

REALISATION OF NUCLEAR WEAPONS FREE ZONE IN THE MIDDLE EAST: CHALLENGES AND PROSPECTS

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Abstract

The Middle East region has been described as the most volatile in the world, characterised by wars and proliferation of Nuclear weapons. This propelled the Islamic Republic of Iran to initiate the idea of establishing Nuclear weapons free zone in the region since 1974. There were so many calls by some members of International Community such as: Cuba, Egypt, Japan, Lebanon, Mali, Mexico, Nicaragua and Qatar for the same reason. They indicated their support to make the Middle East free of Nuclear Weapon. The United Nations Security Council also supported the move which was adopted unanimously on 24th September, 2009, all in an attempt to achieve the same objective. Yet, the realisation becomes very difficult and still not achieved. The objective of this paper is to explore the Challenges and Prospects of establishing a nuclear weapons free zone in the Middle East. Secondly, to examine the efforts of United Nations Security Council and the General Assembly as well as International Atomic Energy Agency (IAEA) towards the realisation of this goal and to make recommendations for achieving nuclear weapons free zone in the Middle East. The paper adopts Deterrence Theory as framework for analysis. The findings of this paper encompass the failure of Israel to sign and strictly adhere to the provisions of Non-Proliferation Treaty and Comprehensive Test Ban Treaty which made other states in the region to be suspicious of Israel. There is also the refusal and lack of commitments indicated by European Union against the realisation of nuclear free zone in the Middle East.

Key words: *Nuclear weapons, Free Zone, Disarmament, Chemical Weapons, Biological Weapons, Radiological Weapons and Middle East*

Introduction

The pro-long call by International community and the desire to make Middle East Free of Nuclear weapon has become rhetoric and still

unable to be attained since 1974. This longstanding proposal for a nuclear – weapon – free zone in the Middle East was

also supported by the United Nations General Assembly following Resolution 3263 of 9th December, 1974. It suggests that, pending and during the establishment of a nuclear free zone, states in the region should declare solemnly that they will refrain on a reciprocal basis from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons on their territory by any third party. States to agree to place all their nuclear facilities under the International Atomic Energy Agency (IAEA) safeguards and declare their support for the establishment of a Middle East Nuclear Weapon Free Zone (MENWFZ) and deposit such declaration with the Security Council for consideration (www.iaea.org).

This paper has explored the challenges and prospects as to why the realization of nuclear free zone in the Middle East is unattainable up to now. It also examines the danger and consequences of Israel's Nuclear weapon in the region. This is because, the creation of the state of Israel in the Middle East on 14th May, 1948, indicated that Israel became a sovereign state within the territory granted to it by the Truce Commission for Palestine which was set up by the United Nations in April 1948 as a mediator to promote the future peaceful adjustment of Palestine. Israel thus was admitted as a full member of the United Nations in 1949 in spite of the strong opposition from the Arab states. According to Warner (1999), Israel began its search for nuclear weapons at the inception of the state in 1948. Since then, Israel has used delay and deception, first to keep the United States at bay and later used the nuclear option as a bargaining chip through consistent American conventional arms supply. By 1973, Israel had a number of

sophisticated nuclear weapons deployed and considered using them for defensive or offensive purposes. Israel assembled several nuclear devices during the Yom Kippur war in 1973, and has since then continued to modernize and vertically proliferated and are now one of the world's largest nuclear powers. Using the bomb in the basement nuclear capacity, Israel has been able to use its arsenal as a deterrent to the Arab world (Warner, 1993: 3). The issue of external interference and backing receives by Israel from the US at the expense of other States in the Middle East has seriously posed challenges and remains the major obstacles for achieving the Nuclear free zone in the Middle East.

However, in spite of International arms control efforts and various calls for a weapons of mass destruction free zone in the Middle East, the major power states in the region like Israel, Egypt, Syria, Iran, Iraq and other states see the proliferation of Chemical, Biological and Radiological weapons as an instrument of power. This causes tension of an attack by one state or the other in the Middle East. Hence, the call for a nuclear free zone becomes difficult to be attained.

The suspicious situation, fragile peace as well as fear of attack and the invasion of a state by another in the Middle East temper and contradict Article 1 sub-section 2 of the United Nations that entails fostering world peace and security (the Middle East inclusive). The call for a Nuclear Weapon Free Zone in the Middle East and more generally a Weapon of Mass Destruction (WMD) free zone in the Middle East has also been repeatedly affirmed during the United Nations General Assembly in 1991. This affirmation was made by all the states involved, as well as the International

Community. Yet, instead of movement towards nuclear free zone in the region, security analysts such as Dominic Moran and Boese Wade (2006), pointed out that, the proliferation of WMD in the Middle East became the most serious issues. It remains the region with the greatest concentration of states that are NOT party to one or more of the International Treaties dealing with WMD: the Biological Weapons Convention (BWC) the Chemical Weapon Convention (CWC) and the Nuclear Non-proliferation Treaty (NPT) as well as the Comprehensive Nuclear Test Ban Treaty (CTBT) (UNIDIR/2004/24).

To this end, the paper focuses attention on why it has been difficult to attain nuclear free zone in the Middle East. Who are responsible for the failure towards realising nuclear free zone in the region and what are the viable or possible ways to achieve this goal?

Theoretical Framework

The deterrence theory is an indispensable model in analyzing realisation of a nuclear free zone in the Middle East thereby examining the Challenges and Prospects surrounding it. The deterrence theory holds that military preparations for peace by force would be make aggressors to consider the cost. The proponents and advocates of the deterrence theory argued that there is no defense against a nuclear war, and consequently the best hope is for a stable credible deterrent. This is the point of view of the theorists and some proponents of the deterrence theory such as P.H. Backus (1959), Glenn H. Snyder (1959; 1960; 1961) Arthur T. Hadley (1961), Charles G. McClintock and Dale J. Hekhuis (1961) Thomas W. Milburn (1959), Herman Kahn (n.d.), Dexter Perkins (1960) and Lawrence S. Finkelstein (1962) among a group of

others. In addition, Richard Brody (1960), Richard C. Snyder and James A. Robinson (1961) have abstracted much literature on the deterrence theory. Thus, nuclear power state in the Middle East like Israel regards it as a means of deterring other states in the region.

However, the mutual invulnerability would stabilise the arms race, resulting to a balance of terror. This balance presumably would allow conflicts to shift to limited wars and from there to an eventual stabilization and finally to the reduction in a number of wars. Other proponents of Deterrence Theory are: Milburn (1959), Richard C. Snyder and James A. Robinson (1961) and Glenn Snyder (1960). The theorists argued that the military strength of a state determines its peace and hermony. "If we are strong we can remain at peace; but if we are weak we invite attack" (Narol, 1974: 3-4).

International Community and the Calls for Nuclear Free Zone in the Middle East

Several calls were made by International Communities in favour of establishing a Nuclear Free Zone in the Middle East. States parties to the Non-proliferation of nuclear weapons have reiterated their support for the establishment of a zone in the Middle East free of nuclear weapons and other weapons of Mass Destruction. For example, Cuba fully supports the proposal to make the Middle East region a nuclear weapons-free zone, in line with the wishes expressed by the overwhelming majority of the countries in the area and in accordance with Security Council Resolution 487 (1981) and Resolution 687 (1991), as well as other resolutions adopted by consensus of the

General Assembly. In view of the critical situation currently prevailing in the Middle East region, Cuba reaffirms the ongoing responsibility of the United Nations, including the Security in the region of the Middle East (UNGA, 2009:3).

On the other hand Egypt, since the idea of the “Establishment of a Nuclear Weapon Free Zone in the Middle East” was first inscribed in 1974 by the Islamic Republic of Iran, Egypt continued to pursue consistently the objective of ridding the Middle East of the threat of nuclear weapons.

Egypt firmly believes that the establishment of a nuclear weapon free zone in the Middle East (an area of tension and conflict) does indeed contribute significantly to easing tensions, confidence building, preventing conflicts and developing peaceful relations and mutual cooperation. Egypt believes that the only prerequisite for the commencement of negotiations on the establishment of a nuclear weapon free zone in the Middle East is the existence of political will, both in the region and among parties that have a direct stake in the region’s security and stability. Egypt expressed its intent to actively engage and cooperate with all parties in an effort to safeguard the Middle East against all nuclear proliferation and related threats through a comprehensive and balanced approach that can ensure the security of all states of the region against nuclear dangers through the establishment of a Middle East zone free of nuclear weapons. In this regard, Egypt has proposed several measures within the current view cycle of the NPT, aiming at a speedy implementation of practical measures leading to the establishment of a nuclear weapon free zone in the Middle East. Moreover, Ibrahim (2010) pointed out that, Ex-President of Egypt, Hosni Mubarak

submitted a working paper in 2007 during the NPT preparatory meeting. This clearly indicated the commitment of Egypt towards establishing Nuclear Weapons Free Zone in the Middle East.

Moreover, Ehab Fawzy (2011) stressed that,

Egypt has over the span of several decades, worked towards the establishment of a nuclear weapon free zone in the Middle East. It has also repeatedly demonstrated its full rejection of nuclear weapons, on the grounds that their very existence constitutes a major threat to international peace and security, be it on the global or regional level (Fawzy, 2011:2).

Japan also supports the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at by the states of the region concerned and on the condition that the establishment of such a zone would contribute to regional stability and security. Japan believes that progress in the establishment of a weapons-of-mass-destruction free zone in the Middle East will further strengthen the credibility of the treaty on the non-proliferation of nuclear weapons. Further to this, Japan joined the sixty-third session of the United Nations General Assembly and the consensus adoption of Resolution 63/38 of 2nd December, 2009 titled “Establishment of a nuclear weapon free-zone in the region of the Middle East”

Japan is firmly committed in supporting the Middle East peace process, considering that it is a key for regional stability that is a vital factor in establishing a foundation for a zone free of weapons of mass destruction. Based on the recognition that the only way to achieve peace in the Middle East is through the realization of the peaceful coexistence between the two states: Israel

and Palestine, Japan has been making its utmost efforts to that end (United Nations GA, 2009:10-11).

In an attempt to support creation of a zone free of nuclear weapons, Lebanon abides by United Nations Resolution 63/38 on the establishment of a nuclear weapon-free-zone in the Middle East. Not only that, Lebanon is cooperative in respect of weapons of mass destruction disarmament. Lebanon supports and welcomes all the initiatives aimed at achieving general disarmament and in particular attaining the nuclear weapon-free zone in the Middle East region, thereby stressing the role of the United Nations General Assembly and the Security Council in achieving a Middle East nuclear weapon free zone.

Moreover, Lebanon supports Arab Conferences and initiatives aimed at eliminating the factors that contribute to tension in the Middle East, particularly with respect to ridding the region of weapons of mass destruction Lebanon also participates actively in all the meetings of the technical committee that is involved in drafting a treaty to make the Middle East a zone free of weapons of mass destruction and above all, nuclear weapons and emphasises the danger posed by Israel weapons of mass destruction to International peace and Arab nation's security. Lebanon does not provide assistance regarding purchasing, acquisition, manufacturing, transporting, borrowing or using nuclear weapons in the Middle East region. It also promulgated laws and regulations that permit the monitoring of export and cross – border transport of any type of Weapons of Mass Destruction (WMD) in the region.

The government of Mali (according to the sixty-fourth session of United Nations General Assembly A/64/124) of 6th July,

2009 submitted on 9th April, 2009, (the original text in French Language) expressed its solidarity with all the action taken by the organization of Islamic Conference in the implementation of Resolution 63/38, entitled “Establishment of a nuclear weapon-free zone in the region of the Middle East” (UNGA, 2009:12).

Mexico supports the adoption of resolutions on the establishment of a nuclear weapon-free zone in the Middle East. It supported the adoption of resolution 63/38 in the committee of General Assembly and the resolution titled “Application of International Atomic Energy Agency Safeguards in the Middle East” (GOV/ 2008/ 29-GC (52)110) at the 52nd session of the International Atomic Energy Agency (IAEA) General Conference, held in Vienna in September 2008. As proof of Mexico's support and commitment toward the establishment of a nuclear free zone in the Middle East, the country has pushed for the convening of the 2nd conference of the states that are signatories and parties to the call for establishing a nuclear free zone in the region of Middle East, which was held at New York in 2012 prior to the review conference for the treaty on the non-proliferation of nuclear weapons. Mexico thus promotes the establishment of nuclear-weapon-free zones around the world as a mechanism that will help to strengthen the disarmament and nuclear non-proliferation regime. In addition to this, President Felipe Calderon of Mexico stated that, a nuclear arsenal is a threat to global peace and security and expressed support to the IAEA supervision which will lead to a nuclear weapon free world Middle East inclusive (Calderon in UNSC Resolution, 2009:9).

With regards to establishment of nuclear-weapon-free zones, Nicaragua has fully supported and considered such

establishment as a positive step towards strengthening the global support for nuclear disarmament and non-proliferation. Article VII of the treaty stipulated the principles adopted by the Disarmament Committee of the United Nations in 1999, thereby encouraging states to establish nuclear-weapon-free zones as an effective contribution to strengthening regional as well as global peace and security. In addition to this, Nicaragua urges all the countries in the Middle East Region, including Israel, to declare their support for the creation of a nuclear-weapon free zone. The establishment would constitute a fundamental contribution to the ultimate goal of nuclear disarmament as well as a major step toward reliable peace and security in the Middle East (UNGA, 2009:13-14).

On various occasions, Qatar in 2009 during UN General Assembly meeting (A/64/124/2009) insisted on the necessity of making the Middle East a nuclear-weapon-free zone. Moreover, at the 21st Arab Summit held in Doha on 30th March, 2009, Qatar also called upon the international community to work towards ridding the Middle East of all weapons of mass destruction, in particular nuclear weapons, to take steps towards establishing a nuclear-weapon-free zone in the Middle East which will contribute to international peace and security and to compel Israel to sign NPT and subject all its nuclear materials and activities to IAEA safe guards.

The Challenges behind Realisation of Nuclear Free Zone in the Middle East

The realisation of a nuclear free zone in the Middle East which was called for since 1974 has been facing a lot of challenges.

Firstly, Micheal Donovan (2002) stressed that, due to Israel's long history of conflict with its neighbors, its innate sense of vulnerability and the hostility it faces from the states in Middle East, Israel toward elusive search for nuclear weapons for her security. However, it is only if Israel destroyed her nuclear weapons that the region will become nuclear free zone. Israel's nuclear weapons programme was dated back to the late 1950s and the construction of Israel's nuclear facility at Dimona, in Negev is taking serious attention and recognition by Israelis. This believed to be her mechanism for self defense against any attack. The nuclear facility constructed at Dimona is regarded as deterrence technique to deter any potential attack as argued by proponents of deterrence theory. For this, it is difficult for Israel to dismantle her nuclear weapons for fear of possible alliance or coalition by other states of the Middle East to attack Israel after her nuclear weapon has been destroyed. As Israel possessed nuclear weapons in the Middle East others see it as the right thing to possess nuclear weapon in the Middle East. Donovan proclaimed that:

The states arrayed against Israel hold that it is their right to develop nuclear weapons as a deterrent to the Israeli arsenal. They believe that Washington maintains a double standard by ignoring Israel's acquisition of weapons of mass destruction while opposing the transfer of even peaceful nuclear technologies to others. Both Iraq and Iran have sought nuclear capability as a strategic equalizer. In the case of Iraq, however, nuclear weapons serve as an ambition greater than that of a relative deterrent (Donovan, 2002:4).

Therefore, the Israeli nuclear arsenal will continue to drive Iran, Iraq and other states of

the Middle East to put more efforts on the acquisition of nuclear weapons and other weapons of mass destruction for future use. In turn, these ambitions are likely to underscore Israel's sense of vulnerability. Furthermore, the perception that the nuclear weapon connotes independence, equality and prestige has ultimately caused challenges towards realisation of a nuclear free zone in the Middle East.

Secondly, United States of America has been backing Israel's possession of nuclear weapons as deterrence to many states in the Middle East region and purposely for a counter attack from her hostile neighbours. This was further argued by Carol Migdalovitz where he pointed out that, Israel might act preemptively against Iran because Israel has nuclear weapons and it has the prospect of a deterrent against Iran (Migdalovitz, 2006:6). Another challenge is the issue of security cooperation and collaboration between the United States of America and Israel. Israel is frequently referred to as an ally of the United States. President Bush stated that United States would militarily defend Israel. This was stated in a Memorandum of Understanding (MoU) signed on 30th November, 1981. The aim was to enhance National Security of both countries. In June 1984, United States constructed facilities to stockpile military equipment in Israel. Moreover, on 6th May, 1986, Israel and United States signed an agreement (the contents of which are secret) for Israel participation in the Strategic Defense Initiative (SDI). Under SDI, Israel is developing Anti Ballistic Missile with American support and financial contribution of more than \$1billion and the amount is increasing annually. In December, 30, 2005 the United States Defense Appropriations Act, Section 8088, provides \$132,866,000 for Anti Ballistic Missile. \$60,250,000 was also

earmarked for missile component co-production. In addition to this, \$100,000,000 was earmarked for a joint feasibility study on a Short Range Ballistic Missile Defence Initiative between U.S. and Israel (Migdalovitz: 2006: 13).

The essence of the Strategic Defence Initiative is to make Israel develop Anti-Ballistic Missile that can counter the launch of any Ballistic Missile launched by any state within the region to Israel. This makes Israel stronger and according to deterrence theorists, if you are stronger you continue to remain in peace.

Going by the above commitments, agreements and Memorandum of Understanding signed by US and Israel it may be difficult to establish nuclear weapons free zone in the Middle East.

Another reason for the non – realisation of nuclear weapon free zone in the Middle East is that the Middle East still remains the most volatile region in the world. This is because the region has known to be conflict-ridden for a long period of time. For instance, the Iraq – Iran war (1980 – 1988) and the Gulf war in 1991 revealed a considerable proliferation level of weapons of mass destruction which has an impact on regional security and stability. From Israel's perspective of nuclear weapons, Israel has been seeking nuclear weapons not only for the sake of hegemonic aspiration or national prestige but to develop an independent nuclear ultimate deterrent to balance the fundamental geopolitical asymmetries in conventional military between Israel itself and the entire Arab states. Thus, Israel sees its nuclear weapons as the ultimate insurance policy against any regional war (Cohen, 1999: 78).

In addition to this, Prime Minister of Israel, Ehud Barak in Cserveney stated that, Israel would need to maintain its nuclear option

indefinitely. The Arab states perceived the Israeli nuclear capacity as a means not only of deterrence but also as a means of coercion and potential use in pre-emptive strike missions (Cserveny, 2004:126).

Mirza (2009) added that the Iran – Iraq war witnessed the killing of many people for (8) eight years. Each country is seeing itself as stronger and can deter the other. This resulted into prolonging conflict/ war in the Middle East region. With this experience, the two nations see the possession of weapons as a defensive mechanism against future attack and deterrence techniques that can be used to deter the opponent.

Another factor is that there is no nation in the Middle East which has offered Israel a guarantee against conventional attack, which is precisely the danger most feared by Israel. Thus, such a guarantee, even if offered, might be neutralized by a super power supporting the Arab states, leaving conventional warfare with the Arab states to run its course. This fear of having no guarantee immensely compels Israel not to destroy its nuclear weapon and reserve it for deterrence purpose to its hostile or enemy. It is also perceived as a defensive mechanism against conventional attack in the future. Dowty (1978) pointed out that Israel has no protection over a conventional attack from countries neighbouring it in the Middle East. He stated that,

Danger from Arab conventional arms is a much more convincing motivation for nuclear development. The threat of an even temporary Arab superiority on the battle field must concern and Israel decision maker, since it is considered axiomatic that destruction of the state and the people would inevitably follow. Despite commitments from the United States, Israel is protected by no formal alliances or guarantees. Moreover, Arab conventional

superiority could conceivably develop with much less advancing than an Arab nuclear capacity, requiring a higher state of nuclear preparedness, i.e. shorter nuclear options. It is only reasonable that Israeli decision makers would consider that “ultimate deterrent” might be employed in the eventuality that conquest by Arab armies seemed imminent. Failure to provide for such would be inexcusable and the threat of nuclear retaliation seems to offer an effective response under such conditions (Dowty, 1978:88).

Dowty (1978) added that such conditions and indications portrays Arab intentions to use a sophisticated massive missile capacity against Israeli cities or the threat of gas or other unconventional warfare. It is against this background that, Israel possesses nuclear weapons for an adequate conventional response (counter attack) or counter threats. This has greatly enhanced the non-realisation of nuclear weapons free-zone in the Middle East. Unlike other states in the region, Israel has since developed weapons programmes and a Research Institute. The Jewish state (Israel) secured for itself a position of superiority in both conventional and non-conventional weapons such as nuclear, chemical, biological and radiological. The nuclear arsenal of Israel and its expanding space-based surveillance system created strategic position between Israel and surrounding Arab countries as well as between Israel and other countries in the Mediterranean region like Egypt for instance. Israel has sophisticated nuclear military capability, active Chemical Weapons programme and biological warfare. The Biological Weapon Research Institute (BWRI) in Nes Tziyoma in Israel has conducted a research on Missiles capabilities ranging from theater ballistic missiles to orbital delivery systems. This served as deterrence to countries like Iran, Syria, Oman, Bahrain

and other countries in the Middle East region. Israel is also building small satellite based on its Ofeq spy satellite design. Therefore, for the region to be a nuclear-weapons free zone, Israel needs to destroy her sophisticated weapons and Biological research institute. This is practically difficult. Hence, the region failed to become nuclear weapon free zone (Mohamed, 2002: 3).

Moreover, as argued by Luttwak, (2001) due to the attacker-defender scenario among states in the Middle East during the 1973 Arab-Israel war (Yom Kappur war), made it possible for both to go for nuclear weapons for active defense and deterrence. This situation propels Israel to form alliance with the USA since Israel neighbours had and in the near future can collaborate and fight against Israel as in the case of Arab-Israel war of 1973. In a situation like this, anticipation of surprise attack especially with historical antecedence due to perennial occurrence conflicts in the Middle East, no state might have destroy her weapons just like that. Luttwak (2001) added that, Nation put fear of massive retaliation at the back of their mind. This compels states in the Middle East to see possession of nuclear weapons as a great capacity for retaliation against any surprise attack. Luttwalk compared such situation with the US policy that:

The American policy of "Massive retaliation" (1954-1961), which was meant to nullify the entire balance of non-nuclear strength by relying primarily upon a great capacity to retaliate, instantly, by means and at place of our own choosing. Massive retaliation would certainly have affirmed the strategic autonomy of nuclear weapons (Luttwalk; 2001:183-184).

Maoz, in Bursac pointed out the reason why some states in the Middle East believe that they would be comfortable with nuclear weapons than without them. This greatly contributed to non-realisation of nuclear weapons free zone in the Middle East. Some states in the Middle East view nuclear weapons as an insurance policy. For instance, Israel's security doctrine emerged from her assumption that the Arab neighbours surrounding her were intent on destroying the Jewish state (Israel), Nuclear weapons on this ground serve as a counter-measure to serious national security threats and to deter the Arab neighbours surrounding Israel. Thus, nuclear weapons programme and its related technology increases a country's power and status in the Middle East. Hence, it will be difficult for Israel to eliminate her nuclear weapons because of this reason. Notwithstanding, the arms race which is one of the reasons for developing nuclear weapons, Israel's nuclear weapons programme has led other states to develop chemical, biological and radiological weapons as a counter balance against Israel (Maoz in Bursac, 2006:2).

Another factor for non-realisation of nuclear weapons in the Middle East is that, there is no practical steps taken to implement various resolutions that favoured the establishment of a nuclear free zone in the Middle East region. An Iranian report pointed out the need to make concrete recommendations on urgent and practical steps for the implementation of the 1995 resolution on the Middle East adopted by the 1995 Review and Extension Conference as well as the final Document of the 2000 Review Conference. The report pointed out another factor responsible for non-realisation of such zone in the region. The report noted neglecting the commitments undertaken by states party

to the Treaty on the Non-proliferation of Nuclear-weapons. (Iranian Report, 2005:2).

In addition, Ezzat Ibrahim (2010), reiterated that the major factor that bedeviled the establishment of nuclear free zone in the Middle East, which caused non-realization of nuclear free zone, was that “The 1995 Non-Proliferation Treaty (NPT) resolution only calls for practical steps toward establishment of Nuclear Free Zone in the Middle East, leaving open how and when Middle East nuclear free zone would actually come into existence. Ibrahim added that,

Unfortunately, since 1995, no real effort has been made to address the Middle East issue. The Middle East decision surfaced again in 2000 in connection with the issue of whether Iraq had nuclear weapons. No information was available at that time about Iraq’s true nuclear capabilities. So it was agreed, in the NPT revision conference, to issue a document calling Israel to join the NPT and on Iraq to honour its commitment. In 2005, nuclear countries refused to address the Israel nuclear dossier, citing the Iranian nuclear peril. The allegations they made were not corroborated by the IAEA. At the time, Iran said that, the uranium that it was using was compatible with peaceful purposes alone. A major dispute ensued and the conference ended without an NPT revision document being issued (Ibrahim, 2010:2).

According to “The New York Times” published on Thursday, October, 18, 2007, title “Europeans refusal to back Middle East nuclear free zone draws Egyptian protest”, the New York Times reported that,

European nations at past General Conferences of the International Atomic Energy Agency have voted in favour of establishing a zone free of such arms. But at

September’s session (2007) 25 of the 27 EU nations abstained on the resolution addressing the issue introduced by Egypt (The New York Times, 2007:1).

In view of this, the foreign Minister of Egypt sent a letter to EU nations requesting reasons for their abstention. However, there was no response from most of European capitals despite the letter sent and phone calls. It was only the Italian Foreign Minister, Massimo D’Alema who proclaimed to send a letter to his Egyptian counterpart, which explained the reasons for the EU’s abstention (The New York Times, 2007:2).

The United Nations Office for Disarmament Affairs (UNODA) in its publication titled “Effective and Verifiable Measures which would facilitate the Establishment of a Nuclear-Weapon-Free Zone in the Middle East. UNODA noted with dismay the deterrence in between some nations and pointed out that, all states in the Middle East, though they have declared themselves in favour of creating a nuclear-weapon-free zone in the region, yet the region remained nuclear weapon region. The problem that delayed such establishment of nuclear free zone in the Middle East is how? Through what process and under what condition nuclear free zone might be established in the region? (UNODA, 1991:18).

For the Arab Governments and the Islamic Republic of Iran, the problem is simple: the difficulty lies in Israeli policies and the proper step for Israel to take, is to join the NPT and negotiate with IAEA the application of safeguards on its nuclear installations or short of joining the NPT, to accept full – scope safeguards on all of its installations (UNODA, 1991:18).

Experts like Bernard and Jane (1991) in the report of UNODA, considered and argued that, in region where the most acute tensions exist,

the establishment of nuclear-weapon-free zone is particularly difficult. The experts opined that states would participate in a nuclear weapon free-zone only if doing so would enhance their national security or inversely. Therefore, when refraining from participating in the establishment of nuclear weapon free zone would impair their security, no state will back such establishment. This is simply because, some states may partially disarm their arsenals or technically refuses to disarm their arsenal and it will become deterrent to those who destroyed their nuclear weapon. In this dilemma, establishment of nuclear-weapon free zone would be difficult.

With regards to establishing a zone free of nuclear weapons, The United Nations Office for Disarmament Affairs (UNODA) opined that;

Creating a nuclear-weapons free zone in the Middle East is thus not simply a matter of finding some clever diplomatic formula that overcomes or circumvents the deadlock in the official Israeli and Arab positions. Only a series of steps that reduce tensions drastically can bring the parties to serious negotiations. And even then, it would not be expected that the zone, when agreed, can be fully realized without an extended transition. The complexity and drawn-out character of this process should not, however, discourage supporters of the concept. Each step of this process will be worthwhile in itself, reducing the risk of another war (UNODA, 1991:19).

The United Nations General Assembly Sixty-fourth session dated 6th July, 2009 reference No. A/64/124 (part 1) examined the factor which contributed to the delay in achieving a nuclear free zone in the Middle East. The session noted with regrets that,

The resolution's adoption by consensus is not complimented and no consensual commitment to its implementation. The sixty-fourth session also added that, not all of the States members of the United Nations seem committed to acting effectively toward establishment of nuclear free zone in the Middle East. Only few concrete steps, if any have been taken with the aim of achieving the objectives of resolution stipulated such establishment. There was also serious breakthrough in efforts geared towards regaining security in the Middle East region which is currently facing an Israel nuclear-weapon threat. This situation is provoking even further proliferation challenges. Meanwhile, little effort has been excreted in addressing the threat of nuclear in the Middle East region posed by Israel. As Israel nuclear threat in the Middle East continue, it might render the establishment of a nuclear-weapon-free zone in the Middle East region untenable (UNGA, 2009:5-6).

The Way Forward To Establish Nuclear Free Zone in the Middle East

To ensure the establishment of nuclear free zone in the Middle East, it is highly imperative to revisit United Nations General Assembly Resolution 45/52 of December 4, 1990 and to adhere on its resolutions since 1974 to 1990s and beyond. Such resolutions have to be implemented. The resolutions made some recommendations which will facilitate and enhance the establishment of nuclear free zone in the Middle East region.

The UN General Assembly Stated that:

Emphasising the basic provisions of the above-mentioned resolutions, which call upon all parties directly concerned to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East, pending and during the establishment of

such a zone, to declare solemnly that, they will refrain on a reciprocal basis from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons on their territory by any third party to agree to place all their nuclear facilities under International Atomic Energy Agency, safeguards and to declare their support for the establishment of a zone and to deposit such declarations with the Security Council for consideration as appropriate (UNGA Resolution 45/52 1990:1).

It is feasible to create or establish nuclear weapon free zone in the Middle East using the possible trends employed by South Africa in establishing her own nuclear free zone. According to Joseph (2005) South Africa was the first state in the world to dismantle up its nuclear weapons capability voluntarily. All the bombs were destroyed and South Africa acceded to the Nuclear Non-proliferation Treaty in 1991. South African Ambassador to the United States Harry Schwarz signed the treaty. In 1993 F. W. de Klerk (the then President) admitted the scope of South Africa's past nuclear activities to International Atomic Energy Agency IAEA thereby giving them access to the country's nuclear site for verification reason. After such inspection and verification by IAEA in South Africa on 19th August, 1994, IAEA confirmed that one partially-completed and six fully-completed nuclear weapons had been dismantled. Following this development, South Africa played a leading role in the Establishment of the African Nuclear Weapons free zone Treaty in 1996 (Treaty of Pelindaba). It also signed the comprehensive Test Ban Treaty in 1996 and ratified the treaty in 1999. Nuclear Energy Corporation of South Africa (NECSA) also dismantled its nuclear facilities. These

practical steps when applied to Middle Eastern countries may facilitate the establishment of nuclear weapon free zone (Joseph, 2005:5-6).

United Nations Department for Disarmament Affairs (1991) pointed out that, Latin American zone came into being as a result of a five-year process between the first endorsements of the proposal by UN General Assembly in 1962. The treaty establishes a verification and control system that includes the submission of report to agency for the prohibition of nuclear weapons in Latin America and the Caribbean (OPANAL) and the application of IAEA safeguard to the nuclear activities of the zonal states and the possibility of "Special Inspections" in case of suspected non-compliance. There was also undertaking of not to possess nuclear weapons and to present stationing of such weapons in Latin America. The treaty prohibits even the dumping of radioactive waste in the zone. It explicitly prohibits nuclear explosions with the entire zonal area including nuclear for peaceful purpose.

All states in the Middle East region must take practical steps aimed at making progress toward inter alia, the establishment of an effectively verifiable Middle East zone free of weapons of mass destruction: Nuclear, Chemical, Biological and Radiological weapons and their delivering systems and to refrain from taking any measures that precluded the achievement of establishing nuclear free zone in the region.

Arab league which is very important organization in the Middle East region kept silent in issues concerning establishment of nuclear-weapon-free zone in the Middle East. It is recommended that, Arab league must be proactive with full commitment, support and enhancing the establishment of

a zone free of nuclear weapons in the region. To this end, it is feasible to achieve nuclear weapon free zone in the Middle East if the discussed points above were used, adhere and commitment with practical steps are also adopted. Arab league being an important organisation and stakeholder in sensitive issues concerning Arab countries mostly located/found in the Middle East has to work effectively with full commitment for creation of nuclear weapon free zone in the Middle East region.

All treaties and resolutions concerning creation of Middle East nuclear weapons free zone (MENWFZ) adapting since 1974 to date must be implemented and evaluation has to be carried out accordingly. State like Israel must sign Non-Proliferation Treaty (NPT) and Comprehensive Test Ban Treaty must be bound by all states in the region both proper and extension. Nation States in the region should also have a guarantee that, establishing a nuclear weapon free zone should poster and enhance their regional security perpetually contrary to their perception that such establishment would impair their regional security and it is only if you have nuclear weapons you can depend yourself against potential attack.

As Ibrahim (2010) out rightly recommended, the nuclear free zone can be achieved or establish in the Middle East, if five world powers (five permanent Security Council members: Britain, China, France, Russia and the United State) become committed for working towards establishing nuclear weapon-free-zone in the Middle East. In addition to the full implementation of the 1995 Non-proliferation treaty resolution on the Middle East. The issue of "how and when" Middle East would actually become nuclear free zone should be addressed accordingly. European Union

therefore has to back and support the establishment of Nuclear weapons free zone in the Middle East as in the case of September (2007) session whereby European Unions' nations abstained from the meeting. Conclusively, the above recommendations believed to contribute immensely in realisation of nuclear weapon free zone in the Middle East region, which has been called for since 38 years ago as proposed by Islamic Republic of Iran in 1974.

Conclusively, establishing a nuclear-weapon-free zone in the Middle East is optimistically realistic. There is no doubt that such zone can be created. Intensive and sustainable efforts can be used to overcome the factors that bedeviled the non-realisation of nuclear-weapon-free zone in the Middle East. States in the region need to be committed in enhancing such establishment. Resolutions passed by both United Nations General Assembly and Security Council have not been implemented accordingly. No adherence to the Non-proliferation Treaty NPT and comprehensive Test Ban Treaty as well as non-possession, production or transfer of nuclear weapons by all states of the region. Israel would be significant Milestone in establishing nuclear weapon free zone in the region if it destroys her nuclear weapons. Moreover, step to the establishment of a zone free of nuclear weapons were not taken and not all states in the region placed their nuclear arsenals under IAEA safeguard and verification system.

As Ibrahim (2010) argued, for Middle East to become nuclear-weapon-free zone, resolutions especially 1995 NPT resolution should be adopted. Practical steps and time line must be emphasized in ensuring creation of a zone free of nuclear-weapons in the Middle East. In addition to this, United Nations Security Councils Permanent

Members are not fully committed in working towards a nuclear weapon-free zone in the Middle East. Some State like Israel and United Arab Emirate are not signatory to NPT and do not abide by the treaty which is the major tool for realisation of nuclear-weapon-free zone in the Middle East.

Middle East nuclear-weapon-free zone is attainable if the states of the region will commit themselves to the creation of nuclear-weapon-free zone as one of the fundamental step of the process. This should be supported by entering into talks on how free zone can be established. The talks will represent a new challenge to establish inspection and verifications of weapons of mass destruction: Nuclear, Chemical and Biological weapons.

As stipulated in General Conference resolution GC (42) RES 21 of IAEA in 1999, for establishing nuclear-free zone in the region of Middle East, states of the region are not taking serious consideration concerning practical as well as appropriate steps required for the implementation of the proposal to create a mutually and effective verifiable nuclear-weapon-free zone in the Middle East. Moreover, States of the Middle East adhere not to international non-proliferation regimes including the treaty on the non-proliferation of nuclear weapons as a path of complementing efforts toward a zone free of all weapons of mass destruction in the Middle East that will strengthen peace and security in the region.

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