



JAMES MARTIN CENTER FOR
NONPROLIFERATION STUDIES



Monterey Institute
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THE 2012 CONFERENCE ON THE ESTABLISHMENT OF A WMD-FREE ZONE IN THE MIDDLE EAST AND THE ROLE OF THE FACILITATOR

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The 2010 NPT Review Conference adopted a consensus document containing an [Action Plan](#) for nuclear disarmament, nonproliferation, and peaceful uses of nuclear energy. In the consensus document, the states agreed to convene a conference in 2012 “on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction, on the basis of arrangements freely arrived at by the states of the region, and with the full support and engagement of the nuclear-weapon states.” The Action Plan also mandated the UN Secretary-General and the three co-sponsors of the [1995 Middle East Resolution](#) (Russia, the United Kingdom and the United States) to appoint, in consultation with the states of the region, a facilitator who will conduct consultations and undertake preparations for the convening of the 2012 Middle East conference. The facilitator is also tasked with assisting “in implementing follow-on steps agreed at the 2012 conference” and reporting to the NPT 2015 Review Conference and its Preparatory Committee meetings. Although the final document of the 2010 NPT Review Conference did not directly tie the designation of a host country for the 2012 conference to the appointment of the facilitator, the two decisions became subsequently linked, so that the facilitator’s home country will serve as the host for the conference.

During the summer of 2011, Russia, the United Kingdom, and the United States held a series of consultations with states from the region and UN Secretary-General Ban Ki-Moon about the selection of the facilitator and the host government for the conference. By mid-September 2011, the choice was narrowed to two countries, the Netherlands and Finland, with one candidate for the facilitator from each. The decision of the Arab states not to table the controversial resolution on Israeli Nuclear Capabilities (INC) at the [IAEA General Conference](#) helped reduce tensions and allowed the United States and Israel to continue to engage on the issue. Consequently, agreement has now been reached that the host country will be Finland, and the Finnish Undersecretary of State Jaakko Laajava is named as the Facilitator.

NEXT STEPS AND CHALLENGES TO HOLDING THE 2012 CONFERENCE

The newly appointed facilitator is expected to commence consultations with states in the region and the three co-sponsors of the 1995 Resolution. Issues that need to be addressed include the conference agenda, desired outcome, timing, and participation. States so far have divergent views about the possible agenda and what the conference should accomplish. The Arab states are anxious to see the 2012 Conference take place as a first step towards negotiations on WMD-free zone in the region and implementation of the 1995 Middle East resolution. Therefore, they would like the conference to establish a formal process. Israel, however, is concerned that such a conference might lead to a “slippery slope” of negotiations on a zone, while the regional conditions Israel deems as necessary for its success (peaceful relations and reconciliation among all states in the region) are not present. Some officials from the NPT depositary states have mentioned a



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preference for a short high-level meeting, cautiously setting the expectations low. The White House has put forward [specific parameters](#) for the conference. These parameters include: the participation of all countries of the Middle East and other relevant countries; an exchange of views on a broad agenda, to include regional security issues, verification and compliance, and all categories of weapons of mass destruction and systems for their delivery; a mandate drawn up by all the countries in the region; and a requirement that the conference operate by consensus, especially with regards to any possible further discussions or follow-up actions.

Participation in the conference by all relevant states is particularly important. After the 2010 NPT Review Conference, Israel [stated](#) that the consensus document ignores the realities of the Middle East and that, as a non-signatory to the NPT, Israel is not obligated to follow the decisions of the review conference. It concluded that, “given the distorted nature of [the NPT Review Conference decision], Israel will not be able to take part in its implementation.” In subsequent consultations, however, Israel signaled some readiness to cooperate on convening the conference and would probably want to avoid being blamed should the conference not take place or fail. It is also unclear whether or how Iran will choose to participate in the Conference, though its representatives have not publicly opposed it.

Further factors that complicate the process are the Arab Spring of 2011 and the accompanying political turmoil throughout the region. These factors have prompted some policy makers and observers to question whether all of the Arab states would be in the position to participate in the conference in 2012. The newly appointed Facilitator, Jaakko Laajava, will likely first consult with states about the possible timing of the meeting, the feasibility of convening it in 2012, and whether it may be necessary to postpone the conference to early 2013. However, should the Facilitator be unable to find agreement to hold the conference at all, there is a concern that the 2015 NPT Review Conference will end without a consensus. Additionally, as part of the push to convene the conference, some Arab states have threatened, implicitly and explicitly, to reconsider their NPT membership if the 2012 Conference does not take place.

THE IAEA-SPONSORED FORUM ON NWFZ FOR MIDDLE EAST: HOW DOES IT DIFFER FROM THE 2012 CONFERENCE? WHY IS THE IAEA HOLDING IT IN NOVEMBER?

On September 2, 2011, [the IAEA announced](#) that it would host a forum to review the experience of establishing nuclear-weapon-free zones in different regions and consider its applicability to the Middle East. The forum will take place on November 21-22 in Vienna, chaired by Ambassador Jan Petersen of Norway. Participation is restricted to the IAEA Member States.

In 2000, under the “Application of IAEA safeguards in the Middle East” resolution, the General Conference requested the Director General to convene a forum for the Middle East and other interested parties to “learn from the experience of other regions” where nuclear-weapon-free zones have been established. The IAEA convened similar events in 1993, 1997 and 1998.

The relevant parties agreed in 2004 on terms of reference for the forum, including: studying the lessons of other regions in terms of the context that prevailed there before a NWFZ was considered; reviewing existing, multilaterally-agreed principles for establishing such zones; reviewing the theory and practice of establishing



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the five existing NWFZs; discussing the experience of representatives from the five existing NWFZs in setting up and implementing such zones; and discussing the region of the Middle East in this context.

Nonetheless, until now, the IAEA has been unable to convene the forum because of disagreements among the parties regarding the agenda. The IAEA announcement quotes the five points listed above as the focus of the November 2011 event.

The Arab states do not see this forum as a substitute to the 2012 Middle East Conference, a point several delegates underscored at the General Conference in September 2011. The Arab states view the 2012 Conference as closely linked to the NPT and their objective of having Israel join the NPT as a non-nuclear weapons state.

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