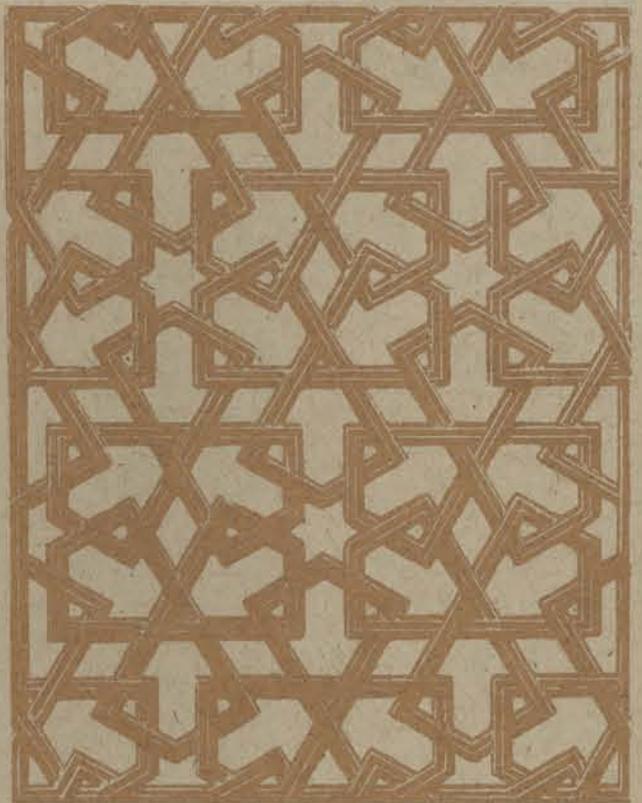


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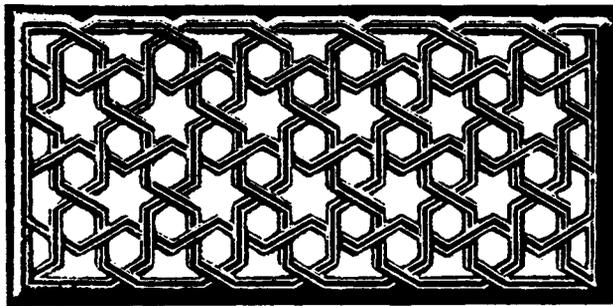
**EXTENDING THE NUCLEAR  
NONPROLIFERATION TREATY:  
THE MIDDLE EAST DEBATE**

**SHAI FELDMAN**

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**SHAI FELDMAN**

RESEARCH MEMORANDUM

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## EXECUTIVE SUMMARY

The debate in the Middle East over the possible extension of the Nuclear Nonproliferation Treaty (NPT) at the April 1995 review conference has emerged as one of the key determinants of whether the treaty will be extended. Egypt ratified the NPT in 1981 but now suggests that it will not support an indefinite extension of the treaty unless Israel agrees to join the NPT.

Israel, however, has refused to sign the NPT and is unlikely to do so in the foreseeable future. Its formal position on the nuclear issue is that it will not be the first country to introduce nuclear weapons into the Middle East. As a non-signatory to the NPT, it will not be directly involved in the review conference or other negotiations regarding the treaty's extension.

The United States favors an indefinite extension of the NPT and is urging all states to support it. There are as yet no indications that the Clinton administration is willing to accept anything less than an indefinite extension.

Under these conditions, a number of developments are possible. First, an American perception that Egypt's position is becoming a central obstacle to the NPT extension could prompt a major crisis in U.S.-Egyptian relations.

Second, Israel may be encouraged to provide some "statement of intent" regarding its future approach to the NPT in order to make it easier for Egypt to support the treaty's indefinite extension.

Third, the United States may suggest that Egypt and its supporters might continue to oppose an indefinite extension of the NPT but remain signatories if a majority of the other signatories vote for an indefinite extension.

Fourth, the administration may decide that the NPT can sustain the withdrawals of Egypt and other Arab states, just as the refusal of these same states to join the Chemical Weapons Convention (CWC) has not prevented it from evolving into a robust arms control treaty. In this case, the Clinton administration may nevertheless insist that these states maintain all their separate agreements with the International Atomic Energy Agency (IAEA), thereby ensuring that their nuclear facilities continue to be safeguarded.

Finally, the United States may reverse its course and conclude that a further extension of the NPT for a limited but significant period—another twenty-five years, for example—may not necessarily undermine the viability of the nuclear nonproliferation regime. Egypt and other states might be persuaded to accept such a compromise by remaining signatories to the treaty.

*(This Policy Focus was updated through February 2, 1995.)*



# EXTENDING THE NUCLEAR NONPROLIFERATION TREATY: THE MIDDLE EAST DEBATE

The debate in the Middle East over the possible extension of the Nuclear Nonproliferation Treaty (NPT) at the April 1995 review conference has emerged as one of the key determinants of whether the treaty will be extended. To explore the dimensions of the debate, this paper contrasts Israel's approach to the NPT with that of Egypt, which for several reasons is representative of a broader consensus in the region.

First, Egypt's general standing in the Middle East and long involvement in global arms control efforts have allowed it to assume a leading role in regional arms control. For example, Egypt was the first state in the Middle East to develop a cadre of arms control specialists within its foreign ministry.

Second, Cairo has led the Arab campaign to withhold support for the NPT extension, and its motivations and approach could be indicative of how the debate will unfold before and during the review conference.

Third, although a number of Arab states—notably Jordan and Saudi Arabia—would probably prefer to avoid a clash with the United States over the NPT at this time, they may find it difficult to resist the pressure to close ranks with Egypt over the issue.

And while a large number of Persian Gulf and North African states will probably ultimately resist Egyptian pressure and support the NPT extension—as was the case regarding the Chemical Weapons Convention (CWC) two years ago—Egypt and Syria may stand by their refusal to support an indefinitely-extended treaty, which would in turn make it difficult for Jordan and impossible for Lebanon to take a different tack.

## Background

The NPT, which was signed in 1968 and came into force in 1970, remains the main pillar of the global nuclear nonproliferation regime. The treaty is comprised of an agreement by states that do not possess nuclear weapons to forswear their acquisition, and a commitment by the states that do—known as nuclear weapon states—to avoid transferring them to non-nuclear weapons states.<sup>1</sup>

In the treaty's preamble, the nuclear weapon states declare their intention "to achieve at the earliest possible date the cessation of the nuclear arms race and to undertake effective measures in the direction of nuclear

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<sup>1</sup> Article IX of the treaty defines a nuclear weapon state as "one which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to 1 January, 1967." This definition limits membership in the nuclear club to the United States, Russia, France, Britain, and China.

disarmament.” Article VI commits these states to pursue negotiations toward this objective in good faith.

The NPT delegated the task of verifying compliance with treaty stipulations to the International Atomic Energy Agency (IAEA). It allows “research, production, and use” of nuclear energy—and even nuclear explosives—“for peaceful purposes,” but requires signatories to submit all facilities and material involved in such activities to full-scope IAEA safeguards.

The treaty further stipulates that signatories convene every five years to review the progress made toward its implementation (Article VIII-3), and after twenty-five years to determine whether to extend the treaty indefinitely or for another “fixed period or periods” (Article X-2). This important month-long meeting is scheduled to convene in April 1995.

The United States favors extending the NPT indefinitely and is urging all states to support this position. There is no evidence thus far that the Clinton administration will accept anything less than an indefinite extension of the treaty.

Israel is not a signatory to the NPT and therefore will not be directly involved in the negotiations regarding its extension. Israel’s formal position on the nuclear issue is that it will not be the first country to introduce nuclear weapons into the Middle East. Egypt, by contrast, ratified the NPT in 1981 but now says it will not support its indefinite extension unless Israel signs the treaty.

Egypt’s position is not the only obstacle to an indefinite extension of the NPT. There have been repeated complaints by less-developed countries at previous review conferences that the treaty discriminates between the nuclear “haves” and “have-nots,” that despite provisions to the contrary the former continue to deny the fruits of peaceful nuclear technology to the latter, and that the nuclear powers have not fulfilled their treaty obligations to eliminate their nuclear arsenals.

These objections are likely to be raised again during the 1995 review conference. A number of countries are expected to point to what they regard as the slow pace of denuclearization by the United States and Russia; their failure to ratify the START II; the refusal of Britain, France, and China to join the denuclearization efforts that Washington and Moscow have undertaken thus far; and the failure to conclude a Comprehensive Test Ban Treaty (CTBT) as indications that the nuclear powers are in violation of the spirit if not the letter of the NPT.

### **Egypt’s Approach to the NPT**

Since the NPT’s inception, Egypt’s declaratory arms control policy called upon all Middle East states to sign the treaty.<sup>2</sup> In 1979, in the framework of negotiating the Egypt-Israel peace agreement in Washington, then-Egyptian Minister of State for Foreign Affairs Boutrus Boutrus-Ghali suggested *inter alia* that Israel would sign the NPT. When Israeli negotiators rejected the suggestion, however, the matter was dropped. Having made the strategic decision to avoid the development of a military nuclear option and instead base Egypt’s well-being on economic development and close ties with the

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<sup>2</sup> United Nations General Assembly (UNGA), First Committee, Forty-fifth Session, *Establishing a Nuclear Free Zone in the Region of the Middle East*, Statement by Ambassador Amre Moussa, Permanent Representative of the Arab Republic of Egypt to the UN, Nov. 9, 1990, p. 2.

United States, President Sadat decided to ratify Egypt's signature of the NPT in 1980.

Although throughout the 1980s Egypt largely refrained from approaching Israel directly on the nuclear issue, Cairo continued to use a variety of fora to press its demand that Jerusalem sign the NPT. In his June 1988 speech to the United Nations General Assembly, for example, Egypt's foreign minister called upon Israel "to accede to the Nonproliferation Treaty and to place all its nuclear facilities under the system of inspection and verification of the International Atomic Energy Agency."<sup>3</sup> Elsewhere, Egypt clarified the purpose of these inspections by suggesting that "further measures will also be necessary to ascertain that no secret, undeclared nuclear stockpile remained in Israel's possession."<sup>4</sup>

In November 1990, Egyptian Ambassador to the UN (and now Foreign Minister) Amre Moussa argued that Israel's acceptance of the NPT must precede other measures for arresting nuclear proliferation in the Middle East.<sup>5</sup> Moreover, Egypt emphasized that while the resolution of regional political disputes would facilitate efforts to address the dangers of a nuclear arms race, "the world community cannot afford to await the successful conclusion of either before addressing the other. . . . Simply put, the situation in the Middle East does not provide for the luxury of time. The ominous implications posed by the introduction of the nuclear dimension into the turmoil of the region must be addressed promptly."<sup>6</sup>

In the context of its demand that Israel sign the NPT, Egypt also stressed the importance of so-called "transparency" in nuclear activities in the Middle East, arguing that ". . . declarations made by states of the region, as well as extra-regional states which have participated in the development of such programs, would be useful in developing the necessary confidence in the present status and peaceful nature of such programs. Full disclosure and accountability of the nuclear programs in the region is of fundamental importance."<sup>7</sup>

Egypt also made its position clear in the framework of the Arms Control and Regional Security (ACRS) talks, which were launched at the January 1992 Middle East multilateral conference in Moscow. The head of the Egyptian delegation, Nabil Fahmy, called upon the states in the region to "declare their commitment to adhere to the treaty on the nonproliferation of nuclear weapons" and "accept the international atomic energy safeguards regime whereby all their nuclear facilities become subject to international inspections." Fahmy also suggested that "the arms-producing states and the parties to the treaty on the nonproliferation of nuclear weapons should step up their efforts to ensure that all Middle East nations which have not yet done so adhere to the treaty in recognition of the fact that this is a step of the

<sup>3</sup> Ibid., p. 3.

<sup>4</sup> Egypt's reply to the report of the UN Secretary General on *Establishment of a Nuclear Free Zone in the Region of the Middle East*, item A/46/150, June, 1991, p. 14.

<sup>5</sup> Statement to the UNGA by Amre Moussa, Nov. 9, 1990, p. 5. Moussa said that ". . . Israel must bring its commitments in the nuclear weapons field in line with those of the Arab states by adhering to the NPT. From that point on, the states in the region can work together to develop more efficient and effective measures to ensure that nuclear weapons are not introduced into the region."

<sup>6</sup> Egypt's reply to the report of the UN Secretary General, pp. 11-12.

<sup>7</sup> Ibid., pp.14-15.

#### 4 THE NPT AND THE MIDDLE EAST

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utmost importance and urgency.”<sup>8</sup>

Egypt's position on Israeli participation in the NPT expressed a general Arab consensus. Thus, for example, the head of the Jordanian delegation to the September 1992 ACRS plenary meeting in Moscow, Abdullah Toukan, was quoted to the effect that Jordan would insist that Israel sign the NPT and open its nuclear facilities to international inspections.<sup>9</sup> Sheik Hamed bin Jaber al-Thani, foreign minister of Qatar, expressed a similar demand when opening the May 1994 ACRS plenary meeting in Doha.<sup>10</sup>

Parallel to raising the issue in the ACRS talks, Egypt also attempted to organize a united Arab effort to pressure Israel to join the NPT by threatening to refuse to sign the Chemical Weapons Convention (CWC). Egypt first presented this position at the 1989 Chemical Weapons Convention in Paris and maintained it thereafter despite playing an active role in the 1990-92 CWC treaty negotiations at the Conference on Disarmament (CD) in Geneva.<sup>11</sup> When the CWC negotiations were successfully concluded in 1992, Egypt orchestrated a decision by the members of the Arab League to boycott the convention until Israel at least made a commitment to sign the NPT.<sup>12</sup>

Presenting Egypt's position on the issue to the UN General Assembly, Amre Moussa (who had since become Egypt's foreign minister) said that “[f]rom a regional standpoint, we do not think that the [CWC] should be considered separately from other efforts relating to mass-destruction weapons, notably the NPT,”<sup>13</sup> a view shared by Syria.

Cairo adhered to its position despite clear signs of displeasure from—and an interest in maintaining close ties with—Washington. Given the degree to which President Bush was personally engaged in efforts to complete the CWC negotiations and have the treaty signed before he left office, it is hardly surprising that he sent Assistant Secretary of State Robert Gallucci to Cairo in an attempt to “soften” Egypt's position.<sup>14</sup>

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<sup>8</sup> Nabil Fahmy, “Regional Arms Control, CBM and Peacemaking Requirements,” (paper presented to the ninth Regional Security Conference of the International Institute for Strategic Studies, Istanbul, Turkey, June 7-10, 1992). These demands were formulated a year earlier and announced verbatim by Egypt's foreign minister in a press conference in Cairo on July 4, 1991.

<sup>9</sup> Associated Press, September 14, 1992.

<sup>10</sup> “Foreign Minister of Qatar: Israel Should Sign Treaty for the Nonproliferation of Nuclear Weapons,” *Ha'aretz*, May 4, 1994.

<sup>11</sup> Nabil Fahmy, “Controlling Weapons of Mass Destruction in the Middle East,” *American-Arab Affairs* 35 (Winter 1990-91): pp. 127, 130. In Fahmy's words, “[a] case in point is the linkage drawn by the Arab states at the 1989 Paris conference between chemical and nuclear disarmament, because of their concerns regarding Israel's unsafeguarded nuclear program. The political message was clear and simple. The Arabs perceive Israel's nuclear program as a direct security threat. If adherence to future chemical agreements is to be assured, whether as part of a global process, or a regional initiative, this perception must be addressed.”

<sup>12</sup> *Al-Ahram* press agency, January 3, 1993, as cited in *Survey of World Broadcasting—Middle East (SWB-ME)*, January 5, 1993, p. A3. See also Middle East News Agency (MENA) from Damascus, January 13, 1993, as cited in *SWB-ME*, January 15, 1993, p. A13.

<sup>13</sup> UN General Assembly, Forty-seventh Session, September 25, 1992.

<sup>14</sup> *Al-Sha'b*, November 25, 1992, as cited in Foreign Broadcast Information Service *Daily Report—Near East & South Asia (FBIS-NES)*, December 1, 1992, p. 8. See also “Pressure on Arab States to Join Treaty Banning Chemical Weapons,” *Ha'aretz*, December 9, 1992.

### Egypt Intensifies Its Efforts

With the NPT review conference fast approaching and in reaction to the initial U.S. efforts to garner universal support for an indefinite extension of the treaty, Egypt was forced to crystallize its position. In contrast to past statements suggesting a more pragmatic approach, Egypt now declared that it would not support an indefinite extension of the NPT unless Israel signed the treaty and accepted its stipulations.

In addition, Cairo decided to confront Jerusalem directly on the issue. In almost every meeting with Israeli leaders in late 1994 and early 1995, Moussa repeated Egypt's demand that Israel sign the NPT. And, for the first time, Egyptian President Hosni Mubarak became personally identified with this position.

In a late December 1994 interview with the Israeli daily *Ha'aretz*, Mubarak said: "We understand your concerns and we cannot compel you to sign the treaty. But if you will not sign, Egypt will also refrain from signing. Egypt's government will not be able to face public opinion that is aware that Israel did not sign a treaty that we will sign. The fact that you do not sign and that the United States accepts this raises suspicions. What does it mean—that the United States wishes that Israel would control the entire area?"<sup>15</sup>

In a January 1995 meeting with Israeli Foreign Minister Shimon Peres, Mubarak reiterated his position, saying that "Egypt would not sign the NPT at the time of its renewal in the spring and will continue to refrain from signing the treaty as long as Israel does not join the NPT."<sup>16</sup>

Mubarak's involvement was also reflected in the sharper words used by political advisor Osama el-Baz. In a December 1994 speech at Cairo University, el-Baz said that "it is inconceivable for Egypt and the Arab states to sign treaties for the nonproliferation of weapons of mass destruction when Israel continues to refuse to sign the nuclear NPT, subject its nuclear installations to international inspection, and get rid of its nuclear stockpile."<sup>17</sup>

As Egypt further intensified its efforts, it included the solution of the nuclear issue for the first time in its definition of a "comprehensive peace" in the Middle East. During an August 1994 visit to Jerusalem, Moussa argued that peace in the region could not be considered "comprehensive" as long as Israel refused to place its nuclear installations under international safeguards.<sup>18</sup>

In a late December 1994 interview, Moussa again stressed that Israel's participation in the NPT is "a precondition to peace" and that it represented one of the three steps Israel must take "to achieve peace." He argued that "the question of weapons of mass destruction must be dealt with immediately and linked to the peace process and the general view of the future of the region."<sup>19</sup> Since Egyptian spokesmen have often tied the full normalization of relations

<sup>15</sup> "Mubarak: 'If I Knew That a Visit to Israel Would Bring Peace with Syria Nearer, I Would Have Come Tomorrow,'" *Ha'aretz*, December 21, 1994. A month after the December 1994 Alexandria summit, Mubarak was quoted in *al-Ahram* (as cited in the *Mideast Mirror*, January 4, 1995, p. 10) as having told Israeli journalists that "the issue is simply that [if Israel] will not sign [the NPT then] we will not sign."

<sup>16</sup> "Egypt's Foreign Minister Suggests Opening Bilateral Nuclear Talks with Israel," *Ha'aretz*, January 5, 1995.

<sup>17</sup> *Al-Hayat*, as cited in *Mideast Mirror*, December 21, 1994, p. 12.

<sup>18</sup> "Moussa: Israel's Refusal to Disarm its Nuclear Weapons is an Obstacle to Comprehensive Peace," *Ha'aretz*, August 31, 1994.

<sup>19</sup> *Mideast Mirror*, December 20, 1994, p. 8.

## 6 THE NPT AND THE MIDDLE EAST

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with Israel to the establishment of a comprehensive peace, the new linkage represented a serious escalation in the means employed by Egypt to conduct its NPT campaign.

Nabil Fahmy made the linkage even more explicit when he was quoted in mid-December 1994 to the effect that Israel would have to place its nuclear weapons under international safeguards in order to obtain Egyptian economic cooperation.<sup>20</sup> Thus, normalization of Egyptian-Israeli relations was now hostage to a complete roll-back of Israel's nuclear potential.

In late 1994, Egypt launched a major effort to win broad Arab support for its position. At the December 1994 summit in Alexandria, Mubarak and Syrian President Assad likely sought Saudi Arabian King Fahd's pledge to refrain from supporting the NPT extension unless Israel signed the treaty. The king's sensitivity to American priorities, however, may have led him to resist these entreaties, and the summit's final communique merely called for the transformation of the Middle East to a weapons of mass destruction (WMD)-free zone.<sup>21</sup>

Syria had already adopted a posture identical to that of Egypt's, and Syrian Foreign Minister Faruq al-Sharaa had reportedly urged his counterparts at a September 1994 Arab League foreign ministers meeting to take the same pledge. Al-Sharaa's efforts failed, however, and the ministers issued a more benign statement that the Arab League would "put pressure on Israel to make it adhere to the nuclear nonproliferation treaty and to open its installations to inspection by the International Atomic Energy Agency."<sup>22</sup>

By early 1995 Moussa brought the sharpest rhetoric employed thus far to a new public forum. In a January 1995 speech to the Shura Council, Egypt's upper house of parliament, he argued that "peace in the Middle East [is] under threat because Israel continues to accumulate weapons of mass destruction. . . . Israel possesses a nuclear arsenal the extent of which no one knows. The world must be told what is going on in this field so that it realizes the extent of the danger threatening the Middle East from [WMDs]."<sup>23</sup>

This escalation of rhetoric was reinforced by other senior Egyptian officials. Defense Minister Muhammad al-Tantawi, for example, argued that "Israel's insistence on possessing a nuclear deterrent, in spite of our

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<sup>20</sup> "Egypt Sees Safeguards on Israeli Weapons as Condition for Economic Cooperation," *Davar*, December 13, 1994. Another report in the Arab press cited an Egyptian Foreign Ministry decision to the effect that Egypt would not act in accordance with the decisions of the October 1994 Casablanca Middle East economic conference unless progress were made in controlling Israel's nuclear weapons. See "Egypt to Increase Pressure on Israel to Agree to Place Its Nuclear Weapons Under Safeguards," *Ha'aretz*, December 9, 1994.

<sup>21</sup> Arab Republic of Egypt Radio, December 29, 1994, as cited in *FBIS-NES*, December 30, 1994, p. 2.

<sup>22</sup> Agence France Presse, September 15, 1994, as cited in *FBIS-NES*, September 16, 1994, p. 2. By early 1995 the other members of the Arab League had yet to adopt the position advanced by Egypt and Syria linking their support for the indefinite NPT extension to Israel's signature of the treaty. Thus, in a January 9, 1995 speech, League Secretary-General Esmat Abdel-Meguid merely called for making the Middle East a nuclear-free zone. He hinted, however, at his personal support for continuing to link joining the Chemical Weapons Convention (CWC) to Israel's joining the NPT by suggesting that "any multilateral disarmament involving other weapons must be conducted on the basis of fairness and equality between the region's states," adding that "[o]therwise the peace process will not be able to achieve its aims," a phrase close to that used by Egyptian Foreign Minister Moussa. See "Arab League Says Israeli Nuclear Arms Imperil Area," *Reuter*, January 10, 1995.

<sup>23</sup> "Egypt Says Israel's Weapons a Threat to Peace," *Reuter*, January 10, 1995.

commitment to peace, does unacceptable strategic harm. The lack of balance would lead to irrational policies.”<sup>24</sup> And el-Baz warned that Israel’s position might lead the Arab states to develop a countervailing nuclear capability. “If countries in the region think the possession [by] Israel of these weapons of mass destruction—especially nuclear—is a reality, then this might prompt them to follow suit,” he said, adding that “for each action, there is a reaction [that leads to a] syndrome of escalation and vicious circles.”<sup>25</sup>

### **Understanding Egypt’s Policy**

A number of considerations seem to have propelled Egypt to escalate its NPT campaign. First, the April 1995 NPT review conference may have appeared to be the last opportunity to exert regional and international pressure on Israel to commit itself to a roll-back of its nuclear potential. Mubarak may have been persuaded that if the treaty were extended indefinitely without resolving the issue, the international community would quickly lose interest and the Arab states would be compelled to accept Israel’s nuclear potential as a permanent feature of the Middle East.

Second, by late 1994 the Arab-Israeli peace process was progressing at a much faster pace than had been previously anticipated. The September 1993 Israel-PLO agreement and October 1994 Israel-Jordan peace treaty were followed by growing indications that a number of Persian Gulf and North African countries were willing to improve relations with Israel. There were also reports of initial progress in Israeli-Syrian negotiations—for the first time, the chiefs of staff of the Syrian and Israeli armed forces, Generals Hikmat Shihabi and Ehud Barak, were brought into the negotiations. Coupled with other signs that Israel’s efforts to gain acceptance in the region were succeeding—particularly the November 1994 Middle East economic conference in Casablanca—this raised what may have been viewed in Cairo as the alarming prospect that Arab-Israeli peace would be resolved while leaving Israel’s nuclear option intact.

Finally, it is possible that Egypt’s behavior constituted one element of an attempt to resurrect its leading role in the Arab world. By late 1994, the peace process focused on bilateral negotiations—between Israel and Syria over the Golan and between Israel and the Palestinians on implementing the second stage of the Cairo agreement. The United States was the primary mediator in the former, and the latter were being conducted directly by the two interlocutors, leaving Egypt with a relatively marginal role.

In addition, Cairo had failed to obtain a more important role in Persian Gulf security affairs. The smaller states of the Gulf Cooperation Council (GCC) refused to implement the post-Gulf War Damascus Declaration that suggested a major role for Egypt and Syria in enhancing Gulf security. When Saddam Hussein moved forces to the Kuwaiti border in October 1994, the United States responded unilaterally without the help of Egypt, its most important Arab military ally.

Leading the charge on the nuclear issue may have been seen as one way of restoring Egypt’s leadership role in the Arab world, making it appear as the guardian of Arab security interests. It also held out the promise that Cairo

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<sup>24</sup> “Is Long Affair Between Israel and Egypt on Rocks?” Reuter, January 16, 1995.

<sup>25</sup> “Israel’s Nuclear Stand May Fuel Tension—Egypt,” Reuter, January 22, 1995.

would become a central address for international appeals aimed at securing the indefinite NPT extension. In this context, a more significant Egyptian role in the international arena could be expected to compensate for its relatively diminished standing in regional affairs.<sup>26</sup>

Egypt escalated its campaign to press for Israel's signature and ratification of the NPT despite its sensitivity to the importance of continued U.S. economic and military assistance, and its awareness of the significance Washington attached to the treaty's indefinite extension. In so doing, Mubarak initially signaled a willingness to accept the risks involved in confronting Washington on the issue.

There were some indications, however, that Egypt did not want its NPT campaign to lead to a complete breakdown in its relations with Israel. Thus, in a December 1994 meeting with Peres, Moussa reportedly said that while Egypt and Israel have some differences over the NPT, "they hope to deal with it in a quiet manner."<sup>27</sup> And in a January 1995 meeting, he stressed that "Egypt does not seek to push Israel to the corner" on the issue and did not raise it as Israel's enemy, but rather because nuclear proliferation "is a problem concerning the regional order in the Middle East." Moussa reportedly added that Egypt does not demand that Israel sign the NPT immediately, but rather that it "take practical steps that would advance this matter." He was also reported to have suggested that Israel "open a dialogue with Egypt on this issue," and proposed a number of "confidence-building measures that could be adopted in this realm."<sup>28</sup>

Following increased U.S. efforts in late January 1995 to persuade Egypt to support the indefinite NPT extension and lower tensions with Israel over the issue, Egyptian officials gave further indications that they were willing to consider a less dogmatic approach. Mubarak was seen as softening Egypt's position when he suggested that, although Cairo remained adamant on linking its signature on an indefinitely-extended treaty to that of Israel's, "at least we should get Israel's promise to sign."<sup>29</sup> Egyptian Ambassador to the UN Nabil el-Arabi elaborated on this potential area for compromise, saying that Israel should "start working with us, give us a solid commitment that it would enter into the NPT. We are not telling the Israelis to forget about security, because this would be nonsense. We are saying [that Israel] should take certain steps that would indicate that it is moving in that direction."<sup>30</sup>

### Israel's Approach to the NPT

Israel's long-standing refusal to sign the NPT seems to have resulted from a number of considerations. Primarily, successive Israeli governments

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<sup>26</sup> "Towards a New Strategic Egyptian Role: The Three New Circles," *al-Hayat*, November 27, 1994, as cited in *Mideast Mirror*, November 28, 1994, p. 16.

<sup>27</sup> "Peres and Egyptian Minister Meet, Set New Talks," Reuter, December 5, 1994.

<sup>28</sup> "Mubarak: The Summit of the Leaders of Egypt, Syria, and Saudi Arabia Was Not Directed Against Israel," *Ha'aretz*, January 4, 1994. Other Egyptian officials—notably Mubarak adviser Osama el-Baz—continued to insist that Egypt does not want to spark a political crisis with Israel over the nuclear issue. They argued that "Egypt wants to hear from Israel, at least in private, how and when Israel plans to open up its suspected nuclear program." See "Egypt Confronts Israel on Nuclear Arms," *Wall Street Journal*, January 11, 1995.

<sup>29</sup> "Egypt-Israel Rift Develops Over Anti-Nuclear Treaty," *Washington Times*, January 25, 1995.

<sup>30</sup> "Still Short of Votes on NPT, U.S. Considers Compromise," Reuter, January 24, 1995.

may have regarded signing the treaty as restricting their capacity to maintain Israel's ambiguous nuclear posture.<sup>31</sup> In a January 1995 speech in Geneva, for example, Peres explained that "ambiguity regarding the nuclear issue is part of Israel's national security concept. There is no reason for us to hurry in removing this ambiguity. This is particularly the case as neighboring countries like Iran and Iraq are calling for Israel's destruction."<sup>32</sup>

Peres had stressed the same idea in an interview the preceding month in which he noted that ". . . some people would like us to clarify where we stand [on the nuclear issue. But] if a 'fog' is part of our deterrent, let's keep the fog."<sup>33</sup> He later added that "[t]here are very hostile countries in the region like Iraq and Iran (which regards Israel as a 'collective Salman Rushdie'). We have no reason to reassure the Iranians. If they are afraid, that is our best deterrent."<sup>34</sup>

This points to a second consideration: until there is conclusive evidence that all the states in the region have reconciled themselves to Israel's existence and are willing to co-exist peacefully with it, Israeli leaders believe they must continue to maintain whatever measure of "deterrence through uncertainty" that can be derived from an ambiguous nuclear posture.<sup>35</sup> In his characteristically blunt style, Israeli President Ezer Weizmann told Egyptian reporters during a December 1994 visit to Cairo that "Israel will not sign the NPT until we have a comprehensive peace. . . . You can forget about Israel signing the NPT for now."<sup>36</sup>

Moreover, while endorsing its ascribed purposes, Israel clearly considers the NPT a highly deficient instrument for arresting nuclear proliferation. Two related shortcomings of the NPT regime seem to have become the focus of Israeli concern. First, the fact that under the terms of the treaty, an NPT signatory can develop a full nuclear fuel cycle and stockpile large quantities of plutonium as long as its stockpiles and facilities are subjected to periodic inspections by the IAEA.

Second, Israel considers the verification systems adopted to assure

<sup>31</sup> In a January 4, 1993, article in *Ma'ariv*, former director of Israel's Atomic Energy Commission and former Minister of Science Yuval Ne'eman said that ". . . Israel should not agree to any safeguards and controls which would deprive it of an option which may prove one day—if the Arabs would obtain nuclear weapons—essential for our continued survival."

<sup>32</sup> "Peres: 'Nuclear Fog—Part of Security Concept,'" *Davar*, January 27, 1995.

<sup>33</sup> "Israel is Not On Assad's Agenda," *Jerusalem Post International Edition*, December 31, 1994.

<sup>34</sup> "Peres told Perry: 'As Long as the Iranians Are Afraid of Us, This Is Our Best Deterrent,'" *Ha'aretz*, January 9, 1995. Peres reiterated the point several days later. "We see no reason to disperse the fog of Iran's suspicions," he said. "Iran's suspicions [comprise] Israeli deterrence. If the Middle East would be without hostility and war, it would also be without unconventional weapons." See "French Press Agencies: Peres Met in Paris with Syrian Personality," *Ha'aretz*, January 12, 1995.

<sup>35</sup> In a rare reference to this issue by a senior Israeli official, Minister of Economics Gad Ya'acobi said in 1986 that Israel refrains from signing the NPT because its security is threatened. See "Nuclear Energy Will Be Too Costly During the Next Decade—The Minister of Economics Thinks," *Ha'aretz*, May 4, 1986.

<sup>36</sup> "Weizmann to Egyptian Reporters: 'Israel Will Not Sign the NPT,'" *Yediot Aharonot*, December 21, 1994. Peres later used a more elegant phrase. "Israel has said it has no intention of introducing nuclear weapons into the Middle East," he said, ". . . but one must first introduce peace into the Middle East." See "Israel Continues to Refuse to Sign Anti-Proliferation Treaty," *Baltimore Sun*, January 12, 1995.

## 10 THE NPT AND THE MIDDLE EAST

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compliance with the NPT to be highly deficient.<sup>37</sup> As the case of Iraq prior to the Gulf War proved conclusively, thorough verification is hampered by the fact that IAEA inspections are confined to declared facilities, prior notice must be given to the inspected state before prospective visits, there are no provisions for surprise visits to suspected facilities, inspected states can influence the national composition of the inspection team, and the IAEA lacks an independent or otherwise meaningful intelligence-gathering capability for identifying suspected facilities. Thus, an appropriately endowed country like Iraq could develop a full-scale military nuclear capability right under the noses of IAEA inspectors.<sup>38</sup>

In addition, Israel has become increasingly uncomfortable over the past twenty years with UN-related international organizations, since the “one state, one vote” rule means that the more numerous Arab and Muslim states can almost always muster a majority against the lone Jewish state.<sup>39</sup>

Shalheveth Freier, former head of Israel’s Atomic Energy Commission, summarized Israel’s response to the various Arab pleas that it sign the NPT and place its nuclear facilities under full-scope IAEA safeguards:

It was the Israeli understanding that the Arab states wished Israel to be well-controlled in the nuclear realm, and maintain the option of waging wars against it, at a time of their choosing, with nothing to worry about. Israelis saw further justification for their apprehensions, as time went along, when their concerns with the Iraqi nuclear enterprise were brushed aside by the supplier states on grounds that Iraq was a signatory to the NPT, and when Israel was roundly condemned and punished after it had put the Iraqi reactor out of action in 1981. Had it not been for the invasion of Kuwait and the subsequent acknowledgment of Iraq’s military potential, Israel might still be left to contemplate its situation, alone.<sup>40</sup>

As a non-signatory to the treaty, the 1995 review conference poses fewer dilemmas for Israel than for the Arab states. Clearly, it has no direct role in the deliberations on the treaty’s extension. However, as the conference approaches, Israel’s sensitivity to Egyptian concerns—as well as its desire to see the ACRS talks adopt a negotiated declaration of principles (DOP)—has led to some softening in Israel’s position on the NPT. This may also have been motivated by the suggestions of Clinton administration officials that the chances of obtaining Egypt’s support for the indefinite NPT extension and an ACRS DOP would be improved if Israel issued some “statement of intent” indicating its willingness to join the treaty at some point in the future.<sup>41</sup>

These considerations led to a number of Israeli statements and measures in late 1994 and early 1995 that indicated less than complete and

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<sup>37</sup> This was reported to be the view of Prime Minister Rabin in late 1994. See “U.S. Will Not Press Israel to Join NPT,” *Ha’aretz*, November 15, 1994, and *FBIS-NES*, November 17, 1994, p. 39.

<sup>38</sup> In an October 30, 1991 article in *Bemachane*, Peres said that “. . . [t]he treaty proved itself as ineffective. Iraq signed the treaty, so what? The treaty became just a piece of paper. We should seek more serious agreements which will maintain balance and will prevent such weapons from falling into the hands of insane [individuals].” Similarly, in a December 21, 1994 interview in *Yediot Aharonot*, Israeli President Ezer Weizmann told Egyptian reporters that “Iraq was a signatory to the treaty and [yet] Israel was compelled to destroy their reactor.”

<sup>39</sup> Shalheveth Freier, “A Nuclear-Weapon-Free-Zone (NWFZ) in the Middle East and Its Ambience,” (unpublished paper, The Washington Institute for Near East Policy, July 14, 1993, p. 1).

<sup>40</sup> *Ibid.*, p. 3.

<sup>41</sup> “A Spat in the Nuclear Family,” *U.S. News and World Report*, January 9, 1995.

permanent rejection of the NPT. Asked in a December 1994 interview whether Israel would be willing to consider signing the NPT at some later date, Peres replied: "Consider it, yes, once we have peace."<sup>42</sup>

Deputy Foreign Minister Yossi Beilin carried the same message on a January 1995 fence-mending trip to Cairo. In talks with el-Baz, Beilin reportedly said that after a regional peace is established, "[o]ne of the options we will consider is signing the NPT."<sup>43</sup> Beilin was also reported to have said that "[Israel's] view is that first we have to have a comprehensive peace in our part of the world, and only then we have to have a nuclear-free zone. Then, to complete [the process], one of the options is [for Israel] to join the Nonproliferation Treaty later on."<sup>44</sup>

Earlier, the Israeli delegation to the December 1994 ACRS plenary meeting in Tunis reportedly "floated" a formulation indicating Israel's willingness to consider joining the NPT and other international treaties and instruments after the establishment of a comprehensive peace and the transformation of the Middle East into a nuclear weapons-free zone. This tentative compromise formula was reportedly advocated by the co-chairman of Israel's delegation, David Ivri, and approved by Prime Minister Yitzhak Rabin.<sup>45</sup> While Egypt was said to have rejected the Israeli overture as "insufficient," the negotiations at Tunis signaled that Israel's position on the NPT is no longer an uncompromising and indefinite "no."

Finally, by late January 1995 there were indications that Israel was considering a unilateral gesture in the nuclear realm that might make it easier for Egypt to support the indefinite NPT extension,<sup>46</sup> including a possible invitation for Egyptian scientists to visit Israel's nuclear research reactor at Nachal Soreq.<sup>47</sup>

### **The U.S. Approach to the Middle East Debate**

The Clinton administration regards indications that Egypt will not support the indefinite NPT extension as detrimental to U.S. nonproliferation objectives. This is particularly the case given the multitude of other problems facing U.S. efforts to ensure that a majority of signatories support indefinite extension. At the same time, while Washington would be delighted if Israel signed the NPT, American officials express understanding for Israel's decision not to do so under prevailing conditions in the Middle East. Clearly, however, they do not conceal their preference that Israel offer a firmer and more authoritative "statement of intent" signaling its willingness to sign the treaty at some future date or under clearly specified political conditions.

Visible American efforts to gain the support of Middle East states for the indefinite NPT extension did not begin before late 1994. In December of

<sup>42</sup> "Israel Is Not on Assad's Agenda," *Jerusalem Post International Edition*, December 31, 1994, p. 10.

<sup>43</sup> "Beilin to el-Baz: After the Establishment of Regional Peace, We Will Consider Signing The NPT," *Ha'aretz*, January 23, 1995.

<sup>44</sup> "Israel's Nuclear Stand May Fuel Tension—Egypt," *Reuter*, January 22, 1995.

<sup>45</sup> "Israel Declared Its Willingness to Consider Joining Nuclear Arms Control Treaties in the Future," *Ha'aretz*, December 27, 1994.

<sup>46</sup> "Israel Considering a Unilateral Gesture on the Nuclear Issue In Order to Reach a Compromise with Egypt," *Ha'aretz*, January 31, 1995.

<sup>47</sup> "Israel Will Invite Scientists from Egypt to Tour Nachal Soreq Nuclear Research Center," *Ha'aretz*, February 1, 1995.

that year, Thomas Graham, deputy director of the U.S. Arms Control and Disarmament Agency (ACDA), traveled to Cairo and Tel Aviv to meet with experts and government officials. Graham urged Egypt to support the treaty's indefinite extension, arguing that this would increase the chances that Israel would join the treaty in the future. "The chances of Israel joining the NPT become enhanced by the strength of the NPT and its durability," he said. "So the U.S. would argue that if the treaty were made permanent, the chances are better for Israel eventually joining the treaty."<sup>48</sup>

Graham reportedly also indicated that Washington would like Israel's help in persuading Egypt to support the NPT indefinite extension by producing a statement of its intent. "We would like an indication that Israel is ready to discuss this issue at some point in the future," he said. "We certainly are sensitive to Israel's concerns now."<sup>49</sup> But Graham also reportedly made it quite clear that the Clinton administration did not expect Israel to sign the NPT—at least not before the scheduled NPT conference took place.<sup>50</sup>

A subsequent visit to Egypt and Israel by Secretary of Defense William Perry yielded a similar pattern. While assuring that he was ". . . urging the Arab nations and Israel to sign an extension" of the NPT and stressing that "the U.S. wants a nuclear nonproliferation treaty applied to the whole area," Perry reportedly "did not specifically ask Israel to join the NPT."<sup>51</sup>

Two weeks later, the Clinton administration accelerated its efforts to gain Egyptian support for the NPT extension. Assistant Secretary of State for Near East Affairs Robert Pelletreau traveled to Cairo for talks with Mubarak and Moussa on the NPT, and to help diffuse the growing tension between Egypt and Israel regarding the nuclear issue.<sup>52</sup> Before leaving, Pelletreau made it quite clear that the administration was not pleased with Egypt's position on this matter. "We don't think that any government should be taking its position on such an important and vital issue as a matter of linkage to what some other government does," he said.<sup>53</sup>

Although Pelletreau's visit did not induce Egyptian leaders to alter their position on the indefinite NPT extension, it seems to have contributed to the softening of their rhetoric on the issue as well as to some new indications that Egypt might be content with something less than Israel's immediate signature of the NPT.

At the same time, the Clinton administration reaffirmed that it is not pressing Israel to sign the NPT now. "I wouldn't say there is heavy [U.S.] pressure on Israel" to sign the NPT, ACDA Director John D. Holum said in late

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<sup>48</sup> *Mideast Mirror*, December 15, 1994, p. 4.

<sup>49</sup> *Ibid.*

<sup>50</sup> "U.S. Expects Israel to Take Measure to Insure Egypt's Support for Nuclear Treaty," *Ha'aretz*, December 7, 1994.

<sup>51</sup> "Perry Issues Nuclear Arms Warning," *Baltimore Sun*, January 9, 1995. See also "Perry Warns Mideast to Curb Spread of Nuclear Weapons," *Washington Times*, January 9, 1995, and *Mideast Mirror*, January 9, 1995, p. 9.

<sup>52</sup> "Pelletreau, Preparing to Fly to Egypt, Says U.S. Supports 'Universal Adherence' to NPT," *Mideast Mirror*, January 20, 1995, p. 10. See also "U.S. Envoy Talks to Mubarak on Troublesome Issues," *Reuter*, January 23, 1995; "U.S., Egypt Discuss Nuclear Treaty," *Washington Times*, January 23, 1995; and "Pelletreau Efforts to Persuade Mubarak to Sign the NPT," *Davar*, January 24, 1995.

<sup>53</sup> "Nonproliferation Pact Raising Tension Between U.S. and Egypt," *Washington Post*, January 26, 1995.

January 1995. "We believe Israel should [sign the NPT, but] . . . we understand the situation in which Israel finds itself. A number of its neighbors insist on its extermination."<sup>54</sup>

### Implications

Led by Egypt, key Arab states threaten to withhold support for the indefinite extension of the NPT unless Israel agrees to sign the treaty. Indeed, Egypt is becoming increasingly entrenched in its position, as manifested by the high level of Egyptian leadership involved (now encompassing the presidency itself); the frequency, intensity, and tone of the rhetoric employed in articulating Egypt's position; and the efforts to mobilize regional support for it.

Israel, in turn, has shown initial and tentative signs of flexibility by not ruling out the possibility that it might consider joining the NPT in the future. Yet Jerusalem is extremely unlikely to provide any firm assurances that it will sign the treaty at any particular future date. As long as it perceives itself as facing substantial security threats, such as those posed by a potentially nuclear-armed Iran, Israel is unlikely to concede the deterrent effect of its ambiguous nuclear option.

Indeed, the conditions prevailing in early 1995 make it particularly unlikely that Israel will commit itself to sign the NPT any time soon. Israeli leaders seem to assume that they will have to make some very painful and far-reaching security-related concessions in 1995 in order to implement the second stage of the Israeli-PLO accords and/or reach a possible Israeli-Syrian peace agreement. It would be entirely unrealistic to expect that while making such far-reaching concessions in these areas, Israel would be willing to risk a simultaneous erosion of an important dimension of its deterrent posture.

While seeking to obtain universal support for the indefinite NPT extension, the United States has refrained from exerting pressure on Israel to join the treaty. In doing so, Washington has been guided by its understanding of the risks Israel must take in advancing the Middle East peace process. And, while not entirely insensitive to Egypt's insistence that global arms control agreements must be applied in a balanced fashion without excluding any of the region's states, the United States is unlikely to abandon its efforts to ensure the NPT's extension.

As of late January 1995, the combination of Egypt's refusal to support the indefinite NPT extension and Israel's unwillingness to meet Egypt's conditions on nuclear arms control seems to have resulted in a deadlock. Under such conditions, a number of developments are possible. First, Washington's perception that the Egyptian position is becoming a central obstacle to insuring the NPT extension could prompt a major crisis in U.S.-Egyptian relations.

Second, Israel may be further encouraged to provide some "statement of intent" regarding its future approach to the NPT in order to make it easier for Egypt to support the treaty's indefinite extension.

Third, the United States may suggest that Egypt and its supporters might continue to oppose an indefinite extension of the NPT but remain signatories if a majority of all signatories vote for an indefinite extension.

<sup>54</sup>

"Nuclear Treaty's Ratification May Not Come Easily," *Washington Times*, January 25, 1995.

Alternatively, the Clinton administration may decide that it can tolerate the decision of Egypt and a number of Arab states not to join an extended NPT because such a move will not result in the collapse of the nuclear nonproliferation regime, and the treaty can sustain such abstentions in the same way that the refusal of these same states to join the CWC has not prevented it from evolving into a robust arms control treaty.

If that is the case, the United States may signal Egypt and the Arab states supporting its position that it would be willing to accept their decision if they commit to refrain from any action that would contradict the spirit and the letter of the treaty—in much the same fashion that the United States adhered to the SALT II treaty even though it did not ratify it. Within this framework, these states would also be asked to maintain the full-scope safeguard agreements they have signed with the IAEA.

Finally, Washington may eventually reverse its current position and conclude that an extension of the NPT for a limited but significant period—another twenty-five years, for example—may not necessarily undermine the viability of the nuclear nonproliferation regime. Egypt and other states might be persuaded to accept such a compromise by remaining signatories to the treaty. This may be accompanied by Washington's expressed hope that by the end of this second period in the year 2020, conditions in the region would have evolved sufficiently to allow Israel to join the NPT.

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