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Major Trends in Arms Control and Nonproliferation in the Context of US-Israel Relations Or Rabinowitz

The James Martin Center for Nonproliferation Studies, the National Defense University, and the Institute for National Security Studies held a two-day nonproliferation dialogue in Israel, April 29–30, 2018. The purpose of the dialogue was to exchange views on evolving threat perceptions, perceived gaps in goals, priorities, and policies, and identify further opportunities for deepening US-Israel cooperation in countering the proliferation of WMD and related threats. The following policy memo is based on the author’s presentation delivered during the dialogue.

This memo examines major trends in arms control and nonproliferation affecting the status and future trajectory of US-Israel relations. Specifically, it focuses on several relevant issues: the current review cycle of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the issue of establishing a weapons-of-mass-destruction-free zone in the Middle East (MEWMDFZ, hereafter “the zone”); ongoing US efforts on the North Korean front; and the current status of the Treaty on the Prohibition of Nuclear Weapons (TPNW, or the Nuclear Ban Treaty).

Israel hopes that any agreement between the US and North Korea would include a requirement that North Korea cease its involvement in Iran’s missile program and avoid any future export of its proliferation-prone nuclear technology to the Middle East.

The Current NPT Review Cycle and the Zone

The 2010 NPT Review Conference (RevCon), held during President Barack Obama’s first term in office, singled out Israel in its Final Document,

a declaration adopted unanimously by all NPT state parties and which reflects recommendations for follow-on actions.

The Final Document stated: “The Conference recalls the reaffirmation by the 2000 Review Conference of the importance of Israel’s accession to the Treaty and the placement of all its nuclear facilities under comprehensive IAEA safeguards. The Conference reaffirms the urgency and importance of achieving universality of the Treaty.”¹ Prior to the 2010 Conference, President Obama stated he “strongly opposed”² any attempts to single out Israel in the document; later, the US delegation stated that it “deeply regrets” the document.³ Nonetheless, the United States did not object to it, thereby allowing it to be adopted by consensus. The lack of a US objection to singling out Israel marked a clear break from previous US policy.

The 2010 Final Document also called for the convening of a conference in 2012 “on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction” to be attended by “all States of the Middle East.”⁴ This decision was a main cause of tension in the bilateral relationship. Israel maintains it is not obligated to act according to a

The views and opinions expressed in this paper are those of the author and do not necessarily reflect the official policy or position of the James Martin Center for Nonproliferation Studies or the US government.

decision with potentially direct implications for its national security that was adopted in a process in which Israel has no say. Israel is not a signatory to the NPT and does not participate in meetings associated with it. Furthermore, the decision tied the regional process to the timetable of the NPT review process, giving that body decision-making authority and influence over the regional process. This stands in marked contrast to the creation of the other existing nuclear-weapon-free zones around the world.⁵

In the lead-up to the May 2015 NPT RevCon, which took place during President Obama's second term, the United States and Israel exhibited closer alignment than during the 2010 conference. This close cooperation was largely motivated by President Obama and Prime Minister Benjamin Netanyahu's converging interests to avoid a repeat of the 2010 bilateral friction. Taking into account the disagreement with Israel over the ongoing nuclear negotiations with Iran, it is likely that the Obama administration wanted to refrain from opening an additional diplomatic front with Netanyahu.

On the last day of the 2015 RevCon, the United States, the United Kingdom, and Canada objected to the final document, thereby blocking its adoption by consensus. This move took place following Egypt's decision to introduce a text that, if adopted, would have established a strict timeline for holding the zone conference, with or without the agreement of all regional states. It also designated the UN secretary-general as conference convener, thus replacing the United States, the United Kingdom, and Russia.⁶ The objections blocked the adoption of a final document.

Two working papers submitted by the United States to the NPT 2018 PrepCom exhibit an even closer alignment of positions, underlining the Trump administration's pro-Israel policy on the zone.⁷ For example, one stated that "As another vital improvement to the global security situation, all nations, without exception, should renounce terrorism as an instrument of their foreign policies, and recognize the State of Israel's right to exist."⁸

Another US working paper submitted to the PrepCom was even more explicit: "Efforts to build trust and confidence in the region are significantly complicated by the refusal of a number of regional states to recognize and engage Israel as a sovereign state and proclivity to instead pursue divisive actions to isolate Israel wherever possible."⁹ The United States called on regional states to "establish channels for direct dialogue with their regional neighbors, acknowledge the legitimacy of other parties' security concerns, and recognize Israel as a sovereign state."¹⁰ This is the first instance of such language being used in an official US working paper submitted to a PrepCom, clearly underlining the Trump administration's unwavering support of Israel on this topic.

As for the collapse of the previous zone diplomatic initiative, the US working paper directly blames "the Arab League Senior Officials Committee" for the collapse of the talks.¹¹ The paper calls on the Arab League to consider a "significant re-thinking of tactics and strategy." This, too, is a clear adoption of Israeli policy.¹²

Beyond the zone issue, the paper called on all states in the region to "discontinue any and all military or security cooperation with [North Korea]; exercise maximum restraint in the development, testing, and deployment of ballistic missiles capable of delivering weapons of mass destruction; and cease all support for terrorist and proxy groups in the region."¹³ The call aligns with Israel's efforts to limit North Korea's involvement in regional WMD proliferation.

Other states in the region are not unified on the zone issue. During the 2017 PrepCom, the Arab states and Iran submitted three separate working papers on this issue: one by Iran,¹⁴ a second by Egypt,¹⁵ and a third by a group of twelve Arab states.¹⁶ Progress toward a zone would require the establishment of closer ties between Israel and key Arab actors such as Saudi Arabia, and would also depend on their ability to work pragmatically to create such a zone, including efforts to curtail Iran's nuclear program.

The North Korean Angle

As for the status of bilateral US–North Korea talks and their relevance to the US–Israel bilateral relations, a few points should be considered. First, North Korea has historically adopted a hostile stance toward Israel, except for a brief period in the early 1990s.¹⁷ In 1973, during the Yom Kippur War, North Korea sent two squadrons of fighter jets to Egypt to directly engage in air battles with the Israeli Air Force.¹⁸

In recent years, North Korea has closely cooperated with Israel’s regional rivals. It exported a plutonium production nuclear reactor to Syria, which was famously destroyed by the Israeli Air Force in September 2007.¹⁹ It also maintains close ties with Iran, especially in the field of missile development.²⁰ Of specific concern to Israel is the ongoing cooperation between North Korea and Iran in the development of sea-launched cruise missiles.²¹ In addition to evidence of North Korean assistance to Iran’s ballistic-missile program, some experts have expressed concern about potential Iranian assistance to North Korea’s missile program.²²

A successful US-led diplomatic process with North Korea would be positive for Israel. Any progress in the bilateral talks between Washington and Pyongyang, which could reduce proliferation of WMD technology and know-how to the region, would benefit Israel’s security. Furthermore, a US–North Korean agreement, if perceived as a US diplomatic victory, could strengthen US position as the leader of the existing global nuclear order, and strengthen Washington’s status as a leading force in the NPT, one which protects Israel’s interests in this forum. Such a process could further legitimize the US position on issues such as the zone and Iran’s nuclear program. Conversely, a US withdrawal from the 2015 Joint Comprehensive Plan of Action could potentially have the reverse effect, weakening US leadership of the global regime.

A significant Israeli interest in US–North Korean negotiations is to curtail any future North Korean involvement in the Middle East. Thus, Israel hopes that any agreement between the United States and North Korea would include a

requirement that North Korea cease its involvement in Iran’s missile program and avoid any future export of its proliferation-prone WMD technologies and know-how to the Middle East. A possible rapprochement between Israel and North Korea should also be considered, under the right terms.

The Treaty on the Prohibition of Nuclear Weapons

The Treaty on the Prohibition of Nuclear Weapons (TPNW) is not currently considered a primary or even a secondary policy concern for Israel, though this may change in the future. The Nuclear Ban Treaty was adopted at a UN conference on July 2017 with the support of 122 states.²³ One participating state, the Netherlands, voted against its adoption, and Singapore abstained. Sixty-nine states did not participate in the negotiations, including all the known states possessing nuclear weapons and all NATO members, except the Netherlands. The United States, United Kingdom, and France released a joint statement declaring that they have no intention to “sign, ratify or ever become a part of it.”²⁴

As of June 2018, the TPNW has 59 signatories; of these, only ten states have also ratified the treaty.²⁵ As long as the NATO states remain opposed to the TPNW, it is not an Israeli issue per se. Should the United Kingdom, France, and Germany change position and support the ban treaty—an extremely unlikely scenario—the de facto NATO consensus would break, leaving the United States isolated in its opposition to the ban. This would present a different case for Israel’s considerations. Under such a scenario, an Israeli decision to join the United States in its opposition to the treaty, while other NATO states support it, would likely garner more attention, scrutiny, and criticism around the world.

To conclude, the US–Israeli bilateral relationship is likely to continue to shape future US involvement in arms-control initiatives in the region. The most pressing regional arms-control issue for Israel is the Iranian nuclear program. While close alignment of interests between Israel and the United States will likely

serve the interests of the Israeli government in the short term, it is not clear whether it is enough to substantially curb the Iranian nuclear program, which remains Israel's number one security priority. A key component of Israel's strategy should be building closer ties with Saudi Arabia, to address the Iranian issue in a

¹ Final Document, Volume I, NPT/CONF.2010/50 (Vol. I), 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Section IV(5), <http://www.un.org/en/conf/npt/2010/>.

² Natasha Mozgovaya and Reuters, "Obama 'Strongly' Opposes Singling Out of Israel at Nuclear Conference," May 28, 2010, *Ha'aretz*, <https://www.haaretz.com/1.5126480>

³ Barak Ravid and Haaretz Service, "Netanyahu: Israel Is Not Bound by NPT Resolution," *Ha'aretz*, May 29, 2010, <https://www.haaretz.com/1.5126587>.

⁴ Final Document, 2010 Review Conference Final Document, Section 7 (a), <http://www.un.org/en/conf/npt/2010/>

⁵ Statement by Dr. Shaul Chorev, Head, Israel Atomic Energy Commission at the 65th General Conference of the International Atomic Energy Agency, September 2012, <http://iaec.gov.il/About/SpeakerPosts/Documents/IAEA%20statement%20Sep2012.pdf>, and Emily B. Landau and Shimon Stein, "2015 NPT RevCon: WMDfz Conference Off the Table, for Now," INSS Insight No. 705, June 3, 2015,

<http://www.inss.org.il/publication/2015-npt-revcon-wmdfz-conference-off-the-table-for-now/>

⁶ Draft Final Document, Volume I, 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, NPT/CONF.2015/R.3, May 21, 2015,

<http://www.reachingcriticalwill.org/images/document/Disarmament->

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Washington Post, May 22, 2015, https://www.washingtonpost.com/world/national-security/un-nuclear-conference-collapses-over-wmd-free-zone-in-the-middle-east/2015/05/22/8c568380-fe39-11e4-8c77-bf274685e1df_story.html?utm_term=.ec3ed92db86b

⁷ "Creating the Conditions for Nuclear Disarmament," Working paper submitted by the United States of America, NPT/CONF.2020/PC.II/WP.30, April 18, 2018, <http://undocs.org/NPT/CONF.2020/PC.II/WP.30>; "Establishing Regional Conditions Conducive to a

focused manner, but also to promote other regional arms control initiatives.

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Middle East Free of Weapons of Mass Destruction and Delivery Systems," Working paper submitted by the United States of America,

NPT/CONF.2020/PC.II/WP.33, April 19, 2018, <http://undocs.org/NPT/CONF.2020/PC.II/WP.33>

⁸ NPT/CONF.2020/PC.II/WP.30, para. 10.

⁹ NPT/CONF.2020/PC.II/WP.33, para. 8(a).

¹⁰ *Ibid.*, 9(i).

¹¹ *Ibid.*, para. 5.

¹² *Ibid.*, para. 9

¹³ *Ibid.*, para. 9(e)(vi)

¹⁴ NPT/CONF.2020/PC.I/4,

<http://undocs.org/NPT/CONF.2020/PC.I/4>

¹⁵ NPT/CONF.2020/PC.I/WP.27,

<http://undocs.org/NPT/CONF.2020/PC.I/WP.27> ,

¹⁶ NPT/CONF.2020/PC.I/WP.30,

<http://undocs.org/NPT/CONF.2020/PC.I/WP.30>

¹⁷ Avi Sison, former Israeli Ambassador to China, "The long journey to Asia," Letter to the Editor, *Ha'aretz*, February 21, 2005,

<https://www.haaretz.co.il/1.1503804>, translated by [author](#).

¹⁸ David Cenciotti, "Israeli F-4s Actually Fought North Korean MiGs During the Yom Kippur War," *Business Insider*, June 25, 2013,

<http://www.businessinsider.com/israel-north-korea-dogfight-yom-kippur-war-2013-6>

¹⁹ David Makovsky, "The Silent Strike," *New Yorker*, September 17, 2012,

<http://www.washingtoninstitute.org/policy-analysis/view/the-silent-strike-how-israel-bombed-syrian-nuclear-installation-and-kept>

²⁰ Jay Solomon, "High-Level Contacts Between North Korea and Iran Hint at Deeper Military Cooperation," Policywatch 2895, Washington Institute, November 27, 2017,

<http://www.washingtoninstitute.org/policy-analysis/view/high-level-contacts-between-north-korea-and-iran-hint-at-deeper-military-co>

²¹ Lucas Tomlinson, "Iran attempted missile launch from submarine, US officials say," Fox News, May 3, 2017,

<http://www.foxnews.com/world/2017/05/03/iran-attempted-missile-launch-from-submarine-us-officials-say.html>

²² “How North Korea’s missiles improved so quickly,” *The Economist*, September 7, 2017, <https://www.economist.com/asia/2017/09/07/how-north-koreas-missiles-improved-so-quickly>

²³ Alicia Sanders-Zakre, “Nuclear Weapons Ban Treaty Adopted,” Arms Control Association, July/August 2017, <https://www.armscontrol.org/act/2017-07/news/nuclear-weapons-ban-treaty-adopted>

²⁴ “Joint Press Statement from the Permanent Representatives to the United Nations of the United States, United Kingdom, and France Following the Adoption of a Treaty Banning Nuclear Weapons,” July 7, 2017, <https://usun.state.gov/remarks/7892>

²⁵ Signature/ratification status of the Treaty on the Prohibition of Nuclear Weapons, The International Campaign to Abolish Nuclear Weapons, <http://www.icanw.org/status-of-the-treaty-on-the-prohibition-of-nuclear-weapons/>