



## Preparing for the Helsinki conference on a Middle East Nuclear and WMD-free zone

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### 1. A Pivotal Moment

- 1.1 **Critical timing:** This is a themed report arising out of a private meeting in Istanbul on October 25<sup>th</sup> to discuss the WMD Free Zone Conference at a critical time, just before the US Presidential elections of November 6<sup>th</sup> and an imminent decision to be taken by the Co-convenors around whether to hold the '2012 Conference' in December. Private briefings are preparing people for a delay to the conference in the light of the constraints operating in the region and the United States, whilst many are warning of the lasting negative consequences for regional and global security.
- 1.2 **Leadership:** Achieving a breakthrough is going to take strong, courageous and visionary political leadership on the part of a number of actors. This will only happen with a great deal more proactive coordination by the parties concerned. The workshop involved a frank and free-flowing discussion between participants from the principal states involved in the process. This report is not a consensus document, but attempts to reflect the discussion.

### 2. Timing of the Conference

- 2.1 **Resistance to meeting in 2012:** Whilst Israel has some interest in seeing the establishment of a WMD-free zone in which it fully participates, it is very cautious about engaging in an NPT process since it is the only non-Member State and it has made its position clear about its lack of intention to join the Treaty until there is comprehensive peace in the Middle East. There are clearly huge constraints operating on the United States that will continue after the November 6<sup>th</sup> election, given Israel's concerns. It remains a higher priority for the US Administration to reassure Israel of US resolve to constrain Iran's nuclear program, if only to dissuade Israel from taking military action. And pressure on Israel could simply backfire and undermine Israel's confidence in the US Administration looking after their interests. Uncertainties around leadership in the region arising from the Arab awakening and the Syrian civil war also work against the prospects of a conference.
- 2.2 **Dangers in postponing:** On the other hand, most participants in the meeting highlighted the consequences of a postponement: rising anger, further feelings of betrayal and deepening distrust, leading to damage of confidence in any future initiatives and a serious threat to the global NPT regime. There have been signs of disillusionment with the regime already, beyond angry rhetoric at the NPT's Review Conferences. It's not only officials in Tehran today that are debating the net benefits of remaining within WMD regimes—Egypt has not ratified an arms control instrument since it ratified the NPT in 1981, and leads resistance within the NAM against the IAEA's Additional Protocol and other measures designed to strengthen non-proliferation. The Arab awakening can only increase this pressure to question the status quo; we cannot rely on states to remain committed to arms control measures agreed by a previous generation that appear to freeze power relationships and undermine security in the longer term. As one participant put it, asymmetry has not lasted in other regions, so why should it in the Middle East indefinitely?
- 2.3 **The issue will remain with us:** We could come to regret any decision to delay to wait for better circumstances – it could be irreversible and lead to the very things the Israelis fear – Israel-bashing, heightened threat and isolation. Participants were clear that this issue would not 'go away', and that alternative venues (such as the UN First Committee or Conference on Disarmament) would be found

to consider ways forward. However, these would all be more challenging in finding progress and could lead to greater frustration and hostility.

### 3. Preparations and Participation for the Conference

- 3.1 **Need for proactive leadership from states:** The appointed facilitator, Ambassador Jaakko Laajava, has been congratulated by all parties for his extensive consultations over the last year. There have also been a number of track two meetings, like this one, but it was understood that these could not be a substitute for the conference itself. Appeals were made in particular to the co-sponsoring countries (United Kingdom, Russia, and the United States) to set long-term goals for this process and to Egypt as the prime regional supporter in pushing for the Conference to take place. It was suggested that at this critical point there needed to be **bilaterals** between parties (in particular between Israel and Egypt) to reach agreement on the agenda and modalities, and appropriate assurances that could increase confidence prior to the Conference. Whilst there were obvious domestic political challenges to such meetings, this was a risk that all participating states needed to take to show necessary political will. The process is not strong enough to happen without such risks being taken and strong political support demonstrated. Otherwise there is a real danger that the Conference would not happen (see reassurance below).
- 3.2 **Universal involvement?** Whilst there was clear frustration that Israel appeared to have a **veto** over the process, there was disagreement over whether this process could start without them. Everyone was clear that all states needed to be invited, but some talked about the precedent of the South American Treaty of Tlatelolco when states moved forward without Argentina and Brazil, who joined later. However, this took serious regime change for them to take this route. What incentives would there be for Israel to join later in a process they had little involvement and influence over in the early stages? This was already a problem around the initiation of the process – this would only get worse unless Israel could be tempted into it now – underlining the need to reassure Israel on its concerns (see below). On the other hand, would it be even worse not to get started at all? And when is it appropriate to decide to start the process without the Israelis? And is there any realistic possibility that the United States could turn up without the Israelis? What kind of signals would this send and how would this affect the hope of the process all together? Many participants stressed the need for all countries in the region to be invited to participate in the Conference, but everyone acknowledged that we may not know until the very last minute whether or not some states will choose to participate.

### 4. Conference Objectives

- 4.1 **Realistic ambition for the Conference:** It is difficult to find the delicate balance between having sufficient ambition—creating the necessary momentum for this process to take place—whilst maintaining realistic expectations. Many felt it necessary to have a shared clarity on the objective of the Conference and its follow-up process – namely the eventual establishment of a WMD-free zone – and that this should involve some sort of statement arising out the Conference, if only by the Chair of the Conference. On the other hand, it would be dangerous to have an extensive drawn-out debate on the broader issues throughout the region, and there is a need for a tight requirement for an extensive agreed statement arising from the Conference.
- 4.2 **Follow-on process:** Instead, many participants felt it essential that the Conference be the starting point of some sort of process, particularly as none could imagine a meeting leading to any sort of breakthrough in substance at such an early stage. Indeed, most participants expected very little of the Conference itself beyond setting up such a process. Ideas for the process established beyond this initial Conference included the establishment of working groups to tackle separately the technical issues and political issues.
- 4.3 **Finding the highest common factor:** There was much talk about finding common ground – if this existed at all in the current climate. The notion of finding it has been explored throughout the preparation for this Conference, but many participants were discouraged by both a fear that there may not be sufficient common interest to overcome the obstacles to engagement, and that

negotiators are at the same time setting expectations too low. The search for common ground requires patience and courage to take risks, and efforts to ensure that everyone gains enough in the process and that the costs of those risks are sufficiently counter-balanced.

- 4.4 **Adaptive approaches in reaching higher ground**: States were encouraged to drop their positional negotiation stances, and adopt more flexible, adaptive stances. But further than this, in a situation where expectations are low and agreements cheap, all feel cheated and the future is dim. In reaching a deal that people can feel proud of, states need to feel like they are involved in an admirable search for the high ground.

## 5. Scope of the Agenda

- 5.1 **'Relevant measures to support discussion of a WMD-free zone'**: There was much discussion of the need both to incorporate broader but relevant security measures without becoming diffuse. One participant appealed to both sides in this discussion to 'meet half-way', to acknowledge the broader context but not become lost in it. One has to acknowledge the complexity, as well as the history in which many parties have made offers or restrained their actions only to feel betrayed by others, or perceive them to have acted in bad faith. Trust is obviously lacking, and needs patient re-building. Confidence-building measures need to be sensitive to this reality, and the purpose explicitly relevant. Examples included nuclear security and safety, such as establishing a system of early warning over nuclear accidents or missile tests, transparency over a number of areas, such as military exercises, and cooperation on shared security challenges such as piracy or terrorism. Discussions on these could take place simultaneously with the talks on the zone itself.
- 5.2 **Disagreement over staged approach or straight negotiations on a Treaty**: There was disagreement in the group between those who thought it important to build the regime up first with related agreements (such as a regional Fissile Material Cut-off Treaty (FMCT) or regional states signing and ratifying existing global regimes) and those who insisted that there should be little delay in moving towards talks on the substance of a regional all-encompassing WMD Treaty.
- 5.3 **Depoliticise by focusing on the technical aspects, or have parallel processes**: There were frequent appeals throughout the meeting to depoliticise much of the process as there is an opportunity to be developing the structure of such an agreement, and addressing technical questions over verification and assurance without getting bogged down in the politics. However, others pointed out that detailed talks between officials required some level of political cover from state leaderships, so at least at the start there needed to be political agreement. There was a sense from many participants that a technical, non-political approach to tackle this Conference and ongoing process may be a solution moving forward.
- 5.4 **A regional FMCT as a stage in the process?**: One of the participants strongly endorsed a fissile material production free agreement, but this also attracted some criticism from others as neglecting the stocks of fissile material already in the region. To be serious it would need at an early stage to include commitments to draw down and eliminate those stocks to avoid the concern that some had that this would simply freeze the situation in the current status quo and lead to further disillusionment in future. Nevertheless there was strong sense in the meeting that some form of limits and control were needed on fuel cycle activities, with proposals for multinational activities on a regional basis.

## 6. Reassurance

- 6.1 **Fear of engagement**: There is clearly a lack of trust on all sides: Israel fears a process that is principally focussed on bashing the State and does not take into account the political realities of the Arab awakening and asymmetries in the region; the Arabs fear one that turns out to be an empty promise that simply helps maintain the status quo; and the Iranians fear one that is yet another forum to justify further economic war – or worse.
- 6.2 **Challenges to reassurance should not be allowed to dictate the outcome**: In a climate of mistrust and linked concerns for all states in the region, there is clearly a need for all to consider how they

can effectively reassure other states in a clear and transparent manner. A successful process would ensure a net security benefit for all. This throws up tremendous challenges in a region beset by the reality that most Arab states do not recognise Israel, Iran's call to the Islamic world to change the regime in Israel, more implicit widespread regional rejection of Iran's regime as legitimate or stable, uncertainty of the future outcome of the violent turmoil in Syria, and a lack of any desire to reassure (for fear of giving opponents comfort and emboldening them). The domestic political constraints to agreement or compromise, many of which have been reinforced or manipulated by political leaderships to build stronger internal legitimacy and sense of external threat, militate against easy resolution between parties in the region.

- 6.3 **Proactive leadership required**: It would help greatly for governments to show leadership and publicly commit to robust engagement in the interests of their own national security, and to actively persuade their citizens of the wisdom of this approach. There was an appeal made for states to consider voluntary, unilateral (but ideally symmetrical) offers that could build confidence in the possibility of talks moving into negotiations. In addition, it would be helpful for states to start opening up with their conditional offers to give a sense of what ground there is for talks to develop upon. Such offers were outlined in the report on last year's BASIC Malta roundtable (available here: <http://www.basicint.org/sites/default/files/keyfindingsfrommalta.pdf>, pp2-3)
- 6.4 **Parallel creation of security dialogue**: Israel would be particularly interested in addressing security concerns from within the region. Some participants were concerned that this would lead to such a broad agenda and a delay to a process that was already fearfully complex. Nevertheless, there was interest from such participants in a regional non-aggression pact, starting in a limited way around commitments not to attack nuclear sites, such as that agreed in South Asia.
- 6.5 **Erosion of support for WMD conventions in Iran**: One participant pointed out that Iran is in a different position. Currently there is a debate within Tehran over whether it is actually advantageous after all to be members of WMD conventions that appear to them to demand greater costs in terms of responsibilities and constraints, than the benefits they receive, in terms of both regional security from restraint by their neighbours and access to technology. They appear to be caught up at present in a vicious circle of sanctions and constraints that force them to look to illicit trade to acquire the technologies they feel a need for, which only encourages further evasion of control, deeper suspicions of their activities, leading to further sanctions. Iran ends up feeling deeply discriminated against and disillusioned, and much of the rest of the international community threatened by a suspicious programme and a non-proliferation regime under threat.
- 6.6 **Negative Security Guarantees for WMD Free Zone states**: Another participant suggested that whatever the result of the Conference, and even if it was postponed, that independently the NPT nuclear weapon states and those in South Asia with nuclear weapons ought to offer explicit and clear negative security guarantees to all states in the region who would join a WMD Free Zone, guarantees not only not to use nuclear weapons, but also not to threaten or attack them with conventional weapons.

## 7. Conclusions

- 7.1 **Leadership from, and assurance for all**: There are clearly significant coordination problems in this project to work towards a WMD Free Zone. No one state can deliver alone, and all states need to recognise the assurance needs their potential negotiating partners will be looking for. This process is about building a safer region for all states that call the Middle East home, with clear incentives for all parties involved, but while leaders remain unprepared to take risks in meeting their competitors half way, there is little chance of success. Officials have to reflect on just how committed they really are to this process, and consider how they might abandon the demands of the past or move forward in everyone's interests. There may be some scope to engage in depoliticised technical talks to design a regional zone agreement that brings greater confidence and verification, alongside broader regional security talks. Whatever approach is taken, agreement between the states in the region on an agenda and modalities for the conference are key to its success.