

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

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NONPROLIFERATION AND THE MIDDLE EAST

Working paper presented by the United States of America

1. The United States continues to support the objectives of the Resolution on the Middle East adopted at the 1995 Review Conference (RevCon) of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Recognizing the value of the Resolution, the United States will work with states within and outside the region to implement it. However, Iran's nuclear posture and the recent evidence of a clandestine Syrian nuclear program have become the primary obstacles hindering the achievement of the Resolution's objectives.

2. Iran's disregard for its Nuclear Non-Proliferation Treaty (NPT) and IAEA safeguards obligations undercut the Treaty and risk sparking a regional reaction that could further strain the NPT and would almost certainly doom hopes for universal adherence. Discussions during the last review cycle and the 2007 Preparatory Committee (PrepCom) focused in large part upon the challenges facing the NPT and the broader nuclear nonproliferation regime from the secret, two-decade-long series of Iranian activities that were in noncompliance with its nonproliferation obligations and its IAEA Safeguards Agreement required by the NPT. These activities became widely acknowledged in 2002, although the United States had compliance concerns regarding these activities as early as 1993. This concern was amplified by the IAEA's reporting over the last two years regarding Iran's resistance to full cooperation with the IAEA to remedy its

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safeguards noncompliance, and by evidence of Iranian nuclear weaponization efforts, described in detail in the IAEA's report and technical briefing of February 2008.

3. Iran, however, is not the only country in the Middle East to have shown disregard for its NPT and IAEA safeguards obligations. It was recently revealed that Syria, up until several months ago, was secretly constructing a nuclear reactor that we believe was not intended for peaceful purposes. We are convinced based on a variety of information that North Korea assisted Syria with its clandestine nuclear activities. Furthermore, by maintaining secrecy and not declaring the site and providing design information to the IAEA – and indeed, continuing even today to deny the true purpose of the site – Syria undermined the very purpose of IAEA safeguards – to provide the international community with the necessary assurance that the reactor was part of a peaceful program.

4. Also fueling regional concerns were revelations about the existence of an illicit nuclear proliferation network run by renegade nuclear weapons scientist A.Q. Khan, which – although now defunct – provided fissile material production technology and nuclear weapons-related design information to Iran and Libya, and may have offered it to others, thus sowing further regional doubts about the integrity of NPT-related assurances.

5. While Libya decided to renounce its WMD programs and re-engage with the international community, thus strengthening the NPT and contributing to stability in the Middle East, Iran's ongoing nuclear activities further add to regional instability. As the UNSC has found by invoking Chapter VII of the UN charter when imposing sanctions on Iran, Iran's nuclear activities present a challenge to peace and stability in the Middle East.

6. In addition to contributing to regional instability, Iran and Syria are undercutting hopes of achieving NPT universality and dimming the prospects of fulfilling the disarmament objectives expressed in the Preamble and Article VI of the Treaty.

Seeking a WMD-free Middle East

7. The United States remains committed to the goal of a Middle East free of weapons of mass destruction. To this end, the United States has focused on three priorities.

I. Support for Regional Peace

8. 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 weapons of mass destruction (WMD) and realizing universality of the NPT. The United States continues to engage intensively with Israel, the Palestinian Authority, and Arab 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 the realization of this vision.

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

II. Ensuring Compliance with NPT Obligations

10. There is little hope of ensuring a region free of weapons of mass destruction (WMD) in the Middle East if the international community cannot be assured that regional states are in strict compliance with the nonproliferation agreements to which they are party. All NPT parties must remain vigilant against those who would undercut the viability of the Treaty by claiming pursuit of a peaceful nuclear program as a cover to compile the technical capability for producing nuclear weapons.

11. The case of Iran demonstrates this point clearly. Iran violated its nonproliferation obligations for nearly two decades by pursuing a secret program involving the undeclared

procurement and use of nuclear materials while aiming to acquire the most sensitive elements of the nuclear fuel cycle. Such activities have included: secret, undeclared enrichment activities; secret, undeclared plutonium separation activities; the import of undeclared uranium compounds; and diversion of nuclear material from safeguarded to unsafeguarded locations and uses.

12. IAEA inspectors sought repeatedly over the course of several years to resolve outstanding questions about the nature and scope of Iran's activities. At every step, acknowledgement by Iran of specific instances of its safeguards violations has been confirmed only grudgingly by Iran, and only when it had become clear that hard evidence held by the IAEA contradicted each layer of excuses previously offered by the Iranian regime.

13. Iran's refusal to provide the necessary level of transparency continues today, as Iran still refuses to cooperate fully with the IAEA, despite being required to do so in United Nations Security Council Resolutions 1737, 1747, and 1803. This is especially the case with respect to the documents associated with Iranian nuclear weaponization efforts, which the IAEA has described as "a matter of serious concern and critical to an assessment of a possible military dimension to Iran's nuclear program." By claiming peaceful intent, while preserving weapons work and standing in continued violation of its IAEA safeguards NPT, and Security Council obligations, Iran's noncompliance severely undercuts not only prospects for a WMD-free region, but also the continued credibility of IAEA safeguards. The credibility of IAEA safeguards also is undermined by Syria's attempt to keep its emerging nuclear capability hidden from the IAEA and the international community.

III. Strengthening Nonproliferation Regimes and Peaceful Nuclear Cooperation

14. The United States continues to encourage broad acceptance by all Middle East states of international nonproliferation and disarmament norms. As such, achieving NPT universality remains an objective of U.S. policy, as is adherence of all states in the Middle East to other nonproliferation agreements. To this end, the United States continues to promote a regional environment that encourages broader acceptance by all Middle East states of the full range of international nonproliferation and disarmament norms, including:

- (a) Entry into force and full implementation of IAEA full-scope safeguards agreements;
- (b) Entry into force and full implementation of the IAEA Additional Protocol;
- (c) Accession to the Chemical Weapons Convention;
- (d) Accession to the Biological Weapons Convention;
- (e) Adherence to the Nuclear Suppliers Group, Missile Technology Control Regime, Australia Group and Wassenaar Agreement guidelines;
- (f) Subscription to the International Code of Conduct Against Ballistic Missile Proliferation; and
- (g) Accession to the Convention on the Physical Protection of Nuclear Material and its Amendment.

15. 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.

16. The United States strongly supports the peaceful use of civil nuclear technology in states that meet the highest standards of safety, security, and nonproliferation. The United States believes that one result of our cooperation on the peaceful uses of nuclear technology with states in the region is to reinforce the nonproliferation regime by showing that benefits flow to those who comply with it. The United States has longstanding nuclear cooperation agreements with Egypt and Morocco, and has recently concluded memoranda of understanding on cooperation in nuclear energy with Jordan, Bahrain and the United Arab Emirates, each of which has demonstrated to the international community a commitment to pursue nuclear power in a responsible manner by stating their intention not to engage in sensitive nuclear fuel cycle technologies. The United States looks forward to cooperating with other states in the region that uphold the highest standards of the nuclear nonproliferation regime. Additionally, through the Global Nuclear Energy Partnership, the United States is working with others to find arrangements for the assured supply of nuclear fuel, in a manner that will further reinforce cooperation, while avoiding the unnecessary spread of proliferation-sensitive technologies.

Conclusion

17. The situation in the Middle East presents significant challenges to the NPT regime, and is an important subject of discussion during the current NPT review cycle. As emphasized during the last review cycle and the most recent PrepCom, the United States remains committed to the goal of a Middle East free of WMD of all sorts. With that in mind, the United States believes that, during this NPT review cycle it is critically important to address the proliferation problems in this region and to make progress toward the achievement of a comprehensive regional peace.
