# The Regional Security Architecture and Other Confidence Building Measures

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Background paper

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# Content

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Peter Jones was Desk Officer for Canada's involvement in ACRS in the Department of Foreign Affairs and International Trade and has been involved in numerous regional Track Two projects since then. He served as Project Leader of the Middle East Regional Security and Arms Control Project at SIPRI from 1995-1999.

## Abbreviations

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| ACRS | Arms Control and Regional Security |
| APEC | Asia Pacific Economic Cooperation |
| ASEAN | Association of Southeast Asian Nations |
| CSBMs | Confidence and Security Building Measures |
| CSCE | Conference on Security and Co-operation in Europe |
| EU | European Union |
| NPT | Treaty on the Non-Proliferation of Nuclear Weapons |
| NWFZ | Nuclear Weapon-Free Zone |
| OSCE | Organization for Security and Co-operation in Europe |
| UN | United Nations |
| WMD | Weapons of Mass Destruction |
| WMDFZ | Weapons of Mass Destruction-Free Zone |

## 1. Introduction

The question of creating a regional WMDFZ in the Middle East has taken on much greater urgency since the 2010 NPT Review conference. Unfortunately, in public at least, the basic positions which contributed to demise of the Arms Control and Regional Security Working Group (ACRS) almost twenty years ago remain: whether to pursue disarmament first, or whether a lengthy period of gradual confidence-building and regional political change is a necessary precursor to disarmament.[1]

Sometimes lost in this debate, which has an unfortunately "zero-sum" quality, is the deeper question over the broader regional arrangements that will be necessary to support a WMDFZ. For, in looking at the NWFZ's that already exist, it is striking that not one of them exists in the absence of a regional architecture for cooperation and security. Disarmament does not take place in a political and diplomatic vacuum; it requires a wider context of predictability and trust in relations and this takes time to nurture and develop.

What is meant by "a regional architecture"? In essence, it is the creation of an ongoing process whereby the regional countries develop norms and mechanisms to assist them in managing their relations. Europe, the Americas, Africa and Asia all have such architectures. They involve the creation of norms of conduct which are then subject to ongoing review and implementation in a co-operative fashion. It is important to note that these regional architectures all began modestly and evolved; no regional process was born fully formed.

The intended objective of these systems is to assist the states of each region in creating a greater degree of stability and predictability in their relations in order to help prevent conflict. In doing so, each process has laid the ground for a fundamental reconsideration of basic security policies and assumptions in its region, including the eventual renunciation of WMD options. These processes have thus played a key role in defining those regions, both to themselves, and to the rest of the world. Some of these processes have helped the societies in those regions to manage difficult transitions.

This brief paper will examine the issue of what kind of regional architecture will be necessary to support the goal of creating a WMDFZ in the Middle East.[2] It will propose some thoughts as to how to get there, over time. This last point is especially important; this will be lengthy enterprise of small steps, especially initially, towards great goals.

[1] For various perspectives on ACRS see, amongst others: N. Fahmy, Special Comment, Disarmament Forum, no. 2, (2001), pp. 3–5; B. Jentleson, The Middle East Arms Control and Security Talks: Progress, Problems and Prospects, IGCC Policy Paper no. 2, Los Angeles, CA, University of California, (1996); P. Jones, Arms Control in the Middle East: is it time to renew ACRS? Disarmament Forum, no. 2, (2005), pp. 56-62; P. Jones, Negotiating Regional Security in the Middle East. The ACRS Experience and Beyond, Journal of Strategic Studies, vol. 26, no. 3, (2003); and E. Landau, Arms Control in the Middle East: Cooperative Security Dialogue and Regional Constraints, Brighton: Sussex Academic Press, (2006).

[2] There have been several books and papers published on the idea of a regional security architecture for the Middle East. For a selection see: P. Jones, Towards a Regional Security Regime for the Middle East. Issues and Options, Stockholm: Stockholm International Peace Research Institute, (1998),( republished with an extensive new afterword in 2011), available at: http://books.sipri.org/product_info?c_product_id=434; P. Jones, Structuring Middle East Security, in: Survival, Journal of the IISS, vol. 51, no. 6, December, 2009 – January, 2010; S. Feldman and A. Toukan, Bridging the Gap: A Future Security Architecture for the Middle East, Lanham, MD: Rowman and Littlefield, (1997); and the collection of essays in the 2003 special issue on Building Regional Security in the Middle East: International, Regional and Domestic Influences, in: The Journal of Strategic Studies, vol. 26, no. 3, (2003).

## 2.  Principles for a Regional Architecture to support a WMDFZ in the Middle East

The Middle East is characterized by multiple, overlapping rivalries and security challenges. There has historically been enormous mistrust (and not only on the Israeli-Arab level). It cannot be forgotten that the region is the only one where WMD have actually been used since 1945, and there have been several attempts to clandestinely develop WMD options, including by some regional countries in direct contravention of their international treaty obligations. Finally, the events of the past 18 months show that the region is in considerable flux, both socially and politically.

This is not the best of environments in which to embark upon the creation of a WMDFZ. But all of these factors also make the creation of such a Zone of critical importance. The legacy of mistrust and rivalry, and the current upheavals in the region suggest that the creation of a WMDFZ will be a long and slow process of developing trust and predictability, both in terms of specific WMD issues, and more generally.

This process will have to be founded and developed according to some key principles. After many years of study and reflection, I believe the following are vital.

### 2.1 Principle 1 – An Inclusive Process

The first key principle is that of "inclusion".  There are two dimensions to inclusivity: *membership*; and *agenda*.  In terms of *membership*, it is generally agreed that the region should be defined as the states of the Arab League, plus Iran and Israel and with some form of close association for Turkey.  It is likely that not all of these countries will join the process at the outset, but a seat must be left for them when they are prepared to commit themselves to the norms of the process.  How then to begin if not everyone will be prepared to join official discussions at the same time?

Another issue to do with inclusivity as regards membership is the question of whether extra-regional partners can be included and how that would be done.  These would be countries which have interests in the region and whose support is vital if a Regional Co-operation and Security process is to work. These extra-regional partners would likely include some combination of the interlocking memberships of the G8,[3] the P5[4] the UN, and the EU <u>as institutions</u>.[5]  This constellation constitutes the groupings of the key economic, political and military powers in the world and its members will all have important contributions to make to the region in security, economic and political terms.[6] Having the Extra-regional Partners included in the process explicitly recognises that these powers are part of the region's dynamic and also establishes norms as to how these partners interact with the region. Indeed, one of the key objectives of this process might be to establish a new partnership between the region and the outside powers; one based on a new set of understandings and rules of conduct

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[3] Canada, France, Germany, Italy, Japan, Russia, the UK and the US.

[4] China, France, Russia the UK and the US.

[5] This means that the Secretariats of these bodies would be invited to participate, not all of their individual members. The latter would render the process completely unwieldy.

[6] Of course, it will be necessary to decide what role the extra-regional partners would play in such areas as decision-making and the financing of the process.

which apply to both sides. Finally, it will be necessary include in the process those states proximate to the region on issues where their presence is relevant.

Turning to the *agenda*, **the concept of inclusivity means that every issue which is of concern to every regional state must be on the agenda**. However, there is an interplay between what issues can productively be discussed at what levels and who agrees to join the discussions. For example, if one of the key states rumoured to have, or be seeking, Weapons of Mass Destruction refuses to join the discussion over that issue, it will be difficult to have conclusive discussions on this question at the official level.

Furthermore, while all issues should be on the agenda in theory, the official process should probably, to begin with, choose some specific issues for early work which hold out the prospect of success – an idea expressed by some as "begin with what you can begin with." Obviously, this raises the issue of the wider regional expectations of the process. If the agenda deliberately avoids the toughest issues, many will regard the process as not serious, but if it tackles the hardest issues right away, failure is likely. The need is to develop an agenda for the process which includes the hardest issues, but recognises that they will take time, and that there are other issues which can be tackled in the nearer term while discussions about the longer term issues are ongoing.

It is suggested that certain clusters of issues could be developed, with each being discussed in an appropriate forum, and with some having objectives that could be realised earlier than others. There are many ways to identify those issues which will be the subject of dialogue at different levels of the process.  One is to try to develop a set of commonly perceived <u>concerns</u> in the region and then to structure dialogue around trying to find ways to address those threats. Specific ideas for discussions over WMD issues are mentioned in Annex 1.

### 2.2 Principle 2 – A Multi-layered Process

The second key principle has to do with the structure of the process. As noted above, there will be some states unlikely to join an official process at the outset, and some issues probably cannot productively be discussed there. How, then, to have an inclusive process from the outset? Discussions in various fora have developed the notion that this new process could benefit from **inter-related levels of dialogue**.  The first will be Track One, Government-level discussions. These, initially, should be low-key, "issue and results oriented," and will go on between those states in the region willing to talk to each other, and invited extra-regional states and institutions.  The usual diplomatic conventions, such as consensus decision-making, are likely to apply. A large, formal Secretariat structure should be avoided in the early stages.  A seat would left open for those who wished to join later.  The key principle here is that the agenda will be initiated and developed by those parties operating within the process.

The second tier would be some sort of institutionalised Track Two process. This track would deal with issues which were not yet ready for inclusion on the official track, but on which focused, long-term, expert discussion could prepare the ground for eventual inclusion in the official talks. Officials could participate in these discussions, in their private capacities. This track could include institutes and individuals from the region and beyond, according the subject to be discussed in each case. It might require a modest Secretariat, procedures to

report to Track One, and financial support from both regional and extra-regional states and foundations.[7]

The third tier would be a more loosely structured track designed to encourage discussion by civil society groups of issues not yet ready for inclusion in the above tracks, such as regional discourse on wider issues related to reform and democratic development.

### 2.3 Principle 3 – "Geometry Variable"

The third key principle is that of **"geometry variable."** If this is to be a multi-layered process, the membership and topics to be discussed will vary by level. It may be that only certain states will be prepared to join the official layer for the time being. However, the structured Track Two layer could have many more members, including from countries that do not yet formally recognise each other. Because of the current situation in the region, dialogue mechanisms will have to be developed in a flexible manner according, at least in the early years, to this concept of **"geometry variable."** This idea holds that different issues will be discussed in different fora (some official; some structured Track Two) and at different rates of speed, according to the requirements of the topic at hand. Different constellations of actors may attend different discussions, but the whole will be bound together by an overarching framework of principles and objectives. This raises the question of who might be the core states necessary to get the process going. There is no obvious answer to this question; much will depend on who steps forward to lead.

### 2.4 Principle 4 – Decision-making Mechanisms

The fourth key principle has to do with **decision-making mechanisms.** The only way this process could work at the official level is by consensus – no regional government will surrender its right to veto proposals that could affect its basic interests.  But different interpretations of the concept of consensus have emerged over time in different regions which permit some flexibility. It will be necessary to consider how this might work in the Middle East, though firm adherence to consensus in its most narrowly defined sense will likely be required at the outset, certainly in discussions at the official level.  Associated with this issue is the need for participants in such regimes to focus on their objectives and find ways to get out of "bad diplomatic habits" (UN-style negotiating over texts, over-reliance on procedural games to score tactical points, etc.) and focus on the achievement of agreed objectives.  At the Track Two level, much greater flexibility is possible.  More controversial issues may be broached in an atmosphere where participants' countries are not committed to a particular

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[7] The idea of creating a Track Two process on regional security matters to complement and assist Track One is discussed in P. Jones, Structuring Middle East Security, op cit, and P. Jones, Towards a Regional Security Regime. op cit. The role of Track Two in regional security discussions is further assessed in: P. Jones, Filling a critical gap or just wasting time? Track Two diplomacy and regional security in the Middle East, in: Disarmament Forum, no. 2, (2008); D.D. Kaye, Talking to the Enemy. Track Two Diplomacy in the Middle East and South Asia, Santa Monica: RAND Corp, (2007); E. Landau, Arms Control in the Middle East. Cooperative Security Dialogue and Regional Restraints, Eastbourne: Sussex Academic Press, (2006), chapter 2; P. Jones, Track II Diplomacy and the Gulf Weapons of Mass Destruction Free Zone, in: Security and Terrorism Research Bulletin, Issue 1, October, 2005, Dubai: GRC, (October, 2005), at: http://www.grc.ae/bulletin_WMD_Free_Zone.pdf; See also: H. Agha, S. Feldman, A. Khalidi, and Z. Schiff, Track II Diplomacy: Lessons from the Middle East, Cambridge: The MIT Press, (2004); and D.D. Kaye, Track Two Diplomacy and Regional Security in the Middle East, in: International Negotiation: A Journal of Theory and Practice, 6, 1 (2001).

outcome. There is a need in the Middle East for a network of institutes and centres which can contribute to this kind of dialogue.

### 2.5 Principle 5 – Regional and Sub-regional Dimensions of a WMDFZ Process

The fifth key principle has to do with **the relationship between the proposed new process and other, existing bodies**. In other regional cases (such as the ASEAN and CSCE/OSCE), other multilateral bodies co-existed, and evolved with those processes. Some of these were military alliances, like NATO and the Warsaw Pact. Others were economic and political bodies, such as the EU, APEC and others. The key to success was for each of these bodies to take the attitude that they were not in competition; that their basic objectives were complimentary in many ways; and to find ways through which they could work towards mutually held aims (or at least not get in the way of each other's aims). In the Middle East case, there are already inter-state bodies, groups and initiatives, such as the Arab League, the Maghreb Arab Union, the Gulf Co-operation Council and others. If a wider regional Co-operation and Security process is to be developed in the Middle East, it will likely evolve in a way which fills niches that these standing bodies do not already fill. It will also be necessary in the Middle East case to consider how sub-regional dynamics might impact upon the creation of a region-wide process.  Hence, there is a need to consider the question of how each level of interaction can assist the others.

As a basic standpoint, a Middle East WMDFZ will require the creation of a region-wide security architecture, even as other processes would continue to exist and should be encouraged. Some have argued that it might be better to concentrate on sub-regional dialogues in the first instance, particularly in the Persian Gulf, and avoid for now discussions of a region-wide process. The creation of a broader, region-wide process could then emerge from an interlocking web of sub-regional processes.[8]  Though there is validity to this in conceptual terms, the Middle East needs to develop both sub-regional and region-wide dialogues; there are some issues best dealt with in one forum or the other, but there are some issues which have both sub-regional and region-wide dimensions. It is not an "either/or" proposition; it is a question of doing both simultaneously. Experience has shown that the question of a regional Weapons of Mass Destruction-Free Zone requires a region-wide approach.

Thus, one could stand on its head the argument that concentration exclusively on sub-regional dialogues is a way to avoid region-wide differences and thus make progress on certain agenda items. Simply put, having both region-wide and sub-regional dialogues going on simultaneously could be a way to allow the sub-regional dialogues to go forward in those areas where progress can be made without the intrusion of region-wide issues as an "excuse" to avoid decisions. In other words, the region-wide process would serve to "insulate" the sub-regional dialogues from charges that progress on this or that subject is not possible sub-regionally until wider regional issues are being addressed. The key is to find a way in which region-wide and sub-regional agendas can go forward together and complement each other.

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[8] See, for example, the different ideas proposed in M. Yaffe, The Gulf and a New Middle East Security System, in: Middle East Policy Journal, vol. XI, no. 3, (Fall 2004), and J.A. Russell, Searching for a Post-Saddam Regional Security Architecture, in: MERIA Journal, (March 2003).

### 2.6 Principle 6 – A WMDFZ Process and the Peace Process

A final key principle, has to do with **the relationship of any effort to begin a regional WMDFZ process in the Middle East and the question of the Arab-Israeli Peace Process**. Central to this issue is the question of whether the region has to wait until all of the major problems (and particularly the Arab-Israeli issue) are resolved before tackling the WMDFZ issue and launching such a Co-operation and Security process, or whether that process can develop as these other issues are being resolved and possibly contribute to their resolution.  In this context, the question of whether this process should take a key role in facilitating the resolution of the Israeli-Palestinian dispute arises. One way forward is to take the view that such a regional process could assist the peace process in some ways, but should not try to replace it. Instead, it should seek to develop a larger view of the regional situation and initiate steps to tackle at least some of those issues. Solving existing problems while also looking ahead is not contradictory.

Though it is difficult, the lesson from other regions is that the creation of a regional architecture should go forward with a commitment from regional governments that they will not allow the inevitable ups and downs of the peace process to derail the broader discussions. This will require leadership from some regional governments to ensure that the daily vicissitudes of public opinion do not block the process. It also argues for a quiet approach which eschews attempts to court press or public attention, at least for the first while.

## 3.  Getting Started and Keeping up the Momentum

As an initial set of tasks to be tackled, the process should recognise that it will need to examine both WMD issues and also broader questions of regional stability. As noted at the outset of this paper, a WMDFZ will not magically appear in a region which is otherwise unstable and dangerous. Thus, the process could also concentrate on the following issues in the following broadly thematic areas, according to the concept of "geometry variable," it being recognised that "success" does not necessarily mean the achievement of a "solution" to all of these issues, but that intensive dialogue to better manage their effects and develop possible longer term solutions can be an important element in setting the stage of their eventual resolution:

- "WMDFZ issues:"
  - Various measures and studies as outlined in Annex 1.

- "Other Security issues:"
  - Confidence and Security-building measures in the conventional military sphere;
  - Discussion of the broader regional security implications relating to specific conflicts such as the Arab-Israeli dispute and the situation in Syria;
  - Other issues of concern (eg: criminal activity which has a security dimension); and
  - Other issue(s) to be agreed.

- ▪ "Soft Security:"
  - Environmental co-operation;
  - Discussion of political developments in the region;
  - Gender issues in the region;
  - Public Health co-operation; and
  - Other issue(s) to be agreed.

- ▪ Economic Development:
  - Exchanges on "best practices" in economic policy and projects;
  - Transportation infrastructure projects;
  - Energy infrastructure projects;
  - Youth training infrastructure projects; and
  - Other issue(s) to be agreed.

The inclusion of Economic and Soft Security questions is deliberate. In the other regional cases, considerable attention has been paid to economic and social interaction and development as a separate objective of these regional security and cooperation processes; it has never been simply about "security," narrowly defined. This was not done uniformly, nor has perfection been achieved.  But in each case, the participants have realised, sooner or later, that these processes could not exclude these issues. In the current world of increased globalisation these considerations will arise for any region starting out on the path of a regional process. Given the changes sweeping the Middle East, a way must be found to include these ideas within a Middle Eastern regional architecture in such a way as to make them acceptable.

But much needs to be done to address what the region means by them and how they can be integrated into the agenda in such a way as to make them "acceptable" to regional governments.  It is perhaps useful to recall the point that "hard" and "soft" security are two sides of the same coin.  They must both be dealt with, and discussions and decisions about "soft" mechanisms can be useful in helping to prepare the ground for real, long-term change in the region. One way forward might be to look in each area above for subjects on which there might be agreement by at least some regional players to proceed and to develop ways to discuss these ideas within the framework of "geometry variable."  Not all issues might be discussed on the official track in the first instance, but productive, results oriented discussions could take place in other fora. It would also be necessary to identify areas where there is disagreement and to design mechanisms for intensive discussions at the appropriate level to assist in preparing the subject for the day when it might be transferred to another level.


## 4. Conclusion – Small steps towards great goals

None of this will be terribly satisfying to those who want to see the creation of a WMDFZ in the Middle East right away. Their frustrations are understandable, but simply expressing those frustrations in such a way as to make a stand-off inevitable is not going to make progress possible on any of the key issues.  In every other region where tangible progress has

been made on the elimination of WMD the process took decades; a few key states stepped forward to lead and others joined in later; other critical differences were ongoing even as the WMD process was underway (and no one took the view that disarmament discussions could not progress until their particular view of another specific question was accepted by all); and all states of the region eventually came around to the view that a wider regional process for cooperation and security was an essential component in the creation of the Zone.

Twenty years ago the Middle East had a dialogue at the official level over arms control and security issues. ACRS was not perfect by any means, but it was a start and it could have grown if it had been given time. Instead, various players took essentially "zero-sum" positions and ACRS was allowed to die. We've wasted twenty years since ACRS demise; two decades that could have been spent developing ideas. The process launched by the 2010 NPT Review Conference represents an opportunity to start something once again. Let us hope the region will not waste another opportunity.

## Annex

**Possible areas for CBM discussions at the Track One and Two levels in support of a Middle East WMDFZ process (some of this work is already ongoing, but it can be brought within a single process under the 2010 NPT process). This list is illustrative only; it is not meant to be exhaustive.**

Biological:
- Development of standards for the peaceful uses of biological science and technology in the region (following BWC article X), perhaps leading to discussion of a regional Code of Conduct for work in this area;
- Information sharing on relevant activities, as described in the BWC;
- Regional experts study on verification techniques and lessons from various historical cases (e.g.: UNSCOM);
- Establishment of regional cooperation for disease surveillance (both human and animal).

Chemical:
- Regional experts study on verification lessons from other cases;
- Development of standards for the peaceful operation of chemical industries in the region, perhaps leading to discussion of a regional Code of Conduct for work in this area;
- Development of cooperation in the field of environmental standards and protection.

Nuclear:
- Development of regional standards for the safe and transparent development of peaceful nuclear capabilities, such as power generation (drawing on relevant international agreements as appropriate);
- Development of regional standards for the safe and transparent handling and storage of nuclear waste (drawing on relevant international agreements as appropriate);

- Development of a regional agreement for assistance in the case of a nuclear accident (drawing on relevant international agreements as appropriate);
- Development of a regional inspection and verification model for a Middle East without nuclear weapons (drawing on relevant international and regional agreements as appropriate);
- Regional experts study on nuclear weapons dismantlement technologies (such as the recent Norway-UK project);
- Development of regional verification cooperation mechanisms relevant to the Comprehensive Test Ban Treaty, in cooperation with the CTBO.

Delivery Systems:
- Regional experts study on the relevance for the Middle East of proposals made in other regional contexts for limitations on methods of WMD delivery;
- Regional experts study on the relevance for the Middle East of missile test notification agreements (such as the India-Pakistan agreement);
- Regional experts study on historical cases of delivery system dismantlement (e.g.: INF dismantlement under the INF Treaty).

General and Political:
- Regional experts study on no-first use agreements and their applicability to the Middle East;
- Regional experts study on other regional NWFZ cases and their applicability to the Middle East;
- Establishment of a regional communications network for the sharing of notifications and other information relevant to a WMDFZ;
- Regional experts study on non-attack agreements and their applicability to the Middle East (e.g.: India-Pakistan agreement on non-attack on nuclear facilities);
- Regional experts study on conventional CBMs and arms control measures which could assist in the creation of a WMDFZ.