
Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Nuclear disarmament

Working paper submitted by Tunisia on behalf of the States members of the League of Arab States

1. The Arab States believe that, instead of bringing about regional and international peace and security, the possession, acquisition and development of nuclear weapons will increase instability. They affirm that the complete elimination of nuclear weapons is the only way avoid the dangers such weapons pose and ensure that they are not used again.
2. Although many States have made efforts to achieve nuclear disarmament and ensure that nuclear-weapon States fulfil their obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, nuclear-weapon States continue to give nuclear weapons a prominent place in their defence strategies and they confer upon themselves the right to use such weapons against non-nuclear-weapon States. This is contrary to the unilateral declarations that the nuclear-weapon States made in April 1995 regarding positive and negative assurances to the non-nuclear-weapons States parties to the Non-Proliferation Treaty, as well as Security Council resolutions 255 (1968) and 984 (1995).
3. The Arab States reiterate that, as affirmed at the 2010 Review Conference, the 1995 resolution on the Middle East, which was adopted by consensus and is basis for the indefinite extension of the Treaty, shall remain valid until its goals are achieved.
4. The Arab States are concerned at the continued stagnation of the United Nations disarmament mechanisms, in particular the Conference on Disarmament, which is the sole international forum for multilateral negotiations on disarmament, and call for practical steps to be taken to revitalize those mechanisms.
5. The Arab States stress that the international conference that was to be convened in 2012 on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction, in accordance with the practical steps concerning the Middle East set forth in the Final Document of the 2010 Review Conference, would constitute an important step towards realizing regional



and international security, contributing to the prevention of nuclear war and bolstering the non-proliferation regime.

6. The Arab States affirm the importance of convening the postponed conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction at the earliest possible opportunity, which must be in 2013. Responsibility for the convening of the conference lies with the whole international community, and if it is not held in due course, that must be considered as a violation of the review process and the related obligations. In that context, there is a direct link between the convening of the conference in 2013 and its realization of perceptible success through the initiation of a negotiation process within a specific time frame to achieve that zone free of weapons of mass destruction, and the success of the 2015 Review Conference and its Preparatory Committee.

7. The Arab States welcome the efforts made towards the voluntary reduction of the number of nuclear warheads, in particular the conclusion of a new Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms. At the same time, they emphasize that a reduction in the number of nuclear warheads should not be confused with nuclear disarmament efforts; a reduction does not necessarily entail progress towards nuclear disarmament.

8. The Arab States are concerned that certain nuclear States are endeavouring to modernize their nuclear arsenal and develop new nuclear weapons, thereby endangering international peace and security. The letter and the spirit of the Treaty must be respected until such weapons are comprehensively and definitively eliminated. In that regard, the Arab States draw attention to the relevant General Assembly resolutions.

9. The Arab States recall the advisory opinion issued by the International Court of Justice on 8 July 1996 concerning the legality of the threat of use of nuclear weapons in which the Court found that there exists an obligation to pursue in good faith, and bring to a conclusion, negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.

10. The Arab States affirm that the aims and objectives of the Treaty can be realized only once accession thereto is universal. The delay in achieving that objective remains a stumbling block to the strengthening of the nuclear non-proliferation regime.

11. The Arab States recall that the Final Document of the 2010 Review Conference provides for the full, effective and urgent implementation of article VI of the Treaty and paragraphs 3 and 4 (c) of the 1995 decision entitled "Principles and objectives for nuclear non-proliferation and disarmament".

12. The Arab States affirm what was set out in resolutions 24/39-POL, on the strengthening of the security of non-nuclear-weapon states against the use or threat of use of nuclear weapons; 25/39-POL, on evolving a new global consensus on disarmament and non-proliferation; 29/39-POL, on the establishment of a nuclear-weapon-free zone in the Middle East; 30/39-POL, on condemnation of the Zionist regime for possession of nuclear capability to develop nuclear arsenals; and 31/39-POL, on total elimination of nuclear weapons, adopted by the Council of the Ministers for Foreign Affairs of the Organization of Islamic Cooperation at its 39th session held in Djibouti from 15 to 17 November 2012.

13. The Arab States further recall that the outcome document of the 16th Summit of the Non-Aligned Movement, held in Tehran from 26 to 31 August 2012, draws attention to the statement on the total elimination of nuclear weapons adopted at the 16th Ministerial Conference and Commemorative Meeting of the Non-Aligned Movement, held in Bali from 23 to 27 May 2011, and the commitment set out therein to work for the convening, at the earlier possible date, of a high-level international conference to identify ways and means of eliminating nuclear weapons, with the objective of arriving at an agreement on a phased programme with a specified framework of time for the complete elimination of nuclear weapons, to prohibit their development, production, acquisition, testing, stockpiling, transfer, use or threat of use, and to provide for their destruction.

14. The Arab States welcome the events on nuclear disarmament that will take place in 2013. They affirm the importance of the Conference on the Humanitarian Impact of Nuclear Weapons held in Oslo on 4 and 5 March 2013, and at which it was noted that no one was capable of addressing the consequences of a nuclear-weapon detonation, regardless of whether such a weapon was detonated deliberately, as a result of a misjudgement or unintentionally. They look forward to the convening in Geneva from May to August 2013 of the open-ended working group on nuclear disarmament established pursuant to General Assembly resolution 67/56. They also look forward to the convening in September 2013 of a high-level meeting on nuclear disarmament, in accordance with General Assembly resolution 67/39. The Arab States hope that those events will give fresh impetus to the serious efforts aimed at achieving nuclear disarmament and emphasize that nuclear disarmament is the highest disarmament priority, in accordance with the relevant international terms of reference, including, inter alia, General Assembly resolution 1 (I) adopted in 1946 and the outcomes of the first special session of the General Assembly devoted to disarmament.

15. The Arab States affirm that the credibility of the Treaty depends on the balanced functioning of its three pillars of disarmament, non-proliferation and the peaceful uses of nuclear energy, and on working to implement those pillars with an equal focus, while striving at the same time to achieve the universality of the Treaty.

16. The Arab States therefore propose that the 2015 Review Conference should consider the following recommendations:

(a) It should be reaffirmed that the Treaty on the Non-Proliferation of Nuclear Weapons is the cornerstone of the non-proliferation regime, and action should be taken to ensure its universality.

(b) Nuclear-weapon States should be encouraged to take genuine measures in order rapidly to finalize the implementation of the agreed practical steps contained in the Final Document of the 2000 Review Conference, some of which were reaffirmed as action 5 in the section on disarmament of nuclear weapons in the Final Document of the 2010 Review Conference.

(c) The attention of the Conference on Disarmament should be drawn to the importance of establishing a subcommittee responsible for the immediate commencement of negotiations on the formulation of a nuclear disarmament treaty, with a view to gradually eliminating nuclear weapons within a specified period of time. That treaty would outlaw the development, production, stockpiling and use of

such weapons and provide for their destruction, and ensure that removal is complete, non-discriminatory and verifiable.

(d) Discussion in the pertinent forums should begin forthwith of the international arrangements for formulating a draft international instrument that is legally binding and would provide non-nuclear-weapon States parties with unconditional security guarantees that they will not be subject to the use or threat of use of nuclear weapons against them by the five nuclear Powers, until such time as nuclear weapons have been completely eliminated. The draft instrument should be submitted to the forthcoming Review Conference for consideration and adoption.

(e) The nuclear-weapon States should declare that they have ceased modernizing their nuclear arsenals or developing new types of nuclear weapons, until such time as their elimination in a transparent manner may be verified.

(f) The Conference on Disarmament, as the sole multilateral negotiating body on disarmament, should be urged to devise, in accordance with the request of the first special session of the General Assembly devoted to disarmament, a programme of work that will include the commencement of negotiations concerning a comprehensive, non-discriminatory and internationally verifiable treaty banning the production of fissile material for nuclear weapons and any future production thereof. The treaty should also include a commitment to eliminate stockpiles of fissile materials, as stipulated in the 1995 report of the Special Coordinator (CD/1299) and the mandate contained therein.

(g) Support for the early convening of the fourth special session of the General Assembly devoted to disarmament should be emphasized, given the concern felt by the Arab States regarding the lack of consensus over the formulation of a disarmament plan.

(h) The States parties and, in particular, the nuclear-weapon States, should exert greater efforts to ensure the universality of the Treaty. Such efforts should include the performance of their undertakings under the Treaty and the outcomes of the Review Conferences, including the imposition of a comprehensive ban on the transfer of all nuclear materials and related technology to States non-parties to the Treaty until such time as they accede thereto. Any attempt to give the stamp of legitimacy to the nuclear status of States non-parties to the Treaty should be decisively rejected, given that it would hasten the complete breakdown of the non-proliferation regime.
