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## United States Paper on Nonproliferation and the Middle East

The Middle East has long been an important subject of discussion in NPT fora. The 1995 NPT Review Conference (RevCon), for instance, adopted a Resolution on the Middle East that, *inter alia*, endorsed the aims and objectives of the Middle East peace process, recognized that efforts contribute to a Middle East free of weapons of mass destruction (WMD), and reaffirmed the importance of achieving universal adherence to the NPT.

Iran's continued pursuit of a nuclear weapons capability undercuts the Treaty and risks sparking a regional reaction that could further strain the NPT and could doom hopes for universal adherence to the NPT. Discussions at the 2004 NPT Preparatory Committee (PrepCom) meeting and the 2005 RevCon focused in large part upon the noncompliance challenges facing the NPT and the nuclear nonproliferation regime from the secret, two-decade-long Iranian nuclear program that was first publicly revealed in 2002.

In addition, revelations about the existence of an illicit nuclear proliferation network run by A.Q. Khan, which - although fortunately now defunct - provided fissile material production technology and nuclear weapons-related design information to both Libya and Iran, help underscore the dangers of proliferation in the Middle East.

Today, Iran's efforts to develop a nuclear weapons capability present a tremendous challenge to peace and stability in the Middle East, to hopes of achieving NPT universality, to efforts to prevent a regional nuclear arms race, and to the prospects of fulfilling the disarmament objectives expressed in the Preamble and Article VI of the Treaty.

For these and other reasons, the Middle East will continue to be an important and legitimate focus of discussions during the current NPT review cycle, which will culminate in the RevCon of 2010.

### *Seeking a WMD-free Middle East*

The United States remains committed to the goal of a Middle East free of all WMD. To this end, the United States has focused on three priorities.

- 1. Nonproliferation Compliance:** All States Party should work to ensure that all states in the region are in full compliance with their NPT obligations, and the international community should strive for full compliance in the region with other nonproliferation commitments. NPT compliance is a critical part of the foundation upon which all other efforts to achieve a WMD-free Middle East must be built. Without certainty that existing obligations under the NPT, as well as other nonproliferation obligations, are rigorously observed, there would be little point in seeking additional ones. Indeed, a failure to identify

and respond to nonproliferation compliance could lead to the emergence of nuclear arms races among regional states that would make it more difficult than ever, and perhaps impossible, to achieve WMD-free Middle East.

The case of Iran demonstrates this point. For years, Iran has been pursuing an effort to manufacture nuclear weapons, and has sought and received assistance in this effort, in violation of Article II of the NPT. It has also violated Article III, as well as its safeguards agreement with the International Atomic Energy Agency (IAEA). The Iranian regime still refuses to cooperate fully with the IAEA and refuses to suspend its pursuit of a nuclear weapons capability despite being required to suspend its efforts to produce fissile materials by the United Nations Security Council. Iran's noncompliance and ongoing pursuit of a nuclear weapons capability severely undercuts prospects for a WMD-free region.

Accordingly, it is incumbent upon all States Party to the NPT to remain vigilant against those who would undercut the objectives of the Treaty by pretending to comply while violating its terms. NPT States Party should recognize and respond to the development of nuclear weapons under cover of a purportedly peaceful nuclear program, such as by seeking, as the Iranian regime does today, to produce fissile material for use in nuclear weapons by means of technology it claims is exclusively for civilian nuclear fuel-cycle work.

All States Party should cooperate promptly and effectively in enforcing compliance not only with safeguards obligations under Article III - and, as Members of the IAEA, agreements with the Agency - but also with the core nonproliferation requirements of the NPT, Articles I and II. (Article IV reinforces the nonproliferation obligations of States Party, by noting that the inalienable right of States Party to pursue the use of nuclear energy for peaceful purposes must be exercised in conformity with Articles I and II of the Treaty.) NPT States Party need to take appropriate action so that violators will quickly return to compliance, and so that states in the future that might contemplate violations will know that such courses of action entail more costs and risks than benefits.

It should also be remembered that nonproliferation compliance also requires compliance with Chapter VII United Nations Security Council resolutions adopted to respond to proliferation concerns or to reinforce and strengthen the nonproliferation regime. Such resolutions include not only resolution 1540 - which requires all states to prohibit and prevent WMD proliferation, institute effective export controls, and enhance security for nuclear materials in their territory - but also resolutions 1696, 1737, and 1747. These resolutions have special salience for the Middle East because they require the Iranian regime to cooperate with the IAEA and to suspend its enrichment activities (which contribute to Iran's ability to produce fissile material usable in nuclear weapons) and, with regard to the latter two resolutions, because they impose sanctions upon Iran for its refusal to comply with these requirements. These Chapter VII resolutions require all U.N. Member States to carry out the decisions which impose measures that are designed to respond to the serious proliferation risks presented by Iran's nuclear program.

**2. Nonproliferation Regimes:** The United States continues to seek broad acceptance by all Middle East states of international nonproliferation and disarmament norms, and encourages all states in the region to join the NPT and adhere to other international nonproliferation treaties and regimes. NPT universality, as expressed in the Middle East Resolution adopted by the 1995 RevCon, is an important goal and remains an objective of U.S. policy. Adherence of all states in the Middle East to other nonproliferation agreements is also very important, because failure to control chemical and biological weapons can make it much harder to achieve agreement upon nuclear nonproliferation rules.

Countries in the region that have not acceded to the Chemical Weapons Convention (CWC) and the Biological and Toxin Weapons Convention (BWC) should do so promptly. Such accession is important for the inherent benefits that adherence to these conventions provides to States Party and to international peace and security. Such steps also make it both easier for other states to contemplate NPT accession and more likely that they will in fact do so.

In addition to universal adherence to the NPT, CWC, and BWC, the United States also seeks broader acceptance of other key nonproliferation norms by states in the Middle East, including: ratification and implementation of full-scope safeguards agreements with the International Atomic Energy Agency (IAEA); entry into force and full implementation of IAEA Additional Protocols; adherence to the Nuclear Suppliers Group, Missile Technology Control Regime, Australia Group, and Wassenaar Agreement guidelines; and subscription to the International Code of Conduct Against Ballistic Middle Proliferation.

The United States also contributes to such goals by continuing to expand efforts to train and equip export control officials in countries throughout the Middle East, so that governments' commitments to nonproliferation objectives can be fully and effectively implemented in national export control and regulatory systems.

**3. Support for Regional Peace:** The United States continues to support efforts to end violence in the region and remains committed to a WMD-free Middle East within the context of a stable, comprehensive regional peace. This was a cardinal priority of the 1995 Middle East Resolution, which in its very first operative paragraph "endors[ed] the aims and objectives of the Middle East peace process and recognize[d] that efforts in this regard, as well as other efforts," contribute to achieving a Middle East free of nuclear weapons as well as other weapons of mass destruction.

No effort to free the Middle East of WMD can succeed, or be maintained over time, independently of the political and security circumstances and dynamics of its region. As the 1995 Resolution itself recognized, in fact, support for a WMD-free Middle East should entail supporting and contributing to regional peace efforts and refraining from actions that inflame regional tensions.

Achievement of a comprehensive, just, and lasting peace in the Middle East remains a key U.S. foreign policy goal, and movement towards such a peace offers the best prospect for establishing a region free of WMD and advancing toward universality of the NPT.

The United States continues to engage intensively with Israel, the Palestinians, and other regional states in an effort to make progress towards peace and to realize President Bush's vision of two states, Israel and Palestine, living side by side in peace and security. The United States urges all NPT States Party to contribute to the success of this peace process and to the realization of this vision.

### *Conclusion*

The situation in the Middle East presents significant challenges to the NPT and nonproliferation regime, and will be an important subject of discussion during the current NPT review cycle. As it emphasized in connection with the 2004 PrepCom and 2005 RevCon, the United States remains committed to the goal of a WMD-free Middle East. During this NPT review cycle it will be important to address the proliferation problems in this region and to make progress toward the achievement of a comprehensive regional peace.