



Seventh Cooperative Idea

Assessing the JCPOA from a Historical Perspective:

Moving Beyond the Declaratory Policy of the 2004-2006 Initiative of a Gulf WMD-Free Zone

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This POLICY FORUM issue analyses the 2004-2006 initiative to establish a sub-regional zone free of weapons of mass destruction (WMD) in the Gulf (GWMDFZ) as a tool to prevent Iran from becoming a nuclear-weapon state. The initiative's gradual approach which aimed at the ultimate goal of encompassing the entire Middle East (including Israel) was innovative, and the assertive role of some smaller Gulf states in expressing their security concerns/interests and verification standards that Tehran would have had to meet was unprecedented. But the entire sub-regional idea remained confined to the declaratory level. In contrast, the Joint Comprehensive Plan of Action (JCPOA or agreement/accord) – endangered as it currently is – struck between the E3/EU+3 and Iran exceeds some of the concerns of the earlier initiative, yet misses others. We conclude that new – and ultimately sustainable – regional forums as communication mechanisms are needed to tackle these issues without touching on the JCPOA. The challenges go beyond Iran and include the nuclear activities of the United Arab Emirates (UAE) and even more so of Saudi Arabia. Our Cooperative Idea emphasises that moving beyond the purely declaratory policy of the GWMDFZ initiative could also help to overcome the current stalemate regarding a zonal disarmament arrangement for the whole Middle East/Gulf region.

Background and Context: The 'Old' Sub-regional Idea in the Wake of the JCPOA and the Challenge to Advance Zonal Disarmament

The idea of a WMD-Free Zone in the Gulf sub-region was put forward following the breakdown of the 2004 Paris Agreement between the European Union and Iran over the latter's nuclear enrichment activities. While it represented a distinct sub-regional approach to address Gulf security concerns, the initiative was also framed as a precursor to the original zonal concept for the entire Middle East. The proposed GWMDFZ led to mixed results only because it remained confined to the declaratory level, while also being rejected as an official approach by the entire Arab League. Given the current politically deplorable state of affairs regarding the zonal arrangement discussed in the context of the Nuclear Non-Proliferation Treaty (NPT), however, the experience of the proposed GWMDFZ reveals some positive facets that could profitably be seen as a point of reference from which to explore today's predicament.

We deal with this problématique in various

issues of the POLICY FORUM series. In this POLICY FORUM issue we seek added value by looking back at the 'old' sub-regional idea (i.e. to learn from its strengths and deficits), and how we can use the JCPOA struck between the E3/EU+3 and Iran as an additional new factor – in the sense that this historic milestone should be preserved as an element that “will positively contribute to regional and international peace and security” (Preamble). Our *Cooperative Idea* suggests exploring the potential of the JCPOA to initiate broader security dialogues. The agreement will also serve us as a point of reference for the concrete standards and criteria expressed in the historical debate by Iran's neighbours in the Gulf: in what respect does it exceed those demands or miss them, and what does this mean especially for controlling the nuclear activities of the UAE and Saudi Arabia from a non-proliferation point of view? Here, the sub-region of the Gulf and the broader NPT context overlap for our purpose to explore how the lessons from the 'old' initiative and the agreement concluded in 2015 can help the Arab states to reduce their current frictions – and finally find a united position for the NPT Preparatory Committees (PrepComs) on the way to what is hoped will be a successful 2020 NPT Review Conference.

The Strengths of the 'Old' Sub-regional Initiative ...

The former sub-regional concept (2004-2006) had two remarkable strengths.

First Strength: Breaking with Traditional Thinking – The Incremental Approach as Reflecting Specific Interests/Concerns of Sub-regional Actors

This novel and urgent initiative was a means of preventing Tehran from pursuing its perceived attempts to go nuclear, while recognising that it would take too long for the traditional route of making the nuclear disarmament of Israel the condition of a WMD-Free Zone in the Gulf region. This was a break with the usual approach of the Arab states of presenting a homogeneous position vis-à-vis Israel. Here, a group of countries identified specific interests and designed the initiative accordingly. This showed pragmatism, flexibility, and also political courage. In addition to the six members of the Gulf Cooperation Center (GCC), at the initial stages three more countries – Yemen, Iraq, and, of course, Iran – were considered already to be part of the incremen-

tally designed concept. It had its origin in an initiative put forward by the Gulf Research Center (GRC), which was founded and headed by Abdulaziz Sager, and was promoted by him, Mustafa Alani, Christian Koch, and Nicole Stracke from 2004 to 2006 (Alani, 2005; 2008; Stracke, 2007; 2008). Sensing that the Gulf region was headed for either confrontation between the international community and Iran over Tehran's nuclear programme or on the cusp of a nuclear arms race as some GCC states sought to neutralise Iran's advantage on the nuclear front, the GRC sought to initiate a discussion among regional policy officials on more cooperative security arrangements. Given its novel approach, the concept of a GWMDFFZ soon caught the attention of Gulf decision-makers.

In view of the “countless projects and huge efforts” to establish a comprehensive zone in the Middle East/Gulf “with little or no progress”, it has to be stressed that the new concept was never regarded as a “diversion from the ultimate aim” of declaring the entire Middle East a zone free of nuclear weapons or even all WMD – their delivery vehicles (DVs), especially missiles, were not in the cards yet (Alani, 2008: 359). The underlying idea was to go from a sub-regional to a regional arrangement.

Second Strength: An Unprecedented Phenomenon – Some Smaller Gulf States Became Visibly Active and Spoke out Publicly to Express Their Specific Interests/Concerns

During the four workshops conducted by the GRC from December 2004 to May 2006 in Dubai (two meetings), Stockholm and Cape Town, important issues affecting the envisaged zone were discussed. At the Track II level the participants included institutes and experts from the region and beyond. At the Track I level the committed and high-level participation from Iraq, Kuwait, Bahrain, Qatar, Oman, the UAE, and in particular Iran was especially striking. Ultimately, the Gulf Research Council was successful in obtaining the declaratory Track I support of the foreign ministries of Iraq, Kuwait, and the UAE. In addition, the concept was discussed at the ministerial level of the Gulf Cooperation Council.

This assertiveness was courageous in two respects: first, and probably more implicitly, in light of these smaller countries' relationship with Saudi Arabia as the domi-

nant power in the GCC (see below); and, second, in light of the open conflict with the then-chairman of the Arab League, Amr Mousa, as the most prominent supporter of the traditional region-wide zonal concept. In the latter case, the strong difference of opinion regarded threat perceptions among Arab countries in the entire Middle East. The call for a sub-regional zone was most prominently objected to by Amr Mousa (2007: 34). On 29 June 2005 he criticised the incremental approach as a “defective simplification; it is a deceitful argument, which refutes an essential issue touching the heart of security in the Arab world”. Mousa's fundamental criticism of the Gulf zonal concept triggered a vehement response by the then-UAE Foreign Minister Rashid Abdullah Al Nuaimi (UAE, 2007).

The assertiveness of some smaller Gulf states focused in particular on specific standards and interests/concerns related to the perceived ambivalence of Iran's nuclear activities. This included:

- *The verification–non-proliferation dimension:* Smaller states' representatives emphasised, on the one hand, Iran's right – as that of any other state – to use its nuclear programme for peaceful purposes, while at the same time expressing the need for adequate controls. Abdullah Murad (2006: 19) from the Kuwaiti Foreign Ministry demanded that Iran's nuclear activities “must be subjected to the criteria and conditions set by the Security Council and the [International Atomic Energy Agency] IAEA”.
- *The politico–military dimension:* More importantly, the smaller Gulf states feared that Iran would acquire a military capability that they themselves would not have and that “the Iranian nuclear program might enhance the country's ambitions and jeopardize efforts to restore stability in the region”. Abdullah Murad (2006: 20) directly referred to Tehran's “intervention in Iraq as a new attempt to draw the socio-political map of the region”.
- *The ecological and safety dimension of Iran's civilian (as opposed to military) nuclear activities:* Fears related to the Iranian civilian reactor in Busheh occupied a prominent place on the agenda of both the Kuwaiti and Qatari representatives. Abdullah Murad (2006: 20) referred to the “Chernobyl disaster”

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and stressed that the Busher reactor, which “is only 250 km from the city of Kuwait and other Gulf cities”, was a potential source for polluting “one of the most important sources of water”: any nuclear leakage from this reactor “worries and terrifies me”. These fears were echoed in the personal statement of the then-GCC Secretary-General Abdul Rahman Al-Attiyah (2007) from Qatar, on 18 December 2005 ahead of the GCC meeting: “We do not want the Iranian nuclear reactor, which is nearer to our shores than to Tehran, to inflict on us dangers and damages”. UAE Foreign Minister Rashid Abdullah Al Nuaimi added a specific aspect in his statement of 20 December 2005 by stressing that the Gulf states would not have any protection or preventive measures if a leakage occurred, since Iran was (at that time) not a party to the Convention of Early Notification of Nuclear Accidents (UAE, 2007).

... and the Limits: A Policy of First Steps – Confined to the Declaratory Level

Although we do not want to belittle the above-mentioned unprecedented outspoken role of some smaller Gulf governments, we have to understand the various dimensions of the limits of this role:

1. The Foreign Policy Dimension

- *Declaring a sub-regional zone as a tool to tackle national interests/concerns without further political impact:* The foreign minister of Kuwait just presented a memorandum “Declaring the Gulf Region as a Weapons of Mass Destruction Free Zone” to the GCC member states on 14 December 2005 (Kuwait, 2007). He was joined by the then-Iraqi Deputy Foreign Minister Labid Abawi (2006: 15-16) from Iraq.
- *The failure to reach out officially to Iran:* Indicative of this shortcoming was the purely personal initiative by the then-GCC Secretary-General Abdul Rahman Al-Attiyah from Qatar at a press conference on 18 December 2005 at which he outlined the GWMD-FZ. His invitation to Iran to join such a sub-regional zone was also

explicitly qualified as personal. Official representatives of the Islamic Republic of Iran, the major political target of the initiative, were invited to participate in the GRC seminars, but the country’s representation restricted itself to the semi-official level. For example, Seyyed Hussein Moussavian participated in the 2-3 May 2005 Dubai workshop in such a Track 1.5 function as the Vice-President of the Center for Strategic Research for International Affairs, although from 1997 to 2005 he had been the head of the Foreign Relations Committee of Iran’s Supreme National Security Council. Officials from Saudi Arabia were invited as well, but also attended some of the discussions on an informal basis. Given the increased tension with Iran after the failure of the 2004 Paris Agreement, the Track II initiative fizzled out before the two political heavyweights could be adequately drawn into the debate.

2. The Conceptual Dimension

- *Failure to officially support the initiative’s gradualist approach:* The then-GCC Secretary-General Abdul Rahman Al-Attiyah (2007) from Qatar stated on 18 December 2005, on the eve of convening the 26th GCC Annual Summit – but only in his personal capacity – that an agreement on a sub-regional zone free of WMD “may be conducive to a comprehensive accord involving all Arab and non-Arab countries in the Middle East – by non-Arab countries, I mean Israel”.
- *No comprehensively thought-through GWMD-FZ concept presented at the Track I and II levels:* While all the activities and statements had touched on several conceptual, political, and technical challenges associated with a GWMD-FZ, understandably this could not be done in a comprehensive, coherent, and concrete way during a series of four workshops. The fundamental conceptual shortcoming was not confined to the sub-regional approach – it was also characteristic of the zone for the entire Middle East/Gulf as envisaged by the vital regional ac-

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- At the third GRC workshop in May 2005 Peter Jones (2006) presented indispensable points for any serious sub-regional (and in fact region-wide) proposal. Considering them would have transcended the purely declaratory level and put the zone into the context of (extra-)regional realities. For any serious effort at exploring the value of the earlier sub-regional context, Jones's ideas are still relevant today. An advantage of a quick-fix approach would be the signal it sent that the Gulf states could be seen as role models both in terms of "leaders in non-proliferation" and in setting "a very good standard" for an eventual region-wide agreement. Yet a serious Gulf concept (see below) "would remove any ambiguity" over any WMD intentions of the parties who accepted stringent provisions and abided by them (Jones, 2006: 21). One disadvantage of such a serious zonal treaty is that it would have taken years, or even decades, to be negotiated.

The End of the 'Old' Sub-regional Idea: Rejected by Tehran While Riyadh Changed Course

The concept of a GW MDFZ ultimately failed for two reasons at the political level: first, the Iranian government could not be engaged. Even if the committed small Gulf states had reached out to Tehran, it was fairly unlikely that Iran would have been prepared to participate in a dialogue at the regional level – at least not under the leadership of the defiant Mahmoud Ahmadinejad, who won the presidential election in June 2005 and took office in August that year. At the Dubai workshop in early May 2005 the semi-official Iranian participant presented 13 political and conceptual objections to the zonal arrangement. He stated that "Iran supports any idea, contributing to more convergence among the Gulf states. Within this framework, Iran also supports a GW MDFZ as far as it does not undermine the strategic importance of the Middle East WMD-Free Zone, and is ready to cooperate to advance such ideas"

(Moussavian, 2006: 18). But he rejected the two novel elements of the approach: its sub-regional nucleus and gradualism. The concept had to be an integral part of a "Regional Collective Cooperation System", and it would have to include Israel from the beginning. One more condition for Iran accepting a sub-regional zone was the "non-interference of foreign powers in the region" (Moussavian, 2006: 18) – a code for withdrawing the troops of the GCC's most important Gulf ally, the United States.

The second reason for the failure of the sub-regional idea was that it never became official GCC policy because of a lack of consensus in the GCC. For example, the initiative was unable to produce a clear statement of support from Saudi Arabia. Only one general statement by Prince Sultan bin Abdulaziz, the then-Crown Prince of Saudi Arabia, has been quoted in the well-documented activities surrounding the sub-regional concept. In his address to the UN General Assembly on 15 September 2005 he stated: "The Kingdom renews its call for Middle East and Gulf regions free of weapons of mass destruction" (quoted in Mustafa Alani, 2005: 7). However, the lack of clear support from Saudi Arabia needs to be understood in the context of the developments taking place at the time. By the time of the breakdown of the 2004 Paris Agreement, the election of Mahmoud Ahmadinejad as President, and the increased tensions between Iran and its Arab Gulf neighbours as a result, Riyadh had simply not been brought into the GW MDFZ discussions to such a point where its conceptual and political priorities could be adequately considered. Regional developments thus outpaced the discussions on the GW MDFZ. This also explains why the very GCC Secretary-General, who had at least indirectly invited Iran in December 2005 to join the sub-regional proposal made the move one year later of announcing the plan of all six GCC members to establish a joint nuclear research programme, with Riyadh as the main driving force behind it (IISS, 2008: 44). This decision marked the farewell to traditional non-nuclear policy in the most comprehensive sense, i.e. comprising both the military *and* civilian option.

The new approach included initiating a feasibility study in cooperation with the IAEA of establishing such a joint programme under the supervision of the GCC general secretariat. It aimed at addressing the nu-

clear technological gap that was perceived as widening between the GCC countries and Iran. Instead of waiting for this gap to widen further, irrespective of whether Tehran did or did not cross the nuclear threshold, the GCC countries announced the decision to undertake a collective technological initiative. In this context the then-Saudi Arabian Foreign Minister Prince Saud al-Faisal stated on 28 October 2007 that the GCC countries had put before Tehran the idea of creating an international uranium enrichment consortium for Middle East/Gulf states to be based in a neutral country outside the region (Stracke, 2007: 10). This proposal, which was similar to ideas presented by the EU in August 2005 and by Russia in February 2007, aimed at centralising enrichment activities to prevent states in the region from pursuing the military option to produce a nuclear weapons capability. Tehran rejected it on 3 November 2007, when the Supreme National Security Council made clear that such a plan was only acceptable if Iran's right to "continue with its own fuel-making activities" – which was a code especially for its expanding enrichment activities – was not touched on (quoted in Stracke, 2008: 5).

To summarise, the sub-regional zonal concept ceased to be an instrument to meet the security concerns of both Iran and its Arab neighbours by the middle of 2006. While the Gulf Research Council continued to attach value to the concept and referred to the initiative in the context of other broader security-related discussions, it was clear that the necessary Track I support for moving the GRC effort beyond the concept phase was no longer available. Against this backdrop the question arises of whether the past is a prologue to Riyadh's planned civilian nuclear activities and the fear raised by some that these plans could in fact include military aspirations.

The Concept of a Gulf WMDFZ Then – and Now: What Is in It for Today?

The NPT-related Context of a Region-wide Zonal Arrangement

Thinking out of the box (the first identified strength of the sub-regional idea) – what could this mean today, keeping in mind the "countless projects and huge efforts"



that were undertaken to establish a comprehensive zone in the Middle East/Gulf “with little or no progress” (Alani, 2008: 359)? We agree with the idea’s mastermind that this gradualist concept should not be regarded as a “diversion from the ultimate aim” (Alani, 2008: 359) of a comprehensive WMD-Free Zone in the Middle East. Yet under the present circumstances we would not suggest ‘implanting’ this idea into the NPT context, which does not need a replay of the above-mentioned fierce dispute of 2015, i.e. an additional line of conflict between Gulf states (as Iran’s neighbours) and countries such as Egypt (in the vicinity of Israel). A sub-regional approach and the gradualism that goes with it are not at all on the cards of today’s relevant actors. But this should not hinder their efforts to establish communication mechanisms outside of the NPT context to deal with the ecological concerns expressed by the Gulf states.

In any case, developing alternative, creative ideas originating in the region as a signal of ownership would still be of the utmost importance. Gradualism does not need to be confined to geography: it can constitute a step-by-step approach of tackling the demanding ultimate goal of a WMD-Free Zone – by starting with small confidence-building measures as part of a deliberately designed long-term process. Nasser Hadian-Jazy’s statement in the Dubai workshop in early May 2005 could be taken up for today’s discussion. This Iranian Track II expert specifically highlighted the GWMD-FZ’s value as being an “interesting means for confidence building that is essential for short- and long-term regional security” (Hadian-Jazy 2005: 10). Creative ideas may mean bringing new actors into the game or considering a new format of (in-)formal talks leading to negotiations.

The unprecedented rhetorical activism of some smaller Gulf states – the second identified strength of the sub-regional initiative cannot really be referred to the NPT realm of a comprehensive zonal arrangement (for more on the issue of expressing the specific Iran-related interests/concerns, see below). The reasons are: first of all, the three formerly most assertive smaller Gulf countries were not represented in the Wise Persons Commission that the Secretary-General of the Arab League appointed in 2016 to draw up a report including recommendations for how to deal with the region-wide WMD-Free Zone

(the countries/bodies represented in the Commission were Bahrain, Egypt, Iraq, Jordan, Saudi Arabia, and the League of Arab States, while Algeria was invited, but did not participate). The report was due in March 2017, immediately before the First NPT PrepCom in Vienna, but it was decided not to issue an outcome document. At the Vienna international meeting we heard various views from decision-makers involved in the process about the disagreements – whether tactical or substantive – among the Arab states. In any case, a minority of three countries – Kuwait, Saudi Arabia, and the UAE – were in favour of influencing the discussions early on by presenting a position paper at the First NPT PrepCom. If one assumes that the position of these three states is a more constructive and committed one, the assertive three from the 2004-2006 debate (Kuwait, Qatar, and the UAE) are now in different camps, specifically related to the dispute between the so-called Quartet (Bahrain, Egypt, Saudi Arabia, and the UAE) and Qatar that led to a rupture in relations in June 2017.

In addition, it seems unlikely that any constructive positions of the smaller Gulf states would automatically prevail in the ministerial meetings of the Arab League. Egypt’s view that the 2010 Mandate of the NPT Review Conference, which led to the Glion/Geneva informal process, but not to an official conference on a WMD/DVs-Free Zone, remains highly controversial among Arab states. This includes Cairo’s endeavour to make the UN General Assembly the crucial forum for a vote on the 1995 NPT Resolution on the Middle East. The Egyptian government wished to entrust the UN Secretary-General (and not Russia, the United States, and Britain, as the three co-sponsors of the Resolution) with the task of convening a conference at which a legally binding treaty on a WMD/DVs-Free Zone would be discussed. The overall huge rift widened even further after the First PrepCom in May 2017 among vital Track I players, as most visibly shown by the opposite positions of Egypt and Indonesia, the latter coordinates the disarmament sector in the Non-Aligned Movement (NAM). The draft of the NAM working paper, for instance, which was circulated in February 2018 by Indonesia prior to the Second PrepCom in Geneva starting on 23 April 2018 and which re-stored in its Article 24 the 2010 Mandate was vehemently objected to by Cairo. To be sure, Egypt seems to have joined the

majority of NAM countries in the wake of the Geneva meeting (Group of Non-Aligned States, 2018). Yet it remains to be seen what this means for Cairo’s actual diplomacy.

Against this backdrop, our earlier expressed hope that the smaller Gulf countries are well suited to become proponents of a more flexible and therefore constructive approach regarding a WMD-Free Zone (Harnischfeger and Kubbig, 2016: 13) has so far not become a reality. This hope was based on the paradoxical assumption that their flexibility – in contrast to the traditionally strict Egyptian policy towards Israel – might be rooted in the lower priority of the region-wide zone on their foreign policy agendas. And yet, we suggest solving this problem by *learning from one of the above-mentioned deficits*: this amounts to working towards a substantial concept of a WMD-Free Zone as a unifying factor in the splintered Arab world. If the supporters of a sub-regional approach had been able to develop a more thorough concept in the short 2004-2006 period it could have become a model for the entire region. Again, given the short time-span during which they promoted the idea as a mere political tool, this was not possible.

Instead, the burden should be placed on the shoulders of the supporters of a region-wide zone. Since the introduction of the concept in 1974 they have not shown any serious effort to turn their political calls into a substantive plan. Under current circumstances, designing such a detailed zone as a collaborative endeavour would be a promising rallying point and tool to overcome the current frictions among Arab states. Asking Egypt to take the lead in this regard could be a face-saving way of bringing this country back into the arena. The requirement for Cairo would be to treat its treaty-based demand as the result of (and not a precondition for) such substantive work. To make such an activity credible and successful, the already existing nuclear weapon-free zones in the world could be realistic points of references (for instance, the African Nuclear Weapon-Free-Zone Treaty/Pelindaba Treaty) for the central nuclear dimension. In addition, the complex JCPOA could be used as a source of inspiration, for instance, as argued below in the verification area (technology-based confidence building), or as emphasised in the POLICY FORUM issues Nos. 9 and 11, regarding the dispute mechanism in the JCPOA.

» *As mentioned at the outset, this POLICY FORUM issue makes the case for exploring the potential of the JCPOA to initiate broader security dialogues. This could be done, for example, by addressing, on the one hand, the intrusive control and inspection system implemented by the IAEA in Iran as a vital instrument for technically based confidence building especially with respect to Saudi Arabia; and, on the other hand, by focusing on what the JCPOA (which allows Tehran to retain a certain level of enrichment activities) means for Saudi Arabia and the UAE from a non-proliferation point of view.* «

As Peter Jones (2006) outlined during the 2004-2006 debate, any proposal for the Gulf or the entire Middle East should include the following elements:

- As mentioned above, the statements from Gulf representatives included already important elements for such a still-to-be-negotiated treaty, i.e. *the clearly defined goal* of complete and total elimination of all WMD (a great number of adequate and transparent definitions would have to be added, though); *the clearly defined initial geographical scope* of the GCC countries plus Iran, Iraq, and Yemen; the *incremental approach* with the sub-regional zone as the initial stepping stone for a comprehensive zonal arrangement – and the important intention to move ahead even if some countries of the broader Middle East did not wish to join right away. Nevertheless, the conflict between the supporters and critics of the sub-regional concept and its gradual extension should be considered as being likely to erupt again over the way to deal with Israel.
- Additional elements would be required: *stringent verification provisions* would have to be accepted, and so would the *role of extra-regional great powers*, especially the United States, as guarantors of the zonal treaty – and the specific challenges and conflicts of interest that go with such a role, in particular when it comes to the transit of nuclear material and equipment. Equally, *mechanisms for compliance and dispute resolution* are as important as provisions for withdrawal from the treaty. *Conceptually*, the question is crucial whether such a zone should be seen in isolation from the broader regional context or as part of dominant conflict formations. In *procedural terms* it would be vital to overcome the traditionally counterproductive juxtaposing of the “Disarmament First!” versus “Regional Security First!” stances by formulating a parallel approach comprising these two elements (this aspect implies that at some point the Arab countries would have to engage Israel in a productive way). Including biological and chemical weapons would make a serious and acceptable treaty even more complicated. And at some point not only Israel, but also Iran would have to become part of the cooperative effort.

The Gulf-related Context with the JCPOA as a New Factor

Reviving the ‘Old’ Sub-regional Idea? Exploring the Potential of the Accord Struck in 2015

There has been interest among the former Track II actors in reintroducing the earlier concept (but in an adapted form) as a means of creating a rallying point for a security/disarmament dialogue that could evolve under favourable circumstances into an institutionalised format. To be sure, the current rift between Saudi Arabia and Iran in particular and the intra-GCC rift over Qatar suggest that the present environment is not conducive to revitalising the sub-regional idea. While not intentionally out to sabotage particular dialogue attempts, Saudi Arabia (under the leadership of Crown Prince Mohammed bin Salman) and the UAE are not ready to actively support a new regional initiative, given what they perceive to be the uncompromising attitude emanating from Tehran. From today’s perspective, amid the utterly fluid dynamics in the region, it seems that, among the smaller Gulf states, *Kuwait* (mediating in the Saudi-Qatari dispute), defiant *Qatar*, and *Iraq* and *Oman* (all with moderate positions towards Iran) could in principle be interested in such a dialogue. One would also need to explore the interests of *Iran*.

Even if the circumstances were more favourable, we would not advise revising the ‘old’ idea, but would instead focus on the JCPOA – not in terms of renegotiating it, but as a way to, first, overcome the earlier failure of the Gulf states, which, during the ‘old’ sub-regional debate, did not officially reach out to Iran; and, second, to explore the extent to which the earlier (and certainly current) security interests/concerns of the Gulf countries are met by the multilateral agreement concluded with Iran in 2015. As mentioned at the outset, this POLICY FORUM issue makes the case for exploring the potential of the JCPOA to initiate broader security dialogues. This could be done, for example, by addressing, on the one hand, the intrusive control and inspection system implemented by the IAEA in Iran as a vital instrument for technically based confidence building especially with respect to Saudi Arabia; and, on the other hand, by focusing on what the JCPOA (which allows Tehran to retain a certain level of enrichment activities) means for Saudi Arabia and the UAE from a non-proliferation point of view. The above-mentioned previously expressed



interests/concerns of Gulf countries regarding the military dimension have been dealt with in a concrete way in POLICY FORUM No. 9; the ecological aspect will be the subject of a POLICY FORUM series systematically devoted to the complexities of this issue area that go far beyond the Iranian nuclear reactor in Busher.

The Verification–Non-proliferation Dimension

The above-mentioned need for *additional adequate controls* for Iran's nuclear activities, as Abdullah Murad (2006: 19) from the Kuwaiti Foreign Ministry expressed them, included the demand for “criteria and conditions set by the Security Council and the IAEA”. With the wisdom of hindsight it seems fair to state that the Arab actors at that time probably did not imagine that some ten years later the successful 160-page outcome of the E3/EU+3 negotiations with Iran would contain myriad unprecedented restrictions, considerable limitations and prohibitions, and intrusive controls in the nuclear area for Tehran. These restrictions and controls far exceed the earlier demands and vague standards put forward by the Gulf states. Also, the IAEA, seen by these countries as the crucial and best-equipped watchdog to police any agreement, has repeatedly certified that Tehran is in compliance with the nuclear-related provisions of the JCPOA. All this implies that this control system could and should be used as the vital instrument for technically based confidence building. In addition, one of the crucial provisions of the JCPOA is Iran's commitment to continue unilaterally implementing the IAEA Additional Protocol, which allows the Agency to carry out inspections of undeclared activities or facilities in Iran, pending its ratification by Tehran. This precedent could also serve as an incentive to convince the other Gulf countries that have not yet signed the Additional Protocol (Oman, Qatar, and Saudi Arabia) to do so.

Regarding the *non-proliferation dimension*, we focus on two issues:

First, we examine *the JCPOA's possible impact* on the nuclear agreement signed in 2009 between the UAE and the United States on establishing a legal framework to engage in civilian nuclear cooperation under agreed-upon non-proliferation and control conditions (the so-called 123 Agreement, so named after a section in the U.S. Atomic Energy Act dealing with transfers of nuclear material or equipment). The

main feature of the 2009 agreement is that, under its terms, the UAE has renounced plans to enrich and reprocess uranium or other fuel and will instead obtain nuclear fuel from reliable international suppliers (World Nuclear News, 2009). If the UAE decided to claim the same rights as Iran under the JCPOA (a limited capacity to enrich uranium, but no reprocessing of spent fuel, i.e. no plutonium production), it would lose the benefits of the cooperation pledged by the United States. By abiding by its initial commitment the UAE would certainly strengthen its image as a promoter of ‘responsible nuclear energy development’, in line with international efforts that led to the establishment of the IAEA Low Enriched Uranium Fuel Bank, and confirm its rejection of any military programme. The UAE's first civilian nuclear reactor, supplied by South Korea, is planned to become operational in 2019.

The second issue is *Riyadh's nuclear options*. In October 2017 Saudi Arabia announced that it would extract uranium as its “first step towards self-sufficiency in producing nuclear fuel” (Westall, 2017). At that time, it did not specify whether it would opt for enriching uranium and reprocessing spent fuel to produce plutonium, which could be useful for a military programme. Riyadh's ambitious plan to construct 16 nuclear power reactors over the next 20 years at a cost of more than \$80 billion to generate about 20 percent of Saudi Arabia's electricity as well as smaller reactors for water desalination has already led to several contracts with companies from France, South Korea, Argentina, and China (World Nuclear Association, 2017).

In 2008 the United States and Saudi Arabia began discussing a type of 123 Agreement that would have excluded any uranium enrichment and reprocessing (the so-called ‘gold standard’). As the JCPOA was negotiated and concluded, Saudi Arabia became reluctant to commit to such exclusions, seeking a form of equivalence with the rights granted to Iran (Arnsdorf, 2017). In the context of the Donald Trump administration's criticism of the JCPOA, Saudi Crown Prince Mohammed bin Salman stated in March 2018, “Saudi Arabia does not want to acquire any nuclear bomb, but without a doubt if Iran developed a nuclear bomb, we will follow suit as soon as possible” (quoted in Reuters, 2018). Such a threat is not new, but, combined with Saudi pressure on the United States to grant Riyadh the capacity

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to enrich and reprocess uranium, it raised some concerns in the U.S. Congress and also Israel, despite the latter's recent rapprochement with Saudi Arabia motivated by a common hostility towards Iran (Tibon, 2018).

Conclusions and a First Step: Establishing a Small Track II Dialogue Mechanism

Given the strengths and limits of the GW-MDFZ as presented above, the current extremely limited appetite for reviving it, and the JCPOA as a new (and still controversial) factor, we conclude that amid the intensifying tensions in the region, especially between Saudi Arabia and Iran, the im-

mediate creation of communication forums at the government level might face grave difficulties. The same applies to discussing nuclear-related ecological and safety concerns, which have proved to be consistent from the earlier debate on a GW-MDFZ until today.

Therefore, our *Cooperative Idea* suggests starting immediately at the 'Track II' level by bringing together interested colleagues especially from the Gulf states and Iran. In the aftermath of the Second NPT Prep-Com in Geneva and in view of the diplomats present in that city, two interacting institutes in this regard could be the GRC Foundation and the Geneva Centre for Security Policy (GCSP). The participants who are present should agree on the agen-

da. The initially small-scale format would not need to start from scratch, since there has been an informal Saudi-Iranian dialogue in the past. An alternative and neutral venue would certainly be the GCSP. Despite the currently not-too-promising situation at the 'Track I' level, we should keep an eye especially on the once-assertive smaller Gulf countries and their potential interest in becoming more actively involved in providing new momentum for a region-wide zonal WMD/DVs arrangement. As to Iran, one may want to take up Moussavian's specific suggestion regarding Tehran's JCPOA-based norm-driving role, for instance when it comes to negotiations to ban nuclear weapons (Mousavian, 2017). ■

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