

A/79/16 (Part I)

Egypt

Introduction

Egypt has relentlessly pursued the objective of ridding the Middle East of the threat of nuclear weapons since the inclusion of the item entitled “Establishment of a nuclear-weapon-free zone in the region of the Middle East” on the agenda of the General Assembly in 1974.

Throughout the years, Egypt has continued to play a consistently leading role in promoting the objective of ridding the Middle East of nuclear weapons, and has worked diligently through the United Nations and the various cycles of the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on the development of this concept. Since 1980, the General Assembly has annually adopted a resolution, without a vote, reflecting the unanimous endorsement of the States Members of the United Nations of the establishment of a nuclear-weapon-free zone in the Middle East, thereby constituting a universal common international denominator in this regard.

Regrettably, in 2018, the 38-year-long consensus on the resolution was broken by two States, which have proven their unwillingness to engage in an open, constructive, and substantive dialogue on achieving this universally agreed objective, for reasons that are not pertinent to the resolution itself in any manner.

In principle, Egypt reiterates its firm rejection of any allegations suggesting that multilateral forums, including the Review Conference or the United Nations, are not appropriate for discussing and implementing the resolution on the Middle East, adopted by the 1995 Review and Extension Conference of the Parties to the Treaty.

Implementation of the outcomes of the Review Conferences:

Egypt believes that the universality of the Non-Proliferation Treaty will naturally address the unacceptable situation in which one State in the region continues to refuse to adhere to the Treaty while enjoying its practical benefits. The Treaty, which enjoys a membership of 191 States parties, sets norms of a peremptory character, as the rights and obligations under the Treaty are those of the international community as a whole, rather than just its parties.

The objective of universality of the Treaty has been lagging behind in past years. Egypt notes that all the States of the Middle East have become parties to the Treaty, with the exception of Israel, which, regrettably, continues to ignore the repeated calls to accede to the Treaty and place all its nuclear activities under full-scope International Atomic Energy Agency (IAEA) safeguards, thereby perpetuating a dangerous imbalance in the region and, accordingly, posing a grave threat to regional and international peace and security.

The 2000 Review Conference, in its Final Document (NPT/CONF.2000/28 (Parts I and II)), recalled that in paragraph 4 of the 1995 resolution on the Middle East, the Conference had called upon all States of the Middle East that had not yet done so, without exception, to accede to the Treaty as soon as possible and to place their nuclear facilities under full-scope IAEA safeguards. The Conference also noted, in that connection, that the background paper prepared by the Secretariat on the implementation

of the resolution on the Middle East adopted by the 1995 Review and Extension Conference (NPT/CONF.2000/7) stated that several States had acceded to the Treaty and that, with those accessions, all States of the region of the Middle East, with the exception of Israel, were States parties to the Treaty. The Conference welcomed the accession of those States and reaffirmed the importance of Israel's accession to the Treaty and the placement of all its nuclear facilities under comprehensive IAEA safeguards, in realizing the goal of universal adherence to the Treaty in the Middle East.

The 2010 Review Conference, in its Final Document (NPT/CONF.2010/50 (Vol. I)), addressed Israel's non-adherence to the Treaty. It reaffirmed "the urgency and importance of achieving the universality of the Treaty" and recalled "the importance of Israel's accession to the Treaty and the placement of all its nuclear facilities under comprehensive IAEA safeguards". The action plan of the 2010 Review Conference clearly recognizes the resolution on the Middle East as an essential element of the outcome of the 1995 Review and Extension Conference and as an integral component of the package of decisions based on which the Treaty was extended indefinitely, without a vote, in 1995. In an effort to establish a nuclear-weapon-free zone in the Middle East, in the Final Document of the 2010 Review Conference, the importance of a process leading to the full implementation of the 1995 resolution on the Middle East was emphasized and, to that end, a number of practical steps and commitments were endorsed. Among those steps was the convening by the Secretary-General and the co-sponsors of the 1995 resolution, in consultation with the States of the region, of "a conference in 2012, to be attended by all States of the Middle East, on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction". It was also stipulated that, as a practical step, the Secretary-General and the co-sponsors of the 1995 resolution, in consultation with the States of the region, would appoint a facilitator with a specific mandate in that regard, and would designate a host Government for the 2012 conference. This eventually took place in October 2011, almost 17 months after the adoption of the action plan.

The conference in 2012 would have been a step forward towards establishing the nuclear-weapon-free zone in the Middle East and expressed its intention to cooperate fully with all relevant parties, in accordance with the Final Document of the 2010 Review Conference. The conference was intended to provide a positive and meaningful contribution towards establishing a nuclear-weapon-free zone in the Middle East. However, the holding of the conference was not intended to be an end in itself; rather, it should have launched a sustained and productive process towards the full implementation of the 1995 resolution and the establishment of the Middle East nuclear-weapon-free zone, involving concrete steps and measures to be taken in that regard within specific time frames.

In that context, Egypt regretted the postponement of the 2012 conference and considered it a breach of the obligations of the conveners of the conference vis-à-vis the international community regarding the implementation of the 1995 resolution on the Middle East and the Final Document of the 2010 Review Conference. This unilateral postponement of the conference to an unspecified future date was announced without even consulting with the States of the region, although all but one country in the Middle East had expressed their commitment to attend this conference. Egypt continues to reject the unfounded basis cited to justify the open-ended postponement. The postponement was a flagrant non-fulfilment of agreed commitments, constituting yet another step in a long history of unimplemented decisions regarding the establishment of a zone free of nuclear weapons in the Middle East. Egypt

reiterates that the 1995 resolution and other decisions on the subject adopted within the context of the Review Conferences remain valid until the objectives are achieved.

In that vein, Egypt reiterated the call for the prompt and full implementation of the 1995 resolution on the Middle East and the outcomes of the 2000 and 2010 Review Conferences, and the special responsibility that rests in this regard with the nuclear-weapon States, especially the three depositary States that co-sponsored the 1995 resolution, in addition to the Secretary-General.

It is worth recalling that numerous international resolutions have explicitly called for the establishment of a nuclear-weapon-free zone in the Middle East, including in the context of the NPT Review Conference, the IAEA, the General Assembly, and the Security Council which called upon Israel “urgently to place its nuclear facilities under the safeguards of the International Atomic Energy Agency” (UNSCR 487 (1981)) and recalled “the objective of the establishment of a nuclear weapon-free zone in the region of the Middle East” (UNSCR 687 (1991)).

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

Given the continued delay and the urgent need for the implementation of the 1995 resolution on the Middle East, and in an attempt to overcome the prolonged impasse, the Group of Arab States submitted a draft decision in 2018 to the General Assembly that entrusted the Secretary-General with the convening of a conference no later than 2019 on the establishment of a zone free of nuclear weapons and other weapons of mass destruction in the Middle East. The parameters of the proposed conference were set out in the aforementioned draft decision and were based primarily on the principles of inclusiveness and consensus.

In a clear demonstration of support for the draft decision, the Assembly adopted decision 73/546 on convening a conference on the establishment of a Middle East zone free of nuclear weapons and other weapons of mass destruction.

The Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction has employed the 1995 resolution on the Middle East as its terms of reference and has aimed to establish the zone through a consensus-based, State-led process on the basis of “arrangements freely arrived at by the States of the region”.

The concept and format of the Conference convened pursuant to UNGA resolution 73/546, including its rules of procedures, provide an unmatched opportunity for consensus-based, inclusive, and constructive dialogue among the countries of the region, without any pre-conditions. Failing to accept the invitation to this conference demonstrates a lack of good faith, and utter disregard for the legitimate concerns of the countries of the region.

Conference proceedings and outcomes

The five sessions of the Conference were convened with the full and active participation of all States of the region, except Israel, and in the valuable presence of the nuclear-weapon States, except the United States, and relevant international disarmament bodies, participating as observers, including IAEA, the Organization for the Prohibition of Chemical Weapons and the Biological Weapons Convention Implementation Support Unit.

The first session of the Conference successfully adopted a political declaration which, inter alia, emphasized the open and inclusive nature of the Conference and extended an open-ended invitation to all States of the region

to join the process. Furthermore, the political declaration underscored the central importance of the principles of transparency and inclusivity of the Conference through its reference to the principle of “arrangements freely arrived at by consensus by the States of the region”.

The second session of the Conference successfully concluded its work by adopting a diverse set of outcomes, including the rules of procedure of the Conference, a substantive final report on its deliberations and a decision on the establishment of a working committee to carry out the intersessional deliberations. Such an outcome reflects commendable progress facilitating more robust thematic deliberations pertaining to substantive issues.

The third session of the Conference also managed to reach a constructive and promising consensual outcome, including deepening the understanding of the States of the region of the main obligations under the intended treaty and the future work needed during this process.

The fourth session, which was held in November 2023, was able to agree on a substantively rich final report and also directed the Working Committee to develop an index of issues that can contribute to promoting predictability and enhance the preparatory process throughout the work of the Conference.

The fifth session, which was held in November 2024, acknowledged the significant progress in advancing a credible and inclusive process toward establishing a legally binding instrument for establishing the zone, and tasked the Conference Presidents to engage with the UN Secretary-General to provide updates on recent Conference developments and encourage his continued support, including efforts in support of the full and active participation of the absent Member and observer in the Conference. Delegations also supported collaboration with other regional nuclear-weapon-free zones and endorsed providing input to the comprehensive study of the question of nuclear-weapon-free zones in all its aspects pursuant to UNGA resolution 79/241.

The Conference has proved its inclusive nature, which is clearly stated in its terms of reference, and that it is not targeting or singling-out any Member State, while avoiding any rhetoric of naming and shaming. The adopted rules of procedure have added more assurances to all the States of the region to encourage them to participate in good faith. The provision contained in rule 21 of the rules of procedure stipulates that consensus shall be the only method of decision-making on procedural and substantive issues.

The Conference provides an opportunity to all parties to raise their concerns regarding any regional issue relevant to its mandate, and to return to the mindset by which the pursuit of nuclear disarmament is understood as the best means for preserving peace, preventing war and maintaining stability, especially in times of turbulence and conflicts.

The draft final document of the tenth Review Conference contained an agreed positive reference to the Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction and its support of and computability with the objective of the implementation of the relevant 1995 resolution on the Middle East.

Conclusion

Egypt firmly believes that the establishment of nuclear-weapon-free zones, especially in areas of conflict and instability such as the Middle East, contributes significantly to easing tensions, building confidence, preventing conflict, and developing peaceful relations and mutual cooperation. The establishment of a nuclear-weapon-free-zone in the Middle East remains a pressing priority and an agreed international commitment to which Egypt will remain steadfastly committed.

In early November 2023, an Israeli Cabinet Minister threatened to use atomic bombs against the people of Gaza. A region free of nuclear weapons and other weapons of mass destruction in the Middle East is the only sound and effective guarantee against the occurrence and recurrence of such unacceptable and outrageous nuclear threats and intimidation.

Egypt believes that the only requirement for the commencement of negotiations on the establishment of a nuclear-weapon-free zone in the Middle East is the existence of political will among the States of the region and the nuclear-weapon States, which bear a direct responsibility towards the implementation of the 1995 resolution on the Middle East.

The existence of political will among all States parties to the Non-Proliferation Treaty, including all States parties in the region, has been manifested through their adoption, by consensus, of a process leading to the establishment of a zone free of nuclear weapons and other weapons of mass destruction in the Middle East. This manifestation of commitment by States parties to the Treaty needs to be promptly translated into practical action, including through a clear agenda, under the auspices of the United Nations and after consulting with all parties concerned. Egypt looks forward to an earnest cooperative process with the Secretary-General and the three depositary States of the Treaty to implement the agreed measures necessary to pave the way for the successful commencement of negotiations on the establishment of a nuclear-weapon-free zone in the Middle East through the related Conference, convened in accordance with Assembly decision 73/546.

The success of such negotiations would represent a serious breakthrough in the efforts geared towards regaining security in a region currently facing a number of potential proliferation threats that can cause further insecurity and ensuing arms races, thereby presenting States with existential security challenges. Egypt will continue to actively cooperate with all parties in an effort to safeguard the Middle East against all nuclear threats through a comprehensive and balanced approach that can ensure the security of all States of the region.

In conclusion, Egypt reaffirms that it will, against all odds, consistently continue to strive, for a nuclear-weapon-free world, owing to its strong conviction that such inhumane weapons pose a grave danger to the very existence of humankind and that continued reliance on such weapons represents a violation of the principles and purposes of the Charter of the United Nations, International Humanitarian Law, and the global nuclear disarmament and non-proliferation regime.

Egypt will continue its endeavors to realize the objective of establishing such a zone based on the agreed international commitments. It will continue to seek the support of the international community and of all those who are committed to ridding the world, at both the regional and global levels, of the threat of nuclear weapons.