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RECORD OF THE TENTH MEETING

Held at the Austria Center Vienna
on Friday, 3 October 1997, at 4.50 p.m.

President: Mr. NIEWODNICZAŃSKI (Poland)

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[*] GC(41)/28.

The composition of delegations attending the session is given in document GC(41)/INF/17/Rev.2.

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Abbreviations used in this record

NPT

Treaty on the Non-Proliferation of Nuclear Weapons

APPLICATION OF IAEA SAFEGUARDS IN THE MIDDLE EAST (resumed)
(GC(41)/16, 34 and 47)

1. The PRESIDENT asked the General Conference to turn to item 26 of its agenda, "Application of IAEA safeguards in the Middle East", which had been deferred at the previous meeting in order to allow time for consultations to be held.
2. The item had been included in the agenda pursuant to resolution GC(40)/RES/22 adopted by the General Conference in 1996, and pursuant to operative paragraph 9 of that resolution the Director General had submitted the report contained in document GC(41)/16 on the implementation of the resolution. In addition, the Conference had before it document GC(41)/34, containing a draft resolution on the subject, and document GC(41)/47, which set out a revised draft resolution on which he understood agreement had been reached during the extensive consultations that had been held among the parties directly involved since the previous meeting. The revised resolution was identical with resolution GC(40)/RES/22 adopted by the Conference at its previous session, except that some technical adjustments had been made, such as updating references to documents. Accordingly, he took it that the sponsors of the draft resolution in document GC(41)/34 would not press it and that the Conference would be ready to adopt the revised draft resolution without a vote.
3. Mr. EL FADHEL KHALIL (Tunisia), speaking on behalf of the Arab Group, said that although the Group was convinced of the sound foundations of its draft resolution as set out in document GC(41)/34, it was also convinced of the need for co-operation and consensus, especially in the year that marked the fortieth anniversary of the Agency and a change in its leadership. The Arab Group had therefore proposed that the General Conference retain the text of the resolution it had adopted at its fortieth session (GC(40)/RES/22).
4. Mr. KATRA (Lebanon) said his country had joined the consensus achieved by the Arab Group but with a reservation regarding his Government's position on operative paragraph 4 of the draft resolution. Lebanon had always shown every readiness to go

forward with the Middle East peace process, but as long as there was no progress on the bilateral level his Government was not in a position to undertake any step within multilateral activities or negotiations.

5. Mr. BENMOUSSA (Morocco) said the General Conference was about to adopt a draft resolution whose text had been repeated verbatim for the fourth year running and contained nothing new. It had been submitted for adoption by consensus, but was not the result of an honourable consensus, which presupposed a constructive spirit and mutual respect between delegations; it was instead the result of a questionable process of which no one could be proud. It did not do honour to international diplomacy or to the ethics which must characterize multilateral activity. Operative paragraph 4 of the draft resolution contained statements which lacked all reality in the present context because of the intransigence of a single, arrogant, bellicose entity which sowed terror and destruction in the Middle East. As a result, the General Conference was incapable of making progress towards guaranteeing non-proliferation in the region in accordance with the objectives and principles laid down in the Agency's Statute. His delegation would not prevent the Conference from adopting whatever it wished, but it refused to associate the name of Morocco with a disgrace to international legality and multilateral ethics.

6. Mr. AYATOLLAHI (Islamic Republic of Iran) said that the original draft resolution put forward by the Arab Group had been more progressive and more up to date than the present proposal in that it reflected changes in conditions in the Middle East over the past 12 months. His country had been the first Member of the Agency to propose the establishment of a nuclear-weapon-free zone in the Middle East. However, it considered that the so-called peace process referred to in operative paragraph 4 of the draft resolution under discussion had never taken full account of the rights of the Palestinian people and was therefore doomed to failure, as the past year had demonstrated. Moreover, it was his country's firm belief that Israel was the cause of that failure and of the resulting insecurity in the Middle East region, and that Israel's policy had always kept peace and internationally-agreed conventions hostage to its goals and ambitions.

7. Having made those observations, the Islamic Republic of Iran would not object to the Conference adopting the draft resolution in document GC(41)/47 by consensus, although it would have preferred to see the Arab Group's original proposal adopted instead.

8. Mr. HALIM MOHAMED (Sudan) said the original draft resolution had differed from the one under discussion in two respects: it had sought to refer to the facts which were clear on the ground, and it had sought to indicate the degree of deterioration which had taken place since the last session of the General Conference. The Middle East peace process had ground to a halt on all fronts, and even the agreements to which Israel had become party had not been honoured. In addition, Israel had been trying to create a situation that would lead to tension and insecurity, by building settlements in Arab East Jerusalem. The intention of the Arab Group during the consultations had been that operative paragraph 4 of the draft resolution should refer to reviving the peace negotiations. That was a genuine and modest request which was being denied by Israeli intransigence and the determination of certain countries not to reflect the situation as it really was. The fact that the Agency was celebrating its fortieth anniversary and at the same time bidding farewell to one Director General and welcoming his successor had led the co-sponsors of the original draft resolution not to block a consensus, even though it could be viewed as an injustice. Sudan, like Morocco, was not proud to have its name associated with the draft resolution contained in document GC(41)/47, but would not prevent the Conference from taking the decision it considered appropriate. Nevertheless, it was Sudan's hope that efforts would be made to revive the Middle East peace negotiations on all its tracks. Intransigence, injustice and the building of settlements could not be compatible with comprehensive peace and security in the Middle East.

9. Mr. OTHMAN (Syrian Arab Republic) agreed that the draft resolution unfortunately did not reflect the existing situation in the Middle East. Despite annual resolutions calling for a nuclear-weapon-free zone in the region, Israel continued to refuse to subject its nuclear facilities to comprehensive IAEA safeguards. Moreover, Israel was placing obstacles on the road to peace with its occupation of the Golan Heights and its settlements policy. Not mentioning Israel by name in the draft resolution and not exerting

sufficient pressure on Israel to abide by the rules and precepts of international legitimacy threatened the Middle East region and removed the foundations for peace. His country had been calling for the resumption of the Middle East peace process but had encountered only Israeli intransigence, and that was why the efforts of the multilateral working group on Arms Control and Regional Security to promote mutual confidence and security in the Middle East were so important. There would be no security without peace, and multilateral negotiations would be fruitless if Israel did not withdraw from all occupied Arab land and place its nuclear facilities under Agency safeguards. The Middle East peace negotiations clearly needed to be resumed, but they would have to be conducted more successfully if peace and security were to be achieved. For the moment, however, the Syrian Arab Republic would not object to the draft resolution being adopted by consensus.

10. Mr. TWAL (Jordan) said his country had always called on all parties and States, in the Middle East especially, to join it in signing the NPT and concluding comprehensive safeguards agreements with the Agency, as well as other such treaties and conventions. Jordan had not been included in the list of co-sponsors of the draft resolution contained in document GC(41)/34 for purely practical and technical reasons; it nevertheless supported that draft resolution politically - just as it supported any genuine call for peace and for freeing the Middle East from weapons of mass destruction, and especially nuclear weapons, which would lead to greater confidence among the parties in the region and guarantee a comprehensive and just peace in the Middle East. It was Jordan's hope that the General Conference at its forty-second session would be successful in adopting a resolution calling on all parties and States in the Middle East to implement Agency safeguards and rid the region of all nuclear weapons. Meanwhile Jordan would not object to the adoption of the draft resolution by consensus.

11. Ms. EDDIB (Libyan Arab Jamahiriya) said that the fact that her country was prepared to join the consensus on the draft resolution contained in document GC(41)/47 did not in any way mean that it recognized Israel or that it accepted operative paragraph 4 as an accurate description of the existing situation. Israel had a huge nuclear arsenal which it was constantly developing, and so the noble objective of establishing a nuclear-weapon-free

zone in the Middle East on a comprehensive and just basis could be achieved only if the international community at large exerted the necessary pressure on Israel to subject its nuclear activities to verification by the Agency. On the other hand, if Israel continued to renege on its international obligations and to refuse to join the NPT it would remain a threat to the region and to peace and security in the world at large.

12. Mr. EL FADHEL KHALIL (Tunisia), speaking on behalf of the Arab Group, said it was with sorrow in their hearts that the Arab countries had once again decided to accept a consensus solution in order that the current session of the General Conference could end in a spirit of cohesion and understanding. The Arab countries were constantly being blamed for delaying the General Conference's deliberations, but their proposals were always concrete ones and any delays that arose were due not to any stubbornness on their part but to an obstinacy and spirit of non-co-operation elsewhere. The fact that they had not wished to break the consensus was due entirely to the wisdom of their respective national Governments, and it was their hope that at the forty-second session of the General Conference the other side would act in like manner.

13. Mr. BAHRAN (Yemen) noted that his delegation, too, felt that the draft resolution contained in document GC(41)/47 did not take account of developments during the past 12 months and did not adequately reflect the reality on the ground in the Middle East region.

14. The PRESIDENT said he took it that the Conference was ready to adopt the draft resolution contained in document GC(41)/47 without a vote.

15. It was so decided.

16. Mr. FRANK (Israel) said his country had joined the consensus on the draft resolution contained in document GC(41)/47 despite its inherent deficiencies because it recognized that a nuclear-weapon-free zone would eventually serve as an important complement to overall peace, security and arms control in the Middle East region. The resolution contained elements which contradicted Israel's policy, and its decision not to block consensus should not be interpreted as an indication of agreement with all its

provisions. Israel's policy had always been that the nuclear issue, as well as all regional security problems both conventional and non-conventional, should be dealt with in the full context of the peace process. Indeed, such negotiations could only realistically be expected to take place freely and directly within the framework of that process. The political realities of the Middle East region had demanded a practical step-by-step approach, with priority being given to dealing with weapons and systems which experience had shown were destructive and destabilizing.

17. Having listened to statements by some of Israel's neighbours, he would like to emphasize his country's concern, shared by other Member States, that the General Conference should not become an arena for political protests or a venue for political discrimination. That was discordant with the responsibilities and activities of the Agency as provided for in its Statute. With those regrettable statements in the background, he wished to conclude by expressing a hope for a better future of reconciliation, security and peace in the Middle East.

18. The PRESIDENT said he understood that after extensive consultations there was agreement that he should read out the following statement for acceptance by the Conference:

“In the context of the agenda item on the application of IAEA safeguards in the Middle East, the General Conference requests the Director General to invite experts from the Middle East and other areas to a technical workshop on safeguards, verification technologies, and other related experience, including experience in various regional contexts. It calls on the Director General to commence with the preparation, in consultation and co-ordination with the parties concerned, with a view to developing an agenda and modalities that will help ensure a successful workshop. Future proposals on workshops in the framework of the above-mentioned agenda item shall be submitted by mutual consent.”

19. Mr. AL-NOWAISER (Saudi Arabia) asked when the Director General would be taking the initiative just referred to.

20. The PRESIDENT replied that it would be undertaken before the next session of the General Conference. He assumed that the Conference was ready to accept the statement, with that clarification.

21. The statement was accepted.

22. Mr. SANTER (Luxembourg), speaking on behalf of the European Union, said that the European Union was very happy that the resolution contained in document GC(41)/47 had been adopted by consensus, but continued to hope that progress could be made towards universality of the NPT.

CLOSING OF THE SESSION

23. The PRESIDENT announced that since the Conference's discussion of agenda item 29, Georgia had pledged US \$10 000 to the Technical Co-operation Fund for 1998.

24. Ms. BATACLAN (Philippines), speaking on behalf of the Mr. Padolina, the President of the Conference at its previous session, thanked Mr. Niewodniczanski on behalf of all present for bringing the forty-first regular session of the General Conference to a successful conclusion in the year marking the Agency's fortieth anniversary. That success was attributable in no small measure to his excellent fusion of scientific knowledge and diplomatic skills. She also commended the efforts of the women and men of the Agency's Secretariat, under the leadership of Mr. Blix.

25. The PRESIDENT, expressing gratitude for those kind words, said that it had been a great honour and privilege for him and Poland to serve as President at the forty-first regular session of the General Conference, especially in the historic year in which the fortieth anniversary of the Agency was being celebrated. It had been particularly important for Poland that he, as head of the Polish delegation, had been able during the Conference to sign the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management and the Protocol to Amend the Vienna Convention on Civil Liability for Nuclear Damage. In addition, he had, on behalf of his delegation, signed the Protocol Additional to Poland's Safeguards Agreement. He thanked all

concerned for the co-operation and assistance extended to him in the conduct of business and the overcoming of difficulties.

26. In view of the General Conference's importance for the world nuclear community, he expressed the hope that it might be possible to undertake a review of its Rules of Procedure, as well as the existing practice in conducting its sessions, in order to ensure that the time given to that important event was used in the most efficient manner. Streamlining the Conference's practices would undoubtedly benefit both the Secretariat and the Member States.

27. Speaking on behalf of all, he expressed appreciation for the special arrangements that had been made on the occasion of the fortieth anniversary of the entry into force of the Agency's Statute on 29 July 1957.

28. On behalf of the Conference, he thanked the Austrian authorities and the City of Vienna for their traditional hospitality.

29. Thanks were also due to the Director General and all concerned in the Secretariat for the valuable support they had provided to ensure the success of the Conference.

30. Finally, he thanked Mr. Blix once again for his services to the Agency over the past 16 years and wished him well in his future endeavours. He also took the opportunity to wish the Director General Elect, Mr. ElBaradei, all the best.

31. In accordance with Rule 48 of the Rules of Procedure, he invited the Conference to observe a minute of silence dedicated to prayer or meditation.

All present rose and observed silence for one minute.

32. The PRESIDENT declared the forty-first session of the General Conference closed.

The meeting rose at 5.40 p.m.