

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

Distr.: General
27 December 2021

Original: English

New York, 4–28 January 2022

Implementation of 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

Background paper prepared by the United Nations Secretariat

Contents

	<i>Page</i>
I. Introduction	2
II. Resolution on the Middle East adopted by the 1995 Review and Extension Conference	2
III. Conclusions and recommendations for follow-on actions adopted at the 2010 Review Conference	2
IV. Review of the implementation of the resolution on the Middle East, taking into account the conclusions and recommendations for follow-on actions of the 2010 Review Conference	4
A. Efforts contributing to the achievement of the aims and objectives of the Middle East peace process	4
B. Acceptance of full-scope International Atomic Energy Agency safeguards on all nuclear activities	4
C. Realization of universal adherence to the Treaty	6
D. Efforts contributing to a Middle East zone free of nuclear weapons as well as other weapons of mass destruction, nuclear, chemical and biological, and their delivery systems, taking into account the conclusions and recommendations for follow-on actions of the 2010 Review Conference	7
Annex	
Resolution on the Middle East	12



I. Introduction

1. At its third session, from 29 April to 10 May 2019, the Preparatory Committee for the tenth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons decided to invite the Secretary-General to prepare documentation taking into account the decisions and the resolution adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Final Document of the 2000 Review Conference and the conclusions and recommendations for follow-on actions adopted at the 2010 Review Conference.
2. The Preparatory Committee stated that the following general approach should apply to the proposed paper, similar to the approach applied for the preparation of background documentation for the 1995 Review and Extension Conference, the 2000 Review Conference, the 2010 Review Conference and the 2015 Review Conference: all papers must present balanced, objective and factual descriptions of the relevant developments, be as short as possible and be easily readable. They must refrain from presenting value judgments. Rather than presenting collections of statements, they should reflect agreements reached, actual unilateral and multilateral measures taken, understandings adopted, formal proposals for agreements made and important political developments directly related to any of the foregoing. The paper should focus on the period since the 2015 Review Conference.
3. The present paper is submitted pursuant to that request. Attention is also drawn to the background paper prepared by the International Atomic Energy Agency (IAEA) regarding its activities relevant to the implementation of the Treaty.¹

II. Resolution on the Middle East adopted by the 1995 Review and Extension Conference

4. On 11 May 1995, the Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons adopted the resolution on the Middle East, sponsored by the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America as depositaries of the Treaty on the Non-Proliferation of Nuclear Weapons. In the resolution the Conference, inter alia, endorsed the aims and objectives of the peace process and recognized that efforts in that regard, as well as other efforts, contribute to a Middle East free of nuclear weapons as well as other weapons of mass destruction. Furthermore, it called on States in the region not parties to the Treaty to accede to the Treaty and accept full-scope IAEA safeguards and urged nuclear- and non-nuclear-weapon States to fully cooperate with regional efforts to create a zone in the Middle East free of nuclear and all other weapons of mass destruction. The text of the resolution is contained in the annex to the present paper.

III. Conclusions and recommendations for follow-on actions adopted at the 2010 Review Conference

5. The 2010 Review Conference reaffirmed the commitment to universality of the Treaty, and States parties expressed their concern regarding the lack of progress in the achievement of universality and in the implementation of the resolution on the Middle East adopted at the 1995 Review and Extension Conference, which a majority of States parties believed seriously undermined the Treaty and represented a threat to

¹ [NPT/CONF.2020/3](#).

regional and international peace and security. The 2010 Review Conference reaffirmed the importance of the 1995 resolution on the Middle East, recalled the affirmation of its goals and objectives by the 2000 Review Conference and stressed that the resolution remains valid until the goals and objectives are achieved. The 2010 Review Conference stated that the 1995 resolution was an essential element of the outcome of the 1995 Conference and of the basis on which the Treaty was indefinitely extended without a vote in 1995. States parties renewed their resolve to undertake, individually and collectively, all necessary measures aimed at the prompt implementation of the resolution. The 2010 Review Conference reaffirmed its endorsement of the aims and objectives of the Middle East peace process and recognized that efforts in that regard, as well as other efforts, contribute to, inter alia, a Middle East zone free of nuclear weapons as well as other weapons of mass destruction. States parties regretted that little progress had been achieved towards the implementation of the 1995 resolution on the Middle East by the time of the 2010 Review Conference, recalled the reaffirmation by the 2000 Review Conference of the importance of accession by Israel to the Treaty and the placement of all its nuclear facilities under comprehensive IAEA safeguards, reaffirmed the urgency and importance of achieving universality of the Treaty and called on all States in the Middle East that had not yet done so to accede to the Treaty as non-nuclear-weapon States so as to achieve its universality at an early date. The 2010 Review Conference stressed the necessity of strict adherence by all States parties to their obligations and commitments under the Treaty, urged all States in the region to take relevant steps and confidence-building measures to contribute to the realization of the objectives of the 1995 resolution on the Middle East and called upon all States to refrain from undertaking any measures that precluded the achievement of that objective.

6. The 2010 Review Conference emphasized the importance of a process leading to the full implementation of the 1995 resolution on the Middle East and endorsed the following practical steps to that end:

(a) The convening of a conference in 2012 by the Secretary-General and the co-sponsors of the 1995 resolution, in consultation with the States of the region, 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, on the basis of arrangements freely arrived at by the States of the region, and with the full support and engagement of the nuclear-weapon States. The 2012 conference should take as its terms of reference the 1995 resolution;

(b) The appointment by the Secretary-General and the co-sponsors of the 1995 resolution, in consultation with the States of the region, of a facilitator with a mandate to support implementation of the 1995 resolution by conducting consultations with the States of the region in that regard and undertaking preparations for the convening of the 2012 conference. The facilitator would also assist in the implementation of follow-on steps agreed by the participating regional States at the 2012 conference. The facilitator would report to the 2015 Review Conference and its Preparatory Committee meetings;

(c) The designation by the Secretary-General of the United Nations and the co-sponsors of the 1995 Resolution, in consultation with the States of the region, of a host Government for the 2012 conference;

(d) Additional steps aimed at supporting the implementation of the 1995 resolution, including that IAEA, the Organization for the Prohibition of Chemical Weapons (OPCW) and other relevant international organizations be requested to prepare background documentation for the 2012 conference regarding modalities for a zone free of nuclear weapons and other weapons of mass destruction and their

delivery systems, taking into account work previously undertaken and experience gained;

(e) The consideration of all offers aimed at supporting the implementation of the 1995 resolution, including the offer of the European Union to host a follow-on seminar to that organized in June 2008.

7. The 2010 Review Conference emphasized the requirement of maintaining parallel progress in substance and timing in the process leading to achieving the total and complete elimination of all weapons of mass destruction in the region, nuclear, chemical and biological, and reaffirmed that all States parties to the Treaty, particularly the nuclear-weapon States and the States in the region, should continue to report on steps taken to implement the 1995 resolution, through the Secretariat, to the President of the 2015 Review Conference, as well as to the Chair of the Preparatory Committee meetings to be held in advance of that Conference, and further recognized the important role played by civil society in contributing to the implementation of the 1995 resolution and encouraged all efforts in that regard.

IV. Review of the implementation of the resolution on the Middle East, taking into account the conclusions and recommendations for follow-on actions of the 2010 Review Conference

A. Efforts contributing to the achievement of the aims and objectives of the Middle East peace process

8. In paragraph 1 of its resolution on the Middle East, the Review and Extension Conference endorsed the aims and objectives of the Middle East peace process and recognized that efforts in that regard, as well as other efforts, contribute to, inter alia, a Middle East zone free of nuclear weapons as well as other weapons of mass destruction. That was reaffirmed in the Final Document of the 2010 Review Conference.²

9. Observations on the current state of the Israeli-Palestinian conflict and on international efforts to move the peace process forward with a view to achieving a peaceful settlement can be found in the reports of the Secretary-General on the peaceful settlement of the question of Palestine, contained in documents [A/71/359-S/2016/732](#), which covers the period from September 2015 to August 2016; [A/72/368-S/2017/741](#), which covers the period from September 2016 to August 2017; [A/73/346-S/2018/597](#), which covers the period from September 2017 to August 2018; [A/74/333-S/2019/685](#), which covers the period from September 2018 to 15 August 2019; [A/75/195-S/2020/834](#), which covers the period from September 2019 to August 2020; and [A/76/299-S/2021/749](#), which covers the period from September 2020 to August 2021.

B. Acceptance of full-scope International Atomic Energy Agency safeguards on all nuclear activities

10. As stipulated in paragraphs 3 and 4 of the resolution on the Middle East and in the decision on principles and objectives for nuclear non-proliferation and

² [NPT/CONF.2010/50 \(Vol. I\)](#).

disarmament,³ all States of the Middle East that have not yet done so should place their nuclear facilities under comprehensive IAEA safeguards.

11. The General Assembly, in numerous resolutions on the subject of the establishment of a nuclear-weapon-free zone in the Middle East,⁴ as well as on the subject of the risk of nuclear proliferation in the Middle East,⁵ has called upon all States in the Middle East that have not yet done so to place all their nuclear activities under full-scope IAEA safeguards.

12. At the 2010 Review Conference, all States not parties to the Treaty were called upon to accede to it without further delay and without any conditions, and to bring into force the required comprehensive safeguards agreements and additional protocols consistent with the model additional protocol.⁶ Those States that operate unsafeguarded nuclear facilities were also called upon to reverse clearly and urgently any policies to pursue any nuclear weapon development or deployment and to refrain from any action that could undermine regional and international peace and security and the efforts of the international community towards nuclear disarmament and the prevention of proliferation of nuclear weapons.

13. The General Conference of IAEA, in a series of resolutions on the application of IAEA safeguards in the Middle East,⁷ has reaffirmed the urgent need for all States in the Middle East forthwith to accept the application of full-scope Agency safeguards to all their nuclear activities as an important confidence-building measure among all States in the region and as a step in enhancing peace and security in the context of the establishment of a nuclear-weapon-free zone. The General Conference has also called upon all parties directly concerned to consider seriously taking the practical and appropriate steps required for the implementation of the proposal to establish a mutually and effectively verifiable nuclear-weapon-free zone in the region. The General Conference has also invited the States concerned to adhere to international non-proliferation regimes, including the Treaty on the Non-Proliferation of Nuclear Weapons, as a means of complementing participation in a zone free of all weapons of mass destruction in the Middle East and of strengthening peace and security in the region. Details of the steps taken towards the implementation of the General Conference resolutions are given in the reports by the IAEA Director General to the Board of Governors and the General Conference on the application of IAEA safeguards in the Middle East.⁸

14. All States of the Middle East region, as defined by IAEA,⁹ except Israel, have undertaken to accept comprehensive safeguards. Somalia has yet to take action to conclude a comprehensive safeguards agreement with the Agency pursuant to that Treaty, while the State of Palestine¹⁰ has signed but has not yet brought into force its comprehensive safeguards agreement.

15. Additional protocols are in force for Bahrain, Comoros, Djibouti, Iraq, Jordan, Kuwait, Libya, Mauritania, Morocco and the United Arab Emirates. Algeria, the Islamic Republic of Iran and Tunisia have signed additional protocols but have not

³ NPT/CONF.1995/32 (Part I), annex, decision 2.

⁴ See, for example, resolution 76/20.

⁵ See, for example, resolution 76/63.

⁶ IAEA document INFCIRC/540 (Corrected) and Corr.1.

⁷ See, for example, IAEA resolutions GC(65)/RES/14 and GC(64)/RES/15.

⁸ See the most recent report (IAEA document GOV/2021/36-GC(65)/14).

⁹ IAEA considers the Middle East region to include members of the League of Arab States, the Islamic Republic of Iran and Israel. (see GOV/2021/36-GC(65)/14, footnote 1).

¹⁰ The designation employed does not imply the expression of any opinion whatsoever concerning the legal status of any country or territory or of its authorities, or concerning the delimitation of its frontiers.

yet brought them into force.¹¹ Algeria signed the Additional protocol in 2018, and Djibouti brought the protocol into force in 2015. The Islamic Republic of Iran notified the Agency that it would, pending entry into force, apply the additional protocol provisionally as of 16 January 2016. The country subsequently notified the Agency that it would cease voluntary implementation of the provisions of the additional protocol as of 23 February 2021.

16. Of the States with comprehensive safeguards agreements in force, 10 States (Bahrain, Comoros, Kuwait, Lebanon, Mauritania, Oman, Qatar, Saudi Arabia, the Sudan and Yemen) implement the Small Quantities Protocol with the Agency. Of these, Bahrain, Comoros, Kuwait, Lebanon and Mauritania have adopted the 2005 revised standardized text and modified criteria. Oman, Saudi Arabia and Yemen adopted the Small Quantities Protocol in 2020. Jordan and United Arab Emirates rescinded their Small Quantities Protocols in 2015 and 2021 respectively.

17. In 2015, at the request of a number of States, the IAEA General Conference considered an agenda item entitled “Israeli nuclear capabilities”. The same year, a number of States introduced a draft resolution under that agenda item, which was put to a roll-call vote and rejected by the General Conference. From 2016 to 2021, the item was included in the agenda of the IAEA General Conference, but no draft resolution was submitted.¹²

18. In its resolution [2231 \(2015\)](#), the Security Council endorsed the Joint Comprehensive Plan of Action (JCPOA) concluded by China, France, Germany, the Russian Federation, the United Kingdom and the United States (the E3+3) and the Islamic Republic of Iran on 14 July 2015. In the resolution, the Security Council affirmed that full implementation of JCPOA would contribute to building confidence in the exclusively peaceful nature of Iran’s nuclear programme, and strongly supported the essential and independent role of IAEA in verifying compliance with safeguards agreements. However, the United States announced its unilateral withdrawal from the agreement in May 2018, and the Islamic Republic of Iran commenced its phased withdrawal of nuclear-related commitments under the Plan in May 2019, and the cessation of voluntary implementation of the additional protocol and other transparency measures under JCPOA as of 23 February 2021.

19. Discussions between the E3+3 and the Islamic Republic of Iran have been held intermittently in Vienna since April 2021 regarding the return to full compliance with JCPOA and its full implementation by all relevant parties. On 21 February 2021, with regard to the cessation of voluntary implementation of the additional protocol, IAEA and the Islamic Republic of Iran reached a temporary technical understanding to allow IAEA to continue its monitoring and verification of the country’s nuclear-related activities for up to three months. Since an agreement on 24 May 2021 to extend this arrangement for a further period of one month, IAEA and the Islamic Republic of Iran have continued discussion regarding this temporary arrangement.

C. Realization of universal adherence to the Treaty

20. Under the resolution on the Middle East and the decision on principles and objectives for nuclear non-proliferation and disarmament, all States not yet parties to the Non-Proliferation Treaty are called upon to accede to the Treaty at the earliest date, particularly those States that operate unsafeguarded nuclear facilities. Every

¹¹ See IAEA, Application of IAEA Safeguards in the Middle East (GOV/2021/36-GC(65)/14), report by the Director General, para. 4.

¹² See for example GC(65)/1/add.1.

effort should be made by all States parties to achieve that objective.¹³ All States of the region of the Middle East, with the exception of Israel, are States parties to the Non-Proliferation Treaty.¹⁴

D. Efforts contributing to a Middle East zone free of nuclear weapons as well as other weapons of mass destruction, nuclear, chemical and biological, and their delivery systems, taking into account the conclusions and recommendations for follow-on actions of the 2010 Review Conference

21. On 22 December 2018, the General Assembly adopted decision 73/546, in which it entrusted the Secretary-General with convening, no later than 2019 at United Nations Headquarters, a conference on the establishment of a Middle East zone free of nuclear weapons and other weapons of mass destruction. In the decision, the Assembly also requested the Secretary-General to convene annual sessions of the Conference, for a duration of one week, at Headquarters, until the Conference concluded the elaboration of a legally binding treaty establishing a Middle East zone free of nuclear weapons and other weapons of mass destruction.

22. The first session of the Conference was held from 18 to 22 November 2019 in New York. Twenty-three States from the region, four observer States and three relevant international organizations (IAEA, OPCW and the Biological Weapons Convention Implementation Support Unit) participated in the session.

23. The Conference elected by acclamation Jordan the President of its first session and the Permanent Representative of Jordan to the United Nations, Sima Sami Bahous, presided over the first session of the Conference. The Secretary-General and the President of the General Assembly for the seventy-fourth session, Tijjani Muhammad-Bande (Nigeria), addressed the opening session. Following the general debate, the thematic debate took place on the basis of the indicative topics proposed in a concept note by the President. Members at the Conference exchanged views on a range of related issues, including principles and objectives, general obligations regarding nuclear weapons, general obligations regarding other weapons of mass destruction, peaceful uses and international cooperation, institutional arrangements and other aspects. The Conference agreed that representatives of existing nuclear-weapon-free zones organizations should be invited to share good practices and lessons learned with respect to the implementation of treaties establishing such zones prior to the second session of the Conference. The Conference took a decision on the rotating presidency of its annual sessions ([A/CONF.236/DEC.4](#)), as well as a decision on the dates of its annual sessions (see [A/CONF.236/DEC.3](#)).

24. At its first session, the Conference adopted a political declaration ([A/CONF.236/6](#), annex).

25. The Political Declaration expressed the conviction that the establishment of a verifiable Middle East zone free of nuclear weapons and other weapons of mass destruction would greatly enhance regional and international peace and security; it reconfirmed the solemn commitment to pursue the establishment of a zone in the Middle East zone in an open and inclusive manner. The participating States also

¹³ [NPT/CONF.1995/32 \(Part I\)](#), annex, decision 2, para. 1.

¹⁴ The Secretariat received a note verbale on 18 February 2015 informing it “that on 10 February 2015 the Russian Federation as a depositary State of the Treaty on the Non-Proliferation of Nuclear Weapons has received an original of the verbal note from the State of Palestine on its joining the NPT ... and proceeds from the understanding that the NPT enters into force for the State of Palestine starting on the above-mentioned date”.

committed to undertaking efforts to follow up on the outcomes of the first session and for the preparation for the next session and requested the Secretary-General to continue his support for the Conference process. In this regard, the Office for Disarmament Affairs assisted the President and participating States of the Conference in undertaking substantive intersessional work with the financial support from the United Nations peace and development trust fund.

26. During the intersessional period between the first and second sessions, two informal workshops were organized, in July 2020 and February 2021 respectively. At the first informal workshop, representatives of nuclear-weapon-free zone organizations and States parties to the treaties establishing nuclear-weapon-free zones, as well as experts and representatives of academia, were invited to share good practices and lessons learned from the respective nuclear-weapon-free zones in their negotiation processes and in the implementation of the various zone treaties. The second informal workshop focused on the relevance of various key aspects of those good practices and lessons learned with respect to the establishment of the Middle East zone and their applicability in the process. The workshops provided an informal setting for representatives of States and relevant intergovernmental organizations, as well as experts and representatives of academia, to engage in candid and substantive discussions on matters related to establishing a zone free of nuclear weapons and other weapons of mass destruction, including key building blocks for such a zone in the Middle East.

27. The second session of the Conference, originally scheduled to take place in November 2020 in New York, was postponed by the participating States to 2021, owing to the coronavirus disease (COVID-19) pandemic.

28. The second session of the Conference was held from 29 November to 3 December 2021 at Headquarters in New York. Nineteen States from the region, four observer States and three relevant international organizations (IAEA, OPCW and the Biological Weapons Convention Implementation Support Unit) participated in the session. In accordance with the decision taken at the first session as contained in document [A/CONF.236/DEC.4](#), the Conference endorsed by acclamation Kuwait as President of the Conference and invited the Permanent Representative of Kuwait to the United Nations, Mansour Alotaibi, to preside over the Conference. The Secretary-General and the President of the General Assembly for the seventy-sixth session, Abdulla Shahid (Maldives), made statements at the opening of the session.

29. At the second session, a general debate was held, which was open to invited intergovernmental international organizations, United Nations entities and non-governmental organizations, after which a thematic debate ensued. The thematic debate proceeded on the basis of an informal paper by the President, which contained a non-exhaustive list of issues, including: principles and objectives; core obligations related to nuclear, chemical and biological weapons, including verification; transparency and security through implementation of the treaty; definition of clarifications, consultations and cooperation; peaceful uses and international cooperation; institutional arrangements, entry into force and dispute settlement; protocols, including security assurances; and other relevant issues. The thematic deliberations proceeded with the understanding that any Members to the Conference may raise any additional topics and that they may also supplement and consolidate their views on those issues at any time. The participants agreed that a summary of the deliberations under thematic debate be included in the final report of the second session of the Conference ([A/CONF.236/2021/4](#)).

30. The Conference, after intensive consultations, adopted its rules of procedure ([A/CONF.236/2021/3](#)) at the second session. The Conference also decided to establish a working committee, open to all members of the Conference, to continue deliberations, on an informal basis, during the period between annual sessions of the

Conference on issues related to the mandate of the Conference (see [A/CONF.236/2021/DEC.3](#)). The Conference also decided that its third session would be held from 14 to 18 November 2022 at United Nations Headquarters.

Elimination of chemical weapons in the Syrian Arab Republic

31. The OPCW-United Nations Joint Mission for the Elimination of the Chemical Weapons Programme of the Syrian Arab Republic was formally established on 16 October 2013, a month after the Syrian Arab Republic deposited its instrument of accession to the Chemical Weapons Convention.

32. The mandate of the Joint Mission for an accelerated programme to completely eliminate the chemical weapons programme of the Syrian Arab Republic by mid-2014 derived from OPCW Executive Council decision EC-M-33/DEC.1 and Security Council resolution [2118 \(2013\)](#), both dated 27 September 2013.

33. The OPCW-United Nations Joint Mission closed on 30 September 2014, although OPCW continues to undertake the necessary residual activities required to fully implement Security Council resolution [2118 \(2013\)](#). OPCW confirmed the complete destruction of all chemical weapons declared by the Syrian Arab Republic on 4 January 2016.¹⁵ Pursuant to paragraph 12 of resolution [2118 \(2013\)](#), the Director-General of OPCW has the obligation to report to the Security Council, through the Secretary-General, on the activities related to the implementation of the resolution. Accordingly, the High Representative for Disarmament Affairs briefs the Security Council Members, on a monthly basis, on the elimination of the Syrian Arab Republic chemical weapons programme.

34. On 7 August 2015, the Security Council adopted resolution [2235 \(2015\)](#), in which it condemned “any use of any toxic chemical, such as chlorine, as a weapon in the Syrian Arab Republic” and expressed its determination to identify and hold accountable those responsible for such acts. In the resolution, the Security Council established the OPCW-United Nations Joint Investigative Mechanism to “identify to the greatest extent feasible” those responsible.

35. On 17 November 2016, the Security Council renewed the mandate of the Joint Investigative Mechanism for a further period of one year by adopting resolution [2319 \(2016\)](#). The Mechanism’s mandate was “to identify to the greatest extent feasible individuals, entities, groups, or governments who were perpetrators, organizers, sponsors or otherwise involved in the use of chemicals as weapons, including chlorine or any other toxic chemical, in the Syrian Arab Republic where the OPCW fact-finding mission determines or has determined that a specific incident in the Syrian Arab Republic involved or likely involved the use of chemicals as weapons, including chlorine or any other toxic chemical” (resolution [2235 \(2015\)](#)).

36. The Joint Investigative Mechanism was able to identify those responsible for six cases of chemical weapons use in the Syrian Arab Republic. Despite several proposals, the Security Council could not agree upon an extension of the Mechanism’s mandate. Consequently, the Mechanism ceased functioning on 17 November 2017.

37. The non-renewal of the mandate of the Joint Investigative Mechanism left a gap in the ability of international organizations to identify those responsible for the use of chemical weapons. Therefore, in June 2018, the Fourth Special Session of the Conference of States Parties to the Chemical Weapons Convention granted the secretariat of OPCW the authority to conduct such investigations. Pursuant to

¹⁵ See OPCW secretariat, press release “Destruction of declared Syrian chemical weapons completed”, 4 January 2016. Available at www.opcw.org/media-centre/news/2016/01/destruction-declared-syrian-chemical-weapons-completed.

paragraph 10 of decision C-SS-4/DEC.3 the OPCW secretariat established an Investigation and Identification Team with the mandate to “identify the perpetrators of the use of chemical weapons in the Syrian Arab Republic by identifying and reporting on all information potentially relevant to the origin of those chemical weapons in those instances in which the OPCW Fact-Finding Mission in Syria determines or has determined that use or likely use occurred, and cases for which the OPCW-United Nations Joint Investigative Mechanism has not issued a report”. On 8 April 2020 and on 12 April 2021, the Investigation and Identification Team released its reports.

Other initiatives

European Union

38. The European Union reiterates its full support for the Treaty on the Non-Proliferation of Nuclear Weapons, which has laid the foundation for establishing nuclear-free zones around the world, as well as the establishment of a Middle East zone free of weapons of mass destruction.

39. The European Union remains committed to the implementation of the resolution on the Middle East adopted at the 1995 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. The European Union continues to strongly support the outcome of the 2010 Review Conference on the Middle East and reaffirms its full support for the establishment of a zone free of nuclear and all other weapons of mass destruction and their delivery systems in the Middle East, as agreed by States parties to the Treaty. The path for action as set out in the 2010 Review Conference action plan remains the most promising basis on which to proceed.

40. The European Union is of the view that, as stated in the 2010 Review Conference action plan, such zones can be established only on the basis of arrangements freely arrived at between all States of the region concerned. The European Union maintains the view that dialogue and building confidence among stakeholders is the only sustainable way to agree on arrangements for a meaningful conference, to be attended by all States of the Middle East, on the basis of arrangements freely arrived at by them, as decided by the 2010 Review Conference. The process must be inclusive for it to be effective, and proposals that force the issue risk failure.

41. The European Union has consistently presented that position at the United Nations, as was also the case in recent United Nations discussions related to concrete proposals on how to take the process forward. The European Union reiterates its support for the Secretary-General’s disarmament agenda *Securing our Common Future: An Agenda for Disarmament*, presented on 24 May 2018, in which the Secretary-General pledges to work with States Members of the United Nations to strengthen and consolidate nuclear-weapon-free zones, including by supporting the further establishment of such zones, including in the Middle East. The European Union takes note of the Conferences on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction in the Middle East, held in 2019 and 2020 in New York. The European Union calls upon all parties to further their efforts to build an inclusive and consensus-based process, including all States of the region, taking into account the security concerns of all those States and covering all weapons of mass destruction and their delivery systems, in line with the resolution on the Middle East adopted at the 1995 Review Conference and the final outcome document of the 2010 Review Conference. The European Union reconfirms its readiness to assist the process leading to the establishment of a zone free of weapons of mass destruction in the Middle East, as it has done in the past by facilitating dialogue among States of the region. Specific legislative acts have been adopted at the European Union to support United Nations work in that regard. Council Decision

(CFSP) 2017/809 supports the implementation of Security Council resolution 1540 (2004), where assistance requests from States to take additional, practical steps to implement the obligations of resolution 1540 (2004) at the national level give priority to States from, inter alia, the Gulf and Middle East region.

42. A number of legislative acts adopted by the European Union in support of the goal of a Middle East zone free of weapons of mass destruction are ongoing, notably Council Decision (CFSP) 2019/615 of 15 April 2019 in support of activities leading up to the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. In addition, at the meeting of the First Committee in 2020, the European Union delivered a specific statement on the Middle East in which it repeated its support of the creation of such a zone.

43. Similarly, Council Decision (CFSP) 2019/938 of 6 June 2019 in support of a process of confidence-building leading to the establishment of a zone free of nuclear weapons and all other weapons of mass destruction in the Middle East is still ongoing. The decision supports efforts by the European Union to bring the process forward, as was done in 2011 and in 2012 respectively. It aims to enhance confidence-building through a number of seminars, workshops and research projects, whose objective is to reach a deeper collective understanding of the successes and failures related to previous efforts and which would eventually allow for ideas on new avenues and proposals leading to a Middle East zone free of weapons of mass destruction. The project will continue for three years.

44. Furthermore, Council Decision (CFSP) 2019/538 of 1 April 2019 supports key activities of the Organisation for the Prohibition of Chemical Weapons, including the universalization of the Chemical Weapons Convention and the implementation of decision C-SS-4/DEC.3 on addressing the threat from chemical weapons use, adopted on 27 June 2018 at the Fourth Special Session of the Conference of the States Parties to the Chemical Weapons Convention.

45. The European Union also confirms its readiness to continue to assist the Middle East region, through the European Union Chemical, Biological, Radiological and Nuclear Risk Mitigation Centers of Excellence Initiative, which was launched in response to the need to strengthen the institutional capacity of countries outside the European Union to mitigate chemical, biological, radiological and nuclear risks. The Centers of Excellence established in Algeria, Jordan, Morocco and the United Arab Emirates all contribute to enhanced capacity-building in the region.

46. The European Union continues to call upon all States in the region, which have not yet done so, to accede to and abide by the Treaty on the Non-Proliferation of Nuclear Weapons, the Chemical Weapons Convention and the Biological and Toxin Weapons Convention, to sign and ratify the Comprehensive Nuclear-Test-Ban Treaty, and to conclude a Comprehensive Safeguards Agreement, the Additional Protocol and, as applicable, a modified Small Quantities Protocol with the International Atomic Energy Agency. Also, subscribing to The Hague Code of Conduct against Ballistic Missiles Proliferation could contribute to regional confidence-building, which is necessary for progress towards a Middle East zone free of weapons of mass destruction.

Role played by civil society in contributing to the implementation of the 1995 resolution

47. Civil society has continued to play a significant role in hosting Track II diplomacy meetings and producing papers, reports and books. Non-governmental organizations in the region and in other parts of the world have assisted in building expertise, knowledge and capacity on the topic of the implementation of 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.

Annex

Resolution on the Middle East

The Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

Reaffirming the purpose and provisions of the Treaty on the Non-Proliferation of Nuclear Weapons,

Recognizing that, pursuant to article VII of the Treaty, the establishment of nuclear-weapon-free zones contributes to strengthening the international non-proliferation regime,

Recalling that the Security Council, in its statement of 31 January 1992,^a affirmed that the proliferation of nuclear and all other weapons of mass destruction constituted a threat to international peace and security,

Recalling also General Assembly resolutions adopted by consensus supporting the establishment of a nuclear-weapon-free zone in the Middle East, the latest of which is resolution [49/71](#) of 15 December 1994,

Recalling further the relevant resolutions adopted by the General Conference of the International Atomic Energy Agency concerning the application of Agency safeguards in the Middle East, the latest of which is GC(XXXVIII)/RES/21 of 23 September 1994, and noting the danger of nuclear proliferation, especially in areas of tension,

Bearing in mind Security Council resolution [687 \(1991\)](#) and in particular paragraph 14 thereof,

Noting Security Council resolution [984 \(1995\)](#) and paragraph 8 of the decision on principles and objectives for nuclear non-proliferation and disarmament adopted by the Conference on 11 May 1995,

Bearing in mind the other decisions adopted by the Conference on 11 May 1995,

1. *Endorses* the aims and objectives of the Middle East peace process and recognizes that efforts in this regard, as well as other efforts, contribute to, inter alia, a Middle East zone free of nuclear weapons as well as other weapons of mass destruction;

2. *Notes with satisfaction* that, in its report ([NPT/CONF.1995/MC.III/1](#)), Main Committee III of the Conference recommended that the Conference “call on those remaining States not parties to the Treaty to accede to it, thereby accepting an international legally binding commitment not to acquire nuclear weapons or nuclear explosive devices and to accept International Atomic Energy Agency safeguards on all their nuclear activities”;

3. *Notes with concern* the continued existence in the Middle East of unsafeguarded nuclear facilities, and reaffirms in this connection the recommendation contained in section VI, paragraph 3, of the report of Main Committee III urging those non-parties to the Treaty on the Non-Proliferation of Nuclear Weapons that operate unsafeguarded nuclear facilities to accept full-scope International Atomic Energy Agency safeguards;

4. *Reaffirms* the importance of the early realization of universal adherence to the Treaty, and calls upon all States of the Middle East that have not yet done so,

^a [S/23500](#).

without exception, to accede to the Treaty as soon as possible and to place their nuclear facilities under full-scope International Atomic Energy Agency safeguards;

5. *Calls upon* all States in the Middle East to take practical steps in appropriate forums aimed at making progress towards, inter alia, the establishment of an effectively verifiable Middle East zone free of weapons of mass destruction, nuclear, chemical and biological, and their delivery systems, and to refrain from taking any measures that preclude the achievement of this objective;

6. *Calls upon* all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and in particular the nuclear-weapon States, to extend their cooperation and to exert their utmost efforts with a view to ensuring the early establishment by regional parties of a Middle East zone free of nuclear and all other weapons of mass destruction and their delivery systems.
