

General Conference

GC(51)/OR.9

Issued: October 2007

General Distribution

Original: English

Fifty-first (2007) Regular Session

Plenary

Record of the Ninth Meeting

Held at the Austria Center, Vienna, on Friday, 21 September 2007, at 4.45 p.m.

President: Mr. HAMZE (Lebanon)

Contents

Item of the agenda ¹	Paragraphs
22 Israeli nuclear capabilities and threat	1–50
– Oral report by the Chairperson of the Committee of the Whole on the following items:	51–60
– Measures to strengthen international cooperation in nuclear, radiation and transport safety and waste management	57
– Nuclear security — measures to protect against nuclear terrorism	58
– Strengthening the Agency's activities related to nuclear science, technology and applications	59

¹ GC(51)/22.

Contents (continued)

Item of the agenda ¹	Paragraphs
– Personnel	60
(a) Staffing of the Agency's Secretariat	
(b) Women in the Secretariat	
– Oral report by the Chairperson of the Committee of the Whole on the following items:	61–99
– Strengthening of the Agency's technical cooperation activities	66
– Strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Additional Protocol	67–99
26 Report on contributions pledged to the Technical Cooperation Fund for 2008	100–101
– Closing of the session	102–116

Abbreviations used in this record:

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
WMD	weapons of mass destruction

22. Israeli nuclear capabilities and threat (GC(51)/1/Add.1, GC(51)/24 and 25)

1. The PRESIDENT said that item 22 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(51)/1/Add.1. The Conference also had before it documents GC(51)/24 and 25.
2. Mr. AL-MEMARI (Oman), speaking on behalf of the Arab Group, said that the Arab States and other States were deeply concerned about the failure to achieve universality of the NPT. Israel had been refusing to accede to the NPT for 37 years and had been developing nuclear weapons in the absence of any international monitoring. While all kinds of international pressure was exerted on States that had already ratified the NPT, none whatsoever was brought to bear on Israel to accede. Universality of the NPT was a prerequisite for its effectiveness and credibility as well as for the credibility of the international community. The present situation was having a particularly adverse impact on the Middle East, where it was fuelling unrest and was conducive to a dangerous arms race, especially since all States in the region had acceded to the NPT except Israel, which refused to place its nuclear installations under comprehensive Agency safeguards and was preventing the establishment of a nuclear-weapon-free zone in the Middle East notwithstanding the many Security Council, General Assembly and General Conference resolutions on the subject. It remained free to develop its military nuclear capabilities without being subjected to any real pressure. Indeed, some parties were regrettably providing it with political cover and assisting it in developing its arsenal.
3. The Arab States were greatly troubled by the negative impact on the non-proliferation regime of developments in a number of international disarmament forums. They wished to reaffirm at the current session of the Conference the importance of adopting a comprehensive regional approach to the issue of nuclear disarmament in the Middle East, an approach that took into account the security of all States in the region rather than dealing separately with each country, since that suggested selectivity, bias and double standards. At their summit in Khartoum, the Arab leaders had noted that, although all Arab States without exception had voluntarily acceded to the NPT, security and stability in the Middle East could not be achieved until Israel became a party to the NPT and placed all its nuclear facilities under comprehensive Agency safeguards. The General Conference should take a firm stand on the issue. Israel's security would not be achieved through the possession of weapons of mass destruction but by giving priority to peace.
4. The Arab Group and friendly States wished an item entitled "Israeli nuclear capabilities and threat" to be included in the agenda for the next regular session of the General Conference.
5. The Arab Group called on the international community to support the Arab request to rid the Middle East region of nuclear weapons, to draw attention to the Israeli nuclear threat and to demand that Israel accede to the relevant international agreements and open all its nuclear installations to international inspection. Also, it urged the international community to support Arab diplomatic efforts to achieve security and peace in the region.
6. It was ironic to hear a delegate express annoyance in the General Conference and in other international forums about the fact that attention was being drawn to the existence of an Israeli nuclear threat in the Middle East. That attitude doubtless reflected contempt for international law and for resolutions, particularly Security Council resolution 487 (1981) and General Assembly

resolution 61/103 of 3 January 2007, which called on Israel to accede to the NPT and place all its nuclear installations under full-scope Agency safeguards.

7. The Arab summit held in Riyadh on 29 March 2007 and the meeting of Arab Ministers for Foreign Affairs at the beginning of September 2007 had stressed the importance of establishing a nuclear-weapon-free zone in the Middle East in the interests of regional and international peace and security.

8. It was unacceptable to apply double standards in the context of agenda item 22. He urged certain Agency Member States to adopt an equitable stance, to reflect on the dangers inherent in Israel's ongoing nuclear weaponization policy, to address the issue in accordance with the terms of relevant international resolutions and to consider the facts objectively instead of turning a blind eye to them and deferring discussion under the item from one session of the Conference to the next. It was time to send a message to international public opinion by adopting a just decision. In that connection, the Arab Group was displeased with the outcome of the consultations with some regional groups which were obstructing the adoption of a draft resolution sponsored by the Arab States or the adoption by consensus of a President's statement like ones adopted at previous sessions. Their attitude was undermining the constructive spirit that had prevailed in the past among regional groups.

9. Mr. FAWZY (Egypt) said that the preservation of international peace and security and the implementation of the principles of non-proliferation and disarmament were closely interrelated goals. The persistence of double standards regarding Israel's unsafeguarded nuclear capabilities constituted a serious threat to security and stability in the Middle East. The silence of the international community in the face of that threat and the willingness to provide political cover for it were undermining the non-proliferation regime and efforts to achieve a just and comprehensive peace in the Middle East. The silence persisted despite the existence of binding Security Council resolutions and resolutions of the General Assembly, the General Conference and the NPT Review Conferences held in 1995 and 2000, all of which supported the creation of a nuclear-weapon-free zone in the Middle East and called on Israel to abandon the nuclear option, to accede to the NPT, to place its nuclear installations under full-scope Agency safeguards and to work with its neighbours to create a nuclear-weapon-free zone. The international silence persisted despite the fact that the Israeli Prime Minister had now openly stated that his country possessed military nuclear capabilities.

10. Unfortunately, neither Israel nor many other States appreciated the Arab States' concession in refraining from submitting a draft resolution under the current agenda item. Israel was taking advantage of the political cover that some States were continuing to provide, advancing the unacceptable argument that the possession of nuclear weapons guaranteed peace and security.

11. Member States should give balanced consideration to the issue now before the Conference, demonstrating an international commitment to work for the implementation of all the aforementioned resolutions and for the continued credibility of the nuclear non-proliferation regime as embodied in the Agency's comprehensive safeguards system. His country continued to hope that the General Conference would send a clear message to Israel under the current agenda item, regardless of the form it took, reaffirming the commitment of all parties concerned to address the serious threat to international peace and security posed by Israel's military nuclear capabilities and to restore the credibility of the international community, and that of the five nuclear-weapon States in particular, when they called for nuclear non-proliferation and the universality of the non-proliferation regime.

12. Mr. AL-KHOURY (Lebanon) said that the current agenda item was extremely important because of the threat presented by the nuclear activities of Israel to neighbouring countries and to security and peace in the Middle East as a whole. The world was well aware of the number of Israeli attacks on Lebanon's territory, people, resources and infrastructure and of their catastrophic impact on

the entire Lebanese population. His country was still attempting to deal with the consequences of the July 2006 War with the assistance of friendly countries.

13. The atmosphere of consensus that had prevailed at the beginning of the current General Conference session had augured well for the outcome of the proceedings. Lebanon continued to believe in the importance of consensus on fundamental principles — for instance, the right of States to air their problems and express their fears of States manufacturing and possessing nuclear weapons. Also, it was the duty of every State to express its hopes and to promote the adoption of international resolutions that furthered international peace and sustainable development in order to build a secure society that was based on justice and that eschewed double standards.

14. It was incumbent on the international community to comply unconditionally with the Agency's regulations and resolutions and with international agreements, including the NPT, so as not to compromise the credibility of the Agency and the successful future that its Member States hoped lay in store for it.

15. Lebanon, which was committed to compliance with United Nations resolutions and with the NPT, considered it essential to ensure that Israel acceded to the NPT and opened up its nuclear installations to Agency inspectors and the safeguards regime. While regretting the failure to reach a consensus on a draft resolution, and even on a President's statement, Lebanon would support any Arab initiative at the next session of the General Conference and would like all regional groups to show understanding of that position, to support it and to desist from political bias and from any linkage with other items.

16. Mr. OTHMAN (Syrian Arab Republic) expressed disappointment at the negative outcome of the deliberations regarding the agenda item "Israeli nuclear capabilities and threat" at the current session of the General Conference. At previous sessions, the Arab Group and friendly States had been unable to have a draft resolution adopted and had been forced to content themselves with a weak President's statement. At the current session, they had been hoping at least to secure agreement from other States on a more robust statement and hence their assistance in eliminating the threat posed by the unsafeguarded nuclear arsenal of Israel to the security and environment of the other countries of the Middle East, a threat that constituted a breach of the NPT. Sadly, however, that assistance had not been forthcoming since a number of influential States were still seeking to support the Israeli nuclear arsenal and continuing to apply double standards.

17. The Israeli threat could be described as a form of nuclear terrorism. Israel had consistently refused to comply with the relevant Security Council resolutions and remained outside the non-proliferation regime. Moreover, it was continuing to attack its neighbours. The impact of its onslaught on Lebanon's infrastructure was still visible, and Israel was continuing to violate the rights of the occupied Palestinian people and of the Syrian people of the occupied Golan Heights, flouting international law in the knowledge that it could count on the support of certain influential States.

18. The Director General had announced at the beginning of the current session that he had failed to make progress towards the goal of establishing a nuclear-weapon-free zone in the Middle East. It was common knowledge that the only obstacle was the non-accession of Israel to the NPT and its unwillingness to open up its nuclear installations to international inspection.

19. The persistent unwillingness of some influential States to allow the Arab States to express their deep concern at the threat to the Middle East posed by the Zionist entity and its nuclear arsenal under the agenda item "Israeli nuclear capabilities and threat" was undermining the credibility of the NPT. Their refusal even to accept the adoption of a weak President's statement confirmed the existence of double standards — witness the turmoil being stirred up about one State on account of the mere suspicion that it might possess nuclear weapons, while a blind eye was turned to Israel's nuclear

weapons although its Prime Minister had recently confirmed their existence in a statement containing an implicit threat. Those influential States were continuing to assist Israel, overtly and covertly, in building up its nuclear arsenal. The tense situation in the Middle East and the Israeli Government's reckless policy of launching attacks on its neighbours should persuade those influential States and the international community as a whole that it was time to change their discriminatory policies.

20. The Arab States' demands of the General Conference were legitimate, their ultimate goal being the elimination of Israel's nuclear arsenal, which posed a serious threat to the Middle East and the world as a whole. The Arab States would not give up — as long as the Zionist entity and its arsenal, which breached international law, existed in the region, they would continue to express their deep concern in the General Conference and in other forums, in order to persuade the international community to address the threat and preserve the credibility of the non-proliferation and disarmament regime, thereby preventing an uncontrollable arms race in the region.

21. The Syrian Arab Republic requested that the item "Israeli nuclear capabilities and threat" be included in the agenda for the next session of the General Conference.

22. Mr. SOLTANIEH (Islamic Republic of Iran), reviewing past events that had a bearing on the item under discussion, said that, when the Israeli regime had attacked Iraq's nuclear reactor in 1981, the Arab Member States of the Agency had submitted a draft resolution to the General Conference condemning the attack. Although Saddam Hussein's regime in Iraq was attacking the Islamic Republic of Iran at the time with the support of the United States and other Western countries, his country had supported the draft resolution. The United States, as the guardian of Israel, had warned all sponsors that if the draft resolution was adopted it would leave the Agency, causing a major financial crisis. The Islamic Republic of Iran had thereupon undertaken to offset the financial deficit. Although the resolution had been adopted, the United States had remained a Member State of the Agency.

23. Resolutions entitled "Israeli nuclear capabilities and threat" had been adopted at subsequent sessions of the General Conference. In all of them, the General Conference had demanded Israel's prompt accession to the NPT and the placing of all of Israel's nuclear facilities under Agency safeguards. About ten years previously, a weak resolution on the Middle East as a whole had been adopted by consensus and a President's statement had replaced the "Israeli nuclear capabilities and threat" resolution. The statement and its successors had contained no legally binding provisions. When the Israeli Prime Minister had recently acknowledged that his country possessed nuclear weapons, the Agency Member States that were members of NAM had deplored the fact — the Western countries had remained silent, in keeping with their double standards policy.

24. The 1995 and 2000 NPT Review Conferences had called for prompt Israeli accession to the NPT and the application of full-scope safeguards to Israel's nuclear facilities.

25. At the previous session of the General Conference, the Arab States and other like-minded Member States had submitted a draft resolution entitled "Israeli nuclear capabilities and threat". The United States and some other Western countries had put forward a "no action" motion. Moreover, they had called for a vote on the draft resolution on the Middle East as a whole — although such resolutions had been adopted by consensus in previous years — and had voted against it. Thus, instead of addressing others' legitimate security concerns and seeking peaceful solutions, they had used procedural means or threats in order to block discussion.

26. The proposal to establish a nuclear-weapon-free zone in the Middle East, put forward initially by Iran in 1974, was caught in a vicious circle owing to Israel's non-compliance with international law. The continuous support by the United States for aggression and atrocities and for the violation of over 30 United Nations and General Conference resolutions, and the silence of other countries, constituted a shameful chapter in the history of the United Nations and the Agency. The acknowledgement of

Israel's possession of nuclear weapons was a serious setback for the non-proliferation regime and was undermining the Agency's credibility at a time when a party to the NPT was the victim of discrimination and double standards and being prevented from exercising its inalienable rights under the Agency's Statute.

27. It was high time to send out a strong message, to the effect that Israel's nuclear capabilities, which remained outside international control, particularly the Agency's full-scope safeguards, constituted a serious threat to regional and global peace and security. All Member States that cared about the Agency's independence, professionalism and credibility should take serious corrective measures before it was too late.

28. Mr. MISSLATTI (Libyan Arab Jamahiriya) said that Israel's nuclear capabilities were a constant source of instability in the Middle East and could lead to an arms race at the expense of sorely needed infrastructure development. The statement by the Israeli Prime Minister in December 2006 to the effect that Israel possessed nuclear weapons provided solid proof that double standards were being applied to the countries of the region, since the statement had not elicited the requisite response from States that constantly claimed to be pursuing international peace and security, especially in the Middle East. Just as the Agency required the other States of the region to comply with the comprehensive nuclear safeguards regime, in line with the NPT, so also it should demand that Israel conclude a comprehensive safeguards agreement with the Agency and place all its nuclear facilities under full-scope Agency safeguards.

29. He requested that the item "Israeli nuclear capabilities and threat" be included in the agenda for the next session of the General Conference.

30. Mr. AYOUB (Iraq) said that his delegation was deeply concerned at the fact that some States were preventing the General Conference from reaching a consensus on the adoption of a resolution calling on Israel to accede to the NPT, since Israel was the only State in the Middle East with an advanced nuclear programme and with nuclear weapons, as recently admitted by the Israeli Prime Minister. The Middle East was prone to major crises because of the policy of double standards pursued by some influential States. The international community should insist on Israel's compliance with international resolutions just as it had insisted on Iraq's complying with Security Council resolution 687(1991) as a step towards the goal of establishing in the Middle East a zone free from weapons of mass destruction.

31. He requested that the agenda item "Israeli nuclear capabilities and threat" be included in the agenda for the next session of the General Conference.

32. Ms. GOICOCHEA ESTENOZ (Cuba) said that the wish of the overwhelming majority of countries in the Middle East to establish a nuclear-weapon-free zone in the region had still not been achieved, despite the large number of resolutions adopted within the framework of the Agency, the NPT Review Conferences and various United Nations bodies. Israel, which was the only country in the Middle East that was not a party to the NPT and which had not expressed an intention to become one, should adhere to that treaty without delay and place all its nuclear facilities under comprehensive Agency safeguards. That would be a significant contribution to the cause of establishing a nuclear-weapon-free zone in the region, and it would be an extremely important step in the Middle East peace process.

33. The 12 December 2006 declaration of the Israeli Prime Minister that Israel possessed nuclear weapons was causing serious concern among all peace-loving people worldwide, as it confirmed that Israel posed a threat to the security of its neighbours and to peace in the Middle East. For the sake of the other countries in the region, the transfer to Israel of all nuclear equipment, information and

material should be stopped, along with the provision of scientific and technological assistance useful in the nuclear field.

34. The United States and various European governments should be consistent; they should abandon their permissive attitude towards Israel and demand the destruction, with international verification, of its nuclear weapons, which it appeared willing to use if necessary in order to carry out its plans in the Middle East, in collusion with its main ally — the United States.

35. In the opinion of her country, Israel's attitude should be the subject of a forceful Security Council resolution, and what better way for the General Conference to celebrate the Agency's fiftieth anniversary than to react energetically to that attitude? Refusing to allow the General Conference to do so was disgraceful.

36. There was a need for real political will, so that an end might be put to the double standards in nuclear-related matters. Only so would the Middle East become a region of peace and security for all.

37. Cuba supported the request of the Arab Group for the inclusion of the item "Israeli nuclear capabilities and threat" in the agenda for the 2008 regular session of the General Conference.

38. Mr. ARSHAD (Malaysia) said that his country was strongly in favour of the speedy establishment of a WMD-free zone in the Middle East in accordance with Security Council resolution 487(1981), paragraph 14 of Security Council resolution 687(1991) and the relevant General Assembly resolutions adopted by consensus. Pending the establishment of such a zone, Malaysia, as the current Chairman of the Islamic Conference, called on Israel, which was the only country in the Middle East that was not a party to the NPT and which had not expressed an intention to become one, to renounce the possession of nuclear weapons and accede to the NPT without delay. It also called on Israel to promptly place all its nuclear facilities under comprehensive Agency safeguards in accordance with Security Council resolution 487(1981) and to conduct its nuclear-related activities in conformity with the non-proliferation regime.

39. Malaysia considered it important that the General Conference, in its current session, appropriately reflect the concerns of Member States about the nuclear capabilities of Israel and the threat which they posed to the Middle East. Also, it supported the request of the Arab Group for the inclusion of the item "Israeli nuclear capabilities and threat" in the agenda for the 2008 regular session of the General Conference.

40. Mr. DUQUE (Bolivarian Republic of Venezuela) said that his country was very concerned at the continuing refusal of Israel to join the NPT and place all its nuclear facilities under Agency safeguards despite repeated calls from the international community. His country's concern had grown considerably in December 2006, when the Israeli Prime Minister had admitted publicly that Israel possessed nuclear weapons.

41. The world could not remain indifferent to the knowledge that a State which had for decades been disregarding United Nations resolutions and the basic rights of the Palestinian people was conducting an advanced nuclear programme not subject to any Agency safeguards. Nor could the world ignore the fact that a State capable of attacking a neighbour, Lebanon, in open violation of the basic principles of international humanitarian law was in possession of nuclear weapons without specialized multilateral controls.

42. It was contradictory that certain Member States which claimed to be defenders of freedom and justice refused to deplore the fact that a State with a history of aggression within its region had a nuclear programme outside international law.

43. Mr. WIBOWO (Indonesia) said that the situation in the Middle East continued to be a matter of deep concern to his country. The region remained unsettled despite many efforts, and the conflict there continued to pose a threat to international peace and security. Israel's military actions, which Indonesia strongly condemned, constituted a flagrant violation of international law, and the international community should take measures to halt them. The invasion by Israel of another Middle East country had not only caused material damage and civilian casualties, but also undermined regional security and stability.

44. The situation was exacerbated by the continued existence of Israel's nuclear installations with no Agency safeguards and outside international control. That was likely to lead to a destructive arms race, and was having a negative impact on efforts to prevent proliferation in the region.

45. In recent years, a number of countries had made efforts to raise the issue in the General Conference. Thus far their efforts had not been fruitful, however, and the Director General had made no progress under his mandate relating to the application of Agency safeguards in the Middle East. The 1995 and 2000 NPT Review Conferences had requested Israel to accede to the NPT as early as possible, and Indonesia strongly believed that Israel's accession and the placing of all of Israel's nuclear facilities under comprehensive Agency safeguards were the most critical steps for the establishment of a nuclear-weapon-free zone in the Middle East and the promotion of confidence and security there.

46. It was important that the General Conference pay serious attention to and take action on the issue. One single country should not be allowed to prevent the establishment, in the Middle East, of the nuclear-weapon-free zone that was desired by all other countries in that region. The General Conference should take appropriate measures to ensure that Israel placed all its nuclear installations under Agency safeguards and acceded to the NPT, as called upon to do in a number of General Assembly and General Conference resolutions.

47. Considering how long the issue had been on the General Conference agenda, an agreement should have been reached by now. For its part, Indonesia would support any resolutions or decisions that illuminated a pathway towards peace and stability in the Middle East and the creation there of a nuclear-weapon-free zone.

48. Mr. ZARKA (Israel) said that some delegates had lied about a statement made by his country's Prime Minister, who had not said what they claimed he had.

49. All delegates should bear in mind that the name of his country was the State of Israel, or simply Israel, and that those who had called for the elimination of his country had no moral standing when they criticized policies of Israel aimed at defending its very existence.

50. Mr. SOLTANIEH (Islamic Republic of Iran) said it was strange that the Israeli Prime Minister had acknowledged his country's possession of nuclear weapons but that his statement was now being denied. The only practical way for the international community to discover the truth was for the Agency to send inspectors to Israel; they could verify the situation and their findings could be reported to the General Conference at its next session. The claims being made were confusing the international community. NAM, which represented over 100 countries and many millions of people, had expressed serious concern about the possession of nuclear weapons by Israel and its non-accession to the NPT. The matter should be resolved through Agency access to Israel's nuclear activities.

– **Oral report by the Chairperson of the Committee of the Whole**

(resumed)

51. Ms. FEROUKHI (Algeria), Chairperson of the Committee of the Whole, presented the outcome of the Committee's deliberations on agenda items 15, 16, 18 and 24.

52. She said that some draft resolutions had been clustered along the lines of the main areas of the Agency's work in order to make the results of the Committee's deliberations more transparent.

53. Under item 15, "Measures to strengthen international cooperation in nuclear, radiation and transport safety and waste management", the Committee recommended that the Conference adopt draft resolutions A ("Measures to strengthen international cooperation in nuclear, radiation and transport safety and waste management") and B ("Transport safety") in document GC(51)/L.7.

54. Under item 16, "Nuclear security — measures to protect against nuclear terrorism", the Committee recommended that the Conference adopt the draft resolution in document GC(51)/8 entitled "Progress on measures to protect against nuclear and radiological terrorism".

55. Under item 18, "Strengthening of the Agency's activities related to nuclear science, technology and applications", the Committee recommended that the Conference adopt the draft resolutions A ("Non-power nuclear applications") and B ("Nuclear power applications") in document GC(51)L.6.

56. Under item 24, "Personnel", the Committee recommended that the Conference adopt draft resolutions A ("Staffing of the Agency's Secretariat") and B ("Women in the Secretariat") in document GC(51)/L.5.

Measures to strengthen international cooperation in nuclear, radiation and transport safety and waste management (agenda item 15)

57. As recommended by the Committee of the Whole, draft resolutions A and B in document GC(51)/L.7 were adopted.

Nuclear security — measures to protect against nuclear terrorism (agenda item 16)

58. As recommended by the Committee of the Whole, the draft resolution in document GC(51)/8 was adopted.

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

59. As recommended by the Committee of the Whole, draft resolutions A and B in document GC(51)/L.6 were adopted.

Personnel (agenda item 24)

60. As recommended by the Committee of the Whole, draft resolutions A and B in document GC(51)/L.5 were adopted.

The meeting was suspended at 6.05 p.m. and resumed at 7.45 p.m.

– **Oral report by the Chairperson of the Committee of the Whole** (resumed)

61. Ms. FEROUKHI (Algeria), Chairperson of the Committee of the Whole, presenting the outcome of the Committee's deliberations on agenda item 17 (Strengthening of the Agency's technical cooperation activities), said that there appeared to have been agreement in the Committee regarding the following amendments to the draft resolution contained in document GC(51)/COM.5/L.1/Rev.1: in paragraph (n), the insertion of "some" between "the obligation of" and "Member States", the replacement of "reflecting further" by "such payments demonstrating" and the deletion of "developing"; in paragraph (o), the replacement of "as achieving such improved burden-sharing" by "which"; in paragraph (y), the replacement of "developing Member States" by "recipient Member States"; and in paragraph (aa), the replacement of "an impact" by "a possible impact".

62. Subsequently, outside the Committee, agreement had been reached regarding the following amendments: the insertion, after paragraph (m), of a paragraph reading "Recalling the decision of the Board of Governors (GOV/2003/48), which was endorsed by the General Conference at its forty-seventh session, that an appropriate balance shall be maintained between promotional and other statutory activities of the Agency, as well as across all major programmes, and that TCF targets shall be negotiated, taking into account the voluntary nature of the contributions to the TCF, based on the changes in the level of the Regular Budget and the price adjustment factor in the corresponding years, and also taking into account the official record of negotiations on the basis of which an agreement on the programme and budget for 2008–2009 was reached"; the deletion of paragraphs (l) and (t) and of the phrase "bearing in mind ... the resources of the TCF" in paragraph (m); the amendment of paragraph (r) to read "Recognizing that the effectiveness of the due account mechanism depends on its consistent application to all Member States, and looking forward to a review of the mechanism in the light of the comments by the External Auditor as contained in the Agency's Accounts for 2005 (GC(50)/8) and Member States' concerns"; the replacement in paragraph (aa) of "while emphasizing ... of the TC programme" by "while noting the relationship between the Agency and the UN system and the nature, character and specificity of the TC programme"; the amendment of paragraph 2 read "Requests the Secretariat to continue to work, in consultation with Member States, towards establishing means, including mechanisms, that would achieve the goal of making TC resources sufficient, assured and predictable (SAP)"; and the amendment of the start of paragraph 6 to read "Encourages Member States".

63. She recommended that the Conference adopt the draft resolution contained in document GC(51)/COM.5/L.1/Rev.1 with the amendments which she had just presented.

64. Turning to item 19, "Strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Additional Protocol", she said that consensus had been reached on the draft resolution contained in document GC(51)/COM.5/L.12/Rev.1 with the exception of operative paragraph 3.

65. In conclusion, she thanked all members of the Committee of the Whole for their efforts to bring about consensus on all the draft resolutions which had been before the Committee.

Strengthening of the Agency's technical cooperation activities (agenda item 17)

66. As recommended by the Chairperson of the Committee of the Whole, the draft resolution contained in document GC(51)/COM.5/L.1/Rev.1 was adopted with the agreed amendments.²

Strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Additional Protocol (agenda item 19)

67. Mr. FAWZY (Egypt) requested a roll-call vote on the draft resolution contained in document GC(51)/COM.5/L.12/Rev.1.

68. Mr. BILAL (Pakistan) requested that a vote on operative paragraph 3 of the draft resolution be taken before a vote on the draft resolution as a whole.

69. Mr. LUNBY (Norway) pointed out that the title of the draft resolution in document GC(51)/COM.5/L.12/Rev.1 did not correspond fully to the agenda item. It should read "Strengthening the Effectiveness and Improving the Efficiency of the Safeguards System and Application of the Model Additional Protocol".

70. The PRESIDENT, recalling that there had been a request for a separate vote on operative paragraph 3 of the draft resolution, put that paragraph to a vote by show of hands.

71. There were 81 votes in favour of operative paragraph 3 and 3 against, with no abstentions. The paragraph was adopted.

72. Mr. SHARMA (India), speaking in explanation of vote, said that, as a founder member of the Agency, his country had always supported the activities of the Agency carried out within the framework of its Statute. India had always attached great importance to the Agency's safeguards activities and had made constructive contributions to strengthening the effectiveness and improving the efficiency of the safeguards system. It had approached the work of the Advisory Committee on Safeguards and Verification within the Framework of the IAEA Statute in that spirit. The value and success of the Agency lay in the meticulous manner in which it operated in accordance with its mandate without being influenced by extraneous issues.

73. Until 2000, there had consistently been consensus on the General Conference resolutions on safeguards. In 2001, however, an operative paragraph had been added whose language contradicted the spirit of the chapeau to the operative part of the resolution, which had been the product of difficult negotiations. In urging all States to bring into force comprehensive safeguards agreements, operative paragraph 3 ignored the fact that such agreements flowed from obligations under the NPT. It therefore appeared to impose the same obligations on non-parties to the NPT as on parties, which was unfair. The signing of treaties was a sovereign decision by States. India's membership of the Agency did not impose on his country any obligation not provided for in the Statute. Any resolution conflicting with the spirit of the Statute was unacceptable to his country.

74. Despite India's readiness to work out a compromise, the operative paragraph had continued to appear in successive draft resolutions on safeguards without change since 2001.

75. Mr. BILAL (Pakistan), speaking in explanation of vote, said that his country had consistently supported the strengthening of the role of the Agency in carrying out its assigned functions and responsibilities in a credible manner within the framework of its Statute and legal authority. That had

² The draft resolution was subsequently issued in document GC(51)/L.9.

been manifested in the faithful implementation by Pakistan of its safeguards undertakings and in the cooperation it extended to the Agency in that regard.

76. Pakistan had always sought to arrive at a consensus text for resolutions like the one contained in document GC(51)/COM.5/L.12/Rev.1. However, the language of operative paragraph 3 failed to recognize the differentiated nature of the safeguards obligations of Member States. His country's vote represented the commitment of Pakistan to upholding the Agency's Statute in every respect, and Pakistan would continue to play a positive and constructive role in the furtherance of the Agency's objectives.

77. The PRESIDENT, recalling the request for a roll-call vote made by the delegate of Egypt, put the draft resolution contained in document GC(51)/COM.5/L.12/Rev.1 to the vote.

78. Mauritius, having been drawn by lot by the President, was called upon to vote first. In the absence of a representative of Mauritius, the voting started with Mexico.

79. The result of the vote was as follows:

In favour: Islamic Republic of Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Botswana, Brazil, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Estonia, Ethiopia, Finland, France, Germany, Ghana, Greece, Haiti, Holy See, Hungary, India, Indonesia, Ireland, Italy, Japan, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Malaysia, Malta, Mexico, Mongolia, Montenegro, Morocco, Namibia, Netherlands, New Zealand, Norway, Pakistan, Peru, Philippines, Poland, Portugal, Romania, Russian Federation, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, The Former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Bolivarian Republic of Venezuela, Vietnam, Zambia.

Abstaining: Egypt, Islamic Republic of Iran, Iraq, Jordan, Kenya, Libyan Arab Jamahiriya, Qatar, Saudi Arabia, Sudan, Syrian Arab Republic, Tunisia, Yemen.

80. There were 80 votes in favour and none against, with 12 abstentions. The draft resolution was adopted.

81. Mr. FAWZY (Egypt), speaking in explanation of vote, said that his country, which had participated in the meetings of the working group that had produced the draft resolution just voted on, had done so on the understanding that their objective would be to arrive at a consensual agreement on substantive issues on which diverging views continued to exist.

82. Egypt had presented to the working group three proposals which it, and others, considered to be of direct relevance to the scope of the draft under consideration. One proposal had been to refer to the fact that the establishment of nuclear-weapon-free zones played an important role in strengthening safeguards. The second proposal had been to reflect the language of Article III.B.1 of the Agency's Statute by referring to the Agency's conducting its activities in accordance with the purposes and principles of the United Nations and in conformity with the policies of the United Nations furthering the establishment of safeguarded worldwide disarmament. The third proposal, recalling one of the thirteen steps agreed to by consensus in the context of the Final Document of the 2000 NPT Review Conference, had been to refer to arrangements by nuclear-weapon States to place fissile material

designated by them as no longer required for military purposes under Agency or other relevant international verification.

83. All three proposals, though supported and viewed as valuable additions to the draft resolution by a number of delegations, had been rejected outright by others. Such rejection had demonstrated that the purpose of the sponsors of the draft resolution was to create a consensus on additions and amendments put forward by them while rejecting substantive ideas proposed by others, rather than to accommodate all positions in a consensual manner, particularly as regards issues of substance. As a result, the text just voted on was not balanced or consensual and did not adequately reflect the views of the Egyptian delegation.

84. Furthermore, the result of the vote on the draft resolution contained in document GC(51)/L.1, “Application of IAEA Safeguards in the Middle East”, had demonstrated the inconsistency in the positions held by the sponsors of the draft resolution contained in document GC(51)COM.5/L.12/Rev.1, except in the case of Ireland. It was incomprehensible that delegations could, on one hand, call for the strengthening of safeguards and, on the other, oppose or abstain on a draft resolution whose objective was the application of safeguards in the Middle East.

85. Egypt was keen to support all efforts aimed at strengthening Agency safeguards. However, the fact that the very safeguards which Member States were trying to strengthen were not being applied to all countries in the Middle East could not be ignored. The situation was a regrettable one that needed to be changed.

86. Mr. MINTY (South Africa), speaking in explanation of vote, said that his country had participated in the working group discussions on the draft resolution just voted on in a spirit of compromise, and in the interests of strengthening the effectiveness and improving the efficiency of the safeguards system. In that context, it had supported Egypt’s proposal regarding a reference to Article III.B.1 of the Statute. Given the opposition to that proposal in the working group, it had made a proposal regarding recognition of the role of the Agency in the safeguarding of material previously devoted to nuclear weapons programmes that had been irreversibly transferred to safeguarded peaceful uses — a proposal that had unfortunately not been accepted. It was disappointing that the draft resolution just voted on did not address that very important matter and the lessons learned from disarmament processes which had impacted positively on the Agency’s safeguards system.

87. Despite the inadequacies of the draft resolution, his delegation had voted for it in the hope that the failure to reflect an important provision of the Statute would be rectified at the 2008 regular session of the General Conference.

88. Mr. SOLTANIEH (Islamic Republic of Iran), speaking in explanation of vote, said that, while his country supported the general thrust of and many principles reflected in the draft resolution, it had abstained because the negotiations on some paragraphs had been inconclusive. That had resulted from time constraints and the uncompromising positions of some working group members. The Islamic Republic of Iran had compromised on some of its main positions and other NAM members had also shown great flexibility on some critical paragraphs, but that had not been reciprocated by certain other countries. Developments during discussions on some agenda items related to the one now under consideration had had a negative impact on the atmosphere in which the draft resolution had been negotiated.

89. It was to be hoped that more time and energy would be devoted to discussing the draft resolution on safeguards in the coming year and that sufficient flexibility and understanding would be shown by all delegations, so that a solid compromise might be reached. The cause of strengthening the Agency’s safeguards system should be supported across all political groupings, and more should be done in order to arrive at a compromise.

90. That having been said, his delegation was grateful to the chairman of the working group for his efforts.

91. Mr. BILAL (Pakistan), speaking in explanation of vote, said that his country had always supported efforts to strengthen the role of the Agency in carrying out its assigned responsibilities, including safeguards within its statutory mandate. Despite having serious objections to one of the draft resolution's operative paragraphs, Pakistan had refrained from voting against the draft resolution as a whole. In a spirit of compromise, his country had voted for it.

92. Unfortunately, it had not been possible to address some delegates' concerns during negotiations on the text.

93. The vote on the draft resolution as a whole, while regrettable, had underscored the fact that General Conference resolutions should reflect the common interests and positions of the Agency's membership.

94. It was to be hoped that the vote would not set a precedent with regard to future draft resolutions on safeguards, but mark the beginning of a genuine process of negotiation and consensus-building.

95. The objective should be to take account of the concerns of all Member States, including those which had in the past felt constrained to request a vote on one operative paragraph. The next draft resolution on safeguards should reflect the collective commitment of all Member States to the Statute and the safeguards functions of the Agency.

96. Mr. SHARMA (India) said that, as in preceding years, his country would have agreed to the adoption of the draft resolution without a vote. His delegation regretted that the draft resolution had been put to a vote. In voting for the draft resolution, it had adhered to its position of preceding years.

97. Ms. FEROUKHI (Algeria), speaking in explanation of vote, said that her country attached great importance to universal application of the NPT, to the effectiveness of the Agency's safeguards system and to nuclear non-proliferation and disarmament.

98. Her country, like other Arab countries, was disappointed at the lack of balance during discussions on issues of interest to them. The refusal to allow the adoption of a purely procedural declaration by the President of the General Conference under the agenda item entitled "Israeli nuclear capabilities and threat" pointed to a lack of consideration for the expectations of the Arab Member States, which had demonstrated flexibility and a spirit of compromise.

99. The General Conference should take account of the legitimate concerns of all Member States in a spirit of cooperation and dialogue, which were vital in matters relating to international peace and security.

26. Report on contributions pledged to the Technical Cooperation Fund for 2008 (GOV/2007/28/Rev.4)

100. The PRESIDENT said that document GOV/2007/28/Rev.4 contained details of pledges of contributions to the Technical Cooperation Fund for 2008 which governments had made to the Director General by 8.00 p.m. on 20 September 2007. By that time, Member States had pledged a total of US \$7 272 647, or 9.09% of the target for 2008. That was 10% higher than the percentage of

pledges received by the corresponding time in the preceding year. Since the document had been sent for printing, further Member States had communicated pledges to the Director General: Brazil had pledged \$500 000, China had pledged \$2 058 400, Cyprus had pledged \$33 600 and Jordan had pledged \$9 600. That brought the total amount pledged to \$9 874 247, or 12.34% of the target.

101. He urged all Member States that had not yet done so to make their 2008 pledges and to pay their contributions in full at the earliest opportunity, in order that the Secretariat might submit a proposed 2008 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.

– Closing of the session

102. The PRESIDENT said that the current General Conference session had been particularly well attended by high-level representatives of Member States. There had been 46 ministerial-level delegations and 107 speakers in the general debate, which was an indication of the importance Member States attached to the Agency's work.

103. Mr. MINTY (South Africa), commending the President for his leadership in bringing the session to a successful conclusion, said that he had been instrumental in reconciling divergent views and had forged a common understanding of how to take forward the work of the Agency in the year to come.

104. Also, he paid tribute to the Chairperson of the Committee of the Whole for the manner in which she had guided the Committee's deliberations and thanked the Director General and the Secretariat for their dedication and professionalism in preparing the session.

105. Mr. DUARTE (Portugal), speaking on behalf of the European Union, thanked the President for successfully guiding the fifty-first session of the General Conference; his well-known diplomatic skills had greatly contributed to the outcome.

106. He also thanked the Vice-Presidents, the additional members of the General Committee, the Chairperson and Vice-Chairperson of the Committee of the Whole, and the chairmen of the working groups established during the session.

107. He 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 General Conference.

108. Mr. ELAMIN (Sudan), speaking on behalf of the Group of 77 and China, commended the President for his efforts in bringing the session to a successful conclusion.

109. He thanked the Chairperson of the Committee of the Whole for the manner in which she had guided the Committee's work and the Director General for his tireless efforts to promote development in the world.

110. Mr. GUMBI (South Africa), speaking on behalf of the African Group, expressed appreciation of the President's efforts in bringing the session to a successful conclusion. The resolutions and decisions adopted would have a positive impact on Africa, and the African Group looked forward to close cooperation with the Director General and the Secretariat in their full implementation.

111. He thanked the Vice-Presidents and the additional members of the General Committee and commended the Chairperson of the Committee of the Whole for her untiring efforts.

112. Ms. GOICOCHEA ESTENOZ (Cuba), speaking on behalf of the Vienna Chapter of the Non-Aligned Movement, commended the President for his efforts, dedication and leadership and expressed gratitude to the Chairperson of the Committee of the Whole. The output of the session would undoubtedly help to promote lasting peace and greater international security.

113. The PRESIDENT, thanking the preceding speakers for their kind words, said that it had been an honour and a privilege for him and his country that he had been elected to serve as President of the General Conference at its fifty-first session. He was very grateful to the Vice-Presidents, who had assisted him during the general debate, and to all delegates for their cooperation and assistance, which had enabled the problems encountered during the conduct of business to be resolved.

114. On behalf of the Conference, he thanked the Austrian authorities and the City of Vienna for their hospitality over the previous week. He also thanked the Director General and his staff for their valuable support.

115. Finally, in accordance with Rule 48 of the Rules of Procedure, and in commemoration of the International Day of Peace being celebrated that 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.

116. The PRESIDENT declared the fifty-first regular session of the General Conference closed.

The meeting rose at 8.55 p.m.