

# General Conference

**GC(68)/OR.9**

Issued: November 2024

**General Distribution**

Original: English

---

## Sixty-eighth regular session

# Plenary

## Record of the Ninth Meeting

*Held at Headquarters, Vienna, on Thursday, 19 September 2024, at 6.50 p.m.*

**President:** Mr HAM Sang Wook (Republic of Korea)

### Contents

Item of the agenda <sup>1</sup>		Paragraphs
20	Israeli nuclear capabilities ( <i>continued</i> )	1–48
21	Transfer of the nuclear materials in the context of AUKUS and its safeguards in all aspects under the NPT	49–124

---

<sup>1</sup> GC(68)/21



**Abbreviations used in this record**

AP	additional protocol
CPPNM	Convention on the Physical Protection of Nuclear Material
CSA	comprehensive safeguards agreement
EU	European Union
HEU	high enriched uranium
ICJ	International Court of Justice
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
PMO	Policy-Making Organ
Rarotonga Treaty	South Pacific Nuclear Free Zone Treaty
TPNW	Treaty on the Prohibition of Nuclear Weapons
UK	United Kingdom of Great Britain and Northern Ireland
UN	United Nations
USA	United States of America
WMD	weapon of mass destruction



## 20. Israeli nuclear capabilities (continued)

(GC(68)/1/Add.1; GC(68)/13)

1. Mr MOLEKANE (South Africa) said that it was of great concern to his country that, given the unstable global security environment, Israel's nuclear programme remained outside the scrutiny of Agency safeguards and thus continued to operate without a CSA and an additional protocol. In addition, increased rhetoric by Israeli politicians regarding the real or threatened use of nuclear weapons, whether explicit or implicit and in any context, must not be tolerated and would only further destabilize the security situation, especially in the Middle East.
2. The State of Palestine was a responsible member of the international community, given its adherence to a number of treaties and protocols on international disarmament and non-proliferation, especially the NPT, the TPNW and the CPPNM and its Amendment, which was evidence of its full alignment with the goals, objectives and principles of the Agency.
3. The current situation in Palestine could not be ignored. Almost a year since the outbreak of the conflict in Gaza, more than 40 000 Palestinians and 1400 Israelis had been killed, including 116 journalists, 224 humanitarian aid workers and over 14 000 children. Moreover, approximately 1.9 million people had been internally displaced, over 60% of residential buildings had been damaged or destroyed, and there had been more than 1080 attacks on health facilities. That was unacceptable.
4. South Africa called for an immediate and unconditional ceasefire. The Israeli military forces' indiscriminate and deadly ground, sea and aerial assaults against unarmed and defenceless Palestinians must stop. The international community must take measures against Israel's genocidal activities or face being complicit in such actions.
5. The UN General Assembly resolution adopted the previous day — which had been sponsored by his country and had enjoyed overwhelming support from the international community — called on Israel to comply with international law, withdraw its military forces from the occupied Palestinian territories, immediately cease all new settlement activities and evacuate all settlers from occupied land. Urging Israel and its allies to comply fully with the resolution, South Africa called on Israel to fulfil its international obligations and abide by the will of the international community by committing to an unconditional and immediate ceasefire and the safe, unimpeded delivery of, and full access to, humanitarian aid in Gaza.
6. The only long term solution to the conflict was the establishment of a Palestinian State that existed side by side in peace with Israel within its internationally recognized borders of 4 June 1967 and with East Jerusalem as its capital, in line with all relevant UN resolutions, international law and internationally agreed parameters.
7. Ms ABIDA (Jordan) said that the calls by an Israeli government minister to bomb the Gaza Strip with nuclear weapons, in addition to other grave violations of international law, including international humanitarian law, must not go unchallenged by the international community.
8. Having repeatedly warned of the dangers of the crisis morphing into a regional war, Jordan reiterated its firm and principled position on the importance of universalizing the NPT and of placing all nuclear facilities in the Middle East under the safeguards regime. The Board of Governors and the international community at large must shoulder its responsibility and pressure Israel to sign the NPT. Moreover, all NPT States Parties must comply with the Treaty and related resolutions,

in particular the 1995 Resolution on the Middle East, and with the Final Document of the 2010 NPT Review Conference, and all States of the region must engage in serious negotiations leading to the establishment of a WMD-free zone.

9. Israel's reprehensible war of aggression in the Gaza Strip and its dangerous escalation in the West Bank must cease. Israel's intransigence and total disregard for Security Council and General Assembly resolutions and the orders of the ICJ — all of which had called for an immediate ceasefire in the Gaza Strip — and the resulting unprecedented humanitarian disaster required international solidarity in order to ensure the observance of international law and prevent impunity.

10. The continued absence of justice and protection for the Palestinian people and the persistent grave violations of international law, including international humanitarian law, represented a serious deterioration in the global moral and legal system. The international community must take urgent action to stop Israel's violations and hold the perpetrators to account, in addition to ensuring sustainable access to adequate aid throughout the Gaza Strip and striving to uphold the Palestinian people's legitimate right to establish a sovereign State based on the 4 June 1967 borders and with Jerusalem as its capital, thereby bringing about true peace in the region.

11. Mr ALFASSAM (Kuwait) said that his country remained committed to establishing a zone free of nuclear weapons and WMDs in the Middle East, in line with the 1995 Resolution on the Middle East and the Final Documents of the 2000 and 2010 NPT Review Conferences.

12. Despite the commitment of all States in the Middle East to upholding the NPT and applying their CSAs, Israel, the occupying power, persistently refused to place all its nuclear facilities under the Agency's comprehensive safeguards and to reject all initiatives and positive efforts aimed at enabling the Agency to apply comprehensive safeguards in the region and at establishing a zone free of nuclear weapons and WMDs. Moreover, Israel stubbornly continued to flagrantly violate resolutions of international legitimacy, including General Conference resolution GC(53)/RES/17 on Israeli nuclear capabilities. The international community must shoulder its responsibility to persuade Israel to accede to and comply with the NPT and place all its nuclear facilities under the Agency's comprehensive safeguards.

13. Even as the General Conference discussed the creation of a WMD-free zone in the Middle East, the population of the State of Palestine was being subjected to a brutal war of genocide at the hands of the Israeli military, which had claimed the lives of tens of thousands of defenceless Palestinian civilians, mostly women and children. Reaffirming its principled and consistent denunciation of the massacres and the war of genocide perpetrated by the Israeli occupying forces, Kuwait called on the international community, and in particular the Security Council, to fulfil its responsibility to compel the occupying authorities to cease their ongoing violations.

14. Mr DANCS (Hungary), speaking on behalf of the European Union, said that North Macedonia, Montenegro, Serbia, Albania, Ukraine, the Republic of Moldova, Bosnia and Herzegovina, Georgia, Iceland, Liechtenstein, Norway and San Marino aligned themselves with his statement.

15. Noting the Arab States' decision not to table a resolution on Israeli nuclear capabilities at the current session of the General Conference, he said that the European Union remained convinced that a consensus approach, as set out in the action plan agreed at the 2010 NPT Review Conference, was the only way to make progress towards the implementation of the 1995 Resolution on the Middle East.

16. The European Union reaffirmed its full support for the establishment of a zone free of nuclear weapons and all other WMDs and their delivery systems in the Middle East. In view of the current tense context, it strongly encouraged all stakeholders, and especially the States of the region, to engage in meaningful consultations in order to build an inclusive and consensus-based process

towards the implementation of the 1995 resolution. Remaining ready to assist and help produce a conducive atmosphere in that regard, the European Union provided significant funding to the UN Institute for Disarmament Research to support a confidence-building process, most recently a sum of €2.1 million through the EU Council Decision of June 2023.

17. Turning to the situation in the Middle East, he said that North Macedonia, Montenegro, Albania, Ukraine, the Republic of Moldova, Bosnia and Herzegovina, Iceland, Lichtenstein, Norway and San Marino aligned themselves with his statement.

18. Recalling the March, April and June 2024 conclusions of the Council of the European Union and of the European Council, he said that the European Union had reiterated the urgent need to implement UN Security Council resolution 2735 (2024) supporting US President Biden's ceasefire proposal, without delay or conditions. The European Union had consistently backed the tireless efforts by Egypt, Qatar and the USA to facilitate negotiations on a deal that would lead to an immediate ceasefire in Gaza, the release of all hostages, a significant and substantial increase in the flow of humanitarian assistance throughout Gaza and an enduring end to hostilities, and that would also pave the way for regional de-escalation.

19. The European Union remained firmly committed to a lasting and sustainable peace based on the two-State solution and in accordance with the relevant Security Council resolutions and was actively working with international and regional partners to revive the political process to that end. The ministers of foreign affairs of EU member States and of several Arab States had discussed the way ahead at the EU Foreign Affairs Council on 27 May 2024. The European Union called on regional actors to refrain from any action that could further aggravate the situation.

20. The European Union once again condemned, in the strongest possible terms, Hamas's brutal and indiscriminate terrorist attacks across Israel on 7 October 2023. In exercising its right to defend itself, Israel must fully comply with its obligations under international law, including international humanitarian law, in all circumstances. Noting the unacceptable number of civilian casualties, especially children, he said that the European Union deplored all loss of civilian life and called on all parties to take every feasible step to protect civilian lives. In that regard, it stressed the need to implement the legally binding orders of the ICJ, including those of 26 January and 24 May 2024.

21. The European Union commended the tireless efforts of the United Nations and all humanitarian workers to deliver life-saving aid in extremely dire conditions and condemned any attempt to label a UN agency as a terrorist organization. It continued to call on all parties to take feasible precautions to avoid harm to civilians and humanitarian workers and damage to facilities and reaffirmed the urgency of enabling humanitarian workers and international organizations to operate effectively in Gaza.

22. In response to the humanitarian crisis, the European Union had mobilized all its crisis response tools to channel aid to Gaza and had significantly increased the funding provided to its humanitarian partners. The European Union would continue to support those civilians most in need.

23. Mr SOLOMON (United States of America) said that his country regretted that the item had once again been included on the agenda. Israel had not violated any agreements with the Agency and was a significant contributor to the Agency's work.

24. While it welcomed the Arab Group's decision not to submit a resolution on Israeli nuclear capabilities, the USA regretted that there continued to be contentious discussions on the issue, which diverted time and energy from the important technical work of the General Conference. The politicized debate under the current agenda item was counterproductive to the shared goal of a Middle East free of WMDs and their delivery systems. The USA continued to encourage all States in

the region to engage directly with their neighbours in an inclusive and cooperative manner to address regional security concerns.

25. Responding to earlier comments, the USA emphasized that it considered allegations of genocide in Gaza to be unfounded. Israel had a right and a duty to defend itself — in accordance with international humanitarian law — against Hamas’s horrifying terrorist attacks. At the same time, it must do everything possible to prevent civilian casualties, minimize collateral damage and increase humanitarian access in Gaza.

26. Recognizing the vital role of the ICJ in the peaceful settlement of disputes, the USA respected its role in advising the UN General Assembly and noted that its advisory opinions were not legally binding.

27. Mr AL SUDAIRY (Saudi Arabia) said that his country condemned, in the strongest terms, the Israeli occupying power’s ongoing war of genocide against the Palestinian people, in addition to its policy of starvation and deprivation of water and medicine as a means of collective punishment, in violation of all international norms and laws.

28. Unequivocally rejecting all violations of international humanitarian law by any party under any pretext, Saudi Arabia reiterated its call on the international community to take a firm stance and compel Israel to respect international humanitarian law, immediately open safe humanitarian corridors, allow the injured to be evacuated and enable the unimpeded delivery of aid and medical equipment, in addition to protecting unarmed civilians and ending the unprecedented humanitarian catastrophe in the Gaza Strip precipitated by Israel’s violations of international laws and norms.

29. Several States had recently taken the welcome step of formally recognizing the State of Palestine; Saudi Arabia called on all remaining States to do likewise without delay in order to enable the Palestinian people to exercise their inalienable rights.

30. The welcome advisory opinion issued by the ICJ in July 2024 with regard to the legal consequences arising from Israel’s practices in the occupied Palestinian territories was consistent with the international community’s belief in the right of the Palestinian people and reaffirmed that illegal Israeli practices spanning decades had exacerbated the violations against them. Saudi Arabia called on all States and international organizations, including the Agency, not to recognize as legal the situation arising from Israel’s unlawful presence in the occupied Palestinian territories, in line with the ICJ opinion.

31. The Israeli Minister of Heritage’s unprecedented and unacceptable suggestion that a possible solution to the current situation was to drop a nuclear bomb on the Gaza Strip was a flagrant violation of international law and a direct threat to regional and international peace and security.

32. Emphasizing the importance of Israel’s accession to the NPT as a non-nuclear-weapon State and the implementation of UN Security Council resolution 487 (1981), which called on Israel to place all its nuclear facilities under Agency safeguards, Saudi Arabia urged the international community to fulfil its responsibilities and launch a credible peace process leading to a two-State solution based on the Arab Peace Initiative in order to achieve peace and security in the region.

33. Mr BERTI OLIVA (Cuba) welcomed the Arab Group’s initiative to once again include the item on the agenda, as a sensitive subject with serious implications for regional and international peace and security.

34. He reaffirmed his country’s support for the early establishment of a Middle East zone free of nuclear weapons and all other WMDs, which would contribute significantly to the peace and security of all the peoples of the region.



35. Israel remained the only country in the Middle East not to have acceded to the NPT, despite the international community's repeated calls for it to do so. Such inaction posed a serious obstacle to creating a zone free of nuclear weapons and other WMDs in the Middle East, which would constitute a considerable step towards nuclear disarmament and would contribute to the peace process in the region. Compliance with all General Conference resolutions on that subject was also essential.

36. Israel must place all its nuclear facilities under comprehensive Agency safeguards. Transforming the Middle East into a zone of peace and security for all required genuine political will, the elimination of double standards with regard to nuclear disarmament, the rejection of the indulgent attitude towards Israel shown by a number of States, and unanimous insistence on the destruction of Israel's nuclear arsenal, under international supervision.

37. Mr SHAUL (Israel) said that it was extremely unfortunate that the item was repeatedly raised by the Arab States at the General Conference; the issue was completely unrelated to the agenda of the General Conference and was beyond the scope of the Agency's mandate. It politicized the Agency to a significant extent, undermined its professional integrity and diverted attention away from the real problems and challenges faced by the Agency and the non-proliferation regime. It was also unfortunate that, instead of uniting forces against the continuing nuclear safety and security challenges, some States were still invoking such an agenda item.

38. By rejecting unconstructive and politically biased draft resolutions under the agenda item in the past, Member States had reaffirmed their position that politically motivated initiatives aimed at singling out any Member State had no place at the General Conference and that direct dialogue among States in the region was the only way to progress where security or arms control arrangements were genuinely sought. That outcome should also send a clear message to the sponsors of the draft resolution that the only way to advance regional security in the Middle East was through direct dialogue and consensus among all States of the region.

39. Trust and confidence were essential building blocks of regional security, which would not be achieved by avoiding the challenges that lay ahead and by opting instead to single out Israel for political reasons. While a draft resolution had not been tabled under the agenda item at the current session, Israel regretted the inclusion of the item on the General Conference's agenda once again at the Arab Group's request.

40. Israel wished to live in a safe and secure region and believed that its neighbours shared that vision. The path to safety and security could not be paved with contentious resolutions and active denunciations of Israel. His country called on the Arab Group to honour the will of Member States, cease its obstructive behaviour and refrain from requesting inclusion of the item on the agenda of future sessions of the General Conference.

41. Israel expressed regret at the raising of political issues unrelated to the agenda of the General Conference, which was not the forum to discuss the war in Gaza and the current regional developments.

42. Following the horrific attack against its citizens on 7 October 2023, Israel had embarked on a defensive and just war against Hamas with a view to securing the release of Israeli hostages. His country was acting on its right to defend its territory and its citizens, consistent with its moral values and in compliance with international law, including international humanitarian law. It was fighting against Hamas and not the people of Gaza; Hamas, on the other hand, was fighting against all Israelis and targeting civilians intentionally.

43. Following the recent cold-blooded execution of six hostages, 101 Israelis — including women, children and the elderly — were still being held by Hamas. Having been brutally kidnapped from their

homes, they had so far spent 348 days in captivity in inhumane conditions, in dark underground tunnels, where they were being starved and sexually abused. Israel called for their immediate and unconditional release.

44. Mr EL GHOUL (Permanent Observer Mission of the State of Palestine) said that developments seen since the outbreak of Israel's total war of genocide on 7 October 2023 had proved what his country had long warned about: that a fascist government willing to commit war crimes and crimes against humanity without hesitation — riding roughshod over UN Security Council and General Assembly resolutions and ICJ orders and posing a grave threat to international peace and security — had a nuclear arsenal. The colonialist occupying State's possession of nuclear weapons was a secret no more.

45. The Israeli Minister of Heritage had called for atomic weapons to be used against the Gaza Strip, the Israeli Minister of Finance had declared the starvation of more than two million people in the Gaza Strip to be morally acceptable, and senior Israeli government officials had described the Palestinians as "human animals".

46. Pointing out that that the international community was calling for the universalization of the NPT even as it provided political and diplomatic protection to the only State in the Middle East that refused to accede to the Treaty, in spite of the dangers posed by its nuclear programme, he asked when the world would take action to end such double standards.

47. The State of Palestine firmly believed that ridding the Middle East of nuclear weapons and other WMDs was fundamental to strengthening regional and international peace and security. It therefore called for the establishment of a zone free of nuclear weapons and WMDs in the region pursuant to the 1995 Resolution on the Middle East, and for Israel to be held to account in that regard.

48. The PRESIDENT said that all comments and views expressed would be reflected in the summary records.

## **21. Transfer of the nuclear materials in the context of AUKUS and its safeguards in all aspects under the NPT** (GC(68)/1/Add.2 and GC(68)/19)

49. The PRESIDENT said that the item had been included on the agenda at the request of China. It was covered by an explanatory memorandum contained in document GC(68)/1/Add.2 and by document GC(68)/19.

50. Mr LI Song (China) said that in the three years since Australia, the UK and the USA had announced the AUKUS nuclear submarine cooperation, his country had clearly communicated its position in the context of the UN General Assembly, the NPT review process, the Agency and other multilateral forums. China had actively advocated intergovernmental discussions on the subject among UN member States, States Parties to the NPT and Agency Member States. The current intergovernmental discussion was the 15th to be held at the Agency at China's suggestion. Although the AUKUS countries had different views on the issue, they had been participating in an increasingly substantive manner in discussions held within the framework of the NPT and the Agency.

51. Important progress had been made in the aforementioned discussions. Member States' awareness of the complexity and sensitivity of the AUKUS issue had increased, with more countries participating in the discussions and expressing different views, concerns and ideas. While there were areas of consensus, obvious differences of opinion persisted among Member States. There was a general

agreement, including among the AUKUS countries, that the authority, integrity and effectiveness of the NPT and the safeguards system must be upheld, and that the AUKUS cooperation must not have a negative impact on the NPT and the Agency. However, the AUKUS countries' views conflicted with those of other Member States when it came to the nature of AUKUS and how to properly handle the various issues it triggered within the Agency framework. That was what made the issue so unique, complex and sensitive.

52. With regard to the nature of the AUKUS cooperation, China had consistently been outspoken and direct: AUKUS was blatant nuclear proliferation and ran counter to the purpose and principles of the NPT. It constituted strategic military cooperation between two nuclear-weapon States and a non-nuclear-weapon military ally, involving the transfer of several tonnes of weapons-grade HEU, which transgressed the safeguards regime. Strategic military cooperation of that kind was unprecedented for both the NPT and the Agency, neither of which had ever explicitly endorsed or regulated such cooperation, and there was no consensus among Member States on the issue.

53. The impact and challenges that AUKUS posed to the NPT and the Agency could not be ignored. If any country could carry out strategic military cooperation similar to AUKUS for geopolitical reasons, or to engage in rivalry between great powers, then the NPT-based regime and the Agency would be in disarray. The international community must seriously consider whether forging ahead and opening the floodgates in such a way was good or bad for international peace and security and the non-proliferation regime. Reality would provide the answer and history would be the judge.

54. From the Agency's point of view, AUKUS by no means constituted routine cooperation on peaceful uses of nuclear energy. It was fundamentally different from the many peaceful uses projects carried out among Member States since the Agency had been established. Safeguards for AUKUS would involve new practices and uncharted territory, setting an important precedent involving principles and criteria of significance to countries interested in, or concerned about, nuclear-powered submarines — both currently and in the future. Developments and improvements to the Agency's safeguards regime had an important bearing on the shared interests of all Member States.

55. Over the previous year, the Permanent Mission of China had held two seminars in Vienna to discuss the application of Article 14 of the CSA and the development and improvement of the safeguards regime. The content of the seminars had been compiled as two sets of documents, distributed as INFCIRC/1091 and INFCIRC/1213. China had also organized four side events on AUKUS during the NPT review process. Those events, as well as intergovernmental discussions within the Board of Governors and the General Conference, had been attended by a growing number of countries, and the discussions had become increasingly heated. Meanwhile, Australia, the UK and the USA had signed an agreement formalizing the pact, had strengthened their cooperation and had engaged in substantive exchanges. Those developments had led to an increased number of complex legal procedures and technical issues that were of deep concern to Member States.

56. In sum, the AUKUS safeguards arrangement might be the most controversial, challenging and divisive issue in the history of Agency safeguards, as it involved safeguards not only for Australia, but also for the UK and the USA — two nuclear-weapon States — and raised many other difficult questions. It was important to point out that those questions had not been invented by other countries for no reason; they had all been triggered by AUKUS itself. A few purported non-proliferation commitments by the AUKUS countries would not make the questions go away, and nor should they be handled by Australia and the Secretariat alone. Member States had a right and a responsibility to fully discuss all aspects of AUKUS and gradually reach a consensus.

57. The previous day, an ambassador had said in a conversation that AUKUS was the only thing that could make the Agency's safeguards regime fall apart. That remark had revealed that an increasing

number of Member States had concerns about AUKUS, which in some cases were more serious than stated publicly. While some might find the statement alarmist, it also revealed the essence of the AUKUS issue within the Agency framework.

58. The Cold War had been over for 30 years. The era in which a handful of countries could manipulate global institutions, dominate international rule-making and impose new regulations and standards that suited their own interests should be long gone. The AUKUS issue must be handled by Member States, using a genuinely multilateral approach, through an open, inclusive, democratic, transparent, meaningful and sustainable intergovernmental discussion process based on equality and mutual respect — with no one-sidedness or unilateralism. Countries that expressed different views should not be indiscriminately accused of politicization. No blocs should be created with countries forced to choose sides.

59. If the tradition of inclusive discussions and consensus-based decision making in the development and improvement of Agency safeguards — an important manifestation of the Vienna spirit — was abandoned or undermined, causing a rift among Member States, it would have a disastrous impact on the authority, integrity, effectiveness, universality and future applicability of the comprehensive safeguards regime. That kind of historic responsibility would be hard to bear, and Australia, the UK and the USA should think twice before acting.

60. The challenges posed to the NPT and the Agency — along with the many complex issues arising from AUKUS — must not be ignored or denied. Member States' discussions on AUKUS were a historic process that could not be evaded or stopped. China called on all Member States to work together to promote the intergovernmental discussion process out of a sense of responsibility to the international non-proliferation regime and the Agency's comprehensive safeguards system.

61. The intergovernmental discussions should be guided by the principles of seeking common ground while accepting differences, taking time to reach a conclusion, maintaining unity and avoiding division. The Secretariat should acknowledge the complexity and sensitivity of the AUKUS issue, listen carefully to the views of all parties and objectively reflect the status of the discussion process in its future reports, especially with regard to differing viewpoints and unresolved issues. It should also promote the discussions in a logical and professional manner to assist Member States as they gradually sought consensus. China stood ready to continue communicating and cooperating responsibly and professionally with other Member States, including the AUKUS partners.

62. Ms KHARASHUN (Belarus) said that the trilateral AUKUS initiative to build nuclear-powered military submarines for a non-nuclear-weapon State created the conditions for a significant increase in the use of nuclear material and nuclear energy for non-proscribed military activities by non-nuclear-weapon States. The implementation of such an initiative posed a new challenge to the safeguards system and the NPT and affected the interests of all Member States.

63. Belarus fully agreed with China on the need to pay special attention to the issue and to continue consideration of the AUKUS initiative at the intergovernmental level.

64. Her country looked forward to open and transparent communication from the AUKUS participants and to consistent steps being taken by the Secretariat to strengthen the Agency's safeguards system and the international nuclear non-proliferation regime. Only in that way could the Agency ensure and confirm the fulfilment of international obligations and provide Member States with comprehensive information on all aspects of the implementation of the project, allowing them to take balanced and informed decisions in that regard.

65. Mr BERTI OLIVA (Cuba) said that AUKUS and the transfer of nuclear propulsion technology for submarines posed a high risk of nuclear proliferation. It was worrisome that the military alliance ran

counter to the spirit and letter of Articles I, II, III and IV of the NPT and to the shared goal of a world free of nuclear weapons. Under the NPT, nuclear-weapon States had undertaken not to transfer nuclear weapons or other devices directly or indirectly, and non-nuclear-weapon States had similarly undertaken not to receive such weaponry.

66. AUKUS posed numerous safeguards challenges, and, in line with the model CSA, the Agency needed to prioritize a preventive approach rather than wait for proliferation to occur. Other programmes to build nuclear-powered submarines might be initiated on the basis of the AUKUS model, raising serious proliferation concerns and further impeding progress towards the transparent, verifiable and irreversible elimination of nuclear weapons. Cuba hoped to continue participating in the welcome intergovernmental debate initiated on the topic under the General Conference's mandate.

67. Ms MURRILLO CENTENO (Nicaragua) said that her country welcomed the inclusion of the item on the agenda of the General Conference — which was the appropriate forum in which to address the issue — and thanked China for its continued efforts to keep all Member States informed on issues such as AUKUS with important implications for the international nuclear non-proliferation regime.

68. Nicaragua shared the concerns regarding the AUKUS project and the implications of transferring advanced nuclear technology and sensitive material to a non-nuclear-weapon State. The AUKUS cooperation posed a serious risk to Agency safeguards, set a negative technical and legal precedent for the international disarmament and non-proliferation regime and undermined the Agency's efforts to preserve international security. The States involved had a responsibility to comply fully with their obligations under their safeguards agreements.

69. Remaining committed to preserving peace and harmony in line with international law, Nicaragua stressed that the challenges could be resolved only through dialogue, consensus and technical cooperation. The deliberations of the General Conference must be guided by the Vienna spirit in order to uphold the impartiality and technical approach of the Agency in all its actions.

70. Nicaragua would continue to engage actively in the relevant intergovernmental processes and encouraged all Member States to do the same. Together, Member States could uphold the authority, effectiveness and impartiality of the Agency in order to ensure international peace and security. The Agency was urged to continue exploring and jointly resolving all aspects of the nuclear submarine cooperation between the three countries, taking into account the fact that they had entered into safeguards agreements with the Agency.

71. Mr SAJJADIEH (Islamic Republic of Iran) said that all NPT States Parties had the inalienable right to develop research, production and use of nuclear energy for peaceful purposes without discrimination, as stated in Article IV of the Treaty. Neither the NPT nor a CSA prohibited non-nuclear-weapon States from developing, building or operating naval nuclear propulsion reactors for non-proscribed military activities, and the right to develop and use the technology could not be subject to any additional restrictions or preconditions.

72. However, the NPT prohibited nuclear-weapon States from providing any assistance to non-nuclear-weapon States in acquiring nuclear weapons.

73. It was a matter of grave concern that two nuclear-weapon States were cooperating with a non-nuclear-weapon State on the ambiguous military use of nuclear technology, the transfer of hundreds of tonnes of unsafeguarded weapons-grade nuclear material to Australia, and the provision of assistance to Australia in developing capabilities for the operation of nuclear submarines designed to be able to deploy nuclear weapons. The issues had prompted serious concerns among the international community as to the nature, purpose and proliferation risks of Australia's programme to acquire nuclear propulsion submarines under AUKUS. Discussions during the previous regular session of the General Conference

and at various Board of Governors meetings had shown that there were clear concerns and differences of views among Member States.

74. Australia had stated that work was under way with the Secretariat on safeguards arrangements. Iran reiterated that any arrangements between Australia and the Secretariat must not in any way be substituted for existing Agency safeguards procedures and practices. Lastly, Iran emphasized that the elements contained in the Director General's report did not, and would not, entail the introduction of any additional standards or obligations for States or the Agency, nor involve any modification to the interpretation of existing obligations.

75. Mr USTINOV (Russian Federation), noting that the issue of the transfer from the UK and the USA to Australia of highly enriched nuclear material for use in submarine nuclear propulsion systems in the context of AUKUS had been included on the agenda of the General Conference for the third time, said that his country was grateful to China for its sustained efforts to ensure intergovernmental discussion of the issue both at the General Conference and by the Board of Governors, as well as under the NPT.

76. The AUKUS submarine project posed an unprecedented challenge to both the Agency's safeguards system and the entire nuclear non-proliferation and arms control regime. Although the participants claimed that the submarines would be equipped with conventional, rather than nuclear, weapons, there was no reason for the Russian Federation to take those words on faith. In the USA, the future SSN-AUKUS submarines were openly considered as potential carriers of strategic warheads. Therefore, even if the participants were not currently planning to equip the submarines with nuclear weapons, their position could change in the future. All the necessary infrastructure for such purposes would already exist in Australia. At the same time, Australia's commitment to its obligations under the Rarotonga Treaty was in question: the presence of nuclear-weapon States' military personnel, infrastructure and weapons on Australian territory would cast doubt on the justification for granting that country security assurances as a State party to a nuclear-weapon-free zone treaty.

77. Turning to the safeguards aspects of the AUKUS submarine project, which had been discussed at length and in detail by the Board of Governors, he noted firstly that any conceptually new approaches to safeguards implementation had traditionally been developed through broad discussions involving all interested Member States. The three AUKUS countries, however, were drawing the Secretariat into discussions behind the scenes, leaving the other Member States in the dark — despite the specific questions and concerns they had raised, including at the current session. There was no doubt that any future agreement on verification activities relating to the Australian submarines would inevitably set a precedent for the implementation of Agency safeguards that would affect all similar programmes in the future.

78. The Agency was dealing for the first time with the invocation of Article 14 of a CSA, regarding the withdrawal of nuclear material from Agency safeguards. In the case of AUKUS, the situation was exacerbated by the fact that it involved the transfer of several tonnes of HEU from two nuclear-weapon States to one non-nuclear-weapon State. It was that factor that made the issue unique. Contrary to the assertions of the three AUKUS countries, the transfer of nuclear material was clearly beyond the scope of Article 14 of Australia's CSA, meaning that AUKUS would require a completely different approach, where verification activities would involve not only the recipient of the material and technology but also its suppliers.

79. For three years, the Russian Federation had been warning the Secretariat that if it did not start offering specific ideas and proposals regarding the modalities of a future verification arrangement, at some point it would simply be presented with a *fait accompli* by the AUKUS participants. That situation had arisen. In August 2024, Australia, the UK and the USA had concluded an agreement

on nuclear propulsion systems for submarines. He urged all Member States to familiarize themselves with the agreement, which was in the public domain. It contained several fundamentally problematic elements regarding the role of the Agency and its verification capabilities, including significant restrictions on the provision of information by the three AUKUS countries to the Agency; the possibility of the AUKUS countries developing their own verification mechanism, essentially bypassing the Agency; and the requirement that Australia agree with its partners in advance, both on future arrangements regarding Article 14 of its CSA and on any other information transmitted to the Agency. With regard to the latter element, the claims of the three AUKUS countries that interaction on the issue was simply bilateral, namely between Australia and the Secretariat, was untenable.

80. Over the preceding year, the Russian Federation had proposed a number of ways of satisfying Member States' growing interest in the subject, including consideration of the issue by the Standing Advisory Group on Safeguards Implementation, the establishment of an intergovernmental technical expert group and technical briefings by the Secretariat. Other options acceptable to the three AUKUS countries were also possible. So far, however, the Russian Federation's proposals had received no response. He hoped that, sooner or later, the AUKUS participants would reconsider their position and engage in a broad intergovernmental discussion on the issue, which would be in line with established Agency norms. The Russian Federation remained convinced that any future agreement on verification activities should be subject to approval by the Board of Governors.

81. Mr OTHMAN (Syrian Arab Republic), expressing his country's support for the statement made by China, said that the case of AUKUS was unprecedented, involved a series of controversial issues and was not part of a routine and peaceful safeguards project between a non-nuclear-weapon State and the Secretariat.

82. As AUKUS involved the illegal transfer of nuclear weapons material, it was fundamentally an act of nuclear proliferation constituting a direct violation of the NPT. Never before had two nuclear-weapon States transferred — flagrantly and unlawfully — nuclear weapon material to a non-nuclear-weapon military ally. The transfer of such material in such quantities was a textbook example of nuclear proliferation and posed a serious threat to the Agency's safeguards regime, the NPT and global peace and security.

83. All Member States needed to work towards an agreed formula, through the ongoing intergovernmental dialogue on naval cooperation among the three AUKUS countries, by focusing on the core issue and establishing the facts in order to prevent nuclear proliferation and protect the NPT and international peace and security.

84. Mr VILLAROEL VALDEZ (Bolivarian Republic of Venezuela), thanking China for having once again added the item to the agenda, said that his country, like others, had expressed concerns about the potential proliferation and safeguards implications of the trilateral nuclear alliance. AUKUS involved the transfer of tonnes of nuclear material from two nuclear-weapon States to a non-nuclear-weapon State and could have implications for global strategic stability, the international security order, regional peace and stability and the global non-proliferation system.

85. The Secretariat had a responsibility to assist all Member States in upholding and promoting the relevant intergovernmental review process and in jointly exploring and resolving all safeguards-related aspects of the trilateral nuclear submarine cooperation. The issue should therefore continue to be discussed as an intergovernmental matter and included on the agenda of the Board of Governors and General Conference.

86. Mr NASR (Egypt) said that the safeguards arrangements anticipated under the AUKUS naval nuclear propulsion programme would set an important precedent, with repercussions for the international safeguards system. It must therefore be handled with transparency, open-mindedness and

a clear understanding of the nature of the successive challenges and changes witnessed by the nuclear non-proliferation regime, and within an institutional framework that was aligned with the NPT and the Agency's mandate and characterized by integrity, non-discrimination and non-politicization.

87. Accordingly, while Egypt welcomed the AUKUS parties' commitment to transparency and their emphasis on cooperation with the Agency, in addition to the Director General's statement of 15 August 2024, it stressed the need to continue the ongoing intergovernmental process so that the Board of Governors and the General Conference could follow up on the matter and its repercussions.

88. He concluded by thanking China for remaining committed to consensus and for supporting unity and understanding, and underscored his country's support for the Agency's vital role and work in relation to the issue.

89. Mr KHAN (Pakistan) said that the issue of naval nuclear propulsion, including the AUKUS arrangement, warranted inclusive discussions among Member States in order to arrive at a common understanding of the verification procedures. In order to maintain the integrity and credibility of the Agency's safeguards system, the Agency must be fully able to verify non-diversion to proscribed activities, especially when naval nuclear propulsion involved non-disclosure of technical and operational information. Pakistan looked forward to inclusive deliberations among Member States, taking into account all relevant technical and legal aspects.

90. Mr BAGAPORO (Philippines) said that his country appreciated the Agency's ongoing engagement and technical discussions with the AUKUS parties regarding the safeguards implications of Australia's acquisition of nuclear-powered submarines, and also the development of suitable verification measures for that arrangement.

91. The Philippines took note of the level of engagement shown by Australia and its commitment to observing the highest non-proliferation standards. His country was confident that the Agency, through the Department of Safeguards, would hold the AUKUS parties to that commitment, in accordance with the relevant safeguards agreements, especially Australia's CSA and AP.

92. Mr SAMASUWO (Zimbabwe), noting that his country had consistently highlighted the complexities of the AUKUS arrangement in relation to the safeguards regime, expressed Zimbabwe's full confidence in the Agency's ability to execute its verification and safeguards mandate. The trilateral security arrangement was not a regular or routine safeguards issue, largely because of the envisaged transfer of highly enriched nuclear material from a nuclear-weapon State to a non-nuclear-weapon State.

93. Despite the AUKUS partners' repeated declarations of their commitment to upholding the highest non-proliferation standards, the mere promise of good behaviour counted for nothing in view of the current environment of deep mistrust and intransigence, and the inherent high proliferation risks arising from the arrangement. As an NPT State Party, Zimbabwe regretted that AUKUS did not contribute to the shared goal of achieving a nuclear-weapon-free world.

94. Given the inherent danger of triggering an arms race, AUKUS threatened not only the nuclear non-proliferation regime but also global peace. Zimbabwe therefore supported the growing call for a standing item on AUKUS on the agenda of the PMOs to ensure regular feedback and promote openness.

95. The open suspicion — and at times outright hostility — could only be allayed through transparent and constructive dialogue in the Vienna spirit. In that regard, Zimbabwe welcomed China's initiatives, including the May 2024 workshop, to continue bringing stakeholders together for open and frank discussions on the issue.

96. Mr BIGGS (Australia), speaking also on behalf of the UK and the USA, said that document GC(68)/19, circulated on 11 September 2024, had reiterated the three countries' concerns regarding the



addition of the current political agenda item by one Member State. The AUKUS partners did not support the inclusion of the item and understood from their extensive consultations that the majority of Member States were of a similar view. The partners regretted the need to intervene under the agenda item, but it was important to place their views on record.

97. In discussion of the item at the General Conference and the Board of Governors, doubt continued to be cast on the Agency's bilateral engagement with Australia. While the tone of the statements had varied, the substance had remained the same, with regrettable attempts to call into question the technical mandate of the Secretariat and of the Agency, the established legal framework, and the Director General's clear statements on the topic.

98. Recognizing that there were genuine questions regarding naval nuclear propulsion in States with a CSA, the AUKUS partners had engaged in good faith with all Member States, consistent with their commitment to openness and transparency. To that end, Australia had provided an update on its acquisition of naval nuclear propulsion technology during the General Debate, as it had done for the previous two years. Updates had also been provided at each Board meeting since the partnership had been announced in September 2021.

99. As the AUKUS partners had previously stated, Australia was working with the Agency to develop a safeguards and verification approach for its programme that set the highest non-proliferation standard, including an Article 14 arrangement under Australia's CSA. That would not involve a template, or a prescriptive one-size-fits-all approach, which would be ineffective in view of State-specific variations between naval nuclear propulsion programmes. The AUKUS partners were committed to an approach that would enable the Agency to meet its technical safeguards objectives for Australia at all times. That important technical work was entirely within the Agency's mandate, as the Director General had confirmed.

100. It would clearly take time to develop that approach, and detailed technical discussions in the Board of Governors would be premature at the current stage. The Director General had been clear, however, that the Article 14 arrangement would be submitted to the Board in due course for appropriate action. The AUKUS partners fully supported that approach, expecting — and intending — that the Board consider the arrangement on its non-proliferation merits.

101. The disinformation from one country about the AUKUS agreement for cooperation related to naval nuclear propulsion, which had been signed by the three AUKUS countries on 5 August 2024 and subsequently submitted to their respective legislatures for consideration, was regrettable. The agreement reaffirmed the AUKUS partners' respective non-proliferation obligations, including under the NPT, and Australia's obligations under the Rarotonga Treaty and its CSA and AP. It obliged the parties to ensure that Australia could provide the Agency with information and access necessary to fulfil Australia's safeguards obligations to the Agency while also protecting sensitive information. Importantly, under the agreement, the UK and the USA could not transfer any nuclear material to Australia for use in naval nuclear propulsion prior to Australia having an Article 14 arrangement in place with the Agency. In that connection, he referred delegations to the publicly available text of the agreement, the Director General's statement of 15 August 2024 noting the key non-proliferation-relevant features of the agreement, and Australia's AUKUS update provided to the Board of Governors the previous week.

102. The Director General had made clear that he would continue to keep Member States informed of developments in his engagement on naval nuclear propulsion programmes as appropriate, as he had done in his June 2023 reports to the Board of Governors on the two countries with naval nuclear propulsion programmes in progress, and in the Safeguards Implementation Report for 2023.

103. The AUKUS partners welcomed the Director General's reporting on Australia's naval nuclear propulsion programme and would continue to support his judgement as to when to report on such programmes. Technically focused discussions on naval nuclear propulsion programmes in the Board of Governors, under agenda items proposed by the Director General and guided by his assessments, accorded with the Agency's character as a technical organization. It was that approach that would uphold the Agency's independent, impartial and technical role in safeguards implementation, which every Member State should strive to protect.

104. Mr DANCS (Hungary), speaking on behalf of the European Union, said that the European Union attached great importance to the NPT and the integrity of the nuclear non-proliferation regime and was of the view that the Agency was the competent body to ensure full, impartial, independent and objective implementation of safeguards. Full consideration must be given to any proliferation implications and risks.

105. The Secretariat was best placed to assess when and how to propose the inclusion of the issue on the agenda for further consideration and, given its ongoing technical work, a standing item on AUKUS on the agenda of the PMO meetings was therefore unnecessary. The European Union looked forward to further reporting by the Director General on the matter and to taking appropriate action once an arrangement had been finalized.

106. Mr POTMAN (Kingdom of the Netherlands), stressing the importance of ensuring the full, impartial, independent and objective implementation of NPT safeguards, said that the Agency was the competent body mandated to conduct consultations on matters pertinent to safeguards agreements and arrangements. His country had full confidence in the efforts of the Director General and his staff in that regard and looked forward to further reporting as the Agency deemed appropriate.

107. Mr GRØNBECH-JENSEN (Denmark), expressing support for the Secretariat's work to implement safeguards agreements, said that it was crucial for the integrity of the non-proliferation regime that the Secretariat be able to carry out its mandate in that regard without undue pressure.

108. Denmark welcomed the information shared by the Secretariat and the AUKUS partners on the ongoing consultations between the Secretariat and Australia, and the transparency shown by the partners and their confirmation of their non-proliferation obligations and commitments. His country looked forward to future reporting by the Director General on naval nuclear propulsion as appropriate.

109. Mr KAIFU (Japan) said that it was crucially important to maintain and strengthen the nuclear non-proliferation regime. Japan appreciated the firm commitment by the AUKUS partners to maintaining the highest possible non-proliferation standards.

110. Emphasizing the importance of preserving the Agency's independence and technical authority in its implementation of safeguards, he reaffirmed his country's support for the work of the Director General and the Secretariat in accordance with the Agency's mandate under the Statute and the safeguards agreements of the three States.

111. Mr LILLY (New Zealand) reaffirmed his country's full confidence in the Agency's independent, impartial and technical work on all safeguards matters, including with respect to naval nuclear propulsion.

112. Regarding the AUKUS nuclear-powered submarine initiative, New Zealand thanked the AUKUS partners for their continued engagement, transparency and outreach on the important issue and welcomed their ongoing discussions with the Agency to ensure robust safeguards and verification measures.

113. New Zealand noted that technical discussions concerning the development of the required safeguards arrangements and reporting frameworks in connection with AUKUS were complex and ongoing, and looked forward to the discussion of updated reports by the Board of Governors, when deemed appropriate by the Director General.

114. Mr LULASHNYK (Canada) thanked the Agency for its substantive engagement in relation to AUKUS, and thanked Australia, the UK and the USA for their continued transparency on the status of discussions regarding the AUKUS arrangement. His country was confident that a satisfactory and suitable arrangement to address the safeguards implications of the proposed cooperation would be agreed upon in accordance with the participating States' legal obligations, including those under the NPT and Agency safeguards.

115. Canada strongly supported the Agency's important role in providing technical, impartial and evidence-based monitoring and verification in support of the safeguards system and the broader non-proliferation regime, upon which Member States had relied for decades. His country had full confidence in the Agency's capacity and credibility as it developed an appropriate and effective safeguards approach for the initiative, and looked forward to further updates from the Director General when appropriate.

116. Ms LE-BARS (France) stressed that her country would remain extremely vigilant in ensuring that the AUKUS partners complied with the highest non-proliferation standards and their respective safeguards obligations.

117. Underlining the importance of cooperation and close dialogue among the AUKUS partners, the Agency and the Member States, France noted the partners' update on the signing of a new trilateral agreement authorizing the exchange of information and equipment concerning naval nuclear propulsion. The Agency should continue its work to develop a robust safeguards arrangement for AUKUS in line with its mandate under the Statute and the CSA.

118. Mr LEE Yoonseok (Republic of Korea) said that his country welcomed the AUKUS partners' commitment to setting the highest nuclear non-proliferation standard for Australia's acquisition of nuclear-powered submarines. It expected that the ongoing consultations between the Agency and Australia aimed at developing an effective arrangement under Article 14 of Australia's CSA would continue to be carried out in a transparent manner.

119. The Republic of Korea was of the view that the Agency possessed the necessary authority and mandate to address the issue within the existing legal framework and supported the Agency's independent and impartial work to meet its safeguards objectives.

120. Ms ECKEY (Norway), expressing appreciation for the AUKUS partners' transparent approach, said that her country supported the continuing discussions between the partners, the Director General and the Agency, and stressed that the latter two should participate in the discussions in line with their respective mandates.

121. Mr LI Song (China) said that the current debate had proved once again that AUKUS raised major concerns and must continue to be discussed seriously among Member States. He disapproved of only one point raised: the question of disinformation. There had been no disinformation in the statements made by China or any of the other speakers who had all stressed the importance of intergovernmental discussions. The debate had only shown that Member States held diverging views and concerns about AUKUS.

122. The AUKUS issue was very complex and sensitive. China hoped that Member States would listen carefully to the viewpoints and ideas of others and take some time after the meeting to carefully

read over China's statement, especially with regard to the far-reaching impacts on the NPT and safeguards regime.

123. China was committed to continue working with all Member States, including the AUKUS partners and all delegations that had shared their views on the issue, as well as others that may not have expressed their views publicly but harboured their own worries. He expressed hope that by continuing to pursue intergovernmental discussions, and by discussing all aspects of AUKUS in depth, Member States could work together to uphold the NPT and the Agency's mechanisms.

124. The PRESIDENT said that all comments and views expressed would be reflected in the summary records.

**The meeting rose at 8.30 p.m.**