

Joint contribution of the Sixth Conference on the establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction to the Comprehensive Study on Nuclear-Weapon-Free Zones in all its aspects

The Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction (hereinafter the Conference), established pursuant to General Assembly decision 73/546 and in line with the 1995 NPT Review Conference Resolution on the Middle East, has incrementally advanced its work since 2019.

This joint contribution outlines the Conference's progress and achievements, including the establishment of the sustainable organizational and procedural requirements for substantive discussions, the development of an index of thematic topics, and the exploration of technical dimensions essential for establishing such a zone. These dimensions encompass, inter alia, core obligations, verification mechanisms, the right to peaceful uses and addressing its obstacles, dispute settlement, and negative security assurance (NSAs). This document examines the zone's characteristics, key principles, main challenges, and offers insights for strengthening existing nuclear-weapon-free zones (NWFZ) globally and establishing new zones, where they do not exist, particularly in the Middle East, which may inform the comprehensive study on nuclear-weapon-free zones in all its aspects specifically as informed by OP1 of UNGA resolution 79/241.

1. Progress and achievements:

The Conference has developed a robust, sustainable, consensus-based, and credible process that has delivered incremental, steady, systematic, and meaningful progress towards the elaboration of a legally binding instrument establishing a free zone of nuclear weapons and other weapons of mass destruction in the Middle East. Since 2019, the Conference has convened five annual sessions and established an intersessional Working Committee that meets regularly to advance preparatory substantive discussions.

The Conference has explored numerous technical and substantive dimensions necessary for establishing such a zone, including:

- * Core obligations related to nuclear, chemical, and biological weapons.
- * Definitions.
- * Verification mechanisms and considerations.
- * Peaceful uses and technical cooperation.
- * Consultation, clarification, cooperation mechanisms and dispute settlement arrangements.
- * Negative security assurances.

The Conference has assembled an index of thematic topics to be addressed in future sessions, providing a roadmap for continued systematic and predictable progress.

2. Features and perspectives:

The Middle East zone has a number of distinct characteristics compared to existing NWFZs:

1. **Comprehensive scope:** Unlike existing zones that focus solely on nuclear weapons, the scope of the Middle East free zone addresses all weapons of mass destruction (WMD), namely, nuclear, biological, chemical weapons, and verification mechanisms.
2. **Existing capabilities:** The non-accession of a single member of the Conference to the NPT or any other WMD related instrument as well as opaqueness of the existing capabilities (Israel) pose an obstacle and clear threat to regional and international security and stability, requiring prioritized attention while maintaining a comprehensive approach to chemical and biological weapons as well.
3. **Complex regional dynamics:** The zone continues to face cascading threats, risks, and challenges that are compounded by geopolitical complexities.
4. **Contractual imbalance:** There exists an imbalance vis-à-vis the NPT and other instruments on other WMDs in the region. Universal adherence to these instruments, namely the NPT, BWC, and CWC is essential for establishing an effective future free zone in the Middle East.

3. Key principles and insights:

Through its deliberations, the Conference has developed several key principles and insights that may inform NWFZs establishment elsewhere:

1. **Verification approaches:** The Conference has discussed approaches to verification, including relying on existing international verification regimes to enhance confidence and transparency. Such mechanisms must be non-discriminatory, balanced, and applied equally to all Members in the region.
2. **Peaceful settlement of disputes:** The Conference has explored multi-tiered approaches to consultation, clarification, cooperation, and settlement of disputes, drawing from existing NWFZs and relevant Treaties, while adapting them to regional realities of the Middle East region.

3. **Negative security assurances (NSA):** The Conference has emphasized the importance of legally binding, non-discriminatory, unconditional and irrevocable NSA from Nuclear-Weapon States (NWS) as an essential component of any NWFZ through additional protocol to Treaty, and without reservations or interpretative declarations that run contrary to the purposes and principles of the Treaty.
4. **Respecting the Inalienable rights to peaceful uses:** The Conference has affirmed that establishing a zone free of WMD shall not impede, through any restrictions, Members of the Conference's inalienable rights to develop, research, produce, and use nuclear, chemical, and biological materials, equipment, and technology for peaceful purposes. The Conference recognized the illegality of imposing UCMs, which have a negative impact on Members of the Conference.

4. Challenges and lessons learned:

The Conference has encountered and addressed several challenges that offer valuable lessons:

1. **Universal participation:** Despite continuous efforts to secure universal regional participation, Israel has not yet participated in the Conference's work. The Conference recognizes that meaningful progress toward establishing the zone cannot be fully achieved without universal regional participation with a view of elaborating a legal instrument arrived at by the free will of the region. Nevertheless, the Conference has continued to make progress, while recognizing that the absence of any Observer State would obstruct the work of the Conference.
2. **Sequencing of obligations:** There is recognition that all Members in the region must accede to the NPT as Non-Nuclear Weapons States (NNWS) and subject their nuclear facilities to the full-scope safeguards regime of the IAEA with no exceptions.
3. **Building regional capacity:** The Conference has recognized the need to build regional implementation capacity alongside leveraging existing international mechanisms.
4. **Balancing progress and inclusivity:** The Conference has balanced making concrete and incremental progress while maintaining an inclusive approach for all Members to the Conference to join and continue to participate in the process.

5. Future directions and insights:

Based on the Conference's work, we offer the following insights for strengthening existing NWFZ and establishing new ones:

1. **Enhanced inter-zonal cooperation:** Increased cooperation and information sharing among existing NWFZ can strengthen all NWFZ and support the establishment of new ones.
2. **Meaningful engagement with NWS:** Early and sustained engagement with NWS on protocols, including NSA, pending the total elimination of all nuclear weapons
3. **Regional ownership:** Successful NWFZs require strong regional ownership and leadership, with the international community playing a supportive but non-prescriptive role, particularly the responsibilities of the 3 co-sponsors of the 1995 resolution, and consequently their essential participation at the Conference along with the two other NWS.
4. **Progressive approach:** A step-by-step approach that addresses technical issues while maintaining focus on the ultimate political objective has proven effective.
5. **Sustained diplomatic engagement:** Continued dialogue, including after the establishment of the future zone, and through its implementation, is essential for long-term success.
6. **Legal and political foundation:** The Conference affirms the continued validity of the 1995 NPT Review Conference Resolution on the Middle East, and along with relevant resolutions by the United Nations General Assembly and Security Council, particularly UNSC resolutions 487 and 687, they form the foundation for establishing the future zone.

The Conference reaffirms its commitment to make significant contributions to international peace and security through its expertise and dedication, actively advancing the establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction as a crucial component of regional and global security architecture. Through its deliberative process, consistent and inclusive dialogue has yielded meaningful progress on complex security challenges.

While acknowledging that the path forward benefits from universal regional participation and continued diplomatic engagement, the Conference affirms its commitment to building on the foundation of relevant international agreements and UN resolutions. As this work progresses, it not only serves regional security interests but also strengthens NWFZ contribution to the goal of nuclear disarmament and non-proliferation objectives. The Conference stands ready to continue sharing its experience with other regional and international initiatives pursuing similar objectives.