

**Preparatory Committee for the 2010
Review Conference of the Parties to
the Treaty on the Non-Proliferation
of Nuclear Weapons**

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**ESTABLISHING A NUCLEAR WEAPON FREE ZONE IN
THE MIDDLE EAST**

Working paper submitted by Egypt

1. At The 1995 NPTREC, States Parties adopted the Middle East Resolution In so doing, they recognized the region of the Middle East as one deserving special attention in the context of the NPT, and reaffirmed the purposes and provisions of the Treaty as well as recognized that the establishment of a Nuclear Weapons Free Zone in the Middle East would strengthen the international non proliferation regime and help in the preservation of international peace and security. The acknowledgment of the Middle East's special status within the context of the NPT was subsequently confirmed when the final document of the 2000 NPT Review Conference reaffirmed the importance of the Middle East Resolution, and recognized that it remains valid until all its goals and objectives are fully achieved.

2. It is important to note that the NPT is the legally binding multilateral instrument which deals with challenges pertaining to nuclear disarmament and the proliferation of nuclear weapons. Therefore, in addressing the implementation of the Middle East Resolution, it is expected that the Treaty's Review Process focus on the establishment of a Nuclear Weapons Free Zone in the Middle East in accordance with the relevant provisions of the Treaty and the outcomes of previous Review Conferences.

3. Egypt strongly asserts the interdependent nature of the various elements of the 1995 Package. The Resolution on the Middle East will thus remain an integral and indivisible part of the NPT and its entire Review Process, pending its full implementation.

4. In that context Egypt reaffirms that the credibility and viability of the NPT continues to be undermined, if any of the elements of the 1995 Package remain unimplemented. Prolonging such a situation would threaten the integrity of the Treaty.

5. In so far as it pertains to the NPT and its Review Cycle, the Resolution on the Middle East focused on achieving the following clear objectives:

- (a) The establishment of a Nuclear Weapons Free Zone in the Middle East.
- (b) The accession to the NPT by States of the region that have not yet done so.
- (c) The placement of all nuclear facilities in the Middle East under full-scope IAEA safeguards.

6. It must be noted that the only available recourse for the preservation of the integrity of the 1995 Package, and thus the viability of the NPT, is through the fulfilment of all its components, without exception and without delay through the compliance of Member States with their obligations and commitments as per the 1995 Resolution.

7. Lack of progress towards the implementation of the 1995 Resolution perpetuates a situation that constitutes a direct threat to regional and international peace and security, and increases the potential for a nuclear arms race in the region. It also hinders the prospect of dealing, within the context of the Treaty, with the challenges associated with achieving NPT universality and full compliance with the outcomes of previous Review Conferences.

8. Egypt views the non implementation of the Resolution for a period extending over 13 years, as a demonstration of a lack of political will by States Parties to fulfil their obligations under the Treaty as well as commitments undertaken freely within the context of past Review Conferences. This lack of political will by the States Parties needs to be addressed through immediate and effective action by implementing concrete and practical measures to establish a Nuclear Weapons Free Zone in the Middle East.

9. In that context, Egypt notes that all States of the region, with the exception of Israel, are States Parties to the NPT. Israel's continued refusal to accede to the NPT poses the greatest impediment to the implementation of the Resolution and the achievement of Treaty Universality. Continued failure during the present Review Cycle to address the issue of Israeli nuclear capabilities would further weaken the NPT as it would inevitably drive other states of the region to re-evaluate the benefits of the Treaty and its ability to address their legitimate security concerns. It is important to recall that the 2000 Review Conference urged all states not yet party to the Treaty "to accede to the Treaty as non-nuclear-weapon States, promptly and without condition, particularly those States that operate unsafeguarded nuclear facilities".

10. In addition to other proposals that may be submitted, Egypt presents the following non-exhaustive list of concrete measures aimed at operationalizing the 1995 Middle East Resolution. In that regard it is important to note that implementation of such measures demands a demonstration of the necessary political will by States Parties in compliance with previous commitments made and obligations undertaken at the 1995 NPTREC and pursuant to the collective responsibility of all States towards the preservation of International Peace and Security, particularly the Five Nuclear Weapon States Parties to the Treaty. Bearing in mind Paras 6 and 12 of Decision II of the 1995 NPTREC on Principles and Objectives for Nuclear Non-Proliferation and Disarmament, as well as UNSC Resolutions 487 of 1981 and 687 of 1991 and 1172 of 1998 and 1803 of 2008, and relevant UNGA Resolutions in that regard, the latest of which being UNGA Resolution 62/18 of 2007, the Review Conference should consider:

- (a) Calling upon the Five Nuclear Weapon States Parties to the Treaty, in the context of their primary responsibility for the maintenance of international peace and security as Permanent Members of the United Nations Security Council, to convene under their auspices a conference of all States of the Middle East to conclude a legally binding and internationally and effectively verifiable treaty establishing a Nuclear Weapons Free Zone in the Middle East.
- (b) Invites the Five Nuclear Weapon States Parties to the Treaty, in this regard, to immediately undertake bilateral and multilateral consultations with all States of the Middle East region to define the modalities of the above mentioned conference.

- (c) Calling upon all States Parties to require as a necessary precondition, Israel's acceptance of IAEA full-scope safeguards and internationally legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices before entering into supply arrangements for the transfer of source or special fissionable material or equipment or material especially designed or prepared for the processing, use or production of special fissionable material.
- (d) Calling upon the IAEA to reduce the level of technical programs, cooperation and activities in the nuclear field with Israel until it accedes to the NPT as a non nuclear weapon state, and concludes a Comprehensive Safeguards Agreement with the Agency placing all its nuclear facilities under Full Scope Safeguards, thereby enhancing progress towards universal application of the Treaty and strengthening its credibility and effectiveness.
- (e) Requesting States Parties to prohibit nuclear technical cooperation with Israeli nuclear institutions and scientists, including the export of any sensitive nuclear and dual-use technologies and components, pending Israel's accession to the Treaty.
- (f) Issuing a statement of support for the establishment of a Nuclear Weapons Free Zone in the Middle East and the implementation of the Middle East Resolution within a specific and declared time frame.
- (g) Calling upon all States Parties to issue periodic reports to each of the Preparatory Committees and the Review Conference on their efforts towards implementation of the 1995 Middle East Resolution.
- (h) Requests all States Parties to the NPT, particularly the Five Nuclear Weapon States Parties to the Treaty, to take the necessary practical measures to bring about Israel's accession to the Treaty as a non nuclear weapon state promptly and without conditions and to place all of its nuclear facilities, without delay, under comprehensive IAEA safeguards.

11. Egypt urges States Parties to take the necessary steps to promptly implement the above mentioned proposals as measures towards operationalizing the Resolution, and in that regard welcomes additional measures and suggestions. The establishment of a Nuclear Weapons Free Zone in the Middle East is a first step towards the creation of an effectively verifiable Zone Free

of Weapons of Mass Destruction in the Middle East, nuclear, chemical and biological, and their delivery systems through agreements reached in the relevant multilateral forums.

12. The failure of the NPT States Parties since 1995 to adopt concrete measures leading to the realisation of the objectives of the Middle East Resolution weakens the NPT. Continued failure during the present review cycle to begin to address in concrete terms the creation of a Nuclear Weapons Free Zone in the Middle East would further undermine the NPT and disregard its States Parties legitimate security concerns, thereby increasing the potential of igniting a nuclear arms race in the region.

13. Egypt reiterates the role of Preparatory Committees as highlighted in the 1995 NPTREC Decision I on Strengthening the Review Process which reaffirms in Para 4 that “The purpose of the Preparatory Committee meetings would be to consider principles, objectives and ways in order to promote full implementation of the Treaty, as well as its universality, and to make recommendations thereon to the Review Conference.”
