

The Middle East Treaty Organization (METO)

# Weapons of Mass Destruction Free Zone in the Middle East

Draft Treaty

August 2022

[5<sup>th</sup> Draft – versions A and B]

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## The Draft Treaty at a glance

The Middle East Treaty Organization (METO) has crafted a constantly evolving Draft Treaty to galvanise governments and civil society across the region in an inclusive process in order to promote a weapons-of-mass-destruction-free-zone (WMDFZ) in the Middle East. This work is already enabling stakeholders to imagine the Zone, while bringing together diplomats and experts to discuss critical issues for its implementation. **The Draft Treaty will remain a draft only, and governments, individuals, and NGOs are invited to suggest changes.** We do not seek agreement on this Draft Treaty; our intention is to show that a process is possible if the political will exists.

This document contains two versions of a Draft Treaty, which have been intensively discussed over several years in round tables, workshops, and side meetings with advisors, experts, diplomats, and activists from within and outside the region. The current drafts address changes that have occurred in international non-proliferation regimes in recent years, including the establishment of the Conference *on the Establishment of a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction* by the UN General Assembly in 2018, and the entry into force of the *Treaty on the Prohibition of Nuclear Weapons* in 2021. It also follows recent discussions and processes concerning new approaches for verifying the non-proliferation of biological and chemical weapons.

The two versions of the Draft Treaty, show two possible pathways for how a WMDFZ could be implemented in the region. Both versions create a regional intergovernmental organisation to implement the Treaty. We believe that such an organisation would be beneficial since there is currently no institution for coordination in the Middle East that covers all future parties of the Zone. Formatting differences between both versions include the placing of definitions and scope of the Treaty, which, in Version A, are set as annexes I and II, and, in Version B, as Articles 1 and 2. The main difference between both versions, however, is the kind of monitoring and verification system which would be implemented by that organisation.

**Version A** proposes establishing a regional layer of verification and a monitoring system that we call *'the common system for confidence-building and verification of nuclear, chemical and biological materials'*, addressed in Annex III of Version A. This is an innovative system grounded on the principle of mutual verification that would reinforce and complement existing international regimes, and foster trust-building between states parties. It also develops a possible regional system for monitoring and verification of biological weapon non-proliferation (Article 8 of Annex III), which would be the first of its kind worldwide.

**Version B** proposes a second pathway for implementing the Zone that relies primarily on existing international regimes. In that version, the proposed regional organisation assumes a coordination role with the prerogative of calling for ad hoc verification missions implemented by existing organisations including the IAEA and the OPCW. Version B also includes three annexes, each one addressing international obligations to be undertaken by states parties under existing international regimes. Version B is also supplemented by three draft protocols to be signed with relevant countries from outside the region.

## Notes

- ❖ The Draft Treaty Process is designed to inspire positive thinking and contribute to cooperation, trust building and serve as a confidence building measure amongst key stakeholders in the region and beyond. Everyone is invited to **suggest changes to the draft treaty**. This is an essential part of the process - this is a living draft, one that we expect to adapt. All discussions are held under the Chatham House rule (no attribution or identification) to encourage frank and constructive engagement.
- ❖ **We do not seek agreement on this draft treaty, nor think it is possible at this stage.** The point is to show that such a treaty is a possibility, should the states involved with the process have **good political will** and readiness to start talking about the features of such a treaty. It is important to remember that the draft treaty is designed to inspire positive thinking, and contribute to cooperation and trust building.
- ❖ **Key issues** such as ratification, entry into force, consensus, and negative security assurance protocols will continue to be addressed through a collaborative and inclusive process. This includes an ongoing series of off-the-record discussions with experts and diplomats on addressing specific technical and political issues which the official diplomatic process is faced with.
- ❖ **Means of Delivery** is out of this Draft Treaty, but not out of the process. We suggest a parallel track of round tables to discuss **regional security**. We also believe that regional security should be dealt within a wider attention to **human security**.
- ❖ **The Middle East is not an island and is not cut off from the world.** Bordering the Middle East are two states possessing nuclear weapons: Pakistan with its indigenous programme, and Turkey that hosts US/NATO's nuclear weapons. Nuclear-armed states are active in the region and military vessels pass through it, some of which might be carrying nuclear weapons. Since we can't trust the goodwill of nuclear-armed states, **protocols binding these states to the treaty are introduced to this draft treaty.**

- ❖ The authors believe that while regional peace is most certainly highly desirable, it would be irresponsible to make this a condition to commencing arms control talks. We need to ensure that any future war or dispute won't scar the region for generations. We hope that regional talks which take into account regional security needs **could reduce regional tensions and increase the prospects for peace.**
  
- ❖ **Non-state actors** and **failing states** pose a grave threat to WMD proliferation and possible use. Therefore, the toxic combination of failing states and those possessing WMDs in the region increases the risk of such weapons falling into the hands of non-state actors.
  
- ❖ Even though **nuclear energy** is considered by states to be one of the attractions in joining the NPT, the original authors of the Draft Treaty text could not recommend it. It places the region's citizens at risk, provides a slow and costly solution to energy deficit, and increases regional tension. The region is blessed with much sustainable energy potential. There are opportunities to promote **sub-regional projects for sustainable energy** in the Middle East.

# Draft Treaty 5 – Version A

## Preamble

### **The States Parties to this Treaty,**

*Determined* to contribute to the realisation of the purposes and principles of the Charter of the United Nations, and the first resolution of the General Assembly of the United Nations, adopted on 24 January 1946, and subsequent resolutions which call for the elimination of nuclear, chemical, and biological weapons,

*Guided* by various solemn declarations, resolutions and proposals on the creation of a zone free of nuclear weapons and other weapons of mass destruction in the Middle East, including the declaration on a nuclear weapon-free zone adopted by UN General Assembly Resolution 3263 of 09 December 1974 and, most recently, by Resolution A/RES/74/30 of 18 December 2019, and the resolution on achieving a zone free of nuclear weapons and other weapons of mass destruction adopted by the 1995 Review and Extension Conference of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) as part of its decision to extend the NPT indefinitely, which was reaffirmed by the 2000 and 2010 NPT Review Conferences,

*Convinced* of the need to take decisive steps towards the creation of a zone free of nuclear weapons and other weapons of mass destruction in the Middle East, and that the creation of such a zone will be a highly significant step towards the fulfilment of related treaties and conventions, as well as to promote international peace, stability, and security,

*Deeply concerned* about the catastrophic humanitarian and environmental impacts, and the threats to the survival of peoples, cultures and states arising from the presence, use and proliferation of weapons of mass destruction in the Middle East,

*Painfully aware* of the suffering that continues to this day experienced by the victims and survivors of nuclear weapons, nuclear testing and chemical weapons use,

*Mindful* of the risks posed by the continued existence of weapons of mass destruction, including from any use by accident, miscalculation or design, and convinced that these risks concern the security of all humanity,

*Conscious* that the existence of weapons of mass destruction and their means of delivery incites arms races, violence and discord, endangering the security and well-being of peoples, the environment, socio-economic development, food security and the health of current and future generations, in the region and beyond, and hindering cooperation and trust among governments,

*Deeply concerned* that the presence of weapons of mass destruction, their means of delivery and associated capabilities may provide opportunity for non-state actors to commit acts leading to catastrophic destruction,

*Convinced* that the Weapons-of-Mass-Destruction-Free Zone in the Middle East will advance trade and development across the region, and render the Middle East free of environmental pollution, including radioactive and chemical wastes,

*Affirming* the need to work tirelessly towards the universalisation of all weapons-of-mass-destruction-related treaties, especially the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare (1925 Geneva Protocol), the Nuclear Non-Proliferation Treaty (NPT), the Biological and Toxin Weapons Convention (BTWC), the Chemical Weapons Convention (CWC), the Comprehensive Nuclear-Test-Ban Treaty (CTBT), and the Treaty on the Prohibition of Nuclear Weapons (TPNW), the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques,

*Noting* the success and importance of existing nuclear-weapon-free zones (henceforth NWFZ), and recognising that the establishment of a zone free of all weapons of mass destruction in the Middle East would be a significant next step towards strengthening existing zones,

*Considering* in particular that establishment of the zone free of nuclear weapons and other weapons of mass destruction in the Middle East (henceforth WMDFZME) will enhance the adjoining NWFZs in Africa and Central Asia, and strengthen the security of states and peoples in all other regions,



*Recognising* the importance of sustainable economic development throughout the Middle East and the important aspirations for technical cooperation across the region, including in the peaceful uses of nuclear energy, chemistry, and biology,

*Recognising also* the rights and obligations of all States attached to the peaceful uses of relevant technologies: nuclear, radiological, chemical, and biological,

*Recognising also* the importance of peace and disarmament education, the important role of civil society and welcoming the cooperation of all governments, civil society and the participation of both women and men in the attainment of these objectives, as well as contributing to regional peace and security,

*Have decided* by this Treaty to establish a Weapons-of-Mass-Destruction-Free Zone in the Middle East, as follows:

## Article 1

### *Scope of the treaty*

1. Except where otherwise specified, this Treaty and its Protocols shall apply to the territory within the Weapons-of-Mass-Destruction-free zone in the Middle East (hereinafter referred to as WMDFZME, or the Zone), as defined in [Annex I](#) (the Zone), and [Annex II](#) (definitions) to this Treaty.
2. Except where otherwise specified, Weapons of Mass Destruction (WMD) are defined and updated in [Annex II](#) of this Treaty (Definitions).

## Article 2

### *Prohibitions*

1. Each State Party (as defined in [Annex II](#)) to this Treaty, undertakes never under any circumstances to:
  - a. Use, threaten to use, deploy or station (as defined in [Annex II](#)) WMD in the Zone;

- b. Develop, manufacture, produce, test, stockpile or otherwise acquire, allow transit through its territory, including air space and territorial waters, possess or have control over any WMD;
  - c. Seek or receive any assistance in the development, financing, manufacture, testing, stockpiling or acquisition, or possession of any WMD;
  - d. To take any action to assist or encourage any State or other entity to carry out development, financing, manufacture, stockpiling, testing or acquisition, or possession of any WMD;
  - e. Assist, encourage or induce, in any way, any State or other entity to engage in any activity prohibited to a State Party under this Treaty.
2. Each State Party undertakes:
- a. To prohibit the stationing, installation, deployment, or testing of any WMD in its territory, or at any place under its jurisdiction or control;
  - b. To prohibit visits by foreign ships and aircraft to its ports and airfields, transit of its airspace by foreign aircraft, and navigation by foreign ships in its territorial sea or archipelagic waters if they are known to carry WMD or are suspected of doing so, unless they are participating in UN-sanctioned operations, or are covered by the rights of innocent passage, archipelagic sea lane passage or transit passage of straits and airspace.
  - c. Not to provide source or special fissionable material, equipment or material especially designed or prepared for the processing, use, or production of special fissionable material for peaceful purposes to any State unless subjected to a comprehensive safeguards agreement and additional protocol concluded with the International Atomic Energy Agency (IAEA),
3. Each State Party to this Treaty undertakes not to receive or transfer to any recipient, or receive from any supplier whatsoever, directly or indirectly, and not in any way to assist, encourage, or induce any State, group of states, non-state actors or international organisations, to manufacture or otherwise acquire any materials or equipment for WMD prohibited under this Treaty.

4. Each State Party undertakes not to take, or assist, or encourage state or non-state actors (as defined in Annex II) in any action aimed at an attack by conventional, cyber or any other means against any peaceful nuclear, chemical and biological installations in the Zone.

## Article 3

### *Obligations*

1. Each State Party to this Treaty undertakes:
  - a. To handle all radioactive, nuclear, chemical, and biological wastes in accordance with the Middle East Treaty Organisation (METO) waste handling and disposal regulations, in accordance with [Article 5, Paragraph 9 \(e\)](#) of this Treaty;
  - b. Not to take any action to assist or encourage the dumping of radioactive wastes and other chemical, biological and radioactive matter, anywhere within the Zone;
  - c. To provide the Assembly, as described in [Article 5, Paragraph 7](#) of this Treaty, with data relating to any plan for the disposal of radioactive, chemical or biological waste in any form to determine that it conforms to METO regulations and to determine whether the disposition is liable to result in the contamination of the waters, soil, sub-soil or airspace of any member state.
  - d. To ensure all radioactive waste and other radioactive materials will be handled in accordance with the safety and security standards established by METO, and in accordance with IAEA and United Nations Scientific Committee on the Effects of Atomic Radiation (UNSCEAR) standards;
  - e. To work closely with METO in verification procedures for nuclear, biological and chemical materials, to ensure the safety of the environment and the people of the Zone in relation to WMD-related materials.
2. Each State Party to this Treaty that is not already party to the following treaties shall become a State Party to each of them: the Treaty on the Non-Proliferation of Nuclear Weapons (NPT); the Biological and Toxin Weapons Convention (BTWC); the Chemical Weapons Convention (CWC); the Comprehensive Nuclear-Test-Ban Treaty (CTBT); the Treaty on the Prohibition of Nuclear

Weapons (TPNW), not later than eighteen months after the date of entry into force for that Party of this Treaty.

3. Each State party to this Treaty undertakes to destroy any chemical, biological, or nuclear weapon in its possession in accordance respectively with the procedures of the Chemical Weapons Convention and the Organisation for the Prohibition of Chemical Weapons (OPCW); [the Implementation Support Unit of the Biological and Toxin Weapons Convention (ISU)]; and the procedures laid out by the competent international authority designated by the TPNW.
4. As part of their efforts to strengthen their security and stability, States Parties undertake to fully cooperate with official regional and international bodies relevant to the peaceful uses of nuclear energy and nuclear science, in accordance with regulations established by METO, in accordance with [Article 5](#) of this Treaty, and the IAEA
5. The implementation of this Treaty shall not prejudice obligations undertaken by States Parties with regard to existing international agreements, to which they are party, where those obligations are consistent with the Treaty.

## Article 4

### *Permitted Activities*

1. Nothing in this Treaty shall be interpreted as preventing the use of nuclear sciences and technology for peaceful purposes in accordance with Article IV of the NPT and relevant IAEA guidance for safeguards, safety and security.
2. Each State Party has the right to peaceful uses of chemical technology: to develop, produce or otherwise acquire, retain, transfer and use chemicals and their precursors for purposes not prohibited under the CWC and the OPCW, including periodic updates by the OPCW.
3. Each State Party to this Treaty shall notify METO on related collaboration with other states, within or outside the region, as long as chemical materials specified in the CWC Schedules of Chemicals are involved.
4. Nothing in this Treaty shall prejudice the right of each State Party, individually or in cooperation with others, to conduct research, development, production or other acquisition, storage,

transfer and use of microbial and other biological agents (as defined in [Annex II](#)) and toxins for peaceful purposes in accordance with Articles I and X of the BTWC.

5. Each State Party undertakes:
  - a. To conduct all activities for the peaceful use of nuclear energy under strict nuclear non-proliferation, safety and security measures to provide assurance of exclusively peaceful, safe and secure uses of nuclear energy,
  - b. To implement all relevant provisions concerning the safety and protection of nuclear materials following the provisions of United Nations Security Council resolution 1540 (2004), the International Convention for the Suppression of Acts of Nuclear Terrorism (2005), and the Convention on the Physical Protection of Nuclear Materials (CPPNM),
  - c. The BTWC composite text shall be used by the States Parties to this Treaty, as long as there is no other BTWC compliance document agreed by all States Parties to this Treaty.

## Article 5

### *The Middle East Treaty Organisation [METO]*

1. States Parties shall establish the Middle East Treaty Organisation (METO).
2. METO will serve as the implementing organisation for this Treaty.
3. METO shall be hosted in a state agreed upon by all States Parties to this Treaty. The host state will conclude a privileges and immunities agreement with METO and provide a headquarters building.
4. METO shall function as the liaison between the States Parties to this Treaty and the multilateral organisations dealing with WMD non-proliferation and disarmament, as well as the related UN functions.
5. METO shall be the place where all States Parties to this Treaty shall collaborate to execute the purposes of this Treaty, in an open and safe environment, towards eliminating regional threats related to WMD and their means of delivery, and to cultivate a solid group of inspectors and scientists from the region.
6. METO shall be responsible, in collaboration with the relevant organisations, for:

- a. Reviewing reports and exchanges of information as provided for in [Article 7](#) (report and exchange of information);
  - b. Arranging consultations as well as convening conferences of States Parties on the concurrence of a simple majority on any matter arising from the implementation of the Treaty;
  - c. Supporting States Parties in reporting peaceful activities to the IAEA and OPCW, as elaborated in [Annex III](#) of this Treaty;
  - d. Supporting the IAEA and OPCW on safeguard and verification activities, as described in [Annex III](#) of this Treaty, if requested by those organisations;
  - e. Implementing the Common System for Verification and Monitoring of Nuclear, Chemical, and Biological Materials, as outlined in an [Annex III](#) of this Treaty, in collaboration and cooperation with national regulators or designated authorities in States Parties and with relevant international organisations;
  - f. Encouraging and assisting regional and sub-regional programmes for cooperation in capacity building for future regional inspection teams;
  - g. Providing an open and safe environment for meetings and discussion for experts from the Zone;
  - h. Providing capacity building programmes for students and experts from the Zone alongside other relevant organisations on effective implementation of this Treaty;
  - i. Encouraging regional, international and sub-regional cooperation on the promotion of sustainable energy;
7. METO shall consist of two main structures:
- a. The Assembly of States Parties (hereinafter referred to as “The Assembly”)
  - b. The Secretariat
8. The Assembly:
- a. Shall consist of representatives of all States Parties to this Treaty, as defined in [Annex I](#) to this Treaty, with full voting rights,
  - b. May include representatives of the IAEA, the OPCW, the ISU, the Comprehensive Test Ban Treaty Organisation (CTBTO), the United Nations Secretary General (UNSG), the United Nations Office for Disarmament Affairs (UNODA), as well as invited observer

states, relevant organisations, civil society, academics, and representatives of States Parties to Protocol I, II, and III to this Treaty, who may participate in the Assembly as observers, with no voting rights,

- c. Shall elect a Secretary-General for a mandate of four years, with the possibility of one renewal;
- d. Shall approve Deputy Secretary-Generals through a majority vote, who will assist the Secretary-General in conducting the activities defined in [Paragraph 9](#) of this Article;
- e. Shall inform and request information from the United Nations Security Council of any suspicion or attempt by a state from outside the region to operate within the region in breach of this Treaty;
- f. Shall meet in regular session at least once every year;
- g. May meet in extraordinary session following a written request by States Parties to this Treaty or by the Secretary-General.

9. The Secretariat:

- a. Shall support the Secretary-General in conducting the organisation's daily activities and provide technical expertise for such activities;
- b. Shall ensure the application of The Common System for Confidence-Building and Verification of Nuclear, Chemical, and Biological Technology, as defined in [Annex III](#) to this Treaty;
- c. Shall foster capacity building activities within States Parties, working with universities from the region and international organisations, to ensure strong and informed regional teams of inspectors and scientists, able to work together, update their knowledge and conduct research and inspections;
- d. Shall advise States Parties about safe disposal methods for hazardous materials;
- e. Shall develop periodic waste handling and disposal regulations to handle radioactive, nuclear, chemical and biological wastes and disposal regulations;
- f. Shall collaborate with States Parties and civil society organisations in the pursuit of the objective of a world free of nuclear weapons and all other WMD;

- g. Shall offer guidance to States Parties regarding their annual reports to the IAEA, the OPCW and the BTWC and update them on any changes in policies, schedules or lists of approved or forbidden materials.
10. Pending entry into force of this Treaty, States Parties agree to establish a METO Preparatory Commission (hereinafter referred to as “the Commission”) for the purpose of carrying out the necessary preparations for the effective implementation of this Treaty and the establishment of METO.
11. States Parties to this Treaty shall provide the Commission with the resources and a mandate to implement this Treaty and the activities defined in [Paragraph 9 of this Article](#).

## Article 6

### *Declarations, Dismantlement, Destruction or Conversion*

1. Each State Party shall submit to the Secretary-General, no later than three months after entry into force of this Treaty, or the depositing of instruments of accession to this Treaty, the following declarations, in which it shall:
  - a. Declare any capability for the manufacture and possession of any WMD (as described in [Annex II](#) to this Treaty) or whether there are any weapons of mass destruction located in any place under its jurisdiction or control;
  - b. Declare whether it is a State Party to the NPT and the TPNW, and which safeguards agreements it has concluded with the IAEA;
  - c. Declare whether it is a State Party to the CWC and whether it has destroyed, or is in the process of destroying, chemical weapons under the supervision of the OPCW;
  - d. Declare whether it is a State Party to the BTWC, and if so, whether it has destroyed, or is in the process of destroying, biological weapons pursuant to Article 2 of that treaty.
2. The Secretary-General shall present a report on such declarations to States Parties.
3. Each State Party that has not done so shall, pursuant to [Article 3, Paragraph 2](#) of this Treaty, accede to the CWC and the BTWC, and, pursuant to [Article 3, Paragraph 3](#) of this Treaty, destroy or convert into peaceful purposes any chemical or biological weapons and manufacturing facilities it owns or possesses, or that are located in any place under its jurisdiction or control,



in accordance with the provisions of those treaties. This includes destruction or conversion into peaceful purposes all agents, toxins, weapons, equipment specified in Article I, II and III of the CWC.

4. Each State Party that has declared that it does not own or possess any nuclear weapons and that there are no nuclear weapons located in any place under its jurisdiction or control, pursuant to [Article 3, Paragraph 3](#) of this Treaty, shall conclude a Safeguards Agreement with an Additional Protocol with the IAEA.
5. Each State Party that is not a State Party to the NPT and the TPNW and that has declared that it owns or possesses nuclear weapons shall, as soon as possible and following the guidelines and a destruction schedule determined by the TPNW, deactivate, disable, dismantle, separate from means of delivery, or otherwise remove from operational status all nuclear weapons and nuclear explosive devices it owns, possesses, or hosts.

## Article 7

### *Report and exchange of information*

1. Each State Party shall submit annual reports to METO on its nuclear, chemical and biological activities as well as other matters relating to this Treaty, in accordance with the format for reporting to be developed by the Secretariat and agreed by the Assembly.
2. Each State Party shall promptly report to the Secretariat any event affecting the implementation of this Treaty.

## Article 8

### *Safety Measures of nuclear, biological and chemical materials and facilities*

1. Each State Party undertakes to maintain and update the highest standards of safety and security and effective protection of nuclear materials (as defined in [Annex II](#)) chemical materials and biological materials, their facilities and equipment to prevent theft or unauthorised use and handling.

2. Each State Party, in addition to its own national regulations, undertakes to apply safety measures equivalent to or higher than those provided for in the Convention on Nuclear Safety, the Convention on Early Notification of a Nuclear Accident, the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, the Convention on the Physical Protection of Nuclear Material/Amended and in standards, and the safety recommendations and guidelines developed by the IAEA.
3. Each State Party, in addition to its own national regulations, undertakes to apply safety measures equivalent to or higher than those provided by the OPCW on chemical materials and facilities, and any other measures developed by METO for that purpose.
4. Each State Party, in addition to its own national regulations, undertakes to apply safety measures equivalent to or higher than those provided and by the BTWC on biological materials and facilities, as well as additional guidelines on biosafety and biosecurity defined by the World Health Organisation.
5. In addition to safety standards and regulations mentioned on Paragraphs 1 to 4 of this Article, States Parties undertake to follow any other additional safety regulations for nuclear, chemical, and biological materials developed by METO.

## Article 9

### *Sustainable Energy*

Each State Party to this Treaty shall collaborate with METO, the International Renewable Energy Agency (IRENA), and other relevant organisations to promote safe, sustainable and diverse energy sources, including renewable energy, in recognition of its significant contribution to human security and development in the region.

## Article 10

### *Protection of populations and the environment*

1. In the implementation of this Treaty, each State Party shall take all necessary safety precautions to protect populations and the environment.
2. Each State Party to this Treaty shall inform the OPCW, the UN Security Council and METO on any suspicion or any evidence of chemical weapons use in their territory, and shall allow humanitarian organisations to offer medical assistance.
3. Each State Party to this Treaty shall inform the UN Security Council, the ISU and METO of any evidence of biological weapon use in their territory, and will allow humanitarian organisations to offer medical assistance and humanitarian support to affected populations, ensuring free and safe passage to those organisations in their territory.
4. Each State Party to this Treaty undertakes to provide or support assistance in accordance with METO requirements, to any State Party to the treaty which so requests, following approval of the request by the Assembly.
5. Each State party to this Treaty shall implement, in regards to individuals under its jurisdiction who are affected by the use or testing of nuclear weapons, appropriate measures to provide assistance and remediation under humanitarian and human rights law, pursuant to Article 6, Paragraph 1 of the TPNW.
6. Each State Party, in regards to areas under its jurisdiction or control which are contaminated as a result of activities related to the testing or use of nuclear weapons or other nuclear explosive devices, shall take necessary and appropriate measures towards the environmental remediation of areas so contaminated, pursuant to Article 6, Paragraph 2 of the TPNW.
7. Each State party to this Treaty shall implement, in regards to individuals under its jurisdiction who are affected by the use or testing of chemical and biological weapons, appropriate measures to provide assistance and remediation under humanitarian and human rights law, adequately provide age- and gender-sensitive assistance, without discrimination, including medical care, rehabilitation and psychological support, as well as provide for their social and economic inclusion.

8. Each State Party, in regards to areas under its jurisdiction or control, which are contaminated as a result of activities related to the testing or use of chemical and biological weapons, shall take necessary and appropriate measures towards the environmental remediation of areas so contaminated.

## Article 11

### *Settlement of Disputes*

1. Any dispute arising out of the interpretation of the treaty shall be settled by negotiation.
2. Decisions of States Parties shall be made by consensus or, if previously agreed by consensus, by qualified majority of States Parties.
3. If consensus cannot be achieved within a period of 12 calendar months, the dispute shall be resolved through arbitration or through referral to the International Court of Justice, unless the Parties agree on another dispute settlement system established by international law.

## Article 12

### *Reservations*

Once this Treaty is adopted by the States that negotiated it, the articles of this Treaty shall not be subject to reservations.

## Article 13

### *Signature, ratification and entry into force*

1. This Treaty shall be open for signature by all States in the Middle East zone, as described in [Annex I](#).
2. The Treaty shall be subject to ratification in accordance with the legislative requirements of each State Party.

3. China, France, Russia, the United Kingdom, and the United States will be invited to sign a Protocol to this Treaty respecting its terms.
4. For each State Party, this Treaty shall enter into force on the date of deposit of the agreed upon instruments of ratifications.
5. This Treaty shall enter into force only after ratification by 13 of the states defined in [Annex I](#) of this Treaty.
6. For a State that accedes to this Treaty after it has entered into force, this Treaty shall be binding for that State on the date of deposit of its instrument of ratification.

## Article 14

### *Amendments*

1. Any State Party to this Treaty, as well as the Secretary-General, can propose Amendments to this Treaty. Amendment proposals shall be submitted to the Assembly.
2. If agreed by at least five States Parties to this Treaty, the amendment proposals shall be discussed in the subsequent session of the Assembly.
3. The decision on the adoption of such an amendment shall be taken by a qualified majority of States Parties in the Assembly.
4. An amendment so adopted shall enter into force after receipt by the Depositary.
5. Any amendment shall only be applicable to the states that have adopted it.

## Article 15

### *Duration and Withdrawal*

1. The duration of the Treaty is unlimited.
2. Each State Party shall, in exercising its national sovereignty, have the right to withdraw from this Treaty if it decides that extraordinary events related to the subject matter of the Treaty have jeopardised the supreme interests of its country.

3. Withdrawing States Parties shall give notice of such withdrawal in writing to the Assembly and the Depositary. Such notice shall include a statement of the extraordinary events that it regards as having jeopardised its supreme interests.
4. Within twelve months, the Secretary-General shall work to resolve the extraordinary security concerns of the State Party in consultation with the other States Parties.
5. Such withdrawal shall take effect twelve months after the date of the receipt of the notification of withdrawal by the Depositary. If, however, on the expiry of that twelve-month period, the withdrawing State Party is a party to an armed conflict, the State Party shall continue to be bound by the obligations of this Treaty and of any additional protocols until it is no longer party to an armed conflict.
6. The Secretary-General shall communicate the withdrawal to the remaining States Parties, to the Assembly, to the Secretary-General of the United Nations and the United Nations Security Council.
7. The Assembly shall, by consensus, implement further measures and procedures to the withdrawal process.

## Article 16

### *Depositary functions*

[The Secretary-General of the United Nations] shall be the depositary of this Treaty. The Depositary shall:

1. Receive instruments of ratification or accession by States Parties.
2. Register this Treaty and its protocols pursuant to Article 102 of the Charter of the United Nations.
3. Transmit certified copies of the Treaty and its protocols to all States Parties of the Treaty, and to all States to which the protocols to the Treaty shall be open, and shall notify them of any signature, ratification of, or accession to the Treaty and its protocols.

## Article 17

### *Authentic text*

The Arabic, Farsi, Hebrew, French, English, Chinese, Spanish, and Russian text of this Treaty, shall be equally authentic.

## Article 18

### *Status of the annexes*

The annexes form an integral part of the Treaty. Any reference to this Treaty includes the annexes.

# Annexes to DT5 – Version A

## Annex I

### *The Zone*

This Treaty shall be open to all current members of the League of Arab States (Algeria, Bahrain, Comoros, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Palestine, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, United Arab Emirates and Yemen), the Islamic Republic of Iran, and Israel.

## Annex II

### *Definition/Usage of terms*

For the purpose of this Treaty and its protocols:

1. "Middle East" means the territory of all the current States Parties to the League of Arab States, the Islamic Republic of Iran and Israel, as defined in [Annex I](#) to this Treaty.
2. "Weapons of mass destruction" (WMD) are defined for the purposes of this Treaty as any nuclear explosive devices, as defined in [Article 7](#) of this Annex; chemical weapons, as defined in Article II of the CWC, and chemicals as defined in the Schedules of Chemicals in the CWC; and biological agents and Toxins, as referred to in the BTWC and defined in Articles 9 and 10 of this Annex.
3. "Territory" means the land territory, internal waters, territorial seas and archipelagic waters and the airspace above them as well as the sea bed and subsoil beneath.
4. "State Party" means a state that has ratified or acceded to this Treaty.
5. "Stationing" means implantation, emplacement, transport on land or inland waters, stockpiling, storage, installation and deployment.
6. "Non-State Actor" means any individual or entity not acting under the lawful authority of any State in conducting activities which come within the scope of this Treaty.



7. "Nuclear explosive device" means any nuclear weapon or other nuclear explosive device capable of rapidly releasing energy from a nuclear reaction with destructive effect, irrespective of the purpose for which it could be used. The term includes such a weapon or device in unassembled and partly assembled forms, but does not include the means of transport or delivery of such a weapon or device if separable from and not an indivisible part of it.
8. "Nuclear material" means any source material or special fissionable material as defined in Article XX of the Statute of the IAEA and as amended from time to time by the IAEA.
9. "Toxins" are poisonous products of organisms; unlike biological agents, they are inanimate and not capable of reproducing themselves.
10. "Biological agents" means any agent that depends for their effects on multiplication within the target organism and are intended for use in warfare to cause disease or death in man, animals or plants; they may be transmissible or non-transmissible. Microbial or other biological agents, or toxins, whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes.
11. "Means of delivery" and "delivery systems" mean missiles, rockets, submarines, aircraft carriers, drones, and other systems capable of delivering nuclear, chemical or biological weapons that are specially designed and have been tested for such use.

## Annex III

### *The Common System*

[The Common System for Confidence-Building and Verification of Nuclear, Chemical, and Biological Materials]

## *Article 1*

### *Guiding Principles*

1. States Parties shall establish a Common System for Monitoring, Accounting, Safeguarding, Verifying and Controlling Nuclear, Chemical, and Biological Materials (hereinafter referred to as “the Common System”), with the objective of ensuring that such materials are diverted to the purposes prohibited by this Treaty.
2. The Common System shall complement and reinforce existing international obligations undertaken by States Parties under previous safeguards and verification treaties with relevant international organisations, particularly the IAEA and the OPCW, avoiding duplication of activities.
3. The Common System shall foster transparency and confidence between States Parties.
4. The Common System shall be administered and implemented by the Secretariat, following the principles and practices specified in this Annex.
5. The Secretariat shall request cooperation with the IAEA and the OPCW in the implementation of the Common System and in capacity-building, pursuant to [Article 5 Paragraph 9 \(b\) and \(c\)](#) of this Treaty.
6. The Assembly shall oversee the due implementation of the Common System in regular and [timely] manner.
7. Nothing in this Annex shall undermine States Parties right to peacefully conduct any activity permitted under [Article 4](#) of this Treaty.

## *Article 2*

### *Monitoring and Verification*

1. Monitoring activities include procedures and activities aimed at ensuring that materials are not diverted to activities prohibited by [Article 2](#) of this Treaty. The Secretariat shall conduct those procedures in a transparent and continuous manner, being accountable to the Assembly.

2. Each State Party shall allow METO to monitor the implementation of the voluntary measures for their respective durations, as well as to implement transparency measures, pursuant to [Article 1, Paragraph 4](#) to this Annex.
3. METO will implement, if appropriate, containment and surveillance activities in cooperation with associated international organisations to ensure effective monitoring of activities involving nuclear, chemical, and biological weapons in the region.
4. Verification Procedures within The Common System are complementary to Monitoring activities and intend to detect, with a reasonable degree of certainty, whether States Parties are in compliance with obligations undertaken under [Article 3](#) to this Treaty.
5. Verification procedures within The Common System consist of general and specific procedural guidelines, manuals, technical briefings, and periodical reports by States Parties, pursuant to [Article 8](#) of this Treaty, or of any other procedure or activity deemed necessary by the Secretariat and approved by the Assembly to ensure the peaceful uses of nuclear, chemical, and bio technology.

### *Article 3*

#### *Implementation*

1. METO shall implement the Common System in cooperation with all the States Parties of this Treaty in a regular and timely manner.
2. The Secretariat shall propose technical, technological, and procedural amendments to this Annex, pursuant to [Article 14, Paragraph 1](#) of this Treaty, as well as implement any changes deemed necessary by the Assembly.
3. When appropriate, implementation measures may include mutual and cross-country inspections, verifications and safeguards fact-checking missions, joint-inspections with relevant international organisations, or referral to other organisations to conduct own inspections and verification missions.
4. METO may establish ad hoc advisory groups to improve the Common System and to ensure the efficient use of budgetary and human resources.

5. Each State Party shall submit yearly reports on all activities under the scope of this Treaty, pursuant to [Articles 3](#) and [4](#) of this Treaty, and, whenever necessary, allow METO inspectors to access to relevant nuclear, chemical, and biological materials and associated facilities.
6. States Parties shall cooperate with METO, the IAEA, and the OPCW to provide relevant information associated to the possession, misuse, and deviation of nuclear, chemical, and biological technology.
7. Until the entry into force of this Treaty the Commission, pursuant to [Article 5, Paragraphs 10](#) and [11](#) of this Treaty, shall carry out the activities determined by this Annex aiming at the effective implementation of this Treaty.

#### *Article 4*

##### *Monitoring and Verification Missions*

1. The Secretariat shall coordinate with National Authorities and Governments of States Parties to develop a Roster of independent pre-approved stand-by inspectors and associated inspectors with appropriate and relevant technical expertise to implement monitoring and verification activities defined in [Article 2](#) of this Annex.
2. Each State Party shall suggest names to be included on the Roster. Those names will be approved by the Assembly in regular meetings at least once every year and the Roster will be made available to the Secretariat.
3. Inspectors in METO ad hoc inspection missions and in METO monitoring and verification missions shall be selected from the Roster according to their expertise and hired on an ad hoc basis, unless determined otherwise by the Secretary-General.
4. The Secretariat, should aim at ensuring gender parity in the Roster.
5. Each State Party will be offered the opportunity to provide names to be incorporated into the pre-approved Inspectors Roster.

6. Inspectors shall to be selected to participate in METO ad hoc inspection missions and METO monitoring and verification missions randomly, but still in accordance with their expertise.
7. States Parties shall have the right to request that specific names from the pre-approved Roster be hired as inspectors on specific missions. Such requests should be informed to the Secretary-General and submitted in a written communication to the Assembly. The Assembly should convene an extraordinary meeting to discuss and approve such requests in no less than 48 hours.
8. Each State Party shall have the right to object to specific names from the pre-approved roster being hired as inspectors on specific missions. Such objections should be informed to the Secretary-General and submitted in a written communication to the Assembly, which should convene an extraordinary meeting to discuss and approve such objections in no less than 48 hours.
9. Each State Party that hosts METO ad hoc inspection missions, and METO monitoring and verification missions shall have the right to request the participation of a National Observer on specific missions. A request for a National Observer should be informed to the Secretary-General and submitted in a written communication to the Assembly, which should convene an extraordinary meeting to discuss and approve such requests in no less than 48 hours.
10. Each State Party shall provide METO ad hoc inspection missions, and METO monitoring and verification missions with necessary diplomatic immunities to conduct tasks determined by the Secretariat and given full access to their nuclear, chemical, and biological facilities, in accordance with the objectives of this Treaty.
11. As approved by the Assembly, monitoring and verification missions may also access Research & Development activities that are suspected to be in violation of [Articles 2, 3](#) and [4](#) of this Treaty.
12. METO ad hoc inspection missions, challenge inspections, and METO monitoring and verification missions shall be implemented in a timely manner. Ad hoc Fact-Checking

Missions should be established within no less than 48 hours, except when otherwise determined by the Assembly.

## *Article 5*

### *Status of Inspectors*

1. Inspectors hired to participate in METO ad hoc inspection missions and METO monitoring and verification missions shall be accountable to the Secretariat and follow the Ethics and Good Practices Guidelines determined by it.
2. During their missions, inspectors will hold the necessary diplomatic immunities granted to international organisation employees by International Law, as well as multiple-entry visas limited to the mandate of the mission.

## *Article 6*

### *Safeguards of Nuclear Materials*

1. Each State Party to this Treaty that has not yet done so shall accede to the Non-Proliferation Treaty (NPT) as a non-nuclear-weapon State and to the Treaty on the Prohibition of Nuclear Weapons (TPNW), pursuant to [Article 3, Paragraph 2](#) and [Article 6, Paragraphs 3, 4 and 5](#) of this Treaty.
2. Each State Party that has not yet done so shall conclude with the IAEA and bring into force, an agreement for the application of safeguards in accordance with the NPT (INFCIRC/153 (Corr.)), and an Additional Protocol (INFCIRC/540 (Corr.)) no later than eighteen months after the entry into force of this Treaty.
3. The Secretariat, pursuant to the principles determined in [Article 1 of this Annex](#), shall support and assist States Parties in fulfilling their international obligations regarding safeguards of nuclear materials, as determined in [Paragraphs 1 and 2](#) of this Article.

4. Each State Party shall include in its annual report to METO, pursuant to [Article 6 of this Treaty](#), a notification of the safeguards conclusions for the State party as noted in the most recent Safeguards Implementation Report of the IAEA.
5. Pursuant to [Article 3, Paragraph 3](#) of this Annex, METO may implement its own fact-checking verification missions on nuclear facilities of States Parties, as well as joint-missions with the IAEA.

## *Article 7*

### *Verification of Chemical Weapons Production Facilities or Suspected Chemical Weapons Production Facilities*

1. Each State Party to this Treaty shall accede to the CWC, pursuant to [Article 3, Paragraph 2](#) of this Treaty.
2. States Parties shall conclude with the OPCW the necessary agreements and protocols for the appropriate and timely application of verification procedures underlined in the CWC, pursuant to [Article 3, Paragraph 3](#) of this Treaty.
3. Each State Party to this Treaty shall collaborate with the OPCW whenever that organisation requests access to their facilities for a challenge inspection.
4. METO shall support States Parties in fulfilling their international obligations under [Article 7 Paragraphs 1 and 2](#) of this Annex.
5. The Secretariat shall prepare supplementary list of materials and activities associated with the non-proliferation and disarmament of chemical materials, to be approved by the Assembly and, when appropriate, monitored and verified by METO ad hoc verification and monitoring missions, as described in [Article 3](#) and [4](#) of this Annex.
6. Each State Party shall include in its annual report to METO, in conformity with this Article, a copy of the overall conclusions of the most recent report by the OPCW on its inspection activities in the territory of the State Party concerned, and advise METO promptly of any change in those conclusions. The Secretariat shall not disclose nor transmit any

information furnished by a State Party, wholly or partially, to third parties, except when the concerned State Party gives its express consent in a written form.

## *Article 8*

### *Verification of Biological Weapons Production Facilities or Suspected Biological Weapons Production Facilities*

1. Each State Party to this Treaty shall accede the Biological and Toxin Weapons Convention (BTWC), following [Article 3, Paragraph 2](#) of this Treaty.
2. States Parties shall coordinate with the Secretariat and with relevant international institutions to develop appropriate monitoring measures on safety and control of biotechnology-related activities within their territories or carried out under their jurisdiction elsewhere.
3. For the purposes of this Treaty, and until the States Parties to the BTWC agree on a verification protocol, verification and monitoring of biological dual-use technology, as referred to in the BTWC, shall be that set out by the Ad Hoc Group in 2001 (hereinafter referred to as the “Composite Text”).
4. Until the Composite Text is agreed upon by all the States Parties to the BTWC, States Parties to this Treaty shall follow updates to the Composite Text determined by the Assembly under the guidance and technical support of the Secretariat.
5. The Secretariat shall follow any new scientific and technological developments relevant to the BTWC and this Treaty, and assist States Parties in ensuring that biotechnology and agents are managed and processes carried out peacefully.
6. States Parties to this Treaty will collaborate with METO if it requests access to open facilities for challenge inspections, as set forth in [Article 4 of this Annex](#).
7. The Secretariat shall facilitate measures and activities aimed at fostering capacity-building, awareness-raising among scientists within States Parties, pursuant to [Article 5, Paragraph 9 \(c\) of this Treaty](#), education programmes and safety protocols for research



activities, up-to-date codes of ethics and conduct, and other activities requested by the Assembly or by States Parties aimed at preventing the proliferation of biological weapons.

8. The Secretariat may assist States Parties in developing effective early warning systems to avoid the outbreak of infectious diseases.

## *Article 9*

### *Further Confidence-Building Measures*

1. States Parties to this Treaty shall establish an ad hoc group under the framework of METO to discuss further Confidence-Building Measures.
2. States Parties shall establish in the first meeting of the Commission an ad hoc group to discuss a protocol on the verification, monitoring, control, and limitation of means of delivery of WMD, as defined in [Annex II, Paragraph 11](#) of this Treaty.

# Draft Treaty 5 – Version B

## Preamble

### **The States Parties to this Treaty,**

*Determined* to contribute to the realisation of the purposes and principles of the Charter of the United Nations, and the first resolution of the General Assembly of the United Nations, adopted on 24 January 1946, and subsequent resolutions which call for the elimination of nuclear, chemical, and biological weapons,

*Guided* by various solemn declarations, resolutions and proposals on the creation of a zone free of nuclear weapons and other weapons of mass destruction in the Middle East, including the declaration on a nuclear weapon-free zone adopted by UN General Assembly Resolution 3263 of 09 December 1974 and, most recently, by Resolution A/RES/74/30 of 18 December 2019, and the resolution on achieving a zone free of nuclear weapons and other weapons of mass destruction adopted by the 1995 Review and Extension Conference of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) as part of its decision to extend the NPT indefinitely, which was reaffirmed by the 2000 and 2010 NPT Review Conferences,

*Convinced* of the need to take decisive steps towards the creation of a zone free of nuclear weapons and other weapons of mass destruction in the Middle East, and that the creation of such a zone will be a highly significant step towards the fulfilment of related treaties and conventions, as well as to promote international peace, stability, and security,

*Deeply concerned* about the catastrophic humanitarian and environmental impacts, and the threats to the survival of peoples, cultures and states arising from the presence, use and proliferation of weapons of mass destruction in the Middle East,

*Painfully aware* of the suffering that continues to this day experienced by the victims and survivors of nuclear weapons, nuclear testing and chemical weapons use,

*Mindful* of the risks posed by the continued existence of weapons of mass destruction, including from any use by accident, miscalculation or design, and convinced that these risks concern the security of all humanity,

*Conscious* that the existence of weapons of mass destruction and their means of delivery incites arms races, violence and discord, endangering the security and well-being of peoples, the environment, socio-economic development, food security and the health of current and future generations, in the region and beyond, and hindering cooperation and trust among governments,

*Deeply concerned* that the presence of weapons of mass destruction, their means of delivery and associated capabilities may provide opportunity for non-state actors to commit acts leading to catastrophic destruction,

*Convinced* that the Weapons-of-Mass-Destruction-Free Zone in the Middle East will advance trade and development across the region, and render the Middle East free of environmental pollution, including radioactive and chemical wastes,

*Affirming* the need to work tirelessly towards the universalisation of all weapons-of-mass-destruction-related treaties, especially the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare (1925 Geneva Protocol), the Nuclear Non-Proliferation Treaty (NPT), the Biological and Toxin Weapons Convention (BTWC), the Chemical Weapons Convention (CWC), the Comprehensive Nuclear-Test-Ban Treaty (CTBT), and the Treaty on the Prohibition of Nuclear Weapons (TPNW), the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques,

*Noting* the success and importance of existing nuclear-weapon-free zones (henceforth NWFZ), and recognising that the establishment of a zone free of all weapons of mass destruction in the Middle East would be a significant next step towards strengthening existing zones,

*Considering* in particular that establishment of the zone free of nuclear weapons and other weapons of mass destruction in the Middle East (henceforth WMDFZME) will enhance the adjoining NWFZs in Africa and Central Asia, and strengthen the security of states and peoples in all other regions,

*Recognising* the importance of sustainable economic development throughout the Middle East and the important aspirations for technical cooperation across the region, including in the peaceful uses of nuclear energy, chemistry, and biology,

*Recognising also* the rights and obligations of all States attached to the peaceful uses of relevant technologies: nuclear, radiological, chemical, and biological,

*Recognising also* the importance of peace and disarmament education, the important role of civil society and welcoming the cooperation of all governments, civil society and the participation of both women and men in the attainment of these objectives, as well as contributing to regional peace and security,

*Have decided* by this Treaty to establish a Weapons-of-Mass-Destruction-Free Zone in the Middle East, as follows:

## Article 1

### *Scope of the treaty*

3. Except where otherwise specified, this Treaty and its Protocols shall apply to the territory within the Weapons-of-Mass-Destruction-free zone in the Middle East (hereinafter referred to as WMDFZME, or the Zone), as defined in this Article, and [Article 2](#) (definitions) to this Treaty.
4. Except where otherwise specified, Weapons of Mass Destruction (WMD) are defined and updated in [Article 2](#) of this Treaty (Definitions).
5. This Treaty shall be open to all current members of the League of Arab States (Algeria, Bahrain, Comoros, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Palestine, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, United Arab Emirates and Yemen), the Islamic Republic of Iran, and Israel.

## Article 2

### *Definition/Usage of terms*

For the purpose of this Treaty and its protocols:

1. "Middle East" means the territory of all the current States Parties to the League of Arab States, the Islamic Republic of Iran and Israel, as defined in Article 1 to this Treaty.
2. "Weapons of mass destruction" (WMD) are defined for the purposes of this Treaty as any nuclear explosive devices, as defined in Paragraph 7 of this Article; chemical weapons, as defined in Article II of the CWC, and chemicals as defined in the Schedules of Chemicals in the CWC; and biological agents and Toxins, as referred to in the BTWC and defined in Articles 9 and 10 of this Annex.
3. "Territory" means the land territory, internal waters, territorial seas and archipelagic waters and the airspace above them as well as the sea bed and subsoil beneath.
4. "State Party" means a state that has ratified or acceded to this Treaty.
5. "Stationing" means implantation, emplacement, transport on land or inland waters, stockpiling, storage, installation and deployment.
6. "Non-State Actor" means any individual or entity not acting under the lawful authority of any State in conducting activities which come within the scope of this Treaty.
7. "Nuclear explosive device" means any nuclear weapon or other nuclear explosive device capable of rapidly releasing energy from a nuclear reaction with destructive effect, irrespective of the purpose for which it could be used. The term includes such a weapon or device in unassembled and partly assembled forms, but does not include the means of transport or delivery of such a weapon or device if separable from and not an indivisible part of it.
8. "Nuclear material" means any source material or special fissionable material as defined in Article XX of the Statute of the IAEA and as amended from time to time by the IAEA.
9. "Toxins" are poisonous products of organisms; unlike biological agents, they are inanimate and not capable of reproducing themselves.

10. "Biological agents" means any agent that depends for their effects on multiplication within the target organism and are intended for use in warfare to cause disease or death in man, animals or plants; they may be transmissible or non-transmissible. Microbial or other biological agents, or toxins, whatever their origin or method of production, of types and in quantities that have no justification for prophylactic, protective or other peaceful purposes.

"Means of delivery" and "delivery systems" mean missiles, rockets, submarines, aircraft carriers, drones, and other systems capable of delivering nuclear, chemical or biological weapons that are specially designed and have been tested for such use.

## Article 3

### *Prohibitions*

11. Each State Party to this Treaty, undertakes never under any circumstances to:

- a. Use, threaten to use, deploy or station WMD in the Zone;
- b. Develop, manufacture, produce, test, stockpile or otherwise acquire, allow transit through its territory, including air space and territorial waters, possess or have control over any WMD;
- c. Seek or receive any assistance in the development, financing, manufacture, testing, stockpiling or acquisition, or possession of any WMD;
- d. To take any action to assist or encourage any State or other entity to carry out development, financing, manufacture, stockpiling, testing or acquisition, or possession of any WMD;
- e. Assist, encourage or induce, in any way, any State or other entity to engage in any activity prohibited to a State Party under this Treaty.

12. Each State Party undertakes:

- a. To prohibit the stationing, installation, deployment, or testing of any WMD in its territory or at any place under its jurisdiction or control;
- b. To prohibit visits by foreign ships and aircraft to its ports and airfields, transit of its airspace by foreign aircraft and navigation by foreign ships in its territorial sea or archipelagic waters if they are known to carry WMD or suspected of

doing so, unless they are participating in UN-sanctioned operations or are covered by the rights of innocent passage, archipelagic sea lane passage or transit passage of straits and airspace.

- c. Not to provide source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material for peaceful purposes to any State unless subjected to a comprehensive safeguards agreement and additional protocol concluded with the International Atomic Energy Agency (IAEA),

13. Each State Party to this Treaty undertakes not to receive or transfer to any recipient or receive from any supplier whatsoever, directly or indirectly, and not in any way to assist, encourage, or induce any State, group of states, non-state actors or international organisations to manufacture or otherwise acquire any materials or equipment for WMD prohibited under this Treaty.

14. Each State Party undertakes not to take, or assist, or encourage state or non-state actors (as defined in Article 2) in any action aimed at an attack by conventional, cyber or any other means against any peaceful nuclear, chemical and biological installations in the Zone.

## Article 4

### *Obligations*

15. Each State Party to this Treaty undertakes:

- a. To handle all radioactive, nuclear, chemical and biological wastes in accordance with the Middle East Treaty Organisation (METO) waste handling and disposal regulations, in accordance with [Article 6, Paragraph 9 \(d\)](#) of this Treaty;
- b. Not to take any action to assist or encourage the dumping of radioactive wastes and other chemical, biological and radioactive matter, anywhere within the Zone;
- c. To provide the Middle East Treaty Organization (METO), as described in [Article 6](#) of this Treaty, with data relating to any plan for the disposal of radioactive,

chemical or biological waste in any form to determine that it conforms to METO regulations and to determine whether the disposition is liable to result in the contamination of the waters, soil, sub-soil or airspace of any member state.

- d. To ensure all radioactive waste and other radioactive materials will be handled in accordance with the safety and security standards established by METO, and in accordance with IAEA and United Nations Scientific Committee on the Effects of Atomic Radiation (UNSCEAR) standards;
- e. To work closely with METO in verification procedures for nuclear, biological and chemical materials, to ensure the safety of the environment and the people of the Zone in relation to WMD-related materials.

16. Each State Party to this Treaty that is not already party to the following treaties shall become a State Party to each of them: the Treaty on the Non-Proliferation of Nuclear Weapons (NPT); the Biological and Toxin Weapons Convention (BTWC); the Chemical Weapons Convention (CWC), the Comprehensive Nuclear-Test-Ban Treaty (CTBT); the Treaty on the Prohibition of Nuclear Weapons (TPNW), not later than eighteen months after the date of entry into force for that Party of this Treaty.

17. Each State party to this Treaty undertakes to destroy any chemical, biological, or nuclear weapon in its possession in accordance respectively with the procedures of the Chemical Weapons Convention and the Organisation for the Prohibition of Chemical Weapons (OPCW); the prerogatives defined by the Implementation Support Unit of the Biological and Toxin Weapons Convention (ISU)]; and the procedures laid out by the TPNW and associated resolutions.

18. As part of their efforts to strengthen their security and stability, States Parties undertake to fully cooperate with official regional and international bodies relevant to the peaceful uses of nuclear energy and nuclear science, in accordance with regulations established by the IAEA and by METO, and in accordance with [Article 6](#) of this Treaty.

19. The implementation of this Treaty shall not prejudice obligations undertaken by States Parties with regard to existing international agreements, to which they are party, where those obligations are consistent with the Treaty.



## Article 5

### *Permitted Activities*

20. Nothing in this Treaty shall be interpreted as preventing the use of nuclear sciences and technology for peaceful purposes in accordance with Article IV of the NPT, with Article 4 of the TPNW, and relevant IAEA guidance for safeguards, safety and security.
21. Each State Party has the right to peaceful uses of chemical technology: to develop, produce or otherwise acquire, retain, transfer and use chemicals and their precursors for purposes not prohibited under the CWC and the OPCW, including periodic updates by the OPCW.
22. Each State Party to this Treaty shall notify METO on related collaboration with other states, within or outside the region, as long as chemical materials specified in the CWC Schedules of Chemicals are involved.
23. Nothing in this Treaty shall prejudice the right of each State Party, individually or in cooperation with others, to conduct research, development, production or other acquisition, storage, transfer and use of microbial and other biological agents and toxins for peaceful purposes in accordance with Articles I and X of the BTWC.
24. Each State Party undertakes:
  - a. To conduct all activities for the peaceful use of nuclear energy under strict nuclear non-proliferation, safety and security measures to provide assurance of exclusively peaceful, safe and secure uses of nuclear energy,
  - b. To implement all relevant provisions concerning the safety and protection of nuclear materials following the provisions of United Nations Security Council resolution 1540 (2004), the International Convention for the Suppression of Acts of Nuclear Terrorism (2005), and the Convention on the Physical Protection of Nuclear Materials (CPPNM),
  - c. The BTWC composite text shall be used by the States Parties to this Treaty, as long as there is no other BTWC compliance document agreed by all States Parties to this Treaty.

## Article 6

### *The Middle East Treaty Organisation [METO]*

25. States Parties shall establish the Middle East Treaty Organisation (METO).
26. METO will serve as the implementing organisation for this Treaty.
27. METO shall be hosted in a state agreed upon by all States Parties to this Treaty. The host state will conclude a privileges and immunities agreement with METO and provide a headquarters building.
28. METO shall function as the liaison between the States Parties to this Treaty and the multilateral organisations dealing with WMD non-proliferation and disarmament, as well as the related UN functions.
29. METO shall be the place where all States Parties to this Treaty shall collaborate to execute the purposes of this Treaty, in an open and safe environment, towards eliminating regional threats related to WMD and their means of delivery.
30. METO shall be responsible, in collaboration with the relevant organisations, for:
  - a. Reviewing reports and exchanges of information as provided for in [Article 8](#) (report and exchange of information);
  - b. Arranging consultations as well as convening conferences of States Parties on the concurrence of a simple majority on any matter arising from the implementation of the Treaty;
  - c. Supporting States Parties in reporting peaceful activities to the IAEA and OPCW, as elaborated in [Annexes I and II](#) to this Treaty;
  - d. Supporting the IAEA and OPCW on safeguard and verification activities, as described in [Annexes I and II](#) of this Treaty, if requested by those organisations;
  - e. Conducting ad hoc inspections or support missions to IAEA and OPCW missions, pursuant to Paragraph 9 (g and h) of this Article and to Annexes I, II, and III of this Treaty, in collaboration and cooperation with national regulators or designated authorities in States Parties; Encouraging and assisting regional and sub-regional programmes for cooperation in capacity building for future regional inspection teams;

- f. Providing an open and safe environment for meetings and discussion for experts from the Zone;
- g. Providing capacity building programmes for students and experts from the Zone alongside other relevant organisations on effective implementation of this Treaty;
- h. Encouraging regional, international and sub-regional cooperation on the promotion of sustainable energy;

31. METO shall consist of two main structures:

- c. The Assembly of States Parties (hereinafter referred to as “The Assembly”)
- d. The Secretariat

32. The Assembly:

- a. Shall consist of representatives of all States Parties to this Treaty, as defined in [Article 1 \(3\)](#) to this Treaty, with full voting rights,
- b. May include representatives of the IAEA, the OPCW, the ISU, the Comprehensive Test Ban Treaty Organisation (CTBTO), the United Nations Secretary General (UNSG), the United Nations Office for Disarmament Affairs (UNODA), as well as invited observer states, relevant organisations, civil society, academics, and representatives of States Parties to Protocol I, II, and III to this Treaty, who may participate in the Assembly as observers, with no voting rights,
- c. Shall elect a Secretary-General for a mandate of four years, with the possibility of one renewal;
- d. Shall approve Deputy Secretary-Generals through a majority vote, who will assist the Secretary-General in conducting the activities defined in [Paragraph 9](#) of this Article;
- e. Shall inform and request information from the United Nations Security Council of any suspicion or attempt by a state from outside the region to operate within the region in breach of this Treaty;
- f. Shall meet in regular session at least once every year;
- g. May meet in extraordinary session following a written request by States Parties to this Treaty or by the Secretary-General.

- h. May warrant, under the request of two states, an ad hoc inspection mission in the territory of any State Party to this Treaty.

33. The Secretariat:

- a. Shall support the Secretary-General in conducting the organisation's daily activities and provide technical expertise for such activities;
- b. Shall foster capacity building activities within States Parties, working with universities from the region and international organisations, to ensure strong and informed regional teams of inspectors and scientists, able to work together, update their knowledge and conduct research and inspections;
- c. Shall advise States Parties about safe disposal methods for hazardous materials;
- d. Shall develop periodic waste handling and disposal regulations to handle radioactive, nuclear, chemical and biological wastes and disposal regulations;
- e. Shall collaborate with States Parties and civil society organisations in the pursuit of the objective of a world free of nuclear weapons and all other WMD;
- f. Shall offer guidance to States Parties regarding their annual reports to the IAEA, the OPCW and the BTWC and update them on any changes in policies, schedules or lists of approved or forbidden materials.
- g. Shall request, when determined by the Assembly, following Paragraph 8 (h) of this article, the IAEA or the OPCW to conduct ad hoc inspections as soon as possible.
- h. May conduct, when determined by the Assembly, following Paragraph 8 (h) of this article, *ad hoc* inspections mission to verify the rightful fulfilment of the obligations defined under Article 4 of this Treaty. State Parties shall grant METO *ad hoc* missions full and free access to all information and places within each territory that may be deemed relevant by the inspectors to the implementation of the inspection.

34. Pending entry into force of this Treaty, States Parties agree to establish a METO Preparatory Commission (hereinafter referred to as "the Commission") for the purpose of carrying out the necessary preparations for the effective implementation of this Treaty and the establishment of METO.

35. States Parties to this Treaty shall provide the Commission with the resources and a mandate to implement this Treaty and the activities defined in [Paragraph 9 of this Article](#).

## Article 7

### *Declarations, Dismantlement, Destruction or Conversion*

36. Each State Party shall submit to the Secretary-General, no later than three months after entry into force of this Treaty, or the depositing of instruments of accession to this Treaty, the following declarations, in which it shall:
- a. Declare any capability for the manufacture and possession of any WMD or whether there are any weapons of mass destruction located in any place under its jurisdiction of control;
  - b. Declare whether it is a State Party to the NPT and the TPNW, and which safeguards agreements it has concluded with the IAEA;
  - c. Declare whether it is a State Party to the CWC and whether it has destroyed, or is in the process of destroying, chemical weapons under the supervision of the OPCW;
  - d. Declare whether it is a State Party to the BTWC, and if so, whether it has destroyed or is in the process of destroying, biological weapons pursuant to Article 2 of that treaty.
37. The Secretary-General shall present a report on such declarations to States Parties.
38. Each State Party that has not done so shall, pursuant to [Article 4, Paragraph 2](#) of this Treaty, accede to the CWC and the BTWC, and, pursuant to [Article 4, Paragraph 3](#) of this Treaty, destroy or convert into peaceful purposes any chemical or biological weapons and manufacturing facilities it owns or possesses, or that are located in any place under its jurisdiction or control, in accordance with the provisions of those treaties. This includes destruction or conversion into peaceful purposes all agents, toxins, weapons, equipment specified in Article I, II and III of the CWC.
39. Each State Party that has declared that it does not own or possess any nuclear weapons and that there are no nuclear weapons located in any place under its

jurisdiction or control, pursuant to [Article 4, Paragraph 3](#) of this Treaty, shall conclude a Safeguards Agreement with an Additional Protocol with the IAEA.

40. Each State Party that is not a State Party to the NPT and the TPNW and that has declared that it owns or possesses nuclear weapons shall, as soon as possible and following the guidelines and a destruction schedule determined by the TPNW, deactivate, disable, dismantle, separate from means of delivery, or otherwise remove from operational status all nuclear weapons and nuclear explosive devices it owns, possesses, or hosts.

## Article 8

### *Report and exchange of information*

41. Each State Party shall submit annual reports to METO on its nuclear, chemical and biological activities as well as other matters relating to this Treaty, in accordance with the format for reporting to be developed by the Secretariat and agreed by the Assembly.
42. Each State Party shall promptly report to the Secretariat any event affecting the implementation of this Treaty.

## Article 9

### *Safety Measures of nuclear, biological and chemical materials and facilities*

43. Each State Party undertakes to maintain and update the highest standards of safety and security and effective protection of nuclear materials chemical materials and biological materials, their facilities and equipment to prevent theft or unauthorised use and handling.
44. Each State Party, in addition to its own national regulations, undertakes to apply safety measures equivalent to or higher than those provided for in the Convention on Nuclear Safety, the Convention on Early Notification of a Nuclear Accident, the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, the Joint Convention on the Safety of Spent Fuel Management and on the Safety of

Radioactive Waste Management, the Convention on Physical Protection of Nuclear Material/Amended and in standards, and the safety recommendations and guidelines developed by the IAEA.

45. Each State Party, in addition to its own national regulations, undertakes to apply safety measures equivalent to or higher than those provided by the OPCW on chemical materials and facilities, and any other measures developed by METO for that purpose.
46. Each State Party, in addition to its own national regulations, undertakes to apply safety measures equivalent to or higher than those provided and by the BTWC on biological materials and facilities, as well as additional guidelines on biosafety and biosecurity define by the World Health Organisation.
47. In addition to safety standards and regulations mentioned on Paragraphs 1 to 4 of this Article, States Parties undertake to follow any other additional safety regulations for nuclear, chemical, and biological materials developed by METO.

## Article 10

### *Sustainable Energy*

Each State Party to this Treaty shall collaborate with METO, the International Renewable Energy Agency (IRENA), and other relevant organisations to promote safe, sustainable and diverse energy sources, including renewable energy, in recognition of its significant contribution to human security and development in the region.

## Article 11

### *Protection of populations and the environment*

48. In the implementation of this Treaty, each State Party shall take all necessary safety precautions to protect populations and the environment.
49. Each State Party to this Treaty shall inform the OPCW, the UN Security Council and METO on any suspicion or any evidence of chemical weapon use in their territory, and shall allow humanitarian organisations to offer medical assistance.

50. Each State Party to this Treaty shall inform the UN Security Council, the ISU and METO of any evidence of biological weapon use in their territory, and will allow humanitarian organisations to offer medical assistance and humanitarian support to affected populations, ensuring free and safe passage to those organisations in their territory.
51. Each State Party to this Treaty undertakes to provide or support assistance in accordance with METO requirements, to any State Party to the treaty which so requests, following approval of the request by the Assembly.
52. Each State Party to this Treaty shall implement appropriate and adequate measures to provide assistance and remediation under humanitarian and human rights law, pursuant to Article 6 of the TPNW.
53. Each State Party to this Treaty shall implement, in regards to individuals under its jurisdiction who are affected by the use or testing of chemical and biological weapons, appropriate and adequate measures to provide assistance and remediation under International Humanitarian and Human Rights Law, adequately provide age- and gender-sensitive assistance, without discrimination, including medical care, rehabilitation and psychological support, as well as provide for their social and economic inclusion.
54. Each State Party, in regards to areas under its jurisdiction or control which are contaminated as a result of activities related to the testing or use of chemical and biological weapons, shall take necessary and appropriate measures towards the environmental remediation of areas so contaminated.

## Article 12

### *Settlement of Disputes*

55. Any dispute arising out of the interpretation of the treaty shall be settled by negotiation.
56. Decisions of States Parties shall be made by consensus or, if previously agreed by consensus, by qualified majority of States Parties.
57. If consensus cannot be achieved within a period of 12 calendar months, the dispute shall be resolved through arbitration or through referral to the International Court of



Justice, unless the Parties agree on another dispute settlement system established by international law.

## Article 13

### *Reservations*

Once this Treaty is adopted by the States that negotiated it, the articles of this Treaty shall not be subject to reservations.

## Article 14

### *Signature, ratification and entry into force*

58. This Treaty shall be open for signature by all States in the Middle East zone, as described in Article 1, Paragraph 3.

59. The Treaty shall be subject to ratification in accordance with the legislative requirements of each State Party.

60. China, France, Russia, the United Kingdom, and the United States will be invited to sign a Protocol to this Treaty respecting its terms.

61. For each State Party, this Treaty shall enter into force on the date of deposit of the agreed upon instruments of ratifications.

62. This Treaty shall enter into force only after ratification by 13 of the states defined in Article 1, Paragraph 3 of this Treaty.

63. For a State that accedes to this Treaty after it has entered into force, this Treaty shall be binding for that State on the date of deposit of its instrument of ratification.

## Article 15

### *Amendments*

64. Any State Party to this Treaty, as well as the Secretary-General, can propose Amendments to this Treaty. Amendment proposals shall be submitted to the Assembly.

65. If agreed by at least five States Parties to this Treaty, the amendment proposals shall be discussed in the subsequent session of the Assembly.
66. The decision on the adoption of such an amendment shall be taken by a qualified majority of States Parties in the Assembly.
67. An amendment so adopted shall enter into force after receipt by the Depositary.
68. Any amendment shall only be applicable to the states that have adopted it.

## Article 16

### *Duration and Withdrawal*

69. The duration of the Treaty is unlimited.
70. Each State Party shall, in exercising its national sovereignty, have the right to withdraw from this Treaty if it decides that extraordinary events related to the subject matter of the Treaty have jeopardised the supreme interests of its country.
71. Withdrawing States Parties shall give notice of such withdrawal in writing to the Assembly and the Depositary. Such notice shall include a statement of the extraordinary events that it regards as having jeopardised its supreme interests.
72. Within twelve months, METO Secretary-General shall work to resolve the extraordinary security concerns of the State Party in consultation with the other States Parties.
73. Such withdrawal shall take effect twelve months after the date of the receipt of the notification of withdrawal by the Depositary. If, however, on the expiry of that twelve-month period, the withdrawing State Party is a party to an armed conflict, the State Party shall continue to be bound by the obligations of this Treaty and of any additional protocols until it is no longer party to an armed conflict.
74. METO Secretary-General shall communicate the withdrawal to the remaining States Parties, to the Assembly, to the Secretary-General of the United Nations and the United Nations Security Council.
75. The Assembly shall, by consensus, implement further measures and procedures to the withdrawal process.

## Article 17

### *Depositary functions*

[The Secretary-General of the United Nations] shall be the depositary of this Treaty. The Depositary shall:

76. Receive instruments of ratification or accession by States Parties.
77. Register this Treaty and its protocols pursuant to Article 102 of the Charter of the United Nations.
78. Transmit certified copies of the Treaty and its protocols to all States Parties of the Treaty and to all States to which the protocols to the Treaty shall be open, and shall notify them of any signature, ratification of, or accession to the Treaty and its protocols.

## Article 18

### *Authentic text*

The Arabic, Farsi, Hebrew, French, English, Chinese, Spanish, and Russian text of this Treaty, shall be equally authentic.

## Article 19

### *Status of the annexes*

The annexes form an integral part of the Treaty. Any reference to this Treaty includes the annexes.

# Annexes to DT5 – Version B

## Annex I

### *Safeguards of the International Atomic Energy Agency*

1. All States Parties to this Treaty will sign and ratify the Non-Proliferation Treaty (NPT) as Non-Nuclear-Weapon States within five years of this Treaty's entry into force.
2. The safeguards referred to in Article 3 Paragraph 2 of this Treaty shall in respect of each State Party be applied by the International Atomic Energy Agency as set forth in an agreement negotiated and concluded with the Agency on all source or special fissionable material in all nuclear activities within the territory of the Party, under its jurisdiction or carried out under its control anywhere.
3. The Agreement referred to in Paragraph 2 above, shall be equivalent, or equivalent in its scope and effect, to the agreement required in connection with the Treaty on the Non-Proliferation of Nuclear Weapons (INFCIRC/153 corrected). A State Party that has already entered into a comprehensive safeguards agreement with an additional protocol (INFCIRC/540) with the IAEA is deemed to have already complied with the requirement. Each State Party shall take all appropriate steps to ensure that the Agreement referred to in Paragraph 2 is in force for not later than eighteen months after the date of entry into force for that Party of this Treaty.
4. Each Party shall include in its annual report to METO, in conformity with Article 6 for its information and review, a copy of the overall conclusions of the most recent Safeguards Implementation Report of the International Atomic Energy Agency on its inspection activities in the territory of the Party concerned, and notify METO promptly of any change in those conclusions.

## Annex II

### *The Organisation for the Prohibition of Chemical Weapons*

1. All States Parties to this Treaty will sign and ratify the Chemical Weapons Convention (CWC).
2. The verifications referred to in Article 3 paragraph 2 shall in respect of each Party be applied by the Organisation for the Prohibition of Chemical Weapons (OPCW) as set forth in an agreement negotiated and concluded with the OPCW on all dual uses material, under its jurisdiction or carried out under its control anywhere.
3. METO will inform the States Parties to the treaty about any change in the list of materials.
4. For the purpose of this Treaty, the safeguards referred to in paragraph 1 above shall have as their purpose the verification by the OPCW.
5. States Parties to this Treaty will collaborate with the OPCW when it requests access to their facilities for a challenge inspection.
6. Each State Party shall include in its annual report to METO, in conformity with Article 6, a copy of the overall conclusions of the most recent report by the OPCW on its inspection activities in the territory of the Party concerned, and advise METO promptly of any change in those conclusions. The information furnished by a Party shall not be disclosed or transmitted to third parties, wholly or partially, except when that Party gives its express consent.

## Annex III

### *The Biological Weapons Convention and the composite text*

1. The safeguards referred to in Article 3 Paragraph 2 shall in respect of each State Party be applied by METO in collaboration with the supporting unit of the BTWC, as set forth in an agreement negotiated and concluded with METO, on all source or special fissionable material in all related biological activities within the territory of the State Party, under its jurisdiction or carried out under its control anywhere.
2. For the purpose of this Treaty, and until the States Parties to the BTWC will agree on a verification protocol, the safeguards referred to in paragraph 1 above shall have as their purpose the verification set out by the Ad Hoc Group in 2001 (the composite text). As long as the composite text is not negotiated or agreed upon by the States Parties to the BTWC, updates to the composite states will be made by the METO General Assembly, and will take into account any new scientific and technological developments relevant to the BTWC and this Treaty.
3. States Parties to this Treaty will collaborate with METO if it requests access to open facilities for a challenge inspection.
4. Each State Party shall include in its annual report to METO, in conformity with Article 6, for its information and review, a copy of the overall conclusions of the most recent report by OPCW on its inspection activities in the territory of the Party concerned, and advise METO promptly of any change in those conclusions. The information furnished by a State Party shall not be disclosed or transmitted to third parties, wholly or partially, except when that Party gives its expressed consent.

# Protocols to DT5 – Version B

## Protocol I with Extra-Regional States that possess Military Operations or Territories in the Zone

### *The Parties to this Protocol*

*Convinced* of the need to take all steps in achieving the ultimate goal of a world entirely free of nuclear weapons, as well as the obligations of all States to contribute to this end,

*Convinced also* that the Middle East Weapons-of-Mass-Destruction-Free Zone Treaty, negotiated and signed in accordance with the declaration on a nuclear weapon-free zone adopted by the UN General Assembly in 1974 and in 2018, and with the resolution on achieving a Weapons of Mass Destruction free zone adopted by the 1995 NPT Review and Extension Conference, constitutes an important measure towards ensuring the non-proliferation of WMD, promoting cooperation in the peaceful uses of nuclear energy, fostering sustainable energy, promoting general and complete disarmament, and enhancing regional and international peace and security,

*Desirous* of contributing in all appropriate manners to the effectiveness of the Treaty,

*Have agreed as follows:*

### *Article 1*

Each Protocol Party undertakes to apply, in respect of the territories for which it is *de jure* or *de facto* internationally responsible situated within the weapons-of-mass-destruction-free zone in the Middle East (WMDFME), the provisions contained in articles 3, 4, 5, 6, 7, 8, and 10 of the Treaty and to ensure the application of verifications specified in Annexes I, II, and III of the Treaty. They may also request METO additional safeguards and inspections, as specified in Article 6 of the Treaty.

## *Article 2*

Each Protocol Party undertakes not to contribute to any act that constitutes a violation of the Treaty or of this Protocol.

## *Article 3*

Each Protocol Party undertakes, by written notification to the Depositary, to indicate its acceptance or otherwise of any alterations to its obligation under this Protocol that may be brought about by the entry into force of an amendment to the Treaty pursuant to article 14 of the Treaty.

## *Article 4*

1. This Protocol shall be open for signature by France and Spain.
2. This Protocol shall be open for signature by all states that permanently or temporarily possess, rent, sublet, or occupy any operation basis, including military installations, in the WMDFZME, as defined in Article 2 of the Treaty.

## *Article 5*

This Protocol shall be subject to ratification.

## *Article 6*

1. This Protocol is of a permanent nature and shall remain in force indefinitely.
2. Each Party of this protocol shall, in exercising its national sovereignty have the right to withdraw from this Protocol if it decides that extraordinary events, related to the subject-matter of this Protocol, have jeopardised its supreme interests. The withdrawal procedure must follow Article 15 of the WMDFZME Treaty.
3. Withdrawal from the treaty does not mean a withdrawal from all other obligations to the treaties the state in question has signed and ratified for.



## *Article 7*

This Protocol shall enter into force for each State on the date of its deposit with the Depositary of its instrument of ratification or the date of entry into force of the Treaty, whichever is later.

*In witness whereof* the undersigned, being duly authorised by their Governments, have signed this Protocol.

## Protocol II with Neighbouring Extra-Regional States

### *The Parties to this Protocol*

*Convinced* of the need to take all steps in achieving the ultimate goal of a world entirely free of nuclear weapons, as well as the obligations of all States to contribute to this end,

*Convinced also* that the Middle East Weapons-of-Mass-Destruction-Free Zone Treaty, negotiated and signed in accordance with the declaration on a nuclear weapon-free zone adopted by the UN General Assembly in 1974 and in 2018, and with the resolution on achieving a Weapons of Mass Destruction free zone adopted by the 1995 NPT Review and Extension Conference, constitutes an important measure towards ensuring the non-proliferation of WMD, promoting cooperation in the peaceful uses of nuclear energy, fostering sustainable energy, promoting general and complete disarmament, and enhancing regional and international peace and security,

*Desirous* of contributing in all appropriate manners to the effectiveness of the Treaty,

*Have agreed as follows:*

### *Article 1*

Each Protocol Party undertakes to apply the provisions contained in articles 3, 4, 5, 6, 7, 8, and 10 of the Treaty.

## *Article 2*

1. Each Protocol Party undertakes not to contribute to any act that constitutes a violation of the Treaty or of this Protocol.
2. Each Protocol Party undertakes not to use or threaten to use a nuclear explosive device, or any other WMD, against
  - a. any Party to the Treaty; or
  - b. Any territory within the WMDZME for which a State that has become a Party to this Protocol is internationally responsible, including overseas military facilities.

## *Article 3*

Each Protocol Party undertakes, by written notification to the Depository, to indicate its acceptance or otherwise of any alterations to its obligation under this Protocol, that may be brought about by the entry into force of an amendment to the Treaty pursuant to Article 15 of the Treaty.

## *Article 4*

This Protocol shall be open for signature by all countries that share territorial or maritime borders to any state party of the weapons-of-mass-destruction-free zone, as defined in the Middle East (WMDZME) in Article 1 of the Treaty. Members-states of nuclear-weapon-free-zones are waived signature to this protocol.

## *Article 5*

This Protocol shall be subject to ratification.

## *Article 6*

1. This Protocol is of a permanent nature and shall remain in force indefinitely.

2. Each Party of this protocol shall, in exercising its national sovereignty has the right to withdraw from this Protocol if it decides that extraordinary events, related to the subject-matter of this Protocol, have jeopardised its supreme interests. The withdrawal procedure must follow Article 16 of the WMDFZME Treaty.
3. Withdrawal from the treaty does not mean a withdrawal from all other obligations to the treaties the state in question has signed and ratified for.

### *Article 7*

This Protocol shall enter into force for each State on the date of its deposit with the Depository of its instrument of ratification or the date of entry into force of the Treaty, whichever is later.

*In witness whereof* the undersigned, being duly authorised by their Governments, have signed this Protocol.

## Protocol III with Nuclear-Weapon States

### *The Parties to this Protocol*

*Convinced* of the need to take all steps in achieving the ultimate goal of a world entirely free of nuclear weapons as well as the obligations of all States to contribute to this end,

*Convinced also* that the Middle East Weapons-of-Mass-Destruction-Free Zone Treaty, negotiated and signed in accordance with the declaration on a nuclear weapon-free zone adopted by the UN General Assembly in 1974 and in 2018, and with the resolution on achieving a Weapons of Mass Destruction free zone adopted by the 1995 NPT Review and Extension Conference, constitutes an important measure towards ensuring the non-proliferation of WMD, promoting cooperation in the peaceful uses of nuclear energy, fostering sustainable energy, promoting general and complete disarmament, and enhancing regional and international peace and security,

*Desirous* of contributing in all appropriate manners to the effectiveness of the Treaty,

*Have agreed as follows:*

### *Article 1*

Each Protocol Party undertakes not to use or threaten to use a nuclear explosive device, or any other WMD, against:

- a) Any Party to the Treaty; or
- b) Any territory within the WMDFZME for which a State that has become a Party to this Protocol is internationally responsible, including overseas military facilities.

### *Article 2*

Each Protocol Party undertakes not to contribute to any act that constitutes a violation of the Treaty or of this Protocol.

### *Article 3*

Each Protocol Party undertakes, by written notification to the Depository, to indicate its acceptance or otherwise of any alteration to its obligation under this Protocol that may be brought about by the entry into force of an amendment to the Treaty pursuant to Article 14 of the Treaty.

### *Article 4*

This Protocol shall be open for signature by China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

### *Article 5*

This Protocol shall be subject to ratification.

## *Article 6*

1. This Protocol is of a permanent nature and shall remain in force indefinitely.
2. Each Party of this protocol shall, in exercising its national sovereignty have the right to withdraw from this Protocol if it decides that extraordinary events, related to the subject-matter of this Protocol, have jeopardised its supreme interests. The withdrawal procedure must follow Article 15 of the WMDFZME Treaty.
3. Withdrawal from the treaty does not mean a withdrawal from all other obligations to the treaties the state in question has signed and ratified for.

## *Article 7*

This Protocol shall enter into force for each State on the date of its deposit with the Depositary of its instrument of ratification or the date of entry into force of the Treaty, whichever is later.

*In witness whereof* the undersigned, being duly authorized by their Governments, have signed this Protocol.

## Referenced Treaties & Documents:

- the Pelindaba Treaty
- the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)
- the Biological and Toxin Weapons Convention (BTWC)
- the Chemical Weapons Convention (CWC)
- the Comprehensive Nuclear-Test-Ban Treaty (CTBT)
- the Treaty on the Prohibition of Nuclear Weapons (TPNW)
- United Nations Security Council resolution 1540 (2004)
- the International Convention for the Suppression of Acts of Nuclear Terrorism (2005)
- the Convention on Nuclear Safety
- the Convention on Early Notification of a Nuclear Accident
- the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency,
- the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management,
- the Convention on Physical Protection of Nuclear Material/Amended
- an agreement for the application of safeguards in accordance with the NPT (INFCIRC/153 (Corr.))
- an Additional Protocol (INFCIRC/540 (Corr.))



Thanks for reading this far:

For more details visit our website [www.wmd-free.me](http://www.wmd-free.me) or write to [info@wmd-free.me](mailto:info@wmd-free.me)

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