

General Conference

GC(49)/10

Date: 24 August 2005

General Distribution
English

Forty-ninth regular session

Item 22 of the provisional agenda
(GC(49)/1)

Israeli Nuclear Capabilities and Threat

- On 2 June 2005, the Director General received a request from Arab States that are members of the Agency, as forwarded by the Ambassador of the Sultanate of Oman, for the inclusion of an item entitled “*Israeli nuclear capabilities and threat*” in the agenda of the 49th regular session of the General Conference.
- The letter from the Ambassador of the Sultanate of Oman, and the accompanying explanatory memorandum relating to the inclusion of this item, are attached hereto.

**Text of letter received on 2 June 2005 from the
Ambassador of the Sultanate of Oman**

On behalf of the Arab States that are members of the International Atomic Energy Agency (the Hashemite Kingdom of Jordan, the United Arab Emirates, the Republic of Tunisia, the Republic of Algeria, the Kingdom of Saudi Arabia, the Republic of Sudan, the State of Qatar, the Syrian Arab Republic, the Sultanate of Oman (observer), the State of Kuwait, the Republic of Lebanon, the Libyan Arab Jamahiriya, the Kingdom of Morocco, the Arab Republic of Egypt, the Republic of Yemen and Palestine (observer)), whose Ambassadors met at the headquarters of the Mission of the League of Arab States in Vienna on 1 June 2005, I have the honour to forward to you the request of those countries kindly to include an item entitled "Israeli nuclear capabilities and threat" in the agenda of the forty-ninth session (2005) of the Agency's General Conference.

The explanatory memorandum relating to the request for inclusion of the above mentioned item is enclosed herewith.

We hope you will be so kind as to take all the necessary steps in this regard.

(signed) Salim Mohammed Al-Riyami
Dean of the Arab Diplomatic Corps
Ambassador of the Sultanate of Oman

Explanatory Memorandum on Israeli Nuclear Capabilities and Threat Submitted by the Member States in the League of Arab States

1. An item on Israeli nuclear capabilities and threat has been on the agenda of the General Conference of the International Atomic Energy Agency for a number of years, and the Conference has time and again adopted resolutions calling upon Israel to place its nuclear installations under Agency safeguards.

In 1992 the Conference endorsed the President's statement, which included the following: "... in view of the peace process already under way in the Middle East, the aim of which was to conclude a comprehensive and just peace in the region, and which included in particular discussions on the establishment of a nuclear-weapon-free zone in the Middle East, it would be desirable not to consider the present agenda item at the thirty-sixth regular session."

2. The policies of the present Israeli Government have obstructed the peace process in the Middle East and all initiatives to free the region of the Middle East of weapons of mass destruction, and in particular of nuclear weapons, have failed.

3. The Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons which was held in May 1995 adopted a resolution on the Middle East expressing the concern of the States Party to the Treaty at the dangerous situation in the Middle East resulting from the presence in the region of nuclear activities not subject to IAEA safeguards, which put regional and international peace and security at risk.

4. In May 2000, the sixth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, which followed developments in the implementation of the resolution on the Middle East issued at the previous Review Conference, issued a Final Document which, inter alia, requested Israel to accede to the NPT as soon as possible and welcomed the accession to it of a number of Arab countries during the period 1995-2000, while Israel remained the only country in the region that had not acceded to the Treaty. The Conference reaffirmed the importance of Israel's accession to the NPT and the placement of all its nuclear facilities under comprehensive IAEA safeguards, in realizing the goal of universal adherence to the Treaty in the Middle East.

5. In 1997, the Member States of the International Atomic Energy Agency reinforced its control of nuclear activities through the Board of Governors' adoption of the Model Additional Protocol to enhance the effectiveness and improve the efficiency of the safeguards system, in respect of States which have concluded comprehensive safeguards agreements, in order to provide assurance that no undeclared nuclear activities or installations exist.

6. Arab States have always shown their readiness to take practical steps towards creating in the Middle East a zone free of nuclear, chemical and biological weapons of mass destruction, and to refrain from taking any measures which could hamper the attainment of this goal.

7. Whereas all Arab States have acceded to the Treaty on the Non-Proliferation of Nuclear Weapons, Israel continues to defy the international community by refusing to become a party to the Treaty or to place its installations under the Agency's comprehensive safeguards system, thus exposing the region to nuclear risks and threatening peace. Israel's possession of nuclear weapons is likely to lead to a destructive nuclear arms race in the region, especially if Israel's nuclear installations remain outside any international control.

8. The International Court of Justice's Advisory Opinion of July 1996 on the legality of the threat or use of nuclear weapons stressed that there existed an obligation on the part of all States to pursue in good faith, and to bring to a conclusion, negotiations leading to nuclear disarmament in all of its aspects under strict and effective international control.

9. At the forty-second, forty-third, forty-fourth, forty-fifth, forty-sixth, forty-seventh and forty-eighth sessions of the Agency's General Conference (September 1998, 1999, 2000, 2001, 2002, 2003 and 2004), an item entitled "Israeli nuclear capabilities and threat" was reinscribed on the agenda of those sessions at the request of a number of Member States. The Agency's General Conference endorsed at a plenary meeting of its forty-eighth session held in September 2004 the following statement by the President:

"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, 45th, 46th, 47th and 48th sessions, this item was, at the request of certain Member States, reinscribed on the agenda. The item was discussed.

"Several Member States requested that this item be included in the provisional agenda of the 49th regular session of the General Conference."

All Member States of the Agency are invited to cooperate in order to remedy this situation resulting from the fact that Israel alone possesses nuclear capabilities, which are undeclared and not subject to international control and which constitute a permanent threat to peace and security in the region.

The General Conference of the International Atomic Energy Agency must take appropriate measures to ensure that Israel places all its nuclear installations under Agency safeguards and accedes to the Treaty on the Non-Proliferation of Nuclear Weapons.

A list of some international resolutions issued on this subject is attached hereto.

A number of resolutions issued by the United Nations General Assembly and the General Conference of the International Atomic Energy Agency call upon Israel to place all its nuclear installations under Agency safeguards and to accede to the Treaty on the Non-Proliferation of Nuclear Weapons. These include the following resolutions:

1. Resolutions issued by the General Assembly:

Year	Res. No.
1994	49/78
1995	50/73
1996	51/48
1997	52/41
1998	53/80
1999	54/57
2000	55/36
2001	56/26
2002	57/97
2003	58/68
2004	59/106

2. Resolutions issued by the Agency:

Year	No.
1987	GC(XXXI)/RES/470
1988	GC(XXXII)/RES/487
1989	GC(XXXIII)/RES/506
1990	GC(XXXIV)/RES/526
1991	GC(XXXV)/RES/570