

Arms Control and Non-Proliferation Developments in the Middle East: 1998-99

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Introduction

The proliferation of non-conventional weapons in the Middle East, as well as the broad range of arms control created to counter the proliferation, are central elements in the structure of regional security. To fully comprehend the dynamics and evolution of this structure, one must first understand the interaction and cumulative impact of each of these factors on the region.

Developments in Iraq have a direct impact on Iranian perceptions and policies, while regional events influence Israeli policymaking and decisions. Similarly, the developments of specific weapons and limitation regimes -- nuclear, chemical, biological, delivery systems, and even high-resolution commercial imaging satellites -- are closely interrelated.

In many of the academic analyses of these issues, each topic is explored in depth, albeit separately. For example, developments in Iraq are often considered independent of Iran, and the regional aspects of the nuclear non-proliferation regime are not combined with chemical weapons issues. Security, particularly in the Middle East, is indivisible, and "everything is connected to everything". As a result, in addition to the WMD issues, this report also includes a section on the regional implications of dual-use imaging satellites, and of the global land mine convention. (However, this report does not include a section on the Biological Weapons Treaty -- primarily because, in the absence of a verification regime, its impact, both global and regional -- is still limited.)

The goal of this report is to provide a comprehensive analysis of Middle East weapons proliferation and arms control developments. The analysis is structured as a "rolling text," and is the first of a series of periodic reports providing updates of regional developments.

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In 1991, the chances of preventing the proliferation of weapons of mass destruction (WMD) and ballistic missiles in the Middle East appeared to be enhanced by the results of the Gulf War and the defeat of Iraq. During this period, the region was filled with hope following the convening of the Madrid Middle East peace conference and the creation of the multilateral working group on Arms Control and Regional Security (ACRS). The terms of the cease fire agreement, as embodied in UN Security Council Resolution 687, included the verified destruction of Iraqi weapons of mass destruction, related technologies and facilities, delivery systems (ballistic missiles), and the creation of a long-term monitoring system to insure that Iraq stayed “WMD- and missile-free”. The United Nations Special Commission (UNSCOM) – an extraordinary institution with unprecedented powers to undertake highly intrusive on-site inspections – was created. Although UNSCOM’s work began more slowly than anticipated, it seemed that within a few months all of the suspected facilities would be identified, and any remaining weapons would be destroyed.

Unfortunately, as the decade drew to a close, the potential for regional agreements and limitations seemed very small. The UNSCOM experience clearly demonstrates that even with the most intrusive inspection and verification systems in the history of arms control, closed totalitarian states and regimes are capable of concealing weapons and facilities for many years. These developments have undermined the foundation for Middle East arms control.

Iran has become another major factor in the regional proliferation process. In the early part of the decade, China and North Korea appeared to be Iran’s major suppliers for WMD and missile technology and expertise. However, in the past few years, exports from Russia have assumed the central role. Efforts led by the United States to slow or halt the flow of dual-use and military technology and expertise have intensified, to end these exports from Russia.

Other countries in the region, including Syria and Egypt, have also made moves to strengthen their WMD and missile capabilities. In addition to the large arsenals of chemical weapons possessed by both states, and ballistic missile capabilities that have slowly increased, evidence of renewed efforts to develop nuclear weapons capabilities is increasing.

Political developments in the region provide the backdrop for many of these developments, and have an important impact on arms acquisition, as

well as on the results of arms control efforts. For example, the limited progress in the ACRS process, which was frozen in 1994, and has not yet been revived, was directly related to overarching political conditions and the fragile state of the Middle East “peace process” in particular.

This report presents the developments in arms control and non-proliferation in the Middle East as took place towards the end of the last decade, focusing on 1998-1999. 1998 and 1999 were not exceptional years for Middle East arms control and proliferation, but rather, were typical in many ways; the evolution of the central issues discussed was generally a continuation of developments in the past decade. As this report highlights, this is precisely the problem. Despite all the efforts to change the direction of these developments, very little seems to be changing, and the acquisition of destabilizing weapons continues.

PART 1:
WMD AND MISSILE PROLIFERATION DEVELOPMENTS

1. IRAQ – THE DEMISE OF UNSCOM

The UN Special Commission (UNSCOM) began operations in 1991, under the terms of UN Security Council Resolution 687. Its mission was to verify the validity of Iraq’s “full, final, and complete” declarations of its WMD and missile capabilities and facilities. UNSCOM oversaw the destruction of 28,000 chemical weapons, and 480,000 liters of chemical precursors,¹ but many aspects of the Iraqi program remain hidden. The Iraqi regime created an extensive concealment mechanism, controlled directly by Saddam Hussein through various family and tribal networks. As more of the concealment activities were revealed, and hidden weapons and facilities began to be exposed, particularly after the defection of Hussein Kamal in 1995, Iraq placed more obstacles in the way of the UNSCOM inspectors.

During 1998, Iraq added more restrictions on the activities of the UNSCOM arms control inspection regime, causing this unique organization to effectively cease operations. After over 7 years of activities, UNSCOM and the IAEA (International Atomic Energy Agency) inspectors were unable to verify Iraqi claims regarding destruction of weapons, materials, and facilities, or to provide for a complete accounting of Iraq’s WMD and missile capabilities.

As a result of extensive Iraqi concealment, UNSCOM could not verify that all of Iraq’s *Scud* missile warheads filled with biological agents (anthrax and botulinum toxin) were destroyed,² and discrepancies regarding growth media for biological weapons and chemical weapons materials remained. The IAEA, which was responsible for certifying Iraqi compliance with its obligations under the NPT (Nuclear Non-Proliferation Treaty), was also unable to provide answers to central questions on Iraqi nuclear weapons design and fabrication. Nevertheless, the Iraqi regime has contended that UNSCOM and the IAEA should “close these files” and allow for the lifting of sanctions.³

In 1998, the rift among the permanent members of the UN Security Council over this issue grew sharper. France and Russia, along with China, supported lifting of economic sanctions. In contrast, the US and UK

consistently opposed such moves, noting the absence of Iraqi compliance and the concerted effort to hide WMD and missile capabilities.

From the beginning of 1998, Iraqi restrictions on inspections and inspectors triggered a series of crises, and the threat of military action by the US and UK. On January 17, on the seventh anniversary of the beginning of the Gulf war, Saddam Hussein declared that all UNSCOM would be expelled in six months unless the sanctions were lifted. Although the Iraqi ultimatum was rejected, UNSCOM Executive Director Richard Butler, indicated that he would be willing to change the composition of the inspection teams. He also agreed to a series of technical evaluations to consider each weapon on UNSCOM's list, with the aim of closing specific files, and defining and limiting the areas of disagreement.⁴

On January 21, Saddam increased the tension, declaring a two-month freeze on inspections, and an end to talks regarding access to sensitive sites. Butler went to Baghdad to discuss the issues, but did not make any progress. In his report to the UN Security Council (UNSC), he detailed Iraqi obstruction of UNSCOM, and confirmed reports regarding Iraqi possession of missile warheads with biological weapons.

During this period, the US continued the military buildup that had begun in November 1997 and public discussion of an impending US military strike on Iraq increased. This led to opposition from the majority of the members of the UN Security Council, as well as the Arab League. Diplomatically, the US had become isolated and weakened in the previous two years, and lacked the support of many members of the 1991 coalition. (However, the UK, Australia, Canada, Germany and Italy, as well as Kuwait and Bahrain, agreed to provide support for a strike against Iraq.)⁵ According to press reports, the US was preparing a sustained three –or – four-day air attack on suspected Iraqi weapons sites.⁶

Last minute diplomatic activity by UN Secretary General Kofi Anan led to the suspension of these threats. The compromise arrangements included increases in the “oil for food” arrangements for Iraq, and changes in the inspection procedures, particularly with respect to the numerous “presidential sites” which UNSCOM inspectors believed were being used to hide critical documents and facilities.⁷ As a result, this policy was strongly criticized.⁸

Nevertheless, in December 1998, it had become clear that UNSCOM would not be allowed to carry out its duties whenever these came close to

revealing hidden Iraqi weapons and related materials and documents. After a series of crises and military buildups throughout the year, the US and UK responded with a four-day cruise missile and air attack, Operation Desert Fox, which ended with the start of Ramadan. Evaluations of this attack vary, with official versions claiming that key installations were targeted, while skeptics asserted that the bombs hit empty buildings, and left key installations, such as vehicles and command bunkers untouched.⁹

At the same time there were indications of internal debate and weakening of resolve in the US. Scott Ritter, one of the chief UNSCOM inspectors, claimed that the US Government (Secretary of State Madeline Albright, in particular) had asked Butler to avoid confrontations with Iraq.¹⁰ According to Ritter, US policy was “confused”, and at critical points the US also withheld important intelligence information and other support for an aggressive UNSCOM policy.

The US Government rejected Ritter’s criticism, asserting that it had faithfully backed the inspections in Iraq, but some US officials acknowledged that the US and Britain had privately urged Butler to stop trying to hold surprise inspections of sites in Baghdad. This pattern of behavior suggested that the Clinton Administration had shifted its policy to emphasize continued sanctions against Iraq, rather than attempting to maintain the UNSCOM inspections.¹¹

In the UN Security Council, the US has consistently indicated that it would veto any resolution that would end the sanctions regime. Some critics, however, argue that the acceptance of the “oil for food” framework has turned the sanctions regime into a facade, while others opposed sanctions on humanitarian grounds.

Following “Operation Desert Fox” in December 1998, the US and the UK initiated a policy of regular air attacks on Iraqi military installations, oil facilities, and other sites in both Iraq’s northern and southern areas. The US strategy was aimed at slowly grinding down the remaining Iraqi military capability, particularly air defense, and creating areas that are independent of Saddam Hussein and his regime.

The Clinton Administration also formally declared support for the replacement of the Iraqi regime led by Saddam Hussein, and, under pressure from Congress, provided funds for Iraqi opposition groups.

Thus, at the beginning of 1999, there was no longer an arms inspection system in place for Iraq, and the future of Iraqi capabilities was uncertain.

The most extensive and intrusive arms control verification system ever implemented had failed to detect or account for significant materials and facilities. A determined program of deception by Iraq, and the absence of a strong international consensus to pressure the Iraqi government into cooperating with the inspection and verification system combined to yield this outcome.

The Iraqi Nuclear File

From the beginning of the special inspection regime in 1991, the IAEA was responsible for certifying Iraqi compliance with the nuclear aspects of UNSCR 687. Shortly after inspections began, the IAEA discovered Calutrons for enriching uranium, which had not been revealed in the initial Iraqi declarations. Iraqi concealment activities intensified, and the remaining nuclear components and documents were dispersed in “presidential farms” and villas near Tikrit.¹²

Over the years, the IAEA inspectors were gradually replaced, and when compared with the UNSCOM teams, the IAEA inspectors were seen to be more accommodating, “giving Iraqi nuclear officials the benefit of the doubt, when they fail to provide evidence...”¹³

At the end of July 1998, the IAEA completed its review of the nuclear file, and reported that it had no evidence Iraq had any nuclear arms or related materials, but that information was still incomplete.¹⁴ This marked a change in tone in comparison to the previous report, issued in December 1997, when IAEA Director General Mohamed Elbaradei declared: “We can now say that we have managed to remove or destroy or render harmless all nuclear items that came to our knowledge.”¹⁵ At that time, the IAEA, pressed by Russia, was preparing to recommend that the UN Security Council “close” the nuclear file, and shift its activities from destruction of existing capabilities to on-going monitoring and verification (OMV).¹⁶ However, in the July 1998 report (S/1998/694)¹⁷, Elbaradei noted that questions remain regarding foreign sources of assistance in the nuclear program, and regarding the Iraqi claim that it no longer possessed the documents and drawings of experimental test data.¹⁸ US Ambassador to the UN Bill Richardson stated that the report “makes it absolutely clear that Iraq has made no progress; that it has failed to provide information on

weapons design, on uranium enrichment, on nuclear experts. Accordingly, there is no reason to close the nuclear file.”¹⁹ A month later, Scott Ritter revealed that Iraq had manufactured the components for three nuclear weapons, and lacked only the fissile material to complete them.²⁰ Ritter said that Iraq could produce nuclear weapons in days or weeks, with smuggled nuclear material (plutonium or bomb-grade uranium) from an outside source. According to Ritter, “The Iraqis maintain, at a minimum, the capability to conduct active research and development in the field of gaseous centrifuge enrichment and the weaponization of a nuclear device. Iraq has retained a considerable nuclear weapon manufacturing production base.... Iraq has retained components relating to the most recent weapons design, which have not been turned over to the IAEA.”²¹ At the end of September 1998, as the crisis intensified, the IAEA Nuclear Monitoring Group was denied access to the Al Iraqi factory. The facility was originally inspected by the IAEA in 1995 and has been revisited on eight previous occasions.²² After piecing the evidence together, it became quite clear that the Iraqi nuclear weapons program was continuing.

1999 - Stalemate in the Security Council

The standoff in Iraq continued through 1999, with the major focus on the efforts in the UN Security Council to reach agreement on a formula to supercede the combination of sanctions and arms inspections that were embodied in UNSCR 687 and UNSCOM. Among the P-5 (the five permanent members of the Security Council), there was strong disagreement, with the US and British arrayed against France, Russia, and China. In December 1999, after almost a full year of diplomatic activity, the UN Security Council finally agreed on a replacement – UNSCR 1284, a much-revised version of the British-Dutch draft (backed by the US), known as UNMOVIC (UN Monitoring, Verification and Inspection Commission), approved by a one vote margin. (See Appendix).

Iraq promptly and predictably declared rejection of the terms of UNSCR 1284, demanding the immediate and unconditional lifting of sanctions.²³ The abstention of France, Russia and China, the continued Iraqi resistance, and the continued erosion of sanctions meant that in all probability, the role of UNMOVIC will be very limited.

During the year of deliberations, the US and Britain maintained the low-level but very frequent military campaign against Iraq, generally striking what were reported to be radar and anti-aircraft sites, and other military targets. American officials asserted that the attacks, in which over 1000 missiles were fired at hundreds of targets, hampered Iraqi military forces. When combined with increased support for the Iraqi opposition,²⁴ US officials argued that this policy would eventually undermine Saddam Hussein's foundation of support, particularly within the military. However, evidence to support these claims did not emerge during 1999. While repeating public statements pledging to "keep Saddam in his box", the Clinton Administration acquiesced to the erosion of the inspections and sanctions regime.²⁵

Iraq continued efforts to remove or reduce sanctions, attempting to divert international attention from weapons to humanitarian issues, while also diverting increasing sums under the "oil for food" program to pay for weapons and military technology.²⁶ In reaction to the December 1998 raids, and reports that UNSCOM personnel provided intelligence information directly to the US government,²⁷ Iraq extended its ban on British and American UN personnel to include workers and volunteers involved in humanitarian activities.²⁸ The Iraqi government also blocked the IAEA from carrying out its annual inspection (as mandated under the NPT, to which Iraq is still a party) of Iraqi enriched uranium stockpiles.²⁹ In the absence of inspections, the condition of Iraqi WMD and missile capabilities was highly uncertain, but a number of reports published during the year suggested that these were steadily growing.³⁰ In addition, Saddam Hussein continued to issue bellicose and threats aimed at the US, Israel, and Iran.³¹

The Security Council resumed its discussion in 1999, after months of unresolved debate in the previous year. A number of states tabled new proposals, basically designed to lift sanctions in return for increasingly limited Iraqi compliance with arms inspections and limitation requirements. The US, France, Saudi Arabia³², Russia³³, China³⁴, Canada³⁵ each presented plans.

The French plan, which evolved during 1999, offered an end to the oil embargo in return for Iraqi acceptance of a new arms-monitoring framework.³⁶ This "new system" was based on the French government's claim that "Iraq no longer had any nuclear capability, and that large quantities of chemical and biological stocks had been found and destroyed

by UN teams.” French officials argued that searching “for something that did not exist” would be an exercise in futility.

During this period, UNSCOM’s mandate was still officially valid, and while Richard Butler continued to head this organization, it became clear that the UNSC would not support extension of his contract. At the end of January, UNSCOM prepared another detailed report, including information provided by Iraqi defectors, that contradicted the official Iraqi claims. This report concluded that Iraq was still attempting to conceal “past and present weapons programs.”³⁷

However, Russia, China, and Malaysia, moved to prevent publication or circulation of this report, even within the United Nations,³⁸ and demanded the immediate dismissal of Richard Butler. In February, Butler announced that he would not be seeking another term after his contract expired in June.³⁹

In order to break the deadlock, the Security Council endorsed the Canadian proposal to create panels to provide “comprehensive assessments on the status of Iraqi disarmament and on the humanitarian situation in Iraq.” (A third panel on accounting for looted property and missing persons in Kuwait following the Iraqi invasion in 1990, was added to the initial proposal.) These panels were to report to the Security Council on April 15, with action proposals based on the conclusions. Although Iraq rejected this plan, the panels were created and began to function.⁴⁰

The disarmament panel was headed by Jayantha Dhanapala, Under Secretary-General for Disarmament Affairs, and not by Richard Butler, but did include 10 UNSCOM members, including Deputy Executive Chairman Richard Duelfer.⁴¹

In a report to this panel, the IAEA noted that it “is assumed that Iraq retains the capability to explore, for nuclear weapons purposes, any relevant material or technology to which it may gain access in the future...”. The Agency recommended a system for long-term monitoring of Iraq’s nuclear facilities, including unannounced inspections, extensive environmental monitoring, and radiation sweeps, as incorporated in the ‘Enhanced Safeguards’ agreements being negotiated with other NPT signatories. In addition, it demanded that future inspections of Iraq be “comprehensive, rigorous, and, as a result, intrusive.”⁴²

The disarmament panel presented its report at the end of March, concluding that “[It is] essential that inspection teams return to Iraq as soon

as possible...[to prevent] the loss of technical confidence in the system...[becoming] irretrievable. ... The current absence of inspectors has exponentially increased the risk of compromising the level of assurance already achieved, since it is widely recognized that the re-establishment of the baseline will be a difficult task.” With respect to the nature of the inspection regime, the report stated that “[a] reinforced ongoing monitoring and verification [system that] would be, if anything, more intrusive than the [system] practiced so far”. The report also recommended “full access to location, individuals and information as well as the right to implement any relevant technology”, and “the use of fixed and rotary wing aircraft”.⁴³

Conceding that “important elements still have to be resolved” from UNSCOM's work, although the “bulk” of the work had been satisfactorily completed, the panel stressed that “the retention of the right to investigate any aspect of proscribed weapons programs would be a fundamental element of the [new] integrated system ...It is in the hands of the Security Council to devise ways of ensuring that Iraq accepts such monitoring and verification. ...”.⁴⁴ In addition, the humanitarian panel's report presented a number of measures, many of which were absorbed into the resolution that was eventually adopted (see details below).

Following the submission of the panel reports, a British-Dutch draft resolution was submitted (based on an earlier informal working text) that incorporated a new arms inspection agency to replace UNSCOM, but left many of the inspection and monitoring provisions of UNSCR 687 intact or reinforced. This proposal gained the support of the US, while a new Russian initiative, supported by China and France, called for an immediate end to sanctions on Iraq.⁴⁵ In public statements, the representatives of the US and Russia clearly articulated the contrasting approaches and policies. Russia's UN Ambassador declared that “the British-Dutch draft is going to be rejected because it doesn't have any hope for Iraq, any roadmap for Iraq to follow...”. In contrast, US Ambassador Peter Burleigh stated that: “We would like to have inspectors back on the ground in Iraq...but we're not prepared to pay in terms of 'inducements' for Iraq in order to accomplish that.”⁴⁶

In June, UN Secretary-General Kofi Annan, announced that he was sending an independent team of weapons experts to Iraq to destroy chemical and biological samples used for calibration of instruments that had been left behind by UNSCOM in December.⁴⁷ This “independent team” was

comprised of experts from many countries, but notably complied with the Iraqi ban on American and British nationals.⁴⁸ The United States and Britain protested, noting that the team was comprised of representatives from countries traditionally sympathetic to Iraq.⁴⁹ Iraq allowed the team to enter its territory, and to destroy the samples.⁵⁰

Numerous press reports noted that despite the sanctions, Iraq was able to import large numbers of weapons from Russia.⁵¹ Jane's Defense Weekly reported that: "Iraq is quietly shopping for arms, placing orders with Russian companies to replenish parts for its mostly Russian-built tanks, aircraft and ships according to officials in Moscow. Baghdad appears to be routing much of this trade through front companies in the United Arab Emirates.... In particular, there are definite indications that Iraq is using UAE companies to buy Russian spares in small numbers and then ferry them from Dubai in the UAE to Basra..."⁵²

In late September, former UNSCOM head Richard Butler declared that Iraq's WMD capability was "undiminished and possibly greater," than it had been prior to Operation Desert Fox. Butler pointed out that Iraq had been capable of the massive buildup due to international weariness over the Iraqi issue.⁵³ He also criticized the members of the UNSC, including the US, for not supporting UNSCOM sufficiently.⁵⁴ Periodic reports, primarily from the US, emphasized the uncertainty regarding Iraqi military capability, including missile production. Under UNSCR 687, Iraq was allowed to maintain the capability to produce missiles with a range of 150 km or less, but in this way, was able to produce and test missile technology based on clusters of short-range missiles.

Iraq's efforts to focus on the "humanitarian" impact of the sanctions regime were successfully eroding remaining support for enforcement of the arms destruction and monitoring provisions established after the 1991 war.⁵⁵ With primary support from France, Russia, China, parts of Europe, and much of the Arab world, this campaign had a steadily increasing impact. In September, a group of US Congressional aides, disregarding US State Department warnings, traveled to Southern Iraq to "view the suffering of the Iraqi people".⁵⁶ Hans von Sponek, the UN's Humanitarian Coordinator in Iraq, also frequently called for the immediate and unconditional end to sanctions.⁵⁷

At the same time, the sanctions regime continued to erode, as Russian firms such as Zarubezhneft drilled oil wells in the northern oil fields of

Kirkuk, and in the southern North Rumeila field.⁵⁸ Sales of Iraqi oil to Jordan also increased.

Finally, in December, the negotiations in the UN Security Council considered the British-Dutch and French-Russian proposals. In some respects, the two competing proposals had similar elements, particularly with respect to arms inspections. Both called for a “reinforced system of ongoing monitoring and verification” based on the report of the panel on disarmament established by the Security Council in January 1999, and neither included limits on the very broad inspection rights contained in the existing resolutions. The two drafts also reiterated that the entire inspection and monitoring regime would continue indefinitely until the Security Council decides otherwise.⁵⁹

However, there were also a number of significant differences. Under the French proposal, foreign investment would not require a favorable report on Iraq's compliance with the inspection procedures, and the Oil-for-Food program would be replaced and Iraq would be allowed to purchase dual-use items (although, at least in theory, not weapons).⁶⁰

Sharp differences also emerged in other critical issues,⁶¹ and in most respects, the British-Dutch draft imposed more stringent conditions on Iraq.⁶²

The British-Dutch draft proposed to replace UNSCOM with a new arms inspection agency, known as UNMOVIC (UN Monitoring, Verification and Inspection Commission) and which would report directly to the Security Council, while in the French proposal, the chair would report to the Secretary-General. This was widely understood as a concession towards Iraq, particularly given UNSG Kofi Anan's conciliatory policies towards Iraq, and his emphasis on humanitarian issues.

In addition, the British-Dutch text included a requirement that Iraq complete “key remaining tasks” in disarmament obligations, based on a list to be prepared by the new agency within 120 days after it is created. In response, France, Russia, and China again insisted that the resolution clarify the level of cooperation and progress, in advanced, required to end sanctions against Iraq.⁶³ The British-Dutch plan also required that Iraq demonstrate full cooperation with the arms inspection commission for a period of 120 days before the Security Council would consider lifting sanctions. The French draft stipulated only a 60-day trial period, and once sanctions were lifted, only a report from the Secretary-General on Iraqi non-

cooperation would have led to their re-imposition.

Finally, on December 17, 1999, the revised British-Dutch draft (including provisions that UNMOVIC would report to the Secretary General, and its members would be UN employees, rather than on loan from their respective governments) was approved as UNSC 1284 by the narrow margin of 11-10, with Russia, France, China and Malaysia abstaining. Noting the sharp divisions in the Security Council, Iraq condemned and rejected the resolution, and “announced its firm and permanent stance” in demanding an immediate end to sanctions.⁶⁴ In a special “Christmas message”, Saddam continued his rhetorical attacks against the US, Britain, and Israel (“the criminal aggressors...and...the enemies of God, his prophets and messengers, and humanity as a whole.”)⁶⁵ Thus, the laborious effort to reach a consensus in the UN did not alter the situation, at least in the short term.

The Iraqi Issue in Middle East Politics

The air strikes against Iraq at the end of 1998 were strongly criticized throughout the Arab world, and an Arab League meeting in January 1999 took up the issue. The final statement condemned the bombing and called for an end to sanctions, while also urging Iraq to comply with UN resolutions and to respect the territorial integrity of all Arab states. This less-than-complete endorsement of its position triggered an Iraqi walkout. Iraq’s Foreign Minister, Mohammed Saeed al-Sahaf, blamed the Arab states for bowing to American pressures, and also singled out Saudi Arabia and Kuwait for criticism. In response, Egypt’s Foreign Minister, Amr Moussa responded, declaring: “We regret the withdrawal of the Iraqi delegation and we think this is because they focused on a few points that they did not approve of and ignored others that were very positive for Iraq.”⁶⁶ As the talks in the UN continued, the Arab states continued to issue public statements calling for an end to sanctions, and in support of the French, Russian and Chinese position. This issue was also raised in bilateral meetings, particularly between American and Egyptian officials. However, the impact on American policy was apparently limited. American allies in the Gulf, particularly Saudi Arabia and Kuwait, continued to be concerned about possible Iraqi military resurgence, and quietly supported maintenance

of limitations of Iraq. On September 27, 1999, the Gulf Cooperation Council (GCC) and the United States, meeting in New York, unanimously called for “re-establishing UNSC consensus on Iraq based on the principles of the British-Dutch draft resolution...”⁶⁷

During much of this period, the Israeli government kept a relatively low profile, with public statements regarding the threat posed by Iraq generally linked to statements on threats also posed by Iranian missiles and WMD efforts. Although the threat perception vis-a-vis Iraq grew during the year, particularly in the prolonged absence of inspections and in the presence of eroding sanctions, Israeli officials were concerned that any public statements on this subject would be counterproductive. The official view was that the question of Iraqi compliance (or lack of such) with its commitments under UNSCR 687 was first and foremost an issue for the United States and the P-5. However, in private meetings, the Israelis supported continuing the requirements for Iraqi compliance, and of the reconstitution of an arms inspection regime that would pursue, verify and destroy remaining Iraqi missiles and WMD facilities.

Iraq – Full Circle?

Thus, by the end of 1999, the problems and threats posed by Iraqi military capabilities continued without a visible resolution. Instead of showing international resolve with respect to continuing the pressure on Iraq to relinquish all missile and WMD capabilities, the divisions within the UN seemed to indicate continued weakening of this resolve. The year 2000 began in essentially the same situation as was the case in the previous year, without inspections, and increasing funds available to Iraq for its WMD and missile programs.

The verification and inspection regime that was imposed on Iraq in 1991 has ceased to function, and while sanctions remain in place, they are increasingly undermined by a combination of legal and illegal commerce. Three permanent members of the UN Security Council -- Russia, China, and France -- continue to support the lifting of sanctions, and various compromise formulae are being considered. The steady low-level US bombing campaign in the North and South continues, but it is difficult to assess its impact or effectiveness.

Most importantly, by the end of 1999, over eight years after the war and cease-fire agreement, Iraq maintains a substantial non-conventional military capability. Israeli officials remain very concerned about the Iraqi WMD and missile capabilities, as well as other delivery systems that might be capable of delivering biological and other weapons. Without the inspection regime, as long as Saddam Hussein remains in power, and given the weakening support and effectiveness of sanctions, the remaining capabilities will become the foundation for expanded development. The Iraqi nuclear program is likely to be accelerated, with emphasis on the search for fissile material. Given the abundance of fissile material in the world (particularly in Russia), and the requirement for only a few kilograms to provide the cores for the carefully concealed weapons, Iraq is increasingly likely to be able to possess a nuclear weapons capability in the near future.

2. IRAN'S MISSILE AND WMD PROGRAMS – THE RUSSIAN CONNECTION

The Iranian effort to acquire strategic weapons (ballistic missiles and nuclear warheads) began under the Shah, and continued following the Islamic revolution. Although delayed by the Iran-Iraq war, these efforts were accelerated in the early 1990s. By acquiring extensive technology and assistance from outside sources (primarily Russia, China, and North Korea), Iran made substantial progress on ballistic missiles. In parallel, the development of the Iranian nuclear infrastructure continued, and evidence of the acquisition of biological weapons also increased.

There is a great deal of speculation regarding Iranian motivations and objectives in pursuing these WMD and missile acquisition programs.⁶⁸ Since the war with Iraq, Teheran has sought to increase its military and deterrence capabilities vis-a-vis Baghdad. The end of the UNSCOM inspection and verification regime in Iraq, and the resulting increase in the threat, may have had an effect on Iranian WMD and missile development efforts. There is no direct evidence regarding the impact of the Indian and Pakistani nuclear tests on Iranian policy and perceptions, but the weakening of the non-proliferation regime and the possible chain reaction in the Middle East, as additional countries may decide to seek nuclear weapons, is

likely to also have an impact on Iran.⁶⁹

The Iranian emphasis on acquiring WMD and missile capabilities was accompanied by a change in the Iranian political leadership, which tended to deflect attention from the military buildup. In 1997, the election of Mohamed Khatami as President of Iran was seen as an indication of the increased power of “liberals” or “moderates” in the power struggle against “conservatives” and “radical Islamists”. However, the political changes had no visible impact on the Iranian pursuit of ballistic missiles and WMD.⁷⁰ In fact, despite the economic limitations, and the Khatami government’s pledges to address the economic demands of its supporters, resources allocated to the nuclear and missile programs have increased. Thus the group led by Khatami may not have any influence on the pace of WMD development, or, alternatively, in this area, there may be no difference between the “moderates” and the “hard-liners”. In other areas, too, the hostile rhetoric with respect to Israel and the Middle East peace process generally continued, as did Iranian support for Hizbollah in Lebanon, and to other terrorists groups.⁷¹

As noted, since 1995, the pace and extent of Russian technological assistance to the Iranian ballistic missile and nuclear weapons development programs has increased. 10,000 Russian scientists are reportedly in Iran helping to develop its missile, nuclear, biological, and chemical weapons programs.⁷² Despite periodic denials from Russian officials, and pledges to take action to end any “unauthorized” exports of technology and expertise in accordance with the Missile Technology Control Regime (MTCR), this activity continued.⁷³ In March 1998, 22 tons of missile quality stainless steel used in Scud missile fuel tanks were shipped from Russia to Iran. A “routine border check” at the Azeri-Iranian border revealed the shipment, which was stopped. Russia and Iran also announced that they are cooperating in the development of a “civilian” Iranian satellite for communications and imaging.⁷⁴ From time to time, the Russian government sought to demonstrate that it was attempting to prevent the flow of dual-use and military technology to Iran. However, American officials reportedly concluded that the Russian authorities lack the will and/or the means to prevent the dual-use exports to Iran.⁷⁵ In July 1998, a high-level report issued by the US government’s Rumsfeld Commission concluded that the threat from a number of states, including Iran, was increasing and that “Russia poses a threat to the US as a major exporter of enabling

technologies, including ballistic missile technologies, to countries hostile to the United States.”⁷⁶ This report had an important impact in increasing American awareness and threat perceptions with respect to the proliferation of ballistic missile technology, particularly in the Middle East and Persian Gulf.

In response, the US tried to increase pressure on Russia to slow the flow of military and dual-use technology to Iran. In 1998, the US Congress passed the Iranian Missile Proliferation Sanctions Act, although this was vetoed by President Clinton. In January 1999, the United States government imposed sanctions on three Russian institutions: The “Russian D. I. Mendeleev Chemical Technical University”, the Moscow Aviation Institute, and the Scientific Research and Design Institute of Power and Technology.⁷⁷ The sanctions effectively banned all US exports to the companies, as well as all imports to the United States. In addition, the sanctions halted US government assistance, and ended procurement contracts with the companies.⁷⁸

Vice President Gore raised the issue again in his meeting with Prime Minister Primakov in February 1999, and warned that unless Russia imposed limits on the flow of missile technology and assistance, this would have a negative impact on Russian-American commercial cooperation in space.⁷⁹

Later, the US added 9 more Russian institutions to the sanctions list.⁸⁰ At this point, Moscow seemed to take a different approach, and requested assistance in improving export control and monitoring capabilities.⁸¹ However, President Yeltsin also ordered increased restrictions on missile technology exports by expanding the list of [technology] items banned from export.⁸² Russia also pledged to stop specific nuclear institutes from dealing with Iran (although Moscow rejected an end to work on the Bushehr nuclear reactor) if the United States agreed to lift the sanctions.⁸³ At the same time, Russian officials continued to cite the fact that Iran is a signatory to the NPT and CWC, and claimed that the technology sold to Iran was commercial in nature and could not be used for weapons programs. Officials in Moscow insisted that the allegations “had no grounds whatsoever,” and that the institutes on the US blacklist “were in full compliance” with international law.⁸⁴ In July 1999, the Russian Foreign Ministry announced that Russia would work with Iran in an effort to stop the proliferation of nuclear missiles in the Middle East.⁸⁵ However, as the

political chaos in Russia increased, there was no sign of any change in policy. In the absence of significant action, the flow of missile and nuclear technology from Russia to Iran continued unabated throughout 1999.

Russia is not alone in providing technological exports, and since the 1980s, Iran has also received Chinese missiles and missile technology. Despite the agreements to observe the MTCR guidelines,⁸⁶ China has provided extensive assistance in the development of missile production facilities, particularly for the Isfahan plant (near the nuclear plant), which is Iran's largest such plant, as well as in the Semnan facility for solid fuel fabrication. The Rumsfeld Commission (appointed by the US government) concluded, "China also poses a threat to the US as a significant proliferator of ballistic missiles, weapons of mass destruction and enabling technologies. It has carried out extensive transfers to Iran's solid-fueled ballistic missile program."⁸⁷ In 1990, Iran and China reportedly signed a ten-year memorandum of understanding which included transfer of missile and missile-production technology.⁸⁸ Although Chinese officials have claimed that it has not provided assistance in the production of medium-range ballistic missiles to Iran, the Chinese definition of "medium range" is different from the Western understanding.⁸⁹

Status of Iranian Missile Programs

While Iranian efforts to produce extended range ballistic missiles began many years ago, progress was slow until the massive infusion of Russian technology and, to a lesser degree, Chinese technology beginning in 1996.⁹⁰ By 1998, Iran was able to conduct a test launch of the *Shihab 3* ballistic missile, with a planned range of 1,300 kms (800 miles), with a payload of 750 kg. (The missile that was tested on July 22, 1998 exploded after 800 kilometers, indicating some form of failure.⁹¹ No additional flight tests were conducted in 1999.)

The *Shihab 3* is an updated form of *Scud-B* type-missile, apparently built through a combination of the North Korean *No-Dong* missile, the Pakistani *Ghauri* missile, and extensive Russian technology.⁹² According to some reports, operational deployment is expected to begin in late 1999 or early 2000. However, an end to the transfer of Russian technology and assistance could delay this date.⁹³ When it is deployed, it will be capable of

striking Israel, Turkey and American bases and installations throughout the region.

The *Shihab 4* missile, based on the Soviet *SS-4* and/or North Korean *Taepo-Dong 2* is also in development, with a planned range of between 2,000-2,500 km, and a 1,000 kg payload.⁹⁴ It will be able to carry chemical, biological and nuclear warheads, and would be able to hit targets in Europe. The expected completion time is estimated to be from two to five years.⁹⁵ The test launch of the *Taepo-Dong 2* by North Korea on August 31 1998 indicated that this technology would soon be available to Iran as well. Russian and Iranian scientists were also reportedly developing a new missile known as the *SS-400* with a range of 3,600 kilometers.⁹⁶

In the wake of the efforts to prevent the export of technology to Iran, the Iranian government sought to downplay their importance and potential impact. For example, in December 1998, Hashemi Rafsanjani declared that “Missile production has truly become a local technology in Iran. ... Despite their efforts, it is out of their hands now, thank God, because we have reached the level we needed to get to ... Iran is today a proper missile producer which does not need any country - not China, not Russia, and not any other.”⁹⁷

Some analysts agree with this, and argue that the Iranian missile program, and the *Shihab 3* in particular, had already gone past the point that a cut-off in Russian or other outside assistance would have an impact. According to these sources, the *Shihab 3* was close to operational capability, with the *Shihab 4* likely to be operational by 2002.⁹⁸ In contrast, other analysts, particularly in Israel, concluded that the failure of the *Shihab 3* test in July 1998 and other evidence demonstrated continued Iranian dependence on external assistance, and if the flow of technology from Russia could be slowed or stopped, this would result in a substantial delay for the Iranian missile program. (Some analysts argue that the pressure of sanctions slowed the transfer of North Korean *No-Dong 1* missiles to Iran, forcing Iran to purchase technology, and allowing Israel to complete development of the *Arrow* system.)⁹⁹

Status of Iranian Nuclear Programs

The Bushehr power reactor complex is the core of the Iranian nuclear program. It was initiated by Germany (Siemens) in the 1970s, and subsequently revived based on assistance from Russia. The initial agreement (estimated to be worth \$850 million) was signed in 1995, but work on the 1000 MW reactor did not begin until February 1998. In March, Iranian and Russian officials agreed in principle on construction of two more reactors.¹⁰⁰ Moscow also reportedly increased the number of nuclear staff in Iran from 300 to 1,000.¹⁰¹ In November 1998, Russia and Iran announced that they were studying the possibility of building three more nuclear reactors at Bushehr.¹⁰² Under American pressure, Ukraine agreed not to provide the turbines for the Bushehr reactors.¹⁰³ According to the Ukrainian president, Leonid Kuchma, this will cost Ukraine \$45 million in export sales.¹⁰⁴ As a result, Russia will provide the turbines, but this will delay the project and increase costs.

The Bushehr complex is a commercial nuclear facility under IAEA safeguards, but it could be used as a foundation for expertise and technology to be used to develop weapons. Following routine inspections, the IAEA reported that it “has not detected any suspicious nuclear activities being carried out” in Iran that violate the NPT.¹⁰⁵ However, IAEA inspections of Iraq during the 1970s and 1980s also did not reveal a large-scale weapons program. Although the IAEA has developed an enhanced safeguards program to prevent such diversions, Iran has not signed or agreed to accept the enhanced safeguards, raising questions regarding its intentions.

In addition, the efforts by Iran to acquire a heavy-water moderated research reactor are seen as an indication of intentions to develop nuclear weapons.¹⁰⁶ In April 1998, Russian Atomic Energy Minister Yevgeny Adamov declared that the contract for this reactor was awaiting approval of the respective governments.¹⁰⁷ Following his trip to Iran in November 1998, Adamov stated that while the research reactor could only be used for civilian purposes, he does not doubt that Iran is pursuing nuclear technology in order to build weapons.¹⁰⁸

In May 1998, the head of the Iranian Atomic Energy Organization visited Russia, to discuss further cooperation and purchases.¹⁰⁹ Iran was again reportedly seeking gas centrifuge technology for uranium enrichment.

Russian officials insisted that all technology was exported in strict compliance with the NPT, as reiterated in the Gore-Chernomyrdin framework.¹¹⁰

Chinese assistance to the Iranian nuclear efforts is continuing as well. The Clinton Administration, which has been widely criticized for its policy with respect to China, waited until February 1998 to confront China with the evidence. “Senior Chinese officials” once again assured their American counterparts that the sale would not be implemented.¹¹¹

Taken together, this activity has accelerated the rate of Iranian nuclear development significantly. Marine General Anthony Zinni, Head of US Central Command, said, “...I would say they are on track, within five years, they would have the capability [by then].” Alluding to the acceleration of this process as a result of India and Pakistan’s tests, Zinni conceded that Iran “is not going to be that far behind their neighbors.”¹¹²

Chemical and Biological Weapons

Iran is widely believed to possess a number of chemical weapons, including mustard gas, sarin, cyanide, and phosgene.¹¹³ A report from the US Central Intelligence Agency (CIA) reports that Iran “has manufactured and stockpiled chemical weapons, including blister, blood, and choking agents”.¹¹⁴ In addition, the US Arms Control and Disarmament Agency reported that “Iran probably has produced biological warfare agents and apparently has weaponized a small quantity of those agents.”¹¹⁵ Other sources report that “Western countries have noted attempts by Iranian representatives to buy, unofficially, technology and biological materials used specifically for the production of biological weapons, in particular mycotoxins.”¹¹⁶ (Iran is a signatory to the Biological and Toxic Weapons Convention).

Iran deposited the instruments of ratification for the Chemical Weapons Convention (CWC) in November 1997, and, in accordance with the terms of the CWC, submitted a declaration of its holdings. (See details in Part 2 of this report). However, as a US Senate report concludes, there is good reason to suspect that Iran “fully intends to maintain a chemical-weapons capability well into the future.”¹¹⁷ Concerns were also expressed that Iran might be attempting to follow the path taken by Iraq with respect to the

NPT, and attempt to use its membership in the CWC regime to gain privileged access to dual use and weapons technology. (There is evidence that other states in the region have used their participation in international arms control regimes in order to gain information for proliferation of WMD). In February 1998, US Deputy Assistant Secretary of State Robert Einhorn testified that Iran was obtaining “dual-use chemicals and production equipment” from China.¹¹⁸ In April, the Iranian Defense Industry Organization took delivery from a Chinese corporation, the Tianjin branch of SinoChem, of 500 tons of phosphorus pentasulphide, a dual-use precursor on the Australia Group control list, and used by Iraq to make VX nerve gas. The Iranian Foreign Ministry denied the report (describing it as Zionist propaganda). Other sources pointed to active assistance from Russia in this area as well, and an Israeli national based in Europe was convicted of selling CW-related technology to Iran. In January 1999, the National Council of Resistance of Iran released a report claiming that since 1997, Iran’s biological and chemical weapons programs have been accelerated. This report claims that Iran has produced VX gas, aflatoxin, and an agent that contaminates soil.¹¹⁹

*Israel and Iran 1998-9*¹²⁰

The continued development of long-range missiles and WMD in Iran were a major source of concern in Israel, and the July test of the *Shihab 3* missile did nothing but reinforce this threat perception. In response, Israeli officials sought to use their influence, primarily in Washington and Moscow, to slow or halt the Iranian efforts to acquire these weapons.

Policy-makers also accelerated the development and deployment of the *Arrow* ballistic missile defense system, research on boost-phase intercept systems, and investment in long-range deterrence systems.

In the effort to slow the Iranian weapons programs, Israel worked closely with the US to press Russia to end the flow of military technology and assistance. Israeli Intelligence officers provided the US with evidence of continued transfer of technology from Russia.¹²¹ In Congress, Israel at one time sought to promote the Iranian Missile Proliferation Sanctions Act¹²²

This theme dominated meetings between Israeli and Russian officials

during this period. Israeli Defense Minister Mordechai declared that future ties between Israel and Russia depended on the success of Russian efforts to stop the export of technologies to Iran. Mordechai stressed that this meant not only the official programs, but also the technology from private companies and individuals in Russia.¹²³

In January 1999, the press reported a decision to “cool” relations with Russia,¹²⁴ including a freeze in various joint defense production and export projects, and cancellation of a planned trip by Israel’s Defense Minister with top defense officials.¹²⁵ In March 1999, Ariel Sharon and Natan Sharansky visited Russia, and their discussions resulted in the agreement by Israel and Russia to establish a joint mechanism at the level of Foreign Ministers to examine the issues of technology transfer.¹²⁶

In August 1999, newly elected Prime Minister Ehud Barak took his first trip to Moscow, and the issue of Russian exports and assistance to Iran was again at the top of the agenda. In meetings with Russian officials, Barak repeated “Israel’s deep concern about the leakage of nuclear rocket technology to Iran...”.

The Israeli government also attempted to convince China to slow the flow of technology to Iran. In May 1998, Netanyahu visited Beijing, and after meetings with Chinese Prime Minister Zhu Rongji and Chinese President Jiang Zemin, declared that they gave him an “absolute commitment” that “they are not providing Iran with nuclear weapons technology and will not in the future” and that China would not provide Iran with materials that could be used to produce nerve gas.”¹²⁷ However, similar statements in the past have not had a visible impact on Chinese sales of arms and technology.¹²⁸ These issues were discussed again when Israeli Defense Minister Mordechai visited China in the beginning of September of 1998.¹²⁹ This issue was also discussed during a visit by Li Peng, the speaker of China’s National People’s Congress, to Israel at the end of November 1999.¹³⁰

Thus, the impact of the Israeli efforts on both Russian and on Chinese policies with respect to sales of arms and dual-use technologies was minimal. It is possible that without the Israeli efforts, the scope of these exports might have been greater, but this is difficult to assess.

In 1999, shortly after being elected, Prime Minister Barak began a review of policies with respect to Iran. The Israeli leadership sought to tone-down the rhetoric of confrontation with Iran, and to open informal channels

of communication. In addition, Israel was reported to be considering ways of developing a relationship based on détente with Iran.¹³¹

These changes in Israeli policy coincided with published reports regarding secret talks between Israelis and Iranians on confidence building measures relating to WMD issues. According to these unconfirmed reports, the British government mediated between Iranian representatives, who discussed proposals for discussions on confidence building measures in the region, and an Israeli delegation, to whom the proposal was transmitted during a bilateral strategic dialogue with the British government. These press reports claim that the proposals included the following measures¹³²:

1. A declaration that the countries of the region commit themselves not to use missiles in their possession for a first strike;
2. An agreement not to arm ballistic missiles with nuclear warheads;
3. Restrictions on missiles with a range greater than 1,300 kilometers (780 miles), with the exception of satellite launches.

While such a declaration of intentions, or even discussions in this direction, would be very significant, primarily because they would provide a framework for additional confidence building measures between Israel and Iran, no additional reports were published during 1999. Furthermore, in the absence of verification provisions, and with the loophole for development and tests in the form of satellite launches, even if such an agreement was or is discussed, its substantive contribution must be considered as quite limited.

In addition, the rhetoric used by Iranian leaders, including Khatami, regarding Israel has not yet reflected these changes. The possession of long-range ballistic missiles and WMD warheads, as well as the absence of formal or informal channels for communication provide the basis for instability and misperception in this relationship.

3. THE IMPACT OF THE INDIAN AND PAKISTANI NUCLEAR TESTS

On 11 May 1998, India announced the successful detonation of three advanced nuclear devices, followed by two more a few days later. Pakistan

followed with its own nuclear tests. These events had a major impact on strategy and arms control around the world, and particularly with respect to the Middle East.

The Indian nuclear tests, followed by those of Pakistan, shattered the nuclear equilibrium that had existed for over 20 years. Although both countries were generally credited with the possession of nuclear weapons, and India exploded a “peaceful” atomic device in 1974, the status quo established in 1970, when the NPT entered into force, had been maintained. This system consisted of the five nuclear-weapons states, the other non-nuclear weapons states that adhered to the NPT, and the three “threshold states” -- Israel, India and Pakistan. Through supplier regimes and military action, rogue states that violated their commitments under the NPT, such as Iraq and North Korea, were prevented, at least for the time being, from becoming nuclear powers.

In this framework, Israel maintained its ambiguous nuclear capability as a deterrent of last resort, in response to threats to national survival, but took no action to encourage would-be nuclear powers in the region from pursuing this option. Over the years, Egypt, Syria, Libya, Algeria, and other states that initially showed signs of seeking nuclear weapons found the obstacles too difficult to overcome. Ultimately, although at a very late hour, Iraq was also stopped from developing nuclear weapons, and Iranians are kept under scrutiny.

This situation suddenly changed as India and Pakistan went from nuclear threshold states with ambiguous or unacknowledged capabilities, to *de facto* nuclear powers. As a result, the nuclear non-proliferation regime is faced with its most significant challenge since it was created, and the impacts on other regions, including the Middle East, and on Israel in particular, are potentially very significant.

Immediately after the Indian and Pakistani tests, analysts and policy makers began to consider the possibility that these events would accelerate the efforts to Iran and Iraq to acquire nuclear weapons, and also lead Egypt and Syria to resume their nuclear programs. In Egypt, the Indian and Pakistani nuclear tests led to a public debate on the question of whether Egypt should also develop nuclear weapons, with many participants advocating this course. Egyptian President Hosni Mubarak stated that: “if the time comes when we need the nuclear weapon we would not hesitate. ... We do not at present think of entering the nuclear club...Still, peace

needs power to protect it.”¹³³ This statement generated a great deal of comment in the light of Egypt’s long history of supporting the denuclearization of the Middle East.

In response to the tests, the Israeli government called “the international community ... to make every effort in order to prevent Iran from gaining a nuclear capacity. The international community needs to act decisively in order to prevent Iranian capabilities in this sphere.”¹³⁴

Despite these developments, there was no change in the Israeli policy, and no effort to follow the Indian and Pakistani lead. As the only remaining non-NPT signatory that is not a declared nuclear power (with the exception of Cuba), Israel was left diplomatically isolated on issues concerning nuclear arms control, as will be discussed in detail in Part 2 of this report. In contrast to India, Israel does not focus on the discriminatory nature of the NPT that allows some states to possess nuclear weapons. Israel does not seek to become a world power, and has signed the Comprehensive Test Ban Treaty. As a status-quo state facing Islamic and Arab-nationalist regimes that threaten its survival, Israel’s policy of last-resort deterrence based on deliberate nuclear ambiguity continues to be the best option.

In considering the impact of these developments on the region, some analysts argued that the Indian and Pakistani examples created a new standard for measuring power and international prestige, and that Middle Eastern states that had settled for chemical or nuclear weapons as “the poor man’s nuclear weapon” would now seek to upgrade to nuclear powers.¹³⁵ If the Indian strategy of using nuclear weapons to gain international prestige and power succeeds, this would encourage some states in the Middle East to follow this route.

Initially, the Pakistani tests were interpreted as “Islamic bombs”, with technology to be shared throughout the Islamic world. Iranian Foreign Minister Kamal Kharazi’s visit to Islamabad, a few days after Pakistan joined the nuclear club, seemed to emphasize this factor. In an interview with the BBC, Kharazi declared that “From all over the world, Muslims are happy that Pakistan has this capability...Now they feel more confident because it will help balance Israel’s nuclear capability.”¹³⁶ Hamas leader Sheik Ahmed Yasin declared that “Pakistan’s possession of nuclear power is to be considered an asset to the Arab and Muslim nations.”¹³⁷ This seemed to imply that Pakistan would now make its nuclear weapons available in conflicts against Israel. Sheik Hayyan Idrisi declared that “the

Pakistani nuclear bomb is the beginning of the resurgence of Islamic power.” Newspapers printed cartoons featuring a nuclear mushroom cloud topped by an Islamic crescent, and some argued that the display of Islamic power would force Israel to make more concessions in negotiations with Arafat. Others argued that these tests would ease the way for other countries, such as Iran, Libya or Saudi Arabia to develop their own nuclear weapons.

The term “Islamic bomb”, was coined in the late 1970s, after President Ail Bhutto declared that despite sanctions, Pakistan would follow India in developing nuclear weapons, even if his people “had to eat grass”. Pakistan received aid from a number of countries in the Middle East, including Saudi Arabia and Libya, leading to concerns that Pakistani nuclear know-how or even weapons would be transferred to Colonel Ghaddafi, the Saudis, or Saddam Hussein.¹³⁸ In a broad sense, the concept of an “Islamic bomb” resulted from “the fear that Muslim solidarity will lead to, in times of crisis, the transfer of nuclear arms from nuclear to non-nuclear Muslim countries.”¹³⁹

In the intervening 20 years, there was no sign of an “Islamic bomb” in this sense. Although Pakistan is believed to have had a nuclear weapons capability since the mid-1980s, no evidence has surfaced of aid or technology transfer. With the recent tests, Pakistan became an unambiguous nuclear power, but this does not necessarily imply that Pakistan will now become a source of nuclear weapons or technology.

Pakistan is focused on what it perceives as the Indian threat and the conflict over Kashmir, and has shown little interest in becoming embroiled in the Middle East. Pakistan’s Minister of Information, Mushahid Hussain, asked “Why do people talk about an Islamic bomb?...This is a Pakistani bomb. In the case of India, you don’t talk of a vegetarian bomb.”¹⁴⁰ This may change if Pakistan needs allies and financial assistance to keep pace with India, but this is a long-term, rather than immediate, concern.

Iran and Pakistan have had some military links in the past decade, and a former Pakistani Chief of Staff advocated nuclear cooperation with Iran, for which he was reprimanded. These links included naval training exercises, and there are reports of limited weapons exports. However, relations between Pakistan and Iran are complex, and include ethnic and religious tensions, such as differences over the Pakistani support for the Taliban in Afghanistan.¹⁴¹ As one Pakistani analyst has noted, “nothing in the history

of Pakistan has shown a substantial commitment to an Islamic cause. ... Nuclear cooperation with Iran... would be further inhibited by the long-standing Shia-Sunni hostility.”¹⁴² In addition, Pakistan is unlikely to risk its close relationship with Saudi Arabia by helping Iran go nuclear.

Another potential source of concern is the possibility of Pakistani nuclear aid for Saudi Arabia. These two states have intense military links, Pakistanis provide training and expertise for the Saudi armed forces, and the two states have cooperated in Afghanistan. Although there have been some unsubstantiated claims regarding Saudi nuclear ambitions, given the high degree of Saudi dependence on the United States, this seems far fetched.¹⁴³

In any case, both Iran and Iraq were well on the road towards nuclear weapons long before Pakistan joined the nuclear club. As noted above, both countries have been receiving nuclear and missile technology from China and Russia. Thus, even if it were so inclined, the ability of Pakistan to assist Iran or Iraq beyond what has been received directly from Moscow and Beijing is probably minimal. At most, Pakistan might become a “second tier” provider, but this is only of importance for assistance that cannot be obtained from a “first tier” source. (Perhaps some information on bomb design, based on the recent tests, can be provided, but over 50 years after Hiroshima, this is of marginal importance.)

At the same time, the Indian tests triggered speculation of Israeli involvement. Pakistan’s Foreign Minister is reported to have claimed that “In the nuclear tests, which India conducted on the 11th and 13th last month, Israel supplied India with the devices for undertaking simultaneous tests, at an interval of a thousandth of a second. Only America and Israel have this apparatus, and we know that it came from Israel.”¹⁴⁴ In addition, the Pakistani government claimed that Israeli F-16s were preparing to attack their nuclear facilities, triggering intense diplomatic activity and even direct conversations between Israeli and Pakistani diplomats.

There is no evidence for any of these claims; all aspects of Israeli nuclear program are highly classified and any reports of cooperation with a foreign country are simply not credible. The Israeli government would not take the risks of exposure by even discussing such issues with foreign officials. Although Indian-Israeli military cooperation is increasing, this is based primarily on Israeli proposals to upgrade Indian MiG aircraft and Soviet-era main battle tanks.¹⁴⁵ Examination of the sources of the reports and rumors regarding Israeli-Indian nuclear cooperation indicates that this

“misinformation” served the interests of many of the parties, including Pakistan, India, and the Arab states. The Israeli Deputy Minister of Defense declared that “Israel has nothing to do with the tension on the Indian subcontinent. Israel does not regard either India or Pakistan as an enemy, and all the reports to the contrary...have been false.”¹⁴⁶ Indeed, as noted above, Israel has no interest in testing, the India tests did not further Israel’s interests, and no interest would be served by antagonizing Pakistan.¹⁴⁷

In a broader sense, if the Indian and Pakistani tests contribute to a general sense that “the dam restraining the flood of nuclear proliferation” has been breached, nuclear supplier states that have been relatively stringent in enforcing export limitations might relax or even end these limitations. If there is a sense of hopelessness regarding the ability to slow the spread of nuclear weapons, the commercial interests that are constantly seeking relaxation of export limitations will prevail.

In the more optimistic scenario, the South Asian “shocks” will press Russia and China into ending the flow of nuclear and missile technology to Iran. These two countries have been the primary sources of the Iranian effort to acquire weapons of mass destruction, and have ignored the impact of a nuclear Iran on world stability and for their own strategic interests. Thus, some analysts argued that in the wake of the Indian and Pakistani nuclear tests, the prospect of Iranian nuclear weapons, followed by a chain reaction throughout the Middle East, might lead to reevaluation of the wisdom of allowing such technology to flow to Iran.

Similarly, after the Indian and Pakistani nuclear tests, the countries that have advocated easing of sanctions on Iraq (primarily Russia, China and France) might now recognize that following the departure of UN inspectors from Iraq, if sanctions are lifted, Saddam Hussein will have the resources necessary to acquire nuclear weapons.

In contrast, the pessimistic view is that the Russian and Chinese assistance to Iran and Syria will continue, and that these countries will seek to accelerate their nuclear and missile development programs. This could trigger the renewal of the dormant Egyptian nuclear program, and in a period of ten years or less, most of the major states in the Middle East will have nuclear weapons.

In addition, by raising the level of mutual deterrence, the Indian and Pakistani decisions to become nuclear weapons states also provide a test case that will be watched carefully in the Middle East. The result may be to

stabilize the overall deterrence relationship, in a manner similar to that suggested by Kenneth Waltz. On the other hand, given the nature of the governments and decision-making in South Asia, nuclear weapons may increase the level of instability. For the Middle East, these developments may provide a demonstration of the high costs and lack of utility of nuclear weapons and the dangers of instability associated with these deployments.

The ineffectiveness of economic sanctions imposed on India and Pakistan, and the degree of international isolation faced by these states in the wake of their nuclear tests, may also influence the impact on the Middle East. Other would-be nuclear powers, such as Iran, might conclude that the costs of pursuing this path are minimal. This would have a negative impact on efforts to block the proliferation of nuclear weapons in the Middle East.

These events demonstrate that the ability of the international community, in general, and the US, as the leader of this community, to strengthen the non-proliferation regime is limited. During a meeting on nuclear proliferation at the Knesset Foreign Affairs and Security Committee, Prime Minister Netanyahu reportedly noted that Israel must assume that it will not be able to prevent Iran or Iraq from obtaining nuclear capability. The nuclear tests in India and Pakistan altered the nuclear map in the world. "Previously, the global system was built of five powers and three states on the verge of gaining capability. After these tests, there are now seven nuclear powers and only one state left on the verge of capability."¹⁴⁸ As a result, in the longer term, Israel can be expected to accelerate its own planning for a multipolar nuclear Middle East, including secure second strike systems, active ballistic missile defense (including boost phase intercept), and similar systems. The Indian and Pakistani tests have accelerated the preparation for these future scenarios, as will be discussed in the last section of this report.

4. THE MILITARY IMPACTS OF COMMERCIAL HIGH-RESOLUTION SATELLITE IMAGING

Since reconnaissance satellites were first developed by the US and then by the USSR in the early 1960s, the images they returned were a central component of superpower military capabilities. Space-based intelligence became a vital part of both the conventional and strategic planning and war-

fighting for both superpowers, as well as providing the basis for verification of arms control agreements (via “national technical means of verification”)¹⁴⁹. As a result, during the Cold War, imaging satellites were among the most highly classified programs.

However, in the early 1990s, the US and Russia began to dismantle the restrictions that they had imposed on the release of high-resolution imaging satellite technology, and on the images themselves. Photos from Russian military systems, such as the KVR-1000, with resolutions approaching 2 meters ground sample distance (GSD), have been sold sporadically, and India has launched a series of commercial imaging satellites. At the same time, the Clinton Administration removed the restrictions on American commercial satellite technology, and as a result, US-based firms quickly took the lead in this area. On September 24, 1999 (following a failure in April), Space Imaging Corporation launched *IKONOS*, with a resolution of 1 meter.

As Eliot Cohen has noted, “A military cliché has it that what can be seen on the modern battlefield can be hit, and what can be hit will be destroyed.”¹⁵⁰ The wide availability of high resolution imaging data from satellites has provided a major new source of information and intelligence, particularly in the context of regional conflicts.¹⁵¹ (In the absence of any regional arms limitation agreements, the verification potential provided by satellite imaging will not be realized.) Images from *IKONOS*, purchased by US-based Federation of American Scientists, and released to the public, included sensitive military facilities in Pakistan and North Korea.

The Middle East and Persian Gulf will be among the regions most directly affected by the proliferation of commercial high-resolution satellite imaging, and can have a major influence on regional stability and balance of power. Terrorist groups can now obtain “on a one-meter resolution picture of ... a US Air Force General’s headquarters in Turkey, convert the shot to a precise three-dimensional image, combine it with data from a GPS device... and transmit it to Baghdad, where a primitive cruise missile, purchased secretly from China could await its targeting coordinates.”¹⁵²

Among the states in the region, Israel is probably the most sensitive to the dual-use impact of high-resolution commercial imaging satellites. Israel’s very small territorial extent, which allows for detailed and repeated coverage with a relatively limited number of images, makes it vulnerable to attacks based on data accessible through commercial high-resolution

imaging satellites. The ability to target Israeli sites with a high degree of precision would alter the balance of power fundamentally, particularly if these images were combined with accurate cruise or ballistic missiles.¹⁵³

In response, The Israeli government has sought to prevent distribution of high-resolution images of its territory. An amendment to the US Defense Authorization Act (1997) prohibits the sale of imaging data over Israel with a resolution below that provided by other “commercially available” sources.¹⁵⁴ After an initial decision to place the limit at one meter led to intense Israeli protests, the US agreed to set a limit of 2 meters for images of Israel.¹⁵⁵ As a result, as long as this agreement is maintained, *IKONOS* images of Israel must be degraded to 2 meters before being released to customers. However, the potential intelligence applications of 2-meter images are still significant.

Israeli Space Imaging Activities

In April 1995, Israel launched its own military reconnaissance satellite, *Ofeq 3*, and has been monitoring the Middle East since then.¹⁵⁶ On January 22, 1998, the attempted launch of *Ofeq 4* (reportedly equipped with an advanced imaging system) ended in failure when the booster malfunctioned.¹⁵⁷ Had the launch been successful, it would have provided Israel with two operating imaging systems operating simultaneously, significantly enhancing capability. As a result of the launch failure, the Israeli military now hopes to attempt another launch in 2000 before *Ofeq 3* reenters or is no longer operational.¹⁵⁸

In addition, Israel is developing a commercial imaging satellite system, known as *EROS* (Earth Remote Observation System). In 1996, IAI, Core Software Technology¹⁵⁹, based in Pasadena, California, and other Israeli firms formed West Indies Space (WIS)¹⁶⁰, to develop this system. Core reportedly invested \$150 million in the program to provide real-time imaging to ground stations around the world.¹⁶¹ In 1998, a program for a constellation of eight commercial light high-resolution imaging satellites was completed. This system is designed to provide potential customers, including the Israeli military, with very frequent coverage of any point on the globe, compared to the more sporadic coverage that would be available from a system of one or two satellites. Following the failure of the *Ofeq 4*

launch, the Israeli government's interest in *EROS* as a means of lowering the cost of a satellite observation system, increased.¹⁶²

Israeli launch capacity is currently insufficient for the orbital altitude and weight of the *EROS* payload, and as a result, the first satellites are scheduled to be placed into orbit using Russian launchers (in itself, a major source of controversy).¹⁶³ The first stage of the program consists of two enhanced *EROS A+* satellites (initially scheduled for launch in 1999, but postponed until 2000), and the first *EROS B* satellite (B1) scheduled for launch two years later. By 2004, the full system of 8 satellites is scheduled to be fully operational. This constellation will provide data to customers and Satellite Operating Partners in a form that is fully compatible with geographic information systems (GIS). The satellites will be launched into low earth orbits, at altitudes of between 480 and 600 kilometers. The full cost of the eight-satellite system is estimated at \$750 million, and WIS is seeking to raise most of this sum through private investors.¹⁶⁴

The Israeli military is expected to purchase half the available services, and other potential markets include Turkey¹⁶⁵, India¹⁶⁶, and Asian nations that lack their own satellite capability. WIS officials declared that they will "respect the wishes of the US and Israeli governments" by not providing data to states that are subject to export restrictions, such as Libya, Iraq, and Iran.¹⁶⁷

At the end of 1999, the status of the *EROS* project remained uncertain. As noted, the first launch was postponed for at least one year, and funding for this project has been slower than expected. However, the project remains a high priority, and is expected to become operational during 2000.

**PART 2:
THE INTERACTION BETWEEN GLOBAL ARMS-CONTROL
PROCESSES AND REGIONAL FRAMEWORKS IN THE MIDDLE EAST**

The global arms-control regime, based on instruments such as the Nuclear Non-Proliferation Treaty (NPT), the Chemical Weapons Convention (CWC), as well as global suppliers agreements such as the Missile Technology Control Regime (MTCR) have not been particularly successful in the Middle East. The strength of regional-specific factors in the Middle East, as in South Asia and other conflict-intensive areas, have weakened the effectiveness of these regimes. The NPT proved ineffective in the case of Iraq, and evidence persists pointing to Iranian efforts to develop nuclear weapons, in violation of the NPT, to which it is also a signatory. As a result of these factors, Israel views its national survival as dependent on deterrence through a policy of nuclear ambiguity. Therefore, the Israeli belief is incompatible with the requirements of the NPT.¹⁶⁸

The Israeli approach to arms control is based on the view that global treaties are not readily applicable to the Middle Eastern environment, and that arms control is closely linked to the development of regional security structures.¹⁶⁹ This policy is reflected in the Israeli position on the creation of a Middle East Nuclear Weapons Free Zone, which it has supported in the United Nations for over 20 years. The Israeli policy includes the development of regionally-based verification systems and mutual inspection, in order to insure that the verification failures that were characteristic of the International Atomic Energy Agency (IAEA) inspections of Iraq in the 1970s are not repeated. Israel also placed primary emphasis on the multilateral working group on arms control and regional security (ACRS), which began to function in late 1991, following the Middle East Peace Conference in Madrid.

In contrast, Egypt and the other Arab states that have developed national arms control policies emphasize the primacy of global instruments and institutions, such as the NPT and IAEA. Egypt has demanded that Israel sign and ratify the NPT, and has made adherence to the CWC dependent on this change in Israeli policy. In its policies regarding the development of a Middle East Nuclear Weapons-Free Zone, Egypt has called for inspection and verification in the context of the NPT and under

the auspices of the IAEA. This difference in approach was a central factor in the deadlock that took place in the context of the ACRS talks, beginning in 1994.¹⁷⁰

In 1998, the gap between these approaches widened. The Indian and Pakistani nuclear tests were seen by some as evidence of the weakness of the global system, while others, including the US government, cited these developments as evidence of the need to increase the salience of global arms control agreements and institutions. This perception contributed to increased American emphasis on the negotiation of a Fissile Material Production Cut-off Treaty (FMCT), and was a factor in the weight given to the preparation conferences leading up to the 2000 NPT Review Conference. Iranian ratification of the CWC was also an important development.

1. THE CHEMICAL WEAPONS CONVENTION (CWC)

The proliferation of chemical weapons beginning in the 1970s, and Iraq's extensive use of chemical agents during the war with Iran, led to intensive efforts to reach an international treaty to prohibit the manufacture, acquisition, stockpiling, retention, transfer and use of chemical weapons; as well as assistance, encouragement, or inducement to anyone to engage in prohibited activities. The Convention requires all chemical weapons and related production facilities to be eliminated within ten years.¹⁷¹ (The 1925 Geneva Protocol only banned the use of these weapons, and did not include verification provisions.)

The negotiations began at the Geneva Conference on Disarmament (CD). In the wake of the 1991 Gulf War, and the revulsion following Iraq's use of chemical weapons, a major international effort was made to complete the negotiation of a universal Chemical Weapons Convention (CWC). By the end of 1992, the negotiations at the CD had produced a text, including very detailed and intrusive verification and inspection procedures, and major economic penalties for states refusing to accept the provisions. The treaty was opened for signature in January 1993, and entered into force in April 1997 (180 days after the deposit of the 65th instrument of ratification).

In the Middle East, the CWC received a mixed reception. The Egyptian government attempted to persuade all the Arab states to reject the treaty,

linking this to Israeli acceptance of the NPT (see detailed discussion below). In addition to Egypt, other key states, including Syria and Libya, have adopted this policy, but others, such as Jordan, Morocco, Algeria, and Oman have signed and ratified the agreement. Large chemical weapons arsenals are maintained by many states in the region, including Iraq, Egypt, Syria, Iran and Libya, and the threat remains.¹⁷²

The Israeli government was among the first to sign the treaty in January 1993, marking a major departure from Israel's traditional policies, which gave preference to regional treaties, based on mutual inspection. However, as will be discussed in detail below, the Israeli government postponed a decision on ratification.

Iran and the CWC

Iran deposited the instruments of ratification for the Chemical Weapons Convention in November 1997, and, in accordance with the terms of the CWC, submitted a declaration of its holdings. The Iranian declaration was late, and its contents were not officially revealed. As noted in Part I of this study, many analysts argued that despite accession to the treaty, Iran “fully intends to maintain a chemical-weapons capability well into the future.”¹⁷³ Concerns were also expressed that Iran might be attempting to follow the path taken by Iraq with respect to the NPT, and attempt to use its membership in the CWC regime to gain privileged access to dual use and weapons technology.

In Iran, the decision to ratify the CWC came after an intense debate. Newly elected President Khatami favored ratification, while his opponents attempted to defeat the process in the Majlis (Parliament). This criticism continued even after ratification. In a speech, delivered in March 1998, attacking Khatami's policies, the commander of Iran's Revolutionary Guards, General Yahya Rahim Safavi asked, “Will we be able to protect the Islamic republic from international Zionism by signing conventions to ban proliferation of chemical and atomic weapons?”¹⁷⁴

In November 1998, Iranian ambassador Mohammad Alborzi made a major presentation at the 3rd Conference of States Parties (CSP) to the CWC in the Hague. He admitted that Iran had sought to develop the deadly weapons during the Iran-Iraq war, but claimed that, “Following the

establishment of the cease fire (in July 1998), the decision to develop chemical weapons capabilities was reversed and the process was terminated... It was reiterated consequently that Iran would not seek or produce chemical weapons and would accelerate its efforts to ensure early conclusion of a comprehensive and total ban.” He also repeated complaints that the US and other state parties have imposed limitations on access to technologies and materials that might be used in producing chemical weapons, even to CWC signatories.¹⁷⁵

Despite the Iranian ratification, reports of development and production of chemical weapons continued, as detailed in Part 1 of this report. In February 1998, the Organization for the Prohibition of Chemical Weapons (OPCW) – responsible for implementation and verification of the Treaty -- completed its first inspection of Iran, and the OPCW Director-General reportedly expressed great satisfaction with the cooperation provided by Iran. Shortly after ratification, Iran also became a member of the OPCW Executive Council, allowing the government in Teheran to play a major role in the development of OPCW institutions and procedures for inspection and verification. (However, the US government rejected an Iranian national on the list of proposed OPCW inspectors.¹⁷⁶) The OPCW also began to provide “Courses in the Islamic Republic of Iran for Personnel of National Authorities”.

Sudan and the CWC

In August 1998, the US launched a cruise missile attack aimed at the Shifa chemical plant in Khartoum, Sudan, following car-bomb attacks against American embassies in Africa. US officials explained that the factory was linked to Osama bin-Laden, who was believed to have planned the embassy attacks. In addition, the US claimed to have evidence that this plant was involved in producing chemical weapons such as VX.

Information released after the attack raised questions regarding the American claim, and the Sudanese government insisted that the plant was used exclusively for producing medicines and veterinary products.¹⁷⁷ However, in 1999, Sudan ratified the CWC, apparently as an indirect consequence of this incident. At the same time, the unilateral American attack was seen to undermine the status of the OPCW, which was not asked

to inspect the plant or the evidence before the attack.

Israel and the CWC

In the wake of the 1991 Madrid peace process and the Gulf War, Israel began to reconsider its policy on arms control, including the agreement to participate in the multilateral working groups on Arms Control and Regional Security (ACRS). The Iraqi use of chemical weapons, the threat of chemical weapons attacks on Israel during the Gulf War, and the proliferation of these weapons in the region increased the threat perception in Israel. The US government also pressed Israel to sign the CWC, and the close political relationship between the United States and Israel was a factor in the 1993 decision.

Although many government and military policy makers remained skeptical, others, including the late Prime Minister Yitzhak Rabin, viewed participation by Israel in the CWC as a net benefit. As a result, Israel also became more involved in the activities of the Conference on Disarmament, becoming a full member in 1997, and more pro-active in regional arms control efforts, including ACRS.

Although Israel was among the first signatories of the CWC, quick ratification did not follow. Contributing factors include changes in the regional security situation, Israeli domestic political changes, questions regarding the effectiveness of the CWC and the impact on the chemical industry, and the unresolved debate over the efficacy of renouncing the deterrent value of a CW option.

In 1993, the Israeli government in power at the time, led by Prime Minister Rabin and Foreign Minister Peres, was very optimistic about the chances of creating a “New Middle East”, with a strong element of regional security. However, by 1995, the optimism had faded. The activities of the ACRS working group were frozen in the wake of the debate prior to the 1995 NPT Extension Conference and the impasse over Egyptian demands regarding Israeli policy.¹⁷⁸ With uncertainty about whether the United States would ratify the CWC, Israel postponed making a decision on ratification. After the US ratified the CWC in 1997, the Netanyahu government began to consider the issue again, but was faced with different priorities and a very crowded agenda.

In 1997, following the treaty's entry into force and the establishment of the OPCW, the question of Israeli ratification of the CWC reemerged as a priority on the foreign policy agenda. As a result, a high-level security committee of the Cabinet, including Prime Minister Netanyahu, Defense Minister Mordechai, and Ministers Natan Sharansky and Ariel Sharon, met to re-examine the issue.

The Committee considered arguments for and against ratification.¹⁷⁹ The key factor in support of ratification was and remains economic: the sanctions that will be imposed on non-signatories beginning in the year 2000 are expected to be very costly. Israel is an advanced industrial country with a high level of interdependence with respect to the economies of other developed states. The loss of access to both suppliers and markets in the OECD countries would be very expensive for Israel.

A second factor favoring ratification focuses on the primary purpose of the CWC -- to limit the threat posed by the proliferation of chemical weapons. In the wake of the Gulf War and the threat to Israel posed by Iraqi CW capabilities, as well as the Egyptian, Syrian, and Libyan stockpiles, supporters of ratification argue that Israel should participate in any effort to reduce the threat of chemical weapons in the region. The CWC's highly intrusive verification mechanism is an indication that in contrast to other global arms limitation systems, the verification in this case will be more reliable. With the expansion of the range of states in the region that accept the provisions of the CWC, the remaining holdouts, primarily Egypt, Syria, and Libya, will face greater pressure that might eventually induce them to sign and ratify as well.

Third, by ratifying the treaty, Israel becomes part of the global arms control process, with the political benefits of being members of this "club", while the international pressure on Israel to change its position on the NPT would decrease. Fourth, ratification would lead to increased involvement in cooperative efforts to develop defenses against chemical weapons.

There are also, however, strong arguments in opposition to Israeli ratification of the CWC. The first is the expectation of the critics that the verification regime will be ineffective and signatories such as Iran will be able to violate the CWC. Even with comprehensive verification, unless Egypt, Syria and Libya (all of whom are reported to possess large chemical weapons arsenals) also sign and ratify the CWC (which is seen as highly unlikely) and the regime is proven effective, the threat to Israel will remain.

As Defense Minister Mordechai noted in 1998, “I think that we have to wait and see how things develop. The problem is that some of the states in the region are not signing, and there is no way of inspecting those who are. We had discussions in the cabinet, and we decided to postpone decisions for a certain period. We will discuss it again.”¹⁸⁰

Opponents of ratification also argue that the perception that Israel may respond to a chemical attack by using similar weapons is seen as an important factor in deterrence. If Israel ratifies the CWC (and assuming no biological weapons capability), it would then only be able to respond to a CW attack with a nuclear strike or a massive conventional attack. From this perspective, the former is perceived as not credible because it is disproportionate, while the latter is considered too weak for deterrence purposes. Thus, if Israel ratifies the CWC, it would lose the ambiguity regarding a chemical deterrent.

In addition, there are concerns that the highly intrusive challenge inspections will be abused and exploited by other states in the region, such as Iran, to gather intelligence about Israel’s nuclear and other military facilities. Although the United States has addressed this problem by specifying the terms under which challenge inspections can be undertaken on its territory, Israel would lack the leverage of the US vis-a-vis the OPCW. Regarding sanctions, opponents of ratification argue that the economic costs of remaining out of the CWC system are overestimated.

Finally, there is also concern that ratification would actually increase the pressure on Israel to sign and ratify the NPT agreement. In contrast to the opposing analysis cited above, from this perspective, once the barrier to Israeli participation in such major international arms control agreements is crossed with the CWC, the resistance to the NPT will decrease.

In 1998, the prospects for Israeli ratification diminished with the collapse of UNSCOM. These events showed that even the most intrusive inspection and verification system ever implemented was unable to insure that prohibited weapons would not be developed. In this period, increased concern regarding possible Iraqi chemical or biological weapons attacks on Israel in response to an American attack on Iraq highlighted the uncertainty of the deterrence requirements.¹⁸¹ Thus, at the end of 1999, the prospects for Israeli ratification of the CWC in the short term (one to two years) appeared low. However, no firm decision had been made, the ratification option remained open, and will become increasingly strong as the date for

sanctions imposed on non-signatories draws closer.

2. NUCLEAR ARMS CONTROL IN THE MIDDLE EAST

The Non-Proliferation Treaty (NPT)

For many years, Egypt's efforts to pressure Israel into abandoning its policy of nuclear ambiguity, and to adhere to the NPT, has been the source of conflict and disagreement. Egypt has pursued this effort in many different frameworks. These include the UN General Assembly, meetings of the International Atomic Energy Agency, negotiations at the Conference on Disarmament, and special meetings such as the preparatory committees (PrepComs) for the Non-Proliferation Review Conference in April 2000.

Israel consistently rejects these pressures, which would mean the end to deterrence based on a nuclear weapons option.¹⁸² For over forty years, Israeli leaders have maintained and supported this policy, as necessary for national survival in the face of external threats. As a very small country, in terms of both geography and demography, whose legitimacy is still denied by many states in the region, and given the history of warfare and terror, the ambiguous nuclear deterrent is viewed as the ultimate guarantor of national survival. As Ehud Barak has declared, "Israel's nuclear policy, as it is perceived in the eyes of the Arabs, has not changed, will not change and cannot change, because it is a fundamental stand on a matter of survival which impacts all the generations to come."¹⁸³

The 1995 Extension Conference

In 1995, the NPT Extension conference adopted a resolution on the Middle East that was based on an Egyptian initiative and reflected Cairo's campaign to increase pressure on Israel in this arena. Although less binding than the three formal Decision Documents, this resolution specifically made reference to UN General Assembly Resolutions supporting the establishment of a Nuclear Weapons-Free Zone in the Middle East, and to IAEA General Conference resolutions regarding the application of safeguards to the Middle East. At American insistence, and to avoid a negative response from Israel, the resolution did not mention Israel specifically by name. The resolution included a specific endorsement of the

peace process, and linked the establishment of a Middle East WMD-Free Zone (MENWFZ) to this process, thus reflecting the Israeli position. At the same time, the resolution reiterated the calls for “those remaining states not parties to the Treaty to accede to it”, and for parties to the NPT to contribute to the establishment of a MENWFZ. These provisions, as well as the fact that the resolution was formally presented by the three NPT depository states (the United States, Britain, and Russia) gave it additional “weight”, in the Egyptian view.

After conclusion of the NPT extension process, the intensity of the conflict over Israel’s nuclear status has declined significantly, perhaps as a result of the Egyptian effort to avoid further damage to its relationship with the US over this issue. At the same time, relations between Egypt and Israel during this period have been in general decline, and the question of Israel’s nuclear status became one of many conflictual issues.

The 1998 NPT PrepCom

In the buildup towards the NPT Review Conference scheduled to take place in April 2000, however, the conflict over the issue of Israel’s non-compliance became increasingly salient. Although not as critical as the 1995 Extension meeting, the strengthened review procedures agreed to in 1995 increased the importance of this process. The 1998 NPT PrepCom was marked by sharp conflict on this issue. Egypt, backed by the Arab League and the Non-Aligned Movement (NAM), tabled specific proposals on ways to implement the 1995 Middle East Resolution. One proposal called for background documentation, which would show the absence of Israeli compliance with the resolution. As in 1995, the US opposed measures that would single out the Middle East, and Israel in particular, for special treatment, and which would focus on issues that were not contained in the text of the Treaty.¹⁸⁴ The NAM paper (which echoed the Egyptian position) emphasized “the special responsibility of the depository States, as cosponsors” of the 1995 ME Resolution.¹⁸⁵ The Egyptian presentation called for “practical steps” towards a WMD-Free Zone in the region, including the dispatch of a special envoy for this purpose.¹⁸⁶

These differences were also reflected in the debate over the draft resolution on this topic in the Chair’s Working Paper.¹⁸⁷ When the US delegation rejected the proposed language of the concluding resolution, the representative of the NAM rejected possible changes. The 1998 PrepCom

ended in disarray, without a substantive report. However, the Middle East dispute was a catalyst reflecting broader disagreements regarding the review process.¹⁸⁸

The 1998 NPT PrepCom took place a few days prior to India's nuclear tests, and this changed the nature of the debate. The Indian and Pakistani tests left Israel as the only non-NPT signatory that was also not a declared nuclear power. Although Israel remained, and is likely to remain, a non-NPT signatory for many years, it did not cross the threshold, as in the case of India and Pakistan. This distinction may make it more difficult for Egypt to isolate and condemn Israel on this issue in the future, but the long-term impact is still to be seen.

*The 1999 NPT PrepCom*¹⁸⁹

The 1999 NPT PrepCom, which took place in May 1999, began where the 1998 session had ended. Following the statements in the first week, three plenary sessions were held to focus on the key issues: practical nuclear disarmament issues, the fissile material ban, and the Middle East. Thus, the Israeli exceptionality became a major focus from the beginning. In this discussion, Egypt again demanded that the upcoming review conference receive documentation on the implementation of the 1995 Middle East Resolution (thus increasing pressure on Israel).

The prominent Egyptian participation in the New Agenda Coalition (NAC) (which included Brazil, Ireland, Mexico, New Zealand, South Africa and Sweden) provided an important foundation for support, extending beyond the members of the Arab League and the fractured and ineffective Non-Aligned Movement. The NAC was viewed by many other states as a "neutral" framework, with a broader base than the NAM, with up to 40 additional delegations supporting its positions. By enlisting these states in at least passive support for its campaign to isolate Israel, Egypt was able to increase its diplomatic leverage, while Israel, which did not succeed in explaining its policies and situation to policy makers in these states, emerged significantly weakened.¹⁹⁰ However, at the same time, the Egyptians were also criticized "even among NAM colleagues" for tactics that were counterproductive and divisive.¹⁹¹

In terms of substance, and in contrast to the previous session, the 1999 Prepcom ended with an agreed final report. The report included two different drafts with numerous reservations from various states, and dealt

with a wide spectrum of issues, most of which were not specifically related to the Middle East. However, some global issues, beyond the Middle East resolution, had important ramifications for the region. For example, the call for all NPT signatories to ratify the IAEA enhanced safeguards protocol (designed after the extent of Iraqi violations was revealed, and known as “93+2”) indirectly highlighted the failure of Iran to implement its long-standing declaration on this issue.

The report reiterated the calls for universality, and named the four remaining non-signatories, including Israel. It also repeated the need to pursue universality in the context of the enhancement of regional security, in areas of tension, including the Middle East, and this emphasis led to an Iranian objection.

With respect to the Middle East Resolution and Israel, the final report included many of the points sought by Egypt, as well as American objections and reservations. This report, which was written to create the framework for the 2000 NPT Review Conference, included the possible creation of “subsidiary bodies”, including one dedicated to the examination of the implementation of the 1995 Middle East Resolution. In addition, the UN Secretariat was instructed to prepare documents, prior to the 2000 NPT Review Conference, relating to the treaty articles, as well as the CTBT and implementation of the 1995 resolution on the Middle East, “reflecting developments since 1995 with a view to realizing fully the objectives of the resolution”. Once again, Iraqi violations of the NPT, and the failure to comply with UNSCR 687 was not mentioned in the final report, but a meek reference to “two cases of non-compliance by NPT-parties” was included. Nevertheless, Iraq raised an objection to the report.

In an overall sense, Egypt made significant progress in its campaign to increase the importance of the Middle East Resolution. At the same time, the US, mindful of the mistakes made in 1995, avoided acceptance of further responsibilities for the NPT Depository States with respect to the terms of this resolution. Nevertheless, American acquiescence to the inclusion of the documentation request regarding the Middle East resolution in the final report, even with reservations, was seen in Israel as a sign of further erosion in the US position, and as the basis for the increase in the international pressure on Israel. In addition, the Egyptian demand to include the 1995 Middle East Resolution in the evaluation tasks for the upcoming review conference, and linked to the question of universality, was also

included. As a result of the Egyptian campaign, what began at the 1995 NPT Review Conference as a non-binding resolution, lacking the status of the official elements in the Decision Document had been given this status retroactively.

The Comprehensive Test Ban Treaty (CTBT)

Negotiation of the CTBT was completed in September 1996, and the treaty was opened for signature. According to the treaty, Entry into Force (EIF) required ratification by a list of 44 specific countries, including the five nuclear weapons states listed in the NPT, as well as other technologically advanced states, explicitly including India, Pakistan, Israel, Egypt, Syria, Iran, Algeria and other Middle Eastern states (note that this list does not include Iraq, reflecting this state's pariah status at the time). As of August 1999, 152 states had signed the treaty, while India has remained in its refusal to sign and consequently, so has Pakistan. In addition, among the five nuclear weapons states, the US, Russia, and China have yet to ratify. Thus, the obstacles to implementation of the CTBT are formidable, and not centrally related to the Middle East.

Israel played a major role in the negotiation of the CTBT, which coincided with the Israeli decision to join the Conference of Disarmament, first as an observer, and later as a full member. The final text reflects many Israeli proposals and positions, particularly with respect to verification. This helped to ensure the Israeli government's decision to sign the CTBT in September 1996. This was the first nuclear-weapons related treaty that Israel was willing to sign since the 1963 Partial Test Ban Treaty, and the first one with intrusive verification provisions. Although the Israeli government expressed concerns regarding the possible abuse of verification procedures that go beyond the terms of the agreement, the decision to sign was seen as an important confidence building measure, particular in the context of the Egyptian campaign on the NPT. By signing the CTBT, Israel signaled a willingness to participate in global non-proliferation measures that did not directly weaken its deterrence capability.¹⁹²

During 1998, the process of developing the rules of procedures for inspections, as well as calibration of the seismic monitoring system, proceeded. Israel was centrally involved in developing the framework for

regional monitoring, based on:

1. seismological monitoring
2. atmospheric monitoring for radioactivity
3. underground wave monitoring
4. undersea wave monitoring¹⁹³

However, the political frameworks related to the functioning of the CTBTO (the organization created to oversee preparations for the operations of the Treaty regime after EIF), did not serve to encourage Israeli participation. To some degree, the regional organization of the CTBTO marks an improvement over the IAEA, in which Israel is the only state that is not part of a regional group. (As a result, in the IAEA, Israel is also the only member-state that cannot be elected to the Board of Governors.) In the CTBT, the regional framework groups Israel with other signatories (Iran, Egypt, Jordan, Algeria, Kuwait, United Arab Emirates, etc.) but instead of providing the basis for cooperation and communication, the discussions in this group tend to be less than fruitful. This lack of cooperation does not serve to increase support among Israeli decision-makers for participation in other global arms control frameworks.

In October 1999, the parties to the CTBT met for a general conference, as called for under Article XIV (“If this Treaty has not entered into force three years after the date... of its opening for signature, the Depositary shall convene a Conference of the States... [to] consider and decide by consensus what measures... may be undertaken to accelerate... the early entry into force of this Treaty”). 92 signatories participated in this conference, and unanimously reaffirmed their commitment to the treaty.¹⁹⁴

Although the Middle East was not a major issue in this conference, the participation of delegations from many of the countries in the region, including Israel, Egypt, and Iran was notable (particularly in contrast to the NPT conferences in which Israel does not participate). In his address to this conference, Gideon Frank, Director General of the Israeli Atomic Energy Commission, spelled out Israeli policy on the CTBT in detail. He repeated Israel’s “firm support for the CTBT”, noting that active participation in the negotiations, and the decision to sign the CTBT reflects the “long standing policy of supporting international non-proliferation efforts with due consideration to the specific characteristics of the Middle East and our

national security needs.” Frank also noted that Israel “has invested great effort participating in the development of the elements of the CTBT verification regime”, including site surveys for International Monitoring System (IMS) facilities, in cooperation with the CTBTO, and supports “efforts aimed at advancing regional seismological cooperation to further facilitate the CTBT verification regime.” Completion of “essential elements of the CTBT verification regime”, including the IMS and the International Data Center (IDC) and the On-Site Inspections (OSI) operational manual are “a prerequisite for entry into force”.

At the same time, Frank noted that problematic issues “may cause difficulties in the way ahead if left unattended.” In this context, he cited “attempts.... that may deviate from the letter and spirit of the Treaty”, particularly regarding assurance “that data is collected and used solely for the purposes of the Treaty's verification requirements.” The politicization of the CTBTO, particularly in the Middle East and South Asia (MESA) group was also noted. Frank presented three fundamental criteria by which Israel will decide whether to proceed with ratification of the CTBT: “First, the level of development and readiness of the verification regime achieved by the PrepCom, its effectiveness and immunity to abuse. ...The second factor is Israel's sovereign equality status as will be reflected in actions taken by the PrepCom and other policy making organs of the CTBT, including those related to the geographical region of the Middle East and South Asia (MESA). The third factor for consideration concerns the developments in our region, including the adherence to the CTBT by states in the Middle East.”¹⁹⁵

The Israeli commitment to the CTBT, and the view of this commitment as an important confidence-building measure with respect to the overall non-proliferation regime, was substantiated in the efforts to coordinate calibration tests in the region. In November, after a long period of preparations involving the CTBTO, Israel detonated a controlled conventional explosion in the Dead Sea area, which lies on the seismically active Syrian-African fault line. In this context, press reports noted that “There have been numerous occasions in the past in which Israel has been charged with carrying out nuclear tests, when the real reason for the monitored activity has been seismological.” Invitations were sent to CTBT signatories to observe this calibration test, and representatives from the US, Russia, Jordan were present.¹⁹⁶

However, the major event with respect to the CTBT, in a global sense, was the decision by the US Senate to reject the ratification of the CTBT. In October 1999, a vote of 51-48 was far short of the two-thirds majority that was required. Without US ratification, the treaty is unlikely to enter into force. While future efforts to gain approval are considered likely following the elections and when a new administration takes office, American approval is not guaranteed, leaving the future of the CTBT in doubt.¹⁹⁷

Negotiations For A Fissile Missile Cut-Off (FMCT)

Proposals for a negotiated global ban on the production of fissile material were made many years ago, and this has become an increasingly important goal of the US government.

However, until July 1998, differences over the nature of the FMCT (and, in particular, the question of whether it should be strictly forward-looking, or should also account and monitor existing stocks), as well as strenuous Indian and Pakistani objections, allowed Israel to avoid taking a position on this issues. However, after their recent nuclear tests, India and Pakistan sought to improve their image by withdrawing their objections to opening negotiations on this issue. At the same time, the Clinton Administration pressed for consideration of an FMCT to prevent the collapse of the non-proliferation regime.

Suddenly, in August 1998, the FMCT cut-off came before the Geneva Conference on Disarmament, and Israel was the last state to agree to the establishment of a special committee to begin drafting a text. Since a verified cut-off is problematic for a state whose deterrence is based on nuclear ambiguity, Israel has found itself in a very difficult position. President Clinton personally intervened, asking the Israeli government to agree to the establishment of a committee to begin drafting an FMCT.¹⁹⁸

The CD works according to consensus, and as a member, Israeli approval was required to form the committee. In order to avoid further isolation, as well as a clash with the US, the Israeli government agreed to the establishment of the committee. For if Israel had opted out, it would have been locked out of the negotiation process, and would not have influence over the outcome. As a result, Prime Minister Netanyahu and the Israeli cabinet instructed the Israeli delegation at the CD to join the

consensus.

The Israeli decision was very cautious, and expressed deep reservations regarding the eventual acceptance of an FMCT. Ambassador Yosef Lamdan, the Israeli delegate to the CD, noted that “Israel shares the significance of the moment. On instructions, I am directed to observe that Israel did not, and does not, object to the consensus decision just taken to establish an ad hoc committee on the FMCT, but we, of course, reserve our position on the substance of the issues involved.”¹⁹⁹

The Israeli Prime Minister noted that “We made it clear that our support for the establishment of the committee does not indicate that we are taking a position on the treaty and its contents. In consultation with the defense establishment, we made it clear to the United States that Israel has its own considerations, which are unique to its situation in the region. In light of this, we will need clarifications from the US. We also made it clear that we have fundamental problems with the treaty, which we will also discuss with the US”.²⁰⁰ (The importance of preventing a rift with the US on this issue was one of the major factors behind the October 1998 Memorandum of Agreement on US-Israeli strategic coordination).

Despite the caution, this decision evoked a series of reactions from opposition leaders. Left-wing (Meretz) leader Yossi Sarid said he is in favor of signing the treaty “only if Israel's deterrent capability is not harmed.” He also ruled out on-site inspections, saying it would be an “unnecessary risk.” Labor MK Ephraim Sneh said that it would be a “terrible mistake” for Israel to give up its nuclear ambiguity in light of the growing potential nuclear threat from Iran.²⁰¹

During 1999, there was little progress on this issue in the CD or other frameworks. American officials raised the issue in bilateral discussions with Israel, but there was no evidence of any change in policy.

Not surprisingly, the FMCT is also an important issue for other Middle East states – particularly Egypt. In April 1997, the Egyptian Ambassador to the CD Mounir Zahran, introduced a proposal calling for simultaneous negotiations on the FMCT and on the elimination of nuclear weapons, to be conducted under a nuclear disarmament committee, which would be created in the framework of the CD.²⁰² This position was reiterated in the CD discussion that took place in June 1998. Zahran stated that an FMCT “can only be effective if it is applied to both future as well as already-produced fissile materials..... Limiting the ban to future production would be a

limited non-proliferation measure with no real disarmament value.”²⁰³ Thus, the Egyptian position, often joined by the Syrians, has been strongly opposed to that of the US, which has consistently sought to limit the FMCT to the future, without including limitations on previously produced fissile material, and has rejected efforts to link the FMCT to other disarmament measures.

3. LAND MINES

The Convention on Prohibition of Anti-Personnel Mines (APM) was completed at a conference in Ottawa that took place in December 1997, and opened for signature, with the entry into force scheduled for March 1, 1999. Initially, 123 states signed this convention, but these did not include many major powers, including the US, Russia, China and India.

In the Middle East, signatories include Algeria, Jordan, Sudan, Tunisia, and Qatar, and in 1998, Jordan and Qatar completed the ratification process. However, many of the states in the region view mines as an important means of defending territory against attack. Nevertheless, this initiative increased regional awareness of the problem, and led a number of states, including Iran²⁰⁴ and Israel²⁰⁵, to impose a moratorium on the sale of APMs.

The land mine issue has gained prominence in the Middle East, in part due to the continued conflicts and tensions, which result in the large number of land mines in the region. Of the 16 states in the world that produce APMs covered by the treaty, three (Egypt, Iran, Iraq) are in the Middle East, although both Egypt and Iran have announced that they are halting APM production.²⁰⁶

Jordan has been particularly active on the issue of land mines. In addition to signing the Convention, Jordan, in July, held a major regional conference in Amman. Gefa, an association of survivors of land mine accidents, sponsored the conference, in cooperation with the Jordanian Red Cross, and the association of the military handicapped under the auspices of Queen Nour. Although representatives of many states were invited, the failure to include Israelis limited the regional scope of the meeting.²⁰⁷

The Israeli position is that “...due to our unique situation in the Middle East, involving an ongoing threat of hostilities as well as terrorist threats and actions along the borders, we are still obliged to maintain anti-

personnel land mines as necessary for self-defence in general and along the borders in particular... Hence, at this juncture, Israel, regrettably, is unable to sign the treaty until effective alternative measures are available to ensure the protection of civilians threatened on a daily basis by terrorists and to ensure the protection of Israeli forces operating in areas of armed conflict.”²⁰⁸

In 1994, Israel imposed a unilateral moratorium prohibiting the export of anti-personnel landmines, and is considering extending the moratorium indefinitely. Export control restrictions have been created to verify and enforce compliance. In addition, Israel has contributed to the mine awareness program in Angola, and in December 1997, Israel and Jordan carried out a combined project of clearing mine fields along their border. The governments of Canada and Israel are also discussing the establishment of joint rehabilitation center for landmine victims.²⁰⁹

In 1998, the State Comptroller's Office conducted an audit of the Israel Defense Forces policies on mine laying, and in 1999, a detailed report was issued (partly public and partly classified). The audit included logistical aspects (actual inventory levels compared to goals and standards); mine field maintenance procedures; scope of deployment of mined areas and areas suspected of being mined throughout Israel and the consequences; policy concerning mine fields for which there is no longer a security related need; and procedures for clearing mine fields and areas suspected of being mined upon request by the civilian sector. The report recommended several operational, doctrinal, and logistical procedural adjustments regarding the issue of landmines in Israel.²¹⁰

In May 1999, Israel participated as an observer in the first conference of State Parties to the Convention on the Prohibition on the Use, Stockpiling, Production, and Transfer of Anti-Personnel Mines and their Destruction, held in Maputu, Mozambique, and presented a policy summary: “The State of Israel supports the ultimate goal of this convention, aimed at reducing the indiscriminate use of anti-personnel landmines. At the same time, it is actively seeking to forge a new reality with its neighbors, that would render the need for such devices, and the pain and suffering they cause, obsolete.”²¹¹

**PART 3:
PROGNOSIS**

As this report has demonstrated, the 1998/1999 period was not exceptional with respect to Middle East arms control and proliferation. As noted, the central issues that are discussed in this report will continue to be so in the foreseeable future. The UNSCOM inspections in Iraq ended, but the Iraqi problem remains, and the new mechanisms took many months to negotiate, and were stillborn. Iran continued to progress towards the development of ballistic missiles and nuclear capabilities, without a significant international reaction. As a result of these developments, the frameworks for dealing with the threats of proliferation in the Middle East, as well as the opportunities for regional arms control agreements were seen to be highly inadequate. Indeed, the “dual containment” policy created by the Clinton Administration in 1993 to deal with Iraq and Iran has lost credibility. Under “dual containment”, the US sought to isolate both volatile sources of instability, and this approach did, in fact, produce some positive achievements. In Iraq, Saddam Hussein was kept relatively inactive, and Iran’s efforts to promote radical Islam and develop weapons of mass destruction may have been slowed.

However, the dangers posed from Baghdad and Teheran continued to grow, and the need for a new approach was increasingly apparent. Such a new approach should address the specific nature of these very distinct regimes and the threats that they pose. Iraq has been, and continues to be, the most immediate threat, with a formidable foundation of weapons to terrorize his neighbors, including Israel. This arsenal includes missile technology, chemical weapons, biological agents, and many of the ingredients for producing nuclear weapons.

Despite the self-serving claims of some extra-regional powers, such as France and Russia, it is clear that the Iraqi regime is not going to change by being offered rewards and incentives for good behavior, and no “formula” will lead to the resumption of effective inspection. If economic sanctions are relaxed, this will lead to a greater military threat to the region. Israel will especially be at tremendous risk if economic sanctions are loosened. Saddam is still dangerous, and economic sanctions must be maintained until

he is replaced and Iraq is no longer capable of threatening its neighbors or its own people.

At the same time, the differences between the regimes and nature of the threats from Iraq and Iran have become increasingly salient. In contrast to Iraq, Iran has a functioning civil society, and while it is Islamic in nature, the debates taking place in Teheran are visible for all to see. Iran may be gradually evolving into a society that can live in peace with itself, and perhaps with its neighbors. If Iran were to develop a “normal government”, the rest of the region would be more willing to recognize its legitimate security requirements. Iran faces threats from Iraq, as well as the Taliban in Afghanistan, who are supported by Pakistan. In this environment, there is room for a security dialogue the Khatami government in Iran.

Looking at arms control and non-proliferation efforts in the Middle East from a broader perspective, there are few signs of success and many indications of failure. The mix between regional and global efforts has been haphazard, inconsistent, and mutually inconsistent. Attempts to impose the demands of universality in the NPT and CWC regimes does not allow for the distinctions between the stable and unstable regions, and between status-quo and revisionist states (or “rogue regimes”, to use the terminology of the American government). Strict universality in arms control, is, at best, a fiction, and, in most cases, a tool for states such as Iraq, Iran and Syria to demand and often obtain access to the technology and weapons that are meant to be regulated. The continuous arguments over universality versus Israeli exceptionality in the NPT regime is a major source of friction and tension, rather than a source of cooperation and a basis for the development of regional security. If this situation is to improve in the future, the basic frameworks of Middle East arms control needs to be rethought and redesigned.

In the short term, the prospects for arms control in the Middle East are lower now that they were a decade ago. Without a sharp end to the factors that promote proliferation, particularly with respect to Iran and Iraq, the “point of no return” will be crossed. At this stage, instead of export controls and non-proliferation, the key to stability will become mutual deterrence in a multi-polar environment with a long history of intense conflicts.

Notes

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As long as the current Baghdad regime is in defiance of the UNSC resolutions, we will never allow it to regain control of Iraq's oil revenues... Though there are some aspects of the draft which we will seek to improve in the course of Council discussions, we support the British-Dutch draft because it meets our bottom line criteria: real arms control; expansion of the oil-for-food program on the basis of humanitarian need; insistence on a standard of full Iraqi compliance for action on sanctions; and denial of oil revenues to the regime. This is a tough, credible package that deserves Council support.

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¹⁶⁰ The establishment of an offshore corporation for a joint venture is unusual and probably unique in the case of IAI. The Cayman Islands was apparently chosen as a result of its unique tax status with respect to Israel and the US.

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APPENDIX

Excerpts from UNSC Resolution 1284, December 17, 1999

THE SECURITY COUNCIL

1. Decides to establish, as a subsidiary body of the Council, the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), which replaces the Special Commission established pursuant to paragraph 9(b) of Resolution 687 (1991);
2. Decides also that UNMOVIC will undertake the responsibilities mandated to the Special Commission by the Council with regard to the verification of compliance by Iraq with its obligations under paragraphs 8, 9 and 10 of Resolution 687 (1991) and other related resolutions; that UNMOVIC will establish and operate... a reinforced system of ongoing monitoring and verification... [and] identify, as necessary, in accordance with its mandate, additional sites in Iraq to be covered;...
15. Authorizes states... to permit the import of any volume of petroleum and petroleum products originating in Iraq, including financial and other essential transactions;...
16. Underlines, in this context, its intention to take further action, including permitting the use of additional export routes for petroleum and petroleum products, under appropriate conditions;..
17. Directs the committee established by Resolution 661 (1990) to approve, on the basis of proposals from the secretary general, lists of humanitarian items, including foodstuffs, pharmaceutical and medical supplies, as well as basic or standard medical and agricultural equipment and basic or standard educational items;...
26. Decides that hajj pilgrimage flights which do not transport cargo into or out of Iraq are exempt from the provisions of paragraph 3 of Resolution 661 (1990) and Resolution 670 (1990), provided timely notification of each flight is made to the committee established by Resolution 661 (1990), and requests the secretary general to make the necessary arrangements, for approval by the Security Council, to provide for reasonable expenses related to the hajj pilgrimage to be met by funds in the escrow account; ...

27. Calls upon the government of Iraq:

(i) to take all steps to ensure the timely and equitable distribution of all humanitarian goods, in particular medical supplies, and to remove and avoid delays at its warehouses;

(ii) to address effectively the needs of vulnerable groups, including children, pregnant women, the disabled, the elderly and the mentally ill among others, and to allow freer access, without any discrimination, including on the basis of religion or nationality, by United Nations agencies and humanitarian organizations to all areas and sections of the population for evaluation of their nutritional and humanitarian condition; ...

33. Expresses its intention, upon receipt of reports from the executive chairman of UNMOVIC and from the director general of the IAEA [International Atomic Energy Agency], that Iraq has cooperated in all respects with UNMOVIC and the IAEA,... for a period of 120 days after the date on which the Council is in receipt of reports from both UNMOVIC and the IAEA that the reinforced system of ongoing monitoring and verification is fully operational, to suspend ... for a period of 120 days,... prohibitions against the import of commodities and products originating in Iraq and prohibitions against the sale, supply and delivery to Iraq of civilian commodities and products other than those referred to in paragraph 24 of Resolution 687 (1991) or those to which the mechanism established by Resolution 1051 (1996) applies;...

35. Decides that if at any time the executive chairman of UNMOVIC or the director general of the IAEA reports that Iraq is not cooperating in all respects with UNMOVIC or the IAEA, or if Iraq is in the process of acquiring any prohibited items, the suspension of the prohibitions referred to in paragraph 33 above shall terminate on the fifth working day following the report unless the Council decides to the contrary.

<http://www.nytimes.com/library/world/mideast/121899iraq-un-text.html>