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**Conference on the Establishment of a Middle East  
Zone Free of Nuclear Weapons and Other Weapons  
of Mass Destruction****Fourth session**

New York, 13–17 November 2023

**Working paper submitted by Kuwait on nuclear  
disarmament, the non-proliferation of nuclear weapons, the  
right to peaceful use of nuclear technology, and establishing  
the Middle East as a zone free of nuclear weapons and other  
weapons of mass destruction\***

1. The possession, acquisition, development and transfer of nuclear weapons works actively against the aim of achieving regional and international peace, security and stability; the total and definitive elimination of nuclear weapons is the only way to prevent their use.
2. Issues pertaining to disarmament, the non-proliferation of nuclear weapons and regional and international security are best addressed using multilaterally coordinated solutions, in accordance with the Charter of the United Nations.
3. It is essential that mechanisms of multilateral cooperation continue to function systematically, as they have been delineated through the relevant platforms, and for Member States to abide by their individual and shared commitments.
4. The Treaty on the Non-Proliferation of Nuclear Weapons is meant to act as an integrated and balanced package of rights and obligations wherein non-nuclear-weapon States undertake not to acquire nuclear weapons, and to place their facilities under safeguards agreements; in conjunction, nuclear-weapon States undertake not to transfer and/or develop nuclear weapons and to commit themselves to practical steps towards disarmament. Furthermore, the Non-Proliferation Treaty ensures the inalienable right to the peaceful use of nuclear energy for States parties. To date, the Treaty is a foundational cornerstone of the nuclear disarmament and non-proliferation regime.
5. The universality of the Non-Proliferation Treaty is assumed as a common commitment for States parties but the praxis of this universality is at times brought into question.
6. Practical steps must be taken to revitalize the United Nations disarmament machinery, and in particular the Conference on Disarmament, given that it is the sole

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international forum for multilateral negotiations on disarmament. The stagnation of that machinery and the apparent absence of political will demonstrated by Member States in possession of nuclear weapons to achieve the aims of regional and international disarmament are of great concern.

7. Recognizing that the implementation of negative security assurances has been a contentious issue in Main Committee I of the tenth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, leading to polarizing differences between nuclear-weapon States and non-nuclear-weapon States, the State of Kuwait recommends establishing a subsidiary committee whose sole responsibility will be the assessment of the best means for the implementation of negative security assurances. Membership to this committee shall be open to all States party to the Non-Proliferation Treaty, and the State of Kuwait encourages all States party to the Treaty to join this initiative. This committee will emanate from the three preparatory conferences' subsidiary bodies that will convene prior to the upcoming Non-Proliferation Treaty Review Conference, where the subsidiary committee's work will continue concurrently throughout the convening preparatory conferences. Moreover, the subsidiary committee's reports will be submitted to the relevant preparatory conferences' subsidiary bodies and will be submitted to Member States prior to the next Review Conference. Recognizing the importance of all previous Review Conference outcome documents, we suggest that the terms of reference of the proposed subsidiary committee be based on all previous Review Conference outcome documents.

8. It is of utmost importance to reaffirm the indefinite continuance in force of the resolution to establish the Middle East as a zone free of nuclear weapons and other weapons of mass destruction, in accordance with the decision adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

9. Establishing a Middle East zone free of nuclear weapons and other weapons of mass destruction is the collective responsibility of the parties to the Non-Proliferation Treaty, in accordance with the resolution adopted at the 1995 Review and Extension Conference. Furthermore, establishing this zone is an objective that can be actualized only through compliance with obligations to the Treaty, especially by its three depository States and other nuclear-weapon States party to the Treaty.

10. It is pertinent to recall General Assembly resolution [75/33](#), titled "Establishment of a nuclear-weapon-free zone in the region of the Middle East", which highlights Member States' roles in reaching the objective of establishing the Middle East as a zone free from nuclear weapons and other weapons of mass destruction.

11. To the end of establishing the Middle East as a zone free from nuclear weapons and other weapons of mass destruction, the State of Kuwait considers the review process of the Non-Proliferation Treaty to function in conjunction with, and not separately from, the mechanisms of the bodies mandated at the 1978 first special session of the General Assembly devoted to disarmament (the Conference on Disarmament, the Disarmament Commission and the First Committee of the General Assembly).

12. In order to facilitate the highest and fullest level of participation at the Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction, the State of Kuwait proposes the creation of a small group composed of former Presidents to the Conference, whose purpose is to achieve the attendance of all invitees to its subsequent sessions, and for this core group to take on any special missions deemed necessary by the participants to the Conference. The State of Kuwait calls on the current President to the Conference to reach out to the Organisation for the Prohibition of Chemical Weapons, the

Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (Biological Weapons Convention) and the International Atomic Energy Agency (IAEA) – as the technical agencies of the Conference, to prepare the working papers for the substantive session and to ensure high-level representations of those agencies during the Conference.

13. Noting the importance of institutionalizing the standardization of outcome documentation, the State of Kuwait proposes that the norm of composing and distributing a Chair's summary be established after the convening of the working committees that follow the Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction.

14. An action plan for establishing the Middle East as a zone free of nuclear weapons and weapons of mass destruction was delineated at the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, with which there has been little compliance. It is important for States party to the Treaty to take measured steps to realize the objectives of the action plan.

15. We reaffirm the right of States party to the Non-Proliferation Treaty to benefit from the peaceful uses of nuclear energy.

16. The International Atomic Energy Agency is the authority with the responsibility of verifying the compliance of States with the obligations under the Non-Proliferation Treaty. Furthermore, it is important to note that the Agency has a statutory mandate to foster safeguarded nuclear disarmament. It is through cooperation and compliance with the Agency that the development of peaceful and safe nuclear programmes can be assured.

17. The issue of disarmament and the non-proliferation of nuclear weapons is of particular concern to the State of Kuwait and is a concern that is exacerbated by the existence of nuclear programmes in the Middle East that do not adhere to internationally recognized inspections, or to the International Atomic Energy Agency's safeguards agreements, which are instated to ensure civilian and environmental safety at the local, regional and international level.

18. Citing the concerns highlighted in the International Atomic Energy Agency resolution adopted on 24 September 2020, titled "Application of IAEA safeguards in the Middle East", and in pursuance of the goal of establishing the Middle East as a zone free from nuclear weapons and other weapons of mass destruction, the State of Kuwait urges the Agency's Director General to consider conducting inspections on all nuclear programmes and facilities in Israel a Priority I issue, and to place all of its nuclear facilities under the Agency's comprehensive safeguards system.

19. The tacit acceptance by a portion of the international community of Israel's claim to a nuclear posture defined by deterrence security needs must be called into question, especially given that this posture comes in conjunction with a policy of nuclear opacity and non-compliance with international standards and commitments. As the only Member State in the Middle East not party to the Non-Proliferation Treaty, Israel's adoption of the Treaty as a non-nuclear-weapon State would clear the principal roadblock to establishing the Middle East as a zone free from nuclear weapons and other weapons of mass destruction.