



Three Preparatory Committees Of the 2020 Review Conference of the Nuclear Non-Proliferation Treaty (NPT)

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Supplement

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Introduction on the Three Preparatory Committees Of the 2020 Review Conference of the Nuclear Non- Proliferation Treaty (NPT)

Annexed with this report of the Council on the deliberations, outcomes, assessments and recommendations of meetings of the three Preparatory Committees of 2017, 2018 and 2019 of the 2020 Review Conference of the Nuclear Non-Proliferation Treaty (NPT), including the issue of improving the review mechanism.

It should be noted that since the revision of the review mechanism at the 2000 Review Conference, the Preparatory Committees have been transformed into isolated islands, without follow-up or communication between them, each of them concludes with a summary of the head at his own risk, without negotiation with the delegations of States Parties or a procedural report, which does not accurately reflect the positions of the States Parties to the Treaty participating therein.

The responsibility of following up the recommendations rests with the States Parties to the Treaty. Of course, mobilizing and activating these recommendations need perseverance and serious follow-up, particularly through a collective framework such as the Non-Aligned Movement (NAM), which solemnly represents two-thirds of the States Parties to the Treaty. It is necessary to move on the official and political levels to urge the Movement to transform these recommendations to practical initiatives for amending the Procedural Rules of the 2020 Review Conference in order to improve the review mechanism. This role cannot be played by Civil Society Organizations because its role is limited to holding campaigns to promote these initiatives.

In the light of the outcomes of former Review Conferences,

whether adopted by consensus since the 1995 Conference or those of Conferences that have failed because of the lack of consensus, such as the 2005 and 2015 Conferences, it may be prudent to reconsider the 1995 Resolution on extending the Treaty indefinitely, That resolution was passed without a vote depending on the 1995 Resolution of the Establishment of a Nuclear-Weapon-Free Zone and Other Weapons of Mass Destruction in the Middle East. It is worth to be noted that the United States retracted its commitment to his Resolution through its working paper No. 33 submitted to the second Preparatory Committee in Geneva (2018).

The Council's reports on the three Preparatory Committees end with an evaluation and recommendations, including amendment of the Review Conference's Procedural Rules in 2020 in order to improve the review mechanism and decision-making system in the coming Review Conferences to avoid minority dictatorship and enhance the participation of Civil Society Organizations in the process of reviewing treaty provisions, following the example of the Human Rights Council.

**Chairman of ECFA
Mounir Zahran**

**Statement On Behalf of the Egyptian Council for Foreign
Affairs (ECFA) and other Egyptian Civil Societies,
On The 1st Prepcom of the 2020 NPT Review Conference
Vienna, April / May2017**

The Egyptian Council for Foreign Affairs (ECFA) was established in Cairo Egypt, with the objective of attaining a deep understanding of all foreign affairs issues at the national regional and international levels. ECFA is a co-author and fully endorse the NGO New Agenda Coalition Statement as delivered before this session of the 1stPrepcom of the 2020 NPT Review Conference. In addition, I am delivering the following statement on behalf of the Egyptian Council for Foreign Affairs (ECFA) and other Civil Societies and NGO's in Egypt focused on some important issues of relevance to the present 1st Prepcom including the Middle East dimension.

To state the obvious, the NPT Treaty did not yield the expected results since its entry into force in 1970 and again since its indefinite extension in 1995 including the failure to establish a Zone Free of Nuclear and other Weapons of Mass Destruction, without which the 1995 decision of the NPT Indefinite Extension would have not been adopted. Furthermore, we are alarmed by the failure of the 2015 NPT Review Conference which added to the failure of implementing the outcomes of the 2000 and 2010NPT Review Conferences, as it is stated in the full statement that is available in ECFA's website www.ecfa-egypt.org.

Due to the shortcomings of the treaty implementation, we highlight for the following:

1- The 2020 Review Conference is being prepared in the shadow of several failures; the first is the non-implementation of

the 1995 Resolution on the Middle East, which was to us a precondition for the indefinite Treaty extension decision and part of the package of the 1995 Review Conference; otherwise we would have insisted to put to vote the decision on the indefinite extension of the NPT.

2- The Lack of the political Will on the part of the NWSs to implement the outcomes of 2000 and 2010 Review Conferences and in particular the 2010 decision of convening the 2012 Helsinki Conference on the Middle East.

3- In the 2000 NPT Review Conference, the Nuclear-Weapon States (NWSs) made an unequivocal commitment to implement 13 nuclear disarmament measures in the framework of NPT Article VI. In addition, the 2010 Review Conference agreed to seven nuclear disarmament additional measures. None of the 20 nuclear disarmament measures have been implemented by the NWSs. Hence the NWSs bona fide is thus questioned.

4- At the 9th Review Conference in New York, the Arab Countries submitted a paper which echoed a support from the Non-Aligned Movement (NAM) and hence requested the UN Secretary General to convene a Conference on the Middle East Zone within 180 days after the end of the 2015 Review Conference. This has not taken place, with the obvious reason that United States, the United Kingdom and Canada, blocked the adaptation of the final document of the 2015 NPT Review Conference.

5- In the aftermath of the failure of the 2015 NPT Review Conference, we are keen to save the future of the NPT and the non-proliferation regime. Hence we suggest that the UN Secretary General invites all Middle East countries, that have not yet done so including Israel, to accede to Weapons of Mass Destruction (WMD) Treaties, namely the NPT, BWC and /or CWC and deposit such instruments with the Security Council through the UN Secre-

tary General before the start of the 2020 NPT Review Conference.

6- The negative statements made at the concluding session of the 2015 NPT Review Conference by US, UK, and Canada were made under the pretext of their opposition to the Middle East zone language of the draft final document of the conference, against the will of the overwhelming majority of the NPT States Parties. This is tantamount of the dictate of the minority. Hence the conference Rules of Procedures of the conference should be amended to ensure the respect of the democratic rules.

7- The review of the Rules of Procedures should also ensure a greater role for the civil societies/NGOs in the NPT review by allowing them to take part in all committees sessions and intervene in the deliberations and take the floor after the delegations of the delegations of the States Parties.

8- Nuclear Weapons States (NWS) must fully abide by their obligations derived from Articles I and VI of the NPT. Thus, NWS should desist from their policy of nuclear-sharing with NATO / NNWS or States that did not accede to the NPT, namely, DPRK, India, Israel and Pakistan.

9- In order to ensure the credibility of the NPT, including the implementation of Article VI and comply with the 1996 ICJ Advisory Opinion, a legally binding multilateral nuclear disarmament treaty should be negotiated without any further delay. To that end, the UN General Assembly adopted resolution 71/ ___ to commence negotiations on a treaty to prohibit nuclear weapons, regardless of whether or not nuclear- armed and allied States join such a treaty. These negotiations started in New York from 27th to 31st March 2017 in a negotiation committee that will resume its work on 15th June 2017.

10- In addition, the General Assembly adopted resolution

71/75 by a vote of 128 in favour to 50 against and 9 abstained which reiterated a request to the conference on Disarmament to commence negotiations to reach agreement on an international convention prohibiting the use or threat of use of nuclear weapons with the objective of averting the humanity extermination.

11- It is worth noting that achieving Nuclear disarmament by a legally binding international instrument will make the Middle East zone redundant. Thus, an immediate launch of negotiations should take place, without any further delay, to conclude an international convention which totally eliminates nuclear weapons in the world by prohibiting their production, acquisition, development, stockpiling, testing, transfer, use or threat of use, and stipulates their total destruction and elimination from the planet within a time-bound frame. In addition the General Assembly adopted resolution 71/54 entitled “Towards a nuclear- free world by a vote of 168 in favour to be against (Germany, India, Israel, Pakistan, Russia, and US)”.

12- In the framework of the 3rd pillar of the NPT Nuclear Weapons States (NWS) must stop pressurizing the Non-Nuclear Weapons States (NNWS) which opt to exercise their inalienable right to enrich uranium for the peaceful uses of nuclear energy, in conformity with Article IV of the NPT treaty, in order to regain confidence in the non-proliferation regime.

13- The considerable financial spending currently dedicated to nuclear weapons and their maintenance should be recalibrated and devoted to support peace, security and sustainable development, together with the realization of dignified life for all human beings and the welfare of humanity.

14- Bearing in mind the shortcomings in the implementation of the NPT, particularly nuclear disarmament and the non-implementation of the establishment of a nuclear weapon-free zone in

the Middle East, we are convinced that the 1995 decision on the indefinite extension of the Treaty should be revisited in the framework of the NPT Review Conference and be replaced by another decision which extends the treaty for five years subject to periodical reviews.

**Statement On Behalf of the Egyptian Council for Foreign
Affairs (ECFA) and other Egyptian Civil Societies,
On the 2nd Prepcom of the 2020 NPT Review Conference
Geneva, April / May 2018**

**How to Ensure the Success of the 2020 NPT Review
Conference?**

The following are major elements in the preparation of the 2020 NPT Review Conference: Mainly Nuclear Disarmament, Non-Proliferation and the Middle East Zone. This statement will conclude with recommendations with the view to ensure the success of the 2020 NPT Review Conference. The full paper has been uploaded on the UN website Smart Papers and www.ReachingCriticalWill.org.

I. Nuclear Disarmament and Non-Proliferation:

1- I wish to take this opportunity to congratulate ICAN that promoted the Treaty of the Prohibition of Nuclear Weapons (TPNW). As a result ICAN gained the Noble Peace Prize in 2017 for its campaign in favor of the treaty together with other think tanks and civil society organizations. It is worth noting that the PNND and other Parliament arians conducted an active campaign of divestment in nuclear weapon production, upgrading and modernizing as a promotion to the realization of a world free from nuclear weapons. In its resolution 72/ 31, the UN General Assembly called upon all states that have not done so to sign and thereafter ratify, accept or approve that treaty at the earliest possible date. Hence, the TPNW was negotiated and concluded in good faith to redress the evasiveness of drafting in Article (6) of the NPT of the term “... at an early date,” which has not been realized after 50 years of the NPT date of opening it for signature.

2- Article (4) of the TPNW provided for the total elimination of nuclear weapons giving room for Nuclear Armed States to adhere to it through declarations, verification, adherence to IAEA safeguards and time frame phased-elimination of nuclear arsenals and putting an end to stationing on their territories of nuclear arms and devices. In addition, Article (18) of TPNW does not prejudice obligations derived from International agreements that are consistent with that treaty.

3- The considerable financial spending currently dedicated to nuclear weapons and their maintenance should be recalibrated and devoted to support peace, security and sustainable development, together with the realization of dignified life for all human beings and the welfare of humanity, including the implementation of the Sustainable Development Goals (SDGs).

4- Unfortunately, certain Nuclear Weapons States developed and modernized nuclear weapons recently to be used in conventional armed operations in violations of the letter and spirit of the NPT and TPNW. It is of utmost importance that all States parties hold fully implement, in good faith all what was adopted in the NPT Review Conference in 1995, 2000 and 2010, including in relation to the Middle East.

II. The Middle East Zone:

- In accordance with Article (VII) of the NPT, the General Assembly called upon all parties directly concerned to take the practical and urgent steps required for the implementation and establishment of a nuclear-weapon-free zone in the Middle East. They should declare solemnly that they will refrain from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and from permitting

the stationing of nuclear weapons on their territory by any third party. In conformity with GA resolution 72/ 24, they should place their nuclear facilities under IAEA safeguards and to declare their support for the establishment of such a zone and to deposit such declaration with the Security Council. In its operative paragraph 1 of the said resolution, the General Assembly invited such countries to adhere to the NPT. The only Middle East country which has not done so is Israel. In its op. 7, the same GA resolution invited the Nuclear Weapons States and all the other States to render their assistance in the establishment of such a zone. This is responsibility and commitment which was agreed by all States parties of the NPT, particularly the NASs that are members of the UN. In light of the above, we have to question the good faith of the authors of Article (6) of the NPT and nuclear weapons' depository countries when they drafted and agreed on the 1995 Middle East Resolution.

III. How to Ensure the Success of the 2020 NPT Review Conference?

- In case of the absence of consensus, and to avert any possible failure of the 2020 NPT Review Conference, we should avoid the dictate of the minority and be inspired by Article (18) paragraph 2 of the UN Charter which quote: “decisions of the General Assembly on important questions shall be made by a two-third majority of the members present and voting.” (Unquote)
- Since the NGOs and civil societies including think tanks have a great deal of contribution and inputs to the NPT Review Conference, they should be allowed to intervene in deliberations of the Review process with regard to all the treaty pillars and articles through a list of NGOs speakers held by the Chair of each committee of the Review Conference to be taken following the

end of speakers' list of the treaty State parties. This is the practice of the Human Rights Council, bearing in mind that the final objective of the NPT is nuclear disarmament, which meant to protect the right to life and save humanity from annihilation.

- All the elements above should be reflected in the amendment of the Rules of Procedures of NPT Review Conference.

**Statement On Behalf of the Egyptian Council for Foreign Affairs
(ECFA), Egyptian Pugwash and other Egyptian Civil Societies,
On The 3rd Prepcom of the 2020 NPT Review Conference
New York, April / May 2019**

Fundamentals for the 2020 NPT Review Conference

The following are major elements in the preparation of the 2020 NPT Review Conference: Mainly Nuclear Disarmament, Non-Proliferation and the Middle East Zone. This statement will conclude with recommendations with the view to ensure the success of the 2020 NPT Review Conference. The full paper has been uploaded on the UN website Smart Papers and www.ReachingCriticalWill.org.

IV. Nuclear Disarmament and Non-Proliferation:

1 - In its resolution 72/ 31, the UN General Assembly called upon all states that have not done so to sign the Treaty on the Prohibition of Nuclear Weapons (TPNW) and thereafter ratify, accept or approve that treaty at the earliest possible date. Hence, the TPNW was negotiated and concluded in good faith to redress the evasiveness of drafting in Article (6) of the NPT of the term “... at an early date,” which has not been realized since half a century.

2 - Article (4) of the TPNW provided for the total elimination of nuclear weapons giving room for Nuclear Armed States to adhere to it through declarations, verification, adherence to IAEA safeguards and time frame phased-elimination of nuclear arsenals and putting an end to stationing on their territories of nuclear weapons and devices. Article (18) of TPNW does not prejudice obligations derived from International agreements that are consistent with that treaty, including the NPT.

3 - The considerable financial spending currently dedicated to nuclear weapons and their maintenance should be recalibrated and devoted to support the international peace, security and sustainable development, together with the realization of dignified life for all human beings and the welfare of humanity, including the implementation of the Sustainable Development Goals (SDGs).

4 - Unfortunately, certain Nuclear Weapons States developed and modernized nuclear weapons recently to be used in conventional armed operations in violations of the letter and spirit of the principles of the United Nations Convention, the NPT and TPNW. It is of utmost importance that all States parties hold fully implement, in good faith all what was adopted in the NPT Review Conference in 1995, 2000 and 2010.

V. The Middle East Zone:

- In accordance with Article (VII) of the NPT, the General Assembly called upon all parties directly concerned to take the practical and urgent steps required for the implementation and establishment of a nuclear-weapon-free zone in the Middle East. They should declare solemnly that they will refrain from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons on their territory by any third party. In conformity with the relevant GA resolutions, they should place their nuclear facilities under IAEA safeguards and to declare their support for the establishment of such a zone and to deposit such declaration with the Security Council. The General Assembly invited such countries to adhere to the NPT as Non-Nuclear Weapon States (NNWSs). The only Middle East country which has not done so is Israel.

- The GA noted in its resolution 73/70 adopted on 5 December 2018 with deep disappointment the non-fulfillment of the agree-

ment at the 2010 NPT Review Conference on practical steps to fully implement the 1995 resolution on the Middle East and disappointed that no agreement could be reached at the 2015 NPT Review Conference. The same resolution urged in its op. 13, the co-sponsors of the 1995 resolution on the Middle East to exert their utmost efforts with a view to ensuring the early establishment of a Middle East Zone-Free of Nuclear Weapons and all other weapons of mass destruction.

- The GA mandated in its 73rd session the Secretary General to convene a Conference in 2019 to establish such a zone. We hope that all States to constructively contribute to such a process launched by the Conference to enhance international peace and security in general, including the Middle East in particular.

VI. How to Ensure the Success of the 2020 NPT Review Conference?

- To avert any possible failure of the 2020 NPT Review Conference, we should avoid the dictate of the minority by considering the possibility of restoring to voting in case of the absence of consensus.
- Since the NGOs and civil societies including think tanks have a great deal of contribution and inputs to the NPT Review Conference, they should be allowed to intervene in deliberations of the Review process with regard to all the treaty pillars and articles through a list of NGOs speakers held by the Chair of each committee of the Review Conference to be taken following the end of speakers' list of the treaty State parties. This is the practice of the Human Rights Council, bearing in mind that the final objective of the NPT is nuclear disarmament, which meant to protect the right to life and save humanity from annihilation.

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- All the elements above should be reflected in the amendment of the Rules of Procedures of 2020 NPT Review Conference.