CONFIDENCE-BUILDING MEASURES IN MIDDLE EASTERN CONFLICTS:
AN EGYPTIAN PERSPECTIVE
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AN ASSESSMENT OF THE CONDITIONS CONducIVE TO AN EFFECTIVE APPLICATION OF CONFIDENCE-BUILDING MEASURES IN MIDDLE EASTERN COUNTRIES

The concepts of Confidence-Building Measures (CBMs) and their variants, Confidence and Security-Building Measures (CSBMs) have been increasingly suggested in the post-Cold War era as the main mechanisms of conflict resolution and peace building, not only in the Middle East, but also in virtually all regions. Today, CBMs have become an almost standard acronym in any discourse on conflict resolution all over the world. This has been a result of two major factors:

(i) The positive achievements of CBMs in the European context. They succeeded in stabilising the East-West détente agreements in the 1970s and helped to avert the outbreak of a third world war. Having succeeded in Europe, it is suggested CBMs and CSBMs could succeed everywhere else;

(ii) The notion of cross-regional learning, by which is meant drawing inferences from the successful experiences in one region and applying them to other regions.

However, there are deep disagreements among analysts over the utility of CBMs in other regions. There are those who argue that in the age of globalism, CBMs are the major strategy of conflict resolution and peace building. This is the view European analysts mainly articulate and it is reflected in the literature of the Euro-Mediterranean Partnership and the Organisation for Security and Co-operation in Europe (OSCE). However, other analysts contend that, as a product of European experience, CBMs will not necessarily work in other regions and that a major change in their conceptualisation must be made, in particular by taking into account the specific characteristics of each region before introducing them.

The main arguments of this paper are:

(i) CBMs have served the cause of European security in the Cold War era and, consequently, it is worth examining their applicability to other regions, especially the Middle East, to assess the extent to which they can contribute to peace and security in these regions. Further, we argue that CBMs have been introduced into inter-European relations under certain conditions and that the successful application of these measures in other regions depends upon the presence of these conditions. CBMs cannot be successfully introduced to other regions without looking into their antecedent conditions. Attempts to de-link CBMs from these conditions (contexts) are not likely to lead to an effective application of these measures. We also contend that CBMs are a status quo-oriented concept; they can only be successfully applied where an agreement on the main parameters of the situation has been reached;

(ii) The second main argument of this paper is that CBMs are part of a larger political process of conflict resolution. By themselves, CBMs are not capable of maintaining peace. The
development of CBMs in Europe largely depended on the change of the Soviet global outlook after 1985 and the global transformations that began in 1989 rather than the other way around;

(iii) Our third main argument is that to establish the credibility and effectiveness of CBMs, it is crucial to address the question of their universality as a strategy for peace building. Are CBMs applicable to all types of conflicts or are they usable only in certain types of conflicts? What are the criteria for the distinction between conflicts that are susceptible to CBMs and those which are not?

(iv) Each region has its own security agenda and, to successfully introduce CBMs into the Middle East, these CBMs must address themselves to the security agenda of the regional actors. If CBMs are perceived as reflecting the security concerns of other regions they will increasingly lose their relevance.

To address these arguments, we will begin by establishing the methodological background of our contention, the relevance of the notion of the antecedent conditions, review the historical background of CBMs and CSBMs with a view of inferring from them the conditions under which they were introduced in Europe, and we will outline the prerequisites of a successful application of these concepts in the Middle East. Then we will outline what could be the main ingredients of a ‘Middle Eastern CBMs’ concept.

THE METHODOLOGICAL BASES OF CONTEXTUALISATION AND TRANS-REGIONAL LEARNING

The suggestion that the European experience in the field of CBMs could be applied in other regions has some methodological relevance. One of the major assumptions of social science research is that human behaviour is patterned. Human experiences occur in the form of patterns and, therefore, they are generalisable. One of the objectives of social science is to discover these patterns and use them to explain future human behaviour. With this basic assumption, some analysts introduced the notion of trans-regional learning, which means the possibility of drawing inferences from one region and applying them to others. The experience of one region could be used to understand the dynamics of other regions.

However, social scientists have warned against "the use of geography on the assumption that the various areas are the same".1 Geographical differences must be taken into account if one is to make valid inferences and generalisations. Geographical regions must be similar in the most crucial dimensions in order to be able to compare these regions or draw inferences from one region and apply them to others.2

Further, one of the pillars of social science research is the concept of antecedent variables. By this concept is meant "the kinds of conditions under which the original relationship was at least and most likely to occur, and the kinds of processes that were involved in the operation of the original relationship."3 Social scientists argue that in validating a relationship (e.g. the relationship between CBMs and conflict resolution) one must specify "the conditions or contingencies necessary for the occurrence of the relationship."4 Such conditions (contexts) include three major elements: interest and concern, time and place, and background characteristics. People differ in their concerns and interests, which in turn affects their attitudes and behaviour patterns. Further, a relationship between two variables can vary according to the time and place in which it is studied… Often a relationship that holds at one
time will be dismissed or changed at another… And often associations are likely to differ for persons or groups that do not share the same characteristics. In brief, a study of the valid applicability of a certain human experience to another requires a specification of the context under which the former occurred. If this context is present, then one can proceed to apply this experience. However, if it is not, then the most crucial task of the successful application of the experience is to create the specified context, then to move to apply the experience.

Likewise, CBMs are a human experience that was introduced in a certain context. They achieved the objectives of conflict reduction and peace building in Europe during the Cold War and could achieve the same objectives in other regions after the Cold War. In fact, the success of CBMs in Europe indicates that they could achieve the same objective in other regions. However, such a possibility depends on the specification of the context within which CBMs were introduced in Europe and the presence of such a context in these regions. This leads us to the study of the historical background of CBMs in the European experience with a view of determining their context.

THE CONTEXTS OF CBMs IN THE EUROPEAN EXPERIENCE

CBMs were introduced in Europe within the framework of the process of the Conference on Security and Co-operation in Europe (CSCE), which was launched by thirty-five European states, the US and Canada in 1973 and institutionalised in the Helsinki Accords in 1975. This process began when two major developments occurred in global and European relations, namely, the East-West global strategic equilibrium and the ensuing arms control agreements of the late 1960s and early 1970s, and the stabilisation of the territorial status quo in Europe and state recognition. These two processes must be outlined in order to comprehend the context of CBMs in the European experience.

(a) The East-West Global Strategic Equilibrium and Arms Control Agreements

CBMs were introduced in Europe after relations between the Soviet Union and the United State reached a state of strategic equilibrium (commonly labelled a balance of terror) and was subsequently solidified through various arms control agreements. This balance rested on the mutual understanding that each side possessed various types of delivery systems armed with massive destructive power against which there was no defence. The knowledge that a surprise first strike could not destroy the other’s widely dispersed retaliatory capability reinforced the deterrence the balance of terror created. This balance of terror was fully established after the Soviets developed their inter-continental ballistic missile system in 1957. Although the balance of terror brought certain major threats to global security, it excluded global nuclear war as a viable option for the Soviets and the Americans. The 1962 Cuban Missile Crisis raised the prospect of a global confrontation through miscommunication or misperception. Consequently, the two superpowers established direct ‘hot lines’ to facilitate rapid and clear communication. Further, progress also began to take place on the questions of arms control. In 1963, the superpowers and the British reached agreement on a partial test ban treaty. This put an end to the three signatories’ nuclear testing in the atmosphere, outer space and underwater. In 1968, an international treaty, known as the Non-Proliferation Treaty (NPT) was approved. The NPT prohibited the proliferation of nuclear weapons among non-nuclear states. In 1971, the Seabed Treaty was signed. It banned nuclear weapons and other weapons of mass destruction from the world’s seaboards outside each state’s twelve-mile territorial waters. In 1969, the two superpowers entered Strategic Arms Limitation Talks (SALT), which led to the SALT1 agreements of 1972. These agreements limited the number anti-ballistic missile
defence systems and the number of missile delivery systems with nuclear warheads for each, and finally established a mechanism for the reinforcement and verification of global strategic equilibrium.

(b) Superpower Détente and the Stabilisation of the Territorial Status Quo in Europe

The second major context under which CBMs were introduced in Europe was the advent of the era of superpower détente and the formalisation of the territorial status quo in Europe. In 1971, an American-Soviet agreement was reached to improve communications between the two countries in periods of crisis and, in 1972, agreements were concluded to prevent incidents in or over the sea and for co-operation in the exploration and use of outer space for peaceful purposes. President Nixon’s visit to Moscow in 1972 heralded the beginning of a new era in relations between the two superpowers. This was the era of superpower détente, which was to continue until the end of the 1970s. More importantly, in the early 1970s, West Germany under Chancellor Willy Brandt began to make rapid progress in normalising relations with its eastern neighbours and the Soviet Union. It accepted the Polish frontier in 1970. Between 1971 and 1972, it recognised East Germany and agreements were reached on the future of Berlin and relations between the two Germanies. At the end of 1973, West Germany established diplomatic relations with Bulgaria, Hungary and Czechoslovakia (Romanian and Yugoslav recognition of West Germany took place in 1967). Between 1970 and 1972, the Soviet Union and West Germany concluded agreements on economic, industrial and technical co-operation. These were momentous developments as they meant that the Eastern and Western blocs had finally recognised the territorial status quo in Europe and that the West recognised East Germany an independent state.

The process of the CSCE, which introduced the concept of CBMs, was launched immediately after the aforementioned arms control agreements were reached and after relations between the two blocs began to stabilise around an agreement on the formal acceptance of the territorial status quo in Europe. CBMs were introduced in order to normalise and stabilise this situation rather than create it. Further, the crucial developments in the area of CBMs occurred after the advent of Gorbachov to power in the Soviet Union in 1985, which signalled a radical change in the Soviet approach to the process of security and co-operation in Europe. A brief review of the developments that led to the convening of the CSCE and the introduction of the concept of CBMs, may be in order.

During the Cold War, the Soviet Union suggested the establishment of a pan-European collective security system. Two major obstacles confronted the Soviets:

(I) The West insisted on a solution to the German problem before embarking upon this exercise; and

(II) The West insisted on having a conference that would deal marginally with security issues and would include other issues such as human rights, freedom of movement of individuals, and economic and technological co-operation.

The CSCE process began when the two blocs removed these obstacles within the context of détente and the endorsed the territorial status quo. The Soviet Union also endorsed the Western insistence on establishing a conference that would deal with only marginal security issues such as confidence building measures. "It was only after the settlement of these issues that the first stage of the conference was convened in Dipoli, Helsinki in 1973."

Between 1973 and 1975, serious negotiations between the Soviet Union, the United States, Canada and 32 European countries were conducted with a view to reaching an understanding on the framework of the stabilisation of the newly created order in Europe. On 1 August 1975, they signed the Helsinki Final Act. This consisted of several declarations of principle and was made up of four baskets. Basket I was about ‘Questions relating to Security in Europe’. In this basket, the signatories agreed that the current frontiers in Europe could not be changed by force and promised not to interfere in the internal affairs of other countries. The basket also introduced the concept of CBMs. Basket II dealt with ‘Co-operation in the field of Economy, Science and Technology, and the Environment’. Basket III focused on ‘Co-operation in Humanitarian and Other Fields’, which covered issues related to human rights, information, education and culture. Basket IV provided for the holding of review conferences in which participating countries are called upon to continue the multilateral process initiated by the conference. The baskets were inter-linked. A linkage was established between security, economic co-operation and human rights. Further, decisions in the CSCE were taken by consensus. Until 1990, the CSCE lacked any permanent organisational framework. Its only structures were the Follow-up Meetings convened every two or three years.

The CBMs that were adopted at the Helsinki Summit of 1975 were mostly related to non-military security. They were also criticised as being insufficient to create confidence because they could be used deceptively for a surprise attack by building false confidence. As a result, it was decided in the Madrid follow-up meeting to develop the CBMs and incorporate into them a new military dimension, labelled Confidence and Security Building Measures (CSBMs). In 1983, the participating states decided to establish the Conference on Confidence and Security-Building Measures and Disarmament (commonly known as the CDE). The mandate of the CDE was to upgrade the level of CBMs and turn them into CSBMs and to negotiate on arms control and disarmament. It was decided that the CSBMs would be of military significance. This coincided with the change of the Soviet leadership to one that accepted for the first time the principle of on-site inspection. This development facilitated the works of the CDE, which prepared in Stockholm in 1986 a document on the second generation of CSBMs. The newly introduced CSBMs included measures such as:

- An annual exchange of information on military forces, major weapons and equipment systems, and military budgets,
- The notification of military calendars for military activities forecasts,
- The observation of military activities,
- Compliance and verification measures in the form of on-site inspections,
- Military visits to airbases and military contacts,
- Co-operation as regards unusual military activities and hazardous incidents of military nature.

The objective of engaging the parties in these activities was to enable them to "know about what others are doing and why they are doing [it]...and to know about the manpower, firepower, force structure, weapon and equipment systems, and training practices of potential adversaries for the purpose of striking a balance and obtaining disarmament and arms control
The rationale of this exercise was to "facilitate the establishment of relations on the basis of trust, the contribution of which to peace is obvious."

In 1990, the third generation of CBMs was introduced in the form of the Vienna documents of 1990 and 1992. The main catalyst for this development was the success of the second generation, which resulted in the Conventional Forces in Europe (CFE) Treaty of 1990. The Treaty was described as "the most revolutionary disarmament instrument that history has ever recorded." It placed a ceiling on the number of five major weapon and equipment systems. It limited each side to a certain number of tanks, armoured combat vehicles, artillery pieces, aircraft and attack helicopters. It also divided the area of application (from the Atlantic to the Urals) into four zones in which it established sub-limits designed to curb the capability of one nation to threaten its neighbours. It also provided for intrusive on-site inspections as well as detailed information exchanges on a wide range of issues. Further, it introduced new transparency measures, such as notification of military exercises and movement of military equipment out of storage. The Treaty of Open Skies was signed in 1992 under the auspices of the OSCE. Under the Treaty, each state party would on a reciprocal basis open its territory to over-flights of unarmed aircraft of the other parties at 72 hours notice. Following this, the third generation of CBMs was adopted in the Vienna documents of 1990 and 1992. The 1990 Vienna document consisted of 10 chapters requesting various measures such as an annual exchange of military information, observation of certain military activities and the adoption of certain verification and communication measures, etc. Later, the 1992 Vienna document refined these measures. The fourth generation of CBMs was introduced in the Forum on Security Co-operation (FSC) in 1993. The FSC adopted a set of four measures related to increased openness in defence planning, joint military exercises, principles governing conventional arms transfers and establishing measures for localised crisis situations. These measures were later developed in the Vienna Document of 1994 and the state members approved a ‘Code of Conduct on Politico-Military aspects of Security’ during the CSCE summit in Budapest in 1994, which also changed the name of the CSCE to OSCE. At the Lisbon OSCE summit meeting in 1996, the state members approved the ‘Lisbon Declaration on a Common Comprehensive Security for Europe for the Twenty-First Century’. The process of expanding and developing CBMs is still in the making as Europe moves from one level of security co-operation to another.

CBMs largely succeeded in achieving their objective. Although these CBMs did not resolve the main conflicts between the participating parties, they helped to stabilise the situation in Europe and prevented the inadvertent outbreak of war through misperceptions or miscalculations. They helped to allay the fears of the parties from a possible surprise attack and to persuade the parties to enter more arms control agreements.

However, the change in the security environment in Europe and the development of CBMs from one generation to the other was not an outcome of the first generation CBMs of 1975. It was the change of leadership in the Soviet Union in 1985 and the ensuing change of the global Soviet outlook that helped to bring about the second generation of CBMs and other later developments. Hans Gunther Brauch (fn. 12 and 13) argues that CBMs were irrelevant to the global structural change that started in 1989 and that subsequent generations of CBMs benefited from the global transformation resulting from the collapse of the Soviet Union.

THE UNIVERSAL vs. SELECTIVE APPLICATION OF CBMs

IN MIDDLE EASTERN CONFLICTS
CBMs have been proposed as mechanisms for conflict resolution and peace building in all regions and conflicts. However, the experience of the application of CBMs in the post-Cold War era shows that there are limitations to this proposal. The European Union (EU) advocated the pursuit of a CBMs strategy in resolving certain conflicts, such as the Arab-Israeli and Cypriot conflicts. However, it refrained from pursuing such a strategy in other conflicts, such as the conflicts with Iraq (1990 to the present) over its invasion of Kuwait and implementation of Security Council resolutions, and with Libya (1992 to the present) over the Lockerbie crisis. In the first case, no CBMs were suggested to deal with the problem of the Iraqi occupation of Kuwait and military force and severe economic sanctions were used not only to dislodge Iraq from Kuwait but also to force it to comply with Security Council resolutions. Libya was excluded from the Euro-Mediterranean Partnership, severe economic sanctions were applied and no compromise was accepted until the Libyan economy was badly hurt. This trend persisted in the case of the conflict with Yugoslavia (1998 to the present) over the question of Kosovo. Yugoslavia was almost destroyed because it did not accept NATO’s version of the Kosovo settlement. In these cases, the question of the application of CBMs was never envisaged and the European actors resorted to a ‘compliance’ rather than CBMs strategy. The cases of Iraq and Yugoslavia show that military force could be applied to resolve certain conflicts.

This is not the place to assess the validity of the contending claims of various actors over the application of military force and economic sanctions. The question that needs to be addressed is what are the criteria for the classification of conflicts into those in which CBMs could be applied and those in which only a compliance strategy is usable.

Perusal of the cases mentioned earlier shows that the EU advocated a CBMs strategy in conflicts among Mediterranean actors (Arab-Israeli, Cypriot conflicts and the conflicts in Bosnia-Herzegovina) and used a compliance strategy in conflicts in which it was directly involved (Iraq, Libya and Yugoslavia). We are not sure if this reflects a pattern in the European conceptualisation of CBMs. What we are sure of is that the credibility of the concept of CBMs is likely to be jeopardised if it is established that they are applicable only in certain conflicts without articulating the selection criteria.

TOWARDS EFFECTIVE CBMs IN MIDDLE EASTERN CONFLICTS

The two conditions, which paved the road to the effective application of CBMs in inter-European relations are lacking in the Middle East. The Middle East is characterised by a high degree of strategic disequilibrium and no arms control agreements have been reached to deal with this situation. Israel’s insistence on focusing exclusively on the strategy of CBMs rather than dealing with the question of its nuclear arsenal derailed arms control talks within the framework of the Middle Eastern multilateral talks. It is inconceivable to establish an Arab-Israeli peace whereby one actor possesses nuclear weapons. Democracy itself is not a guarantee against Israel’s non-use of nuclear weapons, as history tells us that democracies do use nuclear weapons. The Egyptians suggested the instantaneous and simultaneous removal of all categories of weapons of mass destruction from the Middle East, entering into meaningful arms control agreements and resolving the territorial issues in Arab-Israeli relations by withdrawing from the territories occupied in 1967 and establishing a Palestinian state. It was argued that these measures would drastically change the Middle Eastern strategic environment in a way that would pave the road to an effective application of CBMs into Middle Eastern relations. Further, there are major conflicts in the Middle East over the Arab territories occupied in June 1967. There are no agreements over the definition of political borders in the
Middle East and Israel has not recognised a Palestinian state. This was not the case in Europe when CBMs were introduced. Europe settled the territorial issues, recognised East Germany first and introduced CBMs later. This approach is highly relevant to the resolution of Middle Eastern conflicts. However, European security institutions insist on reversing the process in the case of the Middle East, that is, to begin with CBMs hoping that this will create the atmosphere for the resolution of territorial issues and reaching arms control agreements. Being a status quo-oriented concept, an emphasis on the introduction of CBMs in Middle Eastern conflicts would mean providing Israel with ample time to absorb the Arab occupied territories.

This is not to argue that the entire CBM strategy should be shelved until the Middle Eastern conflicts have been resolved. In parallel with our quest to establish the proper context for the effective application of CBMs, we also need to think of CBMs that correspond with the present security agenda of Middle Eastern countries, such as releasing Palestinian prisoners in Israeli jails, annulling Israeli laws that legalise torture and freezing Israeli settlements in the occupied Arab territories.

CONCLUSION

Middle East security literature is not characterised by a paucity of proposals to introduce CBMs into regional relations. It is our argument that what is needed is not another list of CBMs to be applied but to single out the main strategies that could lead to the effective application of CBMs in Middle Eastern conflicts. In thinking about the introduction of CBMs in Middle East relations, one must begin by assessing the contexts in which they will be introduced. This requires devising strategies to create the contexts conducive to their effective application. As was the case of Europe in the 1970s, these conditions were mainly related to finishing the agenda of territorial disputes and reaching major arms control agreements establishing strategic equilibrium. Perhaps the major territorial disputes in the Middle East are those related to the Arab-Israeli and Turkish Cypriot-Greek Cypriot conflicts. Various CBMs have been suggested and implemented in these conflicts. However, the conflicts have continued to haunt Middle East stability because there are no agreements on the territorial questions, as was the case of Europe in the 1970s. Most Western literature on CBMs focuses on the processes related to the application of CBMs rather than the conditions that produced them.14 Those who acknowledge the differential conditions of CBMs in Europe and the Middle East are reluctant to draw from such difference inferences concerning the strategy of CBMs in the Middle East. This is because an attempt to draw such inferences necessarily touches upon the issue of the Israeli occupation of Arab territories and the possession of nuclear weapons. They tend to focus on the notions of confidence-building hoping that this will create an atmosphere that could result in the resolution of the territorial and arms control issues in an unspecified time frame and without a commitment to such a resolution.15 Our approach is not to set aside the European experience because it is different from the Middle Eastern one, but to learn from that experience the conditions necessary to apply CBMs effectively. Our emphasis on this approach is not only derived from the lessons drawn from the European experience, but also from the prevalent perceptions in the Middle East. Arab strategic communities perceive Israel’s nuclear monopoly and military superiority as a security threat and the attempt to advocate a CBMs strategy as a mechanism to perpetuate the territorial status quo. Further, we need to think of Middle Eastern CBMs, that is, CBMs that correspond with the security concerns of Middle Eastern actors.

2 An Indian analyst argued that one could compare the Middle East and South Asia to generalise from one region to the other. He justified his approach on the basis that the two regions have numerous commonalities in the areas of territorial, ideological and ethnic conflicts. These regions are the largest arms markets in the Third World. They also share more or less similar socio-economic and cultural characteristics and have historical linkages. Aabha Dixit, ‘Mid-East Peace Plan: Why Arms Control Needs Top Billing?’, Strategic Analysis, New Delhi, October 1992, pp. 625-627.

Also, Moonis Ahmar, a Pakistani specialist in international relations, initiated a project at the University of Karachi in co-operation with the Centre for Asian Studies, Cairo University to assess the lessons to be learned for South Asia from the Middle East peace process. Moonis Ahmar, The Road to Peace in South Asia: Lessons for India and Pakistan from the Arab-Israeli Peace Process, University of Illinois at Urbana-Champaign, ACDIS Occasional Paper, August 1996.


5 Ibid., pp. 410-412.


8 Gündüz, op. cit, p. 191.

9 Ibid., p. 189.

10 Ibid., p. 190.

11 Ibid., p. 180.

13 Ibid., p. 15.


15 For example, Krepon and Kemp acknowledged that there are differences between Europe and the Middle East. "Initial CSBMs and arms control agreements were reached in Europe before the Gorbachev era at the height of the Cold War." "There were good reasons why these agreements were possible. First, a balance of power already existed. In addition, although border disputes sometimes arose between European powers, it was generally agreed that force should not be used to resolve them." Nevertheless, the authors proceeded to recommend the adoption of CBMs, arguing that what was needed was "small incremental steps rather than grandiose schemes for Arab-Israeli arms control...Because major arms control initiatives are premature, it makes sense to pursue confidence-building agendas prior to Arab-Israeli reconciliation and to accept that substantive progress on more far-reaching arms control must wait (as it had to wait in Europe) until the political environment has improved." Michael Krepon and G. Kemp, ‘Prospects for Confidence and Security-Building Measures in the Middle East’, in Alan Platt (ed.), Arms Control and Confidence-Building in the Middle East, Washington DC, United States Institute of Peace, 1992, pp. 26-28.

Likewise, although Ben-Dor and Dewitt acknowledged that "in Europe, unlike in the Middle East, there were no major territorial questions to resolve by the time of the CSCE, nor were there issues related to the existence of the parties...this difference alone should make us wary of generalising about the Middle East on the basis of the European experience." Gabriel Ben-Dor and D. Dewitt, ‘Confidence Building Measures in the Middle East’, in Gabriel Ben-Dor and D. Dewitt (eds.), Confidence Building Measures in the Middle East, Boulder, Westview Press, 1994, pp. 6-7.