

# General Conference

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## Fiftieth (2006) Regular Session

# Plenary

## Record of the Tenth Meeting

*Held at the Austria Center, Vienna, on Friday, 22 September 2006, at 7.55 p.m.*

**President:** Mr. MINTY (South Africa)

## Contents

Item of the agenda <sup>1</sup>		Paragraphs
25	Report on contributions pledged to the Technical Cooperation Fund for 2007	1–2
20	Application of IAEA safeguards in the Middle East	3–34
21	Israeli nuclear capabilities and threat	35–78
–	Closing of the session	79–88

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The composition of delegations attending the session is given in document GC(50)/INF/8/Rev.1.

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<sup>1</sup> GC(50)/21.

**Abbreviations used in this record:**

GRULAC	Latin American and Caribbean Group
NAM	Non-Aligned Movement
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
NPT Review Conference	Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
NWFZ	nuclear-weapon-free zone
NWS	nuclear-weapon State
Pelindaba Treaty	African Nuclear-Weapon-Free Zone Treaty

## **25. Report on contributions pledged to the Technical Cooperation Fund for 2007**

(GC(50)/23/Rev.3)

1. The PRESIDENT said that document GC(50)/23/Rev.3 contained details of pledges of contributions to the Technical Cooperation Fund for 2007 which Governments had made to the Director General by 5.30 p.m. on 21 September 2006. By that time, Member States had pledged a total of US \$6 597 114, or 8.25% of the target for 2007. That was 24% lower than the percentage of pledges received by the same time the preceding year. Since the document had been sent for printing, further Member States had communicated pledges to the Director General: China had pledged \$1 584 800, Cuba had pledged \$32 800 and Uganda had pledged \$4 800. That brought the total amount pledged to \$8 219 514, or 10.27% of the target.
2. He urged all delegations that had not yet done so to make their 2007 pledges and to pay their contributions in full at the earliest opportunity, in order that the Secretariat might submit a proposed 2007 technical cooperation programme to the Technical Assistance and Cooperation Committee in November based on the level of pledges received and thereafter implement the approved programme without hindrance or uncertainty.

## **20. Application of IAEA safeguards in the Middle East**

(GC(50)/12, L.1 and Add.1)

3. The PRESIDENT said that item 20 had been included in the agenda pursuant to resolution GC(49)/RES/15 adopted by the General Conference the preceding year. Pursuant to operative paragraph 9 of that resolution, the Director General had submitted the report contained in document GC(50)/12. The matter had been considered by the Board the preceding week on the basis of that report. In addition, Egypt had submitted a draft resolution contained in document GC(50)/L.1 and Add.1.
4. Mr. RAMZY (Egypt), introducing the draft resolution, said that the purpose of the resolution was to support the Agency's safeguards activities under Article III of the NPT. The General Conference and the NPT Review Conference had attributed the utmost importance to the accession of all States in the Middle East to the NPT and to the placement of all nuclear activities in the region under comprehensive safeguards. When the Treaty had been extended indefinitely in 1995, the international community had adopted a resolution on the Middle East in which it had expressed concern at the continued existence of unsafeguarded nuclear facilities in the region, which undermined the effectiveness of the nuclear non-proliferation regime and the credibility of the safeguards regime as a whole.
5. Egypt had sponsored a similar draft resolution on many previous occasions and no significant amendment had been made to it for the past 14 years. However, at the current session, following wide-ranging consultations, Egypt had decided to introduce a draft resolution containing a minimum number of amendments that reflected current circumstances, without affecting the core content, on

which there was a consensus in the international community. Egypt regarded the annual custom whereby the Member States of the Agency adopted the resolution by consensus as a reaffirmation of the commitment of States, especially those in the Middle East, to the principle of the application of Agency safeguards in the region. All States therefore had a duty to take concerted action to break the deadlock that was preventing full implementation of the resolution and to secure respect by all States, without discrimination, for the non-proliferation principles it contained, thereby eliminating the risk of a nuclear arms race in the Middle East and preserving international peace and stability.

6. At the NAM summit which had concluded its proceedings the preceding week in Havana, Cuba, Heads of State and Government had reiterated their condemnation of Israeli military nuclear activities and their firm opposition to the challenge posed by Israel to the international community and to the Agency's comprehensive safeguards regime. They had expressed their determination to take serious steps to avert the Israeli nuclear threat in all relevant fora, in particular at the current session of the Agency's General Conference. He commended NAM's initiative in reaffirming the basic principles involved and trusted it would continue to support legitimate efforts to oppose the double standards that were threatening international stability and security, particularly at the beginning of a new NPT review period.

7. The way in which the Agency's Member States addressed agenda items 20 and 21 was a real test of the sincerity of the international community's support for the NPT, which constituted the basic frame of reference for the Agency's work. It also provided an opportunity to assess the sincerity and neutrality of those who called for action to maintain the credibility of the NPT and advocated full compliance with its provisions, especially in the Middle East. Adoption of the draft resolution by consensus would reaffirm the consensus in the international community on the need to avert the risk of nuclear proliferation and establish a nuclear-weapon-free zone in the Middle East. Any attempt to undermine that consensus would cast doubt on States' commitment to averting the risk of proliferation and to ensuring compliance with the NPT and the Agency's safeguards regime.

8. Ms. GOICOCHEA ESTENOZ (Cuba), speaking on behalf of NAM on both agenda items 20 and 21, said that during NAM's 14th summit held in Havana, Cuba, on 15–16 September 2006, the Heads of State or Government had adopted a final document that included NAM's principled position on the issues under discussion. She quoted paragraph 89 of that document which read:

“The Heads of State or Government reiterated their support for the establishment in the Middle East of a zone free of all weapons of mass destruction. To this end, they reaffirmed the need for the speedy establishment of a NWFZ in the Middle East in accordance with the Security Council Resolution 487 (1981) and paragraph 14 of the Security Council Resolution 687 (1991) and the relevant General Assembly resolutions adopted by consensus. They called upon all parties concerned to take urgent and practical steps towards the fulfilment of the proposal initiated by Iran in 1974 for the establishment of such a zone and, pending its establishment, they demanded on Israel, the only country in the region that has not joined the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) nor declared its intention to do so, to renounce possession of nuclear weapons, to accede to the NPT without delay, to place promptly all its nuclear facilities under IAEA full-scope safeguards according to Security Council Resolution 487 (1981), and to conduct its nuclear related activities in conformity with the non-proliferation regime. They expressed great concern over the acquisition of nuclear capability by Israel, which poses a serious and continuing threat to the security of neighbouring and other States, and condemned Israel for continuing to develop and stockpile nuclear arsenals. They were of the view that stability cannot be achieved in a region where massive imbalances in military capabilities are maintained particularly through the possession of nuclear weapons, which allow one party to threaten its neighbours, and the region. They further

welcomed the initiative by H.E. Mr. Mohammed Hosni Mubarak, President of the Arab Republic of Egypt, on the establishment of a zone free from weapons of mass destruction in the Middle East, and in this context, they took into consideration the draft resolution tabled by the Syrian Arab Republic, on behalf of the Arab Group, before the Security Council on 29 December 2003 on the establishment of a zone free of all weapons of mass destruction in the Middle East. They stressed that necessary steps should be taken in different international fora for the establishment of this zone. They also called for the total and complete prohibition of the transfer of all nuclear-related equipment, information, material and facilities, resources or devices and the extension of assistance in the nuclear related scientific or technological fields to Israel. In this regard, they expressed their serious concern over the continuing development whereby Israeli scientists are provided access to the nuclear facilities of one NWS. This development will have potentially serious negative implications on security in the region as well as the reliability of the global non-proliferation regime.”

9. Mr. KODAH (Jordan) said that the Jordanian Government attached great importance to the application of Agency safeguards to all nuclear activities in the Middle East, and to the establishment of a nuclear-weapon-free zone in that region. It was essential for Israel to accede to and implement the NPT, to sign and implement a comprehensive safeguards agreement and an additional protocol, and to place all its nuclear activities under international safeguards.

10. Mr. BAHRAN (Yemen) said that his country was a co-sponsor of the draft resolution contained in document GC(50)/L.1 and Add.1, which it viewed as the minimum required action on the issue. Yemen hoped that one day the Middle East would become a zone free of all weapons of mass destruction, in particular nuclear weapons. Israel was the only country in the region that had not adhered to the NPT. In the interests of the Agency, the NPT and peace and security, the principles of equality and justice under international law had to be upheld.

11. Mr. MILAD (Libyan Arab Jamahiriya) expressed deep concern at the presence of weapons of mass destruction in the Middle East. In that connection, he drew attention to the series of United Nations General Assembly resolutions adopted since 1974, and to Security Council resolution 487 (1981) which urged all parties to consider taking practical steps towards the establishment of a nuclear-weapon-free zone in the Middle East and called on them to accede to the NPT, to refrain from producing or possessing nuclear weapons or nuclear explosive devices in whatever form and from allowing any other party to locate nuclear weapons on their territory, and to place their nuclear activities under Agency safeguards.

12. The Libyan Arab Jamahiriya attached great importance to nuclear disarmament and had taken the initiative on 19 December 2003 of abandoning all programmes, equipment and materials that might lead to the production of internationally prohibited weapons. Libya was a party to the NPT and had signed and ratified a safeguards agreement and an additional protocol with the Agency. It was also a party to most international and regional disarmament treaties, including the Pelindaba Treaty, and it had consistently supported the establishment of a nuclear-weapon-free zone in the Middle East. Unfortunately, that region was still dangerously insecure on account of Israel’s possession of nuclear weapons, which posed a threat to many countries extending from the Indian subcontinent to North Africa and the Mediterranean region.

13. Security Council Presidential Statement S/PRST/2004/10 of 22 April 2004 concerning Libya’s decision to abandon weapons of mass destruction programmes recognized that his country’s cooperation with the Agency was a step towards the realization of a Middle East free of weapons of mass destruction. However, other States in the region had been able to develop their military nuclear capabilities and possessed large arsenals of nuclear weapons. As Israel was the sole country in the

Middle East that possessed such weapons, the security situation in the region was dangerously unbalanced.

14. More than ever before, there was a need to ensure compliance with the NPT, to reaffirm that Treaty's status as the cornerstone of international peace and security, and to emphasize the linkage between nuclear non-proliferation and disarmament.

15. Ms. FEROUKHI (Algeria), speaking on items 20 and 21 of the agenda, said that her country deplored the lack of progress in implementing the Agency's comprehensive verification system in the Middle East. However, that impasse, far from discouraging Algeria, strengthened its conviction that the commitment to nuclear non-proliferation and disarmament upon which Algeria's foreign policy was based was the best guarantee of peace and security. She commended those countries in the region that were party to the NPT and had made the responsible decision not to develop nuclear weapons as a contribution to the implementation of international resolutions to strengthen the Agency's safeguards system and its universal character, with a view to establishing a zone free of weapons of mass destruction in the Middle East. In refusing to give up its nuclear weapons and adhere to the NPT, Israel had established itself as a de facto nuclear power in the Middle East, which created a serious imbalance among the countries of the region. Such an imbalance nurtured permanent suspicion and tensions, which aggravated an already precarious security situation.

16. Algeria believed that the adherence of all countries in the region to the NPT, without exception, was a confidence-building measure that would foster a common perception of the threats to regional security capable of opening up the path to cooperation and the establishment of a nuclear-weapon-free zone. That had been the objective of many international resolutions urging all States in the region to submit all their nuclear activities to the Agency's verification system and to give serious consideration to the practical measures required to establish a nuclear-weapon-free zone in the Middle East. The final document of the NAM summit in Havana supported the efforts of the international community, in particular the attempts by countries in the region to eliminate the threat posed by Israel's nuclear capabilities to regional peace and security. She noted the importance of implementing the resolutions of the United Nations Security Council and General Assembly, and of the Agency's General Conference, for the sake of those bodies' collective credibility, and expressed support for the Director General in fulfilling the mandate he had received of applying safeguards and establishing a nuclear-weapon-free zone in the Middle East.

17. Mr. MÁRQUEZ MARÍN (Bolivarian Republic of Venezuela), speaking on items 20 and 21 of the agenda, said his country gave its full support to the draft resolutions before the Conference. Both drafts reflected the long-standing aspiration of the world's peace lovers that the Middle East be declared a nuclear-weapon-free zone, which clearly arose from the serious concern that the conflicts in the region might lead to a confrontation involving nuclear weapons. That aspiration would begin to be feasible when concrete steps had been taken to achieve total nuclear disarmament and Israel had signed and adhered to the NPT and submitted its nuclear programme to Agency safeguards. The need for such action was even more pressing in light of Israel's recent armed intervention in Lebanon, where the toll of death and destruction had included thousands of civilian victims, among them children, and had left in ruins the country's infrastructure, which the Lebanese people had gone to great effort to rebuild after the war with Israel in the preceding century. Israel was the only country that had not acknowledged its status as a nuclear power, even though experts estimated that it had a considerable arsenal with enough capability to spark a global conflict. It was the only country in the region that refused to allow the international community to monitor its nuclear programme and to join the NPT.

18. At least 13 resolutions had been adopted by the United Nations General Assembly and the Agency's General Conference since 1987 urging Israel to sign the NPT. Unfortunately they had not

yet produced any results. Venezuela hoped that the draft resolutions contained in documents GC(50)/L.1 and GC(50)/L.2 would be approved as a sign of the Agency's commitment to nuclear non-proliferation and disarmament within the framework of the NPT. The General Conference had already approved the resolution on the application of Agency safeguards to the DPRK's nuclear programme at its ninth plenary meeting. Venezuela had joined the consensus on that resolution despite certain reservations. The logic that some countries had applied in approving that resolution was being turned upside down in the case currently under discussion. The double standards which were being applied revealed a lack of equality and balance in the handling of important multilateral affairs which undermined the moral authority of the Agency as it celebrated 50 years of service to the peaceful uses of nuclear energy. The matter should continue to be discussed within the Agency and the Board should keep it on its agenda, giving it the same importance as had been given to other related topics.

19. Mr. TANG Guoqiang (China) said that his Government had always supported the holding of consultations by the countries concerned with a view to establishing a nuclear-weapon-free zone in the Middle East. It also attached importance to the universality and effectiveness of the additional protocol. The proposal before the Conference should contribute to the international non-proliferation regime and promote stability and security in the region. China hoped that all countries in the region would make joint efforts to reach agreement.

20. Mr. MICHAELI (Israel) requested that the draft resolution be put to a vote.

21. Mr. RAMZY (Egypt) said that he had hoped that the draft resolution would be adopted by consensus as in previous years. However, in the light of the insistence by one country that the tradition of consensus be broken, he requested that the vote be taken by roll-call.

22. Lebanon, having been drawn by lot by the President, was called upon to vote first.

23. The result of the vote was as follows:

In favour: Albania, Algeria, Argentina, Austria, Bangladesh, Belarus, Belgium, Botswana, Brazil, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Egypt, Estonia, Finland, France, Germany, Greece, Holy See, Hungary, Iceland, India, Indonesia, Islamic Republic of Iran, Iraq, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Republic of Korea, Kuwait, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Malta, Mexico, Monaco, Mongolia, Morocco, Mozambique, Namibia, Netherlands, New Zealand, Norway, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Romania, Russian Federation, Saudi Arabia, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Thailand, The Former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom, United Republic of Tanzania, Bolivarian Republic of Venezuela, Vietnam, Yemen.

Against: Israel, United States of America.

Abstaining: Australia, Cameroon, Nigeria.<sup>2</sup>

24. There were 89 votes in favour and 2 against, with 3 abstentions.<sup>3</sup> The draft resolution was adopted.

<sup>2</sup> Subsequently, Nigeria indicated that it had intended to vote in favour.

<sup>3</sup> Subsequently, Ecuador indicated that it had intended to vote in favour.

25. Mr. ELOUMNI (Morocco), speaking on a point of order, requested clarification regarding the counting of the votes since the representative of Israel had not replied in accordance with Rule 72 of the Rules of Procedure.

26. Mr. RAUTENBACH (Director, Office of Legal Affairs) said that the word ‘against’ used by the representative of Israel was clearly equivalent to ‘no’. There was therefore no reason not to accept Israel’s vote.

27. Mr. SHANNON (Australia), speaking in explanation of his vote, said that Australia supported the strengthening of the Agency’s role in the Middle East and the placing of all nuclear installations in the region under Agency safeguards. It also continued to support the establishment of an effectively verifiable zone free of nuclear and other weapons of mass destruction and their means of delivery in the Middle East, and the universality of the NPT.

28. Australia had abstained in the vote because the resolution did not form part of the consensus package adopted since 1992. In his country’s view, the consensus package approach had provided a means of pursuing the application of Agency safeguards in the Middle East while limiting the intrusion of other Middle East issues more appropriately considered in other United Nations fora.

29. Mr. SCHULTE (United States of America) said, at the General Conference commemorating the first fifty years of the Agency, his delegation had focused on the peaceful use of nuclear technology and how it could contribute to the development and prosperity of all nations, and it had consciously avoided introducing other issues that, while they were of great importance, could divert the focus from the desire of almost every delegation for a strong, positive outcome to the Conference. He expressed the hope that the events of the evening would not detract attention from that special occasion and the important work accomplished. The United States would continue to give strong support to those seeking to help bring peace and long-term security to the Middle East.

30. Mr. MICHAELI (Israel) said that his country had wished to continue the long tradition of consensus on the agenda item in question. However, additional issues had been inserted in the text without coordination with Israel, some of which had worsened the existing imbalance in the resolution. Accordingly, his country had been left with no choice but to distance itself from it. Nevertheless, its vote should not confuse delegations with regard to Israel’s policy or the regional realities.

31. Many alarming proliferation developments had taken place in the Middle East in the preceding decade, although some had become apparent to the international community only recently. None of those developments involved Israel, although many directly challenged its core security interests. In the preceding year, for example, an NPT State in the region that was heavily suspected of having nuclear weapons programmes and had been found by the Board to be in non-compliance with its nuclear obligations had repeatedly threatened to eliminate Israel. Israel had neither threatened any of its neighbours nor had it acted in defiance of any of its international commitments.

32. There was only one Middle East and there was no need for two agenda items on it. Israel’s policy of not joining a consensus on the resolution on application of IAEA safeguards in the Middle East if any action were taken on the agenda item on Israeli nuclear capabilities and threat was well known. Those who had pushed for a vote on the latter item knew the implications of their action. For the preceding 14 years, Israel had supported a consensus resolution on the application of IAEA safeguards in the Middle East in the belief that a Middle East free of weapons of mass destruction and ballistic missiles could eventually serve as an important complement to the overall peace and security in the region, strengthened by arms control. It had done so despite its fundamental reservations about the language and relevance of the text, and had formally distanced itself from its modalities. However, steps taken by some States to destroy that basic consensus had prevented continuation of that tradition.

33. The fundamental goal in the Middle East, as in other regions, was to achieve regional peace, security and stability, not arms control per se. The basic premises underlying lasting regional security and arms control processes was that security margins should be enhanced and the threat perception of all participating States adequately addressed. No process compromising national security was viable. In addition, the participation of all States in such a process was a prerequisite for meaningful progress, as non-participants continued to pose an undiminished threat. A practical step-by-step approach to the issue was required given the political realities in the Middle East. The process should begin with confidence- and security-building measures, carefully selected so as not to reduce the security margins of any State. Similar processes in other regions had begun with mutual recognition and the normalization of relations. Refusal to take small steps was hardly conducive to achieving the goal of freeing the region of weapons of mass destruction and ballistic missiles.

34. In summary, Israel's policy had not changed. However, the resolution just adopted had lost value and relevance. Israel held to the vision of transforming the Middle East into a zone free of weapons of mass destruction and ballistic missiles, but it had no illusions. However, it would never give up hope for a better future of reconciliation, security and peace in the region.

## **21. Israeli nuclear capabilities and threat** (GC(50)17, 18, 22, L.2 and Add.1, 2, 3 and 4)

35. The PRESIDENT said that item 21 had been included in the Conference's agenda pursuant to a request by the Arab States that were members of the Agency. An explanatory memorandum was contained in document GC(50)/17. The Conference also had before it documents GC(50)/18 and 22. Document GC(50)/L.2 and Add.1, 2, 3 and 4 contained a draft resolution submitted by a group of countries.

36. Ms. GERVAIS-VIDRICAIRE (Canada), speaking on a point of order, said that her delegation wished to move to adjourn the debate in accordance with Rule 59 of the Rules of Procedure, thereby taking no action on the item. While Canada regretted having to invoke that rule, it was necessary in view of the situation. The draft resolution contained in document GC(50)/L.2 had proven very divisive and had led to an unfortunate situation where a long-standing consensual approach had collapsed at the time of the Agency's fiftieth anniversary. She urged all delegations to return to a consensual approach in the future.

37. The PRESIDENT said that the delegate of Canada had moved within the terms of Rule 59 of the Rules of Procedure that the Conference take no action on the draft resolution contained in document GC(50)/L.2 and Add. 1, 2, 3 and 4. If the motion were carried, no action would be taken by the Conference during the current session with respect to the draft resolution in question.

38. Under Rule 59, in addition to the proposer of the motion who had already spoken, two delegates could speak in favour of the motion and two could speak against it, after which it should immediately be put to the vote.

39. Ms. KAUPPI (Finland), speaking on behalf of the European Union, expressed support for the motion put forward by the delegate of Canada to adjourn the debate on the item. The European Union had supported the adoption of the draft resolution on the application of IAEA safeguards in the Middle East. However, the draft resolution contained in document GC(50)/L.2 would not be helpful in achieving the stated objectives. It was regrettable that the issue had been politicized at the fiftieth

session of the General Conference and that the parties concerned had been unable to reach a consensus, despite the efforts of the President and other delegations.

40. Mr. SHANNON (Australia) said that his country supported the motion because the long-standing consensus package approach was the most effective way to deal with such complex and difficult issues. He urged all Member States to support the motion put forward by Canada.

41. Mr. OTHMAN (Syrian Arab Republic) expressed astonishment at the motion to adjourn the debate, particularly in the light of the situation in the Middle East. The blood of innocent women and children shed during the recent Israeli attack on Lebanon had not yet dried and many members of parliament elected by the Palestinian people remained in Israeli prisons. The requests made in the draft resolution were consistent with demands made in international instruments and the matter was of great significance for peace and security not just in the Middle East but in the world as a whole. The application of double standards was plain to see. When the matter related to a country whose responsible authorities had said that they would not be using their peaceful nuclear installations for any military purpose there was an outcry, though another State in the Middle East was actually producing nuclear weapons. The international community should understand the deep concern and anxiety that existed in the Middle East and he called upon the Conference to reject the motion.

42. Ms. GOICOCHEA ESTENOZ (Cuba) said that her country opposed the motion to adjourn the debate which sought to prevent Member States from expressing their opinions in an open and democratic manner on a sensitive matter. It was surprising that a group of States that were such strong proponents of democracy were attempting to prevent countries from exercising their right to vote. The recent events in the region justified the adoption of the draft resolution. She endorsed the comments made earlier by Venezuela regarding political double standards, particularly in the light of the adoption by the Conference that morning of a draft resolution on implementation of the NPT safeguards agreement between the Agency and the Democratic Peoples' Republic of Korea. On behalf of those who had lost their lives in the recent events in the Middle East, and in order to ensure peace in the region, she called upon the Conference to reject the motion.

43. At the request of Mr. Elamin (Sudan), a roll-call vote was taken.

44. Spain, having been drawn by lot by the President, was called upon to vote first.

45. The result of the vote was as follows:

In favour: Australia, Austria, Belgium, Bulgaria, Cameroon, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Republic of Korea, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom, United States of America.

Against: Algeria, Bangladesh, Belarus, Brazil, Cuba, Egypt, Indonesia, Islamic Republic of Iran, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Morocco, Namibia, Pakistan, Qatar, Saudi Arabia, Singapore, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, Bolivarian Republic of Venezuela, Vietnam, Yemen.

Abstaining: Argentina, Botswana, Burkina Faso, Chile, China, Colombia, Holy See, India, Kazakhstan, Republic of Kenya, Mexico, Mongolia, Mozambique, Nigeria, Peru, Philippines, Russian Federation, Thailand, United Republic of Tanzania.

46. There were 45 votes in favour and 29 against, with 19 abstentions.<sup>4</sup> The motion was carried.

47. Mr. CURIA (Argentina), noting that his country had a strong interest in the matter in question, said that the General Assembly was the appropriate forum to discuss such issues rather than a technical organization like the Agency.

48. Mr. BERDENNIKOV (Russian Federation) said that his delegation would have supported the draft resolution had it been put to a vote, as it supported the universalization of the NPT and non-proliferation. However, the appropriate and desirable way to address differences was through negotiation and consensus. Therefore, his delegation had understood the desire to avoid rushing to adopt a decision by a vote and had abstained on the motion.

49. Mr. TANG Guoqiang (China) said that his country had always supported efforts to establish a nuclear-weapon-free zone and a zone free of all weapons of mass destruction in the Middle East. It also supported endeavours to enhance the universality and effectiveness of the NPT and implementation of comprehensive safeguards and the additional protocol. Thus, the draft resolution contained in document GC(50)/L.2 was acceptable to China.

50. Full and comprehensive discussions among the relevant parties were needed to achieve an appropriate solution, and to preserve the unity of Member States and step up efforts to preserve the effectiveness of the resolution. More time should have been allotted to consultations.

51. China continued to promote such discussions and regretted that a hasty non-action approach had been chosen over patient dialogue. As China was not in favour of such an approach, and since his delegation it had not been able to seek instructions from its capital owing to the time difference, it had abstained in the vote.

52. Mr. RAMZY (Egypt) said that a series of resolutions adopted over the years by the Security Council, the General Assembly and the Agency's General Conference had all advocated the establishment of a nuclear-weapon-free zone in the Middle East and had called on Israel to abandon the nuclear option, accede to the NPT, place all its nuclear facilities under comprehensive Agency safeguards and cooperate with its neighbours in establishing a nuclear-weapon-free zone. There was therefore no excuse for the pursuit of nuclear proliferation or deterrent policies, the accumulation of a nuclear arsenal or refusing international monitoring of nuclear activities.

53. The goals of maintaining international peace and security and supporting the principles of the non-proliferation regime were inextricably intertwined. Achievement of those goals called for the application of non-proliferation principles to all parties equally and without exception. Egypt therefore urged Israel to begin cooperating with a view to ending its questionable nuclear activities, acceding to the NPT to ensure that Treaty's universal ratification in the Middle East, and placing all its nuclear activities under comprehensive Agency safeguards so that a nuclear-weapon-free zone could be established.

54. He called on the international community to shoulder its responsibilities in that regard. Its approach to the item under consideration and to the related draft resolution was based on double standards and would lead to an escalation of the current crisis in the Middle East, increasing the risk of proliferation and undermining the credibility of the international non-proliferation regime and the Agency's role in its implementation. Instead, the international community should adopt the resolution, demonstrating that it sincerely wished to defend the non-proliferation regime without discrimination and hence work for the universality of the NPT, especially in the Middle East, so that the risks

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<sup>4</sup> Subsequently, Ecuador indicated that it had intended to abstain.

emanating from Israel's nuclear capabilities could be averted and the way paved for a successful review of the NPT to make up for the failure of the 2005 NPT Review Conference.

55. Unfortunately, Israel had not appreciated the concessions made by the Arab States in previous years when they had refrained from putting the draft resolution to the vote. It had remained silent and taken no practical steps, thereby defying the international community and flouting the key principles on which international security and stability were built. It was therefore necessary for the international community to take a firm stand again and to call on Israel to lay the foundations for peace in the region, a move that could not be reconciled with the possession of nuclear weapons or the policies that country was currently pursuing.

56. Mr. SHARMA (India) said that his delegation was very conscious of the importance of the agenda item under consideration, which had evolved on the basis of broad consensus over several years. His country would have supported any effort to review the consensus without sacrificing it and regretted that efforts in that direction had not succeeded. As India was unable to associate itself with any action, whether procedural or substantive, which involved sacrificing the consensual approach, it had disassociated itself from the motion brought before the General Conference by abstaining in the vote.

57. Mr. ELOUMNI (Morocco) said that the issue under consideration was of crucial importance for all Member States and related to ensuring the universality of the Agency's fundamental principles. For many years, the subject had been placed on the agenda without the expected progress being achieved. The draft resolution contained exemplary consensual elements. It invited Israel to join the NPT and place its nuclear facilities under Agency safeguards with a view to strengthening the non-proliferation regime. The delegations which had submitted the draft resolution had shown great restraint. For a long time, they had given precedence to the need for dialogue and agreement in order to avoid harmful confrontation. The issue of proliferation of nuclear weapons and the establishment of a nuclear-weapon-free zone in the Middle East should remain a priority for the international community and for the Agency.

58. Mr. SKOKNIC (Chile) said that his country firmly supported the universal application of safeguards and the need for the ratification of the NPT by all States. It had voted in favour of two resolutions aimed at strengthening the safeguards system that very day, under agenda items 18 and 20, and its commitment in that area was clear and decisive. Nevertheless, since the discussions on agenda item 21 had been clearly divisive and had not resulted in the usual consensus, Chile had abstained in the vote. He appealed to the parties involved to seek balance and consensus and recommended an analysis of the issue in the General Conference with a view to reaching a satisfactory and acceptable solution.

59. Mr. OTHMAN (Syrian Arab Republic) said that the group of Arab States, with the support of peace-loving nations, had requested every year since 1992 that the item Israeli nuclear capabilities and threat be placed on the agenda of the General Conference.

60. Ms. GERVAIS-VIDRICAIRE (Canada), speaking on a point of order, said that, according to the Rules of Procedure, those who had spoken in favour of or against the motion were not to be allowed to speak again. Therefore, as the delegate from Syria had already spoken against the motion, he should not be allowed to take the floor again.

61. The PRESIDENT said that the Agency's Legal Adviser had instructed him that, since Syria and Cuba had previously spoken on the matter, they were not entitled to speak at the present juncture.

62. Mr. ELAMIN (Sudan) said that the Group of Arab States, with the support of peace-loving nations, had requested every year since 1992 that the item Israeli nuclear capabilities and threat be

placed on the agenda of the General Conference in an attempt to make the international community aware of the threat to regional and international peace and security posed by Israel's possession of unsafeguarded nuclear weapons and capabilities in breach of international instruments. Unfortunately, the international community continuously turned a deaf ear to the message and failed to adopt a clear resolution calling on Israel to comply with international law, to accede to the NPT like the other countries in the region and to open up its nuclear facilities to the Agency's teams of inspectors. The outcome of the current proceedings ran counter to the aspirations of the peoples of the region for the adoption of a firm stance that would lay the basis for a just and comprehensive peace.

63. Israel had been building nuclear capabilities since 1948 and refused to implement dozens of resolutions adopted in a variety of international fora concerning nuclear non-proliferation and the establishment of a nuclear-weapon-free zone in the Middle East. General Assembly resolution 60/92 of 6 January 2006 identified Israel as the only State in the region that had not yet become a party to the NPT and reaffirmed the importance of its accession to the Treaty.

64. The outcome of the current proceedings were a key factor in assessing the effectiveness of international organizations. The Arab States sponsoring the draft resolution had wished to make it clear that they were no longer in a position to accept the postponement of discussion and action on the issue of Israeli nuclear capabilities and threat from one session to the next. It was more than odd that Israel, in addressing the General Conference, had expressed concern about the proliferation of nuclear weapons in the Middle East while refusing to accede to the NPT. Such conduct demonstrated Israel's contempt for the international regime as a whole and its conviction that it enjoyed full protection and would not be called to account.

65. Peace-loving countries in the Middle East and their friends had aspired to address the question of nuclear weapons from a regional perspective, taking into account the security of the countries concerned, instead of adopting an approach that focused on individual States, since such an approach aroused suspicions of selectivity and double standards.

66. Mr. SOLTANIEH (Iran) said that his country, as the main victim of weapons of mass destruction, had always called for the Middle East to be freed from such weapons, in particular nuclear weapons. It was profoundly regrettable that that issue had become trapped in a vicious circle despite unanimous support and that, after years of continuous international calls for immediate adherence to the NPT and the placement of all nuclear activities and facilities under Agency safeguards, no progress had been made.

67. He recalled that Iran had strongly condemned the armed attack by Israel on the Iraqi nuclear reactor, despite the fact that Iran had been attacked by Iraq under Saddam Hussein's regime with the full support of the West (in particular the United States), because his country considered the Israeli attack a serious threat to the security of the region, a threat to the environment owing to the release of radioactive materials, and an act which placed the development of nuclear energy for peaceful purposes in jeopardy. Fortunately, in spite of opposition from some States, a resolution had been adopted condemning the Israeli aggression and the issue of Israeli nuclear capabilities and threat had been placed on the agenda of the General Conference. Unfortunately, for ten years now no resolution on the issue had been tabled and instead a Presidential statement had been delivered in the hope that diplomatic efforts would work, though his delegation had been certain that the Israeli regime would not comply with the expectations of the international community.

68. The Conference was now back where it started. Almost all Member States had come to the conclusion that a strong message had to be sent without further delay in the form of a resolution stating that Israel's nuclear capabilities, as they were not subject to any international control and in particular Agency comprehensive safeguards, were a serious threat to regional and global security.

Although the draft resolution tabled had fallen far short of his country's expectations, it had decided to support it in the expectation it would be adopted by consensus or by a majority vote. It was deeply regrettable that a decision on such a vital issue at such an important historical juncture had been deferred.

69. Mr. BAHRAN (Yemen) said that the proposal to adjourn the debate had not been a just one. Year after year the General Conference had taken up the issue in question, hearing the growing despair of the Arab peoples at the international community's inability to put a stop to Israel's activities. Children, women and the elderly were being killed wherever they sought refuge, even in United Nations buildings. However, the international community turned a blind eye to Israel's nuclear capabilities, applying double standards and ignoring the reality faced by Arab citizens, while hiding behind political rhetoric. What had happened during the meeting clearly demonstrated that no-one was taking the views of Arab States into consideration, that they were being cast aside, despite recent events which had provided ample proof of the threat posed by Israel. Arab children would view the result of the vote with pain and frustration and look to the future with sorrow and disillusionment.

70. Mr. OTHMAN (Syrian Arab Republic) said that he had been prevented from delivering his statement by the raising of a point of order under Rule 56 of the Rules of Procedure on the grounds that, having spoken against the motion to adjourn the debate, he was ineligible to speak in explanation of vote. However, prior to the vote he had been speaking under Rule 59 and he requested that that be taken into account.

71. Mr. RAUTENBACH (Director, Office of Legal Affairs) explained that no delegate could speak in explanation of vote on a motion to adjourn the debate if they had previously spoken on that motion, nor could any delegate now speak on the substance of the debate as the motion to adjourn had been carried.

72. Mr. OTHMAN (Syrian Arab Republic) asked which rule stated that he could not speak in explanation of vote.

73. Mr. RAUTENBACH (Director, Office of Legal Affairs) said that, if he had understood the question correctly, the relevant rule was Rule 74. If, however, the delegate of the Syrian Arab Republic had been referring to his right under Rule 56 to appeal the decision, that right should have been invoked immediately.

74. Mr. OTHMAN (Syrian Arab Republic) pointed out that Rule 74 only prevented the proposer of a proposal or amendment from explaining his vote on his own proposal or amendment. He had not been the proposer of the motion to adjourn the debate but had spoken against the motion under Rule 59.

75. Mr. RAUTENBACH (Director, Office of Legal Affairs) concluded that that was so and that speaking against the motion under Rule 59 did not constitute an amendment of a proposal either.

76. The PRESIDENT said that, with the indulgence of the Conference, he would give the floor to the delegate of the Syrian Arab Republic.

77. Mr. OTHMAN (Syrian Arab Republic), thanking the Director of the Office of Legal Affairs, said that his statement had already been heard by the Conference.

78. The PRESIDENT thanked the delegate of the Syrian Arab Republic and all delegates for the dignity with which the item had been handled, even though regrettably no consensus had been reached.

## – Closing of the session

79. The PRESIDENT noted that 49 ministerial-level delegations had attended the General Conference and there had been 103 speakers in the general debate, which was an indication of the importance which Member States attached to the Agency's work.

80. Mr. BAZOBERRY OTERO (Bolivia) commended the President on the proper and balanced manner in which he had chaired the General Conference at a time when the world was entering a new era in which perceptions and realities were often confused. His distinguished and outstanding leadership had contributed to the full and successful deliberations of the Conference. Many Member States had expressed gratitude to the Agency for its activities and to the Director General for his vision. The Agency's work should be conducted with due regard for relevant international instruments such as the NPT, which was the mainstay of efforts to create a safer world free of nuclear weapons. He recalled the words of the Director General to the forty-seventh regular session of the General Conference to the effect that: "the time had come to take stock of the successes and failures, and to resolve to take whatever actions were required, including a switch to new ways of thinking and unconventional approaches, in order to ensure that nuclear energy remained a source of hope and prosperity for humanity and not a tool for self-destruction."<sup>5</sup>

81. Ms. KAUPPI (Finland), speaking on behalf of the European Union, thanked the President for bringing the fiftieth session of the General Conference to a successful conclusion. His able guidance and well-known diplomatic skills had greatly contributed to that outcome. She also thanked the Vice-Presidents and the additional members of the General Committee, the Chairman of the Committee of the Whole and his Vice-Chairmen, and the chairmen of the two working groups. She commended the Director General and the Secretariat for their professionalism in preparing the session and expressed appreciation to Austria and the Austrian authorities for hosting the Conference.

82. Mr. CABELLO SARUBBI (Paraguay), speaking on behalf of GRULAC, congratulated the President on his efficient leadership of the Conference, highlighting in particular the personal efforts he had made during the intense negotiations, even though it had proved impossible to reach a consensus. He expressed gratitude to all delegations for their work, congratulated the Director General and the Secretariat on the Agency's fiftieth anniversary and the award of the Nobel Peace Prize, and reaffirmed the commitment of the Group to collaborating with the Agency in the achievement of its goals.

83. Mr. ELOUMNI (Morocco), speaking on behalf of the African Group, expressed particular pleasure at the fact that the fiftieth session of the General Conference had been presided over in such an excellent manner by one of the outstanding representatives of his region.

84. The PRESIDENT, thanking the preceding speakers for their kind words, said it had been an honour and a privilege for him, his country and his continent that he had been elected to serve as President of the General Conference at its fiftieth session. The cooperation, flexibility and dedication of delegates had enabled the Conference's intensive programme of work to be concluded, thereby setting the stage for collaboration to be further enhanced in the Agency's fiftieth anniversary year. The record number of high-level statements, including an address by the President of Austria, demonstrated Member States' commitment to the objectives and purpose of the Agency. On behalf of the Conference, he thanked the people and Government of Austria and the City of Vienna for their hospitality, not only during the fiftieth session of the General Conference but throughout the years.

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<sup>5</sup> GC(47)/OR.1, paragraph 126.

85. He paid particular tribute to the Chairman of the Committee of the Whole, his Vice-Chairmen and the chairmen of the working groups for their professionalism, ensuring the successful conclusion of the Conference's work; and thanked the Vice-Presidents, the Director General, participating in the Conference for the first time as a Nobel Laureate, the Secretariat and the management of the Austria Center.

86. It was an opportune time to recall the address given by President Eisenhower to the General Assembly on 8 December 1953 in which he had pledged the determination of the United States "to help solve the fearful atomic dilemma — to devote its entire heart and mind to find the way by which the miraculous inventiveness of man shall not be dedicated to his death, but consecrated to his life." That determination was also the determination of the General Conference. During its deliberations, many meetings had been dedicated to giving effect to the objectives of the Agency, which had been agreed upon fifty years ago but remained as valid as ever. Many resolutions and decisions had been adopted, though regrettably not all by consensus, whereby the Conference had rededicated itself to expanding and expediting the peaceful use of atomic energy for the next fifty years, a significant achievement that would contribute to achieving a better world for all, consistent with President Eisenhower's vision. That should be Member States' shared mission.

87. Finally, in accordance with Rule 48 of the Rules of Procedure, and in commemoration of the International Day of Peace celebrated the preceding day, he invited the Conference to observe one minute of silence dedicated to prayer or meditation.

**All present rose and stood in silence for one minute.**

88. The PRESIDENT declared the fiftieth regular session of the General Conference closed.

**The meeting rose at 10.35 p.m.**