means of delivery of these weapons.
   - The Middle East WMDFZ became an integral part of the Review Process as it was acknowledged as an integral part of the deal to extend the NPT indefinitely.

4. The 2000 NPT Review Conference is the fourth landmark in the history of the evolution of the zone for two reasons:

   - The importance of the Middle East resolution and its integral connection to the review process were reaffirmed in the final document. The final document under the title “The Middle East, particularly implementation of the 1995 Resolution on the Middle East,” included the following statement:

     1. The Conference reaffirms the importance of the Resolution on the Middle East adopted by the 1995 Review and Extension Conference and recognizes that the resolution remains valid until the goals and objectives are achieved. The Resolution, which was co-sponsored by the depositary States (Russian Federation, United Kingdom of Great Britain and Northern Ireland and United States of America), is an essential element of the outcome of the 1995 Conference and of the basis on which the Treaty on the Non-Proliferation of Nuclear Weapons was indefinitely extended without a vote in 1995.
Also, by 2000, all the Arab states were parties to the NPT. The 2000 NPT Review Conference, under the same heading, called upon Israel to join the NPT being the only state in the region that has not done so:

3. [A]ll States of the region of the Middle East, with the exception of Israel, are States parties to the Treaty on the Non-Proliferation of Nuclear Weapons. The Conference welcomes the accession of these States and reaffirms the importance of Israel’s accession to the NPT and the placement of all its nuclear facilities under comprehensive IAEA safeguards, in realizing the goal of universal adherence to the Treaty in the Middle East.

With this international demand, “the singling-out argument” mentioned earlier was refuted and should have ended with that declaration.

5. The fifth landmark is the 2010 NPT Review Conference, which adopted a consensus action plan containing a number of practical steps to convene a conference in 2012 that would launch a process to create the desired zone with the full support and engagement of the nuclear-weapon states. In addition, the action plan included the appointment of a facilitator and host government for the conference, with the United Nations and the co-sponsors of the 1995 resolution acting as co-conveners. Unfortunately, the 18 months after the 2010 Review Conference, passed with no action whatsoever on the part of the conveners, until suddenly they appointed Ambassador Jaakko Laajava of Finland as a facilitator for the conference.

These 18 months were lost and could have been used for better preparations. Less than a year later, the United States, the United Kingdom, the United Nations, and the facilitator issued statements postponing the 2012 conference indefinitely and declaring that there was no agreement among the parties. The Russians issued a statement declaring their dissatisfaction and that the co-conveners had no right to postpone the conference. This postponement was decided without consultation with the regional parties. Following the postponement, the appointed facilitator suggested a round of informal consultations to prepare for the conference. The parties accepted and subsequently participated in five informal consultations in Geneva and Glion, Switzerland, to discuss the conference modalities, agenda, and other relevant elements. Unfortunately, the consultations focused more on the agenda, and trying to convince the Israeli participant to hold the conference according to the mandate. But the Israeli counterpart had one demand, which was to include all regional security issues in the agenda, and not to focus on the zone. The facilitator and the co-conveners put great effort into convincing the Arab states to change the mandate of the conference to discuss the full host of regional security issues, including conventional arms. The Arab states argued that the agenda of one conference cannot include all the security problems of the Middle East and expect the conference to succeed. They objected that while the co-conveners are presumed to be the guardians of the mandate that was given to them by the review conference, they were complicit in attempting to change that mandate, and they did not have the authority to do that.

\footnote{Whenever the Arab Group submitted a draft resolution calling on Israel to join the NPT and submit its nuclear facilities and programs to comprehensive IAEA Safeguards, Israel and its supporters acted with indignation that the Arab group was “singling out” Israel and not mentioning the other states in the region that are in the same situation. The Arab states always explained that there are no other states in the region in the same situation and that Israel is the only state in the region that has not adhered to the NPT or subjected its nuclear facilities to comprehensive safeguards. Yet Israel and its supporters continue to ignore these facts and insist on this “singling out” argument.}
Naturally, the informal consultations collapsed, and the facilitator and the co-conveners declared that the inability of the states of the Middle East to reach agreement on the agenda for the conference, which led to the indefinite postponement of the conference. Frustration mounted among the Arabs, and they became convinced that the co-conveners, except the UN representative and Russian representative, were part of the problem and had no intention from the very start of convening the agreed-upon conference.

This situation exploded in the 2015 Review Conference and led to its failure to agree on a final document.

6. The sixth landmark was the Arab decision to take the matter back to the UNGA. This was an act of frustration with the tactics to delay action on the zone in the review process, and with the indefinite postponement of what was supposed to be a 2012 conference on the zone. The failure of the 2015 NPT Review Conference to adopt a final document was the last straw, and a different approach had to be found. The Arab states felt that they had to take matters into their hands, and in December 2018, the General Assembly adopted a new decision, based on an Arab Group draft, to entrust the UN secretary general with convening an annual conference, beginning in 2019, “until the conference concludes the elaboration of a legally binding treaty establishing a Middle East zone free of nuclear weapons and other weapons of mass destruction”.

The first and second UN conferences on the zone treaty were held in 2019 and 2021, with the participation of 22 Arab states and Iran. Israel and the United States, as expected, rejected the decision of the General Assembly and boycotted the conference.

**Lessons Learned**

The remarks below represent this author’s personal views on lessons learned, following participation in three NPT review conferences, coordination of Arab positions regarding these issues, and being one of the lead negotiators on behalf of the Arab Group in the informal consultations in Geneva and Glion.

(1) It became clear to the Arab states that long, informal, undocumented consultations with Israel outside the United Nations are merely delaying tactics, and the outcomes could be spun into contradictory narratives, with each side blaming the other for the lack of progress. Negotiations on the zone have to be direct between the regional parties, but they also has to be formal and under the umbrella of the United Nations, not the sponsorship of the three depositary states. Some of them are not honest brokers and have ulterior motives and interests that they naturally bring to the table. That can sabotage the process – and has done so in the past, as some co-conveners became part of the problem rather than the solution.

In this context, track 2 and track 1.5 meetings are useful and important only if there is a viable track 1 (that is, an official track). The other tracks need to be supportive of the official track; otherwise they can be counterproductive. If civil society and inexperienced track 2 institutions try to work without the structure and the needed progress of the formal track, misunderstandings can increase and distrust accumulates.
(1) The Arab states need to work on bridging the gap with their counterparts in negotiating powers. They do not have the armies of think tanks and research centers to provide advice and scenarios or draw ceilings and bottom lines for their demands, nor do they have the sophisticated legal assistance or international expertise to match those of their counterparts. This imbalance in the negotiating leverage needs to be rectified. It is because of these shortages that the Arabs sometimes fall short of understanding the complexities of the negotiations ahead of them and are unfairly accused of not being serious.

There is an urgent need for capacity building on all zone issues, particularly the legal, technical, and military aspects of the zone, and in the art and science of negotiation. Otherwise, the opposing parties will continue to take advantage of them.

(1) Creating a zone raises numerous technical and legal problems that will undoubt-
edly need to be addressed, and specific Arab capacities will need to be developed. These problems are solvable and manageable with the proper expertise. Nonetheless, the main obstacles to the success of the zone remain political, particularly the lack of political will.

(2) Over the years, some states have used the volatile situation in the region and the lack of trust among the regional parties as a pretext to delay any progress on the zone, arguing that the current environment is not conducive to reaching agreements on arms control issues, especially the Middle East zone. This argument is no longer acceptable to many Arab states. These is a false argument intended to delay progress in this area and it has been used many times to reject any attempt to officially discuss regional arrangements for eliminating WMD. It is important to note in this context, that the United States and the Soviet Union reached many important arms control agreements and treaties during the Cold War decades in spite of the total lack of trust between the two powers. In fact these agreements were important, precisely because of the lack of trust. The important issue is to have a strong verification mechanism.

(3) Israel lacks the political will to engage on the nuclear issues. Israeli officials believe that there are no incentives for them, and that nuclear weapons are a matter of national security and a guaranty to their survival. Israel perceives the risk in the zone and not the opportunities.

(4) There is no international pressure exerted on Israel in spite of the fact that it has an estimated arsenal of at least 80 nuclear warheads, along with an unsafeguarded nuclear program and facilities.

(5) The Arab states also made a number of mistakes along the way:
- They were too eager to please: They were too keen to prove their good will and cooperation to the international community. Therefore, they have compromised their negotiating positions and lost many bargaining chips along the way.
- Based on promises by the United States and others that were never fulfilled, the Arab states joined and signed many disarmament and nonproliferation agreements and treaties, while Israel remained free from any legally binding commitments. This situation contributed to additional political and military imbalances and left the Arabs with almost nothing to negotiate or bargain with.
• The common Arab position on the issue has been weakened, and regional rivalry and distrust of each other has affected the solidarity and common positions they usually adopt.

(6) Although Iran was the co-sponsor of the 1974 resolution on establishing an NWFZ in the Middle East and has been a consistent supporter of the zone and the Arab resolutions on the matter, Iran has kept a low profile regarding the zone in the last few years. It has never initiated action regarding it, and it was content to let the Arab states take the lead on it. This is the reason that Iran has not been very visible in this article. Iran needs to reassert its position regarding the zone as it provides a better solution to its nonproliferation problems.

The Road Ahead

(1) The attempts of some states to prevent the zone from being an integral part of the NPT review process will increase. Accusations that the Arab Group is hijacking the review process and singling out Israel when discussing the Middle East will continue. This will intensify the feeling among the Arab states that their security concerns have been marginalized and intensifies their distrust of the multilateral disarmament processes.

The zone will remain on the agenda of NPT review conferences despite attempts to remove it or at least dilute it, on the basis that there is a separate conference dealing with it. The topic, I believe, will remain a headache to many states as long as the zone is not established and the current state of dialogue at the review conference is maintained.

(1) The UN conference should continue to convene annually. The participants have to decide how to address the absence of Israel, which is the only state in the region that possesses nuclear weapons. A zone without Israel or Iran is not possible. But maybe the first step is not to bring Israel to the table, as crucial as that may be, but to open up serious dialogue between Iran and the Arab states, and maybe create a parallel track to discuss other security issues and concerns, and to work on confidence- and security-building measures.

(2) A road map is not possible at this stage. The regional participants in the UN conference should proceed, for the foreseeable future, to negotiate and draft the needed treaty without Israel. What is required is innovative thinking and exploring of new ideas, and looking for a middle ground.

(3) Lastly, a formula similar to the Comprehensive Nuclear-Test-Ban Treaty’s provision on entry into force could be considered. Under such a provision, the treaty would not enter into force unless certain states, including Israel, ratify it. But this would not stop them from cooperating and reaping the benefits of the treaty.

It is an idea that merit investigation in some detail. If Iran and the Arabs cooperate in all aspects of the treaty and establish a regional body or organization to handle the cooperative aspects, they will benefit without ratifying the treaty, until Israel’s position changes.
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Notes on Contributor

Wael Al Assad, retired ambassador, served as high representative of the Arab League secretary general for disarmament and regional security from 2009 to 2014, Arab League’s ambassador to Austria and permanent observer to international organizations in Vienna from 2014 to 2018, and a member of the of the UN Secretary General’s Advisory Board for Disarmament Matters from 2013 to 2017. He is also a member of the Pugwash Council.

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