

# THE CONSULTATIONS IN GLION AND GENEVA: A VIEW FROM THE NEGOTIATING TABLE

To Helsinki, Via Glion: Personal Reflections

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MIDDLE EAST WEAPONS OF MASS DESTRUCTION FREE ZONE SERIES

Between 2013-2014 representatives from Arab states, Iran and Israel met to discuss convening the Middle East weapons of mass destruction free zone (ME WMDFZ) Conference, which had been mandated by the 2010 Review Conference for the Treaty on the Non-Proliferation of Nuclear Weapons. It was the first time since the 1990s that states of the region discussed this issue face-to-face. The meetings took place mainly in Glion and Geneva, Switzerland and were facilitated by Ambassador Jaakko Laajava of Finland, and co-convened by the Russian Federation, United Kingdom, and United States, as well as the Secretary-General of the United Nations. This ME WMDFZ paper series presents firsthand, personal reflections and lessons learned by those that participated in the meetings.

## BACKGROUND TO THE US APPROACH

The beginning of Ambassador Jaakko Laajava's mission as Facilitator coincided with the beginning of my tenure as United States Assistant Secretary of State for International Security and Nonproliferation (ISN) in September 2011. The ISN Bureau had worked with the United Nations, the United Kingdom and the Russian Federation to identify Finland, among several other candidates considered, to provide the Facilitator and be prepared to host a conference on the establishment of a Middle East Zone free of nuclear weapons and all other weapons of mass destruction (WMD).

In my first week as Assistant Secretary, I met with a senior official for non-proliferation and arms control at the National Security Council (in the White House), who had been involved in negotiations at the 2010 Review Conference of the Non-Proliferation Treaty (NPT). The final document of that conference committed the United States (US),

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the United Kingdom and the Russian Federation (together with the United Nations Secretary-General) to convene before the end of 2012 a conference on WMD-free zone in the Middle East, to be attended by all states of the region “on the basis of arrangements freely arrived at by the States of the region”.<sup>1</sup> I was told that the White House wanted me to take personal charge of the US effort, given my extensive background in multilateral negotiation at the United Nations, my experience in Middle East affairs and my (limited) capability in the Arabic language.

During the 2010 Review Conference endgame negotiation, the US delegation had kept in constant contact with Israeli officials in New York on the substance of discussions and had made significant progress in moderating the text to address Israeli concerns. The US National Security Advisor, James Jones, also released a public statement after the discussions making clear that the United States would not permit a conference that could jeopardize Israel’s security, and that any conference must operate by consensus.<sup>2</sup> Still, the Israeli Prime Minister, Benjamin Netanyahu, complained – privately and publicly – that the United States had blindsided Israel, adding to the existing tension between Netanyahu and the US Administration of President Barack Obama.

Sustaining the credibility of the NPT was a high priority for the Obama Administration, particularly after the Review Conference, which we considered to have been a success. The White House encouraged me to work creatively to find a way to keep our commitment to organize the conference, while it emphasized the parallel need to prevent this issue from continuing to be an irritant in our bilateral relations with Israel.

As new as I was to the issue, I could see not only the difficulty in getting Israel, the Islamic Republic of Iran and the Arab states to agree to anything, but also the inherent conflict in the assignment. Netanyahu had already stated that Israel would not attend the conference. Obviously, the United States could not accept that as the final word on the conference. We had to make a good-faith effort to begin a process that could lead, in the very long run, to the creation of such a WMD-free zone and, in the shorter run, to confidence-building steps that could address immediate security issues in the region.

Fortunately, the Israeli Government also did not take Netanyahu’s statement as the final word. They understood that the United States would uphold its commitment to convening a conference, which would create public diplomacy pressure on Israel to avoid such an openly obstructionist stand. In addition, I believe Israel calculated that the process could provide a means for it to meet one of its long-standing goals – to find additional forums for discussing regional security issues with a broader range of Arab neighbours – an objective it shared with the United States. The most positive early signal from Israel was the appointment of Jeremy Issacharoff, the most senior career diplomat in the Israeli Ministry of Foreign Affairs (MFA), to work with the United States and others on the process.

Israeli scepticism about the entire endeavour (and about the US role) did not dissipate rapidly, however. In our consultations, Israel expressed both hints of flexibility and frequent criticism of the entire enterprise. Above all, the Israelis made clear that they had no interest in a process whose primary goal seemed to be criticism and isolation of Israel. The fact that the final document of the 2010 Review Conference had explicitly singled out Israel for criticism (while failing to mention Iran) made them furious and kindled their suspicion of any process held under the auspices of the NPT, a treaty of which Israel is not a member. Invoking this reasoning, the Israelis declined to meet with the full delegation of the co-sponsors when they visited Jerusalem in 2012, in order to avoid the impression that Israel was participating in an “NPT process”. Moreover, Israel has long maintained antipathy toward an organization of which it is a member, the United Nations. Based on Israel’s perception that the United Nations has a long history of various of its bodies being weaponized to focus on criticism of Israel, it had no trust in a conference that would be explicitly labelled as held under United Nations auspices.

This Israeli reluctance to accept either NPT or United Nations auspices, while the League of Arab States (LAS) insisted on full United Nations sponsorship, was the proximate cause of the informal consultations. These needed to deal first with the question of how to describe the sponsorship of the conference, before they could resolve the more substantive issue of the conference’s agenda.

<sup>1</sup> 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final document, volume I, NPT/CONF.2010/50 (Vol. I), 18 June 2010, [https://undocs.org/en/NPT/CONF.2010/50\(Vol.I\)](https://undocs.org/en/NPT/CONF.2010/50(Vol.I)).

<sup>2</sup> The White House, Office for the Press Secretary, “US National Security Advisor statement about the Middle East section of 2010 NPT RevCon final document”, 28 May 2010, <https://unidir.org/node/5657>.

## INITIAL CONSULTATIONS IN 2012

The initial meetings of the three co-conveners (the Russian Federation, the United Kingdom and the United States) with the United Nations representative and Ambassador Laajava were encouraging. Laajava had the full support (and funding) of his government for extensive consultations in the capitals of the region. The Russian Federation, the United Kingdom and the United States had each assigned experienced officials who came with concrete ideas on how to proceed. There was no underestimation of the difficulties we would face, including the varying interests in the region of the three co-conveners. However, there was a good level of consensus about how to proceed. Perhaps most importantly, the three co-conveners agreed that we would not surprise each other with unilateral initiatives and statements and would remain in regular contact. In particular, the United States and the Russian Federation, although they had some tactical disagreements on how to proceed, stayed fairly well synchronized up until the 2015 NPT Review Conference. They also tacitly understood that the United States would consult closely with – and seek to influence – the Israeli Government and that Moscow would do similarly with the Arab states.

Laajava said that he was optimistic, based in part on his experience in the 1970s in helping to construct the process that led to the Helsinki Final Act and the eventual creation of the Organization for Security and Co-operation in Europe (OSCE). He said he was well aware that the situation in the Middle East was even more complex than in a tense and divided Europe during the Cold War, and that he had much to learn about the region. Still, he believed that the OSCE precedent, and the division of huge issues into smaller topics, could serve this process well. His optimism, his energy, and his dedicated and professional team augured well for what we still knew would be a difficult mission.

Perhaps the most important point of consensus among the co-conveners was that our goal should not be simply to organize a meeting but to do so in a manner that would result in a productive outcome, with the full participation of all states of the region. It would have been simple for the co-conveners or the Facilitator to set the dates and agenda for a conference, and simply send out invitations, without bothering to consult the regional parties. This would have met our commitment, and there were times during the next three years when I wished we had taken this route. However, we believed throughout the process that we had both the responsibility and the capability to deliver more than an empty conference attended by only a subset of the region's states.

Although Laajava and the Russian Federation consulted extensively with Iran, the United States did not, given the general non-contact policies of both Tehran and Washington at the time. The co-conveners were in general agreement that, if Israel and the Arab states were ready to participate in a conference in Helsinki, Iran would grumble but would ultimately participate as well.

## CONCEPTUAL DIFFERENCES FROM THE OUTSET

From the US point of view, there were a number of issues on which we were frustrated by the Arab or Israeli positions. Let me be clear: this is not meant as a criticism, and I am fully aware of their reciprocal frustration with the United States. I do not mean to say that they were wrong, or that there was not a good reason – whether historical or political – for their positions. However, each of the following areas contributed to the postponement of the conference from 2012 and helped lead to the convening of the informal consultations, and most of them were central to the discussion in Glion and Geneva. Many of these conceptual differences still remain to be bridged if the zone process, with all states in the region, is to resume in the future.

### How to persuade Israel to participate

Upon reaching the 2010 NPT Review Conference decision, the expectation of the Arab states – frequently stated explicitly – was that the United States would (somehow) compel Israel to attend the conference. I explained frequently that the United States would not force Israel to participate, even if we had the capability to do so. I said often to the Arabs that I understood and respected their motivations for holding the conference; they needed to analyse and address what would motivate Israel to participate, rather than expect that the United States could simply order Israel to attend. I noted frequently that the creation of nuclear weapon-free zones in other regions had been negotiated among states that recognized each other, without the need for the United Nations or major powers to shepherd the process. The LAS argued that the unique situation of the Middle East required a different approach (insinuating a US role in forcing Israel into the negotiations), while I argued that it would be more productive for the Middle East to follow the model of other regions (where all states joined based on their national interests and free will).

### The 2010 mandate

The LAS worked hard to elaborate the mandate contained in the 2010 decision in writing its position paper, adding what it believed was logically implicit within the mandate,

and excluding other items and topics that were not explicitly mentioned in the 2010 decision.<sup>3</sup> To summarize their position (perhaps unfairly): since the purpose of the conference was to negotiate a treaty, the only substantive agenda item should be “Negotiation of the Treaty”. It was a logical approach, but not the only possible logical approach. The co-conveners did not read the 2010 decision as forbidding discussion on certain related topics and were willing to consider for the agenda regional security topics that Israel believed were directly related to the creation of a WMD-free zone in the Middle East.

### **Level of leadership interest**

From 2011 to 2015, I devoted more time to making this conference happen than to any other topic. The same is probably true for my counterparts, assistant ministers, in MFAs in the Middle East. But it is simply not true that this was the most important issue for ANY of the Middle East leaders. In several dozen meetings of various Arab Foreign Ministers with the US Secretaries of State, Hillary Clinton, and John Kerry, between 2011 and 2015, I am aware of only one Foreign Minister who ever raised the issue with the United States, and only once. The only head of state or government in the region who was knowledgeable and engaged on the issue during that time was the Prime Minister of Israel. And Israel was the only state in the region that had appointed a senior MFA official with a direct line to the Prime Minister’s office to head its delegation to the informal consultations.

### **Flexibility to negotiate**

I admire how hard the members of the LAS Senior Officials Committee (SOC) worked to formulate their positions. However, the effort they made to achieve internal consensus meant that they had very little capability to consider any deviation or compromise from their agreed position (the United States has always had the same difficulty with other multi-state organizations, such as the European Union). At the informal consultations, it became clear that Arab delegates were not sufficiently empowered to negotiate key issues without returning to the SOC and (frequently) referring issues up to their Foreign Ministers.

### **Direct contact**

Even those Arab states that had diplomatic relations with Israel made no effort at direct contact with Israel on this topic. To my knowledge, the only time that Egypt and Israel had a direct bilateral meeting between their experts on

the topic was at the opening of the 2015 Review Conference, after the informal consultations were over. Nor am I aware of any Arab leader ever sending a letter or making a phone call to an Israeli counterpart to assure Israel of the non-polemic nature of the conference and to encourage their participation. The same is true (to my knowledge) of the non-aligned states, which reflexively endorsed the Arab position. I do want to give credit to the handful of LAS and Arab officials who took the initiative (and the risk) to meet unofficially with their Israeli counterparts.

Similarly, the LAS made little direct effort to influence the US position, even as it expected the United States to somehow deliver Israel. The great majority of meetings I had with Arab diplomats were scheduled at my initiative. The LAS SOC even declined my request to meet with them in 2014 when I was in Cairo on other non-proliferation business.

### **The importance of the conference to the NPT regime**

We frequently emphasized to the Israelis the importance that the United States assigned to the conference within the NPT regime, and how well the regime had served the security interests of the entire world, including Israel. In my view, Israel did not sufficiently value the contribution that it could make to the NPT’s integrity and effectiveness by participating in the conference.

### **“Freely arrived at . . .”**

For the United States, the inclusion of the phrase “on the basis of arrangements freely arrived at” had been crucial to reaching an agreement in 2010. We believed that respect for this principle must apply not only to the final conclusion of any agreement but to each step along the way. The Arab position, prior to informal consultations, was that this qualification applied only to the ultimate decision on a zone. During the informal consultations, the LAS demonstrated important flexibility by stating openly that this phrase meant consensus and that it applied to all phases of a conference, not only to any final document.

### **Historical complaints**

Neither Israel nor the Arabs could easily let go of their chief historical complaints. For Israel, this meant the 2010 mandate itself. Believing that it had been left out of the negotiation of the mandate, its default position was not to participate. For the Arabs, it was the experience of the Arms Control and Regional Security (ACRS)

<sup>3</sup> Council of Arab Ministers for Foreign Affairs, “LAS Res. 7243 on the ‘threat of nuclear weapons and other weapons of mass destruction on international peace and Arab national security’”, 27–29 June 2010, <https://unidir.org/node/5680>.

working group following the Madrid Peace Conference in the 1990s that made them allergic to any reference to “regional security” in the informal consultations. The co-conveners consistently encouraged all sides to look forwards, to the potential of a new process, rather than backwards to past grievances.

### **NPT or United Nations?**

The NPT is not a United Nations treaty. Further, Israel is not a party to the NPT and is not bound by decisions of its Review Conferences. Both Israel and the Arab states utilized the deliberate ambiguity of the Glion/Geneva process to their respective advantages. For the Arab states (and Iran), including the United Nations Secretary-General as a sponsor addressed their need to respect the policy of most Arab states not to sit in the same room with Israel except in an official United Nations meeting. Israel’s position was even less helpful. While resisting any optical signal that Israel was participating in an event mandated by a treaty to which it did not belong, it also resisted any visible symbols of United Nations aegis.

### **Who’s in charge?**

The LAS frequently reminded the co-conveners of our important mandate. At times, it seemed to the co-conveners that the Arabs believed that our mandate was to follow precisely what the LAS had already decided and then to compel Israel to accept it.

### **The “regional situation”**

I think all parties, within and outside the region, were frustrated by the tendency of regional events to intrude upon the zone process. Ideally, a process as long and complex as this ought to be insulated from the daily vicissitudes of regional politics. Still, instruments such as the LAS-sponsored resolution on Israeli nuclear capabilities at the International Atomic Energy Agency (IAEA) General Conference were invoked either as threats or, in their absence, as good faith measures, although they had little direct bearing on the conference. In 2012, even as civil war raged in the Syrian Arab Republic, Egypt recovered from a revolution and other Arab governments continued to deal with the after-effects of the Arab Spring, the Middle East was not necessarily more complex and challenging than in any other year. In hindsight, I do not believe the United States should have cited “the regional situation” as a reason for postponing the conference.<sup>4</sup>

## **THE 2012 POSTPONEMENT**

By the autumn of 2012, it was clear that Israel, despite regular engagement with the co-conveners and the Facilitator, was not prepared to attend the conference if it was held in 2012 without an agreement on the agenda or modalities. Nor could the United States make a persuasive argument to Israel that it should attend absent an agreement on these details. The United States suggested to the other co-conveners that it was important to acknowledge this reality, and not waste our credibility by holding a conference without a key participant. The Russian Federation disagreed, arguing that our credibility would be more damaged if we failed to issue an invitation, even if Israel still did not attend, particularly if we did not establish a target date for 2013.

Because the United States could not agree to the Russian proposal to set a 2013 date as we did not know if the states of the region would agree to an agenda and modalities by then, the co-conveners were unable to issue a joint statement on the postponement, and the United States issued a unilateral statement on 23 November. I accepted that the United States would sustain greater criticism than the United Kingdom or the Russian Federation for a postponement, and the LAS and non-aligned states delivered harsh criticism. I continued to believe that it would be possible to hold the conference in 2013 if the co-conveners could maintain an active effort with all parties in the region and sustain a positive and optimistic approach.

## **HOW TO GET TO A CONFERENCE?**

Following the postponement, the co-conveners faced the same question: how to convince Israel to participate in a conference which it believed it was being inappropriately coerced to attend when it had no legal obligation to do so? Without endorsing or agreeing with Israeli arguments, the co-conveners agreed that Israel – like any sovereign state – had the right to raise those questions and to seek modalities and an agenda that would address its concerns and enable it to attend. We discussed again whether we as the co-conveners should simply issue an invitation for the conference without further consultation with the parties in the region, accepting much if not all of the LAS position but modifying modalities and agenda to make it more attractive to Israel. We agreed again that, while this would fulfil our NPT Review Conference commitment, it would not lead to a fully attended and useful conference.

<sup>4</sup> U.S. Department of State, “US statement on the postponement of the 2012 conference”, 23 November 2012, <https://unidir.org/node/5693>.

In the US view, Israel had appointed one of its most senior officials who, while not erasing Netanyahu's insistence that Israel would not attend, had engaged seriously with the co-conveners and expressed readiness to participate in a conference with the proper modalities and agenda. Similarly, the LAS had engaged extensively and positively with Laajava and the co-conveners. Rather than giving either Israel or the Arab states an excuse not to attend, we should give the region's states the opportunity to assert ownership of the conference by jointly agreeing on modalities and agenda. We concluded, based on the experience of the previous year, that joint agreement on the agenda and modalities could be reached only through face-to-face meetings among the parties in the region.

Even before the postponement announcement, Laajava had proposed holding "technical meetings" to include all the region's parties. In response, the SOC immediately wanted to determine the level of formality of such meetings. The SOC insisted on a full United Nations "umbrella" for any meeting. (This led me to purchase from the United Nations gift shop a blue umbrella with the United Nations logo, which I presented to Ambassador Wael Al Assad, the lead negotiator of the LAS, who accepted it with the same good humour with which it was offered.) Israel continued to express to all the co-conveners, and particularly to me, its opposition to holding the meeting under "United Nations auspices". The effort to find an appropriate role for the United Nations, so that both the Arab states and Israel could say that their concerns were addressed, led us to consider meeting sites other than the United Nations headquarters in Geneva and – eventually – to sites outside of Geneva. The readiness of the Swiss Government to offer both financial and logistical support was vital.

The co-conveners were frustrated because, while the "technical meetings" were intended to write a mutually acceptable agenda and modalities for the conference in Helsinki, we were then trapped into the second-order obligation to find acceptable modalities for the technical meeting. We sought to assure the Arabs that a meeting in Switzerland was meant to find agreement for a meeting in Helsinki and that the arrangements for one meeting did not constitute a precedent for the next. Still, the LAS was concerned that it would not be "trapped" in an Israeli "long-corridor" (a suspicion reciprocated by the Israelis of getting on a "slippery slope"). Israel was concerned that the Arab side would not engage on regional security issues, while the LAS feared that Israel would not engage on negotiation of a treaty until it had exhaustively (perhaps eternally) discussed regional security.

The LAS continued to insist on holding any meeting in a United Nations building, with a prominent role for the UN Secretary-General's representative.

### **The first meeting (Glion, 21 October 2013)**

Nearly a year after Laajava had first suggested face-to-face consultations, the key parties of the region were either worn down by the co-conveners, or else they were sufficiently focused on the benefits of a dialogue that they would risk minor compromises to their respective long-held positions. The final "shading" that enabled Israel and the Arab states to overcome qualms was that the first meeting of the informal consultations in Glion was a "meeting of the co-conveners", to which parties from the region were invited (rather than a meeting of the region's parties themselves). We started in Glion on 21 October 2013.

I outlined what the United States believed would be a productive consensus that could emerge from the informal consultations: that all the region's parties believed that the conference would be valuable for the region; that all would approach the conference with mutual respect; and that the conference's agenda should facilitate, and not restrict, a full discussion of all parties' concerns. I emphasized that neither Israel nor the Arab states could force the other side to accept its definition of the nature of the conference, its agenda, the role of the co-conveners or the role of the United Nations. A creative compromise was required in these areas.

I believe that the Arab participants were impressed by the positive tone of the Israeli remarks and that the Israeli delegation was impressed by the Arabs' positive tone (i.e., almost no "Israel bashing"). Ambassador Issacharoff's remarks were far more positive about the value of a zone than I had heard before from any Israeli. He focused on the need for a simultaneous discussion of regional security challenges to make real progress towards negotiating a zone treaty, and on the need for the entire process to proceed on the basis of consensus. The Arabs stated that discussion of regional security, particularly as it related to conventional military threats, was beyond the 2010 mandate, but that progress in zone negotiations would itself be a confidence-building measure. Issacharoff rejected this, saying that the zone would be the end product of a process of confidence-building and threat reduction, not the starting point. The LAS also re-stated its position that the phrase "freely arrived at" applied only to the conclusion of a treaty, not to every step along the way.

At the conclusion of the first meeting, Israel judged it to have been "more productive than expected" and confirmed its readiness to continue. The co-conveners and the Facilitator were also encouraged by the positive and respectful

tone exhibited by (nearly) all parties. They agreed that there was no alternative to the informal, multilateral process and that we should hold a second such event.

### **The second meeting (Glion, 25 November 2013)**

At the beginning of the second meeting, Laajava outlined the progress made previously and described the outstanding differences: the role of the United Nations in Helsinki; the application of the principle of consensus; and (above all) whether and how to include discussion of regional security issues in the Helsinki process. These, and several lesser issues, were discussed in a continuing atmosphere of mutual respect.

The LAS continued to emphasize the importance of a visible role for the United Nations Secretary-General, or at least the High Representative for Disarmament Affairs; it was the High Representative's direct involvement in Glion that made it possible for the Arab states to continue participation. The Israeli delegation generally resisted giving the Secretary-General the primary (or any) role in issuing invitations or chairing the conference.

To their great credit, the LAS shared a non-paper which, among other things, accepted the principle of consensus for the proceedings of the conference.<sup>5</sup> To me, the principle of consensus is intrinsic to any multilateral negotiation, but for the Arab states to acknowledge it at this point was an important demonstration of flexibility and provided a positive impetus to the discussion.

Secondary topics that were discussed respectfully, but not resolved, included:

- The status of Palestine at the conference
- Whether the invitation or agenda need to define specific terms of reference
- Whether it was necessary to provide official “background documentation” for the conference
- The text of invitations to Helsinki, and whether they would be issued by the Facilitator, the co-conveners or the United Nations.

On the most difficult topic, the inclusion of “regional security” in the Helsinki agenda, there was extensive discussion but no agreement. The Russian Federation shared a non-paper “Helsinki outcome document” that proposed establishing three working groups to continue working in parallel: properties of a zone; verification and compliance; and regional security and confidence-building.<sup>6</sup> Throughout this second meeting, Ambassador Mikhail Ulyanov played a particularly positive role in gently encouraging the LAS to address seriously the concerns raised by Israel. Issacharoff welcomed the Russian idea, emphasizing that his government would want to see a draft concluding document before committing to attend the conference. The LAS noted that its own non-paper did contain specific ideas for confidence-building measures.<sup>7</sup> It continued to oppose the inclusion of “regional security” in an agenda or outcome document, with several arguments: that WMD was the most urgent issue facing the region; that expanding the mandate of 2010 beyond WMD would open an endless discussion of issues, whether directly related or not; and their concern (stated more in the coffee breaks than in the meetings) that Israel would use discussion of regional security to delay indefinitely any serious work on the zone. The LAS non-paper included, however, readiness to have on the agenda “WMD-related confidence-building measures, and WMD delivery systems”.<sup>8</sup>

The LAS made an earnest appeal that Israel responds to the LAS non-paper with one of its own, to facilitate the difficult process of finding a compromise. Laajava circulated his non-paper on modalities, “Sandra’s list” – an unfortunate choice of name that conveyed to some Arab diplomats a non-serious approach.<sup>9</sup> In my closing comments, I noted that the parties of the region could make even faster progress toward consensus if they initiated direct Arab–Israeli contact, without having to wait for the co-conveners.

### **The third meeting (Glion, 4 February 2014)**

Prior to the third meeting, on 4 February 2014, the co-conveners evaluated the previous meetings positively but generally agreed that resolving the hardest issue – whether and how to reference “regional security” – could

<sup>5</sup> League of Arab States, “LAS non-paper prepared following the second Glion consultation”, 25 November 2013, <https://unidir.org/node/6094>.

<sup>6</sup> Russia non-paper, “Russia non-paper on ‘Possible elements of the final document’ of the ME WMD/FZ conference”, 25–26 November 2013, <https://unidir.org/node/5706>.

<sup>7</sup> League of Arab States, “LAS non-paper prepared following the second Glion consultation”, 25 November 2013, <https://unidir.org/node/6094>.

<sup>8</sup> Ibid.

<sup>9</sup> “The Facilitator non-paper at the 2nd informal consultation meeting entitled ‘Sandra’s list’”, 26 November 2013, <https://unidir.org/node/5705>.

best proceed in a smaller group involving Israel and only two or three Arab states (primarily Egypt). We sought to make such an encounter happen at Glion. There were frank and valuable small-group discussions over lunch and dinner, but no focused bilateral discussions leading to a compromise on the agenda. The Egyptians explained clearly to the co-conveners the reasons they were not prepared to meet in a smaller group with the Israelis.

The tone of the third meeting was notably less positive than in the first two. The Arabs were less strongly represented because Ambassador Al Assad and some others did not receive visas on time. The LAS opened with positive words but also insisted that, unless this meeting set a date (at least notionally) for the Helsinki conference, the LAS could not continue in the informal process. Issacharoff urged the LAS not to focus on the date, but to come to an agreement on the agenda and (ideally) a draft outcome document; setting the date would naturally follow that achievement.

While all continued to speak with respect, neither the parties from the region nor the co-conveners were able to find a middle path between Israel's insistence that setting an agenda must come before setting a date, and the LAS's reverse formulation. Both Israelis and Arabs grew more visibly frustrated over the impasse, and the second day of the meeting turned sour.

#### **The fourth meeting (Geneva, 14 May 2014)**

After the third Glion meeting, the United States continued to work with the co-conveners and to reach out to Israel and the Arab states, in the hope of arranging a non-public small meeting at which Israelis and Arabs could avoid long speeches and simply work on a compromise agenda. We also still had not resolved (and had barely discussed at Glion in February) the nature of "United Nations auspices" for the Helsinki conference. The Arab insistence on the United Nations "umbrella" seemed to be hardening and was part of the reason for moving the meeting to Geneva. Despite Israeli objections to the presence of a United Nations flag, the meeting occurred on 14 May 2014.

Deeply occupied with managing the process of destruction of the Syrian chemical arsenal, I was unable to attend, and Ambassador Adam Scheinman represented the United States. He reported that there was truly substantive Arab-Israeli exchange on the inclusion of "regional security". Despite the Russians again playing a positive role in seeking to bridge the gap, the impasse

remained. After the meeting, Laajava admitted that he was discouraged by the lack of results and suggested that the co-conveners may need to make a higher-level political push with the region's parties.

#### **The fifth meeting (Geneva, 24 June 2014)**

At the final meeting in this series, on 23 June, Israel again emphasized that agreeing on an agenda and a draft concluding document would lead directly to setting a date for the conference. I supported Israel on including "regional security", arguing that, while discussion of that topic would complicate and prolong Helsinki, an agenda that did not address Israel's main concern would lead to an even longer and less productive process. Nobody can force either Israel or the LAS to change positions, but diplomats can find (as they have in a hundred other situations) a formula to allow each side to say it has not changed its position. The United Kingdom helpfully noted that the 2010 mandate neither requires nor forbids discussion of regional security issues.

Once the Israelis had tabled their non-paper in response to the LAS non-paper, we had hopes that some hard negotiation would enable us to construct a compromise agenda.<sup>10</sup> Despite a clear and substantive discussion, and another strong effort by the Russian delegation to encourage compromise, comparing the two texts on paper seemed only to harden each side's position on the inclusion of "regional security" or a similar phrase. More than in previous sessions, it seemed to me that all parties (including the co-conveners) were focused on making sure that they had positioned themselves well to avoid being blamed at home and in the international community for the inability to find a compromise.

The meeting ended with an inconclusive discussion of whether it would be desirable to hold one more round in the following month or two. It seemed that the majority of Arab delegations preferred to wait to get new instructions from the upcoming meeting of the Arab Foreign Ministers.

#### **AND THEN . . .**

From June 2014 until early 2015, the United States continued to work with Laajava and the other co-conveners on two, related tracks. One was to continue the process begun at the informal consultations, ideally with a smaller group that could continue the search for a compromise on modalities. The other was to seek to arrange an even smaller, non-public meeting among Israel, Egypt

<sup>10</sup> United Nations, "Israel's non-paper submitted to the 2015 NPT RevCon", NPT/CONF.2015/36, 30 April 2015, <https://undir.org/node/5671>.



and perhaps one other Arab diplomat (with or without the participation of Laajava or the co-conveners) that would focus even more tightly on writing a concise two-sentence agenda – one that would allow both Israel and the LAS to justify participation as consistent with long-held positions. As the United States had argued for some months, the key breakthroughs in multilateral negotiations of all types had nearly always been achieved in a very small meeting, not in the plenary hall.

I understand the reasons why Egypt did not want to put itself into the position of negotiating independently with Israel, given how arduous had been the work to achieve consensus within the LAS. Still, I was disappointed in the Egyptian reluctance to take a small risk in service of a goal of which it had long been the primary advocate. By early 2015, it became clear that Egypt was now focused on addressing the issue at the 2015 NPT Review Conference, rather than continuing a process of informal consultations.

## FOR THE FUTURE

I have not been closely involved in the Middle East WMD-free zone issue since 2016, but my impression is that Israeli and Arab willingness to engage each other directly on the issue has diminished considerably following the 2015 NPT Review Conference and more recent developments. Much of the positive atmosphere that was visible in the first two meetings in Glion has been replaced in the capitals of the region with a narrative of “the other side’s intransigence”. The United Nations conference process created by the 2018 General Assembly decision sponsored by the Arab Group and begun in 2019 has conducted some useful, non-polemical meetings, either because of or despite Israel’s non-participation. Yet, neither within nor outside that General Assembly process can I see a readiness to overcome the biggest conceptual difference: Arab states are not ready to accept that it is the Arabs – and not the United States – who have the greatest power and responsibility to persuade Israel to participate.

In Glion and Geneva, I witnessed many of the essential ingredients for success in multilateral diplomacy: direct, respectful communication between parties with opposing views; readiness to reconsider long-standing and deeply entrenched positions; and readiness (inadequate but perceptible) to focus on potential long-term rewards rather than short-term risks. When either Israel or some of the Arab states are prepared to take the risk of direct high-level contact on this topic, without the aid of mediators, the informal consultations provide modest grounds for hope for a more positive outcome.

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