



ROBERT  
SCHUMAN  
CENTRE FOR  
ADVANCED  
STUDIES

Issue 2013/06  
November  
2013



## *The Middle East at a Crossroads: How to Face the Perils of Nuclear Development in a Volatile Region*

*Authors: Grégoire Mallard and Paolo Foradori<sup>1</sup>*

### *Highlights*

*The global nuclear regime may have reached a crossroads: the state parties to the Nuclear Nonproliferation Treaty (NPT) have called for the establishment of a Weapons of Mass Destruction Free Zone (WMDFZ) in the Middle East. Failure to move forward could imperil the global nonproliferation architecture. At the same time, little thought has been given to how this regional organisation would work both internally (with its member-states) and externally (with other organisations, like the International Atomic Energy Agency - IAEA). Now that the international community and Iran have reached a deal in Geneva over a phased verification of the peaceful character of Iran's nuclear programme, the negotiation needs to address broader regional issues.*

*In this policy brief, we review the obstacles and windows of opportunity for a comprehensive regional nuclear settlement by drawing lessons from recent history in Europe. In particular, we draw lessons from the history of the European Community of Atomic Energy (Euratom)*

1. Grégoire Mallard ([g-mallard@northwestern.edu](mailto:g-mallard@northwestern.edu)) is Assistant Professor in the Department of Sociology at Northwestern University and in January 2014, he will join the Graduate Institute of International Studies and Development in Geneva as Associate Professor of Sociology.

Paolo Foradori ([paolo.foradori@unitn.it](mailto:paolo.foradori@unitn.it)) is a senior lecturer at the School of International Studies at the University of Trento (Italy) and an associate of the Project on Managing the Atom at the Belfer Center for Science and International Affairs at Harvard University's Kennedy School of Government.

POLICY

BRIEF

*to suggest how a future regional organisation with jurisdiction in all aspects of nuclear development should articulate its functions with existing international organisations, like the IAEA.*

*We also try to address the following questions: can the political provisions included in the Euratom Treaty inspire the Middle East? Are there specific technical agencies that would serve a useful role to establish trust in the Middle East? In Europe, we find that regional institutions have played a crucial role in creating trust among former warring nations. Even if more than a new regional organisation would be needed for nuclear disarmament to start in the Middle East, a Euratom-like organisation would be a great step that would allow the prevention of future crises and the possible resolution of present crises.*



## Background

### *The “Nuclear Renaissance”*

Nuclear energy is on the rise, and with the development of new nuclear power plants projects, especially in volatile regions like the Middle East, new security concerns are likely to dominate international affairs in the coming years. The IAEA estimates that by 2030, the production of electricity through the use of nuclear energy will increase from 25 per cent (negative scenario) to more than 90 per cent (positive scenario) compared to 2007.<sup>2</sup> The Fukushima accident has only slowed down this overall medium-long term trend. The spread of nuclear energy involves primarily some fast-growing Asian economies, but it concerns the Middle East region, too. Over the past five years, at least thirteen countries in the region – from Morocco and Egypt, to Qatar and Saudi Arabia – have announced new or renewed plans to explore the use of nuclear energy. The United Arab Emirates are at the forefront and are progressing successfully with their programme to have four nuclear reactors in operation by 2020, while Egypt has just announced its intention to boost its nuclear ambitions with the launch of its first power-generating nuclear plant in Dabaa.

Under normal circumstances, the spread of nuclear energy for peaceful purposes should not be cause for particular concern - and in fact article IV of the Non Proliferation Treaty (NPT) encourages it. There are several stated “good” reasons for this Middle East “nuclear renaissance” including: the need to diversify energy sources to meet growing domestic demand for electricity and address environmental concerns, the

possibility for maximising exports of its oil and gas resources, the exploitation of nuclear technologies for water desalination, as well as national prestige.

But in the complex, unstable and problematic Middle East context a possible “nuclear renaissance” represents a potential non-proliferation challenge. The problem is well known and has to do with the inherently “dual-use” nature of nuclear energy, whereby knowledge and technology necessary for peaceful uses of the atom are essentially the same as those used to produce a bomb. For instance, Iran’s neighbours see with distress the country’s slow but steady advances in its nuclear programme, which include heavy investments in nuclear fuel cycle technologies that - like uranium enrichment centrifugal technologies - are essential to master for a country with nuclear military ambitions. Thus, if it is hard to predict how many of the countries in the Middle East will implement their nuclear programmes, the prospects of a “nuclear renaissance” in this region underline the urgency of holding renewed discussions on a nuclear governance framework that can help buttress confidence and stability in the region.

### *The Proposal for a Weapons of Mass Destruction Free Zone in the Middle East*

If the “nuclear renaissance” in the Middle East makes the creation of a regional nuclear security framework more timely, the idea of establishing a regional regulatory authority in nuclear affairs was first proposed well before Middle Eastern states anticipated developing nuclear energy on an industrial scale: in the mid-1970s, Iran and Egypt were the first to propose a nuclear weapons-free zone (NWFZ) in the Middle East by sponsoring a 1974 UN General Assembly resolution. The initial proposal was expanded in 1990 to include all categories of weapons of mass destruction (WMD), in addition to nuclear ones, on the initiative of the then Egyptian president Hosni

2. IAEA, *Energy, Electricity and Nuclear Power Estimates for the Period up to 2030*, Vienna, July 2007. See also C. Ebinger et. al., *Models for Aspirant Civil Nuclear Energy Nations in the Middle East*, Policy Brief, No. 11-01, Brookings Institution, Washington, D.C., 2011.



### Box 1: The Disappointing Failure of the 2012 Conference on a WMD Free Zone in the Middle East

Despite the fact that all regional states and the main external powers have expressed support for the project, little or no progress was achieved for the next 15 years. Long years of inaction, rhetorical support and unproductive talks were shaken in the last NPT Review Conference of 2010, and some first “practical steps” were agreed upon in the Final Document of this conference. These included the decision to call on the UN Secretary-General and the co-sponsors of the 1995 Resolution (the US, the UK and Russia), in consultation with the states of the region, to convene a conference in 2012 on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction. The UN Secretary-General was additionally required to appoint a facilitator with a mandate to support implementation of the 1995 Resolution and undertake preparations for the 2012 Conference.<sup>1</sup> In October 2011, after a long period of silence and apparent inactivity, Finland was designated as the host country, and the Finnish Vice-Minister of Foreign Affairs Jaakko Laajava as the facilitator of the event. The facilitator and his team soon embarked on intense diplomatic activity in consultation with the countries of the region, seeking their support for the conference. However, by the end of 2012 preparations for the conference had been aborted. Russia stated that “not all countries in the Middle East have agreed to participate.”<sup>2</sup> The UK suggested “more preparation and engagement between states of the region will be necessary to secure arrangements that are satisfactory to all.”<sup>3</sup> The US explained that the indefinite postponement was due to “present conditions in the Middle East and the fact that states in the region have not agreed on acceptable conditions.”<sup>4</sup> Ambassador Laajava pledged to continue efforts “to prepare the ground for the earliest possible convening of a successful conference, to be attended by all states of the region.”<sup>5</sup>

1. See NPT/CONF.2010/50 (Vol. I)

2. See “Press Statement on the 2012 Conference on the Establishment of a Middle East Zone Free of Weapons of Mass Destruction,” Moscow, Ministry of Foreign Affairs, November 24.

3. See “Middle East Weapons of Mass Destruction Free Zone Conference,” London, Foreign and Commonwealth Office, November 24.

4. See Nuland, Vitoria, “2012 Conference on a Middle East Zone Free of Weapons of Mass Destruction (MEWMDZF),” Washington, D.C., U.S. Department of State, November 23.

5. See “Helsinki Middle East Conference,” Ministry of Foreign Affairs, Press release 282/2012, November 24.

Mubarak, who acknowledged the threat posed by the presence of chemical and biological weapons in the region and the need to attract the support of Israel and the United States by encouraging positive trade-offs in a Weapons of Mass Destruction (WMD) disarmament process. Later on, during the 1995 Nonproliferation Treaty (NPT) Review and Extension Conference, under the leadership of Egypt, many Arab and non-aligned countries conditioned their support for the indefinite extension of the NPT on a resolution that in clear language calls on non-NPT signatories to accede to the Treaty and accept full-scope IAEA safeguards (an obvious reference to Israel). The resolution additionally urges all members to fully cooperate with regional efforts to establish “an effectively verifiable Middle East zone

free of weapons of mass destruction, nuclear, chemical and biological, and their delivery systems.”<sup>3</sup>

For negotiations on the contours of the Weapons of Mass Destruction Free Zone (WMDFZ) to start now, however, formidable obstacles must be overcome (see Box 1). Additionally, if (and when) the discussion on the WMDFZ will progress, it will become rapidly clear that important and unforeseen problems must be tackled in the context of the Middle East, especially if the region succeeds in a “nuclear renaissance”. Indeed, so far, the WMDFZ concept directly comes from a traditional arms control

3. *Resolution of the Middle East Conference of the State Parties to the Treaty on the Non-Proliferation of Nuclear Weapons*, New York, May 11, 1995, NPT/CONF. 1995/32/RES/1, <http://www.un.org/Depts/ddar/nptconf/21c6.htm>



perspective, which aims at overcoming the issue of a WMD race in a radical and definitive fashion, by imposing an absolute prohibition on the production, possession, transfer, deployment and testing of any nuclear weapon or other weapons of mass destruction, including delivery systems.

But this concept does not tackle all the problems that are traditionally associated with the development of dual-use technologies (especially nuclear fuel cycle technologies). To work well, a WMDFZ presupposes that the production of nuclear energy (as well as the production of chemical and bio- agents) is frozen, and not multiplying continually with the addition of new projects. If countries of the Middle East realise their promises of nuclear development, then, the governance structure of such a Zone should be designed to ensure continued transparency and trust despite such nuclear development. Rather than being a simple verification mechanism that will regulate what already exists, the governance bodies of such a Zone will need to actively participate in the design of future projects, which would inevitably raise concerns over the protection of the state sovereignty of its members.

### Key Issues

The obstacles to a WMDFZ are formidable, numerous, and long-standing.<sup>4</sup> The Middle East is a highly troubled, militarised region that has experienced intense inter- and intrastate violence, territorial disputes, foreign meddling and intervention, ethnic and sectarian rivalries, and general political instability resulting from precarious domestic legitimacy. Regional cooperation and integration are minimal. In this problematic context, it has proved

4. This section largely draws on Paolo Foradori and Martin B. Malin, *A WMD-Free Zone in the Middle East: Creating the Conditions for Sustained Progress*, Discussion Paper, The Project on Managing the Atom, 16, Harvard University, Cambridge, MA, 2012.

impossible to make any substantial progress in arms control negotiations over nonconventional weapons. Three main sets of issues deserve to be carefully considered.

### State Sovereignty Issues

The first and most fundamental challenge is represented by the belief among regional players in the desirability of WMDs for the protection of state sovereignty against all kinds of threats. As such, WMDs and their delivery systems are perceived as being credible deterrents against external threats, as a force equaliser compensating conventional military capabilities, as a prestige and status enhancer, and as a product of domestic politics dynamics. The evidence of these ways of thinking is found in patterns of pursuit, acquisition, use and continued possession of a range of WMDs.

Overall, Israel's nuclear policy and the controversial Iranian nuclear programme represent the greatest examples of how concerns for protecting absolute state sovereignty over a territory are interconnected in the pursuit of WMDs or of their capabilities. For Israel, the Bomb is the ultimate guarantor of its survival in a region of hostile neighbours, some of whom do not recognise its right to exist. Israel insists on possessing options for the defence of its sovereignty that are independent of external aid. In this regard, Israel's nukes are thought to provide a long-term insurance policy against existential threats and to deter a massive conventional attack.<sup>5</sup>

While Iran continues to declare that its programme is for peaceful purposes, its neighbours and the international community are suspicious of Tehran's real intentions. For some observers, Iran's willingness to incur such high costs to push forward the develop-

5. Cohen, Avner (2010), *The Worst-Kept Secret: Israel's Bargain with the Bomb* (New York: Columbia University Press), pp. 77-78.





ment of a full array of fuel-cycle facilities suggests that, at a minimum, Iranian leaders wish to “hedge their bets,”<sup>6</sup> that is, achieve a capability that would enable the acquisition of nukes relatively quickly, if at a later date it chooses to do so. Its consistent pursuit of such technologies despite the high costs leads some to believe that it sees in the acquisition of such technologies a way to defend its state sovereignty, once and for all, in a way not unlike how Israel views its own nuclear weapons. Even if the recent agreement struck between Iran and the P5+1 (the five members of the UN Security Council and Germany) in Geneva reflects a consensus on the desirability to offer Iran the chance to prove the peaceful character of its nuclear programme, both sides agree that many other steps need to be negotiated before the international community can safely rule out the possibility that Iran may pursue the goal of acquiring nuclear weapons.

The same may be true of Bashar Al-Assad’s perception of chemical weapons. The use of chemical weapons in the Syrian civil war is the most recent manifestation of the inhumane and highly destabilising nature of WMDs, but also a proof that these weapons are seen as a powerful tool to ensure the regime’s continued sovereignty over (most of) its territory, despite continued months of civil war.

In sum, there is evidence that WMDs and their delivery systems play an important role in the security calculations of several states, which hope to maintain their absolute state sovereignty and regime stability thanks to their possession (and use). This consideration, in turn, explains not only the mistrust among regional leaders about the intentions and interests of their neighbours, but also the low degree of regional cooperation.

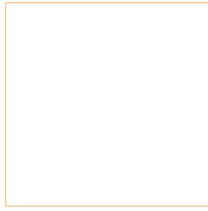
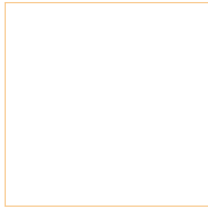
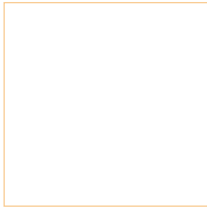
6. Levite, Ariel (2002/03), “Never Say Never Again: Nuclear Reversal Revisited,” *International Security*, Vol. 27, No. 3, p. 69.

As long as there is no agreement that state sovereignty should not be conceived in absolute terms (as if the choice was between having complete sovereignty or no sovereignty at all), the discussion of the vast array of issues in need of resolution to establish a WMDFZ will require an inordinate amount of international wrangling to get the parties to the negotiating table. Indeed, no progress will be made on the road toward verified nuclear disarmament if states cling to the wrong perception that they will lose power by engaging in international cooperative development.

### *Political Instability*

A second major challenge has to do with the potentially adverse impact of the so-called “Arab Spring”. The risk is that the revolutionary transitions sweeping through the Middle East will bring more uncertainty and instability, including the prospects of near-term negotiations on the schedule and agenda of a conference on a future WMDFZ in the Middle East. The recent revolutionary transitions caused a shift in the priorities of regional leaders from advancing the WMDFZ project, which received promising prospects in the wake of the 2010 Non Proliferation Treaty (NPT) Review Conference, to more pressing domestic issues.

From Libya to Syria, from Egypt to Tunisia, from Yemen to Jordan, Arab revolutions have increased instability, thus making the picture even more problematic. For example, the ongoing conflict in Syria complicates the question of who will represent that country at such a WMDFZ conference. Despite the recent efforts to secure and dismantle Syria’s stocks of chemical weapons by the international community, and in particular by the Organisation for the Prohibition of Chemical Weapons, the Assad government will be hesitant to sit at the table with Arab League states that are calling for him to step down,



while Syria’s membership in the League has been suspended – and vice versa, other Arab states might refuse to negotiate with the Assad government.

In addition, the possibility that Arab revolutions might radicalise domestic audiences towards hard-line positions on WMD issues cannot be ruled out. Rising nationalist and populist sentiments in the Muslim civil society could hamper progress towards political dialogue and arms control. As noted by Michael Elleman, “The proverbial Arab street, empowered by recent political developments, will find it difficult to accept compromises that address Israel’s security concerns without a resolution of the Palestinian issue and Israel’s nuclear monopoly.”<sup>7</sup>

*Verification Challenges*

Finally, there exist formidable technical challenges in designing verification mechanisms that simultaneously apply to all three WMD categories and their delivery systems. What constitutes a WMD is uncertain. What a delivery system entails will be equally controversial to determine, given the asymmetries in capability and geography, the emergence of new weapons such as unmanned aerial vehicles, the proliferation of cruise missile technology, and the progressive development of missile defenses.<sup>8</sup>

The verification of the prohibitions of biological weapons is also an unresolved question, given the almost indistinguishable dual-use nature of biological agents and infrastructure. It is no coincidence that

the 1975 Biological and Toxin Weapons Convention does not provide any verification mechanism.

The issue of how to verify the irreversible dismantlement of the Israeli nuclear arsenal would present serious challenges, as well. The specific sequence of steps leading to the establishment of the zone continues to stand out as the most formidable conceptual as well as practical obstacle hampering progress, given a hard-to-reconcile divide between the Israeli ‘peace first, Zone second’ approach and the Arab/Iranian ‘Zone first, peace second’ approach.

*Experience from Other Regions and EURATOM: Reasons to Hope*

Given the roadblocks to establishing such a Weapons of WMD Free Zones (WMDFZ), this section considers some of the lessons learned from the existing Nuclear Weapons Free Zones (NWFZ) and especially from the experience of Euratom. Each case and zone around the world is unique and originates from different and specific conditions. There is no “one size fits all” package of attributes that can be used in the Middle East, and generalising from historical analogy must be approached with care. Still, a great deal of conceptual and practical experience is available and could be, *mutatis mutandis*, relevant to the Middle East context.<sup>9</sup>

*Unexpected Outcomes Are Always Possible*

The history of arms control and the experience of the existing NWFZs suggest that conditions in other regions did not always appear conducive to progress on similar issues, and favourable and unexpected outcomes can occur even in highly unstable and complex situations. For example, the Latin

7. Elleman, Michael (2012), “The Zone Is a Win-Win for All,” in Bilal Y. Saab, ed., *The 2012 Conference on a Weapons of Mass Destruction-Free Zone in the Middle East. Prospects, Challenges, and Opportunities, a Special Roundtable Report* (Monterey, CA: Monterey Institute of International Studies), [http://cns.miis.edu/opapers/pdfs/120731\\_mideast\\_wmdfz\\_conf\\_roundtable.pdf](http://cns.miis.edu/opapers/pdfs/120731_mideast_wmdfz_conf_roundtable.pdf).  
 8. Kubbig, Bernd W., and Sven-Eric Fikenscher, eds. (2012), *Arms Control and Missile Proliferation in the Middle East* (New York: Routledge).

9. IAEA. 2011. *Forum on the experience of other regions in creating WMD-free zones*, Vienna, November 21–22, <http://www.iaea.org/newscenter/statements/misc/2011/petersen221111.pdf>



American NWFZ, which was conceived within the highly volatile period of the Cuban missile crisis, was long blocked by the antagonism of the two nuclear-capable and rival states of Argentina and Brasil.<sup>10</sup> As the IAEA observes, “establishment of Nuclear Weapons Free Zones (NWFZ) was possible despite serious obstacles, such as geopolitical complexities and lack of trust. This success was achieved through a combination of political will and commitment, dialogue, flexibility, and an incremental step-by-step approach”<sup>11</sup>.

Moreover, windows of opportunity can suddenly open, especially in time of a crisis or radical transformation. The sense of urgency associated with present-day deteriorating situation of WMD in the Middle East can create incentives for regional and extra-regional players to address WMD issues in good faith and with a renewed commitment. Signs of hope have also appeared in the last few months, like the present efforts to dismantle Syria’s stock of chemical weapons and the substantial progress in the negotiation for a comprehensive solution of the Iranian nuclear issue due to the the signing of a phased agreement in Geneva on 24 November 2013. Something of this sort happened in Latin America where the 1962 Cuban missile crisis catalysed efforts to establish a NWFZ. After the Geneva agreement of 24 November 2013, it is time for the international community (the US and the EU in particular) to engage Iran’s neighbours in a collective discussion about the peaceful uses that the region could draw from the Iranian nuclear capabilities. Many of the issues could be addressed in the context of negotiations of a NWFZ to be established in the region.

10. For a balanced evaluation of the achievements of the established NWFZs, see Hamel-Green, Michael (2005), *Regional Initiatives on Nuclear- and WMD-Free Zones* (Geneva: United Nations Institute for Disarmament Research).

11. See IAEA, 2011, “Summary.”

### *The Linkage of Democracy and Nonproliferation*

The revolts sweeping through the Arab world are definitely creating more uncertainty and instability in the immediate and short term. However, assuming the Arab Spring’s final outcome is a more democratic and peaceful Middle East, and assuming that the recent governmental change in Iran confirms the democratic aspirations of this country, they can create an opportunity for progress in a longer-term perspective. Indeed, the experience from the existing NWFZs demonstrates how democratising countries are more likely to enter into regional arms control processes. For example, the political changes in South Africa, which led to the end of the apartheid regime, also led to a breakthrough in denuclearisation and the subsequent establishment of the African zone. Quite similarly, the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco) was extended to the entire region only after the return to democracy by Brasil and Argentina.

In this regard, the experience of Euratom also shows that the association between democratisation and the stabilisation of a regional framework can spur open interstate cooperation and verifiable technological development.<sup>12</sup> Indeed, the Euratom Treaty was part of a series of treaties by which newly erected democracies in Europe sought to reinforce democratic forms of governance and establish trust among them in a post-war context characterised by massive investments in conventional and nuclear dual-use technological infrastructure industries. It was not a coincidence that the Euratom Treaty was signed by liberal democracies that feared that inter-state technological competition could undermine their internal democratic institutions (as in

12. This section draws largely on Grégoire Mallard. 2008. “Can the Euratom Treaty Inspire the Middle East? The Promises of Nuclear Regional Authorities.” *The Nonproliferation Review*. 15(3):459-477.





## Box 2: Euratom Controls

Since the 1970s, after Euratom and the IAEA harmonised their system of safeguards, Euratom's regional controls have worked more as complements to the IAEA controls than as substitutes. Since then, Euratom has managed (and still manages) most of the routine controls and it has enhanced trust and cooperation between states and their neighbours. The complementarity between Euratom's regional controls and those of the IAEA was achieved after the NPT because the Euratom Treaty recognises the international legal sovereignty of this European Community, which means that Euratom can negotiate international agreements on behalf of its member states and sign agreements with international organisations. The legal sovereignty of Euratom allowed Euratom and the IAEA to harmonise their systems of controls, rather than subordinate one system of control to the other. Indeed, Euratom signed an agreement with the IAEA in 1973, as secured by Article 3.4. of the NPT, which allows the IAEA to negotiate with NPT signatory-states "collectively" about how the IAEA verifies the NPT obligation of Non-Nuclear Weapon States (NNWS). In the case of Europe, all Euratom NNWS signed the NPT in 1969 (although not France, which was a NWS), but they only ratified the NPT in 1975 after they had collectively bargained the exact terms of the IAEA-Euratom safeguards agreement in 1973. The legal sovereignty of the regional Community thus provided an opportunity for European nations to negotiate among themselves a common position before entering into international contracts with international organisations.

the interwar period). Like the treaty establishing the Common Market, the Euratom one not only created research centres, a nuclear fuel procurement agency (the European Supply Agency), and a control agency, but also a whole democratic governance structure at the supranational level, which was inspired by the liberal theory of the division of powers: the executive powers of the Euratom Commission were balanced by the legislative powers of the Council of Ministers, where each nation was represented (and the European Parliament was also given a consultative role). Besides, the Euratom Treaty empowered individuals with the right to directly petition the European Court of Justice if they felt their rights, as defined by the Treaty, were violated.

Then, the political aspects of the Euratom Treaty may have an even greater impact in the Middle East than its technical provisions, especially at a time when the protesters who participate in the Arab Spring seek to buttress the protection of their rights (like the right to be informed of biological or nuclear hazards) before courts of law. In a region where courts have often failed to fully protect citizens' rights and have upheld states' practices of opacity, giving access to

new independent judiciary institutions can ensure that citizens' demands for transparency will consistently be heard by the authorities, and that those potentially affected by new nuclear power projects engaged by their neighbours will have a chance to defend their rights before a common regional court.

Besides, the predicted increase of nuclear power plants means that new non proliferation concerns are likely to emerge out of the "dual-use" characteristics of many nuclear projects. Hence, the governance structure of WMDFZ will need to include, like Euratom did, a democratic mechanism of *ex ante* coordination between states, equally represented in a regional Council, so that they can air their dispute before an independent Commission, and bring facts to the table.

### *Strengthening Regional Verification Mechanisms*

The experience in implementing NWFZs demonstrates that confidence in the ability to verify the provisions of a zone is a major requirement for successful negotiation and implementation.<sup>13</sup> Verification methods can

13. See Lewis, Patricia, and William C. Potter (2011), "The Long Journey toward a WMD-Free Middle East," Arms



be reinforced when mistrust is widespread, as is the case in the Middle East, and where there is the need to verify the dismantling of nuclear devices manufactured by a party before the entry into force of the Treaty, as was for the African zone and as would be true in the Israeli case. A multi-layered approach to verification involving a combination of international, regional, and bilateral commitments could be envisioned for the Middle East. Again, the experience of NWFZs helps in this regard. Additional verification and safeguards measures have been created in the Latin American zone, where a specialised agency was established, the Argentine-Brazilian Agency for Accounting and Control of Nuclear Materials (ABACC).

In this regard, the experience of Euratom also represents an interesting precedent, which can help the Middle East escape the deadlock between the Israeli ‘peace first, Zone second’ approach and the Arab/Iranian ‘Zone first, peace second’ approach. The Euratom Treaty also created a control agency, with powers to trace the circulation of fissile materials within the Community; to help new national atomic energy commissions adopt good book-keeping practices; to inspect the use of nuclear fuels in its territory; to report violations and decide sanctions. In this case, regional controls created the conditions of mutual confidence that allowed initially mistrusting European nations to accept that their nuclear programmes would be inspected. But Euratom controls did not prohibit military uses of nuclear fissile materials, as they imposed that all the uses (peaceful and military) of nuclear materials be reported to the Euratom control agency, and checked (see Box 2).

This is an important lesson for those states in the Middle East who wish to engage Israel (the only non-Non Proliferation Treaty (NPT) party in the

region) to become a full party to the NPT, and to submit all its peaceful nuclear activities to the watch of the IAEA. If, like in Euratom, a regional community with legal sovereignty was created first in the Middle East; if it then proved that its control agency could operate to the satisfaction of its member-states (for instance, by conducting inspections in Iran); and if it would then be allowed to collectively negotiate the terms of new safeguards agreements between itself, its member-states and the IAEA, it could actually become a strong force working toward the creation of a WMDFZ in the Middle East.

According to such plan, a WMDFZ with international legal sovereignty would participate in the negotiations between the IAEA and Israel over the future controls of its civilian facilities, as well as of special fissionable materials previously used in the country’s military devices: the negotiation would thus be conducted collectively between the IAEA, the WMDFZ, and all member-states of that new regional organisation, and it would not exclude military nuclear activities from its jurisdiction. At the end of the process, all states (not just Israel and Iran) would have to sign a new trilateral safeguards agreement with both the Zone and the IAEA. This collective bargaining process would give Israel time to advance toward verified denuclearisation under a regional framework that could potentially convince it to ratify the NPT as a Non-Nuclear Weapon States (NNWS), if other security guarantees (provided by the Zone) were met.

At last, another important feature that comes with Euratom’s power to control and inspect nuclear activities is its power to decide on sanctions (ranging from a notification by the inspectorate to the seizing of fissile materials unduly stored by a user) in case of verified security breaches. This power to sanction is important, as a regional agency with eyes to see security failures but no arms to repair violations

Control Association, [http://www.armscontrol.org/2011\\_09/The\\_Long\\_Journey\\_Toward\\_A\\_WMD-Free\\_Middle\\_East](http://www.armscontrol.org/2011_09/The_Long_Journey_Toward_A_WMD-Free_Middle_East)



would be born half dead: then, all verified violations of security rules would have to be sent to the U.N. Security Council (as the IAEA does), with the corresponding risks of politicisation and delayed response to security breaches.

### *Policy Recommendations*

1. Now that an agreement has been reached between the “P5+1” (the permanent member countries of the U.N. Security Council and Germany) and Iran, the “P5+1” should engage in broader consultations with Iran’s regional neighbours in order to facilitate the creation of a regional authority in charge of regulating nuclear development and verifying its peaceful character in the region.
2. All Middle East region states, including Iran, should propose a clear roadmap to establish a regional authority in charge of negotiating with the IAEA acceptable trilateral safeguards agreements to be signed by themselves, the future WMDFZ’s governance bodies, and the IAEA.
3. When formulating a roadmap, all states of the region should clearly express their preferences for the kind of governance structure that will have authority over the implementation of the technical functions (safeguards, planning, fuel supply, research and development) under the jurisdiction of the future WMDFZ’s governance bodies. Their roadmap should help address both present concerns over Iran’s nuclear programme and future ones raised by the foreseen “nuclear renaissance” in the Arab world. To set up strong, sustainable and open institutions of nuclear governance in the region, each state should build upon the experience of Euratom as well as adapt that model to the cultural and political traditions of institution-building in the Middle East.
4. The P5+1 should multiply efforts to organise a conference on the establishment of a WMDFZ in the Middle East before 2015. This conference will give the opportunity for all states to discuss their respective roadmaps and find common ground.

Global Governance Programme  
Robert Schuman Centre  
for Advanced Studies

European University Institute  
Villa Schifanoia  
Via Boccaccio 121  
50133 Firenze - Italy

Contact GGP Outreach Coordinator:  
[Eleonora.Carcascio@eui.eu](mailto:Eleonora.Carcascio@eui.eu)

## The Global Governance Programme

The Global Governance Programme (GGP) is research turned into action. It provides a European setting to conduct research at the highest level and promote synergies between the worlds of research and policy-making, to generate ideas and identify creative and innovative solutions to global challenges.

The Programme is part of the Robert Schuman Centre for Advanced Studies of the European University Institute, a world-renowned academic institution. It receives financial support from the European Commission through the European Union budget.

Complete information on our activities can be found online at: [globalgovernanceprogramme.eui.eu](http://globalgovernanceprogramme.eui.eu)