Pugwash Consultation on the 2010 NPT Review Conference

15 May 2010, New York City

Nuclear Weapons and WMD in the Middle East

Rapporteur’s Report

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On 15 May 2010, Pugwash convened a private consultation in New York City, involving 16 current and former diplomats, UN officials and leading NGO experts from 10 countries for a general exchange of views on issues related to the current NPT Review Conference[1]. The meeting was chaired by Pugwash President Jayantha Dhanapala and Pugwash Secretary General Paolo Cotta-Ramusino. Each participant took part in his or her personal capacity, under the Pugwash/Chatham House rule.

The purpose of this meeting was to explore options for promoting progress on the 1995 Middle East resolution. It was recognized that given the lack of forward movement on this issue in the past 15 years, it is imperative that this Review Conference should make proposals for further actions beyond a general statement of goodwill. The situation of regional insecurity is serious. Pugwash maintains that the presence of any weapons of mass destruction poses a grave risk to all countries, and it is in that spirit of seeking to ensure greater stability and security for all that this meeting was convened.

As with all Pugwash meetings, there was no attempt to achieve consensus, and this report is the rapporteur’s[2] summary of some of the main topics raised. No viewpoint expressed in this report should be attributed to any specific participant. Rather we encourage further discussion among delegates, officials, and the expert NGO community on some of the topics raised during
the course of the consultation. While discussions included a range of topics involving well-known challenges among regional players, and without discounting the seriousness of these issues, this report focuses on discussions related to possible forward movement on the 1995 Middle East resolution.

**Proposal for progress on the Middle East resolution**

The proposal under discussion (see attachment 1) links the role of a UN-appointed special representative with ideas for ongoing conferences and Track II meetings on the 1995 Middle East resolution. It takes the main elements of several earlier proposals, and seeks to package them in such a way that allows the maximum flexibility needed to have some real forward movement to break the current inertia. It has been pointed out very clearly that in order to have progress on the situation of WMD in the Middle East, all states in the Middle East should be engaged, with no exception.

**Need for creative approach to dialogue**

Many felt there is a need for a mechanism for ongoing discussions. Some felt that limiting these discussions, for example, to a single conference, would have only limited ability to address the range of issues involved.

Ideas were discussed about seeing the movement of the Middle East as two trains moving on two parallel tracks. One ‘track’ might explore broader regional security issues and another might explore the establishment of a WMD free zone. There would be interaction among the two processes, and a hope that they would both reach their destinations simultaneously as the end stages will require that serious steps have been taken in both areas.

The above two ‘tracks,’ combined with the engagement of an interrelated unofficial (so-called Track 2) process, might create the needed flexibility to ensure all parties can engage in the process, even in the earliest phases. There may be need for some exploration with all parties to ensure that this would be suitably flexible. Some with experience in the ACRS process felt that
de-linking to an extent the regional security issues from the arms control process may help avoid some of the pitfalls encountered.

The majority of discussion focused on the NWFZ (or WMDFZ) strand. Some felt this could start with a preparatory committee, discussing the terms of reference (participation, goals, intermediate steps, timing). As mentioned, many felt it would be important to ensure that the conference is not a one-time event, but that it might for example start in 2011 and proceed annually, with the participation of the P5 (and recognizing the special role of the NPT depository states: Russia, the UK and the US). Alternately, the process could be organized as series of separate events, and ad hoc topical meetings.

**Scope**

A balance will have to be found whether it is better to discuss a nuclear weapons free zone or a weapons of mass destruction free zone. It was recognized that any agreement in addition to limiting/eliminating the weapons themselves, should provide long-term security assurances to the parties. The point has been made, with the strong support of the participants, that any process or negotiation for a WMD (NW) free zone in the Middle East should be all inclusive and not discriminate against any country.

Given the historical experience of Egypt and others joining the NPT, while Israel stayed outside the regime, there is sensitivity to the pressure some in the region may feel to having to sign and ratify some of the treaties and measures that currently address these issues (Comprehensive nuclear Test Ban Treaty, Chemical Weapons Convention, Biological Weapons Convention, Additional Protocol, etc). Some felt strongly that the primary way to address the problem is for Israel to join the NPT as a non-nuclear weapon state. Others pointed out the need to extend all the WMD agreements to the entire region. It was pointed out that there is a common norm against the use of WMD in the region, and there is a hope for codifying this non-use policy. A composite document summarizing this commonality might prove an interesting exercise. Some felt strongly that issues of compliance would have to be handled outside this strand, under the IAEA or other organizations.
Role of a possible UN-appointed special representative (or advisor) and standing committee

To ensure implementation of these ideas proceeds in a timely manner, there was a discussion of the need for a special representative or advisor, appointed by the UN Secretary General, who would work with an advisory body or standing committee which has authority stemming from the UN Secretary General. It was recognized that the UN umbrella would enable maximal participation. This person must assume neutrality, and have credibility, and trust. Engaging a special representative (or advisor) also might allow for more expert study and review of issues than was possible, for example, during the ACRS experience.

The progress reports, done at least every six months, would be a mechanism for feedback into the appropriate channels, including the NPT processes.

Benefits of including Track 2 (or Track 1.5)

Most highlighted the strong advantage of the overlap between the Track 1 (official) and 2 (unofficial) initiatives, having some discussions at the official level and some at a mixed level, or “Track 1.5.” This allows people to sit together without the requirements of the official level. This is especially useful for those issues that are not quite ready for Track 1 negotiations, but which can be discussed in a Track 1.5 setting. With a careful and creative approach these Track 1.5 discussions could be more inclusive than might otherwise be possible, and leading NGOs could be called upon to help prepare the meetings. As one participant said, “Everything in the Middle East starts somehow with a secret meeting.”

In addition, the Track 2 (or 1.5) setting may help to facilitate interaction between the two strands. This potential for cross-fertilization of ideas could help to address some institutional limitations in various governmental structures, where for example, the arms control desks and the regional desks have very little interaction. The lessons of the Cold War were highlighted, in which Track 2 meetings among scientists promoted arms control measures and other related incremental steps which helped build confidence that made possible the later bold and decisive steps toward peace.
Realistic expectations

Most felt this comprehensive approach toward progress on the ME resolution has great potential, and encouraged further discussion and dialogue about this idea among delegates and governments. It was recognized that patience may be needed, as this has been a long process in other regions that have successfully established nuclear weapons free zones. The need for goodwill among all parties is significant, since if states want to tie up this process, they obviously will be able do so in this framework as well. However, if all parties approach this in the right frame of mind, it has the potential to get some forward movement in the region, which is sorely lacking at present.

While not all participants were unanimously supportive of the ideas discussed, there was nevertheless unanimous appreciation of the willingness of all sides to engage in open-minded interactions on these urgent and important issues. Pugwash acknowledged with deep appreciation the creative input and involvement of the participants, who spent several hours contributing their expertise and insights into this discussion despite the many demands on their time.
MAKING CONCRETE STEPS TOWARDS A MIDDLE-EAST FREE OF NUCLEAR WEAPONS AND OTHER WEAPONS OF MASS DESTRUCTION: ROLE OF A UN-NOMINATED REPRESENTATIVE (or ADVISOR)

Several countries at different times proposed the creation in the Middle East of a zone free of nuclear weapons and other weapons of mass destruction. The first initiative in this sense was the initiative of Iran in 1974, followed by Egypt, promoting a nuclear weapons free zone. The Mubarak Initiative of 1990 expanded the concept to a WMD free zone. In the 1995 NPT Review Conference a specific Middle East resolution was approved and the final document of the 2000 NPT Review Conference referred to this resolution. All countries of the region have supported resolutions in the UN General Assembly on the creation of a zone free of weapons of mass destructions. The concept was explored in subsequent studies by the UN and UNIDIR. However up to now there has been no progress in the direction of creating such a zone.

It is recommended that, after the NPT Review Conference, a Special Representative (or Advisor) be appointed by the UN Secretary General [as recommended by the NPT Review Conference of States Parties], to be supported by a [committee, advisory board, commission], for the problem of establishing a zone free of nuclear weapons and other weapons of mass destruction in the Middle East with the mandate of:

1. Defining the framework and understanding the conditions under which concrete progress and practical steps towards the establishment of such a zone could be made.

2. Proposing the sequence of the necessary steps towards the establishment of such a zone.

3. Proposing a series of meetings and conferences aimed at defining precisely such practical steps. In this the Special Representative (or Advisor) could also facilitate a synergy between the so called Track-2 discussions and subsequent official negotiations.
4. Preparing a larger UN Conference aimed at defining the general negotiating pattern for the establishment of a Middle Eastern zone free of Weapons of Mass Destruction and of Nuclear Weapons in particular

5. Facilitating negotiations aimed at implementing any interim practical steps.

The Special Representative (or Advisor) should establish a Committee (alternatives: Advisory Board, Commission) composed of officials and experts from Middle Eastern countries and relevant international organizations, such as the League of Arab States and the African Union besides the UN, and also from the P5 and other countries as appropriate. This Committee should work in a cooperative way to help the Special Representative (or Advisor) in performing the above defined mandate. The Special Representative (or Advisor) should also be in position to organize specific technical meetings, possibly with the assistance of such international organization as the IAEA, the CTBTO, the OPCW, etc.

The Special Representative (or Advisor) and the Committee should in particular understand the concerns and collect the suggestions of individual States and concerned institutions from the civil societies of Middle Eastern countries. It is recommended that all countries that participate in the Committee facilitate the entry of the members of the Committee in their territory for the said purpose of understanding the concerns and collect the suggestions of each individual State.

The Special Representative (or Advisor) shall submit at least every six months progress reports on his or her activities, on the work of the Committee and on the relevant findings to the UN Secretary General. These reports should be made available to the interested States and the NPT Preparatory Committees. The Special Representative (or Advisor) shall be assisted by a small, but highly qualified staff.

For the financial support of the activity of the Special Representative (or Advisor) and the Committee, it is proposed the establishment of a UN administered fund supported by member states, on a voluntary basis.
[1] This meeting follows an earlier meeting, held 5 May 2010. The report of that meeting is available online at www.pugwash.org.

[2] This rapporteur’s report was written by Sandra Ionno Butcher.