

Viewpoint

Prospects for Arms Control and Proliferation in the Middle East

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In light of current events, discussion of international arms control and nonproliferation regimes, as well as future prospects for arms control in the Middle East, is of utmost importance. Global and regional arms control are often analyzed separately as two distinct issues. However, it is perhaps more instructive to address them within the framework of a global/regional interface, particularly since any slowing or reversal of the global arms control process may create synergies affecting the credibility of the international nonproliferation regime. Any weakening of this regime, in turn, impacts regional proliferation, particularly in the Middle East. This linkage leads to the conclusion that arms control and proliferation are inversely related: if arms control is not pursued as an ongoing effort—at both the global and regional levels—a weakening or reversal of nonproliferation efforts may be triggered and ultimately raise questions regarding the credibility of the multilateral nonproliferation regime itself. Furthermore, the weakening of the global nonproliferation regime could relieve pressure on states, including those in the Middle East, to curtail their weapons of mass destruction (WMD) programs, thus leaving regional proliferation

unchecked. In this article, I will outline my views regarding the nature of the challenges facing global arms control and nonproliferation efforts and, within that framework, examine future prospects for arms control and proliferation in the Middle East.

Many in the analytical community have pointed to a malaise or state of crisis affecting the global nonproliferation regime, with numerous symptoms:

- The disarmament process between the two major nuclear powers appears to have stalled. No formal nuclear disarmament agreements have been concluded between the United States and Russia since START II in 1993.
- The 1998 Indian and Pakistani nuclear tests, and the halfhearted reaction to them by the international community, remains a development that threatens to trigger a major arms race on the South Asian subcontinent.
- The negotiating stalemate in the United Nations Conference on Disarmament (CD), which has been deadlocked over the very issue of nuclear disarmament, unable to reach consensus on talks addressing a loom-

ing arms race in outer space, and has failed to agree on a negotiating mandate for a Fissile Material Treaty (FMT), is yet another stumbling block.

- Notwithstanding the outcome of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the credibility of the NPT has come under increasing strain in light of what many see as the failure to fulfill the commitments undertaken at the 1995 Review and Extension Conference that achieved the indefinite extension of the treaty, and the moribund efforts to pursue nuclear disarmament at the Conference on Disarmament.
- Related to the increasing strain on the NPT regime is the failure of the U.S. Senate to ratify the Comprehensive Test Ban Treaty (CTBT), which calls into question not just the entry into force of the treaty itself, but also signals what many see as a retreat of U.S. leadership in the arms control arena.
- The creeping evolution of the Israeli nuclear program, which I will discuss in more detail below.

The assertion that the global nonproliferation regime is entering a period of crisis can of course be debated, as this point of view slights the significant gains that have been achieved since the end of the Cold War. Nevertheless, there is a general consensus that the nonproliferation regime and the global arms control process are both entering into a period of uncertainty, with differing viewpoints as to what future direction nonproliferation efforts should take. I believe that the term “crisis” is an exaggeration; however, we are missing an opportunity and sliding down a slippery slope with a momentum of its own.

This debate assumes a greater degree of clarity if we look at it not in terms of the symptoms of the malaise affecting global nonproliferation, but rather in terms of the three fundamental questions that permeate the policy choices currently being discussed:

- The first question relates to the issue of how, or perhaps whether, to develop the global nuclear disarmament process, and the role that nuclear weapons will play in the defense doctrines of the nuclear weapon states (NWS).
- Second, there is the question of how to integrate the three threshold states into the global nonproliferation regime, an issue that assumed greater urgency following the South Asian tests. The implications of this issue extend beyond the regional contexts of South Asia and the Middle East and increasingly affect international arms control efforts.

- A third uncertainty concerns the future leadership role of the United States in the arms control and disarmament processes. Given the centrality of this factor in global security, whether U.S. policy remains committed to multilateral arms control, or whether it veers towards a more unilateral orientation will define to a great extent the future prospects for international arms control.

How the international community addresses these three issues will have a defining affect on the future course of the nonproliferation regime. Allow me to briefly elaborate on each in turn.

PROSPECTS FOR THE GLOBAL NUCLEAR DISARMAMENT PROCESS

The fundamental, defining difference between the NWS and the non-nuclear weapon states (NNWS) has deadlocked the work of the CD in Geneva. The implications of this policy difference, however, go beyond the debate in Geneva and the stalled START process itself. Rather than moving towards the goal of nuclear disarmament, the NWS—particularly the United States and Russia—have reaffirmed the centrality of nuclear weapons in their defense doctrines. This trend is evident in the 1994 U.S. Nuclear Posture Review and the Quadrennial Defense Review, which advocated maintaining the U.S. strategic nuclear deterrent at START-II levels, with a “strategic hedge” of 5000 non-deployed nuclear warheads. Moreover, there seems to be a shift in the role of nuclear weapons within the defense doctrine of the NWS. While nuclear weapons were previously assigned the task of deterrence in a defensive posture against the use of other nuclear weapons, their role now includes deterring possible chemical and biological attacks by NNWS. Similarly, in Russia we find the reintroduction of the concept of a first nuclear strike as well as an increased reliance on tactical nuclear weapons to compensate for the erosion of its conventional forces.

These developments will certainly influence strategic stability and the force levels eventually determined by the bilateral U.S.-Russian negotiating process. More significantly, however, they threaten to reestablish the legitimacy of reliance on nuclear weapons as an operational option within the national defense doctrines of states, a trend underlined by the enunciation of India’s nuclear doctrine subsequent to the South Asia tests. The stalled START process, coupled with the deadlock in the CD, serves to

reinforce this conclusion. Many NNWS perceive this trend as not merely a reversal of the nuclear arms control gains of the early 1990s, but also as a breach of one of the key elements of the “grand bargain” embodied in the NPT.

A possible response is to argue that working towards the entry into force of the CTBT and a future FMT constitutes a significant step toward fulfilling the obligations of the NWS under Article VI of the NPT. While not questioning the overall worth of these treaties, one must acknowledge that they have little disarmament value in and of themselves. In essence, these two treaties would stabilize the gains already achieved through the START process, cement unilateral nuclear reductions by capping the production of fissile material, and halt the qualitative development of nuclear arsenals through a moratorium on further testing. Taken together, these treaties represent “disarmament by redundancy,” but do not address the fundamental problem of forestalling the legitimacy of nuclear weapons.

THE QUESTION OF THE THRESHOLD STATES

The question of how to integrate the three threshold states—Israel, India, and Pakistan—into the nonproliferation regime has emerged as one of the central issues that preoccupy the international arms control policy community. The dilemma is how to deal with the reality they represent without accepting or confirming their status. In the wake of the South Asian tests, the international community urged that India and Pakistan adhere to the CTBT, join the negotiations for the FMT in Geneva, and provide assurances of non-weaponization of their nuclear capabilities. What was interesting in this regard was the lack of emphasis on joining the NPT. While the U.N. Security Council resolution and the G-8 statement issued subsequent to the tests urged India and Pakistan to join the NPT as non-nuclear weapon states, this point is rarely mentioned now as a policy goal or even as a long-term objective.

The CTBT and FMT are tailored to cap the nuclear capabilities of the NWS and the three threshold states. Their affect on the NNWS would be superfluous in reality, since these states possess no nuclear weapons to test and are barred from producing fissile material for military purposes—hence these treaties are sometimes referred to as “the regime of the eight.” It would be illusory, therefore, to believe that these treaties can offer a satisfactory answer to the problem posed by the threshold states. As

with the NWS, adherence to these treaties by the threshold states would not amount to substantive disarmament. The current debate in the CD over the mandate of a future FMT reflects this very concern. At issue is whether existing stocks of fissile materials should be included within the scope of the treaty or not. Put simply, will the FMT represent a true disarmament instrument, or will it merely cap already existing fissile stockpiles? The debate about the scope of the treaty is reflected in differences in the CD regarding its nomenclature, with some claiming that it should be named a “Fissile Material Treaty” (FMT), emphasizing the need to include stocks of fissile material within its mandate, while others refer to it as a ‘Fissile Material Cut-off Treaty (FMCT), arguing that it should only deal with future production of fissile material.

The danger in pursuing the more limited option of capping the existing nuclear capabilities of the threshold states in isolation from NPT accession is that this approach could formalize the existence of a “third class” of states, in addition to the two already recognized by the nonproliferation regime: NWS and NNWS. This third class would be differentiated by formal commitments to limit their nuclear capabilities and a vastly different verification regime than that designed for the NNWS under International Atomic Energy Agency (IAEA) safeguards. Legitimizing the exemption of Israel, India, and Pakistan from the NPT would thus fragment the architecture of the nonproliferation regime. For the threshold states, it could substitute for their accession to the NPT, a prospect that would further undermine the credibility of the nonproliferation regime.

THE FUTURE U.S. ROLE IN ARMS CONTROL AND DISARMAMENT

The 1999 rejection of the CTBT by the U.S. Senate, along with the current debate on national missile defense and the ABM Treaty, have raised questions about the future course of U.S. policy with regard to arms control and nonproliferation. But here again, the issue is not about a simple policy dichotomy between unilateralism and multilateralism. Rather, the concern centers on the tendency of the U.S. policy community to perceive the nonproliferation regime in purely utilitarian terms, a viewpoint that appears to permeate the current policy debate in the United States about the efficacy of arms control.

This debate ranges from those who regard the regime as a cumbersome burden on U.S. security policy, to those who advocate the view that arms control and nonprolif-

eration do serve American interests and therefore must be pursued as a policy goal by the United States. What is interesting, however, is that even advocates of arms control argue that the U.S. commitment to the nonproliferation regime should be conditional upon whether this commitment will benefit U.S. security in the short term. In other words, the preservation of the nonproliferation regime is not a goal in and of itself, but should only be valued in terms of its immediate security utility. This assumption is reflected in the widespread consensus on the need to rethink the structure of arms control and nonproliferation so as to better suit American strategic interests in the security context of the post-Cold War environment. However, international regimes, by their very nature, are meant to maximize the overall benefit to members without necessarily entailing immediate payoffs for any one state. This is not to say that one should expect a state's continued adherence to any regime if this conflicts with its interests. Nonetheless, basing adherence to a regime on immediate short-term gain ultimately undermines the credibility and efficacy of the regime itself.

Furthermore, many of the policy options being discussed as complementary to U.S. adherence to arms control and nonproliferation are not easily reconciled with the spirit, if not the letter, of the principles of the regime itself. For example, some counterproliferation measures could contradict the negative security assurances issued by the United States and may even conflict with NPT obligations. Stand alone export controls are also proving to be increasingly problematic in furthering the multilateral agenda, as is evident in the ongoing negotiations for a Biological Weapons Convention (BWC) Protocol. Another example concerns NMD deployment, which would seriously conflict with prior treaty commitments and undermine the environment for future nuclear arms control.

Taken together, these three issues—prospects for global nuclear disarmament, integration of the threshold states into the non-proliferation regime, and the future of U.S. arms control policy—generate the uncertainties currently facing the global nonproliferation regime. If the international community restricts itself to addressing these issues through the adoption of limited arms control and nonproliferation measures, international nonproliferation efforts will be damaged. At the global level, we will witness the gradual erosion of the credibility of the regime itself, and at the regional level the continuation of creeping proliferation trends that will further undermine the efficacy of the nonproliferation regime. It is in this context that we

should approach the issue of proliferation in the Middle East.

ARMS CONTROL IN THE MIDDLE EAST

The Middle East is one of the few regions that have not witnessed a serious arms control process. This conclusion remains unchanged even considering the Arms Control and Regional Security (ACRS) talks held in the Middle East. The ACRS process was instituted within the framework of the Madrid peace process, with the goal of addressing a broad range of security issues. Instead, the ACRS agenda focused almost exclusively on discussion of confidence-building measures (CBMs), especially maritime CBMs and information sharing regarding military exercises. At no time did the ACRS negotiations address substantive arms control issues relating to any class of weapons, WMD or conventional.

Thus the perception that the ACRS process foundered solely because of disagreement on the nuclear issue is not entirely accurate. Rather, it was Israel's reluctance to address any form of arms control during these negotiations prior to achieving peace with all its neighbors that posed the problem. This position resulted in an extremely limited agenda and ultimately lead to the suspension of the negotiations. I mention this not to portray arms control as a function of the Arab-Israeli conflict, but rather as a reflection of a Middle East regional example. In this case, Israel is a proponent of conflict resolution first, and then disarmament.

Many analysts have echoed Israel's position that any meaningful arms control process in the Middle East can only begin following the successful settlement of the Arab-Israeli conflict. However, this position contradicts the record of arms control to date. Superpower rivalry during the height of the Cold War, for example, did not preclude the negotiation of the INF Treaty, SALT I, and SALT II, and also did not block the beginning of the START process. The Conference on Security and Cooperation in Europe (CSCE) process was initiated despite the Cold War division of Europe. Regional conflicts in Africa, South America, the South Pacific, and Southeast Asia did not prevent the negotiation of the Pelindaba Treaty, the Treaty of Tlatelolco, the Treaty of Raratonga, or the Treaty of Bangkok, each of which established a nuclear-weapon-free zone (NWFZ) in their corresponding regions. All of these cases disprove the argument that arms control must be placed on hold pending the resolution of geopolitical

conflicts. To the contrary, the record suggests that the arms control process can assist in mitigating such conflicts.

The only disarmament process that has occurred in the Middle East involves Iraq. The results of this process have been mixed. With regard to Iraqi nuclear capability, the most recent reports by the IAEA state that there is no indication of prohibited activity, but acknowledge outstanding questions relating to weapons design and the history of the Iraqi nuclear program. The comprehensive reports of the United National Special Commission on Iraq (UNSCOM), presented to the Security Council in January 1999, indicate that most of the outstanding disarmament issues revolve around achieving a more complete accounting of proscribed Iraqi weapons programs, with the bulk of the disarmament work actually completed. The Iraqi biological warfare (BW) program, still largely unaccounted for, remains the major area that was not investigated satisfactorily.

Thus, assessing the progress of Iraq's disarmament, prior to the withdrawal of UN inspectors in 1998, depends on one's perspective: either the glass is three-quarters full, or a quarter empty. However, it is important to view this issue in perspective. UNSCOM's mandate was not based on a treaty regime, but rather on the cease-fire agreement following the Gulf War, embodied in UN Resolution 687. In essence, UNSCOM's experience was one of disarmament by coercion. Iraq represented a truly exceptional case in terms of proliferation and therefore required exceptional mechanisms. It is merely stating the obvious that the Iraqi case cannot be the model for addressing the proliferation problem in the Middle East, although some lessons can be drawn, particularly with regard to future verification mechanisms.

This point brings us back to our main dilemma. The absence of a significant arms control process in the Middle East has major implications for the credibility of the global nonproliferation regime and future proliferation trends at the regional level. First, it is extremely important to remember that the Middle East figured prominently in the package of decisions that made possible the indefinite extension of the NPT. The 1995 Middle East Resolution called for practical steps to be taken towards the establishment of a zone free of weapons of mass destruction and their delivery systems in the region. This resolution was recently reaffirmed at the 2000 NPT Review Conference. However, since its adoption at the 1995 Review and Extension Conference, the Middle East Resolution

was one of a host of contentious issues at the NPT preparatory committee meetings (PrepComs) leading up to the recent 2000 NPT Review Conference. Together with the issues of nuclear disarmament, universality, and export controls, proliferation in the Middle East constitutes one of the core elements that could potentially undermine the credibility of the NPT regime.

The absence of a Middle East arms control process has allowed the region to drift further and further up the proliferation ladder in all classes of WMD and their delivery systems, both qualitatively and quantitatively. Comparing where the region was two decades ago and where it is now in terms of proliferation illustrates this point rather well.

Perhaps the most obvious indicator can be found in the area of missile proliferation. In the early 1980s, most of the region's missile inventory was comprised of short-range systems for battlefield use and Scud derivatives with ranges between 500-800 kilometers (km), depending on the payload. The region's relatively modest missile programs rapidly developed in sophistication during the past two decades. Israel's program has far surpassed the rest of the region, both in terms of range—Israel is the only country to possess an ICBM capability in the form of the Shavit—and diversity of programs with the development of the variants of the Jericho system. In addition, there are reports that Israel has developed an upgrade of the Shavit with a range exceeding 4,500 km and a payload of 1000 kilograms. When other delivery systems are added to the equation, the imbalance becomes even more lopsided. Israel's recent acquisition of long-range strike aircraft gives it the capability to deliver WMD to targets as far away as Iran without refueling.

Following Israel in terms of missile capability is Iran, with the development of the Shehab-3 system, which has a range exceeding 1000 km. Iran also plans to develop the Shehab-4, with even greater ranges and payloads. Most of the region's other missile development programs fall behind those of Israel and Iran, although systems under development will exceed the traditional range and payload of Scud upgrades. In addition, while the region's missile programs began with some modest indigenous capability for modification of complete systems procured from foreign sources, there are now indications that some states are moving towards indigenous development and production of complete systems. The missile programs of both Israel and Iran have gone the furthest in this di-

rection, although there are indications that Israel developed the sophisticated guidance systems for its missiles based on technology derived from its joint missile defense programs with the United States. The development of indigenous missile production capability will only exacerbate the proliferation problem, in that these countries might become suppliers in their own right. As a result, even if efforts to stem technology transfer to the region succeed, missile proliferation in the Middle East will not necessarily be halted.

The trend of missile proliferation assumes greater significance when analyzed together with the development of other WMD programs. Here the data tends to be murky, but the most significant factors seem to be the gradual expansion of WMD programs as well as a steady increase in the ability to weaponize delivery systems with WMD warheads. In the nuclear realm, Israel of course stands alone. The history of the Israeli nuclear program has been a subject of much research, and estimates abound regarding the size and sophistication of its nuclear capability. However, what is perhaps more significant is the possibility of a change in Israel's nuclear posture, a subject that I will return to shortly. With regard to chemical and biological weapon (CBW) capabilities, the last two decades have witnessed the expansion of existing programs across the region in terms of types and quantities of agents produced, methods of delivery, and weapons research and development programs.

In short, the Middle East has witnessed a marked rise in the pace and scope of WMD proliferation over the past twenty years. Given its current missile and nuclear capabilities, Israel outstrips the rest of the region in qualitative and quantitative terms. However, this should not lead to the conclusion that proliferation in the Middle East has progressed solely along the Arab-Israeli conflict axis. Rather, the proliferation trend is region-wide and has been driven by a variety of factors governing or generated by the security calculus of Middle East states. The main point is that in the absence of any type of arms control process for the region, this proliferation trend has proceeded virtually unchecked.

Where will this process lead? I argue that if the proliferation trend continues, we can expect not just an increase in the WMD capability of Middle East states, but perhaps even more significantly, a change in their political and strategic posture, which again will have both global and regional implications. The most significant development in

this regard is the gradual erosion of the Israeli posture of ambiguity. For decades the rationale for the Israeli nuclear program was that it provided an option of last resort. As far back as the early 1980s, however, Israeli decisionmakers are on record indicating that the threshold for exercising the nuclear option could be significantly lowered, specifically in the context of avoiding a conventional war of attrition with Syria. The 1990s saw a further weakening of the ambiguity posture, a trend evidenced by the following developments:

- Israel's comprehensive strategic review, reportedly completed in January 1999, included within its mandate a nuclear posture review. A strategic review, by its very nature, suggests that the assumptions underpinning Israel's deterrence posture have been called into question, although without further information, it is impossible to be certain.
- Related to this point are reports of a debate within Israel's defense community on how to reconcile the need to communicate a more robust deterrence posture with the requirements of nuclear ambiguity. Interestingly, in the spring of 1999, Israeli policymakers resorted to explicit threats of retaliation to counter what they perceived as an increasing threat from Iranian WMD capability.
- Israel's attempts to acquire a second-strike capability with the acquisition of the Dolphin-class submarines from Germany, as well as reported attempts to acquire long-range cruise missiles from the United States, is a further indication of the trend towards the operationalization of Israel's nuclear capability.

In short, despite the peace process in the Middle East, Israel appears to be moving towards the adoption of a more offensive strategic posture. Indeed, based on the views of Israeli defense analysts, it seems that Israel viewed the peace process from the perspective of enhancing its deterrence, rather than by the recognition that peace would by definition reduce deterrence posture requirements. The outcome of this trend remains an open question. However, what is clear is that Israel's nuclear option is no longer insulated from the daily security concerns of Israeli policymakers.

The implications of these developments for the future prospects of nonproliferation in the region are profound. If this trend continues, and if Israel's ambiguity continues to come under strain, we may witness the emergence of a deterrence relationship between Israel and other states in the region, especially Iran. Given the experience of South

Asia, this scenario no longer seems like a distant prospect. Regionally, this could also trigger the resumption of dormant WMD programs and the acceleration of existing ones. It would also undoubtedly lead to a region-wide process of evaluation by each country regarding its adherence to the various nonproliferation treaties.

Globally, the implications of this scenario could shake the foundations of the nonproliferation regime. One needs only to recall the debates following the South Asia tests. In the Middle East, even without the prospect of nuclear testing, the development of a declared deterrence relationship would severely undermine the credibility of the commitments given to secure the extension of the NPT and might close the door permanently on the possibility of negotiating a NWFZ in the Middle East.

THE ROAD AHEAD

Where then do we go from here? Most of the analyses that focus on proliferation in the Middle East generally present detailed assessments of proliferation trends in the region without venturing into policy recommendations. Those that do generally advocate greater reliance on deterrence, an augmentation of U.S. counterproliferation programs, and greater efforts to reconstruct the Gulf War coalition with the aim of reinforcing the sanctions regime against Iraq and the export controls in place against Iran. Very little is offered in the way of initiatives for a comprehensive regional arms control process.

Effective measures are necessary to prevent further exacerbation of the proliferation problem in the Middle East. Nevertheless, if the ACRS process taught us anything, it is that selective arms control based on a limited agenda is not only nonsensical in terms of arms control logic, but is simply politically untenable given the strategic realities in the region. It is virtually impossible to approach the issue by focusing on certain countries—Iraq, Iran, or Syria for example—to the exclusion of others, specifically Israel, which not only remains outside the NPT, but is the only country in the region which is not a full member of any arms control agreement.

A comprehensive approach will take on greater urgency, given the proliferation dynamics in the region described

here—dynamics that will only be reinforced with the accelerated pace of technology. Specifically, advances in biotechnology and missile guidance and propulsion threaten to trigger a new wave of proliferation globally, and the Middle East will certainly not be immune from this trend. In the absence of a meaningful regional arms control process, this trend will exacerbate the proliferation dynamic in the Middle East. A major consequence that would flow from the continuation of this proliferation trend would be a shift in the strategic posture of states in the region, a plausible scenario not only for Israel, but also for other U.S. allies. Thus, regional arms control will eventually assume greater urgency because of the implications for U.S. interests if the proliferation tide is not reversed. In the context of rampant proliferation leading to a deterioration of the regional security environment, even moderate states in the Middle East would be forced to adopt security postures that could conflict with established U.S. nonproliferation policy, straining U.S. security and political alliances in the region.

The only way to head off such an eventuality is to reintroduce arms control to the agenda of U.S. policy in the Middle East. Here it is instructive to note that the notion of a comprehensive arms control approach for the region does indeed have precedents in U.S. policy. In the early 1960s, the efforts of the Kennedy administration to prevent the nascent missile arms race between Israel and Egypt were guided by the realization that such security issues could only be solved through a comprehensive approach.

Similarly, following the Gulf War, the Bush administration was guided by the same realization that to tackle the proliferation problem in the Middle East, a region-wide approach was needed. Perhaps it was the imminent threat of U.S. forces being targeted by WMD that drove home the urgency of this goal. It would be truly unfortunate if we had to face a similar situation again before realizing that selective or limited solutions to the proliferation problem in the Middle East will not meet with success. In short, within the context of the current “rethinking” of future prospects of arms control and nonproliferation, reviving the idea of an arms control regime for the Middle East should definitely play a significant part in the debate.