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RECORD OF THE TENTH PLENARY MEETING

Held at the Austria Center Vienna
on Friday, 22 September 2000, at 3.10 p.m.

President: Mr. OTHMAN (Syrian Arab Republic)

CONTENTS

<u>Item of the agenda*</u>		<u>Paragraphs</u>
25	Examination of delegates' credentials	1 - 6
26	Report on contributions pledged to the Technical Co-operation Fund for 2001	7 - 8
22	Application of IAEA safeguards in the Middle East	9 - 20
23	Israeli nuclear capabilities and threat	21 - 28
-	Oral report by the Chairman of the Committee of the Whole on the following items:	29 - 52
-	Restoration of voting rights	31
-	The Agency's accounts for 1999	32
-	The Agency's programme and budget for 2001	33

[*] GC(44)/21.

The composition of delegations attending the session is given in document GC(44)/INF/18/Rev.2.

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For reasons of economy, this document has been printed in a limited number. Delegates are kindly requested to bring their own copies of documents to meetings.
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CONTENTS
(Contd.)

<u>Item of the agenda*</u>	<u>Paragraphs</u>
- The financing of technical co-operation	34
- The financing of safeguards	35 - 37
- Scale of assessment of Members' contributions towards the Regular Budget	38
- Measures to strengthen international co-operation in nuclear, radiation and waste safety	39
- Strengthening of the Agency's technical co-operation activities	40 - 41
- Strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Protocol	42 - 44
- Measures against illicit trafficking in nuclear materials and other radioactive sources	45
- Strengthening the Agency's activities related to nuclear science, technology and applications	46 - 47
- Outcomes of the NPT Review Conference relevant to the activities of the IAEA	48 - 50
- Election to the Agency's Staff Pension Committee	51 - 52
- Closing of the session	53 - 65

Abbreviations used in this record

ASEAN	Association of Southeast Asian Nations
GNP	Gross national product
GRULAC	Latin American and Caribbean Group
MESA	Middle East and South Asia
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
TCF	Technical Co-operation Fund

GC(44)/OR.10
page 4

EXAMINATION OF DELEGATES' CREDENTIALS
(GC(44)/25)

1. The PRESIDENT said that the General Committee had met the day before to examine the credentials of all delegates, as provided for in Rule 28 of the Rules of Procedure. The report of the Committee was contained in document GC(44)/25. After discussion, the Committee had recommended the adoption by the Conference of the draft resolution contained in paragraph 9 of its report, with the reservations and position expressed in the report. Since the Committee had met, he had been informed that credentials in proper form had been received from Greece, Mexico, Panama and the Syrian Arab Republic.
2. He took it that the General Conference was prepared to adopt the draft resolution contained in document GC(44)/25.
3. It was so decided.
4. Mr. SALEHI (Islamic Republic of Iran) said that, though he did not wish to block consensus, his delegation refused to recognize the credentials issued from the occupied territory of Al-Quds (Jerusalem).
5. Mr. SHOUKRY (Egypt) said that he had studied the report of the General Committee on delegates' credentials and Egypt's acceptance of Israel's credentials did not extend to the territories occupied since 1967, including Jerusalem and the Golan Heights.
6. Mr. BAR (Israel) said that the issue of Jerusalem was not and could not be on the agenda of the General Conference.

REPORT ON CONTRIBUTIONS PLEDGED TO THE TECHNICAL CO-OPERATION
FUND FOR 2001
(GC(44)/20/Rev.3)

7. The PRESIDENT said that, by 6 p.m. on 21 September 2000, the contributions pledged by Member States to the Technical Co-operation Fund had amounted to US \$7 260 560. Since then further members had communicated pledges to the Director General, bringing the total amount pledged to US \$9 297 650, which represented 12.74% of the target.
8. He urged those delegations which had not yet done so to make their 2001 pledges and to pay their contributions in full at the earliest opportunity, so that the Secretariat could submit to the Technical Assistance and Co-operation Committee a proposed 2001 programme based on reasonably assured resources and subsequently implement the approved programme without hindrance or uncertainty.

The meeting was suspended at 3.20 p.m. and resumed at 4.15 p.m.

APPLICATION OF IAEA SAFEGUARDS IN THE MIDDLE EAST
(GC(44)/14 and Corr.1, GC(44)/L.1 and Add.1)

9. Mr. SHOUKRY (Egypt) said that the main objective of the draft resolution contained in document GC(44)/L.1 was to strengthen confidence among countries in the region with a view to encouraging them to place all their nuclear installations under Agency safeguards and to adhere to relevant international treaties and instruments, in particular the NPT. The resolution was the fruit of consultations with the interested parties, and it took account of the latest international developments in the non-proliferation sphere and reflected the importance that the international community attached to the issue. Its wording was very similar to that adopted by the preceding session of the General Conference, with only minor modifications to bring it up to date. Unfortunately, despite the flexibility and co-operation shown by many during the drafting and amendment process, the goal of applying safeguards throughout the region was no nearer realization.

10. Finally, he welcomed the Director General's proposals on the issue and urged him to continue his efforts.

11. Mr. BAHRAN (Yemen) said that his country supported the draft resolution because it believed in the principles of legality and equality of rights and responsibilities. On the preceding day, Yemen had signed a safeguards agreement with the Agency, thus demonstrating its belief that the application of Agency safeguards - not only in the Middle East but worldwide - was the best means of giving effect to the NPT.

12. The PRESIDENT took it that the Conference was prepared to adopt the draft resolution contained in document GC(44)/L.1 without a vote.

13. It was so decided.

14. Mr. BEN SHABAN (Libyan Arab Jamahiriya) said that the ongoing state of insecurity in the Middle East was due to Israel's continuing refusal to place its nuclear facilities under Agency safeguards, despite the repeated requests that had been addressed to it by the United Nations General Assembly and the Security Council to do so. The final document of the 2000 NPT Review Conference had reaffirmed the importance of Israel's accession to the NPT and of its placing all its nuclear facilities under comprehensive IAEA safeguards. He called on that country to comply with those requirements and to undertake to destroy all its nuclear weapons, which actions were essential prerequisites to the establishment of an NWFZ in the region.

15. Mr. SIAGE (Syrian Arab Republic) said that the issue in question had been on the Conference's agenda for many years, but no resolution of the problem had been possible owing to Israel's stubborn refusal to accede to the NPT and place its nuclear installations under Agency safeguards. Moreover, the Conference seemed reluctant to state clearly that the fault lay with Israel. Syria believed in the possibility of lasting peace in the region based on international law. He hoped that the international community would apply the necessary pressure on Israel for it to accede to the NPT.

16. Mr. FRANK (Israel) said Israel had joined the consensus on the resolution, despite its inherent deficiencies, because it recognized that an NWFZ could contribute to peace, security and arms control in the region. Some elements of the resolution ran counter to Israel's policy, and his delegation's decision not to block the consensus on it should not be interpreted as an acceptance of all its provisions. Israel's position had always been that the nuclear issue, together with all other regional security issues, could only be dealt with within the framework of the peace process.

17. A regional NWFZ had to be supported by all countries in the region and could not be imposed on a State. All the parties to the NPT had reaffirmed their support for those principles since the adoption of the Principles and Objectives for Nuclear Non-Proliferation and Disarmament at the 1995 NPT Review Conference. In any regional security and arms control process, the security margins of a participating state had to correspond to its perception of the threat to which it was exposed and should not be diminished by that process. A practical step-by-step approach was the only way forward, beginning with confidence- and security-building measures that did not detract from the security margins of any regional state, followed by the establishment of peaceful relations and reconciliation. Then, in due course, conventional and non-conventional arms control could be addressed. Confidence building was a long process and it was important not to intimidate, harass or ostracize those that needed time to assure themselves that their basic security interests would not be compromised.

18. The Government of Israel had made vigorous efforts to achieve peace in the region and had demonstrated its commitment to the peace process. He hoped that the future would bring reconciliation, security and peace in the Middle East.

19. The PRESIDENT said that, pursuant to consultations on the issue, it had been agreed that he would read out the following statement:

“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 make arrangements to convene a forum in which participants from the Middle East and other interested parties could learn from the experience of other regions, including in the area of confidence building relevant to the establishment of a nuclear weapon free zone.

“It calls on the Director General, with States of the Middle East and other interested parties, to develop an agenda and modalities which will help to ensure a successful forum.”

20. The Conference endorsed the Presidential statement.

ISRAELI NUCLEAR CAPABILITIES AND THREAT (GC(44)/8)

21. Mr. REGUIEG (Algeria), speaking on behalf of the Arab Group, said that the Arab countries had long demonstrated their willingness to work towards peace and security in the Middle East. Unfortunately, they had not met with a positive response from Israel whose

nuclear capabilities continued to pose a threat to all other countries in the region. The latter had therefore tabled a draft resolution stating their concern at Israel's continuing unwillingness to accede to the NPT and emphasizing the threat that Israel's nuclear facilities posed to the entire region. However, following consultations, they had decided not to submit the resolution but rather to endorse a Presidential statement in the interest of achieving consensus at the Conference.

22. The PRESIDENT said that, pursuant to consultations, it had been agreed that he would read out the following statement which was the result of a delicate compromise:

“The General Conference recalls the statement by the President of the 36th session in 1992 concerning the agenda item ‘Israeli Nuclear Capabilities and Threat’. That statement considered it desirable not to consider that agenda item at the 37th session. The General Conference also recalls the statement by the President of the 43rd session in 1999 concerning the same agenda item. At the 44th session, this item was, at the request of certain Member States, reinscribed on the agenda. The item was discussed. The President notes that certain Member States intend to include this item on the provisional agenda of the 45th regular session of the General Conference.”

23. The Conference endorsed the Presidential statement.

24. Mr. BEN SHABAN (Libyan Arab Jamahiriya) said that Israel's nuclear capabilities were a threat to the entire region. There could be no real peace in the Middle East as long as Israel opposed the establishment of an NWFZ and refused to sign the NPT and accept Agency safeguards. The Agency should intensify its efforts to resolve those problems and the Arab States were ready to work together with others to achieve that goal. Furthermore, the support certain countries gave Israel should cease, as it jeopardized international peace. Finally, the General Conference should adopt measures to bring Israel into line with the will of the international community.

25. Mr. SIAGE (Syrian Arab Republic) said that his country was concerned over Israel's nuclear capabilities. That country continued to supplement its nuclear arsenal with missiles and submarines, thereby threatening stability in neighbouring States and in countries thousands of miles away, yet the Presidential statement which had just been adopted made no mention of such concerns. His delegation was disappointed with that result and he called on the nuclear-weapon States to do away with double standards under the NPT.

26. Mr. SHOUKRY (Egypt) said that nuclear disarmament and non-proliferation were important objectives worldwide, but they were of especially pressing importance in the Middle East. Egypt had been advocating an NWFZ in the Middle East since 1974 and, within the Agency, it had called for the implementation of comprehensive safeguards throughout the region. All Arab countries had adhered to the NPT and had placed their nuclear facilities under Agency safeguards. Israel was the only country in the region that had not done so. Moreover, the final document of the 2000 NPT Review Conference had reaffirmed the need for Israel to join the NPT and submit its facilities to safeguards. The international community should shoulder its responsibilities with regard to the establishment of an NWFZ in the

Middle East and address the legitimate concerns expressed by many countries. Any nuclear capabilities that threatened peace and security in the Middle East had to be removed and nuclear applications used only to enhance the prosperity of peoples.

27. Mr. SALEHI (Islamic Republic of Iran) endorsed the concerns which had been expressed by other countries regarding the dangerous situation in the Middle East caused by Israel's refusal to join the NPT and other legally binding international instruments. Adherence to the NPT and implementation of safeguards could not be subject to preconditions. His delegation was disappointed to see that consideration of the issue had resulted only in a Presidential statement, and he called on the international community to exert pressure on Israel.

28. Mr. FRANK (Israel) said that the famous Spanish scholar and statesman, Salvador de Madariaga, had written that nations did not distrust each other because they were armed; they were armed because they distrusted each other. To want disarmament before a minimum of agreement on fundamentals had been reached was as absurd as wanting people to get undressed in winter.

The meeting was suspended at 5.20 p.m. and resumed at 6.30 p.m.

ORAL REPORT BY THE CHAIRMAN OF THE COMMITTEE OF THE WHOLE

29. Mr. GREGORIČ (Slovenia), Chairman of the Committee of the Whole, presented the outcome of the Committee's deliberations on agenda items 5(c), 9-19 and 24. All of the draft resolutions the Committee was submitting to the Plenary had been adopted in the Committee by consensus, with the exception of the draft resolution contained in document GC(44)/L.17 on item 15, Strengthening of the Agency's technical co-operation activities, where one delegation had been unable to join the consensus.

30. The PRESIDENT, having congratulated the Chairman on the exemplary fashion in which he had conducted the Committee's proceedings, invited the Conference to take up one by one the items considered by the Committee of the Whole.

Restoration of voting rights (agenda item 5(c))

31. As recommended by the Committee of the Whole, the Conference requested the Board of Governors to review after November 2001 the criteria, guidelines and measures being applied in connection with requests for the restoration of voting rights, and to report its findings to the General Conference in 2002 at its forty-sixth regular session.

The Agency's accounts for 1999 (agenda item 9)

32. As recommended by the Committee of the Whole, the draft resolution on page II of document GC(44)/5 was adopted.

The Agency's programme and budget for 2001 (agenda item 10)

33. As recommended by the Committee of the Whole, draft resolutions A and C in Annex I to document GC(44)/6, and draft resolution B in document GC(44)/6/Mod.1 were adopted.

The financing of technical co-operation (agenda item 11)

34. As recommended by the Committee of the Whole, the draft resolution contained in document GC(44)/L.5 was adopted.

The financing of safeguards (agenda item 12)

35. As recommended by the Committee of the Whole, the draft resolution contained in document GC(44)/L.6 was adopted.

36. Mr. HOANG VAN NHA (Viet Nam), speaking on behalf of the ASEAN member countries Indonesia, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Viet Nam, commended the Chairman of the Board of Governors on having achieved a consensus on the issue of the financing of safeguards. However, a number of factors should have been taken into consideration with regard to the phasing out of shielding. Firstly, Member States had common but differentiated responsibilities, a point noted by the NPT Review Conference. Secondly, per capita GNP should not be the only basis used for establishing the categories of shielded Members. Other factors such as whether a State had significant nuclear programmes and activities, whether it was a nuclear-weapon State, and the arrangements for designated seats on the Board under the amended Article VI of the Statute should also be taken into account. Thirdly, the possibility should be available of recategorizing Member States if their per capita GNP fell significantly during the phase-out period. It might therefore prove necessary to review implementation of the new arrangements for the financing of safeguards at appropriate intervals in order to ensure fair treatment of shielded members.

37. The decision to end the shielding system was a major concession on the part of the shielded countries and should be truly reciprocated in all the Agency's areas of activity.

Scale of assessment of Members' contributions towards the Regular Budget (agenda item 13)

38. As recommended by the Committee of the Whole, the draft resolution on page 3 of document GC(44)/18 was adopted.

Measures to strengthen international co-operation in nuclear, radiation and waste safety (agenda item 14)

39. As recommended by the Committee of the Whole, the draft resolutions contained in documents GC(44)/L.3, L.4, L.7, L.8, L.9, L.10 and L.19 were adopted.

Strengthening of the Agency's technical co-operation activities (agenda item 15)

40. As recommended by the Committee of the Whole, the draft resolution contained in document GC(44)/L.17 was adopted.

41. Mr. WØHLK (Denmark) said that the Danish Government had for years been a strong supporter of the Agency's technical assistance programme, pledging and paying its full share of the TCF in a timely manner. It had already pledged its full share for 2001. However, as a country that had decided not to use nuclear power because the safety and waste storage issues remained unresolved, Denmark had consistently stated that its contribution to the TCF was made on the understanding that technical assistance should not be used for the general promotion of nuclear power. Unfortunately, the resolution on the Agency's technical co-operation activities which had been submitted to the current session of the General Conference fell somewhat short of that understanding and his country was therefore unable to join the consensus.

Strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Protocol (agenda item 16)

42. Mr. FREEMAN (United Kingdom), clarifying the wording of preambular paragraph (k) of the draft resolution contained in document GC(44)/L.21, said that the words "inter alia" merely placed the two items constituting the remainder of that paragraph in the context from which they were drawn, namely the final document of the 2000 NPT Review Conference.

43. Mr. RITCH (United States of America), supported by Mr. SHOUKRY (Egypt), proposed two minor amendments to the wording of the draft resolution. Firstly, the words "to study" in the first line of operative paragraph 4 should be replaced by "to continue to study", since everyone was aware of the Secretariat's ongoing efforts in that regard. Secondly, the words "strengthened efforts" in operative paragraph 14(i) constituted a poor description of the diligence shown by the Director General in his endeavours to conclude safeguards agreements and additional protocols and should therefore be replaced by the words "intensified efforts".

44. As recommended by the Committee of the Whole, with the amendments proposed by the representative of the United States, the draft resolution in document GC(44)/L.21 was adopted.

Measures against illicit trafficking in nuclear materials and other radioactive sources (agenda item 17)

45. As recommended by the Committee of the Whole, the draft resolution contained in document GC(44)/L.11 was adopted.

Strengthening the agency's activities related to nuclear science, technology and applications (agenda item 18)

46. Mr. UMAR (Nigeria) said that the wording of operative paragraph 2 of the draft resolution contained in document GC(44)/L.20 should be amended to read "Further requests the Director General to report on the feasibility and the resource implications of this resolution to the Board of Governors..."

47. As recommended by the Committee of the Whole, the draft resolutions contained in documents GC(44)/L.13, 14, 18 and 20, with the amendment to the latter resolution proposed by the representative of Nigeria, were adopted.

Outcomes of the NPT Review Conference relevant to the activities of the IAEA (agenda item 19)

48. As recommended by the Committee of the Whole, the draft resolution contained in document GC(44)/L.16 was adopted.

49. Mr. BAR (Israel) said that, out of respect for the tradition of the General Conference and the efforts made by the Australian delegation and others to reach an agreement on the item in question, his delegation had decided not to block consensus. However, it did have reservations regarding the introduction of various parts of the final document of the 2000 NPT Review Conference into General Conference resolutions. The inclusion of the item on the agenda was itself inappropriate, as was the call for IAEA organs to act upon decisions taken by other fora by which not all Member States were bound. His delegation's decision not to block consensus should not be interpreted as an indication of its acceptance of any element of the final document of the 2000 NPT Review Conference.

50. Mr. TIWARI (India), noting that his delegation had expressed its position on the issues under consideration during the discussions of the agenda in the second Plenary meeting, said that, despite its misgivings, it did not wish to block consensus.

Election to the Agency's Staff Pension Committee (agenda item 24)

51. As recommended by the Committee of the Whole, Mr. Patrick Thema of South Africa was elected as an alternate member of the Agency's Staff Pension Committee.

52. The PRESIDENT thanked Mr. Gregorič, the Chairman of the Committee of the Whole, for his skilful guidance of the Committee's deliberations, and all delegations for the co-operation they had shown.

CLOSING OF THE SESSION

53. Mr. KADRI (Algeria) commended the President for the efficiency and wisdom he had shown in conducting the work of the General Conference. His human and professional qualities were recognized by all and did honour to his own country, all Arab countries, and all Member States of the Agency. In conclusion, he expressed the hope that the spirit of

co-operation which had been so much in evidence at the current session of the General Conference would prevail at future sessions.

54. Mr. RITCH (United States of America) echoed the sentiments of the representative of Algeria.

55. Ms. QUINCY (France), speaking on behalf of the European Union, commended the President for the skill he had shown in guiding the work of the General Conference, thanks to which the majority of the decisions taken had been adopted without a vote.

56. Mr. JOEDO (Indonesia), speaking on behalf of the Asian Group, expressed his sincere appreciation to the President and the Secretariat for the work they had done to make the General Conference a success.

57. Mr. TIWARI (India), speaking on behalf of the MESA Group, thanked the President for the contribution he had made both to the work of the General Conference, and to the work of the MESA Group in electing its representative to the Board of Governors.

58. Mr. HERRERA ANDRADE (Mexico), speaking on behalf of GRULAC, thanked the President and the Chairman of the Committee of the Whole for their efforts.

59. Mr. UMAR (Nigeria), speaking on behalf of the African Group, commended the President for the skilful way he had conducted the work of the General Conference. He hoped that the resolutions and decisions which had been adopted would bear witness to the spirit of consensus in which the work had been carried out.

60. Mr. SALEHI (Islamic Republic of Iran) expressed his appreciation for the able guidance provided by the President in the course of the work of the General Conference. He also thanked the Chairman of the Committee of the Whole and the Secretariat for their efforts.

61. Mr. KENIK (Belarus), speaking on behalf of the Eastern Europe Group, congratulated the President on the successful conclusion of the General Conference and thanked the Chairman of the Committee of the Whole and the Secretariat.

62. Mr. BAR (Israel) expressed his appreciation to the President for the efficient manner in which he had guided the work of the General Conference, and commended his leadership skills and impartiality which had helped the Conference come to a successful conclusion.

63. The PRESIDENT thanked all participants for their co-operation, which had been a crucial factor in the success of the General Conference. He also thanked Mr. Gregorič of Slovenia and the Vice-Chairmen for their successful management of the work of the Committee of the Whole. Lastly, he thanked the Director General and his staff - including the interpreters, translators, précis writers, Conference Service officers, printers and documents control officers - for their valuable support.

64. Finally, in accordance with Rule 48 of the Rules of Procedure, he invited the Conference to observe one minute of silence dedicated to prayer or meditation.

All present rose and observed one minute of silence.

65. The PRESIDENT declared the forty-fourth regular session of the General Conference closed.

The meeting rose at 7.25 p.m.