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 SERIAL: JN1802180295
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 COUNTRY: INTER-ARAB AFFAIRS
 SUBJ: TAKEALL--'Text' of Draft Middle East Nuclear Treaty
 REF: mm1702172695 london al-sharq al-awsat arabic 17 feb-
 -arab
 league aide: draft regional accord not linked to npt
 SOURCE: Abu Dhabi AL-ITTIHAD in Arabic 15 Feb 95 p 23
 TEXT:

Subject: TAKEALL--'Text' of Draft Middle East Nuclear Treaty

Reference: mm1702172695 london al-sharq al-awsat arabic 17 feb--arab
 league aide: draft regional accord not linked to npt

Source Line: Abu Dhabi AL-ITTIHAD in Arabic 15 Feb 95 p 23

FULL TEXT OF ARTICLE:

1. [All ellipses as published]
2. [FBIS Translated Text] Cairo -- AL-ITTIHAD has obtained the text

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of the draft treaty Egypt has prepared in cooperation with the Arab League to free the Middle East region of weapons of mass destruction. The draft was prepared by an Arab committee set up for this purpose; it will also outline a comprehensive Arab visualization to regulate relations among Middle East countries in all nuclear fields. The following is the full text of the draft treaty:

3. Preamble [Subtitle]

4. Determined to achieve genuine progress toward complete disarmament under the canopy of effective and strict supervision, including the banning and elimination of all types of mass-destruction weapons; eager to contribute to the realization of the intentions and objectives of the UN Charter; careful, for the sake of mankind, to completely rule out the possibility of the use or the threat to use mass-destruction weapons; believing that achievements in nuclear science, biology, and chemistry should be used only in the interest of mankind; convinced that a complete and effective ban on developing, producing, possessing, acquiring, stockpiling, transferring, and using mass-destruction weapons, not to mention the destruction of these weapons, are necessary steps to achieving these objectives; and wishing to free the Middle East region of mass-destruction weapons, the countries which are parties to the treaty have agreed to the following:

5. Article I: Definitions:

6. For the purpose of this treaty, its protocols, and supplements:

7. 1. The term "Middle East region" means the territories under the jurisdiction or control of the Arab League member countries, in addition to Iran and Israel.

8. 2. The term "territory" means local waters, territorial waters, archipelago waters, the seabed and what lies below it, the land, airspace, and any place subject to the sovereignty of that state.

9. 3. The term "mass-destruction weapons" applies to nuclear, biological, and chemical weapons in accordance with the definition in the protocol pertaining to each of them.

10. 4. The term "production facility or establishment" means any equipment and buildings housing this equipment which have been designed or built for the purpose of producing, developing, or testing mass-destruction weapons as explained in the appended supplements.

11. 5. The term "objectives that the treaty does not ban" means:

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12. a. Industrial, agricultural, research, medical, pharmaceutical objectives, or other peaceful objectives, as well as the objective of enforcing local law and combating riots, and military objectives that are not linked to the use of nuclear, biological, or chemical weapons.

13. b. the objectives that are directly linked to prevention of nuclear, biological or chemical weapons.

14. 6. The words "material, equipment, establishments, or facilities subject to safeguards" mean the material, equipment, establishments, or facilities that are permitted to be used in the activities which are not banned under this treaty on condition guarantees are given that they will not be used for nonpeaceful purposes by enabling the organization [not further identified] to carry out systematic inspection operations in accordance with what is acknowledged in the treaty and the appended supplements.

15. 7. "Assistance" means coordinating with and providing member states with the means to protect themselves from nuclear, biological, and chemical weapons and which comprise, among others, the following:

16. Detection equipment and warning systems, protection equipment, radiation elimination equipment, radiation elimination elements, medical arrangements and treatment, and advice on any of these protection measures.

17. JN1802180295TAKB1

18. [FBIS Translated Text] Article II: General Rules. [Subtitle]

19. 1. The member states pledge to prohibit the following activities in territories within their jurisdiction or under their control:

20. a. Developing, producing, testing, using, storing, possessing, or proliferating weapons of mass destruction, whether directly or indirectly or on behalf of any other party.

21. b. Helping, encouraging, urging, or authorizing any other party to conduct activities prohibited under the treaty.

22. 2. The member states also pledge the following:

23. a. Dismantling and destroying all weapons of mass destruction, which they possess or which are under their control.

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24. b. Turning facilities and establishments, designed to produce, develop, or test weapons of mass destruction, into facilities and establishments for peaceful activities after destroying those parts that may lead to the production of such weapons.

25. c. Refraining from any military preparations to use weapons of mass destruction.

26. 3. The member states pledge to restrict the use of materials, equipment, establishments, and facilities of nuclear, biological, and chemical activities, which are within their jurisdiction, which are under their control, or which they possess, to peaceful fields and activities.

27. Article III: Declarations. [Subtitle]

28. The member states shall supply the organization within (...) days after the treaty goes into effect with the following declarations:

29. a. A declaration on nuclear weapons and their production facilities in accordance with Protocol No. 1.

30. b. A declaration on biological weapons and their production facilities in accordance with Protocol No. 2.

31. c. A declaration on chemical weapons and their production facilities in accordance with Protocol No. 3.

32. d. A declaration containing information and data on materials that are subject to the treaty's guarantees, as well as the specifications of equipment, establishments, and facilities related to the application of the treaty in accordance with the concerned protocols.

33. Article IV: The Organization. [Subtitle]

34. 1. Under this treaty, the member states shall establish an organization to achieve the goals of the treaty and implement its provisions, particularly those related to verifying compliance and providing a body through which the member states can hold consultations and cooperate.

35. 2. All the member states shall be members of the organization.

36. 3. The headquarters of the organization shall be in (...).

37. 4. A general congress, an executive council, and a technical

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secretariat shall be set up for the organization, and the fields and functions of each of them shall be defined in accordance with the charter of the organization.

38. Article V: Verification. [Subtitle]

39. 1. The member states pledge to cooperate with the organization to facilitate verification of materials, equipment, establishments, and facilities that are guaranteed by the treaty. They shall also take the necessary steps to enable the organization's inspectors to carry out their duties in accordance with this treaty.

40. 2. The organization shall obtain the approval of the member states before choosing the inspectors. If the inspectors, chosen by the organization, are disapproved time and again and inspection is hampered, the issue shall be referred to the executive council by the director general of the organization to take an appropriate measure in accordance with the charter of the organization.

41. 3. Verification activities, described in this treaty and its protocols, shall be conducted with the least possible interference and shall achieve the objective of these activities on time. The organization shall demand only information and data that are necessary for its responsibilities in accordance with the treaty. The organization shall also take all measures to protect the confidentiality of information on civilian and military activities, facilities, and establishments during the implementation of the treaty.

42. 4. When conducting the verification activities in accordance with this treaty, the organization shall take into account the technical developments in this field and shall do its best to reach the best situation in terms of effective verification and its costs by focusing on measures to verify the stages that include the production, the treatment, the use, or the storage of materials, which are subject to the treaty's guarantees and which can facilitate the manufacture of weapons of mass destruction. This process shall take place without creating difficulties for inspected member states or activities.

43. JN1802181895TAKE2

44. [FBIS Translated Text] Article VI: Consultation, Cooperation, and Fact-Finding. [Subtitle]

45. 1. The member states shall consult and cooperate with each other or through the organization about any issue that could be raised regarding the objectives of this treaty and the implementation of its

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provisions.

46. 2. Any member state may ask the Executive Council for help in clarifying any case that could be considered vague or doubtful about the compliance of any other state with the treaty. The Executive Council shall submit the information in its possession that is relevant to the case to dispel any misgivings.

47. 3. The member states shall do their best and seek, through consultations and exchange of information, to clarify and settle any vague issue that could raise doubts about compliance with the treaty. Any party that receives a request from another -- to clarify an issue which the first party thinks of as doubtful or as raising concern -- should submit detailed information to the other party within a period of (...days) to dispel those doubts. This should also be accompanied by an explanation of how the information submitted can be decoded. If the state that requested the explanation thinks that the explanation is not sufficient, then it may ask the Executive Council for further explanation from the state that was asked. If the doubts still persist or if the first party thinks that its doubts call for an urgent examination, then it may ask for an extraordinary session for the General Congress. At this extraordinary session, the General Congress shall examine the issue and it may recommend any appropriate measures to handle this case.

48. 4. This treaty shall not prejudice the right of any two or more member states to agree on mutual arrangements to conduct inspections or to carry out any measures between them to explain or settle any question that may raise doubts about compliance with the treaty. These arrangements shall not affect the rights and obligations of any member state under the other provisions of this treaty.

49. Article VII: Measures Aimed at Rectifying a Given Situation and at Ensuring Compliance. [Subtitle]

50. The General Congress shall take the necessary measures so as to ensure compliance with the treaty. The purpose of this is to rectify and remedy any situation that violates the provisions of the treaty. When considering taking measures under this paragraph, the General Congress shall take into consideration all information and recommendations related to the issues referred by the Executive Council. The General Congress, in a host of issues, may:

51. a. Restrict or freeze the rights and privileges of a member state under the treaty if this state does not take the necessary measures within a certain deadline to rectify a certain situation if it were asked to rectify this situation that violates the provisions of the treaty. This measure shall continue until this state adopts

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the necessary measures to meet its obligations under the treaty.

52. b. Recommend to the member states the adoption of collective measures in accordance with international law in the cases in which harm could be done to the purposes and objectives of the treaty as a result of action that are banned under the treaty.

53. c. If the state continues to violate its commitments, the General Congress may refer the issue, including the information and conclusions that are relevant to it, to the UN Security Council.

54. Article VIII: Settling Disputes. [Subtitle]

55. Disputes that may arise as a result of implementing or interpreting this treaty shall be settled in accordance with the provisions of the UN Charter on the peaceful settlement of disputes.

56. 1. When a dispute emerges between two parties or more over the implementation or interpretation of this treaty, the concerned parties shall consult with each other to achieve a quick settlement to the dispute through negotiations or by any other means the parties may choose, including resorting to the competent agencies that are set up under the treaty or agreeing to refer the dispute to the International Court of Justice.

57. JN1802193395TAKE3

58. [FBIS Translated Text] 2. The Executive Council can contribute to settling a conflict through any means it deems appropriate. This includes offering its good offices, calling on parties to the conflict to begin a settlement process of their choosing, and recommending a time limit for any procedures that are agreed upon.

59. 3. The general congress will look into issues related to conflicts raised by member states, or conflicts that are referred to it by the Executive Council. Moreover, the general congress can, as necessary, establish or delegate commissions to take on duties related to settling these conflicts.

60. 4. The general congress can refer to the UN Security Council in order to consult with the International Court of Justice regarding any legal issues that might arise within the scope of the organization's activities.

61. 5. This article will not violate Article VII on provisions dealing with arrangements to rectify a certain situation or to guarantee compliance.

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62. Article IX: The Amendments. [Subtitle]

63. Each member states can present amendments to this treaty. These draft amendments will submit to the following procedures:

64. 1. The text of the proposed amendment will be presented to the director general of the technical secretariat to be distributed to all parties to the treaty. This proposed amendment will only be discussed at an amendment conference. Such a conference will be held if one-third of the member states notify the director general -- no later than (...) days after the proposed amendment is distributed -- that they support continuing discussion of the proposed amendment.

65. 2. 'All' member states will not be able to present any amendments (...) days after two-thirds of the member states -- including those referred to in the paragraph in Article XV -- deposit the instruments of ratification.

66. Article X: The Duration of the Treaty and Withdrawal From It. [Subtitle]

67. 1. This treaty has no specific duration.

68. 2. In an exercise of its national sovereignty, each member state has the right to withdraw from the treaty if it decides that exceptional events related to the treaty are endangering its higher national interests. It must notify all the other member states (...) days before its withdrawal. The notification should contain a list of the exceptional events which the concerned member state considers a danger to its higher interests.

69. Article XI: The Treaty's Supplements. [Subtitle]

70. The treaty and its supplements are considered an indivisible whole. Any reference to the treaty means the treaty and its following supplements:

71. a. The first protocol on nuclear materials, establishments, and facilities.

72. b. The second protocol on biological materials, establishments, and facilities.

73. c. The third protocol on chemical materials, establishments, and facilities.

74. d. The special supplement dealing with security guarantees offered by the five permanent member states of the UN Security

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Council.

75. e. The second supplement dealing with the obligations of the countries neighboring the Middle East region.

76. JN1802185195TAKE4

77. [FBIS Translated Text] Article XII: Signing and Ratifying Treaty. [subtitle]

78. 1. The door for signing the treaty shall be open for all concerned countries before it becomes effective on (...).

79. 2. The door for signing the two annexes of the treaty shall be open for all concerned parties on (...).

80. 3. This treaty and its three protocols and the organization's charter are subject to the ratification of the signatory states, each according to their constitutional procedures.

81. 4. Any country that does not sign the treaty before it becomes effective can join it at any time.

82. Article XIII: Reservations. [Subtitle]

83. No reservations can be made on any of the rules of this treaty.

84. Article XIV: Depository and languages of the original text of the treaty. [subtitle]

85. The treaty, whose English, French, Arabic, Hebrew, and Persian texts are equal, shall be deposited with the UN secretary general who will be the depository of this treaty, and will do the following:

86. 1. He shall quickly notify all members states of the dates of signing and depositing documents of the treaty or joining the agreement. He shall notify members of the date on which the treaty becomes effective and shall receive notifications from the others and convey them to the parties immediately after receiving them.

87. 2. This treaty shall be registered in accordance with Article 103 of the UN Charter.

88. Article XV: When the Agreement Becomes Effective. [subtitle]

89. 1. The agreement becomes effective (...) days after depositing the following:

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90. a. The instruments of ratification of Jordan, Israel, Iran, Algeria, Iraq, Saudi Arabia, Syria, and Egypt.

91. b. The instruments of ratification on the first annex related to the security guarantees by the five permanent Security Council member states.

92. 2. As for the countries which deposit the instruments of ratification or admission after the treaty became effective, the treaty shall become effective one day after date of depositing the instruments of ratification or admission.

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94. JN1802185995TAKES5