

REPORT

EXAMINING ISRAEL'S NPT EXCEPTIONALITY: 1998–2005

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Israel's exceptional status as a nonsignatory to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) has been an increasingly salient issue, particularly during the intense debate over universality in the 1995 NPT Review and Extension Conference, and again following the Indian and Pakistani tests in 1998. This analysis argues that despite these events, Israel's diplomatic position has not weakened significantly in the past decade. The factors that have led to this outcome include changes in the political and strategic environment, including the Iraqi and Iranian NPT violations, and Israeli engagement in different fora such as the Conference on Disarmament (CD) and the United Nations, and in bilateral strategic dialogues with key powers. This report examines whether Israel's exceptional status is likely to be maintained in the face of recent developments in Iran and the precedent set by the U.S.-India nuclear cooperation agreement.

KEYWORDS: Israel; NPT; Nuclear deterrence; Diplomacy

For many years, Israel's status as a nonsignatory to the 1970 Treaty on the Non-Proliferation of Nuclear Weapons (NPT) has been a major source of controversy in international discussions of the nonproliferation regime. The centrality of this topic and the debate over the doctrine of universality were highlighted during the buildup to and during the 1995 NPT Review and Extension Conference, increasing the salience of Israeli NPT exceptionality.¹ In 1998, the decision by the other two NPT nonsignatory states—India and Pakistan—to conduct tests and openly declare themselves to be nuclear powers established Israel's singular position. In the meetings of the preparatory committee (PrepCom) and 2000 Review Conference (RevCon) that followed, this exceptionality was highlighted, parallel to efforts led by Egypt to press Israel to alter its policy. And in the 2005 RevCon, which ended without a final document, Israel's status was again among the major issues of contention, although this time the debate over Iran's nuclear ambitions was also central.²

As part of an ongoing project to examine the diplomatic history of Israeli policies with respect to the NPT and the nonproliferation regime (as distinct from the strategic histories that have been published), this report focuses on developments between the Indian and Pakistani tests in 1998 and the 2005 RevCon. In this analysis, the changes in the political and strategic environment, and the progress (or its absence) of efforts to press Israel on this issue will be considered in detail, followed by an analysis of the explanatory

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factors and the prognosis for the next few years. The impact of efforts, first by Iraq and then by Iran, to obtain nuclear weapons and the response of the International Atomic Energy Agency (IAEA) and the nonproliferation regime will be considered, and the view that these developments have shifted some of the focus away from Israel, or perhaps increased it through claims of “double standards,” will be examined.

The Israeli government’s responses to comments and decisions made in the NPT framework and their impacts also will be examined, as will debates in related institutional settings, such as annual meetings of the IAEA, the United Nations (UN) First Committee, the Comprehensive Test Ban Treaty Organization (CTBTO), and the Conference on Disarmament (CD). In an attempt to assess other factors that influence and reflect the diplomatic discussion, this analysis will also evaluate the changes in the positions of individual governments with respect to Israeli nuclear exceptionality, as well as the state of this discussion in the academic literature.

Beyond the descriptive and analytic questions regarding changes in perceptions and policies with respect to Israeli exceptionality, we will also consider the wider question of whether Israel’s position is gradually weakening, as some analysts argue, or strengthening. In this context, we will attempt to assess the degree to which the government’s policies in this dimension have been effective, in terms of the declared objectives, with respect to relations with the United States, with other key governments, and in the various diplomatic and multilateral frameworks that make up the NPT regime. On this basis, we will consider the degree to which the policy is likely to be maintained in the face of recent developments, including in Iran and the changing view in the U.S. government with respect to India’s nonproliferation status.

Background: Israeli Exceptionality

The 25 years after the NPT went into force (1970) were generally characterized by the consolidation and expansion of the treaty regime. The number of states that signed and ratified the NPT and signed safeguards agreements with the IAEA increased steadily. By 1995, and the 25-year RevCon mandated by the treaty, all five of the recognized nuclear weapons states (NWS), including France and China, had joined. A few states, such as Cuba, had not yet signed or ratified, largely for political reasons, and a small number of signatories—notably Iraq and North Korea—had been caught violating the terms of the NPT and of IAEA safeguards, but these were considered exceptions. In response to the Iraqi case in particular, the IAEA adopted new inspection and verification measures, known as the Additional Protocol, to restore credibility and confidence.

During this period, the three major NPT “holdouts”—India, Pakistan, and Israel—gained greater attention, along with the claim of universality. While the three nonsignatories had not declared that they had or were planning to acquire nuclear weapons (India had detonated a “peaceful nuclear device” in 1974), these governments repeatedly stated that the NPT and the requirement to relinquish a nuclear deterrent option were not consistent with vital national security requirements. In this context, numerous plans were proposed to try and bring these three states into the NPT regime. Some of these proposals sought to create a special status in which these states would

freeze their nuclear capabilities (in combination with a fissile material cut-off treaty, or FMCT) and place them under a form of international inspection.³

Others proposed expanding the category of recognized NWS to eight (de facto, since a de jure recognition would require renegotiation and re-ratification of the NPT by all signatories), in order to solve the universality problem. In parallel, the discussion of regional nuclear-weapon-free zones (NWFZs) increased, particularly with respect to South Asia, for India and Pakistan, and the Middle East, to incorporate Israel. (This approach was criticized in a 2005 report by the Carnegie Endowment for International Peace entitled *Universal Compliance: A Strategy for Nuclear Security*, which noted that “for many years, too much attention had been paid to obtaining signatures on treaties, and not enough to achieving compliance with them.”⁴)

In 1998, this framework was shaken when first India and then Pakistan conducted nuclear tests and declared themselves nuclear powers. Israel, however, did not follow this approach, and its nuclear policy remained unchanged from its promulgation in the 1960s.⁵ For Israel, nuclear weapons remained a “weapon of last resort” and the only effective form of deterrence in a very hostile threat environment with a high level of asymmetry, including the absence of strategic depth.⁶ Israel’s long-standing policy of deliberate nuclear ambiguity is widely viewed as successful in insuring national survival, while the alternatives—a declared and tested nuclear capability, or accession to the NPT—were and continue to be viewed as highly dangerous.⁷ As a result, the policy is also backed by most Israeli political parties and in public opinion polls.⁸

As part of this ambiguity, government officials carefully refrained from discussing any aspect of the nuclear issue, reflecting the 1969 “don’t ask, don’t tell” agreement with the government of the United States, and, in part, as a necessary consequence of the policy itself. This also meant that in diplomatic frameworks, such as the NPT preparatory and review conferences, United Nations debates, and the Conference on Disarmament, Israeli officials not only did not participate, but also were not present in the chambers, in order to avoid drawing more attention to their exceptionality or being put into a position of refusing to answer questions. As a consequence, Israeli officials were also unable to justify and defend what was, in substance, a rational and successful policy.

In the late 1980s, the costs of this policy were slowly understood, and it began to change, to a limited degree. In 1993, Israel signed (but did not ratify) the Chemical Weapons Convention and later, the Comprehensive Test Ban Treaty (CTBT), and then joined the CD. However, there is still no Israeli delegation, even as observers, at NPT-related meetings and conferences.

During much of this period, Israel was in relatively good company, in the sense that two other important countries—India and Pakistan—were also outside the NPT system. Israeli policies on this issue were often criticized along with those of New Delhi and Islamabad, and the responses of India, in particular, meant that the Israeli position was not unique. Even if pressure on Israel to sign the NPT were to succeed, this would not resolve the problems as long as India and Pakistan maintained their policies.

However, after 1998, when India and Pakistan became de facto nuclear weapon states, Israel’s status with respect to the NPT became more problematic, and the diplomatic conflict increased. As will be seen in the following discussion, Israel’s absence

from some key frameworks, and its relatively low and increasingly isolated position in others, had a significant diplomatic cost.

The Diplomatic Struggle over Israel's NPT Status

Since the early 1960s, when evidence of the Israeli nuclear program first surfaced, Egypt has led the political effort to force an end to this capability. After the NPT went into force in 1970, this effort focused on gaining international pressure to press Israel to accede to the treaty, open its nuclear facilities to inspection, and relinquish its nuclear option. One of the main vehicles for this effort was the demand for universality—a claim largely unique to the NPT—in which nonsignatory states are accused of violating a principle of international behavior. Israel rejects efforts to enforce universality in this single dimension of security, while other aspects are characterized by a high degree of asymmetry, such as territorial extent, military capability, demography, and the political system.

In 1995, the NPT Review and Extension Conference provided some significant gains for this Egyptian-led effort. After initially demanding explicit condemnation of Israel as well as sanctions, and after last-minute negotiations, Egypt accepted a “compromise” solution, in which the United States, Russia, and the UK (the three depository states), sponsored a resolution endorsing “a Middle East zone free of nuclear weapons as well as other weapons of mass destruction,” noting “with concern the continued existence in the Middle East of unsafeguarded nuclear facilities,” and reaffirming “the importance of the early realization of universal adherence to the Treaty on the Non-Proliferation of Nuclear Weapons, and call[ing] upon all States of the Middle East that have not yet done so, without exception, to accede to the Treaty as soon as possible.”⁹ This RevCon also sought to establish, for the first time, a doctrine based on the concept of universality as central to the theme of nuclear nonproliferation.¹⁰

This document became the baseline for further discussions of Israeli exceptionality, particularly in the context of the PrepComs and the 2000 RevCon. Although the strategic environment by this time had changed considerably, and the proliferation of nuclear weapons programs and missile delivery capabilities was accelerating, particularly in the Middle East, these developments had little noticeable impact on the diplomatic agenda. The previous themes that had dominated the NPT RevCons continued without much change, although the language as well as the political alignments shifted to a limited degree.

For example, the New Agenda Coalition (NAC), which was created in 1998 in the wake of the Indian and Pakistan nuclear tests, emerged in 2000 as a new and important actor. Egypt, which was a central member of the NAC, gained an important new platform that went beyond the Arab and Islamic states and the greatly weakened Non-Aligned Movement (NAM). Other members of the NAC included Brazil, Ireland, Mexico, New Zealand, South Africa, and Sweden—together constituting a formidable influence (as will be shown in the analysis below). This structural and political change contributed to the new language in the 2000 NPT RevCon Final Document, particularly the specific mention of Israel, based on an agreement between the United States and Egypt linked to the explicit mention of Iraqi violations of NPT requirements.¹¹

As in the past, the 2000 RevCon began by emphasizing the conflict between the non-nuclear weapon states (NNWS), particularly in the NAC, and the NWS regarding progress (or its absence) on the disarmament pledges relating to Article VI of the NPT.¹² At the same time, Egypt “renewed [the] controversial debate [that demanded] that pressure be brought to bear on Israel to join the NPT as a non-nuclear-weapon state.”¹³ In this framework, and following the change in the status of India and Pakistan following the 1998 tests, the Egyptian effort focused increasingly on the regional aspect of Israel’s uniqueness. Instead of the previous emphasis on incorporating the three holdouts into the NPT framework, without specific demands on Israel alone, Cairo’s focus shifted to Israel’s exceptionality within the Middle East region and the implications of this status.

This change in focus was reflected in the final document, which noted that “all States of the region of the Middle East, with the exception of Israel, are State parties to the Treaty on the Non-Proliferation of Nuclear Weapons,” and that the conference “reaffirms the importance of Israel’s accession to the Non-Proliferation Treaty.”¹⁴

This document also provided for an ambiguous follow-up mechanism for documentation and reporting on the steps taken to implement a NWFZ in the Middle East. Specifically, it called on all relevant parties to report to the chair of the PrepComs, the president of the 2005 RevCon, and the UN secretary general on the steps that they have taken to “promote the achievement of a zone and the realization of the goals and objectives of the 1995 Resolution on the Middle East.”¹⁵ Although this specific mention of Israel was a departure in U.S. policy in this forum and was regarded in Israel as evidence of erosion in Washington, the negotiations with Cairo were relatively smooth in comparison with the 1995 RevCon.¹⁶

The impact of the proceedings and resolutions of the 1995 and 2000 NPT RevCons marked the starting point for deliberations by other bodies—in particular, the UN General Assembly and First Committee, the CD, and the IAEA—as well as in the policies pursued by individual governments. Thus, the outcome of the RevCons was highlighted and amplified in the bilateral relations between Israel and Egypt, as well as the broader Middle Eastern security environment. Throughout this period, Egypt and other Arab states escalated efforts to isolate Israel on the basis of the nuclear issue, circulating draft resolutions condemning Israel for “violations of the universality of the NPT” and calling for the imposition of sanctions. These diplomatic battles were central factors in the Egyptian–Israeli “Cold War,” which contributed to the end of the multilateral negotiations that had begun in the wake of the 1991 Madrid conference.¹⁷

For Israel, this process posed challenges, not only to its status as the last remaining NPT nonsignatory and non-nuclear state, but also to its ability to defend its position in the RevCon proceedings. Without direct representation on the floor, Israel has been forced to rely on others—particularly the United States—to oppose draft resolutions that are particularly hostile, including the threat of sanctions. Under the Clinton administration, which gave primacy to the Middle East peace efforts and recognized that relinquishing the nuclear deterrent could not be accomplished while Israel was also taking major risks vis-à-vis the Palestinians, the American delegation generally backed the Israeli position. Thus, U.S. representatives stated that proposals for a Middle East NWFZ must be placed in the context of regional peace efforts. In contrast, Egypt, backed by Syria, Saudi Arabia, and the

most of the Arab states, attempted to separate the wider regional security dimension from its critique of the Israeli policy. From the Israeli perspective, the Arab position was becoming more influential, while the U.S. position was perceived as gradually deteriorating, as highlighted in the outcome of the 2000 RevCon.

These developments set the stage for the next round of debate surrounding Israel's status. The 2000 RevCon and the perceived erosion in the Israeli position raised the question of whether this outcome reflected the specific political and military conditions at that time, rather than a long-term trend. Or was this the harbinger of an important increase in the ability of the Egyptian-led campaign to pressure and isolate Israel, perhaps leading to sanctions and other measures? Israeli policymakers in this area recognized the need to work closely with the new leadership in Washington, after the presidential elections in November 2000, to prevent further deterioration and isolation on this issue in the buildup to the next NPT RevCon.

NPT PrepComs – 2003 and 2004

When the 2003 PrepCom convened, the international strategic environment had changed fundamentally. In the United States, the Bush administration sought to overcome the limits of the multilateral approach to international security, based on global frameworks such as the NPT and verification mechanisms such as the IAEA. Beginning in 2001, U.S. policy placed less emphasis on the process of negotiation and compromise in these frameworks and increased the reliance on limited “coalitions of the willing” and on unilateral measures to prevent or roll back proliferation. The terrorist attacks of September 11, 2001, reinforced this approach, and in March 2003, the United States and Britain launched a war in Iraq that was justified largely on the basis of their concerns about weapons of mass destruction (WMD).

In addition, concerns about specific proliferators, particularly with respect to the members of the “axis of evil”—North Korea, Iraq, and Iran—had replaced the broader emphasis on global aspects of proliferation. Among American and British policymakers, and to a growing extent in other European governments, Israeli exceptionalism received greater acceptance, both privately and publicly.¹⁸ For example, when asked about “double standards” in comparing British reactions to the Israel nuclear capability and those of Iraq and Iran, Foreign Secretary Jack Straw noted that the threat of extinction places Israel in a different security category from any other country in the world. Similarly, U.S. Secretary of Defense Donald Rumsfeld said, “Israel is a small state with a small population. It’s a democracy and it exists in a neighborhood [where many] prefer it not be there and they’d like it to be put in the sea. And Israel . . . has arranged itself so it hasn’t been put in the sea.”¹⁹

In this context, the contrast between “rogue states” such as North Korea, Iraq, Libya, and Iran, and Israel’s embattled democracy was also an important distinguishing factor. Israel does not support terror, does not threaten to annihilate its neighbors, and, in contrast to Pakistan as well as North Korea, is not a source of nuclear or other forms of WMD technology and proliferation. In the growing distinction between “good” and “bad”

states, Israel (like India) is considered by the United States and Europe to be in the first category.

These background factors were reflected in the 2003 PrepCom, along with the perennial debate on the commitments of the NWS under Article VI. Analyst Rebecca Johnson's reports noted that, "The United States chose to make noncompliance its major theme for the [2003] PrepCom, devoting a large part of its combative opening statement to accusing the Democratic People's Republic of Korea (DPRK) and Iran, with reference also to the Ba'ath regime's attempts to develop an Iraqi nuclear bomb."²⁰ But the question of universality continued to be highlighted, and Cuba's signing of the NPT left only Israel, India, and Pakistan as nonsignatories.²¹

Israeli exceptionality was raised repeatedly at the 2003 and 2004 PrepComs. As in the past, many speakers included Israel, with India and Pakistan as "NPT holdouts" that threatened the integrity of the regime, but the summary documents focused greater direct attention on Israel than in the 2000 RevCon. (The PrepCom process generally consists of the presentation of many statements and working papers, which are then debated in various committees. The chair is then expected to draft the summary statement, which is transferred to the chair of the RevCon, but is not considered to be binding.)²²

The 2003 chair's summary reflected the emphasis on the claims of NPT universality and repeated the calls on India, Israel, and Pakistan to accede unconditionally to the NPT as Non-nuclear weapon states. But Israeli exceptionality following the 1998 tests and the Egyptian strategy of building on the 2000 RevCon Final Document were reflected in numerous references. Adopting the Egyptian position, supported by other Arab states as well as the NAC, the 2003 summary declared Israel to be the main obstacle to the establishment of a Middle East nuclear-weapon-free zone (MENWFZ) and recalled the obligations and goals set forth in the 1995 RevCon.²³ The summary also mentioned the Middle East peace "road map" (termed "the authoritative international plan for peace developed by the Quartet Group"), which was cited as an "important step in the direction of the establishment of a Middle East zone free of nuclear weapons."²⁴

Reflecting the revelations regarding Iran's illicit nuclear weapons program, the 2003 PrepCom also considered this issue, and the U.S. delegation led the discussion on the need to prevent actions that would accelerate the proliferation process, particularly in the Middle East.²⁵ The factual summary pointedly "called upon [Iran] to sign an Additional Protocol and to ensure full and forthcoming cooperation with the IAEA," while mentioning that "States parties noted Iran's statement of 29 April 2003 solemnly declaring that it does not seek to acquire nuclear weapons."²⁶ Iran, whose status as an NPT signatory allowed it to participate directly in the sessions, objected to this text, in sharp contrast to the Israeli situation. The Iranian representative compared the U.S. approach to Israel—"a proven and substantiated, established proliferator"—and Iran, and attacked the United States for a policy based on "double standards."²⁷

Perhaps reflecting the Iranian pressure (and the absence of an Israeli response in this forum), the Chair's Factual Summary of May 9, 2003 made specific mention of Israel twice, while the goal of an MENWFZ was mentioned in an additional two paragraphs.²⁸

In the 2004 PrepCom, the language on the Middle East remained generally unchanged, despite deepening revelations regarding the Iranian program, the events in Iraq one year after the war (and the debate regarding pre-war claims of existing Iraqi WMD capabilities), and the disclosures regarding Libya's nuclear efforts. Many of the speeches focusing on Israel were unchanged, and five different paragraphs in the Chair's Factual Summary made specific mention of Israel or Israeli policy. As before, universality claims were a central element in this discussion. "States parties stressed that continued efforts to achieve universality of the Treaty are essential and called upon states that have not yet joined the Treaty—India, Israel and Pakistan—to accede promptly and unconditionally . . . as non-nuclear-weapon States."²⁹ However, the next reference reflected Israel's position, included in the 2000 RevCon text and emphasized in the UN First Committee, that an NWFZ must be determined "on the basis of arrangements freely arrived at among States in the regions concerned."³⁰

The central paragraphs of the 2004 Chair's Factual Summary that related to Israel were couched in terms of the MENWFZ issue, again noting that in the Middle East, as in South Asia and many other regions, no progress had been achieved. The second paragraph was much more specific, citing the "importance of the resolution on the Middle East adopted by the 1995 Review and Extension Conference and recognized that the resolution remained valid until its goals and objectives were achieved."³¹ The text also noted that all the states of the region, with the exception of Israel, are NPT signatories, and repeated the Egyptian and Arab demand that Israel accede to the NPT as soon as possible and accept IAEA safeguards on all nuclear facilities.

On this basis, as well as related developments in other frameworks (as analyzed in other sections of this report), the Egyptian diplomats and policymakers pursuing the campaign focusing on Israel's nuclear posture (most closely associated with former Foreign Minister and then-Arab League head Amr Mousa) had cause for optimism going into the 2005 NPT RevCon. In the previous decade, their positions and proposals had gradually gained acceptance. The proposals that were rejected in 1995, including specific and repeated mention of the Israeli violation of "universality" and the development of monitoring and reporting mechanisms to end this exceptionality, had gained acceptance. Egypt's prominent role as the Arab "voice" in the NAC provided the basis for further gains. The 2003 and 2004 PrepComs had advanced the process significantly, and the upcoming RevCon seemed to be an opportunity for expanding the pressure on Israel to relinquish its ambiguous nuclear deterrent capability.

Activities in Other Diplomatic Arenas and Israeli Responses

Before considering the developments of 2005, including the NPT RevCon, it is important to examine the continuing discussions, negotiations, and diplomatic confrontations that took place in other frameworks. Although the NPT PrepComs and RevCons are central pillars, other diplomatic structures provide ancillary arenas in which the issues are often focused and developed further. In particular, since Israel does not participate in the NPT PrepComs, it uses other arenas in order to promote an emphasis on regional peace as the prerequisite for any discussion regarding her nuclear capabilities. The sessions of the IAEA, UN First

Committee, the CTBT meetings, and the CD provide opportunities for Israel to convey its positions on the importance and the limits of the nonproliferation regime, as well as on MENWFZ proposals and other key issues.

Israel and the IAEA

While not a party to the NPT, Israel is a long-standing and active member of the IAEA, and this provides an important alternative venue to present the case for exceptionality. IAEA meetings include general debate and voting on specific resolutions, including broadly worded consensus statements on the establishment of an MENWFZ. Israel has joined the consensus despite “fundamental reservations to the language and present relevance.”

The 47th General Conference took place in September 2003, following the 2000 RevCon and 2003 PrepCom, and during a period in which Israel was diplomatically isolated in the wake of violent conflict with the Palestinians. In this context, Egypt introduced a resolution calling for the explicit condemnation of “Israeli Nuclear Capabilities and Threat.” (This topic had been on the agenda in previous years, but this was a significant escalation.) The Egyptian ambassador focused his speech on Israeli threats to the NPT and presented a strategy for building on the outcome of the 2000 RevCon. “Egypt is looking towards the 2005 NPT Review Conference as an opportunity for States to re-affirm, in word and in deed, the continued importance of the NPT . . . The review conference will also be required to reaffirm its commitment to the pursuit of nuclear non-proliferation in the world, and in particular as regards the region of the Middle East, and to evaluate the progress achieved towards implementing the Resolution on the Middle East.”³²

This provided the opportunity for Gideon Frank, the head of the Israeli Atomic Energy Commission, to present Israel’s case in detail before an important international forum. He noted that the Egyptian position ignored “many alarming proliferation developments in the Middle East . . . None of these developments involves Israel though many directly challenge our core security interests.”³³ In contrast, he noted, “Israel has neither threatened any of its neighbors, nor has it acted in defiance of any of its international commitments,” a reference to Iraqi, Iranian, and Libyan violations of the NPT. Frank denounced the resolution as a cynical political ploy, and called on Egypt “to recognize at last that there is no substitute to direct negotiations, reconciliation and freely reached agreements between the States of the region.”³⁴ He then reiterated the Israeli position that “after building trust between all the Middle East parties and establishing good neighborly relations among them, the time would also be ripe to move towards regional arms control and disarmament arrangements in the conventional, chemical, biological, and missiles domains. These gains would then hopefully culminate with the establishment of a mutually verifiable nuclear weapon free zone.”³⁵

Under strong American pressure, and perhaps fearing blame for breaking the consensus in support of an MENWFZ, Egypt introduced a watered-down version that reiterated previous statements but did not move significantly beyond these. This was adopted as a decision of the general conference, rather than a resolution (giving it less operative significance).³⁶

At the 2004 IAEA General Conference, the presentations and resolutions relating to Israel and the Middle East largely repeated the events of 2003. If anything, the Israeli rebuttal to the Egyptian position was more specific and forceful. Frank provided greater detail on the MENWFZ proposal, "once the political and security conditions necessary for its negotiation ripen[ed]." ³⁷ But, as he noted, "this unfortunately is hardly the present case, as some regional states still do not recognize Israel's very right to exist and even call for its elimination, while supporting terrorists groups' operations and ideologies. Moreover, Israel cannot ignore the alarming attitude of some regional states to their international commitments in the nuclear domain as reflected in recent Agency's findings." ³⁸

The responses to the Egyptian efforts within the NPT PrepComs and RevCons were repeated during the visit of IAEA Director General ElBaradei to Israel in July 2004. ³⁹ Although media coverage of the trip generally focused on Israel as a non-NPT signatory and took place while there was also a great deal of attention devoted to Mordechai Vanunu's release after having served his sentence for nuclear espionage, there was no public display of disagreement or pressure from ElBaradei. Instead, the visit highlighted Israel's status as a member in good standing in the IAEA and the ability to "agree to disagree" on the question of Israeli exceptionality. A few months later, when the U.S. government sought to replace ElBaradei, Israel did not support the American position and continued to maintain professional relations with the head of the IAEA. ⁴⁰

In the September 2005 IAEA session, there was little significant change in the rhetoric and resolutions on this issue. As in previous years, a resolution was introduced that would have emphasized allegations regarding the risks posed by Israel's exceptionality as a non-signatory to the NPT. The Israeli delegation again urged Arab nations "to abandon a push to have it declared a menace to peace," while also repeating the argument that "Iran's suspect nuclear programs posed the real threat to the Middle East." ⁴¹

While Egypt supported this resolution, it was not the sponsoring country as in previous years, although the Egyptians did propose the traditional and less divisive MENWFZ consensus resolution. ⁴² The vote to support both resolutions was the same as in previous years. ⁴³

UN First Committee

The various United Nations disarmament frameworks, including the annual meetings of the General Assembly and the First Committee, provide secondary but nevertheless significant venues for extended diplomacy regarding Middle East arms control issues, including Israeli exceptionality.

Each year, the general debate is followed by introduction, discussion and voting on a series of resolutions. These resolutions are advisory and declaratory in nature and do not constitute binding commitments. However, they reflect the diplomatic standing of the issues on the agenda, including Israel's NPT status, and, as such, are politically and diplomatically significant. Similarly, the texts of the resolutions and the votes cast by the governments, as well as the changes in the official statements regarding these resolutions from year to year, are important reflections of policy. Strategic, diplomatic, and other

developments in the region, and in the policies of the individual states, are often instrumental in shaping the content of the debate and resolutions, and the changes in voting behavior reflect subtle policy changes.

The decade prior to 2000 was largely characterized by continuity regarding the UN debate on Middle East nuclear proliferation. With respect to Israel, in particular, there was some variation depending on developments on other issues, notably peace negotiations.⁴⁴

The collapse of the Oslo peace process at the end of 2000 led to some significant changes in the political environment. From 2001 to 2003, UN discussions of Israel on all topics reflected the ongoing violence and increased diplomatic isolation. At the height of the violence, debates, votes, and resolutions on Middle East arms control issues also reflected this isolation, while developments related to the substance of proliferation were secondary.

These themes were central in the speeches presented by the representatives of Egypt, Syria, Iran, Jordan, United Arab Emirates (UAE), Saudi Arabia, Yemen, Algeria, Kuwait, Sudan, Qatar, Tunisia, and Bahrain. They generally made similar claims, using terms such as *double standard* with respect to Israel and the prospects for and obstacles to an MENWFZ.

As noted, Egypt has been the leader of the diplomatic campaign to force Israel to relinquish its nuclear option and to enter the NPT framework. In his 2003 First Committee speech, the Egyptian representative singled out Israel specifically, stating, “we will continue to pursue this issue . . . through a draft resolution calling for the establishment of a nuclear-weapon-free zone in the Middle East, and another that calls upon Israel, the only State in the Middle East that is not yet party to the NPT, to accede to the Treaty.”⁴⁵

However, the 59th session of the UN First Committee, which met from October 4–25, 2004, was characterized by reduced conflict between the Arab states and Israel. The relatively milder tones reflected the thaw in relations between Israel and Egypt, the lowered intensity of violence in the Israeli–Palestinian conflict, the increased leverage of the United States following the start of the war in Iraq, and other factors.

In his speech to the 2004 General Assembly, the Egyptian minister of foreign affairs made a point of not specifically singling out Israel by name, going back to compromise positions adopted in the early 1990s, after the Madrid conference, and during the meetings of the multilateral working group on Arms Control and Regional Security. He also argued that “the main threat to the Middle East, and perhaps adjacent regions as well, flows from the continued acquisition by some of nuclear weapons,” thereby implicitly including Iran.⁴⁶ Nevertheless, he repeated the standard language with respect to Israeli exceptionalism: “The continued application of double standards will lead not only to the aggravation of the risks of nuclear proliferation and to the weakening of the conviction of the seriousness and centrality of the international regime governing this question, but will also lead to the fueling the tense situation in the Middle East.”⁴⁷

The Egyptian tone stands out in comparison to the more belligerent rhetoric adopted by the Syrian representative, who declared that “Israel, backed by nuclear weapons, had pursued expansive and aggressive strategies in the Middle East, a region that was often discussed in a falsified and deceptive framework.”⁴⁸ He demanded that the

"United Nations should supervise nuclear disarmament in the Middle East," and asserted that "the lack of international agreement had led Israel to feel that it did not have to sign on to the NPT, or subject its weapons facilities to international inspection."⁴⁹ Using similar tones, the Iranian delegate stated that proposals for a nuclear-weapon-free zone in the Middle East had failed to gain support "because of Israel's refusal to respond to concerns about its clandestine nuclear program."⁵⁰

As in the NPT RevCons, the NAC—Brazil, Egypt, Ireland, Mexico, New Zealand, South Africa and Sweden—provided Egypt with a wider forum in which to pursue the campaign to isolate Israel on the nuclear issue. In the 2004 UN session, Sweden's representative argued that Israel's status raised the "real danger that other States would also consider acquiring them [nuclear weapons]," and stated that the policies of Israel, India, and Pakistan "undermined global efforts" to eliminate nuclear weapons.⁵¹

Israel replied through five Explanations of Votes (EoV), and the head of the Israeli delegation took the floor in response to the resolution entitled "The Risk of Nuclear Proliferation in the Middle East," which had been presented again by Egypt. The EoV reemphasized the need for peace and reconciliation between the states of the Middle East as an indispensable condition for arms control, in general, and for a change in Israeli nuclear policy, in particular. On the subject of an MENWFZ, Alon Bar declared, "It cannot be established in situations where some of the states maintain that they are in a state of war with each other, refuse in principle to maintain peaceful relations with Israel or even recognize its right to exist."⁵² Furthermore, as the Israeli EoV noted, the narrow focus on signing the NPT, without any consideration of compliance, was particularly dangerous: "The bias of this resolution stems from its neglect of the fact that the real risk of nuclear proliferation in the Middle East emanates from countries that, despite being parties to international treaties do not comply with their relevant international obligations."⁵³ Israel continued to stand by its "vision of promoting regional peace and stability that should facilitate among other things the eventual establishment of a Middle East NWFZ," but could not ignore the absence of the necessary conditions for this.⁵⁴

Thus, the UN First Committee provided a forum in which many of the themes and arguments made in other frameworks could be repeated and debated. The changes in positions and language, particularly with respect to the MENWFZ issue, reflected changes in relations resulting from developments on other issues. The participation of Israeli representatives provided some balance to the developments in the PrepComs. As a result, in this diplomatic forum, Egypt was unable to make significant progress in promoting its efforts to isolate Israel on the MENWFZ issue. This was an important prelude to the upcoming confrontation due to take place at the 2005 NPT Review Conference.

The Role of the Comprehensive Test Ban Treaty

In 1996, Israel signed the CTBT as a confidence-building measure (CBM) to signal a willingness to participate in multilateral nuclear arms control treaties that did not impinge on vital security requirements. (The ratification process was delayed after the United States failed to ratify the treaty.) However, the Israeli presence in the CTBT framework, including active participation in the CTBTO, became another arena for debating NPT exceptionality

and the conditions required for an MENWFZ.⁵⁵ In the 2004 meeting of the UN First Committee, Sweden's representative (speaking on behalf of the NAC), claimed that "entry into force" of the CTBT would "impose restraints on India, Israel and Pakistan, the three States that remained outside the NPT."⁵⁶

Additional linkages between the CTBT and the Israeli position on the NPT are highlighted in the meetings of the CTBT states parties. At the 2001 conference, the Egyptian representative attacked Israeli policy: "In our region... the Middle East... all States have adhered to the NPT. They fulfill the commitments and obligations rising from this adherence. Nevertheless, Israel has chosen not to respond to the efforts underway in the region. It continues to cling to the nuclear option and maintaining nuclear capabilities."⁵⁷ Egypt's delegate also argued that "the question of the ratification of the Comprehensive Nuclear Test Ban Treaty cannot neglect the regional considerations associated with the Middle East. Especially, Israel's position vis-à-vis the ratification of the treaty, and her stances on nuclear non-proliferation in general."⁵⁸ Egypt's representative stressed a direct connection between the CTBT and the NPT, claiming that universality in both documents is essential.

The Iranian representative made many of the same points. "At the regional level... the Middle East is threatened by the Israeli nuclear program. Numerous resolutions of the United Nations General Assembly and the very recent 2000 NPT Final Document have clearly called on Israel to join the NPT... Israel however, in defiance of the call by the international community, is developing nuclear arsenals aiming to intimidate the countries of the region."⁵⁹ He also asserted that the inclusion of Israel in the CTBTO's "Middle East and South Asia Group... has caused a deadlock and consequently deprived an important group of countries from active participation in some aspects of the work of the CTBTO."⁶⁰ (In fact, it is the Iranian refusal to sit in meetings with Israelis that is the source of this deadlock.)

The 2003 CTBT Conference was significantly different from that of 2001. The Iranian representative made no reference to Israel or the Middle East beyond stating that Iran was the only one to be party to all nonproliferation treaties. (The statement made by Egypt was in Arabic and not available for analysis.) The most important difference between the 2001 and 2003 sessions was the impact of the Israeli delegation's efforts regarding mention of the NPT in the Final Document. Despite support from Egypt and South Africa for drafts that made a direct connection between the NPT and the CTBT, the Israeli delegation was able to prevent the inclusion of this link in the text.⁶¹ Thus, the CTBT framework provides an important diplomatic arena in which Israel is able to present its case for exceptionality, at least to a limited degree, and limit erosion of its position regarding the NPT.

The Conference on Disarmament

Established in 1962 as the Eighteen Nation Disarmament Committee, the CD, which has expanded to 66 member states, functions via consensus (in contrast to the UN First Committee). Meetings are held in Geneva three times a year, with sessions lasting between seven and ten weeks.⁶² After providing the venue for the negotiation of the CWC and the

CTBT in 1996, the members of the CD have since failed to agree on a joint agenda, and early discussions of an FMCT have not resumed.⁶³ Working on the basis of consensus, on sharply contested issues, including the debate over Israel's nuclear exceptionality, there are no resolutions or decisions, so that the importance of these discussions lies in the substance of the presentations and the changes that take place from year to year.

Israel joined the CD in 1996, marking a major change in policy and a willingness to engage in debate on arms control issues in dedicated multilateral diplomatic frameworks.⁶⁴ Since then, the CD has served as an important venue for policy statements and responses to developments in the NPT PrepComs and RevCons, where Israel is absent. On August 31, 2000, Ambassador David Peleg presented the Israeli position, noting that "...there were still States in the Middle East which threatened Israel's security and continued to negate its very right to exist."⁶⁵ He singled out Iraq as a direct threat due to its continued attempts to develop WMD, and noted that it was "against this background and threats that Israel had attempted to fashion its arms control policy."⁶⁶ He also said that Israel "attached great importance to the Conference on Disarmament, seeing it as a unique forum for negotiating freely issues of arms control and disarmament on the basis of consensus."⁶⁷ This statement led to a sharp response from the Iraqi representative, Mohammed Al-Douri, who referred to Israel as "one of the greatest threats to international peace and security."⁶⁸

Similarly, the January 2003 session of the CD featured sharp clashes on Middle East issues. The Israeli representative noted the continued impact of terrorism and the threat of WMD in the hands of terrorist organizations. In response, the representative of the Iraqi government, under Saddam Hussein, repeated the standard Arab position, claiming that Israel sought to deny others the right to "act as they wish," while showing no restraint in its own policies: "Whereas Israel claimed it had peaceful goals, it constantly pursued expansionist designs that violated international standards and Security Council resolutions."⁶⁹ The Algerian representative was less polemical, expressing "sadness that . . . Israel should have presented such a strong statement" and his unfulfilled wish that the Israeli representative would announce "that his country had decided to submit to inspection by the International Atomic Energy Agency (IAEA)."⁷⁰ The representative from Syria stated that Israel's acquisition of nuclear weapons was a "huge danger to its neighbors and to the region as a whole."⁷¹ Such exchanges clearly provided little basis for constructive dialogue and served to demonstrate the absence of a foundation for regional security cooperation.

The confrontation continued during the March 2003 session, which took place during the war in Iraq. The Egyptian representative emphasized "the utmost importance we attach to the results of the 2000 NPT Review Conference and our commitment to pursue the objectives listed in its Final Document."⁷² He argued that this document "affirmed that the issue of weapons of mass destruction in Iraq cannot be dissociated from the issues of freeing the entire Middle East region, including Israel, from weapons of mass destruction."⁷³ In presenting the case, he also referred to the UN First Committee Resolution, "The Risk of Nuclear Proliferation in the Middle East," which also highlights Israeli exceptionality.

In contrast, one year later, after the issue of Iraqi WMD had receded, issues related to Israel, a nuclear-weapon-free zone in the Middle East, and the Arab-Israeli conflict

received significantly less attention. In the 2004 meetings of the CD, the main attacks regarding Israeli policy were made by Sudan's representative, speaking on behalf of the Arab Group.⁷⁴

The 2005 CD session took place against the backdrop of the upcoming NPT RevCon and covered many issues that would be debated two months later in New York. These included Israel's status and the emphasis on an MENWFZ. Bernard Bot, minister for foreign affairs of the Netherlands, expressed the dominant European view regarding the challenges faced at the 2005 NPT RevCon, calling on "India, Pakistan and Israel to reanalyze their positions and to reconsider the cases for joining the Treaty as non-nuclear weapon States."⁷⁵ The Algerian representative provided the Arab position, repeating the standard emphasis on "the final document of the Sixth Review Conference . . . reaffirming the necessity of Israel to accede to the Treaty and to open its nuclear facilities to the International Atomic Energy Agency."⁷⁶ The Egyptian representative also spoke on behalf of the Group of 21 but said nothing regarding the MENWFZ or Israel. The 2005 CD was, in general, a relatively minor event, particularly as the 2005 NPT Review Conference was to open shortly afterwards.

The 2005 RevCon: Deadlock

When the 2005 NPT Review Conference began in New York on May 2, the prospects for significant progress or even agreement on many of the controversial issues were widely understood to be quite limited. While the Middle East was one focus of NPT diplomacy, other issues continued to be of equal or greater importance. The core debate on progress (or the lack thereof) toward reducing nuclear weapons stockpiles among the five recognized nuclear weapon states (Article VI) remained the central issue. Plans by the U.S. government to resume development of advanced tactical nuclear weapons ("bunker busters"), the failure to ratify the CTBT, and the Bush administration's general movement away from multilateral approaches to arms control and nonproliferation, further sharpened the debate on this issue.

In addition, proliferation concerns had increased since 1995, particularly in response to Iranian and North Korean violations of the NPT limitations and progress toward acquiring illicit weapons, as well as the impact of A.Q. Khan's Pakistani "nuclear Walmart."⁷⁷ With a distracted Bush administration and the absence of European leadership in this framework, the prospects for achieving consensus were low.

As a result, the issues related to the Middle East, Israel, and the other two "NPT holdouts" were not the only or perhaps even among the most salient topics. Indeed, in the pre-conference analyses, serious questions were raised regarding the prospects for agreement. Discord was evident from the beginning, and the negotiation of the agenda took ten days. Egyptian Ambassador Ahmed Fathalla focused immediately on Israel, demanding that the agenda refer explicitly to the "outcomes" of the 1995 and 2000 RevCon documents on the Middle East.⁷⁸

In contrast to the 2003 and 2004 PrepComs, in which Egypt pressed its campaign via the NAC, by the 2005 RevCon the NAC framework had lost its importance and coherence. Instead, Egypt returned to its previous political allies in what remained of the NAM and the

Arab states. Substantively, the primary Egyptian effort was directed at establishing a body to implement and expand its interpretation of the 1995 Middle East resolution as well as the 2000 RevCon Final Document. The Egyptian representative went significantly further than in the past (and apparently beyond the NAC's position), declaring, "This conference should establish a practical road-map that guarantees the establishment of NWFZ in the Middle East, and thus contributing to the universality of the treaty."⁷⁹ He raised the stakes further by arguing that "it is not possible from now on, to measure the credibility of the Non-Proliferation Regime in the region, without real progress towards the accession of Israel as a Non-Nuclear Weapon State to the NPT."⁸⁰ The road map that the Egyptians sought from the 2005 RevCon included the threat of sanctions designed to force Israel to change its policy, or to pay a high price for refusal.

This strategy was predictably backed by the other Arab states, including Qatar, Tunisia, the UAE, and Jordan, whose representatives repeated Egypt's demands.⁸¹ Similarly, Malaysia's representative, speaking as the head of the NAM, declared, "The lack of balance in the implementation of the NPT threatens to unravel the NPT regime . . . nuclear-weapon States and those States remaining outside the NPT continue to develop and modernize their nuclear arsenal [sic], threatening international peace and security."⁸² Iran's Foreign Minister Kamal Kharrazi protested the unrestricted access to nuclear technology by one unnamed "non-Party" in the Middle East which has "effectively contributed to the development of one of the largest stockpiles of nuclear weapons which has endangered regional and global peace and security."⁸³

In contrast to the significant role played by the NAC in the 2000 NPT RevCon and the PrepComs, including promoting the concept of NPT universality with respect to Israel, by 2005, this framework was weak and divided. The representative of New Zealand, speaking on behalf of the NAC, again addressed the question of Israel's exceptionality, recalling "the resolution on the Middle East that was an integral part of the outcome of the 1995 Review and Extension Conference of the NPT" and the NAC's "call on Israel to accede to the NPT promptly, without conditions and to place all of its nuclear facilities under comprehensive IAEA safeguards."⁸⁴ But the NAC pointedly failed to endorse Egypt's effort to expand the campaign, and there was no hint of imposing sanctions on Israel.

In both Main Committee (MC) II and III of the 2005 RevCon, the Egyptian delegates took stands that delayed or denied final approval of reports in the effort to force acceptance of their positions. The Egyptian and Iranian delegations worked together, objecting to the adoption of MC II's draft text on "regional issues, including with respect to the Middle East and implementation of the 1995 Resolution on the Middle East."⁸⁵ This text included a paragraph on Iran, as well as a paragraph that "calls for the taking of additional measures to induce Israel to accede to the NPT, including convening a standing committee and denial of transfers of technology and cooperation in the nuclear and research fields."⁸⁶ While many of the delegates reportedly were ready to accept a compromise like that adopted in MC I, focusing on other issues, in which the text was bracketed with the understanding that it had not been agreed upon, Egypt forced the issue.

In response to this Egyptian move, the United States blocked adoption of MC III's report in its entirety.⁸⁷ According to press reports, the Egyptians later pledged "full

support to work intensively and cooperatively to achieve consensus on a final document, but some delegations greeted Egypt's statement with laughter."⁸⁸ The Egyptians had pushed too hard for adoption of their position, refused realistic compromises, and had come up with nothing.

Many factors led to the conclusion of the 2005 RevCon without a significant final declaration, and the Egyptian strategy regarding Israel's status was only one element in this process. Substantively, the outcome was also the result of difficulties related to Article VI and the nuclear weapons policies of the NWS; the dilemmas posed by responses to withdrawal from the treaty (as in the case of the DPRK, and potentially Iran); the proliferation implications of "civil" fuel cycle activities in Brazil, Iran, and elsewhere; and other issues.⁸⁹ The efforts to resolve these issues were not aided by the absence of leadership from the United States and Europe. Indeed, if the issue of Israeli exceptionalism did not exist, these other causes would probably have been sufficient to produce a similar result.

Analysis and Implications

Among Israeli policymakers and analysts, the question of whether the exceptionalism, resulting from the strategic deterrence posture based on deliberate nuclear ambiguity, could be maintained in the long term, and if so, at what cost, is the subject of intense debate. Those who have argued that the external pressure to alter this policy will gradually become too costly could point to the evidence of such a process in the lead-up to the 1995 NPT Review and Extension Conference, the 2000 RevCon, and many points in between these meetings.

However, those who reach the opposite conclusion, including this author, can point to the absence of sanctions, reporting mechanisms that might lead to such measures, and other concrete steps. In addition, the instances in which the Israeli justifications for this exceptionalism are also voiced by political leaders in the United States and Europe are increasing, as cited in this report. The 2005 NPT RevCon, as well as the outcome of the recent debates in other arenas, such as the UN General Assembly, the IAEA, and the CD, provide further, if fragile, evidence in support of the second position. On this basis, while the pressure on Israel can be expected to continue and at times increase, particularly in response to regional political developments unrelated to nuclear or WMD issues, the costs of maintaining the current diplomatic posture of NPT exceptionalism can be absorbed.

From an Egyptian perspective, the outcome of the decade of intense efforts aimed at forcing Israel to abandon its policy of nuclear ambiguity by signing the NPT and opening its nuclear facilities to IAEA inspection and safeguards has been disappointing. Between the 1995 NPT Review and Extension Conference, and the conclusion of the 2005 RevCon, Israel's position has remained essentially unchanged. The changing language of the various resolutions in the different frameworks, as surveyed here, has not forced Israel to either change its policy or to pay a significant cost for maintaining a core element of its national security doctrine. The concept of universality remains an idealized goal, which many statesmen and political leaders involved in the NPT regime continue to espouse, but they also recognize that this goal cannot be forced on Israel (or on India or Pakistan).

Indeed, in some dimensions, the Israeli position of exceptionality can be seen to have been strengthened by these events between 1995 and 2005. The events of the past decade have shifted much of the attention, and thus diplomatic resources, to the DPRK, Iraq, and then Iran, and to other issues. In addition, in comparison to the 1998 tests and declarations of India and Pakistan, Israel's unique status as an undeclared nuclear power is seen by some as relatively less problematic for the regime.

As shown in this report, the increasing official Israeli presence at and participation in multilateral arms control discussions, such as in the CD and the CTBTO, and in the debates of the UN First Committee, has helped to reduce the impact of the criticism resulting from this exceptionality. The change in policy that promoted presentation of the case justifying exceptionality and arguing against the demand for universality on the NPT alone has played a role in this process. The fears voiced by Israeli critics who warned that participating in multilateral arms control frameworks would constitute a "slippery slope" that would threaten the Israeli deterrent policy have not been substantiated.

In addition, Israel's one-on-one discussions with national leaders, particularly in the United States, United Kingdom, and some European states, and regular bilateral security discussions have reinforced the message and justifications presented in other venues. When Foreign Secretary Straw and Secretary of Defense Rumsfeld provide answers on universality and "double standards," they reinforce the positions presented by Israel.

Nevertheless, the carefully negotiated wording of the sections dealing with the Middle East in the final declarations of the 1995 and 2000 NPT RevCons, and the ways in which they were invoked in subsequent arms control frameworks, are not entirely benign from the Israeli perspective. Furthermore, the 2005 stalemate, resulting in the absence of a substantive final declaration, can be interpreted as reinforcing the earlier resolutions, rather than weakening their impact. (One explanation for Egypt's strategy at the 2005 RevCon was that since a significantly stronger resolution on Israel, including sanctions, was unlikely to emerge, the best alternative was to insure that the previous terms were not supplanted by milder language or that the focus on Israel was not diluted in comparison with firmer measures on Iran or the DPRK.)

At the same time, in the short period since the 2005 NPT RevCon, the diplomatic and strategic environment has changed significantly in two important dimensions—with respect to India and to Iran. The agreement between the United States and Indian governments that would "recognize" India's status as a *de facto* nuclear power outside the NPT marks a major development in the nonproliferation regime. Under the terms of this agreement, India would be able to purchase components and materials for its civil nuclear activities without accepting full-scope safeguards and IAEA verification for its weapons programs, as stipulated under the existing U.S. export control legislation. In exchange, India agreed to "assume the same responsibilities and practices" as NWS under the NPT, and to extend the current moratorium on nuclear tests.⁹⁰ This agreement, which is opposed by many analysts and has yet to be ratified by the U.S. Congress, has led to some speculation regarding the potential for negotiating similar status to resolve Israel's exceptionality under the NPT. Like India, Israel is a democratic state and has not exploited the nonproliferation regime as a cover for illicit activities, in contrast to Iran or Libya, for example.

But there are also many important differences between the cases. Unlike India, Israel has not tested or declared itself to possess nuclear weapons, and also does not currently produce electricity via nuclear reactors, while in the Indian case, the economic dimension is central. However, the U.S.-India agreement marks an important development, and the implications for Israel require detailed analysis.

At the same time, developments in the Iranian case could influence policies vis-à-vis Israeli nuclear exceptionality, but the details and direction of this impact are likely to be complex. As noted, the attempts to link responses to the Iranian nuclear program with specific actions against Israel in the 2005 NPT RevCon were not successful, and in some ways, highlighted the distinction between the two cases and contexts. However, the efforts to create linkage continue. The IAEA resolution of February 2006, referring the Iranian case to the UN Security Council, included a compromise on an Egyptian amendment supported by Europe and reluctantly accepted by the United States, “recognising that a solution to the Iranian issue would contribute to global nonproliferation efforts and to realising the objective of a Middle East free of weapons of mass destruction, including their means of delivery.”⁹¹ Once again, Israel was not mentioned explicitly but in an indirect manner, and the issue of the MENWFZ, and thus, Israel’s status, was introduced into the debate on Iran.

Given these developments, the ability of Israel to maintain a policy of nuclear exceptionality for the next decade or even through the 2010 NPT RevCon without significant penalties remains highly uncertain. As noted in this analysis, U.S. support—at times tacit and at other times explicit—for Israeli exceptionality may not continue after the Bush administration leaves office. Under President Clinton, acceptance of Israel’s position resulted primarily from the priority given to hopes for Middle East peace negotiations that were taking place simultaneously. The breakdown in the Oslo process coincided with the election of George W. Bush and the adoption of a policy that was not based on multilateral arms control mechanisms such as the NPT. Thus, American backing for the Israeli position resulted from two entirely different sources, and these factors may not be present in the next administration.

Other developments, both regional and global, will also determine the future of Israeli exceptionality. For example, if the United States were to develop closer security and political cooperation with Egypt in order to get Cairo’s assistance in promoting stability in Iraq, this might change Washington’s position regarding Israel and the NPT. On the other hand, if the obstacles to renewed discussion of a global FMCT were to resume and perhaps receive backing from India and Pakistan, it would be very difficult for Israel to stay out of such a consensus. Taking an even less likely scenario, if the Iranian nuclear weapons effort were halted, either due to a dramatic policy reversal undertaken by the government in Tehran, or resulting from a decision imposed by the major powers—the United States, Europe, Russia, and China—Israel would be pressed very strongly to respond.

In summary, in looking back over the past decade, the Israeli diplomatic strategy in protecting its nuclear policy has been generally and perhaps unexpectedly successful. The policy of diplomatic engagement at various levels and frameworks has worked. However, in order to continue to maintain this exception status, Israeli policymakers will have to be ready to respond quickly to the changing context.

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