

Establishment of a nuclear-weapon-free-zone in the region of the Middle East

Report of the Secretary-General

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 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 the threat 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 (NPT) for the development of this concept and for its passage through the necessary phases.

Since the year 1980, the General Assembly had annually adopted a resolution, without a vote, reflecting the unanimous endorsement of the States Members of the United Nations for the establishment of a nuclear-weapon-free zone in the Middle East, and thereby constituting a universal common international denominator in this regard. Regrettably, in 2018, this 38-year-long consensus on the resolution was blocked by two States, which have proven their unwillingness to engage in 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 supposing that multilateral forums, including the Review Conference or the United Nations, are not appropriate for discussing and implementing the 1995 Review Conference resolution on the Middle East.

Implementation of the outcomes of the Review Conferences

Egypt believes that the universality of the NPT pours directly in the interest of disarmament efforts as it will naturally address the unacceptable situation where one State in the region continues to refuse to adhere to the NPT while practically enjoying its benefits, which is one of the major issues hampering progress in nuclear disarmament. The NPT, which enjoys the membership of 191 States, sets norms of a peremptory character, as the rights and obligations under the NPT are those of the international community as a whole rather than just its Parties.

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

The 2000 NPT Review Conference, in the 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 in 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 report of the Secretariat on the implementation of the 1995 resolution on the Middle East (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 addressed, in its Final Document (NPT/CONF.2010/50 (Vol. I)), 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 NPT Review Conference clearly recognizes the Middle East resolution as an essential element of the outcome of the 1995 Review Conference and as an integral component of the package of decisions upon 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.

Egypt believed that 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 2010 Final Document. The conference was intended to make 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 serious 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 this regard within specific time frames.

In this 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. The unilateral announcement of the postponement of the conference to an unspecified future date without even consulting with the States of the region followed the expressed commitment of all but one country in the Middle East to attend such a conference. Egypt continues to reject the excuses that were given. The postponement represented 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 NPT Review Conferences remain valid until the objectives are achieved.

In this vein, Egypt reiterated the call for the prompt and full implementation of the 1995 resolution and the outcomes of the 2000 and 2010 Review Conferences on the Middle East, 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.

In addition to urgent calls for the establishment of a nuclear-weapon-free zone in the Middle East, including in the context of the NPT review process, the IAEA, the United Nations General Assembly (UNGA) and the Security Council (UNSC) called upon Israel to "urgently place its nuclear facilities under the safeguards of IAEA" (see Council resolution 487 (1981)) and recalled "the objective of the establishment of a nuclear weapon-free zone in the region of the Middle East" (see UNSCR 687 (1991)).

The process of the United Nations 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 and in an attempt to overcome the consequent impasse, the Group of Arab States submitted to the UNGA in the year 2018 a draft decision that mandated the United Nations Secretary-General to convene 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 this proposed conference were set out in the aforementioned draft decision and were premised primarily on the principles of inclusiveness and consensus.

In a clear demonstration of support to the draft decision, the UNGA adopted decision 73/546 on convening a conference aimed at elaborating a legally-binding treaty establishing a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction.

This Conference has employed the 1995 resolution on the Middle East as its terms of references and aimed to achieve the zone through a consensus-based State-led process on the basis of “arrangements freely arrived at by the States of the region”.

Conference proceedings and outcomes

The three Sessions of the Conference were convened with the full and active participation of all States of the region except Israel, and the valuable presence of the nuclear-weapon states except the U.S., and relevant international disarmament bodies as observers, including the IAEA, the OPCW and the Implementation Support Unit of the BWC.

The First Session of the Conference successfully adopted a Political Declaration which, inter alia, emphasized the open and inclusive nature of this conference and extended an open-ended invitation to all States of the region to join the process. Furthermore, this political declaration stressed that the transparent and inclusive scope of decision 73/546 should be irreversibly granted through referring to the principle of "arrangements freely arrived at by consensus by the States of the region".

The Second Session successfully concluded its work by adopting a diverse set of outcomes including the Rules of Procedure (RoPs) 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 that facilitates more robust thematic deliberations pertaining to substantive issues.

The Third Session also managed to reach a constructive and promising consensual outcome, including deepening the understandings of the States of the Region on the main obligations under the intended treaty and the future work needed under this process.

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 RoPs have added more reassuring guarantees to all States of the region to encourage them to participate in good faith. The provision contained in rule 21 of the RoPs stipulates that consensus shall be the only method of decision-making on procedural and substantive issues.

Finally, the Conference provides an opportunity to all parties to raise their concerns regarding any regional issue relevant to its mandate, and a return to the mindset where 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 Session of the NPT Review Conference contained an agreed positive reference to the UN Middle East Conference as a means towards the implementation of the relevant 1995 resolution.

Conclusion

Egypt firmly believes that the establishment of nuclear-weapon-free zones in areas of conflict 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 that Egypt will remain steadfastly committed to, in the face of all odds.

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 by the States of the region and parties that have a direct responsibility towards the implementation of the relevant 1995 resolution.

The existence of political will among all States parties to the NPT, 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 NPT needs to be realized promptly 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 NPT in undertaking the agreed necessary measures 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 Conference convened in accordance with General 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 us with existential security challenges. Egypt expresses its intention to cooperate actively 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, individually as well as in the regional and international contexts, for a nuclear-weapon-free world, owing to its strong conviction that such 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 objectives of the United Nations Charter and the global nuclear disarmament and nonproliferation regime.

Egypt will continue its endeavours to realize the objective of establishing such a zone based on the agreed international commitments. In its endeavours, Egypt 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 the global level, of the threat of nuclear weapons.

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