

Can Middle East be Rid of Doomsday Weapons?

Nuke Tests by India and Pakistan Highlight a Bigger Danger in the Middle East?

by

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Iraqi invasion of Kuwait in August 1990 revealed to the international community a de facto situation in the Middle East that was for long high on the agenda of diplomatic and scholarly circles. That was the dimensions of the danger of proliferation of all sorts of weapons of mass destruction including nuclear, chemical and biological weapons, and their delivery vehicles, namely the ballistic missiles of varying ranges. Luckily, Iraq's defeat in the hands of the Coalition Forces led by the United States (U.S.) military units paved the way to the imposition by the United Nations Security Council (UNSC) of comprehensive sanctions on the aggressor since 1991. In a series of UNSC Resolutions, Iraq had to agree to unprecedented and highly intrusive inspections in its facilities related with research and manufacture of weapons of mass destruction as well as ballistic missiles. Inspectors from International Atomic Energy Agency (IAEA), and experts in the field of missiles technology gathered together under the aegis of the United Nations Special Commission (UNSCOM) and have conducted some 300 inspections in more than five years. During these inspections,

UNSCOM teams have destroyed or rendered harmless quite a considerable number of chemical weapons and ballistic missiles, as well as tons of material usable in the production of nuclear, chemical and biological weapons.

The conduct of most of these inspections, however, has arisen as a problematic issue in the relations between UNSCOM inspectors and Iraqi authorities who continuously created friction during the inspections on the grounds that their sovereign rights were undermined. In January 1998, one of such obstructions by the Iraqi authorities escalated to a large scale confrontation between Iraq and the United Nations, although the United States was seen on the stage. Iraq's resistance to full compliance with especially the terms of the "cease-fire" Resolution 687 of the UNSC and its follow-ups brought the state of affairs to the brink of a war in the Middle East which could also drag other countries in the region into the conflict. Indeed, over the last couple of years, the coalition that was formed at all fronts against Iraq in the early 1990s has weakened to a great extent. Besides, more political support is being given to Iraq by especially the Arab countries who had previously endorsed the Coalition Forces both politically and militarily in 1990. After some six years of implementation, a solution is being sought in order to lift the "everlasting" U.N. embargo which is argued to have claimed the life of thousands of children suffering from scarcity of food and medicine in particular. Under such circumstances, Turkish authorities wished to take initiative to help find a feasible solution to the issue of carrying out special inspections in Iraq which very often arose as a potential source of tension in its nearby. Turkey wanted to take a neighbor initiative as coined by the Foreign Minister Ismail Cem with a view to promote a balanced attitude between the requirements of keeping international peace and security in the Middle East while also providing the Iraqi leadership with a

perspective that sanctions are not everlasting, as argued by many, in case the process could be speeded up and carried out effectively without interruptions. Implicit in the Turkish view was the complaint that, if the Iraqi leadership asserts that they are innocent vis-a-vis the allegations of having continued efforts to procure and produce chemical and biological weapons, they must document their honesty at once and for all. Only in such a situation Turkey's threat perception and the fears of a future use of weapons of mass destruction by Iraq could be alleviated. Then, Turkey could use its political weight more effectively in international arena in favor of promoting and normalizing Iraq's relations with the West. In those days, Turkish deputy-Prime Minister Bulent Ecevit took the neighbor initiative one step further and claimed that the Middle East should be freed from all sorts of weapons of mass destruction that are allegedly in the arsenal of other states in the region such as Syria, Iran and Israel. In other words, Iraq should not be the only country in the Middle East subject to severe sanctions because of pursuing clandestine efforts to manufacture such weapons, while other possessors of unconventional weapons arsenals remain free from international restrictions. In this context, Ecevit is also said to have claimed that an OSCE-like organization should be instituted in the Middle East with a view to promote lasting peace and stability.

In theory, the above arguments of the leading Turkish authorities seem all too agreeable. However, theory does not fit praxis in volatile regions such as the Middle East. Hence, creating a zone free of all sorts of weapons of mass destruction in the Middle East seems to be the most difficult task of all, even in today's international politics, although there have been decades-long diplomatic and scholarly efforts to this effect. For instance, in 1974 Egypt and Iran co-sponsored a United Nations

General Assembly (UNGA) resolution in order to create a Nuclear-Weapons-Free Zone (NWFZ) in the Middle East. Since the 1980s, the Resolution is adopted without a vote every year having secured the support of Israel which is known to have a significant stockpile of nuclear weapons. The scope of the resolution is broadened with the Egyptian proposal in 1990 to restrict the Middle East to other weapons of mass destruction as well, including chemical and biological weapons. This proposal is often cited as the Mubarek Plan after the name of the Egyptian President. Nevertheless, none of the international diplomatic initiatives combined with considerable scholarly endeavors have come to fruition yet due to a number of reasons. First and foremost, the Israeli nuclear arsenal, though never officially acknowledged by the Israeli authorities, has been the primary concern of the Arab states as well as of Iran. All of the Arab states and Iran make Israel's adherence to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT, 1968) an a priori condition to start with the negotiations on the modalities of a NWFZ in the Middle East. Notwithstanding the challenges by their opponents, Israeli authorities express their misgivings about the reliability of the nuclear nonproliferation regime because of the loopholes and shortcomings of the regime stemming from the limitations of the associated safeguards provisions of the IAEA. They argue that, Iraq has developed its nuclear weapons capability by violating its obligations as a state party to the NPT, and also being subject to the intrusion of regular IAEA safeguards inspections for decades.

Beyond the Israeli nuclear capability, another worrisome development in the region is that, Iran has been accused by especially the U.S. and the Israeli governments of having a clandestine aim to develop nuclear weapons. Iranian authorities' declarations who iterated many times that they had to possess a "super weapons" in order to

countervail the Israeli military might exacerbated doubts of the international community in this regard. These and other such mainly structural reasons are the major roadblocks on the way to achieving the noble aims set in the UNGA resolution to create a NWFZ in the Middle East. It is therefore highly unlikely to create a zone free of all sorts of weapons of mass destruction in the foreseeable future so far as the policies and the obstinate claims of the parties remain.

At the root of the dilemma lies the limited power of international treaties or agreements in the field of arms control and disarmament vis-a-vis the sovereignty of states. The NPT is acknowledged as the most powerful international treaty in the security sphere that is joined by some 185 states which are bound by its terms. But, because of the janus-like characteristics of nuclear energy as well as the legal and technical difficulties in the application of safeguards inspections, the nuclear nonproliferation regime has not been as effective as it was envisaged at the start of the negotiations between the United States and the Soviet Union in the late 1950s. The NPT is concluded in 1968 following the decade-long deliberations of mainly two superpowers, and entered into force in 1970. The NPT is founded on the major principle that nuclear weapons are the most lethal and destructive weapons that ever existed, and therefore further spread of such weapons to other countries should be prevented. By the time of signing the NPT, the United States (1945), the Soviet Union (1948), the United Kingdom (1952), France (1960) and the People's Republic of China (1964), all of which are also the Permanent Members (P5) of the UNSC, had succeeded to detonate a nuclear device. Notwithstanding its lethal and destructive potential, nuclear energy, if properly exploited for peaceful purposes, could help advancement of science and development of states by providing plentiful and cheap

energy. Therefore, a concurrent principle embraced by the drafters of the NPT was to support the spread of peaceful uses of nuclear energy, provided the countries would pledge not to be involved in the military exploitation of nuclear power that would be supplied to them. Accordingly, a fundamental norm adopted in the NPT was to make a distinction between the nuclear-weapons-states (NWS) which had exploded a nuclear device prior to January 1967, and others that were categorized as non-nuclear weapons-states (NNWS) as they would adhere to the Treaty. Thus, the NPT required, as the fundamental rule, each NWS not to transfer to any NNWS nuclear weapons or other nuclear explosive devices, and not to assist, encourage or induce any NNWS to manufacture or otherwise acquire nuclear weapons or nuclear explosive devices. Similarly, each NNWS party to the NPT is required not to receive the transfer of nuclear weapons or other nuclear explosive devices, not to manufacture or otherwise acquire, and not to seek assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

A simple explanation of these NPT articles was that, NNWS that joined the NPT had to forego their ambition to build a capability to manufacture or acquire nuclear weapons. In order to verify that the NNWS the have fulfilled their obligations, the IAEA was assigned by the NPT with the task of conducting a series of regular inspections in the nuclear-related facilities of the states party to the Treaty in accordance with the safeguards document called the Information Circular 153 (INFCIRC/153). Although the safeguards provisions under the NPT were all-encompassing (i.e., full-scope or comprehensive), because of technical limitations and legal restrictions, the IAEA inspections are indeed far from being highly effective in case a country is determined to pursue a clandestine program, and has enough

financial sources. Added to this, ineffective export controls on direct and dual-use material needed in the manufacture of nuclear explosives aggravated the dimensions of the probability of illegal spread of nuclear technology and material. As the provisions of the NPT are applicable only to states that voluntarily become party to the NPT, countries like India, Pakistan, Israel, South Africa, Algeria, Brazil, and Argentina have long stayed out of the Treaty. Of these, India which had conducted its first nuclear test in 1974 accused the NPT of being discriminatory in nature and remained a non-NPT state. Pakistan, whose threat perception is based on India's attitude in the international arena and its military capabilities, also stayed out. On the other hand, Israel considers its nuclear weapons capacity as an "effective deterrent" and a "weapon of last resort" in a hostile environment and thus remains out of the NPT.

The geographical situation of Israel surrounded by Arab states and their deep-rooted and centuries-old hostilities pounded with a series of hot confrontations in the 1960s and 70s; the existence of terrorist groups backed by regional states such as Iran and Syria; and small but condensed Jewish population on a tiny portion of land short of a strategic depth being highly vulnerable to incursions, have all made the Israeli leadership decide to acquire an effective "deterrent" against the potential and would-be enemies in the region in order to secure the survivability of their state. Hence, as it is widely acknowledged within the nonproliferation community, Israel developed its first plutonium bomb by the late 1960s, prior to the entry into force of the NPT in 1970. All through the 1970s and the 1980s, more and more states in the Middle East such as Iraq, Iran, Syria, Libya, and Algeria have attempted to procure nuclear weapons capability. They have been successful up to a certain extent due to the

weaknesses of the nonproliferation regime and of the export controls, though major supplier countries aimed on paper to prohibit the illegal transfer and leakage of sensitive technology and material to suspect states. Besides, most of the Arab countries had chemical and/or biological weapons capability known as the poor man's atomic bomb that posed a major threat to Israel. Hence, Israel has made these a case and justified its policy of staying away from the NPT on the grounds that much more stringent measures should be taken to stem proliferation of nuclear weapons, and that other states in the region should dismantle their chemical and/or biological weapons arsenals first. It goes without saying that, none of the Arab states or Iran responded to this claim affirmatively by putting forward that it was first Israel's duty to dismantle its nuclear weapons arsenal and then adhere to the NPT as a NNWS. Only then negotiations for a NWFZ in the Middle East could start.

It is not only Israel and its ambiguous security policies that create the current deadlock in this area. Allegations about Iran's involvement in illegal activities to acquire nuclear weapons capability worth equally discussed. Serious concerns in Western capitals, especially in Washington D.C, London and Tel Aviv arose after Russia and Iran signed an agreement for comprehensive cooperation in the nuclear field on 8 January 1995 in Moscow. With the \$ 1 billion worth agreement, Russia pledged Iran to construct two 1,000 Megawatts electric (MWe) nuclear reactors in a site in Bushehr by-the-Gulf that was left unfinished by German companies Siemens and Kraftwerk Union (KWU) as a result of the Islamic revolution of 1979. Russians also pledged to broaden the scope of their bilateral cooperation with Iran in carrying out research and development in various areas in the nuclear field. This would entail the exchange of some 20 Iranian Ph.D. students every year by enrolling them in the

most prominent Russian nuclear research institutes. Similarly, hundreds of Iranian technicians as well as Master students would be allowed to advance their knowledge in Russian institutes. Moreover, a considerable number of Russian technicians and scientists would work in the nuclear sites in Iran during and after the installation of the nuclear reactors and research centers.

At first sight, there seems to be nothing wrong with the Russian-Iranian nuclear deal. Both Russia and Iran being states party to the NPT apparently act in compliance with the terms of the Treaty as depicted in Article IV. However, a closer look into the situation raise a number of questions as to why Iran gets into such a comprehensive cooperation in the nuclear field. Iran, being one of the world's leading producers of oil and natural gas cannot justify its heavy involvement in nuclear research on the grounds that it will generate electricity. On the other hand, science applications of nuclear research and development in health sector or agriculture do not require such a large scale nuclear procurement. Finally, as some Iranians argue, Iran may wish to make up for the billions of dollars it lost due to unfinished jobs by the Germans in Bushehr site. Though, this argument sounds agreeable, it does not explain the remaining endeavors of the Iranian leadership in the past and at present for establishing other smaller-scale nuclear reactors in Darkhovin and Gorgan, as well as conducting advanced research in Bonab and Esfahan research centers, in Sharif University of Technology, in Azad University and in others institutes. Some of these projects are underway while some others are stagnated due to political, economic and technical reasons. It should not be surprising when a country like Iran, having a radical regime that makes no secret its hostile attitude toward especially the Jewish

State Israel and the United States, enters in comprehensive nuclear procurement efforts alarm bells ring in the West.

The reaction of the United States in particular to Iran's nuclear deal was to exert pressure on Russia for not going ahead with the deal. The U.S. did also tighten its policy of "dual containment" toward Iran (together with Iraq) so as to pressurize especially its Western allies to apply effective economic sanctions that would in turn weaken the financial power and thus procurement efforts of Iran. However, neither of the U.S. policies has been fully successful. Russia did not step back on the grounds that the deal was legal, and that hard currency was needed to rectify the Russian economy. Moreover, most of the leading allies of the United States such as Germany and France did not refrain from getting into considerable economic and financial deals with Iran recently. Hence, questions with Iran's capabilities and intentions remain unanswered.

Under such circumstances, Israel may see no reason to join the NPT as a NNWS by disclosing and dismantling its nuclear weapons capability which is the backbone of its national security strategy. Because, regardless of the currently "clean" nuclear infrastructure of Iran, Israeli authorities believe that the ultimate target of the Iranian leadership is to develop their nuclear capability, even under the NPT obligations and IAEA safeguards that are proven ineffective to unearth the illegal occupation of Iraq with nuclear energy. Iraq is said to be very close to build its first atomic bomb by mid-1990s. Had Iraq not invaded Kuwait and then defeated, illegal nuclear infrastructure in Iraq and its enormous illegal procurement network worldwide could not have been disclosed entirely by ineffective IAEA safeguards application under the

NPT. Therefore, according to Israel, much more intrusive and effective inspection provisions than the ones applied within the framework of the nonproliferation regime should be put in place in order to be confident enough that countries like Iran, Iraq, Libya and Syria will never be able to acquire nuclear weapons capability. Only then negotiations for a NWFZ in the Middle East can start.

As noted above, both Israel and Iran have their irreconcilable *conditio sine qua non* which lead the prospects for a NWFZ in the Middle East into a deadlock. And, for the foreseeable future, there seems to be no way out of the deadlock as the current attitudes of both countries are very likely to sustain. Israel's wish for putting in place much more intrusive and effective safeguards provisions is hardly possible. In an international environment, sovereign states can be pressurized only up to a certain extent to agree to tight legal documents which may have severe economic and political repercussions for them. However, there are efforts underway in this respect with a view to render safeguards provisions of the IAEA under the NPT, such as the "Program 93+2", or to tighten the export controls pursued by the Nuclear Suppliers Group, such as the "Warsaw guidelines" of 1992. Nevertheless, none of these efforts can be sufficient to stem proliferation completely. The latest crises that emanated from the Iraqi attitude against the United Nations with regard to the status of the U.S. inspectors in UNSCOM teams as well as the inspection of the presidential palaces in Iraq revealed once again that Iraq could have sustained its illegal procurement network even being subject to extensive restrictions and special inspections. Therefore, Israel's *conditio sine qua non* seems almost impossible to fulfill.

On the other hand, Iran is highly unlikely to give up its nuclear cooperation with Russia, not only because there is a strong ambition in the part of the Iranian leadership to acquire a "super weapon" that would also bring prestige to the radical regime. But, even if the current moderate Khatemi administration wishes to re-establish economic and political links with the West, especially the U. S., this will not be possible until Iran puts a decisive end to its nuclear program. However, even if the new administration so wishes, Russian authorities will not like to lose the distinct opportunity to have an almost direct access to the Persian Gulf. Thanks to the nuclear deal with Iran, Russia is about to consolidate its active presence in the Gulf, a Russian dream which has never come true neither during the Tzarist nor communist regimes. Hence, Iran is likely to turn to a stage of the last superpower tango.

Bearing the stubborn Israeli and Iranian attitudes in mind, one may conclude that, creating a zone of stability and peace in the Middle East still remains to be a fantasy.