

**The Nuclear Forum – Track I**  
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**Panel: Missiles and Delivery Vehicles: Towards a Banning Regime**

TOWARDS A REGIONAL APPROACH TO MISSILES IN THE MIDDLE EAST

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**Abstract**

*The highly controversial missile problem in the Middle East should – and can – be constructively tackled on a regional basis in a triangle that includes from the beginning not only the missiles of Iran but also those of Saudi Arabia and Israel, starting with modest confidence-building steps among the three major powers that may over time be expanded to a more comprehensive prohibition regime.*

**I. Addressing Missiles in the Middle East: Prerequisites and Challenges**

Although means of delivery of weapons of mass destruction (WMD), including missiles, are included in the mandate of the WMD-free Zone free in the Middle East, the focus of discussions so far has been more on the weapons themselves. The issue resurfaced in the context of negotiations about Iran’s nuclear programme. The 2015 Iran Nuclear Deal (JCPOA) does not include provisions on Iran’s ballistic missile programme because negotiators agreed that the priority was to reach an arrangement to prevent Iran from developing nuclear warheads. However, because UN Security Council resolutions that had imposed sanctions on Iran contained restrictions on its missile programme, this aspect was dealt with in the resolution that endorsed the JCPOA. UN Security Council Resolution 2231 (2015) contains an eight-year restriction on Iranian nuclear-capable ballistic missile activities and a five-year ban on conventional arms transfers to Iran. Annex B of the resolution calls upon Iran “*not to undertake any activity related to ballistic missiles designed to be capable of delivering nuclear weapons, including launches using such ballistic missile technology.*” The resolution also grants the Security Council the authority to review and deny on a case-by-case basis any transfer to Iran of materials, equipment, goods, or technology that could contribute to nuclear weapons delivery systems.<sup>2</sup>

But of course, Iran is not the only possessor of ballistic and cruise missiles in the region. While Iran’s arsenal includes operational missiles ranging from 40 to 3,000 km,<sup>3</sup> two other regional missile-armed powers, Saudi Arabia and Israel, also possess ballistic and cruise missiles ranging respectively from 35 to 4,000 km<sup>4</sup> and from 35 to 6,500 km.<sup>5</sup> As a reminder, the common classification of missiles according to their range is specified in the table below.

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<sup>2</sup> Greg Thielman, “Addressing Iran’s Ballistic Missiles in the JCPOA and UNSC Resolution”, *Arms Control Today*, Volume 7, Issue 8, 27 July 2015 (<https://www.armscontrol.org/issue-briefs/2015-07/addressing-iran%E2%80%99s-ballistic-missiles-jcpoa-unscc-resolution>).

<sup>3</sup> CSIS Missile Defense Project, “Missiles of Iran”, retrieved 18 Oct. 2019 (<https://missilethreat.csis.org/country/iran/>).

<sup>4</sup> NTI, Saudi Arabia, “Missile”, retrieved 18 Oct. 2019 (<https://www.nti.org/learn/countries/saudi-arabia/delivery-systems/>).

<sup>5</sup> CSIS Missile Defense Project, “Missiles of Israel”, retrieved 18 Oct. 2019 (<https://missilethreat.csis.org/country/israel/>).

Category	Minimum Range (in km)	Maximum Range (in km)
Tactical or Artillery Rocket	Less than 300	300
Short-range	Less than 1,000	1,000
Medium-range	1,000	3,000
Intermediate-range	3,000	5,500
Intercontinental-range	5,500	Over 5,500

Until now, key actors have demonstrated a clear reluctance to start discussing the missile issue at all. In the case of Iran, Tehran insists that it complies with the UN Security Council restrictions on nuclear-capable missiles and that the other categories of missiles, because of their short or medium range, only provide the country with conventional defensive weapons against external threats.<sup>6</sup> In order to convince Iran and the other regional powers to initiate negotiations on their missile programmes, some prerequisites appear indispensable:

- 1) Although the ultimate goal of regional talks would be a prohibition regime on intermediate and intercontinental-range missiles because of their capacity to deliver WMD, paradoxically their initial focus should not be Iranian nuclear-capable missiles as per UN Security Council resolution 2231 because this would mean putting Israel's nuclear-tipped missiles on the table, an unlikely scenario at this stage.
- 2) The initial focus should not on the whole ballistic and cruise missile arsenals to expect reductions or freeze, but on what the French authorities have called "*destabilizing ballistic activities*", meaning development, testing and possession of medium-range and intermediate-range missiles (2,000-3,000 km) capable of carrying multiple warheads.<sup>7</sup>
- 3) The successful principles of reciprocity and incrementalism that have made the JCPOA possible should be applied, and what President Macron has proposed for Iran (putting it "under surveillance over its ballistic missiles"<sup>8</sup>) should be extended to the whole region. A consultation process initiated by the European Union with the key regional states could include dialogue on missiles as a confidence- and security-building measure (CSBM).
- 4) Such a consultation process could allow each relevant state to express its security concerns, strategic interests, and threat perceptions that may be reconciled to the extent of allowing a win-win regional agreement on prohibiting the most destabilizing missile activities.

<sup>6</sup> Reuters, "Iran says Missiles Tests Defensive, Need No One's Permission", 29 July 2019 (<https://www.reuters.com/article/us-mideast-iran-missiles/iran-says-missile-tests-defensive-needs-no-ones-permission-idUSKCN1UM0D7>).

<sup>7</sup> Reuters, "Iran Tests New Missile After U.S. Criticizes Arms Program", 23 September 2017 (<https://www.reuters.com/article/us-iran-military-missiles/iran-tests-new-missile-after-u-s-criticizes-arms-program-idUSKCN1BY07B>).

<sup>8</sup> Michael Rose, "France says Iran's missile program must be put 'under surveillance'", Reuters, 14 February 2018 (<https://www.reuters.com/article/us-iran-nuclear-france/france-says-irans-missile-program-must-be-put-under-surveillance-idUSKCN1FY24L>).

## II. Focusing on medium- and intermediate range ballistic missiles

As the preferred means of delivering a nuclear payload, ballistic missiles are often considered to be an integral part of a weapon system. But not all ballistic missiles are capable of delivering nuclear weapons, particularly not the heavy warheads common to new nuclear aspirants. Therefore, not all missiles need be restricted and in any case, a comprehensive ban of all missiles seems unrealistic in the short term.

Regional missile control limits might apply to **missile systems that exceed a certain range** (e.g. 2,000 km) or that were clearly **designed to carry nuclear weapons** (e.g. systems imported from countries such as North Korea that developed them for this purpose). The Missile Technology Control Regime (MTCR) threshold of any missile of a range over 300 km with a 500 kg-warhead is not the only relevant criterion. Space-launched vehicles that clearly are for civilian use, for example, may be exempted from a ban based on range limits. Indeed, if space launch activities can provide experience for ballistic missile programmes, their results have limited applications for ballistic missiles that in any case require extensive testing before becoming operational.<sup>9</sup>

**Transparency measures** should accompany such limits. They could include modest measures such as transparent information, communication measures, and declarations. This can involve: the exchange of information on ongoing or planned missile projects and related activities, especially in crisis situations, through hotlines and data exchange centres; regular reporting on missile-related activities; pre-notification of flight tests and space rocket launches for civilian purposes (e.g. launching satellites); and, finally, declarations on the no-first-use of delivery vehicles. More far-reaching measures include the de-targeting and de-alerting of missiles; limiting the range of tested missiles; moratoriums or bans on flight tests; re-deployment and/or non-deployment; and restraints/moratoriums/bans on missile-related transfers. A symbolic but powerful confidence-building measure would be simultaneous accession by Iran, Israel, and Saudi Arabia to the Hague Code of Conduct against Ballistic Missile Proliferation, which already has 128 Subscribing States, including five from the MENA region.<sup>10</sup>

A **ban on transfers** from external players or transfers of missiles within the region would be of immediate importance given the threat to civilian aviation by missiles fired by non-state actors in Yemen. Concern about ballistic missile proliferation in the Middle East is often focused exclusively on Iran's ongoing development of an arsenal that now includes 13 different systems, with others potentially to follow. Yet seven states in the Middle East possess ballistic missiles with a range of at least 300 km, while Hezbollah reportedly has 100,000 or more rockets of various ranges up to 250 km or possibly more. It is highly improbable that Iran would accept any limits on its missile programme unless in a regional context that also applied to its neighbours.

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<sup>9</sup> Michael Elleman, "Banning Long-range Missiles in the Middle East: A First Step for Regional Arms Control", *Arms Control Today*, May 2012 (<https://www.armscontrol.org/act/2012-05/banning-long-range-missiles-middle-east-first-step-regional-arms-control>).

<sup>10</sup> See the full list at: [https://www.hcoc.at/?tab=subscribing\\_states&page=subscribing\\_states](https://www.hcoc.at/?tab=subscribing_states&page=subscribing_states).

## **Conclusion**

Tehran's missile arsenal is part of the wider regional dynamics. Therefore, it can only be discussed in a constructive way by establishing a negotiation format that includes Saudi Arabia and Israel, which also possess missile arsenals. This approach does not exclude dealing with the specific factors that drive missile production or procurement in Iran, Saudi Arabia, and Israel. Substantive incentives could be offered in a way that makes use of the give-and-take criteria that made the JCPOA successful. Our concrete proposals have centred on communication meetings of the relevant players to address mutual concerns and listen to the concerns of others, and on modest CSBMs that constitute the lowest common denominator that will not impinge on their national security. The crucial question remains whether the five remaining JCPOA partners will be able to convince the current US administration that it will be vital to start any future negotiation with Iran on the basis that Tehran's behaviour or policy (which in principle can be changed) is at issue, but not the Iranian regime.