
2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Working paper submitted by the Syrian Arab Republic

Substantive issues concerning implementation of the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons

Achieving the goals of the Treaty

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, because it is convinced that the existence of such weapons constitutes grounds for serious concern and represents a major threat, not only to the security and peace of the peoples of the Middle East, but also to the security and peace of every State in the world.
2. The Syrian Arab Republic affirms its commitment to its international undertakings in respect of the Treaty on the Non-Proliferation of Nuclear Weapons. That Treaty constitutes the cornerstone of the international nuclear disarmament and non-proliferation regime and is considered to provide the global terms of reference and uphold the right of States parties to acquire nuclear technology for use in various peaceful applications.
3. The Syrian Arab Republic is extremely troubled by the fact that no balance has been achieved between the three main pillars of the Treaty goals, namely, to prevent the horizontal and vertical proliferation of nuclear weapons, ensure complete and comprehensive nuclear disarmament, and guarantee States parties the full and inalienable right to use nuclear technology for various peaceful applications, with no double standards to be employed.

The universality of the Treaty

4. The Syrian Arab Republic believes that the fact that all the Arab States have become parties to the Treaty, while Israel stubbornly refuses to accede or declare its intention to accede thereto or to place all its nuclear installations under international safeguards, has made the Middle East one of the most tense regions in the world. In consequence, the Syrian Arab Republic must request the international community to take serious action towards establishing security and stability in the region of the



Middle East, and to exert pressure on Israel, the only State to possess nuclear military capabilities that are not placed under international safeguards, to accede to the Treaty, open all its nuclear installations to inspection and place those installations under International Atomic Energy Agency (IAEA) safeguards.

5. The Syrian Arab Republic believes that prompt implementation by Israel of all the relevant resolutions of international legitimacy would be an important confidence-building measure and a major step towards achieving regional and international peace and security. The first of those resolutions is Security Council resolution 487 (1981), and the most recent are the two adopted by IAEA in 2009, one of which, GC(53)/RES/17, is entitled “Israeli nuclear capabilities”, while the other, GC(53)/RES/16, is entitled “Application of IAEA safeguards in the Middle East”, and the 2 December 2009 General Assembly resolution 64/66, entitled “The risk of nuclear proliferation in the Middle East”. That last one again notes that Israel remains the only State in the Middle East that has not yet become party to the Treaty and 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 to realizing the goal of universal adherence to the Treaty in the Middle East.

Peaceful uses of nuclear energy

6. The Syrian Arab Republic considers that article IV of the Treaty gave all parties to the Treaty the unshakable and inalienable right to acquire nuclear technology for various peaceful purposes, striking a balance between State rights and responsibilities and without discrimination or double standards. In the light of that inalienable right, peaceful uses of nuclear energy constitute one of the three basic pillars of the Treaty and make it imperative that genuine and effective measures should be taken to achieve the goals of the Treaty, ensure that it is not exploited and prevent the imposition on certain States of controls that serve the interests of other States.

7. The Syrian Arab Republic affirms the need to maintain the principle function assigned to IAEA by its Statute, namely, to support the use of nuclear technology in various peaceful applications, foster the exchange of scientific and technological information, equipment, materials and services for peaceful uses of atomic energy, encourage and assist States parties in conducting scientific research on atomic energy for peaceful uses. All States parties and, in particular, the developing countries, pin their hopes on that important function.

8. The Syrian Arab Republic further affirms the need to achieve an equitable balance between the monitoring activities of the Agency and activities related to the propagation of nuclear technology and its applications, in accordance with the provisions of article III of the Treaty. That article affirms the close link between the issues of verification under comprehensive safeguard agreements with the Agency and the peaceful uses of atomic energy. It provides that non-nuclear-weapon States party to the Treaty shall conclude agreements with the Agency. Such safeguard agreements shall be implemented in a manner designed to comply with article IV of the Treaty and to avoid hampering the economic or technological development of the Parties or international cooperation in the field of peaceful nuclear activities.

9. The Syrian Arab Republic believes that if the credibility of the Treaty is to be enhanced and its provisions are not to be applied to States in a selective manner, the 2010 Review Conference must intensify action to end the failure of certain States parties to honour their undertakings with respect to article IV of the Treaty. The right must be upheld of States and, in particular, developing countries, to exercise their legitimate right, enshrined in the Treaty, to obtain materials, equipment, technology and information for use in various peaceful applications, including, inter alia, health, agriculture, industry and scientific research. Efforts must be made to avoid any new interpretations of the Treaty that are incompatible with its spirit and destroy its credibility.

Comprehensive IAEA safeguards

10. The Syrian Arab Republic affirms its absolute commitment to the provisions of the comprehensive safeguards agreement that it concluded with IAEA in 1992, which was ratified by Law No. 5 of 1992. Pursuant to that agreement, a national system was put in place to oversee and monitor nuclear materials, as were the requisite bases and facilities to permit IAEA inspectors to carry out their duties under the agreement.

11. The Syrian Arab Republic appreciates the important role played by IAEA as the only international body authorized to follow up questions of verification and compliance through its comprehensive safeguards system, which is the cornerstone of the non-proliferation regime. The Syrian Arab Republic demands that IAEA work to apply that regime to all States without exception or discrimination.

12. The Syrian Arab Republic urges all States parties and, in particular, nuclear-weapon States, to make every effort to achieve the universality of the comprehensive safeguards and not impose additional measures and restrictions on non-nuclear-weapon States, which have truly complied with non-proliferation standards and chosen not to possess nuclear weapons. The Syrian Arab Republic also calls upon all States parties to refrain from imposing any restrictions on the transfer of nuclear equipment and technology for peaceful purposes to States parties that have concluded comprehensive safeguards agreements with IAEA, and to refrain from imposing, in a manner that contradicts the spirit and the letter of the Treaty, further restrictions on the use of such technology.

13. The Syrian Arab Republic emphasizes the importance of maintaining the distinction between the legal obligations of States parties and voluntary measures aimed at ensuring transparency and building confidence, and calls upon States parties to make that important distinction and not to confuse legal obligations and voluntary measures.

14. The Syrian Arab Republic believes that comprehensive improvement of the safeguards system requires complete implementation of IAEA General Conference resolutions and decisions concerning safeguards and verification. It also emphasizes that IAEA should, as required by its Statute, maintain the confidentiality of information related to safeguards.

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

15. The Syrian Arab Republic affirms the vital need for all States parties and, in particular, those which adopted the above resolution as an integral part of the set of resolutions adopted at the 1995 Review Conference, to honour those resolutions, which included “Strengthening the review process for the Treaty”, “Principles and objectives for nuclear non-proliferation and disarmament”, “Extension of the Treaty on the Non-Proliferation of Nuclear Weapons”, and the resolution on the Middle East. That resolution played a positive role in inducing all the Arab States to become parties to the Treaty.

16. In addition to the foregoing, the Syrian Arab Republic believes that it is essential to uphold the provisions of the Final Document of the 2000 Treaty Review Conference. The 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 Conference.

17. The Syrian Arab Republic calls on the international community and, in particular, the nuclear-weapon States, to shoulder their responsibilities and do their utmost to determine practical steps to ensure that the resolution on the Middle East is fully implemented and its objectives attained, and that action is taken to eliminate all obstacles to such implementation.

Nuclear-weapon-free zone in the Middle East

18. The Syrian Arab Republic reaffirms that the establishment of regional nuclear-weapon-free zones is one of the most significant nuclear disarmament measures that can be taken. The establishment of such zones also strengthens regional and international peace and security and reinforces the non-proliferation regime. In this context, the Syrian Arab Republic affirms that the issue of the establishment of a nuclear-weapon-free zone in the Middle East should not be tied to the question of achieving just and comprehensive peace in this region.

19. The Syrian Arab Republic has worked 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 in New York an initiative to rid the Middle East region of weapons of mass destruction and, in particular, nuclear weapons. At the time, Syria declared to the international community that, along with its Arab brothers and the peace-loving States of the world, it would contribute actively to transforming the Middle East into a zone free of all weapons of mass destruction. However, at the time, the positions in the Security Council of certain influential States did not favour the success of that initiative. In December 2003, the Syrian Arab Republic resubmitted that initiative to the Security Council and continues to endeavour to revive and implement it.

20. The Syrian Arab Republic once again voices its profound concern over Israel’s manifest indifference and intransigence and its rejection of the relevant resolutions of international legitimacy, and impresses on all States concerned and, in particular, the nuclear-weapon States, the vital need to implement the relevant General Assembly resolutions. The most recent of those was resolution 64/26, adopted on 2 December 2009, 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, and, as a means of promoting this objective, invites the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons.

21. The Syrian Arab Republic rejects all attempts to legitimize the nuclear status of States non-parties to the Treaty and cautions against any endeavours to include them in the non-proliferation regime as nuclear States, believing that such an approach would detract from the credibility of the Treaty and lead not only to the collapse of the whole non-proliferation regime but to a nuclear arms race in the region and the whole world.

22. The Syrian Arab Republic places special emphasis on paragraph 6 of General Assembly resolution 64/26 of 2 December 2009, entitled “Establishment of a nuclear-weapon-free zone in the region of the Middle East”, which invites the relevant 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.

Security guarantees

23. The Syrian Arab Republic believes that only the complete elimination of all nuclear weapons can provide an absolute guarantee against the use or threat of use of nuclear weapons, and stresses the importance of implementing the decision on principles and objectives adopted by the 1995 Review and Extension Conference. Such implementation would make it a priority to initiate serious negotiations towards an unconditional, non-discriminatory, legally binding international instrument addressing the issue of security guarantees.

24. The Syrian Arab Republic believes that nuclear-weapon States should provide comprehensive negotiated security guarantees 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, to refrain from threatening to use nuclear weapons against non-nuclear States, and should undertake to implement the relevant General Assembly resolutions.

25. Until such time as an international instrument on security guarantees is adopted, the Syrian Arab Republic believes that all States parties, both nuclear-weapon and non-nuclear-weapon States, should be bound by the provisions of Security Council resolution 984 (1995) of 11 April 1995, adopted by consensus, which, for the first time, took note of the statements made by each of the nuclear-weapon States, in which they give security assurances against the use of nuclear weapons to non-nuclear-weapon States. That resolution also set forth the measures that would be taken to provide assistance to any non-nuclear-weapon State Party to the Treaty that is a victim of an act of, or an object of a threat of, aggression in which nuclear weapons are used.

26. The Syrian Arab Republic affirms the outcome of the Tehran Conference that was held in April 2010, which advocated nuclear energy for all countries and atomic weapons for none, and believes that attacks on peaceful atomic installations could have extremely negative consequences for mankind and the environment, and would constitute a flagrant violation of the Charter of the United Nations.

Nuclear disarmament

27. The Syrian Arab Republic expects that the 2010 Review Conference will consider State party national reports, and ascertain 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. It should also ascertain how nuclear-weapon States justify continuing to develop and proliferate thousands of nuclear warheads in contravention of their undertakings under the Treaty, thereby prejudicing the credibility and spirit of the Treaty.

28. The Syrian Arab Republic believes that it would be appropriate for the 2010 Review Conference to devise meaningful and genuine steps towards monitoring comprehensive implementation of nuclear weapon reduction treaties, and to urge nuclear-weapon States to decommission all their nuclear weapons in a transparent and verifiable manner.

29. The Syrian Arab Republic underlines that the continued cooperation of certain nuclear-weapon States with Israel, their provision to that country of nuclear technology and obstruction of any party that wishes to discuss the issue of its nuclear programme, which is in contravention of international legitimacy, is a major violation and serious contravention of the undertakings of those States under article I of the Treaty which requires IAEA, the only body mandated to implement the verification regime, to take genuine steps to exercise its mandate with respect to those violations, under the terms of its Statute and in a balanced, non-selective and equitable manner.

30. The Syrian Arab Republic believes that it is important to negotiate a comprehensive, non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices as an essential step towards achieving full nuclear disarmament and non-proliferation. In anticipation of that treaty, all States should declare and observe a voluntary moratorium on the production of fissile material for nuclear weapons.

Withdrawal from the Treaty

31. The Syrian Arab Republic affirms the legal and sovereign right of a State party to withdraw from the Treaty should it believe that extraordinary events might jeopardize its supreme national interests. That legal right may not be reinterpreted, and if it were abolished, that would be a violation of the legislation governing implementation of international instruments.

32. The Syrian Arab Republic believes that article X, concerning extraordinary events, gave any State which had decided to withdraw the freedom to determine

whether such events jeopardized its interests. The article is quite clear and precise and leaves no room for reinterpretation.

33. The Syrian Arab Republic calls upon States parties to focus on Treaty priorities, including universalization, the complete elimination of thousands of warheads, and the cessation of the production of any more advanced weapons that constitute a threat to mankind, rather than giving any consideration to article X. If the international community gives serious consideration to those questions, no State will think of withdrawing from the Treaty, which is supposed to be the international instrument that governs disarmament and non-proliferation issues in a fair and balanced manner, as well as matters relating to peaceful uses of nuclear energy.

National legislation to prohibit illicit trafficking in radioactive and nuclear material

34. The competent authorities in the Syrian Arab Republic maintain strict border control of land, sea and air entry points in accordance with national legislation and regulations in force, with a view to combating illicit trafficking in radioactive and nuclear material.

35. The Syrian Arab Republic scrupulously abides by all of its relevant international obligations, participates effectively in the review of various relevant international instruments and continually strives to strengthen its domestic legislative framework in that regard.

36. The Syrian Arab Republic has also implemented the Code of Conduct on the Safety and Security of Radioactive Sources and participated effectively in a number of meetings aimed at developing guidance on the import and export of radioactive sources.

Proposed practical steps towards nuclear non-proliferation and disarmament

37. The Syrian Arab Republic believes that in order to achieve the goals and objectives of the Treaty and completely eliminate all nuclear weapons, the 2010 Review Conference should make the following recommendations:

(a) It is important that the international community should recognize the grave concern of Middle Eastern States over the danger posed by Israel's nuclear capability, which has been developing and expanding without any international control. Nuclear-weapon States parties must fulfil their responsibilities and oblige Israel to comply fully with Treaty provisions, thereby contributing to the universality of the Treaty;

(b) The international community should bring pressure to bear on Israel to accede to the Treaty without conditions or reservations as a non-nuclear State and place all its nuclear installations under a comprehensive safeguards agreement with IAEA. That would constitute an essential step towards establishing a nuclear-weapon-free zone in the Middle East;

(c) Action should be taken to establish a subsidiary organization under Main Committee II to examine the establishment of a nuclear-weapon-free zone in the

Middle East. Specific practical steps should be taken to implement the resolution on the Middle East adopted by the 1995 Review and Extension Conference. Similarly, specific practical steps should be taken to implement the provisions of the Final Document of the 2000 Review Conference, which reaffirms that resolution;

(d) In accordance with the Treaty, nuclear-weapon States should demonstrate the genuine political will to take practical, effective steps to renounce all their nuclear weapons and other nuclear explosive devices and dispose of them under strict international control;

(e) A specific plan and time frame for complete disarmament must be devised. The negotiation process in accordance with article XI of the Treaty must be accelerated and serious efforts must be made to negotiate a treaty that outlaws all nuclear weapons;

(f) It is imperative that nuclear-weapon States should stop placing technical and commercial restrictions and obstacles in the way of non-nuclear-weapon States. In accordance with article IV of the Treaty, non-nuclear-weapon States should be allowed the opportunity to benefit from the various peaceful uses of nuclear energy;

(g) IAEA authority and its role in addressing nuclear proliferation issues should be asserted. States should show transparency in their activities and cooperate with IAEA, in order to enable the latter to fulfil its Statute obligations impartially and professionally and implement its mandate with respect to the three main pillars of the Treaty, namely, nuclear disarmament, nuclear non-proliferation, and the peaceful uses of nuclear energy;

(h) The Conference on Disarmament should be given the opportunity to adopt an agenda stressing nuclear disarmament as the foremost priority;

(i) The international community should give the necessary impetus to implementation of General Assembly resolutions on nuclear disarmament and non-proliferation, and United Nations disarmament mechanisms, including the First Committee, the Conference on Disarmament and the Disarmament Commission, should be activated;

(j) It is imperative that the international community should recognize the importance of article III of the Treaty and its implications for issues concerning the safety and security of nuclear programmes and verification of their peaceful nature. The international community must ensure that nuclear-weapon States in particular refrain from using such issues as a pretext to restrict the transfer of nuclear technology to other States parties, especially developing countries that have submitted to the IAEA Safeguards System;

(k) In its final document and among its priorities, the 2010 Review Conference should include effective international arrangements for the conclusion of a global and legally binding instrument, pursuant to which nuclear-weapon States undertake to provide to non-nuclear-weapon States parties to the Treaty unconditional security guarantees to the effect that they will not use or threaten to use nuclear weapons against them. Until such time as the aforementioned instrument has been concluded, the Conference should adopt a resolution on that issue that will ensure such guarantees are in place.