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# **Preparatory Committee for the 2026 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons**

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## **ADVANCE UNEDITED VERSION**

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### **Second session**

Geneva, 22 July–2 August 2024

### **Regional issues: Middle East**

#### **Working paper submitted by the members of the Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons**

1. The Group of Non-Aligned States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons reaffirms that the Treaty recognizes the right of any group of States to conclude regional treaties in order to ensure the total absence of nuclear weapons in their respective territories, which the Group considers to be a contribution towards the total elimination of nuclear weapons and the achievement of the objectives of the Treaty. The Group is of the firm belief, however, that the establishment of nuclear-weapon-free zones is not a substitute for the legal obligations and unequivocal undertakings of the nuclear-weapon States for the total elimination of nuclear weapons. The Group further welcomes the efforts aimed at establishing nuclear-weapon-free zones in all regions of the world and, in that regard, strongly supports the establishment of a nuclear-weapon-free zone in the Middle East in implementation of the relevant previous NPT Review Conferences resolutions and decisions.

2. The Group of Non-Aligned States Parties to the Treaty stresses the importance 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 (hereinafter the 1995 resolution), which reaffirmed the importance of the early realization of universal adherence to the Treaty. The Group recalls that the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons reaffirmed the importance of Israel's accession to the Treaty and the placement of all its nuclear facilities under comprehensive International Atomic Energy Agency (IAEA) safeguards, in realizing the goal of universal adherence to the Treaty in the Middle East.

3. The Group of Non-Aligned States Parties to the Treaty underlines, furthermore, that the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons also reaffirmed the importance of the resolution on the Middle East adopted at the 1995 Review and Extension Conference and recalled the affirmation of its goals and objectives by the 2000 Review Conference. The 2010 Review Conference also stressed that the resolution would remain valid until its goals and objectives had been achieved and that the resolution was an essential element of the outcome of the 1995 Review and Extension Conference and of the basis upon

which the Treaty had been extended indefinitely without a vote in 1995. The Group recalls also that, at the 2010 Review Conference, States parties renewed their resolve to undertake, individually and collectively, all necessary measures aimed at its prompt implementation.

4. The Group of Non-Aligned States Parties to the Treaty further recalls that the 2010 Review Conference, in taking note of the reaffirmation by the five nuclear-weapon States of their commitment to the full implementation of the 1995 resolution on the Middle East at that 2010 Review Conference, thereby recalled the reaffirmation by the 2000 Review Conference of the importance of Israel's accession to the Treaty and the placement of all its nuclear facilities under comprehensive IAEA safeguards. The 2010 Review Conference also reaffirmed the urgency and importance of achieving the 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.

5. In this context, the Group of Non-Aligned States Parties to the Treaty welcomed the adoption by consensus of a detailed plan of action on the Middle East, in particular on the implementation of the 1995 resolution on the Middle East, contained in the conclusions and recommendations for follow-on actions of the 2010 Review Conference, and urged the Secretary-General and the co-sponsors of the 1995 resolution, in consultation with the States of the region, to convene and exert their utmost efforts to ensure the success of a conference in 2012 that was 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.<sup>1</sup> While recalling that the 2010 Review Conference emphasized the importance of a process leading to full implementation of the objectives of the 1995 resolution on the Middle East, the Group stressed the importance of the full implementation of the plan of action and the active and constructive engagement of all parties concerned to ensure the success of the conference, leading to the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction.

6. The Group of Non-Aligned States Parties to the Treaty expresses deep concern over the long delay in the implementation of the 1995 resolution on the Middle East and urges the three co-sponsors of the resolution to fulfil their responsibility by taking all necessary measures to fully implement it without any further delay.

7. The Group of Non-Aligned States Parties to the Treaty expresses its serious concern about the lack of progress with regard to Israel's accession to the Treaty, the placement of all of Israel's nuclear facilities under the IAEA full-scope safeguards and the delay in the establishment of a nuclear-weapon-free zone in the Middle East, all of which are objectives and priorities that were stressed at the 1995, 2000 and 2010 Review Conferences.

8. The Group of Non-Aligned States Parties to the Treaty remains gravely concerned by the statement made by the then Prime Minister of Israel on 11 December 2006, in which he publicly admitted the possession of nuclear weapons by Israel. In that regard, the Group reaffirms the continued validity of the statement of the Coordinating Bureau of the Non-Aligned Movement on this subject, as contained in document NPT/CONF.2010/PC.I/19. The Group is further alarmed by a threat by an Israeli Minister on 5 November 2023 to use nuclear weapons against Gaza strip and its civilian population and on September 2023 by the Israeli Prime Minister against Iran.

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<sup>1</sup> Participation in the conference is not meant to constitute the definition of the "Middle East", except for the purpose of the establishment of a zone free of nuclear weapons and all other weapons of mass destruction in the Middle East.

9. The Group of Non-Aligned States Parties to the Treaty further expresses great concern over the acquisition of nuclear capabilities by Israel, which poses a serious and continuing threat to the security of neighbouring and other States, and condemns Israel for continuing to develop and stockpile nuclear arsenals. The Group also reaffirms that stability cannot be achieved in a region where massive imbalances in military capabilities are maintained, particularly through the possession of nuclear weapons, as this allows one party to threaten its neighbours and the region, and constitutes a threat to international peace and security.

10. The Group of Non-Aligned States Parties to the Treaty demands that Israel, the only country in the region that has neither joined the Treaty on the Non-Proliferation of Nuclear Weapons nor declared its intention to do so, renounce possession of nuclear weapons, accede to the Treaty as a non-nuclear-weapon State without any precondition or further delay, promptly place all its nuclear facilities under the IAEA full-scope safeguards, in accordance with Security Council resolution 487 (1981), and conduct all its nuclear-related activities in full conformity with the non-proliferation regime, in order to realize the goal of universal adherence to the Treaty, in particular in the Middle East.

11. The Group of Non-Aligned States Parties to the Treaty reaffirms that the nuclear-weapon States, in conformity with their legal obligations under article I of the Treaty, shall solemnly undertake not to transfer nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices, directly or indirectly to Israel, and further undertake not to assist, encourage or induce Israel in any way to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices or to gain control over such weapons or explosive devices under any circumstances whatsoever.

12. The Group of Non-Aligned States Parties to the Treaty, in conformity with the Treaty, hereby declares its commitment to the effective prohibition of the transfer of all nuclear-related equipment, information, material and facilities, resources or devices, and the provision of know-how or any kind of assistance in the nuclear, scientific or technological fields to Israel, as long as that country remains a non-party to the Treaty and does not place all its nuclear facilities under the IAEA full-scope safeguards.

13. The Group of Non-Aligned States Parties to the Treaty also calls for the total and complete prohibition of the transfer, by any State, of all nuclear-related equipment, information, material and facilities, resources or devices and the extension of assistance in the nuclear-related scientific or technological fields to Israel. In that regard, the Group expresses its serious concern over Israeli scientists' continued access to the nuclear facilities of one nuclear-weapon State, as this potentially has serious negative implications for the security of the region as well as for the reliability of the global non-proliferation regime.

14. The Group of Non-Aligned States Parties to the Treaty once again reaffirms its determination to extend its fullest cooperation and exert its utmost efforts with a view to ensuring the early establishment in the Middle East of a zone free of nuclear weapons.

15. The Group of Non-Aligned States Parties to the Treaty underlines that the 2026 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and its Preparatory Committee should substantially focus on the Middle East by devoting sufficient time to it within the indicative timetable, thereby giving all speakers the full opportunity to engage in a substantive debate. The Group further recalls that the 2000 and 2010 Review Conferences stipulated that all States parties to the Treaty, particularly the nuclear-weapon States, the States of the Middle East and other interested States, should report, through the secretariat to the President of the Review Conference, as well as the Chairs of its Preparatory Committee meetings,

on the steps that they have taken to promote the achievement of a zone free of nuclear weapons and the realization of the goals and objectives of the 1995 resolution on the Middle East.

16. In this regard, the Group of Non-Aligned States Parties to the Treaty emphasizes the importance of the submission by all States parties to the Treaty, in particular the co-sponsors of the 1995 resolution, of the reports required of them. It is essential that the 2026 Review Conference and its Preparatory Committee conduct substantive discussions on the above-mentioned reports and evaluate the fulfilment of the commitments with regard to the Middle East, in particular the implementation of the 1995 resolution on the Middle East, as contained in the conclusions and recommendations for follow-on actions adopted by consensus at the 2010 Review Conference.

17. Moreover, the Group of Non-Aligned States Parties to the Treaty takes note of the establishment of a subsidiary body under Main Committee II of the 2020 Review Conference to assess the implementation of the resolution on the Middle East, adopted by the 1995 Review and Extension Conference and reaffirmed in the Final Document of the 2000 Review Conference, as well as in the conclusions and recommendations for follow-on actions of the 2010 Review Conference.

18. The Group of Non-Aligned States Parties to the Treaty continues its call for the establishment of a standing committee to follow up intersessionally on the implementation of the recommendations made by the Review Conference concerning Israel's prompt accession to the Non-Proliferation Treaty and the placement of all its nuclear facilities under the IAEA full-scope safeguards, and to report to the 2026 Review Conference and its Preparatory Committee.

19. The Group of Non-Aligned States Parties to the Treaty stresses that, as clearly stipulated at the 2010 Review Conference, the conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction should have been convened in 2012. At the first, second and third sessions of the Preparatory Committee, in 2012, 2013 and 2014, the Group warned that any further delay in convening the 2012 conference would seriously jeopardize the overall implementation of the conclusions and recommendations for follow-on actions and would represent a major setback in that regard. Likewise, the Group underscored that the implementation of the 1995 resolution on the Middle East and the convening of a successful 2012 conference are integral and essential parts of the implementation of the conclusions and recommendations for follow-on actions adopted by consensus at the 2010 Review Conference.

20. Recalling the opposition expressed by the United States of America, the United Kingdom of Great Britain and Northern Ireland and Canada at the concluding session of the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, the Group of Non-Aligned States Parties to the Treaty expresses its disappointment that, as a result of such opposition, consensus on new measures regarding the process to establish a Middle East zone free of nuclear weapons and all other weapons of mass destruction was not achieved. This could undermine efforts towards strengthening the non-proliferation regime as a whole. The Group re-emphasizes the special responsibility of the sponsor States of the 1995 resolution on the Middle East with regard to the implementation of that resolution. The Group is concerned that the persistent failure to implement the 1995 resolution, contrary to the decisions made at the relevant Review Conferences of the Treaty, undermines the effectiveness and credibility of the Treaty and disrupts the delicate balance between its three pillars, taking into account that the indefinite extension of the Treaty agreed at the 1995 Review and Extension Conference is inextricably linked to the implementation of the 1995 resolution on the Middle East and does not entail the right to possess nuclear weapons indefinitely.

21. The Group of Non-Aligned States Parties to the Treaty also re-emphasizes the importance of the mandated responsibility of the Secretary-General in accordance with paragraph 7 of the 2010 plan of action on the implementation of the 1995 resolution on the Middle East and General Assembly decision 73/546. Accordingly, the Group calls upon the Secretary-General to continue his efforts to ensure the convening, of the annual conference.

22. The Group of Non-Aligned States Parties to the Treaty stresses once again the special responsibility of the nuclear-weapon States, in particular the obligations and commitments of the three depositary States of the Treaty that co-sponsored the 1995 resolution on the Middle East, to implement the resolution. Moreover, the Group considers the implementation of the practical steps on the Middle East adopted by the 2010 Review Conference as a collective responsibility, since the conclusions and recommendations for follow-on actions of the 2010 Review Conference clearly stipulated that the States parties renew their resolve to undertake, individually and collectively, all necessary measures aimed at its prompt implementation, and also underlined the reaffirmation at the 2010 Review Conference by the five nuclear-weapon States of their commitment to the full implementation of the 1995 resolution on the Middle East.

23. While appreciating the constructive engagement and the positive reactions to the Conference from all Arab countries and the Islamic Republic of Iran, including the announcement of their willingness to participate in the Conference, the Group of Non-Aligned States Parties to the Treaty deplores that Israel has refused to participate in the Conference.

24. The Group of Non-Aligned States Parties to the Treaty expresses profound disappointment over the failure of the conveners to convene the conference in 2012 as scheduled. The failure to convene the conference in 2012 contradicts and violates the collective agreement of the States parties contained in the conclusions and recommendations for follow-on actions adopted by the 2010 Review Conference and contravenes the letter and spirit of the 1995 resolution on the Middle East. Furthermore, the Group strongly rejects the alleged impediments to convening the conference.

25. The Group of Non-Aligned States Parties to the Treaty supports General Assembly decision 73/546, entitled “Convening a conference on the establishment of a Middle East zone free of nuclear weapons and other weapons of mass destruction”. The Group of Non-Aligned States Parties to the Treaty welcomes the convening of the First Session of the Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons under the Presidency of the Hashemite Kingdom of Jordan and the adoption of a Political Declaration, and also welcomes the convening of the Second Session of the Conference under the Presidency of the State of Kuwait and its outcomes, including inter alia the adoption of the rules of procedure and establishing an informal working committee, the Third Session under the Presidency of the Republic of Lebanon and the adoption of its report and most recently its fourth session under the Presidency of the State of Libya and the final report it adopted including the agreement on developing an index of issues. The Group of Non-Aligned States Parties to the Treaty continues to call upon all States of the region, without exception, to actively participate in this Conference and negotiate in good faith and bring to a conclusion a legally-binding Treaty on the establishment of the Zone. The Group of Non-Aligned States Parties to the Treaty also stress that the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the NPT, as well as other relevant decisions on the subject, adopted within the context of the Review Conferences, remain valid until the objective of the establishment of a zone free of nuclear weapons and other WMD in the Middle East is achieved and that the implementation of decision 73/546

is without prejudice to the validity of aforesaid resolution and decisions and shall not also be construed as their replacement.

26. The Group of Non-Aligned States Parties to the Treaty calls upon the 2026 Review Conference and its Preparatory Committee to support the full implementation of General Assembly decision 73/546 and requests the Secretary-General to report to the future sessions of the Review Conference and its Preparatory Committee on the implementation of that decision.

27. Without prejudice to their related responsibilities within the context of the Review Conferences with regard to the Middle East, the five nuclear-weapon States should provide all necessary support for the implementation of General Assembly decision 73/546 and should present reports on their actions in that regard to the future sessions of the Review Conference and its Preparatory Committee.

28. The co-sponsors of the 1995 resolution on the Middle East bear special responsibility for the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction, as well as for the full implementation of the 1995 resolution, which they co-sponsored, in order to guarantee the indefinite extension of the Treaty without a vote.

29. The Group of Non-Aligned States Parties to the Treaty stresses the importance of the continued convening of the Conference pursuant to General Assembly decision 73/546 until its objectives are achieved in order to avoid any negative repercussions on the credibility of the Treaty and on the nuclear disarmament and non-proliferation regime as a whole.

30. The Group of Non-Aligned States Parties to the Treaty reaffirms the need for the speedy establishment of a nuclear-weapon-free zone in the Middle East in accordance with Security Council resolution 487 (1981), paragraph 14 of Security Council resolution 687 (1991) and the relevant General Assembly resolutions adopted by consensus. The Group is also of the view that the Conference should lead, without further delay, to universal adherence to the Treaty in the Middle East, the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction and the preservation of the credibility of the Treaty.

31. The Group of Non-Aligned States Parties to the Treaty is determined to continue to pursue, as a matter of high priority, the implementation of the 1995 resolution on the Middle East. In that regard, the Group urges all States parties at this Review Conference to shoulder their responsibility in order to prevent further negative repercussions as a result of not implementing the resolution on the Middle East and the 2010 plan of action.

32. The Group of Non-Aligned States Parties to the Treaty stresses that the 2026 Review Conference of the Parties to the Treaty and its Preparatory Committee should:

- (i) Reaffirm the importance and validity of its 1995 Resolution on the Middle East until all its objectives are achieved taking into account that this Resolution is an integral and essential part of the package of decisions reached without a vote that enabled the indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons in 1995;
- (ii) Express its strong support to the process launched by the Conference convened pursuant to United Nations General Assembly decision 73/546;
- (iii) Welcomes the convening of the First Session of the Conference on the Establishment of a Middle East Zone Free of Nuclear Weapons pursuant to UNGA Decision 73/546 under the Presidency of the Hashemite Kingdom of Jordan and the adoption of a Political Declaration, and also welcomes the

convening of the Second Session of the Conference under the Presidency of the State of Kuwait and its outcomes, including inter alia the adoption of the rules of procedure and establishing an informal working committee, the Third Session under the Presidency of the Republic of Lebanon and the adoption of its report and most recently its fourth session under the Presidency of the State of Libya and the final report it adopted including the agreement on developing an index of issues;

(iv) Calls on all the invited States/ parties of the region to participate in this conference in an open and inclusive manner to elaborate a legally binding treaty on the establishment of the zone on the basis of consensus;

(v) Urges the Nuclear Weapon States, especially the three cosponsors of the 1995 resolution on the Middle East taking into account their special responsibility towards the implementation of that resolution, and the relevant international organizations to participate in this Conference and to extend the necessary support for its work and objectives;

(vi) Calls upon all States to refrain from taking any measures that preclude the achievement of the objectives of the establishment of a Middle East zone free of nuclear weapons and other weapons of mass destruction;

33. The Group of Non-Aligned States Parties to the Treaty re-emphasizes the importance of the mandated responsibility of the Secretary-General of the United Nations in accordance with General Assembly decision 73/546. Accordingly, the Group expects the 2026 Review Conference of the Parties to the Treaty and its Preparatory Committee to request the Secretary-General to continue his efforts to ensure the convening of the conference until its objectives are achieved and to report to the future sessions of the Review Conference and its Preparatory Committee on the implementation of that decision.

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