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

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Implementation of the 1995 resolution and 2000 outcome on the Middle East

Working paper submitted by Palestine

1. Palestine endorses the working papers presented by the States members of the Arab Group and the members of the Group of Non-Aligned States, States parties to the Treaty on the Non-Proliferation of Nuclear Weapons.
2. The continued existence of nuclear weapons and their proliferation represent the most serious threat to humanity's survival, especially when proliferation occurs in a region mired in conflict, such as the Middle East. Hence, it is imperative that the international community ensures the earliest establishment of a nuclear-weapon-free Middle East.
3. There is a wealth of international resolutions and papers advancing the establishment of such a zone in the Middle East, which should be translated into effective measures that would guarantee the achievement of this most important goal. Starting 1974, the General Assembly has adopted resolutions annually calling for the establishment of a nuclear-weapon-free zone in the Middle East. Since 1979, the Assembly has also adopted resolutions annually to address the risk of nuclear proliferation in the Middle East. Security Council resolution 487 (1981) and paragraph 14 of Security Council resolution 687 (1991) also call for the establishment of a nuclear-weapon-free zone in the Middle East.
4. In 1995, the Review and Extension Conference adopted a resolution on the Middle East which, in paragraph 4, called upon "all States in the Middle East that have not yet done so, without exception, to accede to the Treaty as soon as possible and to place their facilities under full-scope International Atomic Energy Agency safeguards". Based on that Conference, the Treaty on the Non-Proliferation of Nuclear Weapons was indefinitely extended without a vote that year. We maintain that this resolution remains valid until its goals and objectives are achieved. This call was renewed in the Final Document of (Part I) of the 2000 Review Conference which recognized that this resolution remains valid until its goals and objectives are achieved. It also recognized that the resolution is an essential element of the



outcome of the 1995 Review Conference and the basis on which the Treaty on the Non-Proliferation of Nuclear Weapons was indefinitely extended in 1995.

5. Regrettably, nine years on, the objectives and priorities of these conferences remain unrealized. Israel remains the only State in the Middle East that has not acceded to the Treaty on the Non-Proliferation of Nuclear Weapons nor placed its nuclear facilities under the full-scope of International Atomic Energy Agency (IAEA) safeguards. In fact, Israel has yet to declare its intention to do so and to renounce possession of nuclear weapons. This represents the main barrier towards the realization of the goal of universal adherence to the Treaty and the establishment of a nuclear-weapon-free zone in the Middle East. Another major obstacle is the double standards adopted by a number of countries in dealing with regional nuclear issues. Such policies and actions have undermined the credibility and effectiveness of this Treaty, particularly in the areas of providing security to the Member States of the Middle East, and has weakened international efforts taken to date in achieving disarmament, nuclear non-proliferation and the uses of nuclear energy for peaceful purposes.

6. Israel's non-peaceful nuclear programme was publically confirmed by the statement made by the Prime Minister of Israel on 11 December 2006, although previous Israeli officials have indirectly referred to its existence while threatening to employ this weapon of mass destruction against other countries in the region. Yet, Israel insists on surrounding its nuclear safety and waste disposal policies with secrecy.

7. This is cause for grave concern to all States in our region as it constitutes a serious threat to their security. But it is particularly distressing to Palestine and its people, especially in view of Israel's behaviour as a belligerent Occupying Power, consistently proven to act with utter disdain towards international law, while being repeatedly provided with immunity from international accountability for its repeated infringements upon the sovereignty and territory of other States.

8. Equally alarming are several reports on leakages from the nuclear facilities in the Israeli city of Dimona, including an increase in cancer cases in areas surrounding Dimona and among the workers, as well as the risk of earthquakes or radiation leakage from the Dimona reactors, which are well past their useful life. Moreover, Palestinian civilians who live well within the range of contamination are not afforded any protection from such threats.

9. In this regard, we believe it is vital to push for the implementation of the package deal on the indefinite extension of the Non-Proliferation Treaty of the 1995 Review Conference, in particular in connection with the resolution on the Middle East. Ignoring the implementation of the resolution could lead to a nuclear arms race in the region; a prospect too devastating to ponder. The 13 practical steps towards nuclear disarmament, adopted at the 2000 Review Conference, must also be respected in order to maintain the credibility of the Treaty.

10. To maintain the credibility of the Treaty and to achieve its universality, we call on the 2010 Review Conference to adopt immediate practical steps to implement the 1995 and 2000 resolutions regarding the Middle East. Taking a proactive approach would necessitate the utilization of all measures available to State parties to bring about the immediate implementation of the resolution and documents in question,

including taking specific practical actions by States parties in the following review cycle in case of non-compliance.

11. Such important goals can be achieved should the political will exist. To start, we call for the allocation of specific time at the 2010 Review Conference to review the implementation of the resolution on the Middle East, adopted by the 1995 Review and Extension Conference, and the Final Document of the 2000 Review Conference. In addition, we believe the issue at question merits the establishment of a subsidiary body to Main Committee II of the 2010 Review Conference to consider and recommend proposals on the implementation of the resolution in question. Follow-up is also essential. In this regard, we propose the establishment of a standing committee, composed of members of the Bureau of the 2010 Review Conference, to follow up on the implementation of the recommendations concerning the Middle East. Finally on this point, it is imperative that the efforts to achieve this noble goal be accompanied by legal efforts, with the goal of reaching an international legally binding instrument on security assurances to ensure the active protection of non-nuclear-weapon States until the complete elimination of this type of weapon is accomplished.

12. In addition, we call upon States parties to report to the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on the steps they have taken to promote the achievement of a zone free of nuclear weapons in the Middle East and their views in realizing the goals and objectives agreed on in the 1995 and 2000 Conferences.

13. This concerted effort and practical steps are essential to the protection of peace and security in the Middle East. Anything less would undermine the foundations of the Treaty and risks rendering it invalid, plunging the region into the abyss of mass destruction possibilities.

14. Peace, security and stability in our region cannot be achieved by developing, possessing and stockpiling nuclear weapons. Neither can it be achieved through a glaring imbalance in military capabilities, in particular through the possession of nuclear weapons, especially when this possession is done under the false pretext of supposed threats. And this pivotal goal must be intrinsically intertwined with ongoing efforts to reach peace through ending the belligerent occupation that Israel has maintained for over four decades, which has consistently posed the gravest threat to security and peace in the region and has repeatedly violated the rights and sovereignty of the occupied peoples and neighbouring countries. Equally, getting rid of this destructive weapons programme should not be tied to any preconditions; compliance should not be optional. Rather, it is a regional and global imperative that should not allow for exceptions. The stakes are too high for such double standards.