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60 Years

General Conference

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Provisional agenda

Supplementary Item for Inclusion in the Provisional Agenda

1. On 24 June 2016, the Director General received a request, submitted by the Ambassador of Morocco on behalf of the Arab States that are members of the International Atomic Energy Agency, for the inclusion of an item entitled “Israeli nuclear capabilities” in the agenda of the 60th (2016) regular session of the General Conference.
2. Pursuant to the Rules of Procedure of the General Conference¹, this item is hereby placed on a supplementary list which will be circulated not later than 6 September 2016. The letter from the Ambassador of Morocco and the accompanying explanatory memorandum relating to the inclusion of this item are attached hereto.
3. It is suggested, for consideration by the General Committee, that this item follow item 19 of the provisional agenda and be discussed in the Plenary.

¹ Rules 13 and 20, GC(XXXI)/INF/245/Rev.1

**Text of letter received on 24 June 2016 from the
Ambassador of Morocco**

On behalf of the Arab States that are members of the International Atomic Energy Agency: the Hashemite Kingdom of Jordan, the Kingdom of Bahrain, the United Arab Emirates, the Republic of Tunisia, the People's Democratic Republic of Algeria, the Kingdom of Saudi Arabia, the Republic of the Sudan, the Syrian Arab Republic, the Republic of Iraq, the State of Qatar, the State of Kuwait, the Lebanese Republic, Libya, the Arab Republic of Egypt, the Kingdom of Morocco, the Republic of Yemen, the Sultanate of Oman, the Islamic Republic of Mauritania and Palestine (observer),

I have the honour to forward to you the request of the Arab States listed above, based on the decisions of the Council of the Arab League at the level of the Arab Foreign Ministers, for the inclusion of an item on "Israeli nuclear capabilities" in the agenda of the sixtieth (2016) session of the General Conference of the International Atomic Energy Agency.

I also have the honour to enclose the explanatory memorandum relating to the request for inclusion of the above-mentioned item.

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

Accept, Sir, the assurances of my highest consideration.

(signed)

Ambassador Ali EL MHAMDI
Ambassador of the Kingdom of Morocco
Chairman, Council of Arab Ambassadors

Encl.: - Explanatory memorandum

HE Yukiya AMANO
IAEA Director General
Vienna

**EXPLANATORY MEMORANDUM SUBMITTED BY THE MEMBER STATES IN THE
LEAGUE OF ARAB STATES ON ISRAELI NUCLEAR CAPABILITIES**

1. An item on “Israeli nuclear capabilities and threat” has been on the agenda of the General Conference of the International Atomic Energy Agency since 1987 and the General Conference has adopted resolutions calling upon Israel to place its nuclear facilities under Agency safeguards.
2. In 1992, the Arab Group decided to put on hold its submission of the draft Arab resolution in view of the peace process already under way in the Middle East, the aim of which was to conclude a comprehensive, just and lasting peace in the region, and which included in particular discussions on the establishment of a nuclear-weapon-free zone in the Middle East, as reflected in the President’s statement endorsed during the thirty-sixth session of the IAEA General Conference. However, the policies of successive Israeli Governments have obstructed the Middle East peace process and thwarted all initiatives to free the Middle East of weapons of mass destruction, and in particular of nuclear weapons.
3. The NPT Review and Extension Conference 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 Agency safeguards, which put regional and international peace and security at risk.
4. In May 2000, the sixth NPT Review Conference, which reviewed developments in the implementation of the resolution on the Middle East issued at the previous Review Conference, issued a Final Document calling on Israel to accede to the NPT as soon as possible and welcomed the accession to the Treaty of a number of Arab States during the period 1995–2000, while Israel remained the only State in the region that had not acceded to that Treaty. The Conference reaffirmed the importance of Israel’s accession to that 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 May 2010, the NPT Review Conference adopted the work plan regarding the Middle East and a Final Document including all the required procedures for holding an international conference in 2012 to make the Middle East a zone free from nuclear weapons and other weapons of mass destruction, appointing a facilitator for the conference, and designating the State that would host the conference, as soon as possible, in consultation with the States of the region.
6. The 2015 NPT Review Conference failed to reach consensus on a final document; thus, it was not possible to review the implementation of obligations during the preceding five years and define a framework for the coming five years in relation to the three pillars of the Treaty and the 1995 Resolution on the Middle East. This failure, which resulted from the desire of certain States to protect Israel and see it remain outside the non-proliferation regime, is seen as a setback to international efforts aimed at establishing a Middle East zone free of nuclear weapons and other weapons of mass destruction.
7. While all the Arab States have acceded to the NPT and shown their continuing readiness to take practical steps towards the establishment of a Middle East zone free of nuclear weapons and other weapons of mass destruction, Israel continues to defy the international community by downplaying the significance of the Treaty, refusing to become a party to it and refusing to place all its facilities under the Agency’s comprehensive safeguards, thus exposing the region to nuclear risks and posing a threat to security.
8. The Arab States, demonstrating flexibility in an effort to find consensus, acceded to the proposals submitted by certain States during the fifty-second session of the IAEA General Conference in September 2008 and made modifications to the draft Arab resolution, the title of

which was changed from “Nuclear capabilities and their threats” to “Israeli nuclear capabilities”.

9. In the context of international initiatives to strengthen the NPT and calls for Israel’s accession thereto, the Arab States affirm that their initiative to make the Middle East a nuclear-weapon-free zone represents a comprehensive regional response to the potential proliferation of these weapons, achieves mutual security for all the States of the region and goes hand in hand with demands to rid the world of weapons of mass destruction.
10. The resolution entitled “Israeli nuclear capabilities” (GC(53)/RES/17) adopted by the fifty-third session of the IAEA General Conference highlighted the international community’s concern about Israeli nuclear capabilities and called upon Israel to accede to the NPT and place all its nuclear facilities under comprehensive Agency safeguards. The resolution also urged the Director General to work with the States concerned towards that end and to submit a report to the Board of Governors and the General Conference at its fifty-fourth session on implementation of the resolution.
11. The Arab States had participated actively in the preparations for the conference, scheduled to take place in 2012, on the establishment of a Middle East zone free of nuclear weapons and other weapons of mass destruction, in accordance with the action plan arrived at during the 2010 NPT Review Conference. The Arab Group had displayed a great deal of flexibility in its dealings with Jaakko Laajava, the conference facilitator, in preparation for the conference. However, Israel’s intransigence had prevented the attainment of this goal, as Israel vigorously strove to undermine the process by rejecting any role for the United Nations and pushing for the inclusion of issues outside the Conference’s terms of reference, including what Israel refers to as matters of regional security. Against a backdrop characterized by a lack of genuine will on the part of certain co-sponsors of the 1995 Resolution on the Middle East to make concerted efforts towards the convening of the Conference, clear commitments undertaken by States Parties to the Treaty during the 1995 and 2010 review conferences have not been met.
12. Given the disappointing outcome of the 2015 Review Conference with respect to adopting a framework for the establishment of a Middle East zone free of nuclear weapons and other weapons of mass destruction, the Member States of the IAEA must take it upon themselves, during the General Conference, to take a clear stand on Israel’s remaining outside the NPT framework and its continuing resistance to placing its nuclear facilities under the Agency’s comprehensive safeguards system.
13. There is international agreement on the need to accelerate nuclear disarmament in the world and to place all nuclear facilities under the IAEA comprehensive safeguards regime. There is also an international commitment to the non-proliferation of nuclear weapons, in view of the grave threat these weapons pose to security and stability in the world, particularly in regions of tension, and the devastating human impact of their use.
14. There is no doubt that the IAEA has a fundamental role in the process of achieving nuclear disarmament and non-proliferation, in conformity with the Agency’s Statute, particularly Article II on ensuring that assistance provided by the Agency is not used in such a way as to further any military purpose and Article III.B.1. on the establishment of safeguarded disarmament.
15. All Member States of the Agency are called on 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, thus constituting a permanent threat to peace and security in the region.
16. The IAEA General Conference must take appropriate measures to ensure that Israel places all its nuclear facilities under Agency safeguards and accedes to the NPT.

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

A number of resolutions issued by the United Nations General Assembly, the Security Council and the IAEA General Conference call upon Israel to place all its nuclear facilities 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 United Nations 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
2005	60/92
2006	61/103
2007	62/56
2008	63/84
2009	63/38
2010	64/26
2011	66/25
2012	67/28
2013	68/27
2014	69/29
2015	70/24

2. **Resolutions issued by the Security Council:**

Year	No.
1981	S/RES/487

3. **Resolutions issued by the International Atomic Energy 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
2009	GC(XXXXXXIII)/RES/17