

East, featuring **Ambassador Jeremy Issacharoff**, Ambassador-at-Large for Strategic Affairs of Israel. Both panels were chaired by Mr. Granoff; Ambassador Cabactulan served as respondent on both panels.

Fulfilling the Middle East Decision: Ambassador Hisham Badr

Egypt's interest in the Middle East Nuclear Weapon-Free Zone is well-established and pre-dates the 1995 resolution. It stems from the firm belief that global and regional nuclear disarmament complement and enhance each other; this was the logic behind the resolution co-sponsored by Egypt since 1974, on the establishment of a nuclear-weapon-free zone in the Middle East. This very logic was also behind President Mubarak's initiative in 1991 to create a zone free of all weapons of mass destruction in the Middle East. Unfortunately, failure to respond to such calls has resulted in challenges to both the NPT regime, as well as the notion of a nuclear-weapon-free zone in the Middle East.

Bearing this in mind, combined with the 1995 NPT Review and Extension Conference and the drive to indefinitely extend the treaty, a resolution on the Middle East was agreed on as part of the extension package. This resolution called on all states in the Middle East to take practical steps toward the establishment of an area free of nuclear weapons and other weapons of mass destruction. This intertwined the future of the NPT regime and its indefinite extension with the Middle East Resolution forever, a fact that was reestablished during the 2010 Conference that said, "The Middle East Resolution is an essential element of the outcome of the 1995 Conference and of the basis on which the treaty was indefinitely extended without a vote in 1995." It is in this context that the Middle East proved to be both a stumbling block to reaching consensus in 2000 and a beacon of achieving success in 2010. For the latter, it was widely recognized that in order to strengthen the NPT regime, previous decisions, resolutions, and commitments needed to be honored.

The highlight of the section on the Middle East is the endorsement of the Review Conference of the convening of an international conference in 2012, to be attended by all states in the Middle East, on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction. Towards this end, the Secretary General of the United Nations and the cosponsors of the 1995 Middle East resolution would appointment of a facilitator to conduct consultations on the 2012 conference and assist in the implementation of any follow-up steps, as well as report to the 2015 NPT Review Conference and its Preparatory Committee meetings.

Let me make few observations regarding the implementation of the Middle East section of the 2010 NPT Review Conference Final Document. Firstly: The objective was, is, and will remain to be the establishment of a nuclear weapon-free zone in the Middle East and the placement of all nuclear facilities in the area under the International Atomic Energy Agency's inspection regime. Therefore, the proposed conference and the appointment of a facilitator are means to an end, and must not be thought of and pursued as objectives in their own merit. In fact, the NPT Conference stressed that "the resolution remains valid until the goals and objectives are achieved."

Secondly: Having said that, we do recognize the importance and potency of the tools, and we stress the need for the deliberate consideration of the logistical preparations of the conference, including the venue as well as the choice of the facilitator. Such elements will be the initial litmus test of how serious the convening parties to the conference - the UN Secretary General, the co-sponsor of the 1995 Resolution - are in pursuing the above outlined objectives.

Thirdly, It is a well-established fact that Egypt is interested in a Middle East zone free of all weapons of mass destruction – a fact enshrined in President Mubarak’s aforementioned initiative. It recognizes the 1995 Resolution and Part 6 of the Conclusions in the 2010 Final Document, which speaks about a zone free of weapons of mass destruction. The latter, in fact, specifically “emphasizes the requirement of maintaining parallel progress in substance and timing in the process of leading to achieving total and complete elimination of all weapons of mass destruction in the region – nuclear, chemical, and



Ambassador Jeremy Issacharoff, Jonathan Granoff (panel Chair) and Ambassador Hisham Badr.

biological.” However, it is clear that within the context of the NPT, we are dealing with the nuclear part of this zone. Luckily, other weapons of mass destruction, chemical and biological, already have their own legal framework that all countries of the Middle East can join once an agreement is in place. What is lacking is a legal framework whereby all the states of the Middle East states can agree to ban the production, use, possession or transfer of any nuclear weapon, and place all nuclear facilities

under IAEA verification regime. Once in place, an agreement on the parallel, universal, and phased accession to all nuclear, chemical, and biological legal frameworks could be reached.

Fourthly, for this area to be a meaningful and contributing factor to the enhanced security of all states in the region, all states must participate in the negotiations and join in the outcome. Consequently, we aspire for all the states in the region to be present at the upcoming 2012 Conference. Enough time has already been wasted in implementing the 1995 Resolution to make excuses or seek postponement until certain conditions are met. So while working diligently on the Middle East Peace Process which remains our strategic goal, this must not derail us from pursuing to fulfill the obligations and agreements reached within the NPT. I do not need to dwell on Egypt’s record in advancing the peace process as its record speaks for itself. But in an area that had for years faced the specter of proliferation that was a direct result of the lack of a comprehensive adherence of all states in the area to join the NPT as non-nuclear weapon states and place their facilities under the IAEA verification regime, a fundamental confidence building measure is to pursue the establishment of a Nuclear Free Zone in the Middle East to deal with this issue once and for all. If we wait to reach peace before dealing with the root causes of nuclear proliferation can only lead to more threats and instability in the region.

Egypt has always held dear its commitment and vision for a peaceful world free of nuclear weapons, and in particular, the Middle East. We have always held firm to this commitment through years of hope and years of despair, and we feel that we are finally on the right path for translating this vision into reality... What remains to be seen is whether all concerned countries will rise to the occasion and contribute to this process to bring to fruition this important objective.

Regional Security in the Middle East: Ambassador Jeremy Issacharoff

As we view the Middle East today, my central purpose here is to share with you our perception of the reality in the Middle East and what we need to move to a more stable architecture of regional security in the area.

First and foremost, it should be remembered that there is a total absence of any regional forum in which we can communicate and relate to our Arab neighbors and have a dialogue on core issues that effect, not only security, but a host of other issues. We don’t have a forum in which we can talk about defusing tensions and developing

confidence building measures. We had the Arms Control and Regional Security forum in the beginning of the nineties, but do not have such a mechanism now.

We do not enjoy peace between Israel and the region as a whole and at times feel that our existence and survival are put into question. This is a very fundamental aspect of how we see our national security. Countries in the area like Iran, that threaten to wipe Israel off the map, or other bodies like Hamas that occupy territory adjacent to Israel and do not accept Israel's right to exist, are fundamental national security problems from Israel's point of view. The lack of a wider peace and the existence of these threats to Israel's national security have to be addressed before we look to any major disarmament process in the future.

It was said here before that the conference of 2012 is an event designed to discuss the adherence of one country Israel to the NPT. By any analysis this clearly is not the central problem of regional security in the Middle East - definitely not from my countries point of view. If anyone takes all the security problems in the Middle East and reduces it to this one issue - they are committing a grave error.

There are other countries that are not members of other proliferation treaties in the Middle East like for example the Chemical Weapons Convention or the Biological Weapons Convention. It's not only a matter of what Israel is adhering to or not, there are also other questions that are never brought up and never touched upon. Let us not forget, that chemical weapons have been used in the Middle East as well as ballistic missiles and the entire array of conventional weapons. Nuclear weapons are the one type of weapon that have not been used in sixty two years in the Middle East. The weapons that have been used are the weapons that threaten people's immediate sense of security in the region and need to be addressed no less than the threat of nuclear proliferation.

Indeed, how do you assemble all of the different commitments that need to be put together for any cooperative regional security architecture in an area where countries do not talk to each other, recognize each other or develop and engage in confidence building measures between themselves. How does this architecture reflect the overall and diverse security threats and challenges facing the different actors in the region and not just relate to one aspect of regional security.

On the nuclear issue, I don't want to dodge it. We are not members of the NPT, but even before the NPT came into being, Israel adopted its own posture which remained one of the most steadfast elements in its foreign policy for the last fifty years. It has been that Israel will not be the first to introduce nuclear weapons into the Middle East. This has been a key facet to Israeli foreign policy in recent decades and it is a commitment that Israel had undertaken at the time. Not only that, on January 13th 1993 in Paris, Israel signed the CWC (Chemical Weapons Convention), in the hope that this would be a signal to foster greater adherence to the Chemical Weapons Convention. Sadly this did not happen. Subsequently and after becoming full members of the Conference of Disarmament at that time, Israel signed the CTBT in the mid-nineties.

In addition since the early years of 2000, Israel has become an adherent to the various supplier regimes by virtue of its commitment to practical measures of non-proliferation. Israel adheres to the Missile Technology Control Regime, the Nuclear Suppliers Group, the Australia Group, and the Wassenaar Agreement (conventional arms). The provisions of these supplier groups are part of Israeli law. We abide by the provisions of these supplier regimes without having the benefits of full membership in these organizations. To the best of my knowledge, Israel is the only country in the Middle East that has adopted such measures.

So, first of all, it's true we are not members of the NPT but we have taken serious policy decisions regarding

proliferation and when we say things we mean them and when we adopt undertakings we respect them.

Having said that, I would like to try and wind up. If the NPT cannot work in our area this still obliges us to address the question what can be done? Our vision of what we can do in the space between aspiration and reality begins with the need to establish confidence building measures and genuine efforts to reduce tensions in the area with our Arab neighbors through greater dialogue. What is happening now with the Palestinian's is vital. We should also widen the peace process with the Syrians and with the Lebanese when conditions are right.

In sum we have to create a stable infrastructure of peace in the area. Peace will not come in the wake of disarmament - unfortunately, it does not work like that in the Middle East. When you are secure and when your enemies know that you are secure, there is a good chance for a stable and enduring peace. I don't think it works in a different way. The establishment of a wider peace in the area is an essential precursor for serious measures of disarmament that ultimately will emanate from the regional parties themselves and have to be negotiated directly between them.

Where Do We Go From Here? Concluding Remarks

The concluding panelists – one from the global South and one from the North – discussing *Where Do We Go From Here?*, were pleased with the substance of the Final Document of the RevCon but also spent time analyzing its shortcomings and offered less than glowing projections of the future.

Ambassador Desra Percaya, the Deputy Permanent Representative of Indonesia to the United Nations, the World Trade Organizations and other International Organizations, said the RevCon was “closing the gap between aspiration and reality” but it was still “obvious” that the RevCon had presented a bare bones road map to abolition. Indonesia is one of the lead negotiators for the NAM in disarmament forums. The RevCon demonstrated “overwhelming support” for a legally binding agreement and the emergence of new debate on relevance and legality of nuclear weapons, he said, but called the glass half-empty since it did not accept key NAM views. “Our positions were somewhat watered down,” he said, adding that what was still missing were timeframes and strategies for the short-, medium-, and long-term.

He credited the US with flexibility in allowing the reference to Israel and not insisting on a mention of Iran and “accepting the notion of horizontal and vertical proliferation.” Ambassador Percaya welcomed New START and the trend of diminishing the role of nuclear weapons in the US Nuclear Posture Review, but noted deterrence remains “an essential element” for the US and its partners. He also said there was no mention about pursuing a treaty on general and complete disarmament. “The challenge remains” over the Middle East resolution, he said, “There seems to be no progress at all towards a Middle East region free of weapons of mass destruction.” The 2012 conference and the Facilitator are “viewed as an initial step,” Ambassador Percaya added, but the key question remains: “Is there any way to engage Israel in the process?”

Ambassador Percaya said the levels of nuclear weapons remain high and the cuts have been made in “a manner not to satisfaction of non-nuclear weapon states,” meaning they lack

transparency, verification and irreversibility. “Unfortunately, success for the nuclear weapon states on disarmament means recognition of the reductions they have already made ... and of their good intentions,” he said. “Commitment from nuclear weapon states has to be translated into further concrete action,” he said. The success of the 2010 RevCon “means the serious, comprehensive and accelerated plan for nuclear disarmament” needs to begin; a plan that “moves beyond short-term, incremental steps.” Looking to the immediate future, he listed for priority areas for the non-aligned: fulfillment of commitment of the NWS toward disarmament; the CTBT; fulfilling the Middle East resolution; and “significant moves” toward a NWC.



Ambassador Christian Schoenenberger

Retired US ambassador and Director of the Bipartisan Security Group, **Ambassador Robert Grey, Jr.** praised the energy at the RevCon but said there had been little progress. “We are behind as a group from where we were in 2000,” he said. There had been eight wasted years during which “support for collective action has been weakened” and nuclear disarmament and non-proliferation were “not on top of agenda.” Global warming, two wars, global recession, and immigration are all higher on the political and public agendas within the US. When nuclear weapons are forefront in the public mind – Iran and North Korea – it is framed as “nuclear issues that won’t go away and cast doubts in some minds as to the efficacy of the whole NPT and the whole international environment,” Ambassador Grey said. Abolition will be “a long and tedious process,” but working towards a NWC “makes a great deal of sense and that should be where we are should be moving,” he added. He said the RevCon and New START are “tools to work with,” but also viewed START as “only the beginning.” The international community has to address related security issues including space, cyber-attacks and conventional force

imbalances. He pointed out that Russia is unlikely to agree to future cuts in nuclear weapons while there is “still a huge imbalance on the conventional (weapons) side.”

Ambassador Grey was critical of UN structures, including the CD and the Security Council. He suggested moving issues out of the CD “to a forum that can work without obstruction.” While he felt Secretary-General Ban Ki-moon has done “admirable work” on the Middle East, he said there will be no progress on the Middle East resolution if the UN continues to pass “one-sided resolutions” on the Middle East in the Security Council and First Committee. “You can’t expect serious governments with serious security problems to entrust the system we have created to work effectively on these problems when we as members frequently abuse the process,” Ambassador Grey added.

The US and its allies have to “re-address the continued relevance of security arrangements,” he said. Why are nuclear weapons still in the NATO security structure? Why is NATO in Afghanistan? “I have no answer.” A “fundamental re-evaluation” is needed, Ambassador Grey continued, and with “probable unhappy outcomes” in Afghanistan and Iraq in the future, that re-evaluation will have to address public suspicion of international engagements.

The discussion following the presentations picked up on the half empty/ half full theme. While some felt the 2010 Final Document really did not do anything more than reaffirming 2000 RevCon’s

decisions, others argued the 2010 outcome represented significant progress. One participant cynically asked if the goal of 2010 was simply to reaffirm 2000 or promote a more ambitious goal in the future? This interpretation was sharply countered by a participant who said everything agreed to in 2000 is in the 2010 document and that since this RevCon agreed to working for a world without nuclear weapons, then “everything that follows now is a process” in that direction. Playing on the title of the conference, one participant said the RevCon results were “not aspirations but realities.” Another participant said the RevCon opens up for discussion how begin work on a NWC: start the preparatory process which would not dictate what a convention should look like and design an incremental approach leading to a “grand picture” of a NWC. Non-governmental participants urged the NNWS “who see the big picture” to advance the process.

Several complained that the goals in the Final Document lacked a timeline. Without a time frame, one warned, the NWS would see this as an extended process, therefore without pressure from civil society we will end up with the same debate in five years. Picking up the same train of thought, another said the success of the RevCon “bought us another five years” to manage horizontal and vertical proliferation, with another saying 2010 represents “a new lease of life, but a short one.”

One common point was that introducing IHL changes the dynamics of the debate since it sets up deterrence versus humanitarianism. “You win that debate every time,” said one speaker.

In his summation of the proceedings, Dr. Schoenenberger said, “The glass is as empty as we allow it to be,” noting that civil society can use the Final Document as a tool, that the commitments in Action Five are “a good sign for the future,” and that adding IHL to the debate can help advance nuclear disarmament. “We suffer from several deficits when talking about nuclear disarmament” - awareness, emotional, legal, political will, process - all of which can be improved by the IHL approach. In conclusion, he said, “We go from here not with a feeling of emptiness but of overload.”

Ambassador Dhanapala, in his concluding remarks, called the consultation “certainly one of the most important conferences that has been held since the end of the NPT 2010 Review Conference” and “an excellent opportunity” for the participants to take stock of what now needs to be done. “We had some of the principal participants of that conference here, and it has been an excellent opportunity for us to take stock,” he said, “So, we have to now translate the positive aspects of the NPT 2010 Review Conference and make them a reality as we move from the aspirational stage to the reality stage, but recognizing also ... that the aspirations themselves form a part of the reality.”

Annexes

Conference Program

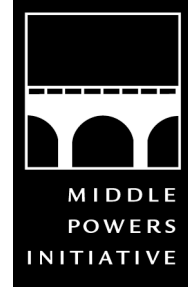
Roster of Participants

Sponsors and Acknowledgments



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From Aspiration to Reality: Nuclear Disarmament after the NPT Review

14 – 15 September 2010, International Conference Centre Geneva

Tuesday, 14 September

8:00-8:30 Registration table at Conference Center open

8:30-9:30 **Opening Session**

Presenters: **Ambassador Jayantha Dhanapala**, MPI Conference Chair, President of the Pugwash Conferences
Ambassador Jürg Lauber, Permanent Representative of Switzerland to the Conference on Disarmament

Keynote Address: **H.E. Ambassador Libran Cabactulan**,
President, 2010 NPT Review Conference

Introduction: **Mr. Jonathan Granoff**, President, Global Security Institute

9:30-11:00 **Panel I: *Activation of the Action Plan: Strategies to Advance the Nuclear Weapons Convention or Framework of separate instruments***

Chair: **Mr. Aaron Tovish**, International Manager, 2020 Vision Campaign, Mayors for Peace

Presenters:

Dr. Rebecca Johnson, Executive Director, Acronym Institute and Vice-Chair, International Campaign to Abolish Nuclear Weapons (ICAN)

Ambassador Alexander Marschik, Director for Arms Control, Disarmament and Non-Proliferation, Austria

Hon. Douglas Roche, O.C., Special Advisor, MPI

11:00 -11:30 Coffee break

11:30-12:45 **Panel II: *Delegitimizing Nuclear Weapons and International Humanitarian Law***

Chair: **Dr. John Burroughs**, Executive Director, Lawyers Committee on Nuclear Policy

Presenters:

Ms. Christine Beerli, Vice President, International Committee of the Red Cross (ICRC)

Dr. Patricia Lewis, Deputy Director, James Martin Center for Nonproliferation Studies, Monterey Institute of International Studies

12:45-14:15 Lunch

Keynote address: **H.E. Mr. Sergio Duarte**, UN High Representative for Disarmament Affairs

14:15-15:30 Working Groups

1. *Strengthening the Disarmament Institutions: from the CD to the First Committee*

Chair: **Ambassador Marius Grinius**, Permanent Representative of Canada to the Conference on Disarmament

Presenters:

Ms. Ray Acheson, Reaching Critical Will

Ambassador Jose Gomez Camacho, Permanent Representative of Mexico to the Conference on Disarmament

Ms. Theresa Hitchens, Director UNIDIR

2. *Steps for NNWS to lay groundwork for nuclear abolition*

Chair: **Dr. Klaus-Peter Gottwald**, Policy Commissioner of the Federal Government for Arms Control and Disarmament, Germany

Presenters:

Ambassador Luiz Filipe de Macedo Soares, Permanent Representative of Brazil to the Conference on Disarmament

Mr. Alyn Ware Global Coordinator of Parliamentarians for Nuclear Non-proliferation and Disarmament

3. *Delegitimizing Nuclear Weapons: how to strengthen the IHL approach*

Chair: **Dr. Christian Schoenenberger**, Head, Task Force on Nuclear Disarmament and Non-Proliferation, Switzerland

Presenters:

Mr. Peter Herby, ICRC

Ambassador Akio Suda, Permanent Representative of Japan to the Conference on Disarmament

15:30-16:00 Coffee break

16:00-17:00 Resumption of working groups

18:20 Dinner

Keynote Speaker: **H.E. Dr. Peter Maurer**, Secretary of State, Swiss Federal Department of Foreign Affairs
Hotel Edelweiss, 2, place de la Navigation, Geneva

Wednesday, 15 September

9:00-10:15 **Panel III: Nuclear Weapon States: 2010 Review Conference: Fulfillment of previous and new commitments**

Chair: **Senator Roche**

Presenters:

Ambassador Eric Danon (Permanent Representative of France to the Conference on Disarmament)

Ambassador Laura Kennedy (Permanent Representative of the United States to the Conference on Disarmament)

Ambassador Victor Vasiliev (Deputy Permanent Representative of the Russian Federation to the Conference on Disarmament)

Mr. Wang Chang, (Second Secretary, Mission of China to the United Nations)

10:15 - 10:45 Coffee break

10:45 -11:15 Reporting back to the Plenary by the working group rapporteurs

Chair: **Ambassador Dhanapala**

