THE ARMS CONTROL–REGIONAL SECURITY NEXUS IN THE MIDDLE EAST

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I. INTRODUCTION

The interconnectedness of arms control and regional security is widely acknowledged in relation to attempts to rid the Middle East of weapons of mass destruction (WMD). Such efforts have thus far stumbled over disagreements about whether to prioritize arms control or regional security. International nuclear non-proliferation efforts in Iran, by contrast, have been pursued in relative isolation from regional security considerations. The limited focus on Iran’s nuclear programme appeared vindicated by negotiation of the 2015 Joint Comprehensive Plan of Action (JCPOA), which seemed at the time to have ended the crisis around Iran’s nuclear programme. Negotiated between Iran and extra-regional powers, the JCPOA deliberately excluded regional security issues.

However, the US withdrawal from the agreement and its subsequent ‘maximum pressure’ campaign against Iran—justified largely in terms of Iran’s regional activities—have highlighted the arms control–regional security nexus in the case of Iran. The resulting erosion of the JCPOA and deterioration in security in the Gulf underscore the need to build a firmer regional foundation for both conflict resolution and arms control in the Middle East.

This paper starts from the assumption that demilitarization of interstate relations could provide a more sustainable basis for arms control in the region and help to avoid dangerous excesses in the US–Iranian confrontation. On this basis, the paper assesses two recent openings for regional cooperation: backchannel preparations for subregional security dialogue in the Gulf, and the UN Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction (a WMD-free zone), which held its first session on 18–22 November 2019. While marked by considerable uncertainty, both processes can be seen to hold the promise of improved regional cooperation.

SUMMARY

The erosion of the 2015 Iran nuclear agreement poses a risk for both Middle East regional security and the global nuclear non-proliferation regime. At the same time, it highlights the need to build a more sustainable regional foundation for conflict resolution and arms control in the Middle East. This paper argues that the arms control–regional security nexus should be better reflected in European policy. While maintaining the Joint Comprehensive Plan of Action (JCPOA) and preventing further US–Iranian escalation should be the European Union’s (EU) first priority, the paper urges the EU to develop a more comprehensive approach in support of regional security, arms control and disarmament in the Middle East. In addition to resolving inconsistencies in current EU policies on regional security, arms control and arms exports to the Middle East, the EU should consider throwing its political weight behind two emerging processes that could provide a much-needed opening for regional cooperation: security dialogue in the Gulf and the annual Middle East weapons of mass destruction (WMD)-free zone conferences at the United Nations. If it involved regional non-proliferation cooperation, the former process could also help manage the negative consequences of the potential collapse of the Iran nuclear agreement.

ABOUT THE AUTHOR

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enrichment under strict limitations in exchange for the lifting of sanctions. At the same time, it represented a compartmentalization of issues, based on the view that disagreements related to Iran’s missile programme and regional policies would be best tackled on the basis of the trust created by JCPOA implementation.

The Trump administration, which does not subscribe to the previous administration’s logic of incremental conflict management, opposed the JCPOA, despite Iran’s compliance with the agreement. Following its withdrawal from the JCPOA in May 2018, the USA reimposed sanctions on Iran’s nuclear programme and reverted to the pre-2013 demand for zero enrichment. The Trump administration’s goal is to coerce Iran into negotiating a ‘better deal’ that involves stricter limits not only on Iran’s nuclear programme, but also on its missile programme and regional policies.

The subsequent degradation of the Iranian economy, caused mainly by extraterritorial US sanctions, has led to growing criticism of the JCPOA from within Iran. In May 2019—exactly one year after the US withdrawal and six days after the US administration revoked all remaining waivers on Iranian oil exports—Iran announced that it would scale down its JCPOA commitments and take further measures every 60 days. By 5 January 2020, when Iran announced its fifth and final step in reducing compliance with its commitments, Iran had ceased observing the operational limits of the agreement. At the same time, Iran has refused to negotiate with the USA under the current sanctions regime, stressing that its missile programme in particular is non-negotiable.

II. The Implicit Link Between the Joint Comprehensive Plan of Action and Regional Security

The current erosion of the JCPOA and the escalation of tensions in the Gulf can be seen as symptoms of a long-standing US–Iranian enmity that goes much deeper than the dispute over Iran’s nuclear programme. In addition to being a multilateral arms control agreement, the JCPOA can also be seen as a tool for managing the conflict between Iran and the USA. Made possible by secret US–Iranian diplomacy during the Obama administration, the compromise agreement allowed Iran to continue uranium

The above events coincided with increasing tensions in the Gulf in 2019. In addition to attacks on oil tankers in May and June, Saudi Arabian oil processing facilities were hit in September 2019. While Iran denied any involvement, it was widely believed to be behind the incidents, which sent a clear signal to the USA and its regional allies that their anti-Iran policy had a price. Having been narrowly avoided in June, a direct US–Iranian confrontation took place on Iraqi soil in January 2020. Responding to the US assassination of Iran’s military commander, Qassem Soleimani, Iran fired missiles at US military bases in Iraq, and accidentally at a Ukrainian passenger aircraft in Tehran.

While the above developments have much to do with the US–Iranian conflict, the poor interstate relations in the region have played into the bilateral dynamics by contributing to anti-Iranian sentiment in the USA. Indeed, when the Trump administration announced its withdrawal from the JCPOA in May 2018, a key justification was Iran’s ‘malign’ regional activities. This argument echoed the claims of US allies in the region that the JCPOA had emboldened Iran’s attempts at regional hegemony, as demonstrated by its growing influence in Iraq, Syria and Yemen.

However, the collapse of the JCPOA could hardly be seen as an improvement in regional security. As was the case before 2013, a new nuclear crisis with Iran can be expected to increase the threat of Israeli preventive military action against Iran’s nuclear facilities. In addition, Saudi Arabia has vowed to develop its own nuclear fuel cycle—and possibly even nuclear weapons—in response to Iran’s nuclear capability.

Paradoxically, while Israel and Saudi Arabia seem to be bearing the brunt of the negative consequences of the erosion of the JCPOA, both opposed the agreement. This is arguably because their nuclear non-proliferation concerns were overshadowed by the perceived threat posed by Iran’s increasing influence in the region and the enhanced international status that resulted from its rapprochement with the west. Alliance and power politics can thus be seen to have obscured a shared interest in arms control and non-proliferation in the region. For the same reason, the positive effects of the JCPOA on regional security—notably the significantly reduced risk of regional war since the beginning of the negotiation process in 2013—generally remain underappreciated.

III. EUROPEAN FOCUS ON THE JOINT COMPREHENSIVE PLAN OF ACTION

The JCPOA has been a major priority for the EU ever since its negotiation and represents its most significant foreign policy achievement. The EU facilitated the agreement, with France, Germany and the United Kingdom (the E3) among the core group of JCPOA negotiators.

In response to the Trump administration’s early threats to ‘tear up’ the agreement, the High Representative of the European Union for Foreign Affairs and Security Policy (HR/VP) and the E3 highlighted their determination not to let this happen. By setting themselves apart from the Trump administration’s Iran policy in this way, European leaders demonstrated unprecedented unity and foreign policy independence. However, the subsequent failure of European efforts either to prevent the US departure from the JCPOA or to counter the impact of its extraterritorial sanctions on EU–Iranian trade has cast doubt on the EU’s credibility as a foreign policy actor.

While Europe continues to play a decisive role in determining the future of the JCPOA, earlier expectations that it could save the agreement have faltered. The European role is now more clearly about
alleviating the negative impact of US sanctions, notably through the Instrument in Support of Trade Exchanges (INSTEX). 16

At the same time, in the context of Iran’s reduction of its JCPOA commitments, the E3’s approach has become closer to that of the USA. In a joint statement of September 2019, the three European powers argued that: ‘[t]he time has come for Iran to accept negotiation on a long-term framework for its nuclear programme as well as on issues related to regional security, including its missile programme and other means of delivery’. 17 The statement was a departure from the previous E3 position, which was against renegotiating the JCPOA as a broader agreement and favoured the compartmentalization of issues.

The E3’s January 2020 decision to trigger the JCPOA Dispute Resolution Mechanism (DRM) created further uncertainty over European policy objectives. While justified as an attempt to preserve the JCPOA, the decision could end up accelerating the agreement’s demise if it leads to the reintroduction of previous UN Security Council sanctions on Iran. Iran has said it might respond to a Security Council referral by withdrawing not only from the JCPOA, but also from the 1968 Treaty on the Non-Proliferation of Nuclear Weapons (Non-Proliferation Treaty, NPT). 18

II. AN OPENING FOR REGIONAL DIALOGUE IN THE GULF?

The same zero-sum mentality that can be seen to lie behind opposition to the JCPOA from Israel and some Arab states forms a persistent impediment to any kind of regional cooperation in the Middle East. In an apparent attempt to address this problem, and to reduce its international isolation, Iran has been calling for a security dialogue among the Gulf states since the mid-1990s. 19 The most recent Iranian proposal was the so-called Hormuz Peace Endeavour, which was presented by President Hassan Rouhani at the UN General Assembly in September 2019. The initiative calls for broad regional dialogue on issues such as energy security, freedom of navigation and the free transfer of oil and other resources on the basis of a reaffirmed commitment to UN Charter-based principles, notably non-aggression and non-interference. 20 Like previous Iranian proposals, this one clearly draws on the model set by the Conference on Security and Cooperation in Europe (CSCE).

In 2019 there were indications of political momentum behind the Hormuz endeavour as the Gulf Cooperation Council (GCC) states—including the United Arab Emirates (UAE) and Saudi Arabia—reportedly began to explore dialogue with Iran. 21 This represented a major policy shift for the GCC, apparently prompted by a new sense of vulnerability created by the combination of increasing tensions in the Gulf and growing doubts about US defence commitments in the region. By bringing regional actors to the brink of the proverbial abyss, the incidents targeting oil transfers and infrastructure in particular highlighted the need to collectively defuse tensions.

Although a shared interest in preventing major war constitutes an essential starting point for any regional security dialogue, the success of the nascent process in the Gulf is far from guaranteed. The persistent tensions between Iran and Saudi Arabia undoubtedly constitute the greatest challenge to the process, but de-escalation between these arch-rivals would not be unprecedented. In the early 1990s—following a decade of Saudi Arabian–Iranian tensions—the two states agreed on a comprehensive package to revive relations leading to closer bilateral ties, which included diplomatic visits and the conclusion of joint security accords. 22

In addition to the shared concern about the consequences of a regional war, current dialogue efforts in the Gulf might benefit from the background of improved relations between Iran and some Arab states.


Following the ousting of Saddam Hussein in 2003, Iran and Iraq have turned from enemies to allies, and Iraq is now mediating between Iran and Saudi Arabia. Iran and Qatar have also become closer as a result of the latter’s split with the other GCC states in 2017. At the same time, Saudi Arabia is reportedly renewing efforts to resolve its intra-GCC dispute with Qatar and to find a diplomatic solution to the crisis in Yemen.23

V. CAN GULF SECURITY DIALOGUE CONTRIBUTE TO ARMS CONTROL?

As noted above, Iranian proposals for Gulf security dialogue build on the historical precedent set by the CSCE, which was based on the so-called Helsinki process of 1972–75.24 While the goal of initiating a similar process in the Middle East is highly ambitious, it is possible to see historical parallels between the current efforts in the Gulf and the long process leading up to the Helsinki Final Act at the CSCE conference in Helsinki in 1975.

First, the idea of a pan-European conference—which was proposed by the Soviet Union in the 1950s—faced initial resistance from western governments, which viewed it as an attempt to confirm Soviet hegemony over Eastern and Central Europe.25 Arab states have tended to view Iran’s calls for dialogue in a similar way, in the light of its regional ambitions. In both cases, suspicions were reinforced by the exclusion of the USA from the regional plans. While the early Soviet proposals for a pan-European conference saw no role for the USA, Iran repeatedly stresses the need to end the US military presence in the Gulf region.26 In the former case, the dialogue process was eventually made possible by confidence building and the fact that the Soviet Union eventually accepted the inclusion of the USA and Canada in the CSCE process.27 Arab misgivings about Iranian motives could be similarly reduced if Iran framed the withdrawal of US troops as a long-term consequence of, rather than a precondition for, improved regional security dynamics.

The European experience can also provide lessons with regard to the relationship between regional security and arms control. While Iranian proposals for regional dialogue do not generally mention arms control, a recent Russian proposal—which also envisaged a cooperative security arrangement in the Gulf—explicitly argued for the prevention of a ‘destabilizing accumulation of conventional weapons, including missile defence weapons’. Russia further suggested that the subregional arrangement could later merge with a broader Middle East security system, thereby contributing to efforts to establish a WMD-free zone in the region.28

The CSCE example, however, suggests that a mutual interest in regional arms control in the sense of verifiable limits on existing arsenals might take a long time to emerge. Although military confidence-building measures were an important part of the ‘security basket’ agreed in the Helsinki Final Act, they were initially rather modest, aimed at preventing accidental war.29 A more ambitious notion of confidence- and security-building measures (CSBMs) emerged only in 1986 in the so-called Stockholm Document. Although these did not constitute arms control, such measures—particularly verification through on-site inspections—paved the way for subsequent arms control agreements, such as the 1987 US–Soviet Intermediate Nuclear Forces (INF) Treaty, the 1992 Conventional Armed Forces in Europe (CFE) Treaty and the 2002 Open Skies Treaty.30

Against this background, it might seem premature to speak of conventional arms control in connection with the embryonic dialogue efforts in the Gulf. This arguably also applies to efforts to limit Iran’s missile programme, which can hardly be considered in isolation from the overall military balance in the region.31 Instead, a more realistic short- to medium-term objective would be CSBMs—of which some of the

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23 Abu Sneineh and Hooper (note 21); and ‘Qatar FM: “Too early to talk about real progress with Saudi”’, Al Jazeera, 16 Dec. 2019.
27 Commission on Security and Cooperation in Europe (note 25).
31 See Erästö, T., ‘Dissecting international concerns about Iran’s missiles’, SIPRI Topical Backgrounder, 15 Nov. 2018.
Gulf states have experience based on the Madrid peace process of the 1990s (see section VII).

Improved Arab–Iranian relations, including CSBMs, could nonetheless contribute to nuclear non-proliferation in the region. On the one hand, regional confidence building could make it politically easier for the USA to lift sanctions on Iran. In particular, unless the sanctions that prevent Iranian oil exports are lifted, it is unlikely that Iran will return to full compliance with its JCPOA commitments or agree to further nuclear negotiations with the USA.32

On the other hand, a Gulf security dialogue could make a more direct contribution to non-proliferation if the participating states were to see some benefit in exploring regional cooperation on the peaceful use of nuclear energy. In contrast to arms control in the sense of limits to existing military capabilities, nuclear confidence building and joint efforts on nuclear safety and security would not need to involve major sacrifices by any state. Regional nuclear cooperation could also address some of the problems that have weakened the JCPOA—notably the lack of ownership among other Middle East states and vulnerability to domestic shifts in US foreign policy.

While the idea of regional nuclear cooperation among the Gulf states might seem far removed from current realities, the normative foundation for such efforts already exists in their NPT-based commitment not to acquire nuclear weapons, as well as the long history of Arab and Iranian support for the establishment of a WMD-free zone in the Middle East (see section VII).

VI. MODELS FOR NUCLEAR COOPERATION IN THE GULF

This section examines three potential models for nuclear cooperation that could be discussed as part of a Gulf security dialogue, should such a process take place: the regionalization of some JCPOA elements, a regional safeguards organization and an Arab–Iranian nuclear fuel cycle. Although their feasibility would be dependent on the success of a broader confidence-building process between Arab states and Iran, such measures could also significantly contribute to that process.

Some support, notably in the form of the lifting of US sanctions on Iran, would probably be needed from external actors to allow Iranian participation in regional nuclear cooperation. At the same time, however, reciprocal commitments among regional states could engender such support. This might also alleviate the problem of mistrust between Iran and external powers, which has increased following US withdrawal from the JCPOA, and which would inevitably complicate any nuclear agreements that they might negotiate in the future. In addition, regional nuclear cooperation could help rein in Saudi Arabia’s expanding nuclear ambitions, which have thus far largely remained below the radar of western non-proliferation concerns.

The proposals discussed below are not new, but until now have mainly been made with the broader regional context in mind. Exploring these models for nuclear cooperation with the Gulf states would not exclude the participation of interested states from elsewhere in the region.

**Regionalizing elements of the JCPOA**

In addition to innovative measures to keep Iran’s proliferation-sensitive nuclear activities in check, the JCPOA strengthened International Atomic Energy Agency (IAEA) safeguards—notably through an Iranian commitment to implement, and later to seek parliamentary ratification of, a Model Additional Protocol to its Comprehensive Safeguards Agreement (CSA) with the IAEA. In the words of the late IAEA Director General Yukiya Amano, the JCPOA is ‘the most robust verification system in existence anywhere in the world’.33

Some experts have suggested that certain elements of the JCPOA could be regionalized to close non-proliferation gaps elsewhere in the Middle East.34 While the nuclear programmes of Arab states in the Gulf are not comparable with Iran’s, their ambitious future plans call for renewed efforts to ensure the exclusively peaceful use of nuclear power in the region. This applies particularly to Saudi Arabia, which is planning to build 16 nuclear reactors by 2040 but has

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33 International Atomic Energy Agency, ‘Director general’s speech on Iran, the JCPOA and the IAEA’, Belfer Center for Science and International Affairs, John F. Kennedy School of Government, 14 Nov. 2017.

not yet implemented its CSA, which is the minimum IAEA verification standard.\textsuperscript{35} In contrast, the UAE has renounced the development of sensitive fuel cycle capabilities as part of its 123 Agreement with the USA.\textsuperscript{36} Bahrain, Iraq, Kuwait and the UAE have also ratified the Additional Protocol.\textsuperscript{37}

It is true that the argument for regionalizing JCPOA elements is undermined by the current circumstances, where the agreement is hanging by a thread and is only being partially implemented by its remaining parties. On the other hand, the weakening of the JCPOA can also be seen as a wake-up call to explore the possibilities for regional non-proliferation cooperation, in which context at least some aspects of the agreement could be preserved. For example, Iran and Saudi Arabia could make a joint commitment to ratify the Additional Protocol. This could pave the way for region-wide restrictions on proliferation-sensitive activities, as well as measures on the management of spent fuel and uranium enrichment. While such limits would probably differ from those agreed in the JCPOA, they too would serve the objective of building confidence in the peaceful nature of nuclear energy in the region.

Current US sanctions would probably still prevent Iran from making additional non-proliferation commitments, even if such commitments were reframed and adapted as part of a regional arrangement. While this demonstrates the need for a political shift by the US administration, such a change could also be partly driven by regional developments. Indeed, negotiations on regional non-proliferation measures in the context of an overall improvement in interstate relations in the Gulf would constitute a powerful argument in favour of sanctions relief on Iran in US foreign policy debates.

**Regional inspection regime based on the Brazilian–Argentine model**

Another idea that has been put forward specifically for the Gulf is a regional safeguards organization based on the model of the Brazilian–Argentine Agency for the Accounting and Control of Nuclear Materials (ABACC).\textsuperscript{38} ABACC is the world’s only bilateral inspection regime tasked with verifying the exclusively peaceful use of nuclear materials. The ABACC inspectors coordinate their work with the IAEA.\textsuperscript{39} ABACC’s creation was preceded by decades of mutual suspicion between Argentina and Brazil about their respective nuclear intentions, reinforced by each state’s reluctance to sign the NPT and accept IAEA safeguards. Until the 1990s, both also resisted full commitments under the 1967 Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco).\textsuperscript{40} In this context, bilateral confidence building—and subsequently verification—provided an alternative to multilateral treaties. Established in 1991, ABACC was preceded by several years of dialogue and interim steps such as the 1980 accord on technical nuclear collaboration.\textsuperscript{41}

It has been proposed that the GCC’s efforts on the joint development of nuclear energy could be used as a basis for a process similar to the ABACC in the Gulf.\textsuperscript{42} Given that all the Gulf states are already parties to the NPT, the rationale would differ from the initial ABACC model. However, a regional inspection regime in the Gulf could provide an additional layer of confidence similar to the role played by ABACC today, particularly between Iran and Saudi Arabia with regard to their nuclear intentions. At the same time, such a regime would complement IAEA safeguards and contribute to region-wide efforts on WMD disarmament in the Middle East. The relevance of the ABACC model to the Gulf would be heightened further if Iran decided to withdraw from the NPT.

**Arab–Iranian nuclear fuel cycle**

In 2005 the IAEA, based on a proposal by its then director general to revive the idea of a multinational nuclear fuel cycle, issued a report that inspired...
subsequent thinking on the topic in the Middle East.\textsuperscript{43} In 2006–2008, Iran advocated the establishment of a regional fuel cycle consortium as a way out of the escalating crisis over its uranium enrichment activities. Based on IAEA safeguards, the consortium proposed by Iran would have been jointly operated by regional states, which would have shared the costs and benefits, and divided the work according to their expertise.\textsuperscript{44} This proposal was largely ignored by France, Germany and the UK, working with China, Russia and the USA (the E3+3), which were in charge of nuclear diplomacy with Iran. Their goal at the time was to end all uranium enrichment activities in Iran, which was inconsistent with the idea of a regional fuel cycle based on an Iranian enrichment capability.\textsuperscript{45}

The idea re-emerged in 2014 when Mohammed Shaker, who was then chair of the Egyptian Council for Foreign Affairs, argued that the JCPOA negotiations had created the conditions for the pursuit of a multilateral nuclear fuel cycle in the Middle East. Shaker argued that accommodating Iran’s nuclear programme within the previous plans for an Arab nuclear fuel cycle would not only provide a ‘technical–diplomatic solution to the Iranian nuclear problem’, but also prevent the proliferation risks ‘inherent in a scenario of multiple investments in nuclear fuel cycle technologies by individual states in the Middle East’. Building on Iran’s advanced nuclear programme made more sense than an exclusively Arab effort, given that the nuclear capabilities of the Arab states were still at an early stage.\textsuperscript{46}

As Shaker noted, an ‘Iranian–Arab fuel cycle’ would not necessarily mean a common enrichment plant, or the involvement of all states in the most proliferation-sensitive activities. Rather, such activities could be ‘black-boxed’ and ‘remain the private domain of Iran’ to prevent proliferation risks. Activities such as mining or the production of equipment, by contrast, could be conducted as a regional effort.\textsuperscript{47}

According to Shaker, all parties ‘would benefit from economies of scale in the operation and running of such an enterprise, and the joint endeavours would help bridge the gap between developed and less developed countries in nuclear technology’. Like the measures discussed above, regional control would also complement IAEA safeguards and have ‘beneficial spillover effects on mutual confidence and trust’ beyond the nuclear field.\textsuperscript{48}

On this basis, and to avoid a situation in which several Middle East states race to develop nuclear fuel cycle technologies of their own, Shaker argued that Egypt, Jordan, Saudi Arabia and the UAE should be included in the JCPOA negotiations.\textsuperscript{49} While this did not happen, the subsequent erosion of the agreement—together with increasing concerns about Saudi Arabia’s nuclear intentions—highlight the need to revisit the regional fuel cycle proposals. As suggested above, doing this in the context of a Gulf regional security dialogue would not exclude the participation of other states, such as those suggested by Shaker.

\textbf{VII. REGIONAL WMD-FREE ZONE EFFORTS IN THE MIDDLE EAST}

While the Arab states and Iran have no coordinated joint approach to the issue, they have long shared the view that Israel’s nuclear weapons pose a threat to regional security in the Middle East. Reflecting this concern, and based on an Egyptian–Iranian initiative, they have been calling in multilateral forums for the establishment of a nuclear weapon-free zone in the Middle East since 1974.\textsuperscript{50}

In the early 1990s, this objective, which by then had been expanded to cover all WMD, was discussed by Arab states and Israel as part of the Madrid peace process. However, the related discussions in the Arms Control and Regional Security (ACRS) working group stumbled on a dispute over sequencing between arms control and regional security. While Israel viewed CSBMs and the transformation of regional security dynamics as a precondition for disarmament talks, the Arab side—and Egypt in particular—rejected the idea.

\begin{itemize}
\item \textsuperscript{43} International Atomic Energy Agency, Multilateral Approaches to the Nuclear Fuel Cycle: Expert Group Report to the Director General (IAEA: Vienna, 2005).
\item \textsuperscript{44} Conference on Disarmament, Statement to the Conference on Disarmament by Manuchehr Mottaki on behalf of the Islamic Republic of Iran, Final record of the one thousand and fifteenth plenary meeting, 30 Mar. 2006, CD/PV.1015.
\item \textsuperscript{45} ‘The Islamic Republic of Iran’s proposed package for constructive negotiations’, Unofficial translation, 13 May 2008, Institute for Science and International Security.
\item \textsuperscript{47} Shaker (note 46).
\item \textsuperscript{48} Shaker (note 46).
\item \textsuperscript{49} Shaker (note 46).
\item \textsuperscript{50} Davenport, K., ‘WMD-free Middle East proposal at a glance’, Arms Control Association Factsheet, Dec. 2018.
\end{itemize}
of holding regional security discussions that did not address the issue of Israel’s nuclear weapons.\textsuperscript{51}

Nevertheless, the Arab states initially agreed to discuss CSBMs. This led to notable progress, including the complete text of a prevention of incidents at sea (INCSA) agreement and a plan to establish regional security centres and provide pre-notification of military exercises.\textsuperscript{52} However, the ACRS talks subsequently collapsed due to the dispute over sequencing between arms control and regional security and the agreed CSBMs were never formally implemented.\textsuperscript{53}

The failure of the ACRS talks contributed to the adoption of the so-called Middle East resolution at the 1995 NPT Review and Extension Conference.\textsuperscript{54} In the resolution, states parties agreed to promote the creation of a WMD-free zone in the region as part of their NPT commitments.\textsuperscript{55} However, the first concrete step towards implementation of the Middle East resolution—based on a 2010 decision to convene a conference on the establishment of a WMD-free zone in the region—was never taken due to US reluctance to move forward without first securing Israeli participation.\textsuperscript{56}

In 2018 a group of Arab states called on the UN secretary-general to convene the planned conference, taking the issue away from the context of the NPT review. Their draft General Assembly resolution was supported by the majority of UN member states and adopted in December 2018, leading to the first meeting of the Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other

Weapons of Mass Destruction at the United Nations in New York on 18–22 November 2019.\textsuperscript{57}

The conference was attended by 22 Middle East states, including Iran and Saudi Arabia, but not Israel.\textsuperscript{58} In a joint political declaration, the participants reconfirmed the view that a Middle East WMD-free zone ‘would greatly enhance regional and international peace and stability’, and declared their ‘solemn commitment to pursue...the elaboration of a legally binding treaty’ establishing such a zone.\textsuperscript{59}

While Israel is unlikely to join the process in the near future, the WMD-free zone conference, which is to be held annually until its objective is achieved, could become a significant forum for upholding and strengthening the norm against WMD in the Middle East. As suggested above, the convergence of Arab and Iranian positions on this issue could also contribute to nuclear non-proliferation efforts in the Gulf. The subregional process, in turn, could support efforts on the WMD-free zone by advancing the logic of cooperative security in the region and allowing parallel discussions on both regional security and arms control, which do not seem feasible in the broader regional context due to the above-mentioned deadlock over sequencing.

\textbf{VIII. RECOMMENDATIONS FOR THE EU AND MEMBER STATES}

Preventing the total collapse of the JCPOA remains the most urgent priority for the EU and its member states. In the long term, however, this paper recommends that they move beyond the narrow focus on Iran’s nuclear programme to build a more sustainable regional foundation for arms control in the Middle East.

\textbf{Preserving the JCPOA}

The reimposition of US sanctions on Iran in 2018 is the root cause of the erosion of the JCPOA. Europe’s main focus should therefore be on alleviating the


\textsuperscript{52} Junnola (note 19); and Laundau, E. B., ‘Assessing the relevance of nuclear CBMs to a WMD arms control process in the Middle East today’, eds H. Müller and D. Müller (note 51), pp. 29–34; and Jones (note 51).

\textsuperscript{53} Junnola (note 19); and Jones, P., Towards a Regional Security Regime for the Middle East: Issues and Options (SIPRI: Stockholm, Oct. 2011).


\textsuperscript{55} United Nations, Office for Disarmament Affairs, Resolution on the Middle East, NPT/CONF.1995/32 (Part I), Annex.

\textsuperscript{56} The USA first cancelled the meeting in 2012 and then blocked NPT consensus on an alternative plan for a UN-based conference in 2015, due to Israel’s refusal to participate. See Erästö (note 54); and Cserveny, V. et al., 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: Geneva, 2004).


\textsuperscript{59} United Nations, General Assembly, (note 57), Annex A, ‘Political Declaration’.
negative effects of those sanctions. In this regard, it is essential for the E3 to operationalize the INSTEX, at least to allow European–Iranian trade in humanitarian goods. The impact of the sanctions on the supply of medical equipment and medicines has been an enduring problem. In the light of the COVID-19 crisis, addressing such shortages has become an increasingly urgent humanitarian issue.

Enforcing full Iranian compliance with the JCPOA in the current circumstances is likely to be counterproductive. Given the high stakes, the EU and its member states should refrain from actions that might worsen the situation and ensure that the DRM process at the JCPOA Joint Commission does not lead to the reimposition of previous UN Security Council sanctions on Iran. Instead, the EU, the E3 and Iran should seek to resolve their compliance dispute by acknowledging that none of the remaining parties to the JCPOA can be expected to live up fully to their commitments under the current US sanctions regime. Although Iran is no longer observing the operational limits of the JCPOA, the agreement and its verification mechanisms are still worth keeping in place.

Maintaining the JCPOA would also leave the door open for the USA to rejoin the agreement, and for Iran to return to full compliance if US sanctions are lifted.

Despite the failure of previous French mediation attempts, the EU should continue to explore opportunities with Iran and the USA to promote de-escalation and conflict management. Europe’s role as a mediator would be further enhanced if it more clearly distanced itself from US demands to renegotiate the JCPOA and to simultaneously address regional and missile issues, as the coercive manner in which these objectives are currently being pursued is not compatible with the logic of conflict management. In particular, negotiations with Iran on regional and missile issues are unlikely in the current political context and the available negotiation formats, which do not involve other regional actors.

**Promote regional security, arms control and disarmament in the Middle East**

The erosion of the JCPOA highlights the need to build a more sustainable regional foundation for arms control in the Middle East. This need should be better reflected in EU policy on the region. The EU and its member states have spent a great deal of foreign policy capital on the JCPOA and are currently engaged in several efforts on regional security in the Middle East. However, there does not seem to be any overarching vision underlying such efforts, which could be seen as reflective of the lack of any ‘coherent, detailed, and realistic strategy toward the region’.

As a result, European calls for Iran to restrict its missile programme and regional activities also seem to lack a clear goal, making them difficult to distinguish from US objectives.

The lack of a coherent vision for regional security in the Middle East might also explain some of the inconsistencies in European arms control policy on the region. One key problem that has been highlighted in relation to the Saudi Arabia-led military operation in Yemen is the divergent implementation by EU member states of the 2008 EU Common Position on Arms Exports. The Common Position requires member states to refrain from licensing arms exports that may contribute to violations of international humanitarian law, or from authorizing arms exports that could negatively affect regional stability.

There is also a contradiction between efforts to end missile proliferation in the Middle East and cruise missile sales to some states in the region.

Such inconsistencies need to be resolved if the EU wants to be regarded as serious about promoting arms control and regional security in the Middle East. Even if EU member states have demonstrated different approaches in the way they implement the Common Position on Arms Exports, they should seek greater convergence and coherence in their

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63 See Dadouch (note 32).


arms export policies. European actors that wish to address the threats posed by Iran’s missile programme should place that issue in the context of conventional military asymmetries in the region. Seen from this perspective, the most appropriate forum for discussion of Iran’s missile programme would be a comprehensive arms control and regional security process, rather than negotiations between Iran and external powers. While a conventional arms control process in the region appears unrealistic except as a long-term objective, the short-term priority for the EU should be to de-escalate regional conflicts and to promote the logic of cooperative security on a range of issues.

The nascent dialogue efforts in the Gulf could provide an opportunity to transcend negative regional dynamics. Until now, the EU has refrained from taking a position on the relevant dialogue initiatives. It could support the process either through public statements or by more discreet attempts to nudge the regional states that are more reluctant to engage. This would be in line with the mandate recently given to the EU’s HR/VP ‘to carry out diplomatic efforts with all parties to contribute to de-escalation in the [Middle East] region, support political dialogue and promote a political regional solution’. If the process moves forward, the EU could promote the inclusion of peaceful nuclear cooperation as part of the Gulf security dialogue. In this context, EU member states could share lessons from their own experiences of similar cooperation in the European Atomic Energy Community (EURATOM), the European Gaseous Diffusion Uranium Enrichment Consortium (EURODIF) and Urenco.

A clearer EU position is also needed on the recent UN-based process on the establishment of a WMD-free zone in the Middle East. While the EU has officially embraced the objective of a Middle East WMD-free zone, it has no clear stance on the UN-based process. The UK, which was still an EU member state at the time of the November conference, openly regretted the fact that the conference had been convened. This was in line with its long-standing view, which it shares with the USA, that such a conference can be meaningful only if it includes Israel. More general reservations about the conference were reflected at the relevant UN General Assembly vote in December 2018, when the EU member states abstained.

As argued above, the annual UN Middle East WMD-free zone conferences have the potential to make a positive contribution even if they do not initially include Israel. The EU should unambiguously support the process, recognizing its potential to strengthen the norm against WMD in the Middle East and to take some of the pressure away from the NPT. At the same time, the EU should seek to revive the stalled peace process between Israel and the Palestinians, which—while seemingly distinct from the WMD-free zone issue—would be essential to make the kind of progress on regional security that Israel views as a precondition for discussing nuclear disarmament.

IX. CONCLUDING REMARKS

Any efforts on regional cooperation in the Middle East would be subject to a considerable degree of uncertainty, so regional arms control, which represents a particularly ambitious form of cooperation, might appear almost impossible. Scepticism should not lead to missed opportunities, however, especially at a time when increasing tensions and the erosion of the JCPOA highlight an urgent need for a paradigm shift in the prevailing thinking on regional security and arms control in the Middle East. This paper has argued that the nascent dialogue efforts in the Gulf and the new UN-based WMD-free zone process provide rare openings for regional cooperation that deserve the support of external actors. While a single diplomatic process cannot be expected resolve the complex and interconnected challenges in the region, different processes—if pursued together and in a mutually reinforcing way—could gradually help to transform the negative security dynamics. The JCPOA will be
particularly valuable in paving the way for such a transformation, even in its current form where it is not being fully implemented by the remaining parties.
## ABBREVIATIONS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABACC</td>
<td>Brazilian–Argentine Agency for the Accounting and Control of Nuclear Materials</td>
</tr>
<tr>
<td>ACRS</td>
<td>Arms Control and Regional Security</td>
</tr>
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<td>CFE</td>
<td>Conventional Armed Forces in Europe Treaty</td>
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<tr>
<td>CSA</td>
<td>Model Additional Protocol to its Comprehensive Safeguards Agreement</td>
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<tr>
<td>CSBM</td>
<td>Confidence- and security-building measures</td>
</tr>
<tr>
<td>DRM</td>
<td>Dispute Resolution Mechanism</td>
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<tr>
<td>EU</td>
<td>European Union</td>
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<tr>
<td>EURATOM</td>
<td>European Atomic Energy Community</td>
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<tr>
<td>EURODIF</td>
<td>European Gaseous Diffusion Uranium Enrichment Consortium</td>
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<tr>
<td>GCC</td>
<td>Gulf Cooperation Council</td>
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<tr>
<td>HR/VP</td>
<td>High Representative of the European Union for Foreign Affairs and Security Policy</td>
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<tr>
<td>INCSEA</td>
<td>Prevention of incidents at sea</td>
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<tr>
<td>IAEA</td>
<td>International Atomic Energy Agency</td>
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<tr>
<td>INSTEX</td>
<td>Instrument in Support of Trade Exchanges</td>
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<td>JCPOA</td>
<td>Joint Comprehensive Plan of Action</td>
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<td>NPT</td>
<td>1968 Treaty on the Non-Proliferation of Nuclear Weapons (Non-Proliferation Treaty)</td>
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<tr>
<td>WMD</td>
<td>Weapons of mass destruction</td>
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A EUROPEAN NETWORK

In July 2010 the Council of the European Union decided to support the creation of a network bringing together foreign policy institutions and research centers from across the EU to encourage political and security-related dialogue and the long-term discussion of measures to combat the proliferation of weapons of mass destruction (WMD) and their delivery systems. The Council of the European Union entrusted the technical implementation of this Decision to the EU Non-Proliferation Consortium. In 2018, in line with the recommendations formulated by the European Parliament the names and the mandate of the network and the Consortium have been adjusted to include the word ‘disarmament’.

STRUCTURE

The EU Non-Proliferation and Disarmament Consortium is managed jointly by six institutes: La Fondation pour la recherche stratégique (FRS), the Peace Research Institute Frankfurt (HSFK/PRIF), the International Affairs Institute in Rome (IAI), the International Institute for Strategic Studies (IISS), the Stockholm International Peace Research Institute (SIPRI) and the Vienna Center for Disarmament and Non-Proliferation (VCDNP). The Consortium, originally comprised of four institutes, began its work in January 2011 and forms the core of a wider network of European non-proliferation and disarmament think tanks and research centers which are closely associated with the activities of the Consortium.

MISSION

The main aim of the network of independent non-proliferation and disarmament think tanks is to encourage discussion of measures to combat the proliferation of weapons of mass destruction and their delivery systems within civil society, particularly among experts, researchers and academics in the EU and third countries. The scope of activities shall also cover issues related to conventional weapons, including small arms and light weapons (SALW).

www.nonproliferation.eu