



Confidence-building Measures and Arms Control in the Middle East Can Go Hand-in-Hand Offering a Different Perspective on the Issue of ‘Sequencing’

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Establishing a zone free of weapons of mass destruction (WMD) and their delivery vehicles (DVs) in the Middle East has been an important goal of the international community since at least 1995. This was reaffirmed and given new urgency at the 2010 Review Conference of the Nuclear Non-Proliferation Treaty (NPT) when the international community decided to schedule a conference for 2012 – yet the conveners, the facilitator, and the regional states still disagree on the format and agenda of the so-called Helsinki Conference. The massive damage and humanitarian disasters seen in the recent conflicts in Syria, Iraq, and Gaza provide still more evidence of how essential establishing cooperative security structures, such as a WMD/DVs Free Zone, is and, at the same time, how difficult it will be.

The Advantageous Differences of the Middle East

For many years, experts from other parts of the world have been attempting to apply lessons learned from their successful arms control and confidence-building experience to the problems of the Middle East. This experience has been centered primarily on interactions between the United States and the former Soviet Union as well as NATO and the Warsaw Pact during the Cold War. The response from those in the prospective Middle East zone has frequently been one of gratitude for these efforts, but a belief that this experience is of limited applicability because ‘the Middle East is different’. This is no doubt true, but the

same could be said of conflict zones in parts of Asia or Africa.

This observation regarding differences is generally intended to highlight the ways in which the unique situation in the Middle East poses nearly intractable problems as compared to other parts of the world. There is much truth to this, yet it might be useful to look at ways in which the Middle East is different from these earlier cases in other areas, but in ways that are actually advantageous to those who are trying to bring about a WMD/DVs Free Zone:

- The Helsinki Conference centers on a ban on weapons of mass destruction (nuclear, biological, and chemical weapons), not just limitations. Such a ban is easier to define and to verify than limitations on numbers. Thus, the Intermediate-range Nuclear Forces Treaty (INF) was relatively simple, at least in concept, because all the relevant systems were being prohibited. The Strategic Arms Reduction Treaty (START) was much more complicated because it had to count and control systems which were retained and included a wider variety of systems. The Middle East is much more like INF than START.
- Without getting into intelligence estimates, it seems fair to say that the Middle East is starting with small quantities of WMD – zero for most of the countries in the future zone – not thousands of items and huge military-industrial complexes supporting

Abstract

The effort to establish a zone free of weapons of mass destruction and their delivery vehicles in the Middle East has raised in the context of discussing such a zone the relationship between confidence-building measures (CBMs) and tackling weapons directly. One common view is that, in an area with such a history of conflict and mistrust, a long period of building trust and confidence must precede efforts to regulate arms. Another view is that CBMs are too often used to delay and substitute for ‘real’ arms control. This POLICY BRIEF – in contrast – argues that many years of experience in solving problems in the East-West context have shown that arms control without some measure of trust and confidence is very difficult, while CBMs alone without some formal constraints on, and predictability regarding, armaments is unlikely to solve issues. In this respect, the Middle East will not be ‘so different’ as many regional representatives claim and based upon past experience, neither confidence nor arms control can proceed very far in isolation from one another: they must be pursued in parallel and can be mutually reinforcing. ■

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these weapons, as was the case for the United States and the Soviet Union. This is a major simplification.

- Most of the countries in the Middle East are already parties to the NPT, Chemical Weapons Convention (CWC), and the Biological Weapons Convention (BWC) as well as signatories to the Comprehensive Nuclear-Test-Ban Treaty (CTBT). Thus, regional states are already prohibited from having WMD and are experienced with declarations and on-site inspections. When Washington and Moscow started the Strategic Arms Limitation Talks (SALT) negotiations, only the NPT existed.
- We now have a great deal of relevant experience implementing the NPT, SALT, INF, the Treaty on Conventional Armed Forces in Europe (CFE), Open Skies, START I, Strategic Offensive Reductions Treaty (SORT) and New START agreements, along with five nuclear weapon free zones and various activities by the Organization for Security and Co-operation in Europe (OSCE). We also have very valuable multilateral organization experience by the International Atomic Energy Agency (IAEA) and the Organisation for the Prohibition of Chemical Weapons (OPCW), both of which have won the Nobel Peace Prize. Although the BWC has no formal verification regime, it does now have an Implementation Support Unit in Geneva. Through the inspection activities in Iraq, we gained valuable experience in dealing with a less-than-fully-cooperative host. There is also relevant experience available from securing and removing chemical weapons from Syria under very difficult conditions. Many countries have also been implementing UN Security Council Resolution 1540 and the Proliferation Security Initiative,

both of which deal with weapons of mass destruction.

All this experience means that assistance from outside the zone would be available, if requested. This includes not only technical assistance and likely security guarantees, but there are ready-made definitions, conversion or elimination procedures, and procedures for on-site inspections. Almost none of this was available to the U.S. and USSR when they began their negotiations. In addition, the Middle East does not have huge areas that are dark and cloudy much of the year as people had to deal with in the East-West agreements. In fact, the clear skies and open terrain of the Middle East make for an ideal environment for monitoring by overhead imagery, both by satellite and perhaps an Open Skies regime. In some ways, therefore, the Middle East environment is certainly different, but actually advantageous to those who are trying to bring about a WMD/DVs Free Zone. This is not in any way intended to minimize the difficulties faced in the Middle East, but it could be useful to look at the situation from this different perspective.

Confidence-building Measures and Arms Control: Parallel Progress Is Possible

The subject of confidence-building measures (CBMs) – sometimes called confidence- and security-building measures (CSBMs) – inevitably arises in connection with the Middle East. One common view is that, in an area with such a history of conflict and mistrust, a long period of building trust and confidence must precede efforts to regulate arms. Another view is that CBMs are too often used to delay and substitute for ‘real’ arms control. The long experience in other areas, especially in the East-West context, shows that CBMs and progress in arms control go hand-in-hand. Three representative examples given by two

leading U.S. negotiators (Raymond L. Garthoff and Jonathan Dean) and one expert (Strobe Talbott) illustrate this assumption:

- In the nuclear area, the *SALT I Agreement* “did show that strategic arms limitation agreements could be negotiated, notwithstanding the military, technical, security, political, and ideological differences between the two sides. It also contributed to a strategic dialogue to a limited degree, although not to the extent it could have. It did improve mutual understanding on at least some issues and for some time, although it did not dispel all suspicions or prevent later massive strategic misunderstandings.

The agreements to reduce the risks of accidental war and to upgrade the Washington-Moscow direct communications link contributed to crisis prevention and management. A Standing Consultative Commission was established that provides a forum for consultation on implementing procedures and questions on compliance, and potentially is available for other consultations. Acceptance and assurance of national means of verification, that is, of unilateral means of strategic reconnaissance such as observation space satellites, were buttressed by the formal obligation not to interfere with those means. This accomplishment was of major significance to arms control in assuring verification and was of political significance as well.”¹

- The example of the *SALT II negotiations* shows that CBMs and arms control measures can also be used to allow for trade-offs and compromise solutions. The Soviets long resisted the idea of prior notification of missile test flights “for the same reason they resisted an agreed data base and a modified ban on encryption: it ran against their grain to make the work of American intelligence easier. [...] At the [1978] Moscow meeting, the Soviets agreed to give advance notification of all extraterritorial launches and all tests that would involve more than one ICBM [intercontinental ballistic missile] in flight at the same time. In acceding to the Americans on this ‘confidence-building measure,’ the



Soviets [...] were using the advance notification issue to score points for their own position [...] on Backfire.”²²

- In the conventional area, the experience of negotiating the *CFE Treaty* reveals that “arms control and transparency measures can effectively reduce the risk of surprise attack, miscalculation, and error by the military commands of either side and prevent crisis escalation and pressures for preemptive attack. The arms control component makes possible greater knowledge of the armed forces, deployment, and force activities of the potential adversary than is possible in a situation of tight adversarial secrecy about armed forces. It also reduces the risk of surprise attack, miscalculation, and preemption through establishing restrictions on the size, armaments, activities, and deployments of armed forces.”²³

Other things were accomplished that were not separate agreements, but were directly related to negotiations and were very helpful to these negotiations. In key cases, the negotiating parties were willing to experiment and work to simplify and narrow issues before political agreement was reached, and in some cases, before negotiations had even begun. This was a rather daring and even courageous path to take at the time. Not only did this build confidence and illuminate issues, it actually helped negotiators draft effective and mutually acceptable provisions on difficult questions. Several examples illustrate the usefulness of this approach:

- In START, the sides demonstrated to each other, at their own sensitive military bases, the verification procedures each side proposed for counting deployed nuclear warheads. This was a great help in building better understanding and in fine-tuning these procedures in the negotiations. In addition, the sides were willing to attempt to design a verification regime for mobile intercontinental ballistic missiles, even before it had been decided if such systems would be allowed. This work made it easier to make this political decision and formed the basis for the verification provisions that were included in the treaty.
- In the 1988 Joint Verification Experiment, the sides demonstrated at their sensitive nuclear test sites procedures proposed for measuring the yields of underground nuclear explosions under the Threshold Test Ban Treaty. This work greatly increased confidence between the sides and facilitated ratification of the treaty.
- For about 18 years before there were even any negotiations on a CTBT, a Group of Scientific Experts worked on defining the seismic system that would be needed if there were a ban on nuclear tests. The results of this work were a great help when negotiations actually took place. Because this work was strictly scientific and not connected to any ongoing negotiation, it was essentially free from political intrusions.
- Before the Open Skies Treaty entered into force, the United States flew its designated Open Skies aircraft to an airfield near Moscow and demonstrated to Soviet officials its capabilities and limitations in actual flights. This helped to assuage Soviet concerns and build rapport among relevant officials and airmen on the two sides.
- When concerns were raised in the U.S. about certain underground facilities in the Soviet Union, the Soviets invited U.S. experts to visit them and satisfy themselves that their worst-case assumptions were not valid.
- In the early 2000s, the United States, Russia, and the IAEA collaborated on the Trilateral Initiative. This was a highly technical project whose purpose was to devise ways to authenticate nuclear warheads for possible use in a future disarmament agreement. A similar more recent scientific project involving the United

»Based upon past experience, neither confidence nor arms control can proceed very far in isolation from one another: they must be pursued in parallel and can be mutually reinforcing.«

Endnotes

1. Raymond L. Garthoff (1985) *Détente and Confrontation: American-Soviet Relations from Nixon to Reagan*, Washington, D.C.: Brookings Institution, p. 189.
2. Strobe Talbott (1980) *Endgame: The Inside Story of SALT II*, New York, NY: Harper & Row, p. 218.
3. Jonathan Dean (1994) *Ending Europe's Wars: The Continuing Search for Peace and Security*, New York, NY: The Twentieth Century Fund Press, p. 290.

Further Reading

- *International Institute for Strategic Studies (2008) Nuclear Programmes in the Middle East: In the Shadow of Iran, London: IISS.*
- *Corey Hinderstein (ed.) (2010) Cultivating Confidence: Verification, Monitoring and Enforcement for a World Free of Nuclear Weapons, Washington, D.C.: Nuclear Threat Initiative.*
- *George P. Shultz, Sidney D. Drell, and James E. Goodby (eds) (2011) Deterrence: Its Past and Future, Stanford, CA: Hoover Institution Press.*
- *Hans M. Kristensen and Matthew McKenzie (2012) Reducing Alert Rates of Nuclear Weapons, Geneva: United Nations Institute for Disarmament Research.*
- *Edward Ifft (2014) 'Verifying the INF and START Treaties', in Pierce S. Corden, David Hafemeister, and Peter Zimmerman (eds) Nuclear Weapon Issues in the 21st Century, College Park, MD: American Institute of Physics.*

Kingdom and Norway looked at the possible role of non-nuclear weapon states in such work.

- An example can even be found in the context of American-North Korean relations – hardly an area in which one would expect to find initiatives for confidence-building measures. When concerns were raised about certain underground facilities in North Korea, U.S. teams were invited to visit them to gain a better understanding of their purpose.

Some of these examples occurred in the context of ongoing negotiations to deal with specific problems, others foresaw issues that might arise in future negotiations and still others were purely of a confidence-building nature. The usefulness of such an approach for the Middle East is obvious.

Conclusions and Lessons Learned

There is a great deal of experience regarding constraining and eliminating weapons of mass destruction and their

means of delivery in both bilateral and multilateral agreements. This should be used to the maximum extent in the efforts of establishing a WMD/DVs Free Zone in the Middle East.

At the same time, a history of armed conflict, illegal activities, and lack of trust in the region indicate that additional verification measures may well be needed to provide sufficient confidence. The zone will probably need a regional verification organization dedicated to implementing the treaty. It will probably also need provisions for challenge on-site inspections to deal with compliance issues and ambiguous situations. How much verification and confidence-building states will require, and how much they themselves can accept on their own territories, can only be decided by these states themselves. Assistance will certainly be provided by countries and organizations outside the zone, if requested. Based upon past experience, neither confidence nor arms control can proceed very far in isolation from one another: they must be pursued in parallel and can be mutually reinforcing. ■

About the ACADEMIC PEACE ORCHESTRA MIDDLE EAST (APOME)

The ORCHESTRA is the follow-up project of the "Multilateral Study Group on the Establishment of a Missile Free Zone in the Middle East". The ACADEMIC PEACE ORCHESTRA MIDDLE EAST is a classical Track II initiative: it consists of some 100 experts – mainly from the Middle East/Gulf, one of the most conflict-ridden areas of the world. The ORCHESTRA is meeting regularly in working groups (CHAMBER ORCHESTRA UNITS) on specific topics in the context of a workshop cycle from 2011-2014. The main goal of this initiative is to shape the prospective Middle East Conference on the establishment of a zone free of weapons of mass destruction and their delivery vehicles agreed upon by the international community in May 2010. For this reason, these experts develop ideas, concepts, and background information in a series of POLICY BRIEFS which are the results of intense discussions within the CHAMBER ORCHESTRA UNITS. In this framework, the broader normative Cooperative Security Concept will be further developed, embedded, and institutionalized in the region. At the same time, the ORCHESTRA meetings serve as venues for confidence building among the experts. The networking activities of PRIF's Project Group are documented by the ATLAS on Track II research activities in or about the Middle East/Gulf region. The Academic Peace Orchestra Middle East is supported by the Foreign Ministry of Norway, the Swiss Federal Department of Foreign Affairs, the Friedrich Ebert Foundation, and the Protestant Church of Hesse and Nassau.

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