

**Nuclear Weapon Free Zone in West Asia:
An Assessment**

*Dissertation submitted to Jawaharlal Nehru University
for award of the degree of*

MASTER OF PHILOSOPHY

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2009



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DECLARATION

I declare that the thesis entitled “Nuclear Weapon Free Zone in West Asia: An Assessment” submitted by me for the award of the degree of Master of Philosophy of Jawaharlal Nehru University is my own work. The thesis has not been submitted for any other degree of this University or any other university.

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ABBREVIATIONS

AEOI	Atomic Energy Organization of Iran
ASEAN	Association of South East Asian Nations
CSBM	Confidence and security building measures
CTBT	Comprehensive Nuclear-Test-Ban Treaty
EEZ	Exclusive economic zones
IAEA	International Atomic Energy Agency
MENWFZ	Middle East Nuclear Weapon Free Zone
NATO	North Atlantic Treaty Organization
NCRI	National Council of Resistance of Iran
NNWS	Non Nuclear Weapon state
NPT	Nuclear Non-Proliferation Treaty
NPTREC	NPT Review and Extension Conference
NSA	Negative Security Assurance
NWFZ	Nuclear-weapon-free zone
NWS	Nuclear Weapon state
NWS	Nuclear Weapon States
OAS	Organization of the American States
UNIDIR	United Nations Institute for Disarmament Research
UNMOVIC	UN Monitoring, Verification and Inspection Commission
UNSCOM	United Nations Special Commission
UNSCR	United Nation Security Council Resolution
UNSSOD	United Nations Special Session on Disarmament
WMD	Weapons of mass destruction
WMDFZ	Weapons of Mass Destruction Free Zone

ACKNOWLEDGEMENTS

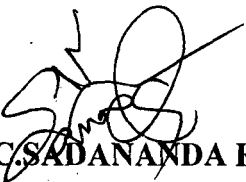
First and foremost, I am greatly indebted to my supervisor and inspiring teacher, Gulshan Dietl whose enduring support and guidance during the preparation of the dissertation can never be forgotten. I am equally indebted to my teachers, administrative staff and research colleagues at the Centre for West Asian Studies, SIS, JNU for the priceless support they extended to me in carrying out this research as effectively as possible.

If an education institution is the strong house of knowledge, wisdom and intelligence, the zeal to approach such a learning venue should take a definite shape at the primary social institution i.e. one's own family. It is in this regard that I take pride in expressing my heartfelt gratitude to my parents, whom I admire most of my life.

I am equally gratified to the librarian and staff of Jawaharlal Nehru University, Exim Bank, Institute of Defence and Strategic Analysis (IDSA), Teen Murthy, Indian Council of World Affairs (ICWA), and Central Secretariat, for their assistance and cooperation.

Last but not least, the moral support and emotional strength I have received from my close circle of friends in the last few years of my university life has been more than what I can acknowledge in these few printed lines. Krishnakumar, Divya krishnakumar, Ajanthakumar, Sreejesh, Nijeesh, Jojin, Vishnuhari, Rajesh, Angel Gagmei and many others are some, whose memories remain as special imprints in my heart. Especially to Rasmi she extends her emotional and intuitive support whenever I was need of them.

Finally, while each significant findings of this research study in an outcome of the most informed, wise guidance of my supervisor, inadvertent errors, if any are mine alone.


SANAND.C.SADANANDA KUMAR

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Introduction

I.1. BACKGROUND OF THE STUDY

Nuclear-weapon-free zones (NWFZs) have been an important concept in the disarmament and regional conflict reduction efforts. Nuclear-weapon-free zone simply means a zone completely without nuclear weapons. Since nuclear non-proliferation and disarmament are enormously complex tasks, it is impossible to achieve the ultimate goal of complete disarmament by approaching this issue globally from the very beginning. Thus start from regional approaches and ultimately stitch them up into a one big global carpet. In this sense, using the logic of NWFZs to reinforce the nuclear non-proliferation and disarmament regime can be understood as an effective measure towards universal disarmament.

A Nuclear-Weapon-Free Zone is a regional arrangement that prohibits the development, manufacture, stockpiling, acquisition, possession, control, along with assistance in research on the development, manufacture, stockpiling or acquisition, or possession of any nuclear explosive device within the zone of application by any contracting party. NWFZs create geographical areas that are completely free of nuclear weapons and thereby constitute steps towards a nuclear-weapon-free world.

Article VII of the Nuclear Non-Proliferation Treaty (NPT) assure the right of states to establish specified zones free of nuclear weapons, it states: “Nothing in this Treaty affects the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories”.¹ General Assembly resolution 3472 B (1975) defines a Nuclear-Weapon-Free Zone as ²

“any zone recognized as such by the General Assembly of the United Nations, which any group of States, in the free exercises of their sovereignty, has established by virtue of a treaty or convention whereby:

(a) The statute of total absence of nuclear weapons, to which the zone shall be subject, including the procedure for the delimitation of the zone, is defined;

¹ For details see, Treaty on the Non-Proliferation of Nuclear Weapons, 1968 Article VII, Accessed from <http://www.fas.org/nuke/control/npt/text/npt2.htm>.

² United Nations Document A/DOCUMENT/3472 B (XXX)

(b) An international system of verification and control is established to guarantee compliance with the obligations deriving from that statute.”

The idea of the concept nuclear-free zones varies not only from country to country, however, but is also modified according to the times. No precise requirements can be set regarding the suitable size of nuclear-weapon –free zones. They could range from whole continents to small areas .Sometimes a zone might be initially established in a limited area and later extended as other countries as agree to join in. The concept of a NWFZ describes an independent regional security system or one that complements other world arrangements concerned with international peace and security. Geo political conditions have a major role in defining the limits and objectives of the zone which are mainly to prevent horizontal proliferation of nuclear weapons and enlargement of the nuclear club and to create a world of tension and instability where confidence and good relations prevail in order to establish peace and security on both regional and global levels.

NWFZs contribute to confidence building among the countries of a region and to regional cooperation in the peaceful use of nuclear technology. Furthermore, NWFZs can promote cooperation in environmental protection by prohibiting the dumping of radioactive waste in the oceans, and in the territory of the zone. Some NWFZ can also establish safety standards against the theft of nuclear materials. Within NWFZs, countries are allowed to use nuclear energy exclusively for peaceful purposes under International Atomic Energy Agency (IAEA) supervision. All existing NWFZs have three common characteristics:

- 1, They prohibit the development, testing, manufacture, production, possession, acquisition, stockpiling and transportation (on land and inland waters) of nuclear weapons anywhere within the Zone (non proliferation and non deployment of nuclear weapons).
- 2, They prohibit the use or threat of use of nuclear weapons against nations and areas within the Zone (Negative Security Assurance (NSA))
- 3, They establish an on-going organisation to ensure compliance with the treaty.

At the moment, there are five existing NWFZ³, covering Latin America and the Caribbean (Treaty of Tlatelolco, 1967); the South Pacific (Treaty of Raratonga, 1985); Southeast Asia (Treaty of Bangkok, 1995); Africa (Treaty of Pelindaba, 1996); and Central Asia (Semipalatinsk Treaty, 2006). Of these five treaties, the Pelindaba Treaty yet to enter into force.⁴

In addition to these NWFZ treaties, other agreements, including the Antarctic Treaty, the Outer Space Treaty, the Moon Agreement, and the Seabed Treaty denuclearise and demilitarise specific areas of the globe, as well as outer space. Mongolia, for instance, declares itself, and is internationally recognized, as a single-state nuclear weapon-free zone. Presently negotiations are going on in West Asia, South Asia, Central and Eastern Europe and Korean peninsula over the issue of establishment of a treaty in this respect.

The nuclear-weapon-free zones established so far cover more than half of the world's landmass (74 % of all land outside nuclear-weapon state territory), including 99 % of the Southern Hemisphere land areas, while covering almost no sea areas. They encompass 119 states (out of some 195) and 18 other territories with about 1.9 billion inhabitants. (Mukai, 2005:81)

Nuclear Weapons and West Asian Region

This study will present a country wise analysis of the situation in West Asia with regard to nuclear weapons and the initiatives towards denuclearising the region. Israel is the only state that has not signed the Nuclear Non-Proliferation Treaty (NPT) or any other arms control treaty and refuses UN inspections over its nuclear facilities. Its official position is ambiguous⁵ as it claims that, it will not be the first to introduce nuclear weapons into the region.

³ For details see Nuclear Weapon Free Areas Map in appendix, page, 111

⁴ As of June 2009, the African Nuclear Free Zone Treaty had 27 ratifications, but requires 28 more in order to enter into force.

⁵ This concept refers to an Israeli policy of avoiding exposing the development stage and capabilities of its nuclear program. Israel deems this policy to be central to its national security strategy. Israel has never officially admitted to having nuclear weapons, instead repeating over the years that it would not be the first country to introduce nuclear weapons to West Asia, leaving ambiguous whether it means it will not create or will not use the weapons.

International Atomic Energy Agency (IAEA) inspections since 2003 have revealed two decades' of undeclared nuclear activities in Iran, including Uranium enrichment and Plutonium separation efforts. Iran agreed in 2003 to suspend sensitive activities in the negotiations with Germany, France, and UK (EU-3), which broke down later. On 24 September 2005, the IAEA Board of Governors found Iran to be in non-compliance with its NPT safeguards agreement and reported Iran's case to the U.N. Security Council in February 2006. Iran still failed to suspend enrichment, which may prompt the Council to intensify the sanctions imposed upon it. Iran insists repeatedly that its nuclear programme is used solely for peaceful purposes and keeps strengthening its Uranium enrichment. In November 2007, "*US National Intelligence Estimate (NIE) report*" stated that it believed Iran had halted its nuclear weapon programme in 2003.⁶

Iraq had for many years a large programme to acquire nuclear weapons, Israel attacked Iraq's Osirak reactor in 1981 and a UN coalition attacked numerous nuclear facilities in 1991; the rest of the then nuclear-weapon capability was later destroyed under IAEA supervision. After some unsuccessful efforts to build a nuclear weapons programme in the late 1950s and early 60s, the Egyptian leaders abandoned the strategy. Saudi Arabia does not have an official nuclear weapon programme. Studies of nuclear proliferation have not identified Saudi as a country of concern. On 6 September 2007 Israel directed an air strike on Syria against an alleged nuclear facility under construction (Operation Orchard). But preliminary IAEA tests have shown nothing to support the allegations of the United States (US) or Israel.

Major NWFZ Proposals in West Asia

The first proposal for regional denuclearisation of West Asia was advanced in Israel. In 1957, six members of the Israeli Atomic Energy Commission resigned, following Israel's decision to develop nuclear weapons. Two of them had formed a Committee for

⁶ The U.S. government's 2007 National Intelligence Estimate (NIE) concluded that Iran froze its active efforts to manufacture nuclear weapons in 2003, and will not have such a capability until at least 2012. While the NIE states that the U.S. intelligence community has "high confidence" that the Iranians halted their nuclear weapons program in 2003, it also states that it has only "moderate confidence" that Tehran has not restarted the program.

Denuclearisation of the Arab–Israel conflict. This committee in April 1962 first publicly called for the establishment of a ‘Nuclear-Free Zone in the Middle East.’

The regional denuclearization initiative took concrete shape in the aftermath of the 1973 Arab–Israeli War. Afterwards, Egypt and Iran proposed in the United Nations a “Nuclear Free Zone in the region of Middle East”. In 1974, a draft resolution was presented to the First Committee of the UN General Assembly. Though Israel abstained the resolution, the General Assembly adopted the draft resolution on 4 December 1974. In 1975, the Secretary General invited several countries in West Asia to know their views on the implementation of the resolution. In its reply to the Secretary General, Israel said that the establishment of a nuclear weapon-free zone in the region was a desirable step forward, and expressed its readiness to participate in a regional conference of all states for the purpose, though no promises were made concerning the NPT.

The First UN Special Session on Disarmament in 1978 approved a final document by consensus. On 11 December 1979, the UN General Assembly also adopted a resolution-Resolution 34/89- put forward by Iraq, which sought preparation of a study on Israeli nuclear armament. On 7 June 1981, Israel attacked the non-military nuclear facility in Iraq. Three days after the attack Israel presented a letter to the UN Secretary General seeking the establishment of a “Nuclear Weapon-Free Zone in the Middle East”.

On 8 April 1990, President Hosni Mubarak expanded Egypt’s nuclear weapon-free zone proposal by calling for the transformation of the “Middle East” into a zone free of WMDs⁷, ‘WMDFZ’- thus adding the ban on biological and chemical weapons. The Mubarak Initiative did not receive universal enthusiasm in the Arab world. In the Baghdad Arab Summit meeting of 1990, Saddam Hussein objected to the proposal. Concerns were expressed that the Initiative might damage Arab interests by allowing Israel to shift attention from nuclear weapons to other WMD, and that establishment of the WMDFZ might limit the access of the region’s states to civilian technology.

⁷ A weapon of mass destruction (WMD) is a weapon that can kill large numbers of humans and/or cause great damage to man-made structures (e.g. buildings), natural structures (e.g. mountains), or the biosphere in general. The term is often used to cover several weapon types, including nuclear, biological, chemical (NBC) and radiological weapons.

UN Security Council Resolution (UNSCR 687, 1991) was issued after the first Gulf war, under Chapter VII of the UN Charter. The preamble stated the need to work towards the establishment of a WMD Free Zone in West Asia. At the 1991 Madrid Peace Conference, which brought Israel, the Palestinians, and many other West Asian countries to the table, the participants agreed to take a multilateral track towards regional arms control and security. They established a working group on “Arms Control and Regional Security in the Middle East” (ACRS). However, due to dissent between Israel and Egypt over the WMD free zone, the ACRS has not held a formal meeting since September 1995.

The 1995 NPT Review and Extension conference adopted a resolution on West Asia establishing a NWFZ. The Arab League instructed a group of Arab arms control experts to draft a WMDFZ treaty text. On the 23 March 1995 meeting the draft treaty was discussed but no decisions were made regarding its implementation. In 1999, UNSCR 1284 also supported the establishment of a “ME- WMDFZ”.

The 2000 NPT Review Conference affirmed the importance of Israel’s accession to the NPT and placement of all its nuclear facilities under comprehensive IAEA safeguards. This was the first time Israel was named in this regard. On many occasions, Mohamed El Baradei, Director of the UN’s International Atomic Energy Agency (IAEA) called on Iran and Israel in particular to enter into serious negotiations to create a nuclear-weapon-free zone in West Asia – a zone in which both Israel and Iran would be members.

On 4 October 2008 the IAEA called for the establishment of a nuclear-free zone in the “Middle East” in a resolution adopted at the 52nd IAEA International General Conference. During the voting at the general conference, 82 member states of IAEA voted in favour of the resolution, with the abstention of 13 countries including Israel and the US. For Arab nations, it was a move towards highlighting their complaint that Israel's possession of nuclear weapons has been a major factor behind any proliferation in the region. Israel indicated that establishment of a WMDFZ in West Asia required prior establishment of peace and the application of mutual verification measures.

I.2. REVIEW OF LITERATURE

The subject requires wide range of literature about NWFZ's and West Asia in particular. In this regard, the most published literature is by the writers who hold that the conflicts should be solved by negotiations, talks and other confidence-building measures. '*The Gulf NW and WMD Free Zone: A Track II Initiative*' by Mustafa Alani (2008) is a best example to note here. Most of the literature dealing with nuclear weapons in West Asian region is strategic in nature. Works like, '*Israel and Nuclear Weapons: Present Options and Future Strategies*' by Fuad Jabber (1971) and '*Regional Security in the Middle East: Past, Present and Future*' by Maoz Zeev (1997) are of strategic nature but they do not deal with nuclear disarmament and peace.

Yet another category of writings is more technical in nature related to complex enrichment and verification procedures. UN proposals like- "*Building a Weapons of Mass Destruction Free Zone in the Middle East: Global Non Proliferation Regimes and Regional Experience's*" (Published by UN Institute for Disarmament Research, 2004) and "*Weapons of Terror: Freeing the World of Nuclear, Chemical and Biological Arms*". (Published by weapons of Mass Destruction Commission, 2006) are giving more importance to technical aspects like verification and ratification of treaties etc. They are technically well formulated but inefficient to deal with the political puzzles.

Some commentators argue that NWFZ arrangements can only come after a general improvement in the security atmosphere in presently volatile and conflict-driven regions. Nations do not distrust each other because they are armed; they are armed because they distrust each other. Therefore, as with the relationship between arms control and conflict, a NWFZ in regions of high conflict intensity may have to follow rather than cause the end of conflicts. Dipankar Banerjee and Gerald Steinberg (Takur,1998) make this point with regard to South Asia and West Asia, arguing further that premature insistence on a regional NWFZ could heighten regional tensions and instability. Samina Yasmeen and Ibrahim Karawan (Takur,1998) on the other hand, insist that NWFZ can themselves comprise CBM on the road to peace. Bon-Hak Koo (Takur,1998) goes one step farther, arguing that the confidence built among regional states through a NWFZ can spill over into other areas of regional interactions.

An International Relations realist may argue that the zone represents only a liberal accessory, and ultimately the region will revert to zero-sum security calculations when one or more states break out to develop WMD. (Plesch and Poul,2008) Today, concern over Iran's nuclear ambitions and the implications for regional security has breathed new life into the concept of a "ME-NWFZ".

Regarding the benefits of a NWFZ, Bennett Ramberg (2008) argues that a "ME-NWFZ should be applicable to all. For Iran and Arab states the Zone would eliminate the risk of Israeli or Western pre-emption. Is this a right time for a ME-NWFZ? Optimistic writers like Claudia Baumgart and Harald Muller (2004), argue that West Asia is undergoing fundamental changes, like Saddam Hussein has been removed from power and has left behind no WMD heritage. In case of Israel- Palestine conflict, Israel's unilateral withdrawal from the Gaza strip is significant. Libya and Syria are in an improving relationship with the West particularly with USA. Libya has decided to offer a clean image about its former WMD programs, but Syria yet to follow. But Iran is embroiled in a dangerous nuclear crisis, which could end either with peaceful resolution or a potential disaster. In sum, significant political movement is currently underway that could directly or indirectly affect the nuclear issue in West Asia. The combination of these events would be reason enough to revisit the concept of a nuclear weapon free Zone (NWFZ) and review its potential to contribute to a positive West Asian peace process.

Sub-regional zones

The concept of a sub-regional strategy has already been implemented in the greater West Asian region. So far, since 1996, ten members of the Arab League have become party to the principle of an NWFZ because they signed the African Nuclear Weapon Free Zone Treaty (ANWFZ) established by the treaty of Pelidaba. .According to Jan Prawitz(2008), the denuclearisation of the African part of the prospective " ME NWFZ" could be considered as the first step in a step-by -step approach to the zone building. Analysis of the Tlatelolco model suggests that it has several desirable features transferable to the West Asia. Chief among them are non-proliferation assurances and safeguards. (Power,1986) Mustafa Alani (2008), in this context argues that, today most of the southern hemisphere is covered by NWFZs, as the decade ends, the trend appears to be

positive: more states gave up WMD during this decade than actively trying to obtain them. Experiences in West Asia with the negative Israeli attitude are unique, exceptional or insoluble. In their long drive to establish an NWFZ the nations of Latin America faced similar obstacles with the negative attitude of the 'hold-out nations' particularly Argentina and Brazil. So in case of a ME NWFZ hopes are still alive.

The genesis of the track II initiative for the NW/WMD Free Zone in the Gulf started in October 2004 within the Research Department at the Gulf Research Centre's (GRC) offices based in Dubai. It covers nine states of the geo-political Gulf region (encompassing Iraq, Iran, Yemen, Saudi Arabia, Kuwait, Bahrain, Qatar, United Arab Emirates and Oman) The three Track II meetings organised by the GRC were successful in placing the project on the regional agenda and in December 2005, at the Gulf Cooperation Council (GCC) Abu Dhabi summit, the GGC Secretary-General Abdul Rahman Al Attiyah officially announced for the first time the initiative to declare the Gulf region a WMDFZ including Iran, Iraq and Yemen. According to Mustafa Alani, (2008) these sub regional strategies were not seen as a diversion from the ultimate aim of declaring the entire region as a NW/WMDFZ. These were attempts to achieve a regional transformation by adopting a sub-regional strategy that could provide the groundwork and the cornerstone for the expansion of such an arrangement to encompass the entire West Asian region.

Monitoring and verification system

Claudia Baumgart and Harald Muller (2004) pointed out the importance of an efficient monitoring and verification system. It is a crucial component for a NWFZ, which would command confidence across the region. In case of the West Asia the major available guideline are UN General Assembly formulated principles of 1975, Hosni Mubarak's WMDFZ proposals of 1990, NPT Review Extension Conference Resolution of 1995 and the NPT Review Conference of 2000. Michael Crowley (2008) highlighted the importance of incorporating the ethos of cooperative monitoring into the heart of a "Middle East WMDFZ" verification system. Dan Plesch and Erik Poul Christiansen (2008), made clear that, formal endorsement by the UN Security Council and General Assembly has not been sufficient to produce political momentum towards creating WMD

Free zone in West Asia. Through a process of informal diplomacy and civil society action, to make headway on the central elements required for the zone, in order to build an academic, public and governmental constituency interested in the core proposal is needed. Gulf Research Centre pointed out the genesis of the Track 2 initiative for the NW/WMD Free Zone in the Gulf region, including Iran. It suggests that the success of establishing a Gulf WMD Free Zone will serve the ultimate objective by generating political and moral pressure on the Israelis to disarm.

Israel's Position on the NWFZ

Bennett Ramberg (2008) pictures the position of Israel regarding NWFZ. Israel viewed the NWFZ as an Arab ploy to humiliate the Jewish state. Initially, Israel tried to use the initiative to garner Arab recognition. It asked its neighbours to sit and negotiate. Arab states declined, arguing that the region had to resolve Israel's political legitimacy first. In subsequent years, Jerusalem turned the tables. It said that denuclearization could not advance apart from the peace process and the end of the active state of war.

From Israeli point of view the presence or absence of Israel makes little difference to peace in West Asia. Even a cursory look at the relations between the states of the region reveals a changing pattern of alliances and hostilities which exist apart from any issue pertaining to Israel or Palestinian problem. Also West Asia reflects the colliding policies of the global powers, in the context of their global confrontation. Israel has a threat to its very survival; no other country's survival is at the stake. It was proved in the 1973 war. (Freier,1987) Some Israelis had argued for improving nuclear weapons because Iraq had shown that it would have used chemical weapons. (Barnaby, 1987) Bennett Ramberg, (2008) in his article titled "*The Promise of a Middle East Nuclear Free Zone*", argued that, under NWFZ, Israel would bear the largest sacrifice— the surrender of its nuclear arsenal and its capacity to produce more. For Israel to get into the Zone some mechanisms must compensate for nuclear disarmament. The solution is the Israeli admission into NATO with a material alliance troop presence on Israeli soil coupled with a separate US guarantee providing reinsurance. He again opined that Germany, Japan and South Korea benefited from an alliance commitment that kept them nuclear free and secure. So can Israel.

Elements in Arab societies, frequently motivated by fanatic and extremist interpretations of Islam, do indeed want to destroy Israel. Extremist elements in Israeli society many of them equally motivated by a fundamentalist interpretation of Bible, would violently oppose a withdrawal from the occupied territories. The existence of these groups has further inflamed hostilities, making an NWFZ more remote; strengthening existing images of the enemy; and enhancing distrust. Some authors call for strengthening the process, Israel should consider shutting down its Dimona nuclear reactor and the associated facilities that make up the core of Israel's nuclear programme. (Baumgart and Harald,2004). Mark Fitzpatrick (2008) in his article "*Will Nuclear Energy Plans in the Middle East Become Nuclear Weapons Strategies*" asserts that, If Israel were to decide it had enough bomb-grade plutonium reserves, for example, a willingness to mothball Dimona and put it under IAEA safeguards would be a strong bargaining chip to persuade Egypt to accept the additional protocol and forgo enrichment and reprocessing. This would not require Israel to give up its nuclear deterrence or its policy of nuclear ambiguity.

Iran's Nuclear Ambitions

Heated discussions are going on over Iranian nuclear proliferation, even though Israel has remained a nuclear nation. According to Mark Fitzpatrick, (2008), the single most salient factor behind the nuclear resurgence in the region is Iran both as an example and as a threat. The dual use nuclear technologies that Iran is developing motivate its neighbours to seek fledgling nuclear capabilities of their own. It may serve as an indirect driver of secondary proliferation in West Asia. Some countries in the region may not feel directly threatened by an Iranian nuclear programme, but may nevertheless feel pressure to acquire nuclear weapons if one or more of their neighbours appear to be doing so in response to Iran. Iran's role in Iraq, its perceived victory in the Lebanon, Hezbollah proxy war with Israel, and fears about its influence on Shiite minorities in the Gulf exacerbate the sense of insecurity in many Arab countries. On the other hand there is still no conclusive evidence to confirm that any regional state, including Iran, has actually embarked on military programmes to develop such a capability in the near future. Indeed the assurance given by Iranian leadership, privately as well as publicly, during the past three years indicate that Iran has neither the intention nor an actual programme to develop

a nuclear military capability (Alani,2008). In November 2007, the US National Intelligence Estimate (NIE) report stated with 'high confidence' that it believed that Iran had halted its nuclear weapon programme in 2003.

Free zone in West Asia

Rebecca Jhonson (2007) in her work, *"Rethinking Security Interests for a Nuclear-Weapon-Free Zone in the Middle East"* argues that the goal of a NWFZ /WMDFZ in West Asia has been used as a "political football", which each side holding the other responsible for the lack of meaningful progress. But it can also be argued that a free zone is consistent with everyone's long term security interests and that if any one side indicates a willingness to relax its current entrenched position, others will relax their positions as well. If so, then a show of flexibility is likely to create a real political opening and would increase external political pressure on other sides.

Merav Datan (2008) argues that, energy security for the region has a direct bearing on the feasibility of non-proliferation and disarmament efforts. the presence of a nuclear weapon programme complicates non proliferation efforts as it increases the need for safety and security measures and multiplies the number of proliferation access points, whether to governments(independent of their actual intentions) or to non state actors. Thus a disarmament regime can only successes if it accommodates energy needs and related security concerns.

In case of West Asian region the ground realities are quite different. The factors other than Arab Israel conflict, the role of foreign powers is also significant because of both strategic and economic factors, which still have a major role in deciding the future of the region. So without considering these core realities peace cannot be achieved in the region. The IAEA has the technical knowledge for putting such a zone in place. Now what needs is the leadership from within the states as well as broader international encouragement. So this study tries to fill the gap, in between the technicalities of the non proliferation regime and the existing regional milieu.

1.3. DEFINITION, RATIONALE AND SCOPE OF THE STUDY

The research will focus on the concept of a Nuclear Weapon Free Zone in the West Asian region. It is very important to explore the relevance of this concept especially on the conflict prone region like West Asia. The study will examine various possibilities and problems in relation with the establishment of a NWFZ within the context of nuclear disarmament in the West Asian region. In case of theories of nuclear proliferation one of the most controversial argument is “more may be better” thesis advocated by Kenneth Waltz (Waltz,2003) in the early 1980’s. A contrary position was adopted by Scott. D. Sagan (Sagan,1993) in his proliferation pessimism argument. He pointed out the chances for deterrence failure and deliberate or accidental war, because future nuclear armed states are likely to have military run or weak civilian governments, they will lack the positive constraining mechanisms of civilian control while military biases may serve to encourage nuclear weapons use, especially during crisis. Sagan therefore argued in favour of measures to reduce the demand for nuclear weapons and for strengthening the global non proliferation regime. In case of the West Asian region this argument is more relevant because of the nature of the political system in the region, especially in the present context of the increasing chances of nuclear terrorism. In this scenario NWFZ is the most suitable option in the non proliferation efforts. Keeping its centrality in mind a rigorous analysis of various peace plans, their possibilities and limitations would be helpful in furthering the understanding of the issue.

1.4. RESEARCH QUESTIONS

- What is the importance of the concept ‘Nuclear Weapon Free Zone’ in the region of West Asia?
- What were the different proposals available on the creation of a “ME- NWFZ”?
- What were the various possibilities and barriers to achieve a nuclear free zone in West Asia?

1.5. HYPOTHESES

- Israel's nuclear capability has motivated the Arab rulers to propose the NWFZ for the region.
- Israel's threat perceptions from the Arabs prevented it from accepting the proposal.
- The Iranian nuclear ambitions have generated fresh debate on the issue of NWFZ.

1.6. RESEARCH METHODS

The study would go through the writings on the concept of NWFZ, major proposals in West Asia in this regard, their limitations, possibilities etc., identifying the issues and strands and then linking them in a coherent way in accordance with the theme. The proposed study would be descriptive, historical and analytical, based on both primary and secondary sources. The primary sources include Government reports, IAEA documents, United Nations various reports on the subject and materials published by United Nations Institute for Disarmament Research, etc. The secondary source of data includes books, scholarly articles, and news paper cuttings. Internet sources will be useful in this research for the procurement of primary as well as secondary sources. Hence the technique of the study will be deductive.

1.7. OUTLINE OF THE STUDY

The proposed study is divided into five chapters. Chapter I will cover the prevailing major debates around various disarmament measures in the world, particularly related with nuclear weapons. How nuclear weapons act as a threat to humanity beyond borders will also be looked into, particularly in the context of the West Asian region.

Second chapter II deals with the basic ideas of the concept of 'Nuclear Weapon Free Zone', its origin and various stages of developments. It will also analyse the ongoing experiences on different parts of the world, the hurdles those countries face, the amount of success in achieving their aims etc in a detailed manner.

Third chapter will examine various nuclear weapon possibilities in the West Asian region. It will also look into the current scenario of the region as no nation has yet declared itself as nuclear weapon state. For this purpose the study will broadly deal with the nuclear programmes of major states in the region like Israel, Iran, Iraq, Egypt, Syria and Saudi Arabia.

Fourth Chapter deals with West Asian experiences in the ongoing process of the formation of a NWFZ. By critically analysing the major debates involved in this regard, the proposed study will also inquire the steps so far taken including the regional proposals and international initiations. The chapter will also study the intricacies of the issue, and will particularly look into the profound situations that lead to the call for the establishment of such a zone.

In Fifth Chapter V Findings of the above discussed issues will be crystallized. With the help of comparison with other successful zones experiences in different parts of the world, the chapter would attempt to raise pertinent issues and important questions to be taken for the further research.

Chapter 1

Nuclear Weapon Free Zones

NWFZ is a specified region in which countries commit themselves not to manufacture, acquire, test, or possess nuclear weapons. They are a keystone of nuclear non-proliferation. They provide a demarcation of areas of non-proliferation, and demonstrate that elimination of nuclear weapons from a large geographic area is practically feasible.

The nuclear arms control agenda has two interlinked components: non-proliferation and disarmament. NWFZs are legal mechanisms for the former and political stepping stone towards the latter. (Thakur,1998:3) United Nations Disarmament Commission Report 1999 pointed out that, the strategy of establishing regional NWFZs is seen as both a non-proliferation and security-enhancing measure for the regions themselves, and as a partial step towards eventual global elimination of nuclear weapons.⁸

Two premises underlie all treaties and proposals concerning the establishment of NWFZs. The first is that full and lasting peace is conceivable only in the absence of the threat posed by nuclear weapons. The second is that this goal can be reached by means of regional agreements. NWFZs are set up with two main aims. The first is to restrict the options held by the nuclear-weapon states enabling them to wage nuclear war. The second is to prevent the emergence of new nuclear-weapon states, thus furthering the non-proliferation of nuclear weapons. (Kittel, *et. all*,1991:217)

Critics and supporters alike agree that, for reasons of international security, NWFZ contribute to the marginalization of nuclear weapons as tools of national security. They institutionalize non-proliferation norms, consolidate non-proliferation successes and maintain the momentum to denuclearization ahead of the willingness of the Nuclear Weapon States (NWS) to renounce their own nuclear arsenals. (Zacharya,1996:16)

⁸ For more details see, Report of the Disarmament Commission, 54th General Assembly, UN A/54/42, 6 May 1999, paragraph 33.

There exist five NWFZs in today's world; they are over Latin America and Caribbean, South Pacific, Southeast Asia, Africa, and the Central Asian. Each zone is legitimized by specific treaties, namely, the Treaty for Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), the South Pacific Nuclear Free Zone Treaty (Rarotonga Treaty), the Treaty on the Southeast Asia Nuclear Weapons Free Zone (Bangkok Treaty), the Treaty on the Nuclear Weapons Free Zone in Africa (Pelindaba Treaty), and the Central Asia Nuclear Weapons Free Zone Treaty (Semipalatinsk Treaty). Of these five treaties, the Pelindaba Treaty has yet to enter into force.

Mongolia's self-declared nuclear-weapon-free status has been recognized internationally through the adoption of UN General Assembly resolution 55/33S on "Mongolia's international security and nuclear weapon free status." Other treaties that also deal with the denuclearization of certain areas of the globe are: the Antarctic Treaty, the Outer Space Treaty, the Moon Agreement, and the Seabed Treaty. Today, 74% of all of the territories not encompassed by nuclear weapon powers (these territories include Antarctica) are situated within NWFZs, including 99% of all the land in the southern hemisphere. (Mukai,2005:81)

Definition

The principles and guidelines for establishing NWFZs are articulated in the UN Disarmament Commission report of 30 April 1999, This report is built on many previous documents, including 'UN General Assembly Resolution 3472 B'⁹ (11 December 1975), which defined NWFZ as:

I. Definition of the concept of a nuclear –weapon free zone

1. A Nuclear-Weapon Free Zone shall, as a general rule, be deemed to be any zone, recognized as such by the General Assembly of the United Nations, which any group of states, in the free exercise of their sovereignty, has established by virtue of a treaty or convention whereby:

(a) The statute of total absence of nuclear weapons, to which the zone shall be subject, including the procedure for the delimitation of the zone, is defined;

⁹ United Nations Document A/DOCUMENT/3472 B (XXX).

(b) An international system of verification and control is established to guarantee compliance with the obligations deriving from the statute.

II. Definition of the principal obligations of the nuclear weapon states towards nuclear-Weapon Free Zones and towards the states including therein;

1. In every case of a Nuclear- Weapon- Free Zone that has been recognized as such by the General Assembly, all nuclear weapon states shall undertake or reaffirm, in a solemn international instrument having full legally binding force, such as a treaty ,a convention or a protocol ,the following obligations:

(a) To respect in all its parts the statute of total absence of nuclear weapons defined in the treaty or convention which serves as the constitutive instrument of the zone;

(b) To refrain from contributing in any way to the performance in the territories forming part of the zone of acts which involve a violation of the aforesaid treaty or convention?

(c)To refrain from using or threatening to use nuclear weapons against the states included in the zone.

Three years later, in 1978, this concept of a nuclear weapon-free zone was again referred to and elaborated by the Tenth Special Session of the UN General Assembly.

Functions of NWFZs

The 1999 UN Disarmament Commission report on the establishment of nuclear-weapon-free zones spelled out the objectives and purposes of NWFZs which are grouped into two general categories:

1. To enhance the security of member states within the zone.
2. To contribute to the strengthening of the international nuclear non-proliferation regime, and the total elimination of nuclear weapons. The establishment of a NWFZ also aims at general and complete disarmament under strict and effective international control.

In the international system the NWFZs fulfil a number of important functions. First, they constitute crucial legal components of the global nuclear non-proliferation regime. Second, NWFZs are helpful in preventing the rise of new nuclear-weapon states. Third, in the regional context, they serve as extremely efficient confidence and security building measures (CSBM) that promote mutual trust and understanding both between the parties to such an arrangement and between them and their neighbours. Fourth, NWFZs

positively affect policies of the nuclear powers by encouraging them to refrain from hostile actions, adopt less offensive nuclear doctrines, and cooperate with each other. Finally, in a global sense, NWFZs are an integral part of the intricate network of international regimes and institutions which helps to make the world a more just, safe, and governable place. (Sergounin,1999:282-83)

Guidelines for Establishing NWFZs

In 1976, a group of experts appointed by the Conference of the Committee on Disarmament presented a comprehensive study setting out the principles that should be taken into account in order to establish a nuclear weapon-free zone. According to the study, disarmament obligations may be assumed not only by large groups of States, but also by smaller groups and even by individual countries; the agreement must ensure the absence of nuclear weapons in the region; the initiative for the creation of the nuclear weapon-free zone should come from the regional States and participation must be voluntary; all regional States should ideally participate in the initiative; an effective system of verification of compliance must be set up in the agreement; cooperation on all peaceful uses of nuclear energy should be promoted and the treaty should be of unlimited duration.¹⁰

On 30 April 1999, the UN Disarmament Commission adopted by consensus and submitted to the UN General Assembly a report that revises and updates the 1976 study in the light of the Treaties of Rarotonga, Bangkok and Pelindaba. These non-binding guidelines, like those of 1976, are meant to guide States in establishing a NWFZ. The 1999 Report of the UN Disarmament Commission on the "Establishment of nuclear weapon free zones on the basis of arrangements freely arrived at among the States of the

¹⁰ For details see, Special Report of the Conference of the Committee on Disarmament, UN Doc. A/10027/Add. 1, New York, 1976.

region concerned" proposed the following principles and guidelines, which have since been endorsed by the UN General Assembly: ¹¹

- The establishment of NWFZs strengthens the international non-proliferation regime and regional and contributes to world peace and security.
- NWFZs should be based on arrangements freely arrived at among the states of the region concerned.
- The initiative to establish a NWFZ should start from states within the region concerned and be pursued by all the states of that region.
- If the states of a given region agree to establish a NWFZ, the international community should support efforts towards that goal.
- All the states of the region concerned should participate in the negotiations on the establishment of such a zone.
- The status of a NWFZ should be respected by all states parties to the treaty establishing the zone as well as by states outside the region, including the nuclear weapon states.
- The NWS should be involved in the negotiations of each treaty and respective protocols in order to facilitate their signature to and ratification of the relevant protocols.
- States with territory, or that are internationally responsible for territories, within the zone concerned should be involved in the negotiations of the treaties and protocols relevant to this territory to facilitate the responsible state's signature and ratification.
- The process of establishing the zone should take into account all the relevant characteristics of the region concerned.
- The establishment of new NWFZs should reaffirm the commitment of the states to such zones to respect relevant international treaties already in force.
- NWFZ treaties are legally binding, and the states parties should fully comply with such agreements.
- The arrangements relating to a NWFZ should be consistent with international law, including the UN Convention on the Law of the Sea.
- States parties to a NWFZ can freely decide whether to allow foreign ships and aircraft to visit their ports and airfield, and transit their airspace and their territorial waters.
- A NWFZ treaty should be implemented by the states parties in accordance with their individual constitutional requirements.
- A NWFZ should effectively prohibit the development, manufacturing, control, possession, testing, stationing, or transporting by states parties of any type of

¹¹ Report of the Disarmament Commission 1999, General Assembly Official Records, Fifty-fourth sessions; Supplement No. 42 (A/54/42).

nuclear explosive device for any purpose; the zone should also prohibit the stationing of any nuclear explosive devices by any other state within the zone.

- A NWFZ should have an effective means to verify compliance with the treaty obligations through IAEA comprehensive safeguards agreement.
- A NWFZ should clearly demarcate the zone in full consultations with prospective states parties to the treaty and other states concerned.
- NWS should fully comply with their obligations regarding NWFZ signing and ratifying relevant protocols including legal commitments not to use or threaten to use nuclear weapons against the states party to the NWFZ treaties.
- A NWFZ should not prevent the use of nuclear energy for peaceful purposes.

The above principles and guidelines specify nuclear weapon states' obligations towards NWFZ, including "negative security assurances." However, if a NWS does not agree with specific provisions of a given NWFZ treaty, it may refuse to sign or ratify the relevant protocols; this issue can impact the implementation of a NWFZ treaty.

The United States has laid down its own criteria as conditions for supporting the creation of NWFZ. Among other things; these conditions stipulate that the establishment of the zone should not disturb existing security arrangements to the detriment of regional and international security or otherwise abridge the inherent right of individual or collective self defence guaranteed in the U.N. Charter. Moreover, a zone should not affect the rights of the parties under international law to grant or deny other states transit privileges, including port calls and over flights; and no restrictions should be imposed on the high seas freedoms of navigation and over flight, the right of innocent passage of territorial and archipelagic seas, and the right of transit passage of international straits. (Goldblat,1997:19)

NWFZs and NPT

NWFZs compliment the Nuclear Non-Proliferation Treaty (NPT) in that both arrangements promote non-proliferation and disarmament while allowing the peaceful use of nuclear energy. The role NWFZs play in strengthening the security of participating Non Nuclear Weapon states was recognized by the drafters of the NPT. Article VII of the NPT was therefore created to assure the right of states to establish

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specified zones free of nuclear weapons. According to Article VII:¹² *"Nothing in this Treaty affects the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories."*

Later NPT was indefinitely extended in 1995, the 'Principles and Objectives for Non Proliferation and Disarmament' adopted by the NPT Review and Extension Conference (NPTREC) expressed the conviction of the participants that regional denuclearization, including NWFZ, enhance global as well as regional security.¹³

There is also some difference between these two peace-seeking measures. The difference however, lies in their approach to the objective. The NPT seeks the objective, first, by requiring nuclear Powers "not to transfer" nuclear weapons or its technology and devices and not to assist in any way the development of such weapons by the NNWS. Secondly, it requires the NNWS not to receive or manufacture nuclear weapons or devices. The NWFZ, on the other hand, seeks a regional collective initiative towards the objective. It requires non NWSs of specific geographic regions to come together to renounce the introduction, development, deployment, or use of nuclear devices in their region. The NWFZ ensures that designated zones are free from Big Power hegemonic rivalries and foreign military presence in all its forms. It also stands in opposition to armed occupation of any territory in the zone by outside powers, and direct or indirect intervention and the threat of force. (Agyeman,1985:79)

As compared to NPT, NWFZs are unique in three ways. First, NWFZ arrangements are more comprehensive from a non-proliferation standpoint than the NPT. In addition to banning the acquisition and stockpiling of nuclear weapons, NWFZs prohibit states from conducting any type of research on nuclear explosive devices, stationing any nuclear explosive device on their soil, and testing nuclear explosive devices. Further, most NWFZ treaties include more stringent safeguards requirements with regional mechanisms for verification. Second, they are regional, rather than global, in scope. This means that

¹² Details see, Treaty on the Non-Proliferation of Nuclear Weapons. Accessed from <http://www.fas.org/nuke/control/npt/text/npt2.htm>.

¹³ 1995 NPT Review and Extension Conference document NPT/CONF.1995/32/DEC.2.

NWFZs can be tailored to the needs of states in a particular region and lead to incremental advances in arms control and disarmament. Third, NWFZ treaties require nuclear weapon states to provide negative security assurances, unlike unilateral declarations of non-use, treaty commitments are legally binding on the NWS. (Humphrey,1963:268) (Thakur,1998:7)

Common characteristics:

Regarding the common characteristics of existing NWFZs Hiromichi Umebayashi (Umebayashi, 2004) pointed out mainly three, they are;

1. They prohibit the development, testing, manufacture, Production, possession, acquisition, stockpiling, and transportation (on land and inland waters) of nuclear weapons anywhere within the zone. (Non-proliferation and non-deployment of nuclear weapons)
2. They prohibit the use or threat of use of nuclear weapons against nations and areas within the zone. (Negative Security Assurance - NSA)
3. They establish an on-going organization to ensure compliance with the treaty.

Enrique Roman Morey (Roman, 1997:11-12) gives much wider features. They are;

- (a) The state parties of the existent NWFZs are legally bound to submit all their nuclear material and installations to the full scope safeguards of the IAEA .Though they are different specializations in each control system for each existent NWFZ. it is mandatory that the effective surveillance of nuclear energy for peaceful purposes be carried out by IAEA;
- (b) Very clear geographic demarcation of the respective application zones of NWFZs, which in all cases means that the sum of the territories for which the Treaty is valid;
- (c) Obligations, rights and responsibilities of all the concerned states, whether they are states parties or entailed states, by means of the additional protocols of the Treaty;
- (d) NWFZ shall promote states parties' social and economical developments as well as their scientific and technological developments by means of international cooperation for peaceful purposes of nuclear energy;

(e) The Treaties establishing NWFZs shall be of indefinite duration.

Above all these similarities they are dissimilar in many regards, like the scope of the prohibitions extends to peaceful nuclear explosions(permitted by Tlatelolco but prohibited by the others),delivery systems (none) ,nuclear facilities and research and development (Pelindaba), and the disposal of radioactive wastes (Rarotonga and Pelindaba);on whether the area of application includes exclusive economic zones(EEZ) (Bangkok) and the high seas (Tlatelolco)on the entry-into-force and denunciation provisions ;and on subjecting protocol obligations of the NWS to compliance procedures (Pelindaba) and linking the latter to international mechanisms like the IAEA and the UN Security Council (all except Rarotonga) (Thakur,1998:7)

The Origin of NWFZs

The idea of NWFZ originated in the mid 1950s, when it became obvious that the complete and universal spread of nuclear weapons from the military arsenal was unattainable, and that there existed the danger of the spread of these weapons to more and more states. The United States and the Soviet Union were locked in a global political confrontation and nuclear arms race. The Soviet Union first introduced the idea of a NWFZ at the United Nations General Assembly in 1956.(UN DOC,DC/SC/.1/41) At that time, the Soviet Union tried to open discussions on the prohibition of nuclear weapons within East and West Germany and other neighbouring Central European Countries. The Disarmament Subcommittee of the United Nations discussed this proposal. However, the United States and other countries opposed the idea, and the proposal was rejected.

The first conception of prohibiting nuclear weapons in a populated geographical region was originated in Europe. The idea was that the prohibition would embrace not the whole of the continent, but only a part thereof-Central Europe. In 1958, Poland's Minister of Foreign Affairs, Adam Rampacki, proposed the denuclearization of Central Europe. (Roman,1997:15) which comprising the territories of Poland, Czechoslovakia, East and West Germany, a total of 796,000 km. The Polish government hoped this proposal would prevent the nuclearization of West Germany and prevent the deployment of Soviet

nuclear weapons on Polish territory. The plan was to be carried out in two stages: stage one-freezing of all nuclear armaments; stage two-elimination of nuclear armaments and reduction of armed forces and conventional armaments.

The first proposals to set up NWFZs were not detailed disarmament programmes, but only loose ideas which constituted an element of broader visualization of the military disengagement of the two superpowers from Central Europe.(Multan,1985:375) Rapacki's plan is a typical example demonstrating how difficult it was to establish an NWFZ, when this proposal was made, Poland belonged to the Warsaw Pact, thus the proposal was not able to achieve mainly because of security problems existing between the member states of the Warsaw pact and those proposed by member states of NATO. (Roman,1997:15) But several elements of this proposal served as guidelines for setting up future NWFZs.

During the 1960s, there were other attempts to establish a NWFZ in Central Europe. For instance, Romania proposed the denuclearization of the Balkans and the Soviet Union appealed for the creation of a NWFZ in the Mediterranean, both unsuccessful. (Roman,1997:15)The second concrete attempt for creating an NWFZ was the proposal made by Finland. In 1963, Finnish President Kekkonen proposed the establishment of a NWFZ that would have covered Denmark, Finland, Iceland, Norway, and Sweden. While these countries shared many views on denuclearization, they could not reach agreement on a NWFZ. However, since Denmark, Iceland, and Norway were NATO members, their security policies conflicted with Finn and Swedish positions. (Roman,1997:16) However, once more because of cold war political reasons, this effort could not attain its goal

Existing NWFZs

In case of NWFZ some theoretical solutions elaborated in Europe have found their practical applications on other continents. (Multan,1985:377) However, because of dissimilar geographical circumstances and different political, economic and strategic considerations, there can be no uniform pattern of denuclearized zones. The differences may concern the scope of the obligations assumed by the parties, and/or the area subject

to denuclearization.(Goldblat,1999:325) There were five treaties following the principles and guidelines adopted by the United Nations have established NWFZs. The Treaty of Tlatelolco in Latin America and the Caribbean, The Treaty of Rarotonga in the South Pacific, The Treaty of Bangkok in Southeast Asia, The Treaty of Pelindaba in Africa. (This treaty has not entered into force yet because not all of the African states required to ratify it have done so.), The Semipalatinsk Treaty in Central Asian.

Latin America and Caribbean NWFZ:

The Latin America and Caribbean NWFZ was the first Zone covering a densely populated area. Early movement toward establishment of the Latin America and Caribbean NWFZ began in 1958, when Costa Rica first proposed a Latin American nuclear arms control arrangement to the Organization for the American States (OAS).By most historical accounts, Tlatelolco originated in the heart of the 1962 Cuban missile crisis, as Latin American and Caribbean nations found themselves as helpless pawns and potential targets in a super power nuclear contest.(Redick,1997:39) These states were neither a direct part of the conflict between the two super-powers, would have been nonetheless involved in the disastrous results of this conflict. Then a group of Latin American diplomats, headed by the prominent Mexican Ambassador Alfonso Garcia Robles, began drafting the treaty of Tlatelolco for the prohibition of nuclear weapons in Latin America. (Roman, 1997:8-9)

The UN General Assembly approved a resolution on denuclearization of Latin America submitted by 11 Latin American states on 27 November 1963 (UNDOC,A/c.1/L.312/Rev. 2) After four years of negotiations to work out the details, the Treaty of Tlatelolco was opened for signature on 14 February 1967. The majority of states signed the treaty within the first year of its opening. (Redick,1981:103) It took almost 30 years for the treaty to secure universality in the entire zone of application. Cuba refused to sign the treaty until 1995, and did not formally ratify until 2002, making it the final state in the region to become party to the treaty. Thus, the complete implementation of the treaty with all 33 states in the region was finally realized 35 years after it was opened for signature. The Latin leaders agreed on two basic obligations, as spelled out in Article I of the Treaty:

1. The Contracting Parties hereby undertake to use exclusively for peaceful purposes the nuclear material and facilities which are under their jurisdiction, and to prohibit and prevent in their respective territories: (a) The testing, use, manufacture, production or acquisition by any means whatsoever of any nuclear weapons, by the Parties themselves, directly or indirectly, on behalf of anyone else or in any other way, and (b) The receipt, storage, installation, deployment and any form of possession of any nuclear weapons, directly or indirectly by the Parties themselves, by anyone on their behalf or in any other way.

2. The Contracting Parties also undertake to refrain from engaging in, encouraging or authorizing directly or indirectly, or in any way participating in the testing, use, manufacture, production, possession or control of any nuclear weapon.

Other salient provisions of the Treaty concern verification and a machinery to ensure compliance. Treaty signers undertook to arrange with the International Atomic Energy Agency (IAEA) for application of its safeguards to their peaceful nuclear activities. They also agreed to establish an organization - the Agency for the Prohibition of Nuclear Weapons in Latin America- vested with powers to perform "special inspections" to ensure compliance with treaty provisions. (Redick,1981:107) Two Additional protocols annexed to the Treaty of Tlatelolco were intended for signature by extra-zonal states.(Goldblat,1997:19) They were-

- Protocol I states that outside nations with territories in Latin America must respect the treaty's denuclearization requirements with respect to those territories;
- Protocol II provides that nuclear weapons states must pledge not to use or threaten to use nuclear weapons against states within the NWFZ- this pledge is known as a negative security assurance.

All five nuclear weapons states have signed and ratified both Protocol I and II, guaranteeing all states within the NWFZ negative security assurances. The treaty of Tlatelolco is devoted exclusively to the question of prohibition of nuclear weapons in a

definite geographical area. In this sense, it can be regarded as a classical one. (Multan, 1985:377)

In addition to securing the nuclear-weapons-free status of Latin America, the Treaty of Tlatelolco also contributed to the entry of Argentina and Brazil into the international nuclear non-proliferation regime. In the 1980s, the two nations began to discuss nuclear issues and in 1991 they signed a bilateral agreement promising to only use nuclear energy for peaceful purposes. This agreement established the Brazilian-Argentine Accounting and Control Commission (ABACC) to verify compliance through mutual inspections of nuclear facilities. Argentina and Brazil both joined the Treaty of Tlatelolco in 1994 and later acceded to the NPT as a non-nuclear weapon states (Argentina in 1995 and Brazil in 1998). The LANFZ has been demonstrated in the fact that since its inception nuclear weapons have not become an issue in the region. The Cuban Missile Crisis of 1962 that, in part, accelerated the Latin countries' move to establish the LANFZ has not repeated itself in any form even though Cuba has refused to sign the Treaty. (Agyeman,1985:80)

South Pacific Nuclear-Free Zone:

The South Pacific Nuclear Free Zone (SPNFZ) was established by the Treaty of Rarotonga, which was adopted by the South Pacific Forum (SPF)¹⁴ in 6 August 1985 and entered into force on 11 December 1986. It Consisting of 13 full members they were Australia, Cook Islands, Fiji, Kiribati, Nauru, New Zealand, Niue, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu. The zone extends horizontally from the west coast of Australia to the boundary of the Latin American NWFZ in the east.

The South Pacific was once a major testing ground for nuclear weapons, because of this there was also a longstanding anti-nuclear sentiment throughout the region. (Frey,1986:505) From 1945 to 1963, the United States carried out 232 atmospheric nuclear tests. The United Kingdom carried out its first atmospheric tests from 1952 on Montebello Island off Western Australia, in the Indian Ocean, ten other tests,

¹⁴ The SPF is a rather loose regional organization which started in 1971. The members are Australia, the Cook Islands, Fiji, Kiribati, Nauru, New Zealand, Niue, Papua New Guinea, the Solomon Islands, Tonga, Tuvalu, Vanuatu, and Western Samoa.

thermonuclear in nature, took place on Malden and Christmas Islands in the (then) British colony of the Gilbert Islands. Some of the atmospheric testing was not carried out under optimum safety conditions.(Regnault,2005:340) The South Pacific States, besides being concerned with nuclear testing in their region and its vicinity, were also worried about the dumping of nuclear wastes at sea, fearing radioactive contamination of the marine environment.

The South Pacific Forum took up the issue in 1975 in response to a proposal by New Zealand calling for the setting up of a nuclear-weapon-free zone in the region. (Clements,1988:395) The UN General Assembly endorsed this proposal the same year in Resolution 3477.(UNDOC,A/RES /3477).In 1979, in response to reports of nuclear dumping in the region, the SPF strongly condemned the use of the Pacific as a dumping ground for nuclear wastes. Japan also opposed nuclear dumping in the Pacific. In 1984, the SPF endorsed a set of principles, proposed by Australia, as a basis for establishing a NWFZ.

These incidents ultimately led into the signing of the treaty in Rarotonga (Cook Islands) on 6 August 1985. Later it entered into force on 11 December 1986, with the deposit of the eighth instrument of ratification. The Treaty has 13 signatories. The Treaty also requires all parties to apply full scope International Atomic Energy Agency safeguards to all their peaceful nuclear activities. A comprehensive control system has been established to verify compliance with the Treaty.

The Treaty has three protocols. Under Protocol 1 the United States, France, and the United Kingdom are required to apply the basic provisions of the Treaty to their respective territories in the zone established by the Treaty. The Treaty will therefore apply to American Samoa and Jarvis Island. Under Protocol 2, the United States, France, the United Kingdom, the Russian Federation and China agree not to use or threaten to use nuclear explosive devices against any party to the Treaty or to each others' territories located within the zone. Under Protocol 3, the United States, France, the United Kingdom, the Russian Federation and China agree not to test nuclear explosive devices within the zone established by the Treaty. (Goidbalt,2004:62)

The signing of the protocols by the United States and United Kingdom was delayed by France's decision to resume nuclear weapon testing in the region in September 1995. Later France declared a moratorium on nuclear tests in January 1996, and the United States, United Kingdom, and France subsequently signed the protocols in 25 March 1996. With the exception of the United States, all the NWS have ratified the protocols. The United States has not yet ratified because it refuses to accept any limitation on the right of passage of U.S. nuclear-powered vessels or naval vessels carrying nuclear weapons in the region.

Many writers pointed out that the original feature of the Treaty of Rarotonga is its prohibition of dumping of radioactive materials at sea anywhere within the zone. The treaty in fact defines the zone as "nuclear free" instead of "nuclear weapon free" because it prohibits dumping of radioactive waste and other radioactive materials. (Mogami1988:411)

In terms of content, however, the SPNFZ is more far-reaching than its Latin American counterpart, in that it prohibits the dumping of radioactive wastes and other radioactive matter (Article 7) and, by referring to 'any' nuclear explosive device, also prohibits 'explosions for peaceful purposes' (Articles 3 and 5) which the Treaty of Tlatelolco permits (Article 12.c). On the other hand, the Tlatelolco Treaty appears to achieve a more complete geographical coverage of its region. This is because nearly all the Latin American region is land, which consequently falls within the jurisdiction of zonal states. In the South Pacific most of the region is ocean, therefore falling outside the control of the treaty signatories. (Frey,1986:505) The Treaty of Rarotonga is more comprehensive than the Treaty of Tlatelolco because it prohibits the possession or testing of nuclear explosive devices even for peaceful purposes. The prohibition of all types of nuclear explosives subsequently became a standard used in other NWFZ treaties.

Southeast Asian NWFZ:

The Southeast Asian Nuclear-Weapon-Free Zone Treaty (SEANWFZ) of 1995, or Bangkok Treaty, is a nuclear weapons moratorium treaty between 10 Asian member-

states under the auspices of the Association of South East Asian Nations (ASEAN) (Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, Thailand, and Vietnam) Like its precedents, it originates during the Cold War and reflects the ASEAN countries perception of facing political, economic and security challenges all together. The NWFZ in Southeast Asia originated from the Declaration on the "Zone of Peace, Freedom, and Neutrality in South East Asia" (ZOPFAN) issued in November 1971 by the ASEAN in the Malaysian capital, Kuala Lumpur. (Roman,1997:17)

The SEANWFZ idea faced two obstacles. First, the US strongly opposed the idea, arguing that it would restrict its military deployments in the region .Since the proposed zone was unlikely to be accepted by Vietnam, which was at that time ASEAN'S principal adversary, it would not constrain ability of Vietnam's principal ally ,The Soviet Union from stationing nuclear forces in Vietnam. As such NWFZ in South East Asia would undermine the US deterrence posture, without imposing similar constrains on the USSR Secondly, partly due to the US initiative three ASEAN states –Thailand, Philippines, and Singapore remained cool towards the idea .Thailand and The Philippines maintained bilateral defence treaty with the USA, while Singapore believed that its security was best served by a strong US military presence in the region (Acharya and Kenneth,1998: 220)

However, due to the unfavourable political environment in the region, the formal proposal for the establishment of such a zone was tabled in the mid-1980s. Indonesia formally raised the Southeast Asia NWFZ idea again in 1984.The establishment of the zone only gained momentum when the United States withdrew its military forces (including nuclear weapons) from the Philippines in 1992. After a decade of negotiating and drafting efforts by the ASEAN Working Group on a ZOP-FAN, the SEANWFZ Treaty was signed by the heads of states/governments of all 10 regional states in Bangkok on 15 December 1995.

Obligations on the part of signatories (Article 3):signatories undertake not to develop, manufacture, or otherwise acquire, possess or have control over nuclear weapons, or station, transport, test or use them. They also undertake not to allow any other state to

develop, manufacture or otherwise acquire, possess or have control over nuclear weapons, or stations, test or use them in their territory. The Treaty prohibits the dumping of radioactive substances on land, at sea or into the atmosphere.

Peaceful use of nuclear energy (Article, 4 and 5): The Bangkok Treaty allows the peaceful use of nuclear energy for economic development. But any country trying to develop nuclear energy must first submit its nuclear energy programme to rigorous safety assessment, which must be made available to other member states when requested. Signatories undertake to ensure the safe disposal of radioactive wastes. Prompt notification is required in the event of nuclear accidents. Signatories undertake to use their nuclear material and facilities for peaceful purposes only.

Implementation, compliance and verification mechanisms (Article 5,10,11,12 and 13): The Treaty's verification regime relies on (1) IAEA safeguards system (2) mutual reporting and exchange of information among the parties to the Treaty, and (3) request for fact-finding missions by Treaty signatories. A Commission, consisting of foreign ministers from each signatory state, is to oversee implementation and ensure compliance..

Because of concerns over the inclusion of continental shelves and exclusive economic zones (EEZ) in the Southeast Asia NWFZ, none of the nuclear weapon states has signed the protocol to the Treaty of Bangkok. The NWS, in particular the United States, argue that provisions of the treaty are inconsistent with the UN Convention on the Law of the Sea, which provides for freedom of passage through the straits covered by the zone. The United States is also concerned about the inclusion of the legally binding negative security assurances of protocol countries, and language concerning the provisions that do not allow port calls by ships carrying nuclear weapons. (Goidbalt,2004:66) China is the only NWS that has indicated support for the treaty and its protocol, but China has concerns due to a number of territorial issues, especially the disputed Spratly Islands in the South China Sea.

In most respects, the Bangkok Treaty is similar to other weapon-free zones. But it has some unique features. It is the first regional nuclear weapon free zone to be signed from

the very outset by all the countries located within the region. It is also the first zone to include the land territory, territorial sea, 200-mile EEZ and continental shelf of each signatory state. Third, unlike other NWFZs, The Bangkok Treaty requires nuclear powers refrain from using or threatening to use nuclear arms not only against parties to the treaty, but also anywhere within the zone (Acharya and Kenneth, 1998: 224)

African NWFZ

The text of an African Nuclear weapon free Zone Treaty (ANWFZ) (Treaty of Pelindaba) was finished by June 1995, and opened for signature in 11 April 1996. The treaty is not yet entered into force, as it had not received the required 28 ratifications. 53 African countries have signed and 18 have ratified the treaty. African states' awareness of the threat of nuclear weapons to their peace and security was made evident in their opposition to Charles DeGaulle's effort to use the Sahara as the testing ground for French nuclear devices during the late 1950s and early 1960s. (Suter, 1995:223) It was recognized that not only the tests, but the presence of atomic/nuclear weapons constituted grave danger for the continent's security. On 24 November 1961, as a consequence of the first French nuclear test in the Western Sahara desert, in the territory of present Algeria, the General Assembly appealed to UN's member states to stop carrying out these tests in densely populated territories of North Africa. A call to proclaim Africa "a nuclear free zone" was subsequently made at the United Nations. (UNDOC, A/RES/1652/(1652/(xvi))). Three years later, The African heads of state and government, gathered at the summit conference of the African unity (OAU) (now the African Union), solemnly declared by means of an international agreement that they were ready to achieve a treaty prohibiting the production and absolute control over atomic weapons in the region. (Roman, 1997:17)

The declaration by the OAU was submitted to and endorsed by the UN General Assembly during its 1965 session, but no follow-up action took place, and little significant progress towards this goal was achieved until the end of the Cold War. Meanwhile, the apartheid government of South Africa began a secret program to develop nuclear weapons in the late 1960s, and by 1989 South Africa had assembled six nuclear bombs. (De Villiers, *et.al*, 1993:100)

It was in 1991, when South Africa the only country in the African continent that had developed a technological capacity for making nuclear weapons, became an integral part of NPT, that real prospects for establishing a NWFZ in Africa opened. The text of an ANWFZ treaty was finished by June 1995, and opened for signature in April 1996. The African Treaty bears the name of Pelindaba (The name of this site comes from words in the Zulu language meaning "the issue is settled.") in honour of the South African nuclear plant that developed an important number of nuclear warheads which were later dismantled. (Roman, 1997:17)

The Treaty of Pelindaba prohibits the manufacture, testing, stockpiling, or acquisition by other means, as well as possession and control of any nuclear explosive device (in assembled, unassembled, or partly assembled forms) by the parties. In addition—and this is an important novelty—research on, and development of, such a device are banned. Moreover, the treaty bans seeking, receiving, or encouraging assistance in the above-enumerated activities (Articles 3 and 5). The treaty is of unlimited duration, but any party may withdraw from it at 12-months' notice, if some extraordinary events have jeopardized its supreme interests. The denunciation clause is thus less rigorous than in the Treaty of Rarotonga, which permits withdrawal only in the event of a material breach of the treaty. (Goldblat, 1997:25)

The African Commission on Nuclear Energy (AFCONE), which will have its headquarters in South Africa, is to be charged with ensuring compliance with all the undertakings (Article 12). The commission may request the IAEA to conduct an inspection on the territory of a party suspected of violating its obligations and designate representatives to accompany the Agency's inspection team, but it may also set up its own inspection mechanisms. The role of AFCONE will also include making sure that radioactive wastes are not dumped within the zone of application of the treaty.

The Treaty has three Protocols.

Under Protocol I, the United States, France, the United Kingdom, Russia and the People's Republic of China are invited to agree not to use or threaten to use a nuclear explosive device against any Treaty party or against any territory of a Protocol III party within the African zone.

Under Protocol II, the United States, France, the United Kingdom, the Russian Federation and China are invited to agree not to test or assist or encourage the testing of a nuclear explosive device anywhere within the African zone.

Protocol III is open to states with dependent territories in the zone and obligates them to observe certain provisions of the Treaty with respect to these territories; only Spain and France may become Parties to it.

In comparison, the text of the Treaty of Pelindaba is far more comprehensive than the treaties of Tlatelolco and Rarotonga. (Goldblat,1997:25) For instance, it calls for "the highest standards of security and effective physical protection of nuclear materials, facilities and equipment." The treaty also prohibits "any action aimed at an armed attack by conventional or other means against nuclear installations" in the zone. Because of South African early experience the treaty also calls for the declaration and dismantlement of any clandestine nuclear weapons programs that existed prior to the treaty's entry into force. Finally, it specifically prohibits research on nuclear explosive devices of any kind.

Central Asia

The Central Asian Nuclear Weapon Free Zone (CANWFZ) Treaty was signed in 8 September 2006 at Semipalatinsk, the former Soviet nuclear test site in Kazakhstan. Encompassing Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan. Throughout the Cold War, Central Asia had been the epicentre of the Soviet nuclear testing program, Soviet military conducting 456 nuclear tests in Kazakhstan alone. (Kassenova,2008) The idea of a CANWFZ can trace its roots back to the 1992 initiative by Mongolia declaring itself a NWFZ. In its statement to the First Main Committee of the

U.N. General Assembly announcing this initiative, Mongolia also declared its support for other regional disarmament measures, including a regional NWFZ.(Sergounin,1999:282) The first formal proposal for a CANWFZ was made by Uzbekistani President Islam Karimov at the 48th session of the U.N. General Assembly in 1993. In 1994, at the 49th session of the U.N. General Assembly, Kyrgyzstan voiced support for the establishment of a CANWFZ. (Parrish,2001:142)

The first joint political step toward creating a CANWZ was taken in February 1997, when the presidents of the five Central Asian states issued the Almaty Declaration, in which they supported the idea of establishing Central Asia as a nuclear-weapon-free zone. (Kasenov1998:145)Experts from all five Central Asian states agreed on the text of a treaty establishing a CANWFZ at a meeting held in Samarkand in Uzbekistan from 25-27 September 2002. The agreement concluded five years of talks that began in 1997. On 8 February 2005, the five Central Asian states adopted a final draft of the treaty text at a meeting in Tashkent, Uzbekistan. The signing of the treaty went forward despite objections by the United States, Great Britain, and France. (Parrish and William, 2006)With the approval of the CANWFZ treaty by Kazakhstan's upper house of parliament in 11 December 2008, ratification of the treaty was completed.

Verification and Compliance-The terms of the Treaty oblige the Central Asian States to accept enhanced International Atomic Energy Agency (IAEA) safeguards on their nuclear material, and require them to meet international standards securing nuclear facilities. The CANWFZ draft Treaty does not provide for the establishment of an organization/commission to oversee implementation and compliance/verification as do Bangkok, Pelindaba, and Tlatelolco, Treaties which establish NWFZs, or "control systems" as in the case of the Bangkok, Rarotonga and Tlatelolco Treaties. (Kakatkar and Miles,2009) It does, however, provide for annual consultative meetings to review compliance, but no direct linkage exists between this function and IAEA safeguards. The agreement between the Central Asian states is also the first of the NWFZ treaties to require its members to comply fully with the Comprehensive Nuclear-Test-Ban Treaty (CTBT).

While Russia and China approved of the treaty, United States, France and United Kingdom objected to a clause which stated that the Treaty would not affect the rights and obligations of the signatories under previous international agreements because of the already existent Tashkent Treaty which involved Russia. The United States, United Kingdom, and France were finally concerned about the possibility that the Treaty could forbid the transit of nuclear weapons through the territory. (Parrish and William,2006).

It will be the first nuclear weapon-free zone located entirely in the northern hemisphere. In a unique feature, the treaty also recognizes the environmental damage done to Central Asia by the Soviet nuclear weapons programme and pledges to support environmental. (Parrish,2001:141) The establishment of a CANWFZ also signifies the creation of a disarmament "pocket" in a volatile region of the world where nuclear ambitions are running high and proliferation dangers are significant. For instance, Central Asia borders two recognized nuclear powers (Russia and China) and is in close proximity to two other countries that possess nuclear weapons (India and Pakistan). Nuclear aspirant Iran is nearby as well. In addition, it should encourage the better patrol of established drug smuggling routes originating from neighbouring Afghanistan that some in the international community worry could be used to move nuclear material.(Kassenova,2008)

Other Areas Free of Nuclear Weapons

Mongolia was the first state to declare itself, and be internationally recognized, as a single-state nuclear-weapon-free zone. The factors that eventually led to Mongolia's nuclear-weapon-free status emerged largely as a product of tensions that existed between two neighbouring nuclear weapon states, China and the Soviet Union, during the Cold War. Mongolia embraced its nuclear-weapon-free policy in 1992, when the last troops of what had become the Russian Federation army were leaving the country. In his September 25 address to the 47th Session of the U.N. General Assembly, H. E. Punsalmaagiin Ochirbat, president of Mongolia, announced that his country had declared its territory to be a nuclear-weapon-free zone and would work to have that status recognized internationally. (Enkhsaikhan,2000:349) Six years later, in 1998, the 53rd session of the UN General Assembly recognized Mongolia's nuclear-weapon-free

status.¹⁵ All five NWS also declared their support for Mongolia's NWFZ status, which became part of Mongolian law in 3 February 2000.

Also, certain uninhabited areas of the globe have been formally denuclearized. They include Antarctica under the 1959 Antarctic Treaty, outer space, the moon, and other celestial bodies under the 1967 Outer Space Treaty and the 1979 Moon Agreement; and the seabed, the ocean floor, and the subsoil thereof under the 1971 Seabed Treaty (Goldblat,1997:18) In addition to the internationally recognized NWFZs, The New Zealand Parliament adopted the New Zealand Nuclear Free Zone by Disarmament and Arms Control Act of 1987. (Goldblat,1997:30) Austria like Magnolia declared its nuclear weapon free status through enacting a domestic legislation in 1999. In 1967, Japanese government announced the "Three Non-Nuclear Principles," which declared that Japan shall not possess, manufacture or allow nuclear weapons in Japan.

Over the years, local authorities in various countries have declared cities, towns, countries or other sub-national areas to be NWFZs. Generally, such authorities have no legal competence to take such decisions and would have no possibility to get their 'zones' internationally recognized. Such 'zones' should therefore be considered expressions of opinion rather than arms controls measures (Prawitz and James, 1996:5)

Proposed NWFZs

South Asia- After India conducted its first "peaceful nuclear explosion" in 1974; Pakistan proposed the establishment of a NWFZ in South Asia,¹⁶ at the UN General Assembly in 1975. In subsequent years, Pakistan submitted several more proposals for the establishment of a NWFZ in South Asia. India, however, consistently opposed this idea because of concerns about its neighbouring nuclear weapon state, China. India insisted that it needed to maintain a credible nuclear deterrent against Chinese threats. (Ahmad, 1999) Bhutan is the other one who oppose the zone along with India. China's membership in a South Asia NWFZ is also essential for India to be a part of a South Asia NWFZ. Since China is one of the five NWS recognized by the NPT and not likely to

¹⁵ For details see, U.N. General Assembly Resolution 53/77

¹⁶ See Resolution 3476 (XXX), Declaration and Establishment of a Nuclear Free Zone in South Asia

relinquish its nuclear weapons, a NWFZ in South Asia is not likely in the foreseeable future.

West Asia- The fear of Israel becoming a nuclear-capable state has been the main motivating force for West Asian states to call for a ‘Middle East Nuclear Free Zone’. In 1974, Iran and Egypt proposed the ‘establishment of a NWFZ in the Middle East’. (UNDOC,A/RES/3263(xxix) Since then, the UN General Assembly adopted several resolutions endorsing this idea without much success, mainly due to opposition by Israel and the United States. In April 1990, Egyptian President Hosni Mubarak went further and proposed the establishment of the ‘Middle East’ of a zone free of all types of weapons of mass destruction.(UNDOC,CD/989, 20 April 1990)

Israel's nuclear weapons capabilities and its refusal to join the NPT, along with the continued political and strategic tensions in the region like, nuclear ambitions of Iran, Israeli Palestine conflict have blocked progress towards this goal.(Agyeman,1985:85) In addition, the demarcation of the zone would be difficult to determine since the definition of the “Middle East” itself contains some vague elements. Geographically the NWFZ in the “Middle East” may partially overlap with the NWFZ in Africa, because Egypt and other states in North Africa are located within the area covered by the Treaty of Pelindaba. These issues will discuss in detail at the third and fourth chapters.

Southern Hemisphere- Since 1996, the UN General Assembly has adopted resolutions supporting the establishment of a NWFZ in the entire Southern Hemisphere. The United States, United Kingdom, and France have repeatedly voted against the creation of a Southern Hemisphere NWFZ, arguing that such a zone may contradict the Law of the Sea Convention which guarantees freedom of navigation and innocent passage for all naval vessels including those that are nuclear powered or nuclear armed. Since almost all land in the Southern Hemisphere (except for a few small islands) is already covered by existing NWFZs, the only area remaining outside of a NWFZ is the high seas.

Northeast Asia- Geographically, Northeast Asia consists of northern China, Japan, South Korea, North Korea, Mongolia, and the far eastern regions of Russia. The proposal of the

Northeast Asia NWFZ arose out of a series of meetings that began in 1991 between diplomats and officers from South Korea, Russia, Japan, China, and the United States. (Mukai,2005:84) North Korea's suspected nuclear weapons development and related withdrawal from the NPT are seen as significant threats to regional stability. In 20 January 1992, both North Korea (the DPRK) and South Korea signed a Joint Declaration on the Denuclearization of the Korean Peninsula. In October 2002, when North Korea appeared to acknowledge it had secretly developed a programme to produce enriched uranium. This was followed by the North Korean announcement of its withdrawal from the NPT in 10 January 2003, and it is generally accepted that its withdrawal became effective on 10 April 2003. Efforts to resolve the latest crisis peacefully and diplomatically have been made through the six-party talks involving the Republic of Korea, China, Japan, Russia and the United States. Today, the proposal for an NWFZ in Northeast Asia is being promoted in a limited way and through a Track-II level process. Official conferences and discussions are not yet held, which means that there are many high hurdles to overcome. (Mukai,2005:84)

Central and Eastern Europe- The creation of a NWFZ in Europe has been considered several times since the 1950s. Adam Rapacki first proposed the establishment of a NWFZ in Europe in 1958. However, since both NATO and Warsaw Pact countries relied on nuclear weapons for their defence and security strategies, this idea remained a non-starter during the Cold War. In 1990, Belarus submitted a proposal encouraging the creation of a Central and Eastern European NWFZ. However, few countries besides Belarus supported the idea in the 1990s. Nevertheless, most of the countries Belarus proposed for inclusion in the zone saw joining NATO and the European Union (EU), rather than creating a NWFZ, as more important for their security and economic development.

Conclusion:

Nuclear Weapons Free Zones have a tremendously important role to play in non-proliferation and disarmament issues. West Asia one of the most conflict prone regions in today's world-is an inevitable candidate for such a zone. Before looking in detail at the dynamics of "Middle East Nuclear Weapon Free Zone", it is important to know about the

concept of 'Nuclear Weapon Free Zone', its origin, various stages of developments and ongoing regional experiences. It is clear that the establishment of a NWFZ involves many steps and thus a complicated process. However, history proves that even though complicated, it is not impossible. This chapter mainly dealt with various hurdles faced by successful NWFZ's, in their formations. The way which they overcome all difficulties is essentially contribute to the formation of an ongoing "MENWFZ".

Chapter II

Nuclear Weapons and West Asia

This chapter will present a country wise analysis of the existing situation in West Asia with regard to nuclear weapons. It will enquire into the current scenario prevailing in the region, as no nation has yet declared itself as a nuclear weapon state. For the purpose of the study the chapter will broadly deal with the nuclear programmes of major states in the region like Israel, Iran, Iraq, Egypt, Syria and Saudi Arabia.

Among the many threats to the stability of West Asia, nuclear weapons are the most dangerous. In the region where Israel is believed to have nuclear weapons, it is assumed that some more either have or are in the process of acquiring such capabilities in ballistic missiles, chemical and biological weapons or technologies. Vertical or horizontal transfers to some extent have helped these states to acquire weapons of mass destruction (WMD) too. The crux of the problem is Israel's unacknowledged but well known nuclear arsenal, which serves as both an excuse and a driving cause for others in the region to acquire their own WMD to counterbalance Israel's advantage. (Kadhim,2006:581)

Israel

Israel is widely believed to be one of the four nuclear-armed countries though not recognized as a Nuclear Weapons State as per the Nuclear Non-Proliferation Treaty (NPT). Since the late 1960s Israel has been considered the sixth nation in the world and the first in the West Asia to have acquired a nuclear-weapons capability. Israel has not confirmed that it has nuclear weapons and officially maintains that it will not be the first country to introduce nuclear weapons into the "Middle East". Yet the existence of Israeli nuclear weapons is a "public secret" by now due to the declassification of large numbers of formerly highly classified US government documents which show that the United States (US) by 1975 was convinced that Israel had nuclear weapons of its own.

An accurate assessment of Israel's nuclear programme is almost impossible, given that the Israeli government has never acknowledged making nuclear weapons and has never published any account of its nuclear activities. Thus, most scholarly work relies on non-

Israeli sources. These sources give various estimates of the actual size and composition of Israel's nuclear stockpile, but the overall consensus is that Israel possesses an extensive arsenal of nuclear devices and an array of medium-range missiles that could deliver them. (Bahgat,2006:113)

Israel's involvement with nuclear technology starts from the founding of the state in 1948. Many talented Jewish scientists immigrated to Palestine during the 30's and 40's, in particular, Ernst David Bergmann. He became the director of the Israeli Atomic Energy Commission and the founder of Israel's efforts to develop nuclear weapons. Bergmann, a close friend and advisor of Israel's first Prime Minister, David Ben-Gurion, counselled that nuclear energy could compensate for Israel's poor natural resources and small pool of military manpower. He pointed out that there was just one nuclear energy, not two, suggesting nuclear weapons were part of the plan. (Cohen, 1998:16) In 1948, Israeli nuclear scientists began extracting low-grade uranium from phosphate deposits in the Negev Desert. With the encouragement of President Chaim Weizmann, they reportedly perfected a technique for producing heavy water. (Pajak,1983:590) Since its inception, the programme has been masked in secrecy with hardly any concrete details emerging. Then in October 1986, the *Sunday Times* published details of Israel's undeclared nuclear programme, based on information and photographs supplied by Mordechai Vanunu, who had worked as a nuclear technician at Israel's secret Dimona complex. The revelations were credible and detailed, and for the first time were linked to an identifiable source. (Joshi,2000)

French Support

The Israeli-French nuclear collaboration started in 1956, at that time the two nations found a common enemy in President Nasser of Egypt. On 7 November 1956, a secret meeting was held between Israeli foreign minister Golda Meir and French foreign and defence ministers Christian Pineau and Maurice Bourges-Manoury respectively. The French, embarrassed by their failure to support their ally in the Suez operation, found the Israelis deeply concerned about a Soviet threat in the era of cold war. In this meeting, they substantially modified the initial understanding beyond a research reactor. (Farr, 1999)

Most significantly, France in 1957 provided the Israelis with their first nuclear reactor – a 26 megawatt unit at Dimona in the Negav- and assisted in designing the research facilities associated with the reactor. (Pajak,1983:590) The Dimona reactor had an initial thermal capacity of approximately 26 megawatts, which would generate 8 to 10 kilograms of plutonium annually, an amount which (when reprocessed) is about that commonly assumed to be required for the production of one atomic bomb. (Quester: 1983:548) One expert postulated, based on unnamed sources that the French nuclear test in 1960 made two nuclear powers not one - such was the depth of collaboration. There were several Israeli observers at the French nuclear tests and the Israelis had “unrestricted access to French nuclear test explosion data.” (Cohen,1998:82-83)

Role of USA

The Dimona project, as well as work in French and Israeli laboratories and at various testing sites, remained secret. The United States firmly opposed Israeli nuclearisation. In early January 1960, the administration took up the issue directly with foreign minister Golda Meir and Prime Minister David Ben Gurion in Israel. The exchange of views was sharp. Later president Kennedy sent Ben Gurion at least one strong warning against any thought of going nuclear. At this time, the United States, apparently unaware of Dimona, was openly cooperating with the Israelis in the construction of a small, 1,000-kilowatt reactor near Tel Aviv. (Bell, 1972: 380) But this facility, at Nahal-Soreq, has been under IAEA safeguards throughout its years of operation, and has not been the object of any serious weapons speculation. (Quester,1983:549) Reputedly, not until 1960 did United States intelligence discover the existence and size of the Dimona reactor.

Although Israel did allow a cursory inspection by physicists, Prime Minister Ben Gurion consistently refused to allow international inspections. The final resolution was a commitment from Israel to use the facility for peaceful purposes, and an agreement to admit a US inspection team once a year. These inspections, begun in 1962 and continued until 1969, were only shown the above-ground part of the buildings, which had many levels underground. The above ground areas had simulated control rooms, and access to the underground areas was kept bricked up while the inspectors were present.

Besides close nuclear cooperation with France, Israel established ties with other countries, particularly South Africa. Considerable nuclear collaboration between Tel Aviv and Pretoria is reported to have developed in the late 1960s and continued through the following two decades. During this period, South Africa was Israel's primary supplier of uranium for Dimona.(Bahgat,2006:117) In 1977 the two prepared for a test in South Africa's Kalahari Desert which was called off at the last moment under pressure from the US. (Hunter, 1986:13)

Norwegian Role

Norway sold 20 tons of heavy water to Israel in 1959 for use in an experimental power reactor. Norway insisted on the right to inspect the heavy water for 32 years, but did so only once, in April 1961, while it was still in storage barrels at Dimona. Israel simply promised that the heavy water was for peaceful purposes. In addition, quantities much more than what would be required for the peaceful purpose reactors were imported. Norway either colluded or at the least was very slow to ask to inspect as the IAEA rules required. Norway and Israel concluded an agreement in 1990 for Israel to sell back 10.5 tons of the heavy water to Norway. Recent calculations reveal that Israel has used two tons and will retain eight tons more. (Farr,1999)

By the late 1950s, Israel lacked two key items-Uranium fuels for the reactor and heavy water to permit fission of uranium for plutonium production. Israel obtained uranium from the world market. In November 1968, Israel acquired 200 tons of processed uranium secretly from Antwerp. By 1972, Israel had built three phosphoric acid plants, which extracted uranium as a by-product. In the mid 60s, Israel had obtained by stealth 100 kgs of US owned highly enriched uranium. (Joshi, 2000)

Although Israel acquired all the necessary materials and developed sophisticated technical expertise and infrastructure, there is no evidence that it has ever carried out a full-scale nuclear test. Some analysts believe that Israel has developed its nuclear-weapons capability by relying on computer simulations and test information from foreign sources. Other analysts contend that Israel carried out at least one nuclear test off the

southern coast of Africa in September 1979. This putative test was detected by an American “Vela” satellite. (Bahgat,2006:118)

Behind Israeli nuclear option

Israel’s drive for a nuclear weapons capability originated with a doomsday scenario put forward in the 1950s. The scenario brought together three major Israeli concerns:

(1) the prospect of a united Arab coalition starting an all-out war aimed at the total destruction of the Jewish state. When Israel declared independence on 14 May 1948, its Arab neighbours responded by invading. “It does not matter how many (Jews) there are” said Arab League Secretary General Abdul Rahman Azzam, “we will sweep them in to the sea” (Gorenberg,2008: 28)

(2) The military advantage in both quantitative terms (e.g., size of armed forces and number of basic weapons systems) and qualitative terms (especially in the realm of weapon systems capability) that such a coalition would enjoy; and since independence, Israel has fought six conventional wars, three involving fighting multiple Arab states simultaneously. (Spyer,2008:349)

(3) The widespread international support (including from the Soviet Union) that this coalition would likely face—compared with the political isolation that Israel could anticipate. (Cohen,1998:11–14)

The 1967 War had an important nuclear dimension. While the nuclear issue was not the hidden cause of the war, nuclear-related events and considerations, on both the Arab and Israeli sides, played a more important role in the evolution of the crisis than has been acknowledged. New and little-known Israeli sources suggest that Israel had a nuclear capability on the eve of war. (Cohen, 1996:190) Avner Cohen (Cohen 1998:1) asserts that “on the eve of the Six-day War Israel already had a rudimentary, but operational, nuclear weapon capability.” The next round of fighting between Israeli and Arab armies took place in the 1973 War. In response, Israeli leaders considered the possibility of using the nuclear option. At the end of the 1973 War Israel had her nuclear arsenal fully functional and tested by a deployment.

Selected Worldwide Nuclear Weapons Inventories		
Country	1999	2020
Russia*		
Strategic	8,200-10,600	1,600-2,600
Tactical	8,500-15,900	3,400-6,000
China		
ICBM	40-45	160-220**
SLBM	0-12	28-44
SRBM	100	150-200
India	10-16	50-70
Pakistan	25-35	60-80
Israel	60-80	65-85
North Korea***	1-2	10+
Iran		10-20
Iraq		10-20

* This includes warheads scheduled for dismantling.
** Assumes U.S. NMD & TMD deployment and Chinese build-up in response to U.S. deployment.
*** Assumes noncompliance with international agreements. By 2020, North Korean assets could largely be part of a united Korea.

U.S. Defense Intelligence Agency, *The Decades Ahead: 1999-2020*, July 1999, p. 38.

Regarding the number of nuclear weapons, most experts estimate that Israel has between 100 and 200 nuclear warheads, largely based on information leaked to the *Sunday Times* newspaper in the 1980s by Mordechai Vanunu. Ex-US President Jimmy Carter has said Israel has at least 150 atomic weapons in its arsenal. ¹⁷U.S. Defence Intelligence Agency

¹⁷ Mr. Carter gave the figure for the Israeli nuclear arsenal in response to a question on US policy on a possible nuclear-armed Iran, arguing that any country newly armed with atomic weapons faced overwhelming odds. , BBC News, 6 May 2008, Accessed from http://news.bbc.co.uk/2/hi/middle_east/7420573.stm

(DIA) in 1999 calculated that the number should be in between 60-80 as shown in the table above.¹⁸

Nuclear doctrine

The official line was first articulated by Premier Levi Eshkol in 1968. It remains the basis for Israel's nuclear policy. On 5 October 1968, Eshkol added what would become that essential element in the formulation of deliberate ambiguity, stating that, "Israel has the knowledge to make atomic bombs". In 1974, Prime Minister Rabin repeated the formula that Israel would not be the first to introduce nuclear weapons in the "Middle East", and adding that, "We can't afford to be the second either". (Cochran,1996:326-27)

The state of Israel was created shortly after the end of World War II and the defeat of Nazism. Naturally, the tragic experience of the Holocaust had shaped the security perception of the new state. Within this context, nuclear weapons would, as Ernst David Bergmann; the first chairman of Israel's Atomic Energy Commission put it, "ensure that we shall never again be led as lambs to the slaughter."¹⁹ Israel's founding fathers were not united in their stand on building a nuclear-weapon capability. Ben-Gurion, Shimon Peres, Moshe Dayan and Ernst David Bergmann were among the strongest advocates of a nuclear option and played a significant role in transforming this vision into a reality. (Bahgat, 2006:115) Due to the lack of consensus, the decision to initiate a nuclear programme was taken in secrecy. Only Ben-Gurion's closest aides participated in making the decision. According to some sources, the prime minister's move to build a nuclear programme was made "without the knowledge of the Knesset's foreign-affairs and security committee and without approval of its finance committee."(Bahgat,2006:116)

Even in Israel, according to a March 1976 poll, 62 percent of the people believed that their country already possessed atomic arms while only 4 percent thought it did not, and

¹⁸ For Details Federation of American Scientists, WMD around the World, Accessed from:<http://www.fas.org/nuke/guide/israel/nuke/>.

¹⁹For Details see, Federation of American Scientists, Nuclear Weapons, Accessed from <http://fas.org/nuke/juide/israel/nuke>>.

77 percent thought that it should. Moshe Dayan openly called for developing nuclear weapons because, in the long run, Israel could not hope to match the quantities of conventional weapons that the Arabs can obtain, and because of America's weakness and the limitations of its mediating role. (Rosen,1977:1368)

Yet contrary to the conventional wisdom, which holds that the possession of nuclear weapons cannot be kept secret if they are to be an effective deterrent, Israel's policymakers decided on a policy of nuclear ambiguity. According to Zeev Maoz, this policy has two major components. (Maoz,2003:46-47) Israel would develop nuclear weapons but refrain from either testing them openly or formally announcing their existence. The second involves signalling: Through a series of leaks and veiled statements, the spread of rumours, and other political actions (e.g., refusal to sign the 1968 NPT), Israel would bolster its nuclear image—an image comprising indirect evidence of an existing nuclear capability and hints of a deterrence doctrine. In Israel's case, the doctrine of nuclear ambiguity is embodied in the “Samson option”—namely, the use of nuclear weapons only as weapons of last resort. Adherents of this policy argue that Israeli nuclear ambiguity not only fosters deterrence but also allows the government to minimize the adverse political, military, and diplomatic ramifications of Israel's regional nuclear monopoly.

Some have speculated that the Israelis will update their nuclear arsenal to “micro nukes” and “tiny nukes” which would be very useful to attack point targets and other tactical or barrier (mining) uses. Some have made the point that Israeli professional military schools do not teach nuclear tactics and would not use them in the close quarters of Israel.

Iran

Iran ratified the NPT in 1970, and from February 1992 allowed the IAEA to inspect its nuclear facilities. Yet, the data on Iranian nuclear weapons efforts remain uncertain. It is generally believed that Iran's efforts are focused on uranium enrichment, though there are some indications of work on a parallel plutonium effort. Iran claims that it is trying to establish a complete nuclear fuel cycle to support a civilian energy programme, but this same fuel cycle would be applicable to a nuclear weapons development programme. The

summary reports by the IAEA has not stated that there is decisive evidence of Iran seeking such weapons, although the detailed disclosures made in IAEA reporting since 2002, do strongly indicate that it is likely that Iran is covertly continuing to seek the nuclear technology. Neither the US nor its European allies have yet released any detailed white papers on their intelligence analysis of Iranian efforts, and there have been several press reports that US intelligence feels that its supposed knowledge of the Iranian nuclear programme is less than adequate to make the case solid to put forward where, when, and how the Iranians will acquire a nuclear weapon. (Cordesman,2006:5)

Nuclear Policy under Shah (1967-1979)

Experts believe that Iran's close relationship with the US during the Cold War allowed it to start nuclear research. The agreement with the US under the Atoms for Peace Programme required Iran to make a commitment not to pursue nuclear weapons, but allowed Iran to pursue "peaceful" nuclear research with only limited real-world controls. (Cordesman,2006:20) Iran and the US also signed an agreement in 1957 that laid the groundwork for the delivery of five megawatt light water research reactor. It was commissioned in 1967 at the Tehran Nuclear Research Centre. In 1975 the Atomic Energy Organization of Iran (AEOI) signed a deal with the Massachusetts Institute of Technology to train Iranian nuclear scientists. (Sahimi,2003)

In these early years the Iranian nuclear programme received supports from several Western powers. Reactors were purchased from the US, France, and West Germany. Iranian nuclear scientists were trained in those countries as well as in Great Britain, Italy, Belgium, and Canada. Argentina, an aspiring nuclear power at the time, also provided advisers. Although each of these countries sought to help Iran to develop nuclear energy rather than nuclear weapons, the Shah clearly had nuclear weapons in mind. (Quillen, 2002:17) When asked whether Iran would soon acquire its own nuclear weapons, Shah himself, in an interview granted to some French correspondents shortly after the Indian detonation of a "peaceful nuclear device" in May of 1974, reportedly responded that, "Without any doubt, and sooner than one would think."(Quester,1977:22)

Nuclear Policy under the Ayatollahs (1979-1997)

After the Shah fled Iran in January 1979, the new ruling ayatollahs inherited his nuclear programme. Considerable dispute surrounded the Islamic regime's early support for nuclear weapons. Many argued that Ayatollah Ruhollah Khomeini should consider nuclear weapons (as well as chemical and biological weapons) as immoral and he should not seek them. Others, however, insist his government to continue the nuclear programme, but on a less grandiose scale. (Quillen,2002:19) It was considered that Ayatollah Khomeini revived the nuclear weapons programme only after Iraq started to use chemical weapons against Iran during the Iran-Iraq War. (Cordesman,2006:24)

The two central milestones that many experts believe to be necessary for understanding the developments in Iran's nuclear programme are the 1987 and the mid-1990s offers by the A.Q. Khan network. The nature of offer, however, remains a mystery since the people who were involved in the A.Q Khan network have offered contradictory explanation to the investigators about what was delivered to Iran. (Cordesman,2006:31) Iran claims that it received only the drawings of centrifuges but not the designs. After initial denials, Pakistan admitted that the A.Q Khan offered help to Iran.

Although the nuclear reactor complex at Bushehr was about 77 percent complete, the project suffered from significant technical difficulties and major cost overruns. The revolutionary regime could not afford the financial investment to complete the work at Bushehr and was unwilling to request and unlikely to receive the necessary foreign assistance. Hence the project got delayed but was to revive again soon. The most pressing reason for restarting the nuclear programme was military of course. The new Iranian regime ended the Shah's alliance with the US and actively sought to define itself as an enemy of America. To make matters worse, Iran did not trade one Cold War superpower ally for another. Even though Tehran turned away from the US it did not turn towards the USSR. As a result, the possibility of superpower intervention in Iran—most likely to secure access to its oil supply—increased significantly as both sides in the Cold War now viewed Tehran as a hostile regime. Fear of such an invasion provided ammunition to the supporters of an Iranian nuclear deterrent. (Quillen,2002:19)

Iraq struck much of Iranian nuclear facilities during the Iran Iraq war, this very much affect it's ability to produce nuclear materials. After the Iran-Iraq War ended in 1988, Tehran began a massive military rebuilding programme to replace its lost forces and to prepare for the next war. The eight-year-long war had made it clear to the Ayatollahs that in any future conflict Iran would stand alone without support from other nations and needed to be self sufficient in both conventional forces and "weapons of mass destruction." (Quillen,2002:20)

During the early 1990's, two significant international events affected Iranian national security in a considerable manner. The first was the fall of the Soviet Union that pushed the other super power back from Iran's border and lessened the chances of an invasion. (Quillen,2002:20) The second event was the Iraqi invasion of Kuwait in 1990 and the subsequent Gulf War in 1991. The defeat of Iraq was no doubt a happy news to Tehran, but the UN inspections that followed uncovered an Iraqi nuclear programme more extensive and advanced than anyone—including Iran—had imagined. (Quillen,2002:20) Thus, although Iraq had been defeated in war, the threat that Iran faced from Baghdad did not actually decrease. The Allied defeat of Iraq also demonstrated beyond doubt the ability of U.S to intervene with massive military force anywhere in the Gulf region which reinforced the fears of U.S. intervention against Iran.

Nuclear Policy under President Khatami

The election victory of Mohammed Khatami as President of Iran in May 1997 has been seen as tremendously significant with regard to the nuclear option. Khatami was viewed as being more moderate, more liberal, and more open to the West. His landslide re-election victory in June 2001 reinforced his international, if not domestic, stature. Regardless of the president's proposals for change, Iran continued to pursue completion of the Bushehr nuclear reactor complex. Although some assistance for the programme was forthcoming from such nations as China and Pakistan, the main source of foreign assistance was the Russian Federation. In January 1995, Iran and Russia signed a contract to construct the first unit at Bushehr to be delivered by the end of 2002. (Quillen, 2002:21)

However, China also had a crucial role cum major share in the Iranian WMD acquisitions. China reportedly supplied a range of WMD equipment, systems or technologies to Iran over a period of time. These included nuclear materials or technologies, ballistic missiles or parts, cruise missiles and chemical and biological weapons. (Kondapalli, 2008:50) During its war with Iraq, two nuclear reactors at Bushehr were damaged by Iraqi air attacks in 1987 and 1988. Iran wanted these to be repaired and reconstructed. In 1988, Iran reportedly sent fifteen nuclear engineers from Isfahan to China for training. China concluded agreements with Iran in 1989, 1991 and 1992 to provide nuclear technology. Although China has declared that its supplies to Iran are for peaceful purposes and that these are under IAEA safeguards, it was reported that Chinese supplied equipment, materials or training was used by Iran for its weapons quest. Chinese technicians reportedly built a calutron for enriching uranium at Karaj in Iran which was not under IAEA safeguards. (Kondapalli,2008:51)

Shahram Chubin (Chubin,1995:89) argues that Iran's quest for nuclear weapons is motivated by 'political' rather than 'security' reasons; its drive for status being a greater incentive than any particular security threat. The fact that Iraq - which had started the war, had used chemical weapons, had targeted Iranian cities with missiles, and had held Iranian territory that it had occupied by force - was not condemned by the UN, confirmed Iran in its view that the current international order is unjust and hostile towards it. Baghdad was kept well stocked with weapons throughout the war, including - with or without Western knowledge - materials for weapons of mass destruction.

Iran continues to be very critical of U.S. policy in the Gulf, Afghanistan, and West Asia generally. This situation was worsened following the attacks of 11 September, the US scrutiny of Iraq's WMD programme, and the US naming Iran a member of the club of the "Axis of Evil." Iran's nuclear programme became the subject of more concern. This shift in the scrutiny of Iran's nuclear programme can partially be traced back to 14 August 2002 when the National Council of Resistance of Iran (NCRI) identified a "secret" Iranian nuclear programme. (Cordesman,2006:33)

Iran's nuclear calculations have been further hardened by the rise of war veterans such as President Mahmoud Ahmadinejad to positions of power. Although the Iran-Iraq war

ended nearly twenty years ago, for many within the Islamic Republic, it was a defining experience that altered their strategic assumptions. Even a cursory examination of Ahmadinejad's speeches reveals that for him, the war is far from a faded memory. In his defiant speech at the UN General Assembly in September 2005, Iran's President pointedly admonished the assembled dignitaries for their failings:

“For eight years, Saddam’s regime imposed a massive war of aggression against my people. It employed the most heinous weapons of mass destruction including chemical weapons against Iranians and Iraqis alike. Who, in fact, armed Saddam with those weapons? What was the reaction of those who claim to fight against WMDs regarding the use of chemical weapons then?” ²⁰

According to Jennifer Knepper, the four elements of Iran's strategic culture that most relate to its drive for nuclear weapons include; (1) an all encompassing conviction in Shia Islam as the bedrock of the regime's political legitimacy and the country's national identity; (2) a hyper nationalistic belief in the Islamic Republic of Iran's rightful place as the leader of the Islamic civilization and regional hegemon; (3) a pervasive sense of external and internal vulnerability; and (4) an integrated perception that the US desires to dominate and destroy the Islamic civilization. (Knepper,2008:452)

IAEA

In 1983 the IAEA planned to provide assistance to Iran under its Technical Assistance Programme to produce enriched uranium. On 14 August 2002, Alireza Jafarzadeh, a spokesman for an Iranian dissident group National Council of Resistance of Iran, publicly revealed the existence of two nuclear sites under-construction: a uranium enrichment facility in Natanz and a heavy water facility in Arak.

On 9 February 2003, then Iran's President, Mohammad Khatami, invited IAEA to visit Iranian nuclear facilities, including Natanz. In response to this call, the head of the IAEA, Dr. Mohamed ElBaradei, travelled to Tehran during 22-23 February 2003 to discuss the scope of Iranian cooperation with IAEA inspections. France, Germany and the United Kingdom (the EU-3) undertook a diplomatic initiative with Iran to resolve questions about its nuclear programme. On 21 October 2003, in Tehran, the Iranian government

²⁰ From “President Mahmoud Ahmadinejad's UN Address,” IRNA, 17 September 2005

and EU-3 Foreign Ministers issued a statement known as the Tehran Declaration ²¹ in which Iran agreed to co-operate with the IAEA, to sign and implement an Additional Protocol as a voluntary, confidence-building measure, and to suspend its enrichment and reprocessing activities during the course of the negotiations. The EU-3 in return explicitly agreed to recognize Iran's nuclear rights and to discuss ways Iran could provide "satisfactory assurances" regarding its nuclear power programme, after which Iran would gain easier access to modern technology. Iran signed an Additional Protocol on 18 December 2003, and agreed to act as if the protocol were in force, making the required reports to the IAEA and allowing the required access by IAEA inspectors, pending Iran's ratification of the Additional Protocol.

IAEA experts and inspectors visited Iran on several occasions. On the question of whether Iran had a hidden nuclear weapons programme, the IAEA's November 2003 report states that it found "no evidence" that the previously undeclared activities were related to a nuclear weapons programme, but also that it was unable to conclude that Iran's nuclear programme was exclusively peaceful.

In September 2005, IAEA Director General Mohammad ElBaradei reported that "most" highly-enriched uranium traces found in Iran by agency inspectors came from imported centrifuge components, validating Iran's claim that the traces were due to contamination. But following intensive efforts by the US and other concerned states, the IAEA Board of Governors adopted a resolution that recalled ²²

"Iran's failures in a number of instances over an extended period of time to meet its obligations under NPT Safeguards Agreement ... with respect to the reporting of nuclear material, its processing and its use, as well as the declaration of facilities where such material had been processed and stored, as reported by the Director General".

²¹For details see, Statement by the Iranian Government and visiting EU Foreign Ministers, 21 October 2003, Accessed from http://www.iaea.org/NewsCenter/Focus/iaeaIran/statement_iran21102003.shtml

²² IAEA Board of Governors Resolution OV/2005/77, Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran published on September 24, 2005, Accessed from <http://www.iaea.org/NewsCenter/Focus/iaeaIran/index.shtml>>. 31d.

On 4 February 2006, the 35 member Board of Governors of the IAEA voted 27–3 to report Iran to the UN Security Council. The measure was sponsored by the United Kingdom, France and Germany, and it was backed by the United States. In response, on February 6 2006, Iran suspended its voluntary implementation of the Additional Protocol and all other voluntary and non-legally binding cooperation with the IAEA beyond what is required by its safeguards agreement.

In late February 2006, IAEA Director Mohammad El-Baradei raised the suggestion of a deal, whereby Iran would give up industrial-scale enrichment and instead limit its programme to a small-scale pilot facility, and agree to import its nuclear fuel from Russia. The Iranians indicated that while they would not be willing to give up their right to enrichment in principle, they were willing to consider the compromise solution.

An IAEA report to the Board of Governors on 30 August 2007, stated that Iran's Fuel Enrichment Plant at Natanz is operating "well below the expected quantity for a facility of this design," and that 12 of the intended 18 centrifuge cascades at the plant are operating. The report also stated that the IAEA has "been able to verify the non-diversion of the declared nuclear materials at the enrichment facilities in Iran and has therefore concluded that it remains in peaceful use," and that longstanding issues regarding plutonium experiments and HEU contamination on spent fuel containers were considered "resolved." However, the report adds that "the Agency remains unable to verify certain aspects relevant to the scope and nature of Iran's nuclear programme. The report also outlines a work plan agreed by Iran and the IAEA on 21 August 2007. The work plan reflects agreement on "modalities for resolving the remaining safeguards implementation issues, including the long outstanding issues."

In late October 2007, according to the *International Herald Tribune*, the head of the IAEA, Mohamed ElBaradei, stated that he had seen "no evidence" of Iran developing nuclear weapons.²³ The *IHT* quoted ElBaradei as saying "We have information that there

²³For details see, "UN nuclear watchdog chief expresses concern about anti-Iran rhetoric from US". *International Herald Tribune*. October 28, 2007. Accessed from URL:<http://www.nytimes.com/marketing/iht/search/?iht>

have been maybe some studies about possible weaponization. That's why we have said that we cannot give Iran a pass right now, because there is still a lot of question marks.

The November 15 2007 IAEA report found that on 9 outstanding issues listed in the August 2007 work plan, including experiments on the P-2 centrifuge and work with uranium metals, "Iran's statements are consistent with information available to the agency," but it warned that its knowledge of Tehran's present atomic work was shrinking due to Iran's refusal to continue voluntarily implementing the Additional Protocol, as it had done in the past under the October 2003 Tehran agreement. The only remaining issues were traces of Highly Enriched Uranium (HEU) found at one location, and allegations by US intelligence agencies based on a laptop computer allegedly stolen from Iran which reportedly contained nuclear weapons-related designs.

The IAEA issued its report on the implementation of safeguards in Iran on 22 February 2008.²⁴ With respect to the report, IAEA Director Mohammad ElBaradei stated that "We have managed to clarify all the remaining outstanding issues, including the most important issue, which is the scope and nature of Iran's enrichment programme" with the exception of a single issue, "and that is the alleged weaponization studies that supposedly Iran has conducted in the past." According to the report, the IAEA shared intelligence with Iran recently provided by the US regarding "alleged studies" on a nuclear weaponization programme.

On 26 May 2008, the IAEA issued another regular report on the implementation of safeguards in Iran.²⁵ According to the report, the IAEA has been able to continue to verify the non-diversion of declared nuclear material in Iran, and Iran has provided the Agency with access to declared nuclear material and accountancy reports, as required by its safeguards agreement.

²⁴ Report by the Director General, 5 March 2008, Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions 1737 (2006) and 1747 (2007) in the Islamic Republic of Iran. URL: <http://www.iaea.org/Publications/Documents/Board/2008/gov2008-4.pdf>

²⁵ Report by the Director General, 5 June 2008, Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions 1737 (2006), 1747 (2007) and 1803 (2008) in the Islamic Republic of Iran, URL: <http://www.iaea.org/Publications/Documents/Board/2008/gov2008-15.pdf>

According to the 15 September 2008 IAEA report on the implementation of safeguards in Iran,²⁶ Iran continued to provide the IAEA with access to declared nuclear material and activities, which continued to be operated under safeguards and with no evidence of any diversion of nuclear material for non-peaceful uses. Nevertheless, the report reiterated that the IAEA would not be able to verify the exclusively peaceful nature of Iran's nuclear programme unless Iran adopted "transparency measures" which exceeded its safeguards agreement with the IAEA, since the IAEA does not verify the absence of undeclared nuclear activities in any country unless the Additional Protocol is in force.

The report also reiterated that IAEA inspectors had found "no evidence on the actual design or manufacture by Iran of nuclear material components of a nuclear weapon or of certain other key components, such as initiators, or on related nuclear physics studies ... Nor has the Agency detected the actual use of nuclear material in connection with the alleged studies" but insisted that the IAEA would not be able to formally verify the peaceful nature of Iran's nuclear programme unless Iran had agreed to adopt the requested "transparency measures".

In a 19 February 2009 report to the Board of Governors²⁷ ElBaradei reported that Iran continued to enrich uranium contrary to the decisions of the Security Council and had produced over a ton of low enriched uranium. Regarding the "alleged studies" into nuclear weaponization, the Agency said that "as a result of the continued lack of cooperation by Iran in connection with the remaining issues which give rise to concerns about possible military dimensions of Iran's nuclear programme, the Agency has not made any substantive progress on these issues."

In November 2007 US National Intelligence Estimate (NIE) judged that Iran halted an active nuclear weapons programme in fall 2003 and that it remained halted as of mid-

²⁶ Report by the Director General, 15 September 2008, Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions 1737 (2006), 1747 (2007) and 1803 (2008) in the Islamic Republic of Iran, URL: http://www.isis-online.org/publications/iran/IAEA_Iran_Report_15_September_2008.pdf,

²⁷ Report by the Director General, 4 March 2009, Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1835 (2008) in the Islamic Republic of Iran, Accessed from <http://www.iaea.org/Publications/Documents/Board/2009/gov2009-8.pdf>

2007. The estimate further judged that US intelligence did not know whether Iran intended "to develop nuclear weapons," but that "Iran probably would be technically capable of producing enough HEU for a weapon sometime during the 2010-2015 time frame" if it chose to do so.²⁸

The recent scenario shows that economic sanctions as the diplomatic option is being exhausted and in the absence of a clear unequivocal nuclear reversal on part of Iran, the US will try to prod the UNSC into eventually imposing a strict set of sanctions against Tehran that include economic and political isolation combined with a military quarantine tightly controlling what flows in and out of Iran. The UNSC may decide on sanctions, whose content effectiveness is primarily dependent upon the need to forge an international consensus. (Inbar,2006:94) The current political change of Obama swearing the US presidency will make the future unpredictable as it depends upon his will whether to hold back to Bush's policy options against Iran.

Iraq

Iraq had sought to develop the nuclear capability since the mid-1970s when Saddam Husain became vice president of Iraq. Once assuming the leadership of Iraq in 1979, he intensified Iraq's drive to become a regional power. (Marashi, 2004:81) Saddam's WMD programme grew as Iraq embarked on a disastrous war with its neighbour Iran. Saddam had to match Iran's larger army by developing WMD to stop its offensives into Iraqi territory. Captured documents from the Iraqi leadership and intelligence services which dealt with the Iran-Iraq War (1980-88) and the 1991 Gulf War demonstrate that in the face of international and domestic threats, WMD was seen by Baghdad as a necessary means for guaranteeing the survival of not only the Iraqi nation, but more importantly, the regime of Saddam Husain.

²⁸For details see, *Iran: Nuclear Intentions and Capabilities*, National Intelligence Estimate ,Accessed from http://www.dni.gov/press_releases/20071203_release.pdf.

Iraq ratified NPT in 1969; however, Iraq intended to use the benefits of the NPT to secretly obtain nuclear weapons. Iraq acquired a 5-megawatt reactor provided by the USSR, and had performed some research with it with soviet help. The Iraqi wanted in 1975 to upgrade their facilities. They ordered a high power (40MW), high flux reactor from France. The reactor they agreed to sell to Iraq was appreciably different from the one sold to Israel and installed at Dimona. In it ordinary water was used (light water) as a moderator. (Wilson, 1991:9)

Osirak

In 1976, Iraq purchased its Osirak research reactor from the French, and Iraq renamed the reactor "Tammuz 1" after the month in the Arabic calendar that the Baath Party came to power in 1968. This had the capability of irradiating uranium to produce significant quantities of plutonium. Osirak, or Osiraq, was a 40 MW light-water nuclear materials testing reactor (MTR). It was constructed by the Iraqi government at the Al Tuwaitha Nuclear Research Centre, 18 km (11 miles) south-east of Baghdad in 1977.

It was damaged by an Iranian air strike in 1980, during the Iran–Iraq War. Later Israel by using the possibilities of Iran Iraq war attacked Osirak nuclear facilities in 1981 (“Operation Opera”). The reactor complex was heavily damaged, according to plan. Eleven men, ten Iraqi soldiers and one French civilian researcher were killed in the attack. In the midst of the war Iraq was unable to respond and was terribly damaged.

Israel was strongly condemned by the international community on its treacherous attack on the Iraqi arsenals. The representative of France stated that the sole purpose of the reactor was scientific research and the agreements between France and Iraq excluded its use for military use. Most observers rejected Israel's justification that it acted in self-defence. (Wilson1991:10)The UN Security Council, in this regard unanimously adopted resolution 487 of 10 June 1981 that.²⁹

²⁹ More Details see,United Nations Security Council Resolution 487(JUNE 19, 1981) http://avalon.law.yale.edu/20th_century/un487.asp

- *Strongly condemned Israel's attack as a violation of the UN Charter.*
- *Called upon Israel not to repeat its conduct*
- *Held that the attack was a threat to the IAEA-NPT regimes.*
- *Recognised the right of all nations to pursue peaceful nuclear development.*
- *Called upon Israel to submit its facilities to IAEA safeguards.*
- *Held that Iraq was entitled to redress*

In fact, Israel's strike on the reactor did not end Saddam Hussein's nuclear ambition; rather, he expanded his efforts to develop a nuclear device. The Iraqi defector and former nuclear scientist, Khadir Hamza said, "Israel made a mistake. The bombing ended the plutonium effort but began a new programme to produce highly-enriched uranium. At the beginning we had approximately five hundred people working, which increased to seven thousand working after the Israeli bombing". (Marashi,2004:82) The secret programme became a much larger and ambitious programme. Such activities demonstrated that Iraq was determined to acquire a nuclear device during the 1980s, despite the financial costs of the Iran-Iraq War. Even while Iraq was suffering from dire economic conditions in the aftermath of the eight-year war, such nuclear related activities of procurement and development continued, demonstrating Saddam's determination to obtain a nuclear weapon. While Saddam claimed that this was meant to be an "Arab bomb" for the benefit of the entire Arab world, his unchecked determination shows that he actually realized that possessing this ultimate weapon would be the key to obtaining all his future objectives. (Marashi,2004:83)

Post Gulf War Period

After Iraq's defeat in the 1991 war over Kuwait, the Iraqi government was forced to accept agreements, defined and authorized by UN resolutions, mandating its full cooperation in giving up all Weapons of Mass Destruction (WMD). By 1998, while many weapons had been uncovered and destroyed--often in the face of Iraqi non-compliance--the lack of cooperation forced the withdrawal of inspectors. 30 January 1999, the UN

Security Council approved the creation of three panels to “re-establish an effective disarmament, ongoing monitoring and verification regime.”³⁰ The disarmament panel had consisted of 20 members, 11 of whom were representatives of United Nations Special Commission (UNSCOM) and three were from the IAEA. It issued its findings to the UN on 30 March 1999. In response, Iraq angrily denounced the panel reports, stating that the panel’s conclusions not only provided “the enemies of Iraq with the pretext for future aggression,” but that they would infringe Iraq’s territorial sovereignty and dignity. The statement went on to declare, “Such a position will never be accepted by the government of Iraq.” (Chittaranjan.1999)

How close Iraq was to completing a bomb at the time of the Gulf War is still open to debate. A group of nuclear weapon designers from the USA, Britain, France and Russia met in April 1992 at the request of the IAEA to assess the progress of Iraq’s nuclear weapons programme prior to the Gulf War, based on documents that had been obtained through subsequent inspections. These designers are reported to have concluded that bottlenecks in the programme could have delayed completion of a working bomb for at least three years, assuming that Iraq had continued its multifaceted strategy and design approach. (Chittaranjan.1999)

In late 2002, however, a new UN resolution giving Iraq one more chance to implement its pledges led to a new round of inspections by the UN Monitoring, Verification and Inspection Commission (UNMOVIC). Iraq’s denial and deception process was characterized in a U.S. Department of Defence briefing as “The deliberate, methodical, extensive and well-organized national-level strategic effort which aims at deceiving not just the US, not just the UN or even the public media, but, in fact, the entire world.”³¹

In March 2002, US Vice President Richard Cheney stated that Saddam Hussein “is actively pursuing nuclear weapons at this time, and we think that is a cause for concern

³⁰ For details see, Howard Diamond, “UN Creates New Panel to Review Iraqi Disarmament,” *Arms Control Today*, January/February 1999, [Online: Web] URL: <http://www.armscontrol.org/ACT/janfeb99/unjf99.htm>

³¹ Details see, John Yurechko, “U.S. Department of Defense Briefing on Iraqi Denial and Deception,” October 8, 2002, Accessed from <http://www.globalsecurity.org/wmd/library/news/iraq/2002/iraq-021008-dod01.htm>

for us and for everybody in the region.” However, Cheney’s position was quite different from what Mohamed ElBaradei, the Director General of the IAEA reported in December 2002. In his preliminary assessment of Iraq’s declaration of its nuclear-related activities, the Director General did not indicate any serious shortcomings. ElBaradei indicated that since the resumption of UN inspections in Iraq began in late November 2002, the IAEA had conducted 68 on-site inspections, many of which occurred without prior notice, and uncovered “no evidence of prohibited activities.”³²

The Bush administration completely dismissed the best available empirical information from the IAEA. Instead, it chose to present to Americans and to the global community questionable intelligence about Iraq’s efforts to acquire nuclear weapons, wrongly maintaining that Saddam Hussein posed an imminent nuclear threat to US and international security and that IAEA data did not square with US intelligence reports. (DiFilippo,2006:104) The U.S. government's decision to go to war with Iraq was premised on the credible claim that a brutal and unpredictable ruler like Saddam Hussein had to be prevented from developing or retaining WMD. Accordingly, despite global opposition and the UN Security Council's refusal to sanction military intervention, the US fought a six-week war in March and April 2003, deposing the regime with considerable ease. (Flibbert,2004:457) The US administration's five major public justifications for the war included:

- 1) Claims of Iraq's continued possession and development of weapons of mass destruction in violation of UN Security Council resolutions;
- 2) The regime's purported ties to al Qaeda;
- 3) Saddam's brutal rule and gross violations of human rights;
- 4) The promotion of democracy in the “Middle East”; and

³² For Details see, Mohamed ElBaradei, Informal Briefing of the United Nations Security Council, Preliminary Analysis of the Nuclear-Related “Currently Accurate, Full and Complete Declaration” (CAFCD) Submitted by Iraq, Vienna, December 19, 2002.

5) The improvement of Arab- Israeli relations.

Great controversy emerged when no stockpiles of WMDs were found, leading to accusations that the United States, its President George W. Bush in particular, had deliberately inflated intelligence or lied about Iraq's weapons in order to justify an invasion of the country.

Egypt

Nasser founded the Egyptian Atomic Energy Commission (AEC) in 1955. The AEC was transformed into the Atomic Energy Establishment (AEE) in 1956, later it known as Atomic Energy Authority (AEA). Until the 1967 Six Day War, the AEE made impressive progress in developing an Egyptian nuclear infrastructure—whether Nasser intended this infrastructure to serve military or exclusively peaceful purposes remains a matter of considerable debate among scholars.

Motivations for the Bomb

Egypt had two main reasons for pursuing nuclear weapons. First and foremost was Nasser's desire to counter Israel: Egypt's nuclear programme did not have a specific military focus until Egyptian elites became aware of the Israeli nuclear programme at Dimona in late 1959, and after the public revelation about Dimona's nuclear purpose in 1960, Nasser directed the Egyptian Atomic Energy Establishment (AEE) to look into military applications of the nuclear programme.

Another motivation for the Egyptian nuclear programme was Nasser's desire to lead the Arab world. In fact, until the 1967 defeat, Nasser did not see Israel, but rather his Arab rivals, as his greatest threat. His struggle for pan-Arab leadership consumed him, and thus the Israeli problem did not receive the priority it otherwise might have. Because maintaining leadership in the Arab world was Nasser's most important goal, he made his threat assessments accordingly. Nuclear weapons were a way for Nasser to increase his status in West Asia and enhance his campaign for pan-Arab leadership. (Ruble 2006:557), (Bahgat, (2007:1-2)

According to Maria Rost Rublee,(Rublee 2006:556) Egyptian decision making related to nuclear weapons can be divided into four major periods.

During the *first period*, from 1954 to 1959, Egypt was interested in nuclear energy but not particularly in nuclear weapons. In the 1950s, after the establishment of the IAEA and Eisenhower's Atoms for Peace, many developing countries began talking about the peaceful uses of nuclear power, in case of Egypt Gamal Abd al-Nasser had a very strong interest in developing his country' s nuclear technological capabilities.

In 1960 it became public that Israel was using its Dimona nuclear power plant for military purposes. So from 1960 to 1967, in its *second period* of nuclear decision making, Egypt pursued a nuclear weapons option. However, the programme suffered numerous setbacks (such as failed negotiations for a heavy water reactor) and obstacles (such as administrative mismanagement). When Israel took the Sinai Peninsula from Egypt in the 1967 Six-Day War, the nuclear programme had not advanced very far.

Nasser froze the programme and signed the NPT, ushering in the *third era* of Egypt's nuclear decisions. From 1968 to 1973, the nuclear programme was stalled but not yet dead. When Nasser died in 1970, Anwar Sadat took the reins of leadership and kept the programme technically alive, though still frozen. Sadat decided that it was in Egypt's best interest to give up the nuclear programme and used it as a tool to bargain with the US after the 1973 war with Israel. Sadat promised to ratify the NPT and give up Egypt's nuclear ambition for good if the US would aid Egypt; a deal that Washington accepted. From 1974 to the present, Egypt has remained true to its promise, embracing the nuclear non-proliferation regime and energetically participating in it, hoping to force Israeli movement on the nuclear issue.

The nuclear effort in Egypt

The first atomic reactor in Egypt was built with Soviet aid (in Inchass, in the Eastern Delta) with a part of its equipment purchased from West Germany. It is a WWR-C Research Reactor, light water, 10 per cent enriched uranium, 2 MWth, and became critical in 1961. It is far too small for the production of material for nuclear weapons.

Egypt tried, without much success, to expand and develop her capabilities in this field further, and here one of the more important developments was the growing cooperation between Egypt and India: the Indian Atomic Energy Commission decided to cooperate with its Egyptian counterpart, and Egyptian scientists went to India for training.³³

During the early 1960s, the Nasser regime attempted to buy a nuclear capability by recruiting German scientists who played a role in Nazi Germany's nuclear programme during the Second World War. This effort was soon aborted by sabotage operations carried out by Israel's security services. 'Egypt also approached both the Soviet Union and China not only for technical assistance, but also for the purchase or transfer of a nuclear device. The Soviets, approached in 1965 by Egypt, declined to provide nuclear weapons or fissile material.

After China conducted its first nuclear test in October 1964, Nasser was delighted that a developing country had broken the nuclear monopoly. He sent a delegation to China to congratulate its leadership, and according to an AEE official, to ask for China's help with Egypt's nuclear weapons programme. (Ruble,2006:559) After defeat in the 1967 war, Nasser reportedly contacted both Moscow and Beijing again. The former advised Nasser to give up his nuclear weapons ambition and sign the NPT, while the latter reiterated that self-reliance was the best route. A continuation of this effort, or possibly a new one, was the proposed nuclear power and desalination plant which was planned to be built in Borg-al-Arab in the early seventies by Western companies, but the Egyptian government was unable to raise the money. (Cleave,1997:24)

The three main difficulties which Egypt faced and still faces as far as nuclear programmes are concerned (both for peaceful and military uses) are firstly the lack of an adequate industrial and technological infrastructure, and related to that secondly the lack of adequate scientific and technological knowledge which is predominantly the result of

³³ In 1962 an agreement between the two countries was concluded for collaboration 'in the development of atomic energy for peaceful purposes'. See on this, Department of Atomic Energy, Government of India, Brief Annual Report, 1962-63, p. 14.

the lack of a sufficient number of well-trained scientists; and finally, the large financial outlays involved. (Evron,1973: 21)

In early 1992, a deal was made with Argentina to deliver one more reactor with a capacity of 22 megawatts to Egypt. The contract signed in 1991 for the delivery to Egypt of a Russian MGD-20 cyclotron accelerator remains in force. Since 1990 Egypt has been a member of the Arab Power Engineering Organization uniting 11 countries. A number of Egyptian scientific projects are being carried out under the aegis of the IAEA. Egypt has subscribed to the Treaty on Non-proliferation of Nuclear Weapons. Since 1974, Egypt has taken the initiative of proposing to render the West Asia nuclear-weapons free zone, calling all countries in the region without exception to join the NPT. In April 1990, Egypt took the initiative to render West Asia free of weapons of mass destruction. In the late 1990s, non-state parties from a former Soviet republic allegedly approached Cairo with an offer of nuclear material and nuclear technology. Mubarak declined, and Egypt continues to rely on diplomacy in an attempt to balance Israel's nuclear capability.

Saudi Arabia

Saudi Arabia is not known to have a nuclear weapons programme. From an official and public standpoint, Saudi Arabia has been an opponent of nuclear weapons in West Asia, having signed the Nuclear Non-Proliferation Treaty and is a member of the coalition of countries demanding a Nuclear-Weapon-Free Zone in West Asia. Studies of nuclear proliferation have not identified Saudi Arabia as a country of concern. Since the mid-1990s, media reports have periodically alleged that Saudi Arabia is attempting to acquire nuclear weapons. Such rumours have spread in recent years amidst speculation that the Saudis would seek such armaments in reaction to Iran developing a nuclear arsenal. Many media reports alleging Saudi interest in nuclear proliferation cite statements given by Mohammed Khilewi, a former Saudi diplomat who defected to the United States in 1994. Khilewi shared reams of documents detailing Saudi interest in nuclear proliferation with the U.S. government. Khilewi has since argued that Saudi officials had been working on a covert nuclear weapons research effort since 1975, motivated to build a nuclear arsenal to counter Israel, their stronger neighbour that had seized Arab territory in

the Six-Day War of 1973. Khilewi contends that Saudi Arabia also provided financial support for the nuclear weapons programmes of Pakistan and Iraq in the 1970s and 1980s, in the hopes that these countries could help protect Saudi Arabia after they had developed nuclear weapons of their own. (Amlin,2008) Khilewi's claims have not been substantiated in publicly available sources.

An article in the German magazine *Cicero* alleged that Pakistan has been collaborating with Saudi Arabia for the past several years to build a "secret nuclear program." According to the Western experts cited in the *Cicero* article,³⁴

Pakistani scientists have travelled to Saudi Arabia for the last three years disguising themselves as pilgrims attending the Hajj. Allegedly these pilgrims would "disappear" for weeks at a time to work on the secret Saudi nuclear programme. The article also alleged that Saudi scientists have been quietly working with their Pakistani counterparts in Pakistan since the mid-1990s. In particular, it has been alleged that then Saudi Defense Minister Sultan Bin Abdul Aziz visited Pakistani uranium enrichment and missile assembly facilities in May 1999. During the visit, he is reported to have been briefed by A.Q. Khan, considered the father of the Pakistani nuclear bomb. (Salama,2006) The article does not state whether the alleged nuclear partnership is focused on the development of nuclear weapons or more benign nuclear energy capabilities. Both Saudi Arabia and Pakistan have vehemently denied this claim, stating that the article was fabricated and is a ploy to damage Saudi-Pakistani relations.

In September 2003, similar charges were made by the British *Guardian* newspaper, which at the time reported that the Saudi leadership was considering a strategy paper for maintaining national security. Two of the three options outlined were acquisition of a nuclear capability or seeking an alliance with an existing nuclear power that would protect Saudi Arabia. (Salama,2006) Saudi Arabia and Pakistan denied the 2003 reports, as well.

³⁴ For details see, Saudi Arabia working on secret nuclear program with Pakistan help – report ", AFX News, Accessed from-From <http://www.forbes.com/feeds/afx/2006/03/28/afx2629000.html>

Possible factors lie behind Saudi 'nuclear inclinations

Present day Saudi Arabia perceives a need for multiplying its military force. The lessons of the Iraqi invasion of Kuwait, lack of confidence in American long-term commitment to Gulf security and the tendency common to all states to maximize their foreign policy independence stoke the Saudi desire to increase the kingdom's own military deterrent. The Saudi royal house dominates the military. The army is small for a country of Saudi Arabia's population and, even though the external threats that surround the kingdom would seem to recommend a significant increase in the number of men at arms, the army, by social and political necessity, must remain small. The Saudi army fills its ranks almost exclusively from Najdi tribes, preferred for their supposed fidelity to the House of Saud. The air force relies almost entirely on the aristocracy for pilots. Thus, a shortage of politically suitable officer candidates marked the upper limit of army expansion (Grant, 1993:406-407)

The external need for force multiplication and the internal need to maintain firm control over the military have dictated the security policy of the Saudi state. Purchasing increasingly advanced weapons has been the cornerstone of this policy. The great attraction of an atomic arsenal to a regime wary of putting guns in too many hands is that it can be operated by a comparatively small body of personnel. In short, an atomic arsenal under the control of a corps of princes would alleviate Saudi Arabia's external anxieties, without aggravating its internal ones. (Grant,1993:410)

Challenges before Saudi nuclear option

In spite of increasing concerns in Saudi quarters over Iran's nuclear advances, Saudi leaders would confront many difficult issues if they sought to counter this threat by developing an indigenous nuclear weapons capability. First, such an effort would represent a daunting technological challenge and, given past experience, it likely would be discovered by the US or others years before achieving success. This would trigger an immediate crisis in Saudi-US relations that could jeopardize continued US military and diplomatic support and complicate efforts to contain and deter Iran. (Salama,2006)

Riyadh's actions over the years have prompted increasing US anxiety about Saudi proliferation. In 1988, Riyadh's clandestine purchase of (now obsolete) Chinese nuclear-capable missiles with the range to threaten both Israel and Iran caused a major diplomatic row that led to the replacement of the US ambassador to Saudi Arabia. In 1999, Saudi defense minister Prince Sultan's visit to Pakistan's Kahuta uranium enrichment and missile assembly facility prompted a formal diplomatic complaint from Washington. And in 2002, a son of Crown Prince Abdullah (along with several Libyan and North Korean officials) was an honoured guest at Pakistan's test-firing of the 950-mile range Ghauri nuclear-capable missile. (Henderson,2003)

Moreover, the Saudi regime is in the midst of a bitter conflict with internal al-Qaeda terrorists. In addition to sponsoring suicide bombings, kidnappings, assassinations, and violent shootouts with security forces, the al-Qaeda leadership has recently called on its members to attack the Saudi oil infrastructure. Saudi leaders would have to weigh the danger that any nuclear facilities they might build could become the target of al-Qaeda sabotage or attack; they would also have to consider the potential risks of nuclear weapons or weapons-usable nuclear material falling into the hands of the government's domestic adversaries. (Salama,2006)

More importantly, Riyadh's desire to maintain a strong U.S.-Saudi relationship impedes the development of nuclear weapons within the Saudi Kingdom, as does the royal family's desire to prevent unconventional terrorism within their own borders.

Syria

Syria is a party to the NPT and maintains a civil nuclear programme, and has repeatedly attempted to purchase small research type nuclear reactors from China, Russia, Argentina, or other countries. Despite these purchases being openly disclosed and IAEA monitored, international pressure has caused all these reactor purchases to be cancelled.

Syria has open and IAEA monitored nuclear research programmes including a Chinese made non-reactor miniature neutron source.³⁵

On 6 September 2007 Israel directed an air strike on Syria against an alleged nuclear facility under construction (Operation Orchard). The IAEA has some misgivings about Syria's al-Kibar nuclear facility. After IAEA experts found uranium particles at the scene of the attack, Damascus said that Israel had bombed a vacant plot belonging to an inter – Arab agricultural co-operative in the Deir ez-Zor Governorate, 450 km from the Syrian capital, and that uranium particles belonged to missiles that had been used during air strike. Top IAEA officials remained unconvinced; what's more, Syria refused to admit another expert group to the suspicious facility. Israel claimed that the al-Kibar facility was, in fact a nuclear reactor, built by Syria with assistance from North Korea. There is still no evidence to refute or to confirm this claim. However, immediately after the bombing Damascus did not raise uproar and did not demand that the aggressor be punished. Damascus issued an official statement about the Israeli air strike only several weeks later. (Murtazin,2009:9)

One more fact that does not speak in favour of Syria is that on 1 August 2008, Brigadier General Muhammad Suleiman, a close associate of Syrian president Bushar al-Assad, was gunned down at a beach resort near Syrian port city of Tartous. This happened ten months after the Israeli air strike when the IAEA wanted to ask Damascus some more questions. U.S. intelligence reports say that General Suleiman was responsible for the Syrian nuclear programme. (Murtazin,2009:9) The Syrian response to various suspicions and various accusations is the central issue so far. Damascus is behaving very much like Iran does in a similar situation.

³⁵For details, Syria - Nuclear Weapons Programs, [globalsecurity.org. http://www.globalsecurity.org/wmd/world/syria/nuke.htm](http://www.globalsecurity.org/wmd/world/syria/nuke.htm).

Conclusion

The country wise analysis of the existing situation in West Asia with regard to nuclear weapon possibilities presents a clear picture of the peculiar power capabilities and potentials these selected countries possess. From the detailed study of the origin, development and progress of the nuclear potentials of each country, it can be inferred that most of these countries, if not all, have some kind of nuclear capacity disguised either in the name of “peaceful purposes” or in the name of “self protection”. Though explicitly it is not admitted that they have the nuclear capacity, it has been now an open secret that they possess the same especially Israel, for instance. In the case of Iran though it is not sure whether it has an arsenal, if not, then it can have it in the very future if it wants to. If any of the other follow Israel or Iran the domino effect could spread further, this will make the West Asian region highly volatile and controversial. Unlike in the western countries, West Asian countries display a relatively poor track record of arms control and disarmament measures with verifiable and compliance issues still to be addressed effectively. While the western countries succeeded in evolving mechanisms between NATO and Warsaw Pact countries on nuclear CBMs, West Asia still lacks any pan-regional monitoring agency to reflect on or curb WMD transfers which present the very strong call for a West Asian counterpart of Nuclear Free Zones.

Chapter 111

Nuclear Weapon Free Zone and West Asia

The goal of a West Asian nuclear weapon free zone has been repeatedly affirmed by all states involved as well as the international community at the highest political levels. Yet instead of movement towards this goal, security analysts as well as popular media headlines indicate a potential trend towards proliferation of nuclear weapons in the region. In comparison with the other areas in which regional NWFZ have been created, West Asia is particularly complex. This is an area plagued by a long history of intense and overlapping territorial, ethno-national and religious conflicts, and there are many obstacles and difficulties to reaching agreements on a “MENWFZ”

Risk of a Nuclearized West Asia

Due to the complex nature of the conflict in the West Asian region, there are many risks that could arise from the proliferation of nuclear weapons. According to Shai Feldman, (Feldman,1982:143) the first risk results from the fact that nuclear weapons could be used by irrational decision makers. Any ‘newcomers’ to the nuclear club are considered ‘irresponsible and unpredictable’. The modern history of the region shows irresponsible use of other weapons of mass destruction. For e.g., the former Iraqi President Saddam Hussein used chemical weapons against Iran in the Iran-Iraq War and against the Kurds in the north of Iraq. The Iranian President Ahmadinejad stated that ‘Israel should be wiped off from the map,’ indicating the potential action of a nuclear Iran.

The second risk might come from the low level of ‘conceptualising’ the use of nuclear weapons. The region lacks a nuclear conduct doctrine which could regulate the use of nuclear weapons. In the absence of formal or informal relationships between Israel and its adversaries in the region, it would be impossible to develop a doctrinal dialogue which can control the use of nuclear weapons.

The third risk related to the introduction of nuclear weapons is the creation of a ‘nuclear Arab coalition’ that might confront a nuclear Israel. Perhaps even an Islamic nuclear

coalition, would confront the “Jewish state”. This scenario may end with an apocalyptic nuclear ‘clash of civilisations’ if the United States or any other western state supported Israel in a nuclear conflict. Another risk comes from the danger of an uncontrolled level of nuclear escalation. A nuclear Israel provoked Iraq and Iran and possibly Syria to go nuclear. The Iranian nuclear programme could provoke the GCC states and perhaps Jordan to become nuclear. This scenario could lead to uncontrolled and never-ending nuclear escalation under the justification of a balance of power.

In addition, the risk of possible ‘accidental’ wars between WMD possessing adversaries or chances of WMD falling into the hands of non-state actors is relatively high in this part of Asia, specifically in the 11 September context. Events related to Scud missile launches by Iran on Iraq, Iraq on Israel, atomic munitions by warring West Asian countries, Israeli pre-emptive strikes on nuclear installations in Iraq and its reported current plan to strike Iranian facilities all highlight the dangers of unilateral measures. This has raised concern for its possible negative impact on the safety and security of the region, compounded by the spread of terrorism and prospects of such WMD falling into their hands should be located the inevitability of a NWFZ in the region of West Asian. (Kondapalli,2008:64)

NWFZ Proposals in West Asia

The first proposal for regional denuclearization of West Asia was advanced in Israel as early as 1962. In 1957, six members of the Israeli Atomic Energy Commission had resigned following Israel's decision to develop nuclear weapons, and two of them had formed the “Committee for Denuclearisation of the Arab-Israel conflict”. It was this committee that in April 1962 first publicly called for the “establishment of a nuclear-free zone in the Middle East”.(Spector,1994:122) Following intense internal debate on the issue, the Israeli government rejected the nuclear-free proposal and opted for the formula of deliberate ambiguity³⁶ that it maintains till today.

³⁶ Also known as a policy of strategic ambiguity is the practice by a country of being intentionally ambiguous on certain aspects of its foreign policy or whether it possesses certain weapons of mass destruction. It may be useful if the country has contrary foreign and domestic policy goals or if it wants to take advantage of risk aversion to abet a deterrence strategy.

The regional denuclearization initiative took concrete shape in the aftermath of the 1973 Arab–Israeli War. In the twenty-ninth session of the General Assembly, "Establishment of a Nuclear-Free Zone in the Region of the Middle East" was included mainly at the behest of Iran and was then joined by Egypt.(UNDOC,A/RES/3263) Intense negotiations between Egypt and Iran resulted in bilateral understanding between both the countries to change the title of the item from "Establishment of a Nuclear-free Zone" to "Establishment of a Nuclear Weapon-Free Zone." (Pande,1998:1370)

In 1974, a draft resolution was presented to the First Committee of the UN General Assembly; the issue was subsequently opened for debate. Egypt laid stress on three points:

- (1) the states of the region should refrain from producing, acquiring, or processing nuclear weapons;
- (2) the nuclear weapon states should refrain from introducing nuclear weapons into the area or using nuclear weapons against any state of the region; and
- (3) an effective international safeguards system affecting both the nuclear weapon states and states of the region should be established.

Most states of the region also supported the initiative. All nuclear weapon states had voted in favour of the resolution. Most of the reservations were made regarding that part of the resolution which called on concerned parties to accede to the NPT and recalled Resolution 2373 of 12 June 1968. Numerous non-NPT members were not ready to support the resolution. However, upon Egypt's initiative, an agreement was reached whereby these countries voted in favour of the resolution, but expressed their reservations in an explanation of their votes. (Pande,1998:1371)

On 4 December 1974, the General Assembly adopted the draft resolution by 128 votes to none, with only two abstentions (Israel and Burma). The resolution commended the idea of establishing a nuclear weapon-free zone in West Asia, considered that it was

indispensable that all parties concerned in the area "*proclaim solemnly and immediately their intention to refrain, on a reciprocal basis, from producing, testing, obtaining, acquiring or in any other way possessing nuclear weapons.*" Additionally, the General Assembly called upon the parties concerned in the area to accede to the Treaty on the Non-Proliferation of Nuclear Weapons and requested the Secretary General to ascertain the views of the parties concerned with respect to implementation of the resolution, and to inform the Security Council at an early date and the General Assembly at its thirtieth session.

In 1975, the Secretary General invited several countries in West Asia to know their views on the implementation of the resolution. Seven governments responded to the Secretary General. All countries stated their readiness to proclaim their intention to refrain from producing, testing, and acquiring nuclear weapons, provided that Israel undertook a similar commitment. With regard to the NPT, some governments stressed that they had already joined, while others indicated that they had signed and would ratify once Israel had joined the NPT. In its reply to the Secretary General, Israel said that the establishment of a nuclear weapon-free zone in the region was a desirable step forward, and expressed its readiness to participate in a regional conference of all states for the purpose, though no promises were made concerning the NPT.

The First UN Special Session on Disarmament in 1978 approved a final document by consensus. In Part 3 of that document, entitled "Programme for Action," Paras 60-64 dealt with nuclear weapon-free zones; Para 63 (d) dealt with establishment of a nuclear weapon-free zone in West Asia. There was no reference to the NPT in it. From 1979, after the Iranian revolution and a peace treaty between Israel and Egypt, the latter decided to sponsor the resolution alone. On 11 December 1979, the UN General Assembly also adopted a resolution—Resolution 34/89—put forward by Iraq, which sought preparation of a study on Israeli nuclear armament.

In October 1980, Israel put forward its own draft, but dropped it after persuasion. The Arabs approved the resolution which deleted the phrase "to create an atmosphere of confidence in the Middle East." The resolution was adopted by consensus. The Israeli

acceptance, it is argued, could be aimed at concealing its intention to destroy the Iraqi reactor in next year. (Power, 1983:619) On 13 June 1981, Israel attacked Iraq's non-military nuclear facility (Osiraq). Israel used the United Nations following the Osiraq strike to project support for the free-zone ideal. Ambassador Yehuda Z. Blum, Israel's Permanent Representative to the United Nations, wrote to the United Nations Secretary General on 9 June 1981, barely two days after the Tuwaitha raid, to reaffirm ideas expressed by Israel in the General Assembly's thirty-fifth session in 1980.(UNDOC/A/36/315)The Ambassador reaffirmed Israel's support for the NPT free-zone model.

Two resolutions were passed- in the General Assembly condemning the raids. On both resolutions, Israel and the US voted against, the US plea being the Security Council had already done that. In this background, Egypt moved a more procedural resolution whereby the Secretary General would merely transmit the previous year's resolution in the General Assembly at the Second Special Session of the General Assembly devoted to disarmament.

In 1988's United Nations Special Session on Disarmament (UNSSOD), a number of leaders in the region including Israeli Prime Minister Yitzhak Shamir and Egyptian Foreign Minister Ismat Abel Meguid presented their views on disarmament. Egypt also proposed that the Secretary General create an expert group to consider the "Establishment of a Nuclear Weapon Free Zone in the Region of the Middle East", and this group issued its report in 1990.This highly detailed report explicitly examined the terms required for 'effective and verifiable measures' which would facilitate the establishment of a "MENWFZ".(UNDOC,A/45/435)The authors also noted that even under the most favourable conditions, the process would take several years.

The report was prepared before the Iraqi invasion of Kuwait in August 1990, but submitted to the general Assembly afterwards. It was however, welcomed and adopted by consensus that same year.(UNDOC,A/RES/45/52) The UN report did not explicitly propose the language for a zone treaty, but it did suggest a catalogue of confidence – building measures and steps to prepare for a regime that would finally become a nuclear

weapon free zone. The report recommended that outside support for peaceful nuclear activities in the area would be more appropriate if it were multilateral or regional in character. The institution of international facilities for nuclear waste disposal would help to ensure against the diversion of fissionable material for military purposes. Finally, the UN report referred to the view widely held in West Asia, that verification procedures must be much more far-reaching than those currently implemented under the NPT. (Prawitz, and Leonard,1999:259)

On 8 April 1990, President Hosni Mubarak expanded Egypt's nuclear weapon-free zone proposal by calling for the transformation of the "Middle East" into a zone free of WMDs-WMDFZ'- thus adding the ban on biological and chemical weapons.(UNDOC,CD/989) Mubarak Initiative did emphasise certain points:

1. All weapons of mass destruction without exception should be prohibited in West Asia i.e. nuclear, chemical, and biological, etc.
2. All states of the region, without exception, should make equal and reciprocal commitments in this regard.
3. Verification measures and modalities should be established to ascertain full compliance of all states of the region with the full scope of the prohibitions without exceptions.

Mubarak's April plan was expanded in a paper submitted by Foreign Minister Amru Musa to the Conference on Disarmament in Geneva. It called upon regional states to endorse the zone in declarations to the UN Security Council and to state their intention to refrain from actions which would impede the establishment of the zone. Regional states were asked to declare their readiness not to: use nuclear, chemical or biological weapons; produce or acquire nuclear weapons; produce or acquire nuclear weapons material. Regional states were also asked to support a future role for the UN or another international organisation in verification of West Asian arms agreements.

The Mubarak Initiative did not receive universal enthusiasm in the Arab world. In the Baghdad Arab Summit meeting of 1990, Saddam Hussein objected to the proposal. Concerns were expressed that the Initiative might damage Arab interests by allowing

Israel to shift attention from nuclear weapons to other WMD, and that establishment of the WMDFZ might limit the access of the region's states to civilian technology.(Pande,1998:1376)

UN Security Council Resolution (UNSCR 687, 1991) was issued after the first Gulf war, under Chapter VII of the UN Charter, in its preamble also stated the need to work towards the establishment of a WMD Free Zone in West Asia.

In 1991, Egypt suggested that the UN Secretary General distribute to members of the Arab League, Israel, and Iran, a questionnaire to solicit their views regarding the modalities for a "Middle East nuclear weapon-free zone", including its geographical extent; its basic prohibitions; the means of verifying compliance with these prohibitions; the commitments to this zone to be made by the states outside the region; the duration of the arrangement; provision regarding adjacent areas; the zone's relationship to similar zones; its relationship to other international agreements; and various technical clauses, such as verification and withdrawal provisions. (Kadry,2004:123)

At the 1991 Madrid Peace Conference, which brought Israel, the Palestinians, and many other West Asian countries to the table, the participants agreed to take a multilateral track towards regional arms control and security. They established a working group on "Arms Control and Regional Security in the Middle East" (ACRS). However, due to dissent between Israel and Egypt over the WMD free zone, the ACRS has not held a formal meeting since September 1995.

In December 1991, the Islamic Summit Conference in Daku requested that Israel submit to the Security Council and the IAEA a complete statement of its stockpiles of nuclear material. The European Commission in November 1992 also expressed its support for the establishment of a WMDFZ in the "Middle East" and asked the international community to support it fully as well.(Othman and Maha,2004:107)

By the end of 1994, Egypt obtained support from Syria and Saudi Arabia for its position favouring the creation of the WMDFZ as an integral part of the peace process. At their meeting in Washington on the issue in December 1994, the three called on the

international community, especially the co-sponsors of the peace process, to work diligently towards removing obstacles created by Israel. In this context, the three sides affirmed their demand to establish a zone free of weapons of mass destruction, above all nuclear weapons.

The 1995 NPT Review and Extension conference adopted a resolution on West Asia establishing a NWFZ. The Arab League instructed a group of Arab arms control experts to draft a WMDFZ treaty text. Anticipating Israeli apprehensions on the geographical extent of the zone, the draft treaty said that a WMDFZ zone must incorporate Israel, Iran and all 22 members of the Arab League. On the 23 March 1995 meeting the draft treaty was discussed but no decisions were made regarding its implementation. In 1999, UNSCR 1284 also supported the establishment of a “ME- WMDFZ”.

In 1995, concerns about Israel almost derailed agreement on extending the NPT. Some of the Arab states had made clear that they would not support indefinite extension of the NPT as long as Israel remained outside the Treaty. Two - Libya and Syria - actually said that they would not support any extension of the NPT without a timetable for Israel's accession. Arab States therefore sponsored a resolution on west Asia. When this hit stalemate during the conference endgame in the final week, they asked the Conference President, Jayantha Dhanapala to take it over. He brokered a deal whereby the resolution dropped its explicit stigmatization of Israel, which the United States and others opposed, but was given greater authority and weight through sponsorship by the three depositary states, Britain, Russia and the United States. (Johnson,1995)

In addition to calling on all states in the region, without exception, to accede to the NPT and put all their nuclear facilities under IAEA safeguards, the resolution in operative paragraph 1 ³⁷

"Endorses the aims and objectives of the Middle East peace process and recognizes that efforts in this regard, as well as other efforts, contribute to, inter alia, a Middle East zone free of nuclear weapons as well as other weapons of mass destruction".

³⁷ For Details see, 1995NPT Review Conference, available at <http://www.acronym.org.uk/npt/npt1995.htm>

The Resolution on West Asia was adopted without a vote (in effect by consensus) directly following the adoption of the decisions on strengthening the review process and on Principles and Objectives (P&O) for Nuclear Non-Proliferation and Disarmament, which also cross-referenced the issue in its paragraph 6:³⁸

"The development of nuclear-weapon-free zones, especially in regions of tension, such as in the Middle East, as well as the establishment of zones free of all weapons of mass destruction, should be encouraged as a matter of priority, taking into account the specific characteristics of each region."

Notably, this was qualified by paragraph 5, which reiterated the understanding that:³⁹

"The conviction that the establishment of internationally recognized nuclear-weapon-free zones, on the basis of arrangements freely arrived at among the States of the region concerned, enhances global and regional peace and security is reaffirmed."

Another notable development was in 1999, UN General Assembly adopted guidelines for 'The establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned'.(UNDOC,A/54/42, annex I;and A/RES/54/56A)

At the 2000 NPT Review Conference there was yet again an eleventh hour stand-off on the issue of how to deal with West Asia. This was resolved and the Review Conference was able to adopt a substantive final document containing, among other things, the Thirteen Steps for implementation of the NPT's disarmament obligations. It also reaffirmed the 1995 Resolution and confirmed *"the importance of Israel's accession to the NPT and the placement of all its nuclear facilities under comprehensive IAEA safeguards"*. Although the 2000 NPT Review Conference also agreed that states should submit annual "reports" on their efforts to implement both the nuclear disarmament commitments and the 1995 Resolution calling for the establishment of a WMD-free zone

³⁸ ibid

³⁹ ibid

in the “Middle East”, the NWS have only recently begun to issue such reports in good faith.⁴⁰

In June 2003 the Swedish government, responding to an invitation from the United Nations, decided to set up an international and independent expert panel to consider and summarise the world situation regarding weapons of mass destruction and to recommend realistic proposals aimed at the greatest possible reduction of the dangers of such weapons. Dr Hans Blix was appointed to be the panel’s chairman. The Blix Commission issued its report on 1 June 2006.⁴¹

The Commission report resulted in 60 specific recommendations covering the whole range of weapons of mass destruction plus a number of organizational proposals. The report considered the establishment of a zone free of weapons of mass destruction in West Asia as one of three top priority issues. In 2004 the United Nations Institute for Disarmament Research (UNIDIR) in cooperation with the League of Arab States published an ambitious symposium report on the “Middle East” Zone issue.⁴²

In July 2007, the joint statement from the meeting of the Foreign Ministers of the Gulf Cooperation Council states, Jordan, Egypt and the United States, affirmed that the participants recognize the goal of a zone free of nuclear weapons in the “Middle East”.⁴³

⁴⁰ 2000 NPT Review Conference ,Accessed From <http://www.un.org/disarmament/WMD/Nuclear/2000-NPT/OfficialDocs1.shtml>

⁴¹Details See Weapons of Terror: Freeing the World of Nuclear, Biological and Chemical Arms. From Weapons of Mass Destruction Commission (ISBN 91-38-22582-4) Available at www.wmdcommission.org.

⁴² ‘Building a Weapons of Mass Destruction Free Zone in the Middle East: Global Non-Proliferation Regimes and Regional Experiences’, United Nations Institute for Disarmament Research document UNIDIR/2004/24.

⁴³ Joint Statement of the meeting of Foreign Ministers of the States of Egypt, GCC States, Jordan, and the US, Sharm-el-Sheikh, 31 July 2007, Available at: www.state.gov/r/pa/prs/ps/2007/89855.htm

In September 2007, Mohammed ElBaradei, the Director-General of the IAEA and Nobel peace laureate, expressed his regret that:⁴⁴

Pursuant to the mandate given to me by the [IAEA] General Conference, I have continued my consultations with the States of the Middle East region on the application of full scope safeguards to all nuclear activities in the Middle East, and on the development of model agreements as a necessary step towards the establishment of a Middle East Nuclear-Weapon-Free Zone. However, I regret to say that, as in the past, I have no progress to report on either front.

The General Conference has also asked me to organize a forum on the relevance of the experience of other regions with existing nuclear weapon free zones – including confidence building and verification measures – for establishing such a zone in the Middle East. Consultations with concerned States of the region have not produced an agreement on the agenda for such a forum, a forum that in my view could be a positive step forward towards the initiation of dialogue among the concerned parties on this important issue.

On 4 October 2008 the IAEA called for the establishment of a nuclear-free zone in the “Middle East” in a resolution adopted at the 52nd IAEA International General Conference. During the voting at the general conference, 82 member states of IAEA voted in favour of the resolution, with the abstention of 13 countries including Israel and the US.

Sub-regional zones

The concept of a sub-regional strategy has already been implemented in the greater West Asian region. So far, since 1996, ten members of the Arab League have become party to the principle of an NWFZ because they signed the African Nuclear Weapon Free Zone Treaty (ANWFZ) established by the treaty of Pelidaba. According to Jan Prawitz, (Prawitz,2008:333) the denuclearisation of the African part of the prospective “ME NWFZ” could be considered as the first step in a step-by -step approach to the zone building. The genesis of the track II initiative for the NW/WMD Free Zone in the Gulf started in October 2004 within the Research Department at the Gulf Research Centre’s

⁴⁴ More Details see, Mohamed ElBaradei, Introductory Statement to the Board of Governors, Vienna, 10 September 2007, available at: www.iaea.org/NewsCenter/Statements/2007/ebsp2007n013.html

(GRC) offices based in Dubai. It covers nine states of the geo-political Gulf region.⁴⁵ The three Track II meetings organised by the GRC were successful in placing the project on the regional agenda and in December 2005, at the Gulf Cooperation Council (GCC) Abu Dhabi summit, the GGC Secretary-General Abdul Rahman Al Attiyah officially announced for the first time the initiative to declare the Gulf region a WMDFZ including Iran, Iraq and Yemen. According to Mustafa Alani,(Alani,2008:358) these sub regional strategies were not seen as a diversion from the ultimate aim of declaring the entire region as a NW/WMDFZ. These were attempts to achieve a regional transformation by adopting a sub-regional strategy that could provide the groundwork and the cornerstone for the expansion of such an arrangement to encompass the entire West Asian region.

Geographical Area

The “Middle East” (West Asia) is a well-known and traditional geographical concept used in everyday political discussion. Defining the geographical scope of West Asia for arms control purposes is not obvious, however. Different definitions have long been used for different purposes. One was introduced in 1989 by the IAEA when discussing the application of safeguards in relation to NPT or a nuclear weapon free zone in the area, i.e. 'the area extending from the Libyan Arab Jamahiria in the West, to the Islamic Republic of Iran in the East, and from Syria in the North to the People's Democratic Republic of Yemen in the South'. A similar definition was suggested in the 1975 UN study 'Comprehensive Study on the Question of Nuclear-Weapon-Free Zones' in all its Aspects. The UN study referred to above found the IAEA concept somewhat limited for its purpose and suggested an area that eventually could encompass *'all states members of the League of Arab States, the Islamic Republic of Iran and Israel'*.

A recent and most important factor is the establishment of a nuclear weapon- free zone in Africa. About half the prospective West Asian zone is already nuclear weapon free and subject to nuclear-weapon power guarantees. A future treaty establishing a NWFZME or a WMDFZME would thus have to be legally harmonized with the African zone treaty.

⁴⁵ Encompassing Iraq, Iran, Yemen, Saudi Arabia, Kuwait, Bahrain, Qatar, United Arab Emirates and Oman

Adjacent to the basic West Asia area are several sea areas, where the United Nations Convention on the Law of the Sea (UNCLOS) applies. The Law of the Sea currently does not apply to the Caspian Sea which is considered a lake not subject to the provisions of the law of the sea and which used to be divided by demarcation between Iran and the Soviet Union. Also important in this respect is the Suez Canal, an international waterway crossing through Egyptian territory and open in time of war as in time of peace, to every vessel of commerce or of war, without distinction of flag, according to the 1888 Constantinople Convention. It should also be recognized that the law of the sea and its traditional provisions for freedom of navigation gives all states of the world including major maritime states and their naval vessels access to the West Asian sea areas.

To be effective, a zone would have to include the 22 member states of the Arab League, as well as Iran and Israel. Certain scholars pointed out there are specific issues regarding some peripheral states, such as Turkey, which is member of the North Atlantic Treaty Organisation (NATO) alliance. As part of an organisation that has nuclear component (through its nuclear weapon states members), Turkey is an anomaly for a “MENWFZ” that must, at some point, be considered.(Steinberg,1998:196)

Verification System & Confidence-Building Measures

Verification can be defined as the process of gathering, compiling and interpreting information to permit a judgement to be made about whether each party to an agreement is fulfilling its obligations.(Crowley,2008:339) An effective verification can detect noncompliance: The more effective a verification system the more likely it is to deter parties from contemplating a deliberate violation. It helps to build confidence between the parties, assuring them that their agreement is being implemented effectively and fairly. In addition to enhancing the credibility of the specific agreement, successful verification may help to increase trust between state parties more generally.

For the inception of a “MENWFZ”, the governments and civil society organisations in the region have recognised that an effective and efficient monitoring and verification system would be a crucial component of any agreement that would command confidence

across the region. This position has been endorsed at relevant regional and international forums, for example:

(i) In 1975 the United Nations General Assembly formulated a set of principles to guide states in setting up Nuclear Weapon Free Zones. These principles were later expanded and included in a consensus report of the United Nations Disarmament Commission issued in 1999.

(ii) In April 1990, President Hosni Mubarak of Egypt proposed an “ME WMDFZ” where: all WMD without exception, were to be prohibited in West Asia; all states of the region without exception should make equal and reciprocal commitments in this regard; verification measures and modalities should be established to ascertain full compliance by all states of the region with the full scope of the prohibitions without exception.

(iii) The 1995 NPT Review and Extension Conference resolution calls upon all states in West Asia to take practical steps in appropriate forums aimed at making progress towards, inter alia, the establishment of an effectively verifiable “Middle East” Zone free of nuclear, chemical and biological weapons and their delivery systems, and to refrain from taking any measures that preclude the achievement of this objective.

(iv) The 2000 NPT Review Conference reaffirmed the importance of the 1995 NPT Review Conference Resolution on West Asia and recognised that the resolution remains valid until the objectives and goals are achieved.

It is true that inspection in the IAEA frame work might subject Israel to supervision by hostile elements and that the NPT itself is an inadequate guarantee against Arab nuclear development.(Kondapalli,2008:64) Michael Crowley (Crowley,2008:341) highlighted the importance of incorporating the ethos of cooperative monitoring into the heart of a “Middle East WMDFZ” verification system. Cooperative monitoring can be defined as the collecting, analysing and sharing of agreed information among parties to an agreement. Cooperative monitoring is a concept that has been developed and utilised by a range of organisations and can be seen in operation in a number of regional and international agreements, such as the Comprehensive Test Ban Treaty, under which the

raw data collected by the International Monitoring System is shared with those states that have ratified the treaty.

Dan Plesch and Poul Erik Christiansen (Plesch and Poul,2008: 391), made clear that, formal endorsement by the UN Security Council and General Assembly has not been sufficient to produce political momentum towards creating WMD Free zone in West Asia. Through a process of informal diplomacy and civil society action, to make headway on the central elements required for the zone, in order to build an academic, public and governmental constituency interested in the core proposal is needed. Gulf Research Centre pointed out the genesis of the Track 2 initiative for the NW/WMD Free Zone in the Gulf region, including Iran. It suggests that the success of establishing a Gulf WMD Free Zone will serve the ultimate objective by generating political and moral pressure on the Israelis to disarm. (Alani,2008:358)

Confidence-building measures in the wider political and security sense is not simple when it comes to the nuclear issue. Anatol Lieven,(Lieven,2008:369) looking at three areas in particular: one where these measures are very unlikely to happen (Israel and its neighbours); the second where they may happen, although the chances of that appear to be receding with time (Iran); and the third where they have in fact worked to a considerable extent or are working (India and Pakistan, part of the wider West Asia but obviously with a great impact on nuclear issues in the region and indeed the world as a whole).

The 1998 UN report (UNDOC,A/RES/53/74) suggested a catalogue of measures in order to build confidence and as steps to prepare for a regime that would finally establish a nuclear weapon free zone. Obviously, the establishment of a NWFZ would require cooperation among not only the prospective zonal states but also between them and nuclear-weapon states and other outside states. Among confidence-building measures recommended by the report were a regional nuclear test ban, the application of the IAEA safeguards on nuclear facilities in the area not covered at present, accession to the NPT by states currently non-parties, and providing for transparency regarding all major

nuclear projects in the area. International safeguard issues involved were explored by the IAEA.

The UN report further suggested that nuclear-weapon powers could extend negative nuclear security assurances to prospective zonal states and commit themselves not to station nuclear weapons in the area. Any outside state could declare past, current, and future supply of nuclear material and equipment to recipients in the prospective zonal area in order to shed light on projects that might create suspicions about a potential military role. The report recommended that outside support for peaceful nuclear activities in the area would be more appropriate if multilateral or regional in character. The institution of international facilities for nuclear waste disposal would help to ensure against diversion of fissionable material to military purposes. Finally, the UN report referred to the view widely held in West Asia, that verification procedures must be much more far-reaching than those currently implemented under the NPT.

Elsewhere in the world, NWFZs have been successfully negotiated and adopted, and additional zones are being systemically pursued. But in West Asia the goal of an NWFZ has been linked to a WMD Free Zone because of the strategic link that states in the region have made among the various WMD, with biological and chemical weapons perceived as the 'poor man's nukes'.(Datan,2008: 353)Work towards the universalization of relevant WMD agreements will also be an important step in the formation of a NWFZ. The three core treaties – the NPT, CWC and BWC – are not applicable to all states in West Asia.

Furthermore, levels of accession/ratification for related treaties (such as the Convention on the Physical Protection of Nuclear Materials (CPPNM) and the CTBT) that may also be applicable to the obligations under a comprehensive WMDFZ are even lower. Decisions over treaty accession/ratification are of course the absolute prerogative of states which must take into account a variety of political and security considerations. However, accession to the relevant WMD agreements by those outstanding states would be extremely important confidence-building measures for the region as a whole, and would provide a strong impetus for the development of a WMDFZ.(Crowley,2008:344)

Approaches

The nature and complexity of the conflicts in West Asia served as the driving force for the nuclear weapons programmes in the region. The current deadlock on progress towards the stated goal of a nuclear weapon free zone in West Asia and the huge gap between rhetoric and reality reflect how key states in the region have vastly different, even incompatible starting points. These in turn reflect different perceptions of the tensions, as well as the causes and effects of conflict, in the region. (Datan,2007: 1)

Israel

Reflecting positions taken in the United Nations and elsewhere as early as 1974, according to Paul F Power, (Power,1983:620) Israeli stances and free-zone proposal of late 1980 were expressions of Israel's non-proliferation policy explained in Foreign Minister Yitzhak Shamir's statement to the Knesset on 30 July 1980. The statement 1) recalled Israel's vote in favour of a 1968 resolution supporting the NPT; 2) held that many Arab states had either not adhered to the NPT or had not fulfilled their obligations under it; 3) cited the need for a West Asian free-zone initiated by regional states producing binding international security guarantees against the use or the threat of use of nuclear weapons; 4) urged all West Asian states to follow the Latin American example and to enter into direct talks to create a free-zone; and 5) pledged that Israel was ready to enter into multilateral negotiations without any preconditions.

The political focus of the successive NPT free-zone resolutions had been on Israel. Israel abstained from voting on the original resolution and its successors until November 1980, when it voted for the measure in principle. Israel's vote made possible the first General Assembly consensus on a free-zone proposal for the West Asia. Paul F Power (Power, 1983:619) pointed out; Israel's shift may be explained by three considerations. *First*, Israel wished to avoid being further isolated as the critical non-NPT state in the region at a time when Egypt, Israel's Camp David partner and new US client, was moving from being only a signatory to becoming a full NPT adherent. *Second*, Israel's shift was intended to add credibility to a vigorous diplomatic and publicity campaign reaching to the US Congress and media to prevent France and Italy from supplying NPT-adherent

Iraq with a large research reactor (Osiraq), highly-enriched uranium fuel. *Third*, Israel's endorsement of the resolution may have been part of an effort to lay the groundwork for an Israeli counter to unfavourable world opinion expected to be generated in time by the implementation of a secret Israeli decision made in October 1980 to attack Osiraq.

Nabil Elaraby, Permanent Representative of Egypt to the United Nations pointed out Israeli arguments related to "NWFZ" which evolved over the years as follows :(Elaraby, 1997:84)

1. During the period from 1974 to 1979, Israel's abstention on the United Nations resolution was explained by advancing two arguments:

- (a) expression of our support for the establishment of the zone as a matter of principle;
- (b) categorical refusal to accept the Arab point of view to establish the zone through unilateral declarations or as a result of the efforts of the Secretary General of the United Nations by consulting countries of the region .Israel proposed instead of free and direct negotiations, leading to the conclusion of a formal contractual multilateral convention.

2. In the course of the period from 1980 to 1991, which was marked by Israel's support of the consensus in the General Assembly, additional demands were insisted upon by Israel, namely:

- (a) the need to follow a regional approach and secure commitments from all states of the region;
- (b) the need to convene an international multilateral conference for the establishment of the zone ,a proposal submitted to the United Nations General Assembly in 1981.

Since 1990, two more prerequisites were introduced:

- (a) the need to accept Israel's legitimacy by all its neighbours; and
- (b) the cessation of all kind of threats to its existence.

3. The period from 1992 to present (1997) ACRS, which was established within the framework of the multilateral track of the Madrid Conference, offered the most propitious forum, particularly from the Israeli point of view, to start negotiating the modalities for the establishment of the zone within the significant number of Arab states. Regrettably, Israel had adamantly decided to embark on a serious consideration of the nuclear file. For Israel, ACRS should focus only on confidence building measures (CBM's). Following Madrid; the Israeli arguments shifted again into exclude the nuclear file.

Bringing about a change to the Israeli stance on a NWFZ in West Asia depends heavily on normalizing bilateral and multilateral relationships among all states in the region. Ramesh Thakur, (Thakur, 1998:197) pointed out that, Israeli position is illustrated in a speech made by the former Israeli Minister of Foreign Affairs, David Levi, to the 1996 UN General Assembly, Levi said that:

“After peaceful relations and reconciliation have been established among all states in the region, Israel will endeavour to establish in the Middle East a zone free of chemical, biological and nuclear weapons, as well as ballistic missiles, based on mutual and effective verification”.

In the light of Israel's apparent intent to preserve nuclear capability, some Arab commentators have questioned the degree of Israeli commitment to a satisfactory peace settlement in West Asia. It seems particularly paradoxical that Israel holds out the carrot with one hand and carries a stick in the other. During peace negotiations, the strategy of promising the carrot but carrying the stick accentuates doubts about intentions, thereby generating increasing mistrust. (Sayed, 1997:34)

The Arab position

According to Yair Evron, (Evron, 1973:23) regarding Nuclear weapons, two basic Arab approaches can be discerned. The first, which eventually became the approach of the Syrian Ba'athist government, maintained that the 'Palestinian Problem' could be 'solved' by guerrilla action developing into a 'national liberation war', and that nuclear bombs could not be effective against such operations. Ostensibly the Fatah approach was similar

to the Syrian one, namely that nuclear weapons were ineffective against guerrilla action and that the right strategy for the 'liberation' of Palestine was a protracted guerrilla campaign against Israel. However, there were fears lest the Israeli nuclear capability would stabilize the status quo.

The second approach argued that an Israeli bomb was a dangerous development for the Arab world and would change the balance of power in West Asia. This approach was advanced mainly by Egypt. According to them various possibilities open to Egypt are as follows: (1) to wait until Israel obtained nuclear weapons and then to act as seemed best at the time; (2) to enter into a scientific race which might in the end lead to a 'nuclear balance' but which would postpone the hope of the Arab nation 'solving' the Palestine problem for an unlimited period; (3) to trust in international political action despite the fact that the world always tends to accept any existing situation as preferable to other alternatives, even if injustice is caused; or (4) to act in a preventive way before the crucial moment.

Feldman Shai, (shai,1982:67) pointed out that since 1973; Arabs have made four types of response to the possibility that Israel might acquire nuclear weapons. The *first* has been to urge that Israel sign the Nuclear Non proliferation Treaty and accept inspection by the International Atomic Energy Agency. The *second* has been an attempt to rely on super power nuclear guarantees. The *third* calls for an effort to counter future Israeli nuclear threats by developing an Arab deterrent capability comprising chemical and biological weapons. The *fourth* response has been to threaten that this will lead the Arab to do the same.

The Arab states' position is essentially that addressing security concerns in the region requires dealing with Israel's nuclear weapons first. Israel sees the establishment of NWFZ in the region as a final step, not a first one. Yet these policies contravene the spirit of the NPT and the IAEA and lead one to argue that there is an existing dangerous situation that affects security and stability in the region, and the world at large. In a speech made by the Ambassador of the Kingdom of Saudi Arabia to the Committee for

the 2000 Review Conference on Non-Proliferation of Nuclear Weapons, the Ambassador said:⁴⁶

“While many regions around the world are achieving success in the establishment of nuclear-free zones as a result of the cooperation and recognition of the need for peaceful co-existence among their countries, we find that the international and regional efforts to make the Middle East a nuclear free zone are fruitless. This is the result of the refusal of one country, Israel, to cooperate with these efforts”

In 1995, some Arab states had announced that they could not support an indefinite extension of the treaty, as long as Israel remained outside the NPT. These nations finally agreed to an extension only after the adoption of a resolution on West Asia that called on nuclear-weapon States to exert "their utmost efforts" to establish a "Middle East" zone free of weapons of mass destruction and their delivery systems. Syria's Ambassador Mikhail Wehbe agreed, describing Israel's NPT non-adherence as "alarming." Ambassador Fawzi Shobokshi of Saudi Arabia also supported this view: "Israel's position and its justifications clearly contradict its calls for peace because true peace must be founded on trust and good intentions." (Rajkumar and Adrienne,2000)

Throughout negotiations Israel and Arab states were divided on major issues of process. While Israel insisted that the negotiations take place through direct face to face talks as part of a regional peace process; the continuing refusal of the Arab states to end the state of war with Israel created an impasse. This basic obstacle was reduced, to some degree, in 1991 following the "Middle East Peace Conference" in Madrid in which many of the parties participated (with the exception of Iraq, Iran and Libya).The conference led to the establishment of a number of multilateral working groups, including one on Arms Control and Regional Security (ACRS) which, for the first time, provided a format for direct negotiations on such issues. However, the refusal of Syria to participate, as well as

⁴⁶ For Details see, 'Statement of Kingdom Of Saudi Arabia before the Third Session of the Preparatory Committee for The 2000 Review Conference On Non-Proliferation Of Nuclear Weapons.' by Fawzi Shobokshi, 14 May 1999, Available at: <www.mofa.gov.sa>, accessed 6 June 2009.

the absence of Iran, Iraq and Libya have limited the ability of ACRS to consider regional security issues such as MENWFZ in any detail. (Steinberg,1998:195)

Conclusion

In spite of the success that has been achieved by establishing NWFZ in many areas around the world, West Asia is still a long way from establishing a zone free from nuclear weapons. This failure is due to several factors linked to the nature and complexity of the historical conflict in the region which have left legacies of mistrust and enmity. Nevertheless, one should not forget that the negotiations to establish some of the existing nuclear weapon-free zones took many years to reach a successful conclusion.

Conclusion

The entire world community feels nothing wrong in the principle for the attainment of a world free of nuclear weapons. A world free of nuclear weapon is difficult, but a desirable option because, there is growing understanding all over the world that a nuclear world would be pointless, indeed, irrational because there would be victors nor vanquished since it would mean the end of human civilization.

Broadly the purpose of NWFZ is to provide additional means for averting nuclear weapon proliferation and halting the nuclear arms race. Another important benefit could be the creation of a framework for regional co operation in the peaceful use of nuclear energy. It is argued that NWFZ provide complimentary machinery to other collateral measures of disarmament, non proliferation of nuclear weapons and the development of peaceful use of nuclear energy.

Some of the criticisms of NWFZ arise from a confusion between arms control agreements and confidence-building measures. Unlike the NPT, NWFZ are regional CBM, not simply in the obvious sense of being a legal mechanism for member states to assure each other of their peaceful intensions, but also because the very process of creating a NWFZ necessitates mutual cooperation. A NWFZ may be defective if viewed as an arms control agreement; it can be valuable a CBM which expands the area of peace.

When the Nuclear Weapon States and many of their allies speak of nuclear non-proliferation they are thinking of horizontal proliferation only. The NPT's Article VI and vertical proliferation is not on their mind. The situation regarding the non-proliferation of nuclear weapons is today much more complicated than it was ten or twenty years ago. The technology for their manufacture has been improving and what the monopoly of one was once, later two, three and eventually five nations has now become accessible to many.

The gravest nuclear danger now is not war between Russia and United States, but the spread of nuclear weapons technology and materials beyond the five NWS. The danger of horizontal proliferation cannot be continued indefinitely by maintaining the status-quo of five NWS. A continuing lack of support from the United States, Britain, and France only reinforces the belief on the part of non-nuclear weapon states that the nuclear weapon states not only lack an interest in their own disarmament but also block important disarmament initiatives of others.

The five nuclear weapon states are trapped in the fundamental paradox that while they justify their own nuclear weapons in national security terms; they seek to deny such weapons to anyone else for reasons of global security. In other words, the existing balance of nuclear-weapons status is a dynamic equilibrium, not a static equation. The world cannot accept forever a power hierarchy frozen in terms of the nuclear-weapons divide of 1968. Without concrete disarmament on the part of the NWS, the world will slip back into real dangers of horizontal proliferation.

In case of Nuclear Weapon Zones also we can find double standards on the part of nuclear weapon states. Of the four existing NWFZs, the Treaty of Tlatelolco is the only NWFZ of which protocols were signed and ratified by all the NWS. None of the nuclear-weapon states have signed the protocol to the Bangkok Treaty because of concerns about the inclusion of continental shelves and exclusive economic zones. The central purpose and utility of NWFZ can be demonstrated with an analogy. In recent years, the movement to create an expanding circle of smoke-free zones has become quite powerful in many countries. Such zones would be meaningless in practice if they applied only to non-smokers. Despite these challenges, there is widespread agreement that NWFZ treaties have contributed to the prevention of the spread of nuclear weapons and created norms for nuclear disarmament along with the NPT regime.

It appears also that regional approaches may have a good promise in general because they can actually avoid the charge of international imposition. However, for the regional approaches to be more effective and more legitimate, they should not endorse and perpetuate a privileged position of one regional actor, particularly if that actor, as is the case with Israel, has an acknowledge preponderance of conventional military power and,

so far, a monopoly of nuclear power. There is also the fact that regional agreements, unlike global agreements, are less subject to veto pressures from a single extra-regional state; and that opportunities for dialogue and discussion on arms control issues are improving, if only incrementally, in some of the most conflict-prone regions. Finally, there is the role of civil society, and the high degree of likelihood that a precipitating event, analogous perhaps to the Cuban Missile Crisis, will generate new civil society protest movements focusing on the urgency of both regional and global arms control.

A “Middle East Nuclear Weapons Free Zone”, of course, is not the only option to cope with the region’s nuclear challenges. Others include better NPT enforcement, diplomacy, economic pressure, military force, and regime change and, in the event that proliferation takes place, deterrence. But none are more foolproof than a Nuclear Weapons Free Zone.

Based on humanitarian, political and economic considerations, preventing a nuclear war in West Asia is patently in the best interests of the region and the world community. For many years, the institutions of the international community have set the NWFZ in West Asia as an objective: it has been adopted annually by consensus in the United Nations General Assembly since the 1980. In case of the West Asia the major available guideline are UN General Assembly formulated principles of 1975, Hosni Mubarak’s WMDFZ proposals of 1990, NPT Review Extension Conference Resolution of 1995 and the NPT Review Conference of 2000.

The notion of a nuclear balance is a two-edged sword. Nuclear weapons can play a positive role in terms of providing the promise of deterrence that might stabilize the region, but in a unique region like West Asia with all its actual and potential conflicts, it might lead instead to an uncontrolled nuclear arms race. The history of nuclear weapons in West Asia is linked clearly to the insecurities and conflicts in the region. The region became nuclear over 50 years ago when Israel started its nuclear program. This program was the driving force behind the other nuclear programs in the region. In turn, the Iran-Iraq War provoked Iran towards possessing a nuclear capability; however the Iranian nuclear ambition at this point in time seems to be directed against Israel. This being said, the GCC states are extremely concerned about a nuclear Iran. There is also the possibility

of terrorist access to poorly secured weapons materials or bombs. Clearly, no Israeli nuclear deterrent will dissuade the suicidal nuclear terrorist.

Israel and Iran are under the international spotlight of assumed or suspected nuclear weapon programmes, outside or in spite of the global non-proliferation regime. Over a dozen Arab states have announced plans to develop nuclear power programmes and are in various stages of negotiations or research and development. Today, concern over Iran's nuclear ambitions and the implications for regional security has breathed new life into the concept of NWFZ.

The Arab states' position is essentially that addressing security concerns in the region requires dealing with Israel's nuclear weapons first. This view, that Israel's nuclear capabilities are destabilizing and must be addressed as a precondition to peace and security in the region, is reflected in NPT review process documents and the annual General Assembly resolution "The risk of nuclear proliferation in the Middle East" (sponsored by a number of Arab States), as well as annual requests for inclusion of an item on "Israeli Nuclear Capabilities and Threat" in the IAEA's General Conference agenda.

An early call for MENWFZ in United Nations was viewed by Israel as an Arab ploy to embarrass the Jewish state. Initially, Jerusalem tried to use the initiative to garner Arab recognition. It asked its neighbours to sit down and negotiate. Arab states declined, arguing that the region had to resolve Israel's political legitimacy first. For Arab nations, it was a move towards highlighting their complaint that Israel's possession of nuclear weapons has been a major factor behind any proliferation in the region. Israel indicated that establishment of a NWFZ in West Asia required prior establishment of peace and the application of mutual verification measures.

Israel always prefers to focus on the regional approaches and tends to be concerned about international channels or organisations influenced by a pro-Arab numerical majority. Israel argues that it cannot rely on NPT which was indefinitely extended in May 1995. Moreover it stresses that the verification mechanisms of IAEA are dangerously inadequate, as shown by the cases of Iraq and North Korea, and hence regional

approaches and solutions must be given priority. The official Israeli position stipulates that all West Asian countries, including Iran must sign peace treaties and maintain normal relations with Israel for at least two years before negotiating a change in Israel's current policy on the nuclear issue. This can legitimately be viewed as an example of an interest in enjoying nuclear monopoly for a long time to come.

In spite of the success that has been achieved by establishing NWFZ in many areas around the world, West Asia is still a long way from establishing a zone free from nuclear weapons. This failure is due to several factors linked to the nature and complexity of the historical conflict in the region which have left legacies of mistrust and enmity. The refusal of Israel to cooperate peaceably with other countries in the region continues to inflame the situation. Israel should show some flexibility on nuclear issues in order not to give any reasons to other states in the region to justify their own nuclear program. The geographical definition of the zone has been advanced as a complicating factor. Not all West Asian states are, at present willing to enter into direct negotiations with Israel. It is also of relevance to note that not all Arab countries participate in the Madrid multilateral talks.

Regarding monitoring and verification system for a MENWFZ, Several regional governmental and non-governmental experts highlighted the importance of incorporating the ethos of cooperative monitoring into the heart of an MENWFZ verification system. When developing proposals for the verification regime of a future ME WMDFFZ it would be useful to look at previous initiatives and current agreements for inspiration and lessons learnt, looking at the weaknesses as well as the strengths.

Very important was the establishment, in April 1996, of a Nuclear Weapons Free Zone in Africa. Under that treaty, about half the West Asia as defined below – from Egypt to Mauritania- is both nuclear weapon free and subject to nuclear weapon power guarantees. The denuclearisation of the African part of the prospective ME NWFZ could be considered the first step in a step-by-step approach to the Zone building. An interesting initiative along the same lines is the proposal to establish A Weapons of Mass Destruction Free Zone in the Gulf area (G WMDFFZ), which is being researched by the

Gulf Research Centre in Dubai, UAE, and politically supported by the member states of the Gulf Cooperation Council.

Although the negotiation of a NWFZ at the present time appears out of the question, the convening of a regional governmental expert group to consider the technical elements of a potential NWFZ or WMDFZ may be worth exploring. Issues such as verification and transparency of and compliance with a future NWFZ agreement could be explored by such an expert group, the results of their deliberations taking the form of a consensus document. Such an expert group would not be a negotiating body, but its report could provide material to use in future negotiations, if conditions were favourable.

Another consideration for the creation of a NWFZ in any region is the scope of the area to be included. In a conflict-ridden region like West Asia, the core sector should be defined in terms of potential states that might be involved in a military dispute in which nuclear weapons could be used. Furthermore; there are deep differences between the various conceptions and mechanisms to establish a NWFZ in the region.

In comparison with other areas in which regional NWFZ have been created, West Asia is particularly complex. Because West Asia is an area plagued by a long history of intense and overlapping territorial, ethno-national and religious conflicts, there are many difficulties and obstacles in achieving the trust and compromises needed to establish a NWFZ in the region. As compared to regions like Latin America, West Asia is a time - bomb with an inflated arsenal of state -of-the-art-modern high technology weapons. It is probable that any of the several significant military powers in the West Asia possesses more planes more tanks, more missiles than the entire Latin American region. The development of nuclear capacity is intricately related to the security issues and threat perceptions across the region. Yet there are serious obstacles facing regional actors in reaching a compromise on an issue so delicately linked to their national security. Confidence between all actors within the region is seriously lacking.

The attainment of a NWFZ in Latin America was facilitated by the continent's experience of multilateralism. The same is true of the South Pacific, Southeast Asia, Africa and Central Asia. Conversely, West Asia is seriously lacking in inclusive

experiences of multilateralism. In West Asia and Northeast Asia, there is no existing sub-regional organisation to initiate and guide negotiations, no sub-regional dialogue process that can form the backdrop to a NWFZ negotiation. Even if all relevant regional states were supportive of a zone in principle, the difficulty would remain of how best to convert support for a NWFZ in the abstract into signature of a NWFZ treaty in the particular. Regional countries will have different approaches in respect of the content of a treaty.

Furthermore, there are deep differences between the various conceptions and mechanisms to establish a NWFZ in the region. These differences result from conflicting perceptions of security requirements and threats posed to the states in the region, and the link between the establishment of a NWFZ and regional peace processes.

However, a Nuclear weapon free zone in West Asia is not viable until the existing sources of conflict have been addressed; in particular this must involve ensuring the long term security of Israel, which includes in parallel, a just and lasting conclusion to the Israeli–Palestinian conflict. But the rigid policies of Israeli government with the support of United States are the main barrier here. First steps therefore include addressing the underlying political and security issues, exploring the possibility of sub-regional initiatives such as Gulf regional NWFZ and working towards the universalization of relevant agreements.

APPENDICES

TREATIES ESTABLISHING NUCLEAR-WEAPON-FREE AREAS

Nuclear-weapon-free zones

- ① The 1967 Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean
- ② The 1985 South Pacific Nuclear-Free Zone Treaty
- ③ The 1995 Treaty on the South-East Asia Nuclear-Weapon-Free Zone
- ④ The 1996 African Nuclear Weapon-Free Zone Treaty
- ⑤ The 2006 Treaty on a Nuclear-Weapon-Free Zone in Central Asia

The treaties establishing the nuclear-weapon-free zones, inter alia, ban nuclear weapons within the respective territories of the zones, including the acquisition, possession, placement, testing and use of such weapons.

Nuclear-weapon-free status

- ⑥ In 1992, Mongolia declared its nuclear-weapon-free status, which is internationally recognized and prohibits, inter alia, the acquisition, possession, placement, testing and use of nuclear weapons on its territory.

Nuclear-weapon-free geographical regions

- ⑦ The 1959 Antarctic Treaty, inter alia, prohibits any measures of military nature on the continent of Antarctica, including any testing of nuclear weapons.
- ⑧ The 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space including the Moon and Other Celestial Bodies, inter alia, prohibits placing nuclear weapons in orbit around Earth, installing or testing these weapons on the Moon and other celestial bodies as well as stationing these weapons in outer space in any other manner.
- ⑨ The 1971 Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof, inter alia, prohibits the emplacement of nuclear weapons on the bottom of the ocean and in the subsoil thereof.

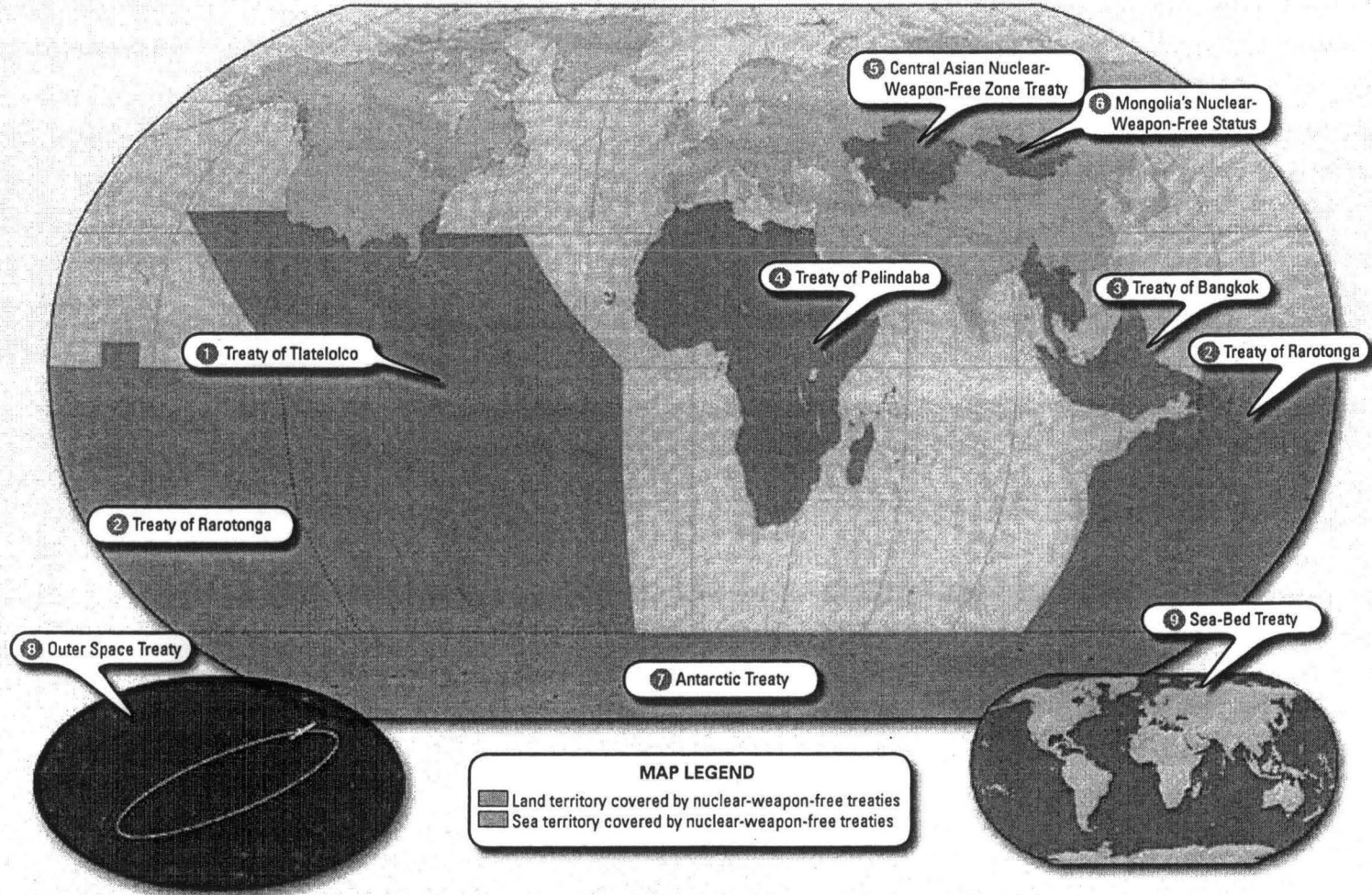
As of 2007, the above nine treaties are at different stages with regard to their signature, ratification and entry into force, as well as with regard to the signature and ratification of their attached protocols requesting assurances from the nuclear-weapon States.

The delineation of the nuclear-weapon-free areas presented on this map is indicative only.



NUCLEAR-WEAPON-FREE AREAS

Demarcation of nuclear-weapon-free zones, nuclear-weapon-free status and nuclear-weapon-free geographical regions



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