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### ESTABLISHMENT OF A NUCLEAR-WEAPON-FREE ZONE IN THE REGION OF THE MIDDLE EAST

#### Report of the Secretary-General

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\* A/44/150.

## I. INTRODUCTION

1. On 7 December 1988, the General Assembly adopted resolution 43/65 entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East", the operative part of which reads as follows:

"The General Assembly,

"...

"1. Urges all parties directly concerned to consider seriously 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 and, as a means of promoting this objective, invites the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons; 1/

"2. Calls upon all countries of the region that have not done so, pending the establishment of the zone, to agree to place all their nuclear activities under International Atomic Energy Agency safeguards;

"3. Invites those countries, pending the establishment of a nuclear-weapon-free zone in the region of the Middle East, to declare their support for establishing such a zone, consistent with paragraph 63 (d) of the Final Document of the Tenth Special Session of the General Assembly, 2/ and to deposit those declarations with the Security Council;

"4. Also invites those countries, pending the establishment of the zone, not to develop, produce, test or otherwise acquire nuclear weapons or permit the stationing on their territories, or territories under their control, of nuclear weapons or nuclear explosive devices;

"5. Invites the nuclear-weapon States and all other States to render their assistance in the establishment of the zone and at the same time to refrain from any action that runs counter to both the letter and the spirit of the present resolution;

"6. Extends its thanks to the Secretary-General for his report containing the views of parties concerned regarding the establishment of a nuclear-weapon-free zone in the region of the Middle East. 3/

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"1/ General Assembly resolution 2373 (XXII), annex.

"2/ General Assembly resolution S-10/2.

"3/ A/43/484.

"7. Takes note of the above-mentioned report;

"8. Requests the Secretary-General to undertake a study on effective and verifiable measures which would facilitate the establishment of a nuclear-weapon-free zone in the Middle East, taking into account the circumstances and characteristics of the Middle East, as well as the views and the suggestions of the parties of the region, and to submit this study to the General Assembly at its forty-fifth session;

"9. Requests parties of the region to submit to the Secretary-General their views and suggestions with respect to the measures called for in paragraph 8 above;

"10. Requests the Secretary-General to submit to the General Assembly at its forty-fourth session a progress report on the implementation of the present resolution;

"11. Decides to include in the provisional agenda of its forty-fourth session the item entitled 'Establishment of a nuclear-weapon-free zone in the region of the Middle East'."

2. Pursuant to paragraph 8 of the resolution, the Secretary-General recently appointed a small number of consultant experts to assist him in undertaking a study on effective and verifiable measures that would facilitate the establishment of a nuclear-weapon-free zone in the Middle East, taking into account the circumstances and characteristics of the Middle East, as well as the views and the suggestions of the parties of the region. The replies contained in this report will be taken into account in that study and the consultant experts have initiated their work on the study.

3. Pursuant to paragraph 9 of the resolution, the Secretary-General, in a note verbale dated 2 February 1989, requested parties of the region to submit their views and suggestions with respect to the measures called for in paragraph 8 of the resolution. To date, the Secretary-General has received replies from Egypt, Israel and Qatar, which are reproduced in section II of the present report. Any further replies will be issued as an addendum to this document and brought to the attention of the consultant experts.

4. Pursuant to paragraph 10 of the resolution, the Secretary-General submits the present report on the implementation of the resolution.

## II. REPLIES RECEIVED FROM GOVERNMENTS

### EGYPT

[Original: English]

[28 April 1989]

1. The Middle East region, in spite of, and maybe because of, its strategic importance, has over the centuries become the battleground on which many regional and global conflicts have been fought. With the development of new weapons and weapons systems, and particularly with the advent of nuclear weapons, the dangers associated with the recurrent armed conflicts in the region have increased to ominous dimensions. The proposal to establish a nuclear-weapon-free zone in the Middle East, made originally by the Islamic Republic of Iran, and co-sponsored by Egypt, which later became its sole sponsor, was aimed at insulating the region from a threat that the region, given its volatile nature, could not sustain.

2. Over the years, the international community, through the General Assembly of the United Nations, has gradually developed a set of principles and interim measures that should be the basis for and lead up to the establishment of such a zone in the Middle East. In 1980, the General Assembly, for the first time, adopted such a set of principles and measures by consensus in its resolution 35/147 of 12 December 1980. Successive sessions of the General Assembly since then have adopted similar resolutions, the last being resolution 43/65 of 7 December 1988. The latest resolution calls for a study on effective and verifiable measures that would facilitate the establishment of such a zone. The call for the study, a natural result of the previous resolutions, reflects the common desire of the world community to pursue concrete action in this regard and to translate these principles adopted by consensus into concrete measures. This desire is consistent with two of the important themes recurrent in the discussions of this issue and in all of the resolutions previously adopted by consensus: that, while striving towards the establishment of such a zone, interim measures should be taken to insulate the area from nuclear threats; and that the particular circumstances and characteristics of the region, while of course unique and should be taken into account, should not hold hostage the concept of establishing such a zone, and the development of ideas laying the groundwork for its implementation.

3. At this point in time, there are two dominant factors that have impeded or complicated the efforts to establish a nuclear-weapon-free zone in the Middle East. The first is the ominous nature of the Israeli nuclear programme and Israel's continuous refusal to join the Treaty on the Non-Proliferation of Nuclear Weapons (General Assembly resolution 2373 (XXII), annex), or apply the full-scope safeguards of the International Atomic Energy Agency (IAEA) on its nuclear facilities. Israeli persistence in this position, at a time when all other States in the Middle East region that have nuclear programmes of any kind have joined the Treaty, cannot but heighten apprehensions regarding the nature and objectives of the Israeli nuclear programme. Egypt calls upon Israel to address these apprehensions by applying full-scope safeguards to its nuclear facilities and by joining the Treaty on the Non-Proliferation of Nuclear Weapons.

4. The other element which no doubt complicates this process of establishing a nuclear-weapon-free zone in the Middle East is the continuing Middle East crisis with all that that entails. Positive developments in the peace process are bound to have a positive influence on the efforts to establish a nuclear-weapon-free zone in the Middle East; however, we cannot wait for such developments. We cannot risk the intrusion of a nuclear element in any future outbreak of hostilities in the Middle East. It is Egypt's considered opinion that the Middle East conflict, while no doubt a complicating factor, does not constitute an insurmountable obstacle to the establishment of a nuclear-weapon-free zone in the Middle East. The existence of the conflict, with all the perils and dangers associated with it, is yet an added reason to redouble our efforts in this regard with increased urgency. Moreover, it is also Egypt's sincere belief that progress towards the establishment of a nuclear-weapon-free zone in the region would have positive implications on the peace process in the Middle East.

5. Egypt believes that the parties concerned with the establishment of a nuclear-weapon-free zone in the Middle East, particularly those of the region, have the primary, although not exclusive, responsibility for the development and implementation of interim measures laying the groundwork for the establishment of such a zone. The United Nations, as the focal point of the contemporary world order, can and should play a role by providing the framework for an exchange of views, which would generate impetus into the process through the injection of new ideas, while taking into account the characteristics of the region. These ideas should be effective, verifiable and implementable, and furthermore the United Nations should play a role in ensuring that whatever measures, when adopted or agreed upon, are faithfully and fully implemented.

6. The establishment of a nuclear-weapon-free zone in the Middle East involves many political and legal issues, issues related to regional, as well as global security concerns. Some are of a general political nature, others are of a more legal and technical character. The geographical delineation of the proposed zone must be defined. This is an issue that has not received much attention in the relevant United Nations resolutions. Egypt considers that the nature of the proposal, as well as political and geographical considerations, should be a factor in determining the boundaries of the zone. Another issue is the scope of the prohibited activities. This issue has been dealt with in a general manner by the General Assembly resolutions, and in a manner that Egypt finds basically acceptable. However, it is one that needs further focus in order to reflect clearly the true character of the proposed zone. In conjunction with the prohibited activities, appropriate and effective verification measures must be established. This element cannot be over-emphasized, and these measures should at the very least be "full-scope", and even go further. The need for appropriate safeguards is particularly crucial, given the history of conflict in the area, which no doubt, and quite understandably so, shall leave seeds of suspicion among the parties in the region for some time to come. The relationship with non-parties to the zone is also an issue which shall need clear definition, particularly with regard to the nuclear-weapon States. The form of whatever binding arrangements are reached is yet another issue for consideration.

7. Last, but not least, the modalities for negotiations establishing such a zone have to be agreed upon. This remains a contentious issue. Egypt is open-minded as to how this process should be undertaken. It is a foregone conclusion that the zone should be, in accordance with paragraph 60 of the Final Document of the Tenth Special Session of the General Assembly (General Assembly resolution S-10/2) "on the basis of the arrangements freely arrived at among the States of the region concerned", similarly, as stipulated in paragraph 61 of the Final Document "the characteristics of each region should be taken into account". With these two principles in mind, the difference of opinion regarding the modalities for establishing such a zone should be bridged on the basis of what is practical and politically expedient at this point in time.

8. The study entrusted to the Secretary-General of the United Nations, pursuant to General Assembly resolution 43/65, could provide a good stepping-stone towards developing common positions regarding many of the issues mentioned above, even while not being expected to resolve many of these very intricate and complex issues. It is Egypt's view that the study could make a worthy contribution to the process of establishing the zone by clarifying the different aspects of the issues involved and by giving greater focus to the endeavours involved towards the common objective that the international community, through the General Assembly, has committed itself to achieve, namely, the establishment of a nuclear-weapon-free zone in the Middle East. However, the essence of the study should be directed towards focusing and making recommendations on what effective and verifiable measures would facilitate the establishment of such a zone, in accordance with paragraph 8 of Assembly resolution 43/65. These recommendations shall naturally be influenced by the positions taken by the parties concerned; however, they should not be restricted to such positions. Novel recommendations, not inconsistent with universally accepted principles relevant to the issue, and the basic positions of the parties, would be worth while and could enhance the process of establishing a nuclear-weapon-free zone in the Middle East. Egypt would also like to emphasize that, as we are now endeavouring to commence a practical phase in the development of the said zone, recommendations, in so far as possible, should be of a specific and implementable nature.

9. In this regard, Egypt would like to put forth the following specific suggestions for "effective and verifiable measures which would facilitate the establishment of a nuclear-weapon-free zone in the Middle East":

(a) States of the region that have not done so should, on an urgent basis, become party to the Treaty on the Non-Proliferation of Nuclear Weapons;

(b) States in the region that have not done so should unilaterally submit all of their nuclear facilities to the safeguard system of the International Atomic Energy Agency and conclude a full-scope safeguards agreement with the Agency;

(c) Pending such steps:

(i) The parties to the region should make solemn declarations to the United Nations Security Council that they support the establishment of such a nuclear-weapon-free zone in the Middle East and that they shall not

manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices;

- (ii) The nuclear-weapon States should deposit declarations with the Security Council, consistent with paragraph 5 of resolution 43/65, that they shall not take any measures inconsistent with the establishment of the zone;
- (iii) The Security Council should, in an appropriate manner, take note of these declarations;

(d) States in the region should provide the Secretary-General with a compilation of their significant nuclear facilities and whether they are under IAEA safeguards;

(e) States beyond the region should provide the Secretary-General with a list of significant nuclear materials or components exported to parties in the Middle East region.

10. In submitting the above suggestions, Egypt has attempted to contribute constructively to the study called for in General Assembly resolution 43/65 and the process of establishing a nuclear-weapon-free zone in the Middle East. Egypt shall, as appropriate, attempt to contribute further to this process as the study develops.

#### ISRAEL

[Original: English]

[19 May 1989]

1. Israel has consistently supported the establishment of a nuclear-weapon-free zone in the Middle East and accordingly has been party in recent years to the consensus regarding this objective in the General Assembly of the United Nations. Israel's understanding of a nuclear-weapon-free zone is predicated on the only existing and successful precedents currently in operation in Latin America (Treaty of Tlatelolco) and in the South Pacific (Treaty of Rarotonga). This understanding is also based on the recommendations of the Independent Commission on Disarmament and Security Issues, known as the Palme Commission, outlined in paragraph 5.3 of its report (see document A/CN.10/38 of 8 April 1983).

2. The above instruments incorporate the following principles:

- (a) An initiative emanating from the States of the zone in question;
- (b) Free and direct negotiations between them;

(c) Mutual and binding reassurances between those States as part of a treaty establishing a nuclear-weapon-free zone.

3. These are the essential conditions for a credible nuclear-weapon-free zone and for the establishment of unambiguous confidence in the earnest intent of the negotiating and contracting parties. In the absence of these components, the concept of a nuclear-weapon-free zone would be a proposal devoid of substantive content.

4. Israel has, on repeated occasions, invited the States of the region to negotiate a nuclear-weapon-free zone for the Middle East. These invitations have yet to be accepted. Israel continues to stand by them.

5. The Acting Permanent Representative of Israel has the honour to draw the attention of the Secretary-General to previous comments submitted by Israel in this regard, contained in letters dated 13 June 1985 (A/40/383) and 6 May 1986 (see A/41/465, sect. II).

#### QATAR

[Original: Arabic]

[25 May 1989]

1. The State of Qatar has constantly supported the establishment of a nuclear-weapon-free zone in the region of the Middle East in the belief that it would contribute to the nuclear disarmament process and because of its growing concern, shared by the other Arab States of the region, at Israel's possession of large quantities of nuclear weapons and the means for their delivery, a fact which threatens the security and peace of the world in general and of the region concerned in particular, as pointed out by the General Assembly in its resolutions relating to Israeli nuclear armament.

2. At the forty-third session of the General Assembly, the State of Qatar supported Assembly resolution 43/65, in which the Assembly requested the Secretary-General to undertake a study on effective and verifiable measures which would facilitate the establishment of a nuclear-weapon-free zone in the Middle East, taking into account the circumstances and characteristics of the Middle East, as well as the views and suggestions of the Governments of the countries of the region.

3. The State of Qatar, which acceded to the Treaty on the Non-Proliferation of Nuclear Weapons in March 1989, is of the view that the study to be undertaken by the Secretary-General must include an appeal to the States of the region which have not yet done so to accede to that Treaty and, pending that accession, to make their nuclear facilities subject to the international inspection and safeguards system. It is also of the view that States which export nuclear materials should give notice of such exports and of their destination and that the importing countries should declare those materials that they have imported and allow them to be subject to international inspection.



4. The General Assembly resolutions relating to this matter contain numerous provisions, most significantly an invitation to the countries of the region to refrain from manufacturing, developing and stockpiling nuclear weapons and to agree to place their nuclear facilities under International Atomic Energy Agency safeguards, as well as other provisions which, if applied, would facilitate the establishment of a nuclear-weapon-free zone in the Middle East.

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