

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

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## **Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons**

**Working paper submitted by the Syrian Arab Republic**

### **I. Position of the Syrian Arab Republic with regard to the Treaty on the Non-Proliferation of Nuclear Weapons**

1. The Syrian Arab Republic was one of the first States to accede to the Treaty on the Non-Proliferation of Nuclear Weapons in 1968, and affirms its continuing commitment to its international undertakings in respect of the Treaty, which constitutes the cornerstone of the non-proliferation and international nuclear disarmament regime and of the peaceful applications of nuclear energy.

2. The Syrian Arab Republic affirms its absolute commitment to the provisions of the comprehensive safeguards agreement that it concluded with the International Atomic Energy Agency (IAEA) in 1992, which was ratified by Law No. 5 of 1992. Pursuant to the requirements of that agreement, the Syrian Arab Republic instituted a national system for accounting for and controlling nuclear materials. It also devised and validated all the bases and facilities necessary for the smooth conduct of the work of the IAEA international inspectors and for the exercise in an effective manner of their responsibilities under the agreement. That has been the situation since Syria acceded to the Treaty on the Non-Proliferation of Nuclear Weapons and remains so to the present day.

3. The Syrian Arab Republic stresses that the continued possession and development of nuclear weapons in any part of the world is inconsistent with the lofty goals to which the Treaty on the Non-Proliferation of Nuclear Weapons aspires.

4. The Syrian Arab Republic underlines that the provision of assistance, information and nuclear technology to States that are not parties to the Treaty on the Non-Proliferation of Nuclear Weapons constitutes a violation by the States parties that are providing such assistance of their international obligations under the Treaty, which places a great responsibility and duty upon the 2015 Review Conference and the Preparatory Committee to deal with such violations.



## **II. The universality of the Treaty**

5. If the Treaty on the Non-Proliferation of Nuclear Weapons is to achieve universality, the international community must take real action to exert pressure on Israel, the only State in the Middle East to possess nuclear military capabilities that are not placed under international safeguards, to accede to the Treaty as a non-nuclear-weapon Power, open all its nuclear installations to inspection and place those installations under IAEA safeguards.

6. Syria stresses once again the role of IAEA in achieving the universality of the Treaty. The Agency alone is authorized to carry out the verification regimes and it must, in accordance with its Statute, take earnest steps, without selectivity or double standards with regard to the verification of the nuclear capacities of Israel, which are growing without any international control.

7. It is Israel's responsibility to implement without delay all the relevant authoritative international resolutions, foremost among which are the following:

- Security Council resolution 487 (1981) and, in particular, paragraph 5 thereof, which calls upon Israel urgently to place its nuclear facilities under the safeguards of IAEA;
- General Assembly resolution 67/73, entitled “The risk of nuclear proliferation in the Middle East, which reaffirms the importance of Israel's accession to the Treaty on the Non-Proliferation of Nuclear Weapons and placement of all its nuclear facilities under comprehensive IAEA safeguards, and calls upon that State to accede to the Treaty without further delay, not to develop, produce, test or otherwise acquire nuclear weapons and to renounce possession of nuclear weapons;
- The resolution adopted by the IAEA General Conference in 2009, GC(53)/RES/17, entitled “Israeli nuclear capabilities”, which in its second paragraph expresses concern about the Israeli nuclear capabilities and calls upon Israel to accede to the Treaty on the Non-Proliferation of Nuclear Weapons and place all its nuclear facilities under comprehensive IAEA safeguards.

8. In the Final Document of the Review Conference, it must be stressed that the stamp of international legitimacy will not be granted to the nuclear capabilities of States that are not parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and any attempts to include them in the non-proliferation regime as a nuclear-weapon State must be prevented, if the credibility of the Treaty is not to be lost and the whole international non-proliferation regime collapse. No precedent must be set for nuclear armament in the region or any other part of the world.

## **III. Peaceful uses of nuclear energy**

9. Article IV of the Treaty on the Non-Proliferation of Nuclear Weapons accorded to all the parties to the Treaty the inalienable right to acquire nuclear technology for use in various peaceful applications without discrimination. With a view to achieving the goals of the Treaty, maintaining its credibility and ensuring that it is not abused, it is therefore incumbent upon the Conference to stress that

there is nothing in the Treaty that can be interpreted as affecting the right of States parties to use nuclear energy for peaceful purposes.

10. We stress that the Final Document of the Second Preparatory Committee for the 2015 Treaty on the Non-Proliferation of Nuclear Weapons Review Conference should affirm the well-established and legitimate rights under the Treaty to use nuclear materials, apparatus, technology and information for various peaceful applications, including, *inter alia*, in medicine, agriculture, industry and scientific research, and guard against any new interpretation that contradicts the spirit of the Treaty and undermines its credibility.

11. The Final Document of the Conference must also stress the responsibility of nuclear-weapon States to carry out their international responsibilities under the Treaty and, in particular, to cease placing technical and commercial obstacles in the path of non-nuclear-weapon States, which must be given the opportunity to make full use of nuclear energy for various peaceful applications.

#### **IV. The International Atomic Energy Agency**

12. The need should be underlined for IAEA to retain for itself the principal functions that are set out in its Statute, which include promoting the use of nuclear technology for various peaceful applications, facilitating the interchange of information, materials, equipment, and scientific and technological services for the peaceful use of nuclear power, and encouraging States parties and assisting them in carrying out scientific research for peaceful purposes. All the States parties and, in particular, the developing States, place all their hopes in those important functions, and the technical cooperation and assistance that the Agency provides should not be subjected to any substantive political or military or other conditions that could conflict with the provisions of the Agency's Statute.

13. It must yet again be stressed that there is a need to achieve a just equilibrium between the verification activities of the Agency and its activities relating to the dissemination of nuclear technologies and applications, in order to strengthen the provisions of article III of the Treaty on the Non-Proliferation of Nuclear Weapons, which affirms the close relationship between verification issues in accordance with IAEA comprehensive safeguards agreements and the peaceful use of nuclear energy.

14. The Review Conference must underline that the mandate of IAEA and its terms of reference is to deal with matters relating to nuclear proliferation. It must confirm the principle of transparency in State activities and their cooperation with the Agency, in order to enable IAEA to fulfil its obligations in full and with impartiality, and to carry out the duties assigned to it as part of the three pillars of the Treaty on the Non-Proliferation of Nuclear Weapons, which comprise disarmament, non-proliferation and the peaceful uses of nuclear technology.

15. The Agency must be requested to halt the technical programmes that it provides to Israel until it accedes, without delay and without conditions, to the Treaty on the Non-Proliferation of Nuclear Weapons as a non-nuclear-weapon State and places all its nuclear facilities under the IAEA comprehensive safeguards regime. That is an essential precondition for achieving the universality of the Treaty and strengthening its credibility and effectiveness.

16. The two issues of nuclear security and safety must come within the mandate of IAEA, given that it is the only international organization with responsibility for those matters.

## **V. Comprehensive IAEA safeguards**

17. The Syrian Arab Republic believes that, if the goals and credibility of the Agency are to be maintained, in accordance with its Statute, the Final Document of the Review Conference must stress that the Agency is the sole organization that is authorized to investigate and verify the compliance of States parties with the safeguard agreements they have signed. IAEA must apply its regimes to all States parties without exception or discrimination, and in making evaluations, must rely on documented and credible information that is not acquired from open sources or based on hypotheses or unreliable intelligence.

18. All States parties, particularly nuclear-weapon States, must exert every effort to achieve the universality of the comprehensive safeguards and not impose additional measures and restrictions on non-nuclear-weapon States, which have in fact complied with non-proliferation standards.

19. It is important that the Final Document of the Review Conference should retain the distinction between the legal obligations of States parties and voluntary measures aimed at building confidence by affirming the provisions of the 2012 Review Conference Final Document, which stressed the voluntary nature of accession to the Additional Protocol. All States should therefore refrain from unjustifiably creating confusion in that regard.

## **VI. Nuclear-weapon-free zone in the Middle East**

20. The Syrian Arab Republic believes that the establishment of regional nuclear-weapon-free zones is one of the most significant nuclear disarmament and non-proliferation measures that can be taken, and contributes to the reinforcement of regional and international peace and security and the credibility of the Treaty on the Non-Proliferation of Nuclear Weapons.

21. The fact must be underlined that the only reason a nuclear-weapon-free zone has not been established in the Middle East is Israel's intransigence and refusal to take part in the establishment of that zone, and its disregard for all the relevant authoritative international resolutions, which clearly and unequivocally demand that it should accede to the Treaty on the Non-Proliferation of Nuclear Weapons and place all its nuclear installations under the IAEA inspections regime.

22. The Conference must yet again affirm that the creation in the Middle East of a nuclear-weapon-free zone should not be linked in any way to the peace process because the principal aim of creating such a link is to impede and delay the establishment of that zone. Efforts to establish the zone are an important confidence-building measure that will foster the peace process, not hinder it. The Syrian Arab Republic affirms that any designation of the States of the Middle East is strictly for the purposes of the Review Conference and its Preparatory Committees and does not constitute a definition of that region.

23. The Review Conference must emphasize the importance of the international community recognizing the danger posed by Israel's nuclear capability, which has been developing without any international control. It should also emphasize that it is necessary for nuclear-weapon States to shoulder their obligations by complying fully with the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons and to desist from transferring to Israel, either directly or indirectly, nuclear weapons or other nuclear explosive devices and refrain from providing Israel with any assistance in relation to nuclear technology. Those States should also stop blocking discussion of Israel's illicit nuclear capabilities in the relevant international forums.

24. The Syrian Arab Republic has constantly strived to make the Middle East into a zone free of all weapons of mass destruction and, above all, nuclear weapons. On behalf of the Arab Group, in April 2003 Syria proposed to the Security Council an initiative to make the Middle East a zone free of weapons of mass destruction and, in particular, nuclear weapons. However, the position of certain permanent members of the Council blocked the success of that initiative, to which the Syrian Arab Republic remains committed.

**The resolution on the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the Treaty**

25. The Syrian Arab Republic stresses that all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons must honour the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the Treaty, which was an integral part of the set of resolutions adopted at that Conference. That resolution played a positive role in inducing all the Arab States to become parties to the Treaty.

26. The failure to convene in 2012 a conference on the establishment in the Middle East of a nuclear-weapon-free zone, as called for by the 2010 Review Conference of the States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, was caused by Israel's rejection of all invitations to participate in that conference. Israel's refusal merely to participate in such a conference is in line with its policy of systematically rejecting authoritative international resolutions and affirms its lack of seriousness or sincere desire to establish the zone. The possession of nuclear weapons is part of Israel's hostile military and security doctrine with regard to the States of the region.

27. The failure to convene in 2012 a conference on the establishment of a nuclear-weapon-free zone in the Middle East underscores once again the responsibility of the Security Council to put pressure on Israel in respect of the establishment of such a zone in the region, particularly as the depository States of the Treaty are permanent members of the Council. The principle of good faith is among the principles enshrined in the Charter of the United Nations. However, certain States are espousing and advocating Israel's pretexts for hindering the establishment of that zone. Such actions are contrary to their international obligation in respect of the establishment of the zone, including the obligations concerning its establishment set out by the Review Conferences. Moreover, the failure to convene the conference in 2012 affects the credibility of the relevant authoritative international resolutions.

28. Israel's contempt for authoritative international resolutions is a matter of profound concern. The most recent of those resolutions are:

- General Assembly resolution 67/28 of 2012, entitled “Establishment of a nuclear-weapon-free zone in the region of the Middle East”, which urges all parties directly concerned seriously to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly;
- Resolution GC(56)/RES/15, adopted by the IAEA General Conference at its 56th regular session in 2012, which calls upon all States in the region to accede to the Treaty on the Non-Proliferation of Nuclear Weapons and upon all parties directly concerned to consider seriously taking the practical and appropriate steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the Middle East.

29. The Syrian Arab Republic affirms that it is essential to uphold the provisions of the Final Document of the 2000 Treaty Review Conference. That Review Conference declared that the 1995 resolution on the Middle East will remain valid until its goals and objectives are achieved and that it is an essential element of the outcome of the 1995 Review Conference.

#### **Negative security assurances**

30. Only the complete elimination of all nuclear weapons can provide an absolute guarantee against the use or threat of use of nuclear weapons. The Syrian Arab Republic therefore stresses the importance of implementing the decision on principles and objectives adopted by the 1995 Review and Extension Conference, because doing so would make it a priority to initiate serious negotiations towards an unconditional, non-discriminatory, legally binding international instrument concerning negative security assurances.

31. The Syrian Arab Republic believes that nuclear-weapon States should provide comprehensive security assurances to non-nuclear-weapon States parties to the Treaty. The terms for such guarantees should be defined by an international instrument. Nuclear-weapon States should pledge, in accordance with the Charter of the United Nations, not to use or threaten the use of nuclear weapons against non-nuclear-weapon States.

32. The 2015 Review Conference should promote the adoption of such an international instrument and, pending the conclusion thereof, adopt a decision setting out those negative assurances. Until such time as an international instrument on negative security assurances is adopted, all States parties must abide by the provisions of Security Council resolution 984 (1995) of 11 April 1995 and the unilateral declarations made by States in implementation thereof.

#### **Nuclear disarmament**

33. The Review Conference should take serious steps towards achieving nuclear disarmament, which, along with nuclear non-proliferation and the peaceful uses of nuclear energy, is one of the three pillars of the Treaty on the Non-Proliferation of Nuclear Weapons. Accordingly, it should review the extent to which nuclear-weapon States comply with article VI of the Treaty and the 13 points that were adopted in the Final Document of the 2000 Review Conference. Such a review should include

the proliferation by certain nuclear-weapon States of thousands of nuclear warheads, in contravention of their obligations under the Treaty.

34. In order to achieve nuclear disarmament, the Review Conference must urgently take practical and effective measures to disarm and eliminate nuclear weapons and other nuclear explosive devices under strict international control. Such steps are essential to the elimination of nuclear weapons, the possession of which threatens international peace and security.

35. Any negotiations concerning an instrument on the production of fissile material for nuclear weapons should address stocks of such material. That instrument must be comprehensive, non-discriminatory, multilateral and internationally and effectively verifiable, and ban the production of any fissile material used in the production of nuclear weapons or other nuclear explosive devices.

#### **Withdrawal from the Treaty**

36. Withdrawal from the Treaty is the sovereign right of every State party to the Treaty on the Non-Proliferation of Nuclear Weapons. The Review Conference must not undermine that right because article X of the Treaty is quite clear and leaves no room for reinterpretation.

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