



Mission permanente d'Israël  
auprès de l'Office des Nations Unies  
et des Organisations Internationales à Genève

משלחת ישראל  
ליד משרד האומות המאוחדות  
והארגונים הבינלאומיים בג'נבה

**Statement by H. E. Mr. Yaakov Levy**  
**Permanent Representative of Israel**  
**Before the Plenary Session of the Conference on Disarmament**

**On the Issue of Export Control**

**Thursday, 13 May 2004**

CHECK AGAINST DELIVERY

Mr. President,

At the outset, I would like to congratulate you on the assumption of the presidency and express our appreciation for your wise stewardship.

We have recently witnessed several important developments in the field of non-proliferation. A network of nuclear proliferation has been exposed thus adding a new dimension to the basket of threats to international peace and security. We have also witnessed violations, which have raised significant questions about the ability of traditional arms control mechanisms to ensure compliance.

Today it is clear that the threat of the proliferation of weapons of mass destruction does not only emanate from States but also from non-state actors. Moreover, it seems that there is also a growing threat that terrorists and other non-state actors might be able to obtain sensitive Weapons of Mass Destruction material, technologies and know-how.

Mr. President,

As one of the countries that face these threats, Israel appreciates international efforts to identify concrete and effective steps against the proliferation of weapons of mass destruction, in particular, the growing threat of terrorists using Weapons of Mass Destruction. Israel especially welcomes resolution 1540 on Weapons of Mass Destruction adopted unanimously on the 28<sup>th</sup> of April 2004 by the Security Council.

This resolution emphasizes once again the national responsibility to ensure that sensitive material would not fall or be transferred to the wrong hands. Moreover, it emphasizes that international cooperation is essential for combating illicit trafficking of weapons of mass destruction, ballistic missiles and related material.

Implementing this longstanding policy, Israel has recently adopted legislative measures for the export control of material, technologies and know-how that could be used for the development of Weapons of Mass Destruction.

With your permission, Mr. President, I would like to elaborate on the nature of those measures:

On 29 April 2004 the Israeli Knesset adopted a new Export Control Order, which will enter into force on July 1<sup>st</sup> 2004. The new Order strengthens government control over transfers of chemical, biological and nuclear items and consolidates existing practices in this field.

To be more precise, the new order is intended:

1. To **prohibit** export of goods, technologies and services **designed** to be used in Weapons of Mass Destruction programmes; and
2. To establish a **licensing system** for export of **dual-use** goods, technology and services.

Despite the fact that Israel is not yet a member of the different regimes, the Order is based on international suppliers' regimes lists such as the Australia Group list and the Nuclear Suppliers Group trigger and dual-use-lists. This new legislation reflects the Israeli policy of combating non-proliferation through the implementation of the above-mentioned international regimes.

Additionally, the new legislation includes a wide and a relatively advanced catch-all provision, which forbids the exportation of **any** good, technology and service if they are intended to promote the development or manufacturing of Weapons of Mass Destruction.

The licensing system is headed by the Israeli Ministry of Trade, Industry and Employment. According to the mechanism put in place, all applications for export licenses will be submitted for approval by the Ministry of Trade to the Ministries of Foreign Affairs and Defense. When necessary, consultations may be held with other relevant governmental agencies, such as the Ministry of Health and the Ministry of Agriculture.

A license may be given to an exporter for a specific export deal, specific goods, technologies or services. Moreover, it may also be granted to exporters for specific kinds of goods, technologies or services, according to the destination of the product.

Under certain conditions, the license can be given for a limited period of time. It can also be cancelled by the Authority when for example, the terms of the license are disregarded or violated.

A mechanism of compulsory yearly reporting by the exporter to the authorities is set for all the cases I have just mentioned.

In order to ensure compliance, it has been decided that violation of any substantial provision of the new Order, or violation of any condition included in export licenses issued according to the new Order, will be a criminal offence carrying with it a maximum penalty of 3 years imprisonment.

This act supplements the existing Israeli export control legislation on missiles and related material, adherent to the MTCR. Moreover, Israel has been constructively engaged in the UN efforts in other fora to prevent the proliferation of ballistic missiles and related technology. In the conventional field, we attach importance to the global attempt, including in the UN, to combat and eradicate illicit trafficking in small arms and light

weapons. Israel's policy in this regard is one of participation and contribution to international efforts to address global threats to peace and security.

Mr. President,

By issuing its new Export Control Order, together with other measures I have mentioned, Israel is exercising its duty to improve and strengthen the struggle against proliferation. Moreover, the Order reflects our strong support for international efforts to prevent Weapons of Mass Destruction proliferation.

We are of the view that this new legislation places the State of Israel on an equal footing with the countries leading the struggle against proliferation and international terrorism. Israel will continue to support and associate itself with these international efforts in this vital field.

Thank you Mr. President.