

2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

28 April 2000

Original: English

New York, 24 April-19 May 2000

Implementation of the resolution of 1995 on the Middle East

Working paper submitted to Main Committee II by Egypt

1. The outcome of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons consisted of a package of three decisions and one resolution:

- Decision on strengthening the review process of the Treaty;
- Decision on principles and objectives for nuclear non-proliferation and disarmament;
- Decision on the extension of the Treaty;
- Resolution on the Middle East.

2. The presence of an advanced unsafeguarded nuclear programme in the Middle East and the threat posed by such a programme to the security of the region had prompted Egypt and the States of the region to address this issue in several forums from an early date; beginning in the General Assembly of the United Nations in 1974 by calling for the establishment of a nuclear-weapon-free zone in the Middle East, in the General Conference of the International Atomic Energy Agency (IAEA) by calling for the application of IAEA safeguards in the Middle East, as well as in successive review conferences.

3. Since 1974 the General Assembly has annually adopted resolutions calling for the establishment of a nuclear-weapon-free zone in the Middle East, and since 1979 has annually adopted resolutions addressing the risk of nuclear proliferation in the Middle East.

4. The resolution on the Middle East adopted by the 1995 Review and Extension Conference expressed the concern of the States parties about the continued existence in the Middle East of unsafeguarded nuclear facilities, reaffirmed the importance of the early realization of universal adherence to the Treaty, and called upon all States of the Middle East that had not yet done so, without exception, to accede to the Treaty as soon as possible and to place their nuclear facilities under full-scope IAEA safeguards.

5. Furthermore, the resolution called upon all States in the Middle East to take practical steps towards the establishment of an effectively verifiable Middle East zone free of weapons of mass destruction, nuclear, chemical, biological, and their delivery systems, and called upon all the States parties to the Non-Proliferation Treaty, in particular the nuclear-weapon States, to extend their cooperation and exert their utmost efforts towards achieving that goal.

6. In 1995 only three States in the Middle East, Israel, Oman and the United Arab Emirates, had still not acceded to the Treaty or concluded full-scope safeguard agreements with IAEA.

7. The United Arab Emirates acceded to the Treaty in 1995 and Oman in 1997, and both States are in the process of concluding full-scope safeguard agreements with IAEA in accordance with article III of the Treaty. Israel remains the only State in the Middle East that has not acceded to the Treaty nor placed its nuclear facilities under full-scope IAEA safeguards.

8. The Preparatory Committee conducted an extensive discussion on the resolution on the Middle East, its implementation, and ways of realizing its objectives. However, the Preparatory Committee was unable to reach agreement on any substantive recommendations to the 2000 Review Conference on the issues before it.

9. It remains for the nuclear-weapon States, and in particular the three Depositary States that co-sponsored the resolution, as well as for the States parties to the Treaty as a whole, to assess progress towards implementing that resolution since 1995 and recommend a course of action for the full realization of its objectives. This task should be entrusted to a subsidiary body established for this purpose.

10. Egypt believes that the States parties to the Treaty, in their consideration of the implementation of the resolution on the Middle East and recommendations for future action, should represent developments since 1995 in a factual and objective manner and contribute towards the realization of the immediate goals of the resolution, namely accession by all States of the region to the Treaty and their acceptance of full-scope IAEA safeguards on their nuclear facilities, without exception. In this respect the Conference should:

- Welcome the accession of Oman and the United Arab Emirates to the Treaty and their progress towards the conclusion of safeguards agreements with IAEA in fulfilment of their obligations under article III of the Treaty;
- Recognize that Israel is the only State in the Middle East that has not yet acceded to the Treaty or placed its nuclear facilities under full-scope IAEA safeguards, and call upon Israel to do so without delay.

11. The 2000 Review Conference should also consider appropriate interim steps of a practical nature that States in the Middle East, particularly Israel, should adopt pending the full realization of the goals of the resolution. Such steps could begin with the taking of specific nuclear confidence-building measures in the areas of fissile material production and accounting, nuclear safeguards, and unilateral declarations.

12. Furthermore, the Conference should consider appropriate measures to encourage and monitor progress towards realizing the goals of the resolution between successive review conferences. The measures could include:

- A follow-up committee that would initiate contacts with Israel and report on progress to successive review conferences. The committee could be composed of the Chairman of each session of the Preparatory Committee and the three sponsors of the resolution;
- A special representative/envoy of the States parties to the Treaty to pursue discussions with Israel on its accession to the Treaty, and to report on progress to successive review conferences;
- In trusting the three Depositary States with the task of pursuing discussions with Israel on behalf of the States parties to the Treaty and reporting on progress to the following Review Conference and its Preparatory Committee.

13. It is important to recall that, from the outset of the 1995 Review and Extension Conference, Egypt had clearly indicated that in the light of the lack of the universality of the Treaty at the regional level and its inability to guarantee the security of the States of the Middle East, it would not be in a position to support the indefinite extension of the Treaty on a consensus bases.

14. The decision on the extension of the Non-Proliferation Treaty stated that, since a majority existed among States parties to the Treaty for its indefinite extension, the Treaty would continue in force indefinitely. In this respect, the decision was very clear that the extension of the Treaty was not a consensus decision but rather a decision by the majority of the States parties to the Treaty.

15. For many delegations, including Egypt, the 1995 resolution on the Middle East was instrumental in permitting the above formula on the extension of the Treaty, rather than through a voting process. This is an issue which should be clear before the 2000 Review Conference.

16. It is imperative that a process be initiated for the follow-up and implementation of the 1995 resolution on the Middle East until its objectives are fully realized. Failure to do so will ultimately undermine the credibility of the non-proliferation regime and the Non-Proliferation Treaty.
