

2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

26 August 2020
English
Original: Arabic

New York, 4–28 January 2022

Specific regional issues and implementation of the 1995 resolution on the Middle East

Working paper submitted by the Group of Arab States

1. The international community has acknowledged the importance of establishing nuclear-weapon-free zones throughout the world. Such zones serve many purposes, the most important of which are strengthening the nuclear non-proliferation regime and achieving nuclear disarmament, and would bring us closer to the ultimate objective of achieving and maintaining international peace and security. The Group of Arab States is concerned at the catastrophic humanitarian consequences that would result from any use of nuclear weapons. That concern was expressed in the outcomes of the conferences concerning this matter that were held in Norway, Mexico and Austria, and in the relevant resolutions of the General Assembly.

2. The nuclear-weapon-free zones that have been established in several regions of the world have furthered the objectives of the Treaty on the Non-Proliferation of Nuclear Weapons. The Group reaffirms that tangible steps and immediate measures must be taken towards the establishment of a zone free of nuclear weapons and other weapons of mass destruction in the Middle East, so that the positive effects of such zones can be felt in that region.

3. The Group of Arab States calls on the three States that sponsored the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to assume their responsibilities in respect of the implementation of that resolution, which was one of the key outcomes of that Conference and the basis on which the Parties decided, by consensus, to extend the Treaty indefinitely. The Group reaffirms its resolve to make every effort to establish a zone free of nuclear weapons and other weapons of mass destruction in the Middle East region, with a view to enhancing the potential for achieving security and stability.

4. The Group reaffirms its commitment to the outcomes and outputs concerning the elimination of nuclear weapons and other weapons of mass destruction from the Middle East region that were adopted at the 1995, 2000 and 2010 Review Conferences. It hopes that the international community will support the implementation of those outcomes.



5. Neither the 1995 resolution on the Middle East nor the practical steps that were endorsed by the 2010 Review Conference have been implemented. At the 2015 Review Conference, the Group proposed a constructive initiative to break the deadlock that received the unreserved support of the vast majority of the States parties to the Treaty. However, three States, two of which are sponsors and depositaries of the 1995 resolution on the Middle East, prevented the 2015 Review Conference from adopting a final document in order to serve the interests of Israel, a State that is not a party to the Treaty. That course of action has adversely affected the credibility and sustainability of the regime established by the Treaty.

6. The international community's failure to fulfil its commitments concerning the establishment of a zone free of nuclear weapons and other weapons of mass destruction in the Middle East has had repercussions, perpetuated a policy of ambiguity regarding the nuclear safety and security standards that Israel has put in place at its nuclear facilities and increased tension and instability in the Middle East. The international community's failure to fulfil its commitments in that regard has also impeded efforts to prevent the proliferation of weapons of mass destruction around the world, and that, in turn, has an adverse effect on the international non-proliferation regime.

7. Saying that nuclear-weapon-free zones should be established freely by the States concerned cannot justify disregarding or failing to implement the relevant international resolutions. The Group calls on the international community to fulfil its responsibilities in that regard. It is disappointed that no pressure of any kind has been placed on Israel, which is the only State in the Middle East that has not acceded to the Treaty and that refuses to place its nuclear installations under the comprehensive safeguards regime of the International Atomic Energy Agency (IAEA). Moreover, Israel refuses to implement the relevant international resolutions, ignores the resolutions adopted at the Review Conferences and seeks to impede all serious efforts to conduct preparatory negotiations concerning the convening of a conference on the establishment of a zone free of nuclear weapons and other weapons of mass destruction in the Middle East.

8. The Group reiterates that it is regrettable that the 2012 conference that is called for in the practical steps concerning the Middle East set forth in the Final Document of the 2012 Review Conference has yet to be convened. That situation constitutes a breach of the review process and the agreed obligations. The Group categorically rejects any claims that multilateral forums, including the Review Conference or the United Nations, are inappropriate for implementing the 1995 resolution on the Middle East. It also rejects the establishment of any preconditions for negotiations on implementing that binding resolution that fall outside the scope of the Treaty. Such claims evince an unacceptable retreat from obligations agreed by consensus at successive Review Conferences in related international resolutions.

9. In that connection, the Group looks forward to seeing the States parties to the Treaty, particularly the nuclear-weapon States, and even more particularly the sponsors of the 1995 resolution on the Middle East, translate their commitments into tangible steps and immediate measures to implement that resolution. The Group also calls for the implementation of Security Council resolution 487 (1981), pursuant to which Israel must, without any precondition or negotiations, place all its nuclear facilities under the IAEA comprehensive safeguards regime and accede to the Treaty as a non-nuclear-weapon State. The Group also calls for implementation of paragraph 14 of Security Council resolution 687 (1991), which was adopted under Chapter VII of the Charter of the United Nations, and in which the need to establish a Middle East zone free of nuclear weapons and other weapons of mass destruction is emphasized.

10. The Group also wishes to recall that, by virtue of decision 73/546, the General Assembly has entrusted to the Secretary-General the convening of a conference to elaborate a binding treaty establishing a Middle East zone free of nuclear weapons and other weapons of mass destruction. In the decision, it is clearly stated that all decisions emanating from the conference shall be taken by consensus; that, in accordance with the relevant international resolutions, the arrangements for the conference should be freely arrived at by the States of the region; and that the conference shall take as its terms of reference the resolution on the Middle East adopted by the 1995 Review and Extension Conference. The conference would thus fulfil the provisions of Article VII of the Treaty and form a part of efforts to implement the 1995 resolution on the Middle East. It would thus mark an additional step towards establishing a zone free of nuclear weapons and other weapons of mass destruction in the Middle East.

11. Accordingly, the Group welcomes the convening of the first session of that United Nations Conference in November 2019, under the presidency of Jordan and with the participation of all invited States parties in the Middle East region except for Israel. It also welcomes the adoption by consensus of a political declaration and the issuance of a report of the Secretary-General on the proceedings of the Conference (A/75/63). The Group looks forward to the second session of the Conference, to be held in November 2020 under the presidency of Kuwait. It stresses that the five nuclear States, and in particular the three States that are depositaries of the Treaty, bear a particular responsibility in that regard, without prejudice to their responsibility as regards the Middle East in the context of the Review Conferences. For that purpose, the Group urges all parties invited to that United Nations Conference to participate earnestly and constructively with a view to elaborating a binding treaty on the establishment of a zone free of nuclear weapons and other weapons of mass destruction in the Middle East.

12. In view of the aforementioned points, the Group calls on the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to do the following:

(a) Affirm that responsibility for ridding the Middle East of nuclear weapons and other weapons of mass destruction is a collective international responsibility; that the 1995 resolution on the Middle East is an integral part of the package of decisions that led to the indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons in 1995; and that the 1995 resolution on the Middle East shall remain in force until it is fully implemented and its objectives are realized.

(b) Stress the need to implement Security Council resolution 487 (1981) and recall the contents of the Final Documents of the 1995, 2000 and 2010 Review Conferences, and in particular the call made therein upon States that have not acceded to the Treaty to do so as non-nuclear-weapon States and to place all of their nuclear facilities under the IAEA comprehensive safeguards regime.

(c) Affirm that nuclear-weapon States must fulfil their responsibility to provide the assistance required and make every effort to bring about the early establishment of a zone free of nuclear weapons and other weapons of mass destruction in the Middle East, in accordance with resolutions adopted by the General Assembly and Review Conferences, as well as other relevant resolutions, and point out that the Security Council, in view of its responsibility to maintain international peace and security, has an obligation to ensure that such a zone is established.

(d) Urge Israel to accede to the Treaty as a non-nuclear-weapon State, place all its facilities under the IAEA comprehensive safeguards regime, eliminate its entire stockpile of nuclear weapons and ratify the Comprehensive Nuclear-Test-Ban Treaty.

(e) Call upon all States parties to put pressure on Israel and compel it to comply with internationally binding resolutions and accede to the Treaty; reiterate the call that IAEA made upon Israel in 1991 to comply with Security Council resolution [487 \(1981\)](#), which provides that all Israeli nuclear facilities must be placed under the IAEA comprehensive safeguards regime; and call for the elimination of all weapons of mass destruction, in particular nuclear weapons, with a view to achieving the objective set out in paragraph 14 of Security Council resolution [687 \(1991\)](#), which was adopted under Chapter VII of the Charter of the United Nations, and in keeping with the relevant General Assembly resolutions.

(f) Call upon the international community to fulfil its responsibilities with regard to the implementation of the 1995 resolution on the Middle East concerning the establishment of a zone free of nuclear weapons and other weapons of mass destruction by convening a conference on the establishment of such a zone, in accordance with the 1995 resolution on the Middle East and in implementation of the outcomes and outputs of the 2000 and 2010 Review Conferences.

(g) Emphasize the role of the international community and its responsibility to facilitate the taking of practical steps in the relevant forums, with a view to making progress towards the establishment of a zone free of nuclear weapons and other weapons of mass destruction in the Middle East, and emphasize that the international community must take appropriate action in response to any measures that preclude achieving that objective.

(h) Emphasize that the five nuclear States and, in particular, the three States that are depositaries of the Treaty, have a particular responsibility in respect of the United Nations Conference convened pursuant to decision 73/546 in the context of implementation of the 1995 resolution on the Middle East, without prejudice to their responsibilities as regards the Middle East in the context of the Review Conferences.

(i) Support all endeavours in multilateral forums to implement the 1995 resolution on the Middle East by adopting clear outcomes in that regard, including the Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction.

(j) To urge all parties invited to that United Nations Conference to participate earnestly and constructively with a view to elaborating a binding treaty on the establishment of a zone free of nuclear weapons and other weapons of mass destruction in the Middle East.
