COU 23: Regional Asymmetries in the WMD/DVs Area as a Challenge and Opportunity for the Helsinki Agenda (IV): Military Asymmetries as a Challenge and Opportunity for Reductions on the Way to Zero

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The Middle East Conference on the Establishment of Zone Free of Nuclear Weapons and all Other Weapons of Mass Destruction: the Way Forward

Introduction:

I would like to thank you for inviting me today to speak in my personal and academic capacity to reflect some of my views on how to move forward with the Helsinki conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction. I believe that the topic of nuclear weapon free zones is of utmost importance, even more so given the transformative changes underway in the political landscape of the Middle East (i.e. Arab Spring). It is important that people do not underestimate the level of frustration that has built up around this issue, and that it is important to the health of the non-proliferation regime that confidence is restored in the process. This will require all of us to approach the issue in a manner that respects the principle of equal commitment to regional and global security, and the creation of a regime that at root and in the longer term is non-discriminatory. In my brief comments, I intend to address three issues namely the Arab spring and the changes in the region, the Nuclear Non-Proliferation Treaty and the Middle East conference, and how to move forward with establishing a nuclear weapon free zone in the Middle East.

II- The Arab Spring and the Middle East Free Zone:

1. The Arab Spring launched an era of sweeping political changes in the countries of the Middle East and North Africa. The people’s rising demands for a stronger voice in their own governance have brought new opportunities for reform and democratic transition giving rise to new fundamental changes in political rights and civil liberties.

2. The “Arab Spring” has without a doubt changed existing fundamental dynamics and has had significant implications on the political and security settings in the Middle East. Public opinion is already playing a much more significant and prominent role in Arab societies and in this respect, will have a fundamental role in the formulation of disarmament and security issues. Arab governments are becoming more accountable to their people and foreign policy is becoming more in line with domestic aspirations and a reflection of popular demands. Parliaments, with their foreign affairs, Arab affairs and National Security committees, are expected to play an increasing role in foreign policy issues in Egypt, in which nuclear issues will receive, without a doubt, considerable attention.

3. It is in this context, the establishment of a zone can positively contribute to regional and international non-proliferation and disarmament efforts as well as improving the overall security environment in the Middle East. The convening of the conference on the establishment of a zone free of nuclear weapons and all other weapons of mass destruction in the Middle East, as soon as possible, is integral to the future stability of the region. The success of the Middle East Free Zone Conference will be crucial to the success of the current NPT Review Cycle and its outcome will certainly have a significant bearing on future developments in the Middle East. Holding the Middle East Conference before the end of 2013 is thus of crucial importance. Any further delay would have serious repercussions on the NPT regime as a whole.
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4. The Middle East remains a highly volatile region troubled with protracted conflicts. The acquisition by states of nuclear weapons, and WMD's at large, undoubtedly contributes to greater instability, aggravates tensions, and leads to an accelerated arms race in the region. It is imperative therefore; that the Middle East follows other regional examples and completes the implementation of existing regional nuclear weapon free zones and work actively to establish such a zone given the exceptional challenges this region brings to global stability.

5. In our attempts to provide a framework for a NWFZ in the Middle East, it would be beneficial then to reflect on the treaties of other regional nuclear weapon free zones such as the Tlatelolco, Rarotonga, Pelindaba, and Bangkok Treaties. Despite the contextual differences between these zones and the Middle East, these treaties nevertheless can provide us with guidance when it comes to formulating the technical, institutional, and scientific dimensions related to a weapon free zone.

III- The Zone and the NPT:

6. 18 years have elapsed, since the 1995 Treaty on the Non-Proliferation of Nuclear Weapons Review and Extension Conference adopted a resolution on the Middle East that called for the establishment of a nuclear weapons free zone (NWFZ) in the region. The resolution was an integral, inextricable part of the fundamental deal around the indefinite extension of the Treaty, and for many states constitutes the 4th pillar of the NPT Regime, which is one reason why many states parties feel aggrieved with the lack of progress and the apparent low priority given to the matter prior to 2010.

6. Even since the NPT Review Conference in 2010 presented a way forward towards adopting by consensus an action plan on the ME, and notwithstanding the facilitator’s efforts in trying to hold this conference, it is important to acknowledge that little progress has been achieved in the 3 years since 2010, and that there has been scant evidence of the convenors to place the required high-priority on the convening of the conference in accordance with the timeline and the mandate established by the 2010 NPT Revcon.

7. Indeed, the conveners of the Conference have repeatedly reaffirmed their commitment to the convening the Conference as soon as possible, as well as their continued support for the vision of the Middle East zone free of nuclear weapons and all weapons of mass destruction. In fact, it is important to keep in mind that this vision is shared by us all, both inside and outside the region. However, action speaks louder than words. Serious steps must be taken in order to avoid the repercussions of not holding the conference as mandated by the 2010 action plan.

8. The Arab league has fully engaged and cooperated with the facilitator and the conveners for over 2 years and presented them with an Arab working paper entailing our vision concerning all procedural and substantive issues. The response for this engagement was the announcement of the unilateral postponement of the Conference to a non-specified future date without even consulting with the states of the region. This followed the expressed commitment of all but one country in the Middle East to attend such a conference. Indeed, it is yet another step in a long history of unimplemented decisions regarding the establishment of a zone free of nuclear weapons in the Middle East.

9. On the NPT, the 1995 resolution was and still remains part and parcel of the agreement to indefinitely extend the NPT and its lack of implementation is bound to have some serious
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consequences not only on the duture of proliferation within the region, but also on the credibility of the non-proliferation regime in its entirety as nearly two decades have elapsed since the adoption of the 1995 resolution without any progress on its implementation - this is now increasingly perceived as a breach of faith and commitment by the depository states and conveners of the conference.

10. The fundamental role of the NPT must be reinforced in order to achieve nuclear disarmament and re-inforce non-proliferation in the Middle East. This is why the issue of NPT universality is a pressing issue; it is simply unsustainable to expect NPT members to exercise indefinite restraint, and take on ever-increasing burdens expected of them to prove peaceful use, when their neighbors outside the NPT appear to be able to brandish nuclear weapons with impunity at the direct expense of regional security, and benefit from nuclear cooperation. Nuclear disarmament in the Middle East should also take place within the global efforts made to implement the steps leading to nuclear disarmament as agreed in the 2000 and 2010 NPT Review Conferences.

11. The Middle East cannot be an exception in the Global Zero campaign. Israel remains the only state in the Middle East that has not yet become a party of the NPT and therefore Israel’s accession to the Treaty as a non-nuclear weapon state remains central in achieving the goal of universal adherence to the Treaty in the Middle East.

12. To minimize any negative impact on the NPT process, there is a special responsibility on the Depositary States that co-sponsored the 1995 Resolution, and the UN SecGen, to take visible concrete steps on implementation of the Resolution and the 2010 Action Plan on the Middle East. To maintain credibility, the conveners are urged to honor to their commitments and hold the conference without further delay before the end of this year.

13. While limited progress has been made, there is still need for intensified work in order to finalize the agenda, modalities, and the rules of procedure. There should be preparation for how the issues of verification and compliance should be addressed. What are the mechanisms? Which institutions will be entrusted with this responsibility? What are the implications for non-compliance? Other issues such as security guarantees, the peaceful uses of nuclear energy, and nuclear safety/security are issues which should be prepared as well.

14. A road map should be reviewed from now onwards by each of the successive sessions of the Preparatory Committee based on the reports presented by the facilitator. Evaluation of the views of States Parties to the NPT regarding the progress made towards establishing the zone should be an integral part of any outcome documents of the successive sessions of the Preparatory Committee.

15. The technical dimension of the Zone should be emphasized at this stage as well. The following technical provisions of the free zone in the ME should be addressed:

- Dismantling and destroying existing or remaining nuclear weapons capabilities, facilities, and devices under international verification mechanisms.
- Renouncing nuclear weapons through refraining from conducting indigenous development and activities related to nuclear weapons.
- Prohibiting transit or stationing of any nuclear explosive devices in the zone.
Prohibiting nuclear explosive testing in the zone and the role of the CTBTO in this regard.

Using nuclear materials and facilities for peaceful purposes only.

Placing all nuclear facilities under comprehensive IAEA safeguards.

Establishing the necessary relevant institutions and mechanisms/entities to uphold such a zone free of nuclear weapons and other weapons of mass destruction and address the issue of verification to identify the role of the IAEA and other relevant organizations within such a zone as the OPCW and CTBTO and test bans.

16. The participation in the Middle East Conference should be inclusive. The conference should include Israel, Iran, and the members of the League of Arab States, as well as the nuclear weapon states and other relevant international organizations such as the IAEA, the OPCW, BTWC, CTBTO, UN-ODA and the NPT Chair.

17. There is a need to enter directly into a phase of substantive and procedural preparation for the ME Free Zone Conference itself before the end of 2013. After all, the 1995 Resolution and the 2010 action plan already provide guidance on the mandate of the conference, the Rules of Procedure can be adapted from the NPT review process or the UN General Assembly, the venue is already known – Helsinki, internationally agreed principles exist on the establishment of NWFZs, the States of the region of the Middle East are clearly identified hence the delimitation of a MENWFZ is well known, the nature of obligations also are quite clear – what is lacking is the requisite political will on the part of the conveners to deliver on their 1995 and 2010 commitments. NPT States, in particular the States of the region of the Middle East, have been awaiting such fulfillment of obligations since 1995 – which was made clear in the 2nd preparatory committee to the 2015 NPT review conference- how much longer must they wait?

18. This effort should launch a sustained and serious process involving specific concrete steps and measures to be taken within specific time-frames, and linked to the successive sessions of the Preparatory Committee of the 2015 Review Process of the Treaty with a view to convening the conference at the earliest possible date.

19. A more constructive approach towards engaging with all the countries of the region is required in order to guarantee their full participation in the ME Free Zone Conference. I still believe that the ME Free Zone Conference and the process that follows should be inclusive to allow a more genuine, candid and necessary interaction about nuclear disarmament, dismantlement, nuclear roll-back, transparency, accountability, and verification. There has not been an interaction for many years and all opportunities that exist to make this happen should be utilized.

III-Conclusions:

20. The Arab summit resolution in March 2012 has clearly indicated that the Arab countries will review their position vis-à-vis the non-implementation of the 2010 Action Plan. The breach of the 2010 Action Plan’s clear decision to hold a conference in 2012 was a failure to implement a key NPT commitment.

21. With this in mind, Egypt attended the second prepcom in Geneva last month to engage, listen and deliver a strong coherent message that we will not re-negotiate the 2010 action plan.
There is an exact date in the 2010 action plan that was not met and we insist that another exact date be set for the convening of the postponed conference.

22. Egypt's withdrawal from second PrepCom aimed to send a strong message of dissatisfaction with the lack of seriousness in dealing with the issue of establishing a zone free of nuclear weapons, a central component of regional, Arab and Egyptian national security, which impacts directly international peace and security.

23. Egypt as a strong supporter of the NPT regime, is very concerned about the ramifications of the non-fulfillment of the commitments on the credibility and sustainability of the NPT regime, which was indefinitely extended based on the 1995 Middle East Resolution.

24. Egypt has many domestic as well as regional security challenges. It is important not to dismiss the walk out as “gesture politics”. It would be a strategic error to dismiss this as something trivial. In the history of the NPT, this walk out was a first, and not lightly undertaken. Egypt chose this time not to ask others to join in. However, make no mistake: one of its staunchest advocates has put the NPT regime on notice.

25. In this regard, it is safe to assume that the Arab stance on the 2015 Review Conference as a whole would be the subject of re-examination and re-evaluation if nothing is done concerning the Middle East conference. Whilst the League of Arab States has no desire or interest in undermining the health of nuclear non-proliferation in the region, member states cannot be expected by others who possess nuclear weapons or sit securely under their umbrella to sacrifice their security and standing indefinitely and idly stand by whilst the regime is undermined by other states.

26. Finally, let me emphasize that the “Arab Spring” has without a doubt changed existing fundamental dynamics and has had significant implications on the political and security settings in the Middle East. Whilst in its birth throes it has undoubtedly affected the capacity of states to engage constructively on the non-proliferation and disarmament agenda, in the longer run it could be a positive game-changer. Public opinion is already playing a much more significant and prominent role in Arab societies and in this respect, will have a fundamental role in the formulation of disarmament and security issues. Arab governments are becoming more accountable to their people and foreign policy is falling more in line with domestic aspirations and a reflection of popular demands. Parliaments, with their foreign affairs, Arab affairs and National Security committees, are expected to play an increasing role in foreign policy issues in Egypt, in which nuclear issues will receive, without a doubt, considerable attention. In this context, public opinion in many Arab capitals is dismayed at the lack of progress with holding the conference on the Middle East to this date.