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## ISRAELI NUCLEAR CAPABILITIES AND THREAT

1. Last year, in paragraph 2 of its resolution GC(XXXIII)/RES/506, the General Conference requested the Director General

"to consult with the States concerned in the Middle East area with a view to applying Agency safeguards to all nuclear installations in the area, keeping in mind the relevant recommendations contained in paragraph 75 of the report attached to document GC(XXXIII)/887 and the situation in the area of the Middle East, and to report on the matter to the Board of Governors and to the General Conference at its thirty-fourth regular session;".

2. In October 1989 the Director General discussed the subject with the United Nations Secretariat, which has been asked by the United Nations General Assembly to prepare a study on the establishment of a nuclear-weapon-free zone in the Middle East. Further discussions with the United Nations Secretariat took place in March 1990, during a visit to New York by the Agency's Legal Adviser, and in June 1990, during a visit to Vienna by the United Nations experts preparing the study.
3. On 6 December 1989 the Director General sent letters to the Foreign Ministries of the following States in the Middle East area:

Bahrain, Egypt, Islamic Republic of Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Oman, People's Democratic Republic of Yemen, Qatar, Saudi Arabia, Syrian Arab Republic, United Arab Emirates and Yemen Arab Republic.

His letters were phrased in four slightly different ways, according to the circumstances and treaty obligations of the States concerned. The texts of these letters are in Annex 1.

4. By 16 May 1990 the Director General had received replies from the following States:

Egypt, Iraq, Israel, Kuwait, Lebanon, Libyan Arab Jamahiriya and Saudi Arabia.

The texts of these replies are in Annex 2. On 22 June the Director General wrote again to those States which had not replied. The text of a reply from the Syrian Ministry of Foreign Affairs is in Annex 3.

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5. On 15 June 1990 the Board of Governors discussed an earlier version of this report. The record of their discussion is in Annex 4.
6. In early September 1990 the Director General will discuss the subject with the Governments of Egypt and Israel during visits to those countries.
7. The following points emerge from the replies received by the Director General:
  - (a) All agreed on the desirability of the application of Agency safeguards to all nuclear installations in the area of the Middle East, but opinions differed as to whether this should precede or follow the establishment of a nuclear-weapon-free zone. One State emphasized its view that the Agency is not the appropriate forum for the discussion of nuclear-weapon-free zones, and another felt that the establishment of such a zone should be freely negotiated on the pattern of the zones established by the Treaties of Tlatelolco and Rarotonga.
  - (b) One State expressed its intention to propose the application of Agency safeguards to its future nuclear installations.
  - (c) One State suggested, as interim measures pending the conclusion of full-scope safeguards agreements by all States in the area, that all States in the area make similar or identical legally binding unilateral declarations to the United Nations Security Council and that supplier States outside the area of the Middle East inform the Director General of all nuclear exports to the area and make the acceptance of full-scope safeguards a condition of supply.
8. Without going into the possible content of the unilateral declarations referred to in paragraph 7(c) above, the Secretariat understands that such declarations would be intended not to stand in the way of the eventual establishment of a nuclear-weapon-free zone but, perhaps, to assist the establishment of such a zone.
9. Document GC(XXXIII)/887 pointed out that full-scope safeguards can be applied on the basis of document INFCIRC/153 (NPT-type safeguards); or by applying INFCIRC/66/Rev.2-type safeguards to each installation ("de facto full-scope safeguards"); or by means of a non-NPT full-scope agreement (see INFCIRC/359). Bearing in mind the fact that safeguards approaches in existing nuclear-weapon-free zones vary somewhat among themselves, it is possible that the States concerned might feel that the application of safeguards in a Middle East nuclear-weapon-free-zone would require a special safeguards approach. The Secretariat would naturally be ready to assist the States concerned in the technical development of any such approaches on the basis of Article XII of the Agency's Statute.
10. In paragraph 3 of its resolution GC(XXXIII)RES/506 the General Conference requested the Director General to inform the Secretary-General of the United Nations of that resolution. This was done.

Model A

[Member States of the Agency Parties to NPT that have concluded the required safeguards agreement]\*

I have the honour to refer to Resolution GC(XXXIII)/506 adopted by the General Conference of the International Atomic Energy Agency on 29 September 1989. Paragraph 2 of that resolution "requests the Director General to consult with the States concerned in the Middle East area with a view to applying Agency safeguards to all nuclear installations in the area, keeping in mind the relevant recommendations contained in paragraph 75 of the report attached to document GC(XXXIII)/887 [enclosed] and the situation in the area of the Middle East, and to report on the matter to the Board of Governors and to the General Conference at its thirty-fourth regular session."

Since the enclosed report was written, the situation with regard to the application of Agency safeguards in the area has been slightly changed by the adherence of one more State to the Non-Proliferation Treaty. It can now be summarized as follows:

1. Six States have concluded safeguards agreements under the NPT. These agreements cover all their existing and future nuclear installations.
2. One State has concluded an INFCIRC/66-type agreement. This agreement covers only one of its nuclear installations. Other nuclear installations operated by that State are not subject to Agency safeguards.
3. Nine States have not concluded safeguards agreements with the Agency. Seven of those States are Parties to the NPT. The two other States have not made a legally binding commitment to accept Agency safeguards. The Agency knows of no nuclear installations that would be relevant to the application of Agency safeguards in these nine States.

Paragraph 75 of the attached report lists a number of modalities for consideration by the Governments in the area with a view to applying safeguards therein. These are: (1) adherence to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the conclusion of the required safeguards agreements; (2) conclusion of the required safeguards agreements by those Parties to the NPT that have not done so; (3) conclusion of full-scope safeguards agreements not related to any multilateral treaty; (4) conclusion of INFCIRC/66 Rev.2-type agreements for all existing and future nuclear installations in the State; (5) similar or identical legally binding unilateral declarations by all States in the area, complementing existing safeguards agreements or serving as a basis for future safeguards agreements; (6) safeguards agreements which are based on a Nuclear Weapon Free Zone Agreement.

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\*Egypt, Islamic Republic of Iran, Iraq, Jordan, Lebanon, Libyan Arab Jamahiriya

It would be helpful to me if Your Excellency could inform me of any views that your Government might have on means of ensuring the application of Agency safeguards to all nuclear installations in the area. I am writing similarly to the Foreign Ministers of the other countries in the region. In the light of the replies that I receive to these letters it may seem desirable to discuss the matter directly with some of the Governments concerned. A response to this letter early in January would therefore be much appreciated.

### Model B

[Member States and non-Member States of the Agency Parties to NPT that have not concluded the required safeguards agreement]\*

[I am aware that the ... is not a Member State of the International Atomic Energy Agency. Permit me, nevertheless,] I have the honour to refer to Resolution GC(XXXIII)/506 adopted by the General Conference of the International Atomic Energy Agency on 29 September 1989. Paragraph 2 of that resolution "requests the Director General to consult with the States concerned in the Middle East area with a view to applying Agency safeguards to all nuclear installations in the area, keeping in mind the relevant recommendations contained in paragraph 75 of the report attached to document GC(XXXIII)/887 [enclosed] and the situation in the area of the Middle East, and to report on the matter to the Board of Governors and to the General Conference at its thirty-fourth regular session."

Since the enclosed report was written, the situation with regard to the application of Agency safeguards in the area has been slightly changed by the adherence of one more State to the Non-Proliferation Treaty. It can now be summarized as follows:

1. Six States have concluded safeguards agreements under the NPT. These agreements cover all their existing and future nuclear installations.
2. One State has concluded an INFCIRC/66-type agreement. This agreement covers only one of its nuclear installations. Other nuclear installations operated by that State are not subject to Agency safeguards.
3. Nine States have not concluded safeguards agreements with the Agency. Seven of those States are Parties to the NPT. The two other States have not made a legally binding commitment to accept Agency safeguards. The Agency knows of no nuclear installations that would be relevant to the application of Agency safeguards in these nine States.

Paragraph 75 of the attached report lists a number of modalities for consideration by the Governments in the area to apply safeguards therein.

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\*Member States: Kuwait, Qatar, Saudi Arabia, Syrian Arab Republic  
Non-Member States: Bahrain, People's Democratic Republic of Yemen, Yemen Arab Republic

These are: (1) adherence to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the conclusion of the required safeguards agreements; (2) conclusion of the required safeguards agreements by those Parties to the NPT that have not done so; (3) conclusion of full-scope safeguards agreements not related to any multilateral treaty; (4) conclusion of INFCIRC/66 Rev.2-type agreements for all existing and future nuclear installations in the State; (5) similar or identical legally binding unilateral declarations by all States in the area, complementing existing safeguards agreements or serving as a basis for future safeguards agreements; (6) safeguards agreements which are based on a Nuclear Weapon Free Zone Agreement.

On ... Your Excellency's Government ratified the NPT and, in Article III of that Treaty, undertook to accept safeguards, as set forth in an agreement to be negotiated and concluded with the Agency. A draft agreement was sent to your Government on ... and ... for its consideration. For ease of reference I am enclosing a further copy. It would be helpful to me if Your Excellency could inform me about the intentions of your Government as regards the conclusion of that agreement. I would also be grateful for any other views that Your Excellency's Government might have on means of ensuring the application of Agency safeguards to all nuclear installations in the area. I am writing similarly to the Foreign Ministers of the other countries in the region. In the light of the replies that I receive to these letters it may seem desirable to discuss the matter directly with some of the Governments concerned. A response to this letter early in January would therefore be much appreciated.

#### Model C

[A Member State and a non-Member State of the Agency that have not committed themselves to full-scope safeguards but have no nuclear installations at present]\*

[I am aware that the ... is not a Member State of the International Atomic Energy Agency. Permit me, nevertheless,] I have the honour to refer to Resolution GC(XXXIII)/506 adopted by the General Conference of the International Atomic Energy Agency on 29 September 1989. Paragraph 2 of that resolution "requests the Director General to consult with the States concerned in the Middle East area with a view to applying Agency safeguards to all nuclear installations in the area, keeping in mind the relevant recommendations contained in paragraph 75 of the report attached to document GC(XXXIII)/887 [enclosed] and the situation in the area of the Middle East, and to report on the matter to the Board of Governors and to the General Conference at its thirty-fourth regular session."

Since the enclosed report was written, the situation with regard to the application of Agency safeguards in the area has been slightly changed by the adherence of one more State to the Non-Proliferation Treaty. It can now be summarized as follows:

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\*Member State: United Arab Emirates  
Non-Member State: Oman

1. Six States have concluded safeguards agreements under the NPT. These agreements cover all their existing and future nuclear installations.
2. One State has concluded an INFCIRC/66-type agreement. This agreement covers only one of its nuclear installations. Other nuclear installations operated by that State are not subject to Agency safeguards.
3. Nine States have not concluded safeguards agreements with the Agency. Seven of those States are Parties to the NPT. The two other States have not made a legally binding commitment to accept Agency safeguards. The Agency knows of no nuclear installations that would be relevant to the application of Agency safeguards in these nine States.

Paragraph 75 of the attached report lists a number of modalities for consideration by the Governments in the area with a view to applying safeguards therein. These are: (1) adherence to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the conclusion of the required safeguards agreements; (2) conclusion of the required safeguards agreements by those Parties to the NPT that have not done so; (3) conclusion of full-scope safeguards agreements not related to any multilateral treaty; (4) conclusion of INFCIRC/66 Rev.2-type agreements for all existing and future nuclear installations in the State; (5) similar or identical legally binding unilateral declarations by all States in the area, complementing existing safeguards agreements or serving as a basis for future safeguards agreements; (6) safeguards agreements which are based on a Nuclear Weapon Free Zone Agreement.

It would be helpful to me if Your Excellency could inform me whether your Government would be in a position to commit itself to the acceptance of Agency safeguards on nuclear installations it might have in the future and, if so, the modalities for such acceptance. I would also be grateful to receive any other views that Your Excellency's Government might have on means of ensuring the application of Agency safeguards to all nuclear installations in the area. I am writing similarly to the Foreign Ministers of the other countries in the region. In the light of the replies that I receive to these letters it may seem desirable to discuss the matter directly with some of the Governments concerned. A response to this letter early in January would therefore be much appreciated.

#### Model D

[A Member State of the Agency that has not committed itself to full-scope safeguards and has nuclear installations not subject to safeguards]\*

I have the honour to refer to the letters addressed to me of 25 July 1988 and 15 August 1989 from the Resident Representative of Israel to the International Atomic Energy Agency explaining the policy of your Excellency's Government on matters concerning nuclear non-proliferation and the application of Agency safeguards.

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\* Israel

On 29 September 1989 the General Conference of the International Atomic Energy Agency adopted Resolution GC(XXXIII)506. Paragraph 2 of that resolution "requests the Director General to consult with the States concerned in the Middle East area with a view to applying Agency safeguards to all nuclear installations in the area, keeping in mind the relevant recommendations contained in paragraph 75 of the report attached to document GC(XXXIII)/887 [enclosed] and the situation in the area of the Middle East, and to report on the matter to the Board of Governors and to the General Conference at its thirty-fourth regular session."

Since the enclosed report was written, the situation with regard to the application of Agency safeguards in the area has been slightly changed by the adherence of one more State to the Non-Proliferation Treaty. It can now be summarized as follows:

1. Six States have concluded safeguards agreements under the NPT. These agreements cover all their existing and future nuclear installations.
2. One State has concluded an INFCIRC/66-type agreement. This agreement covers only one of its nuclear installations. Other nuclear installations operated by that State are not subject to Agency safeguards.
3. Nine States have not concluded safeguards agreements with the Agency. Seven of those States are Parties to the NPT. The two other States have not made a legally binding commitment to accept Agency safeguards. The Agency knows of no nuclear installations that would be relevant to the application of Agency safeguards in these nine States.

Paragraph 75 of the attached report lists a number of modalities for consideration by the Governments in the area with a view to applying safeguards therein. These are: (1) adherence to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the conclusion of the required safeguards agreements; (2) conclusion of the required safeguards agreements by those Parties to the NPT that have not done so; (3) conclusion of full-scope safeguards agreements not related to any multilateral treaty; (4) conclusion of INFCIRC/66 Rev.2-type agreements for all existing and future nuclear installations in the State; (5) similar or identical legally binding unilateral declarations by all States in the area, complementing existing safeguards agreements or serving as a basis for future safeguards agreements; (6) safeguards agreements which are based on a Nuclear Weapon Free Zone Agreement.

It would be helpful to me if you could inform me whether Your Excellency's Government would be in a position to commit itself to the acceptance of Agency safeguards on its existing and future nuclear installations and, if so, the preferred modality for such acceptance. I would also be grateful to receive any other views that Your Excellency's Government might have which would ensure the application of Agency safeguards to all nuclear installations in the area. I am writing similarly to the Foreign Ministers of the other countries in the region. In the light of the replies that I receive to these letters it may seem desirable to discuss the matter directly with some of the Governments concerned. A response to this letter early in January would therefore be much appreciated.



A. Text of letter from the Deputy Prime Minister and Minister for Foreign Affairs of Egypt dated 15 January 1990.

Referring to your letter dated 06.12.1989, Egypt would like to highlight the following points concerning the means of ensuring the applications of the Agency's safeguards to all nuclear installations in the Middle East:

1. The non-proliferation requirements concerning the application of safeguards under the Agency's supervision constitute a major IAEA role which has turned out to be a safety element in International Dealings. It is supported and upheld by the International Community.
2. The non-proliferation treaty is closely linked to the Agency's functions and roles in ensuring the peaceful purposes for nuclear energy uses.
3. Egypt as one of the parties of the treaty, has initiated constructive ideas to promote the consolidation of the non-proliferation regime. Egypt also believes that the concept of a nuclear-free zone; which is reaffirmed in the NPT itself; can consolidate the said regime.
4. Being aware of the strategic importance of the Middle East region and current tension in the area which threatens the world's peace and security, Egypt has submitted to the U.N. General Assembly a proposal in 1974 for the establishment of a nuclear-free zone in the Middle East. The Egyptian initiative has gained wide unanimous International Support.
5. Two obstacles hinder however, the establishment of such a nuclear-free zone in the Middle East ; first, the ominous nature of the Israeli nuclear program and Israel's continuous refusal to join the N.P.T. second: Israeli refusal to apply the IAEA fullscope safeguards to its nuclear facilities.
6. Egypt does not regard the Middle East conflict as a hindering obstacle for the establishment of a nuclear-free zone in the region. On the contrary Egypt considers that the establishment of such a zone would have a positive impact on the peace settlement in the Middle East.
7. The present study prepared by the IAEA has emphasized the importance of the establishment of such a zone in the region as one of the six modalities which could be applied to ensure the application of full scope safeguards on all nuclear installation in the Middle East.

9. Egypt believes that the following effective measures would enhance the establishment of such a zone:

- a) States of the region that have not yet joined the NPT should urgently become a party and conclude the relevant safeguards agreement.
- b) States in the region, that have not done so, should immediately submit unilaterally all their nuclear facilities to International Atomic Energy Agency safeguards system, and conclude a full-scope safeguards agreement with the Agency.

Pending the implementation of such measures:

- c) All states in the region should make similar or identical legally binding unilateral declarations to the United Nations Security Council. They should work for the conclusion of a full-scope safeguards agreement with the Agency. In order to achieve that; all states in the region should support the establishment of a nuclear-free zone in the Middle East, and shall not manufacture or acquire nuclear weapons or other nuclear explosive device.
- d) States in the region should provide the Director General of IAEA with full information and data on their significant nuclear facilities.
- e) States beyond the region should inform the Director General of the IAEA with a list of significant nuclear materials or components exported to parties in the Middle East region.
- f) Exporting states beyond the region should make fullscope safeguards as a condition for the supply of nuclear materials, in this regard safeguards commitment should be fully implemented.

B. Text of letter from the Resident Representative of Iraq to the IAEA. Received by the IAEA on 15 February 1990.

- (1) At its 33rd regular session, the General Conference adopted resolution GC(XXXIII)/RES/506 in the framework of its agenda item entitled "Israeli nuclear capabilities and threat". In that resolution the General Conference once again called upon Israel to comply with Security Council resolution 487/1981 by submitting all its nuclear installations to Agency safeguards. Hence, the aim of the resolution is unambiguously to eliminate the Israeli nuclear threat and to have all Israeli installations under Agency safeguards.
- (2) The only installations in the Middle East which are not under Agency safeguards are those of Israel. It is a familiar fact that all other States in the area are parties to NPT, have safeguards agreements with the Agency or have no nuclear installations.
- (3) Iraq has always advocated the creation of a non-nuclear-weapon zone in the Middle East. However, the continuous refusal of Israel to submit its nuclear installations to the safeguards system has always been the obstacle to creating such a zone.

Moreover, the aggressive policy of Israel, reflected in its military attack against the safeguarded Iraqi nuclear installations, constituted a blow against the Agency and against the credibility of its safeguards system. This was confirmed by the General Conference at its sessions in 1981, 1982 and subsequent sessions.

In this respect, Iraq does not consider the IAEA to be the appropriate international forum to discuss the creation of a non-nuclear-weapon zone. The Agency should rather make efforts to apply its safeguards system to Israeli nuclear installations. This will require direct contacts between the IAEA, Israel and any other party which has unsafeguarded installations in the area.

- (4) Confirmation of non-proliferation principles in the area requires that existing nuclear installations, especially those in operation in Israel, be placed under total control using a formula which ensures that safeguards will be applied to any future installations.

Hence, full-scope safeguards are the appropriate first step towards achieving the goals of resolution GC(XXXIII)/RES/506. Therefore, Iraq considers that the aims of the above resolution can be attained if Israel becomes a party to NPT and signs with the Agency a safeguards agreement that encompasses its existing and future nuclear installations according to the formula established in document INFCIRC/153. In this respect, Iraq does not exclude any action by your Excellency, including a visit to Israel with a view to making the necessary contacts and achieving the goals of the above resolution. You might also wish to report on your visit or visits to the Board of Governors and to the General Conference at its 34th session.

C. Text of letter from the Minister for Foreign Affairs of Israel dated 29 January 1990

Let me state at the outset that Israel welcomes any genuine progress towards the establishment of a credible non-proliferation regime in the Middle East and is fully appreciative of the professional expertise which the IAEA can contribute towards this end. The report attached to document GC(XXXIII)/887, which you submitted to the General Conference, outlined alternative modalities and practices. It is a valuable summary of IAEA experience and could be of assistance to the States of the region.

In your letter, you enquire as to our position regarding a number of specific issues.

As you are aware, out of the six modalities listed in par. 75 of your report, Israel has consistently favoured the establishment of a nuclear-weapon-free zone, freely negotiated between the States of the area and patterned on the Treaties of Tlatelolco, Rarotonga, and on the recommendations of the Independent Commission on Disarmament and Security Issues (Palme Commission).

Israel has always held that effective agreements are only those which are negotiated freely and directly. We, therefore, hold that the establishment of a nuclear-weapon-free zone, in free and direct negotiations, including mutual reassurances, is the only credible indication that the States of the region wish to establish a genuine NWFZ, and, by implication, desist from use or threat of use of force.

Once a NWFZ is established, we envisage that, in addition to mutual arrangements, full-scope safeguards agreements will be negotiated with the IAEA by all States of the region which have not yet done so, including ourselves.

With respect to nuclear installations which might be built in the future, while the Government of Israel has not yet made its final decision whether to build power stations, our policy, expressed in discussions with potential suppliers of nuclear power stations, is that, in each instance, the application of IAEA safeguards for the individual installation under consideration will be proposed.

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I am certain that you are aware of our appreciation of the equitable administration of the Agency under your stewardship. However, I cannot omit mention of the ill-winds that often sway the General Conference and the Board of Governors in matters concerning Israel. These have, unfortunately, found their expression in the discriminatory practices of the General Conference of the IAEA and its Board of Governors with respect to Israel, and the forbearance shown to other States which also have no full-scope safeguards agreements in force. This, in my view, is detrimental to the interests of non-proliferation and the functions of the IAEA.

Let me avail myself of this opportunity to reiterate our long-standing invitation to you to visit Israel. Such a visit would give us the occasion to discuss the overall relationship between the Agency and Israel.

I am instructing our Resident Representative to the IAEA to be in contact with you regarding a convenient date for your visit and the arrangements necessary to make it useful and enjoyable.

D. Text of letter from the Resident Representative of Kuwait to the IAEA dated 12 April 1990

1. Although Kuwait does not have any nuclear installations, it has ratified the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), thereby emphasizing the importance of this Treaty and the need for all States in the region to accede to it. In fact, all States in the Middle East which have nuclear installations have acceded to NPT, with the exception of Israel which has not done so even though it has nuclear activities and installations constituting a threat to the security of the whole region;
2. Kuwait wishes to stress once again that the real danger to the Middle East area is the Israeli nuclear threat since Israel's nuclear installations are not under Agency safeguards. As a result, our region lives in constant fear, especially as all international sources affirm that Israel possesses nuclear weapons. Kuwait therefore considers that the Agency's attention should be focused on Israel, which has major nuclear installations and activities, and that no parallel be drawn between Israel and the other States in the region which do not have any nuclear activities;
3. Kuwait fully supports the idea of making the Middle East a nuclear-weapon-free zone. However, Israel's obstinacy and persistent refusal to place its nuclear facilities under Agency safeguards constitutes a major obstacle to setting up such a zone;
4. Kuwait endorses all the steps and measures, referred to in your communication, with a view to ensuring the application of Agency safeguards to all nuclear installations and reactors in the Middle East.

- E. Text of letter from the President of the Council of Ministers and Minister for Foreign Affairs of Lebanon dated 9 February 1990

Acknowledging your letter dated 6 December 1989, in which you refer to "applying Agency safeguards to all nuclear installations in the Middle East", I have the pleasure to inform you that Lebanon is a party to NPT and fully supports the idea of creating a non-nuclear zone in the Middle East.

To achieve this it is necessary that the States in the Middle East area express their will and determination to refrain from producing, testing and acquiring nuclear weapons, and agree to place their nuclear activities under Agency safeguards.

In this context, I cannot but express our deepest concern and apprehension with respect to the grave danger threatening Lebanon and the entire Middle East area as a result of Israeli nuclear weapon build-up. Our apprehension is further increased by Israel's refusal to place its nuclear installations under Agency safeguards and hence permit their inspection.

As for the arrangements mentioned in your letter for applying Agency safeguards to all nuclear reactors and installations in the Middle East area, we believe that the method stated in the first item of the letter should be adopted.

- F. Text of note verbale from the People's Bureau of the Socialist People's Libyan Arab Jamahiriya dated 30 April 1990

1. The Jamahiriya expresses its reservations about the statement in document (III)887[\*] concerning the inclusion of the Jamahiriya in the Middle East region since United Nations documents and General Assembly resolutions contain no official definition of the Middle East as a region.
2. In accordance with its consistent stand based on principle, Jamahiriya strongly supports all international measures and efforts aimed at complete elimination of all types of weapons of mass destruction in their various forms.

It considers that accession to the Non-Proliferation Treaty and conclusion of relevant comprehensive safeguards agreements offer the best means of application of the IAEA safeguards.

The Socialist People's Libyan Arab Jamahiriya is aware of the growing danger posed by the possession by the two racist entities in occupied Palestine and in southern Africa of nuclear capabilities for military purposes, and requests the Director General of the International Atomic Energy Agency to make every effort to draw the world community's attention to this danger and to seek to avert it.

G. Text of letter from the Resident Representative of Saudi Arabia to the IAEA dated 10 January 1990

I refer to your letter of 6 December 1989 enclosing a letter dated 6 December 1989 addressed to His Royal Highness Prince Saud al Faisal, Minister of Foreign Affairs, in which you expressed the wish to consult him on the subject of the application of Agency safeguards in the Middle East.

I have pleasure in informing you that the Kingdom of Saudi Arabia supports the placing of all nuclear installations in the region of the Middle East under Agency safeguards.

As to the draft agreement between the Kingdom and the Agency on the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons, it is under study by the competent authorities, and as soon as this study is completed, we shall inform you of the results.



Text of a letter from the Syrian Ministry of Foreign Affairs  
dated 24 July 1990

I would like to thank you for your letter dated 22.6.1990 concerning the resolution N.GC 33/506 of the general conference of the International Atomic Energy Agency.

As for applying safeguards in the Middle East in compliance with the resolution of the general conference of IAEA, N.GC 33/506 of 29.09.1989, I have the honour to inform you that the government of the Syrian Arab Republic is in favour of modality number (1) : "Adherence to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the conclusion of the required safeguards agreements".

Moreover, acting in complete harmony with our unwavering policy, we would like to state our approval of any other modality that could lead to the establishment of a nuclear weapon-free zone in the Middle East under the auspices of the UN or IAEA as a direct and principal party.

As you very well know, Syria was a signatory of the NPT as early as 1969. At present, we positively and continuously are considering the comprehensive safeguards agreement. We don't feel particularly pressurized to join the said agreement right away because Syria so far has no nuclear installations or materials requiring inspection. In case such a situation presents itself at a time when Syria isn't a signatory member, we shall undoubtedly proceed to sign tripartite safeguards agreements including a third party that provides us with equipment or materials requiring inspection.



MODALITIES OF APPLICATION OF AGENCY SAFEGUARDS IN THE MIDDLE EAST:  
REPORT BY THE DIRECTOR GENERAL IN ACCORDANCE WITH GENERAL CONFERENCE  
RESOLUTION GC(XXXIII)/RES/506 ENTITLED "ISRAELI NUCLEAR CAPABILITIES  
AND THREAT"

45. The CHAIRMAN said that in paragraph 2 of resolution GC(XXXIII)/RES/506, the General Conference requested the Director General to consult with the States concerned in the Middle East area with a view to applying Agency safeguards to all nuclear installations in the area, bearing in mind the relevant recommendations contained in document GC(XXXIII)/887 and the situation in the area of the Middle East, and to report to the Board of Governors and the General Conference at its thirty-fourth regular session. Document GC(XXXIII)/887 contained a technical study which had been prepared by the Director General in response to a request made by the General Conference in 1988 and which took into account comments made in the Board in June 1989. The document now under examination - GOV/INF/584 - had been prepared by the Director General for submission to the Board and the General Conference and provided information supplementary to that provided in 1989 in the technical study. The Director General had referred to document GOV/INF/584 in his statement at the beginning of the session.

46. Mr. AL-KITAL (Iraq) thanked the Director General for the report in document GOV/INF/584 prepared in response to General Conference resolution GC(XXXIII)/RES/506. He wished to make a number of comments on that document.

47. Firstly, resolution GC(XXXIII)/RES/506 was explicit in both its preamble and its operative part. It left no doubt as to its subject, namely the threat posed by Israeli nuclear weapons to the security and safety of the States in the area. It was one of many resolutions adopted by the General Conference and the United Nations Security Council and General Assembly which were aimed at eliminating the Israeli nuclear threat and called upon Israel to submit its nuclear installations to the full-scope safeguards system. It was to be expected that the Agency would play a leading role in that regard, since it was the competent and responsible authority for the application of safeguards.

48. Second, in operative paragraph 2 of resolution GC(XXXIII)/RES/506, the General Conference requested the Director General to consult with "the States concerned in the Middle East area with a view to applying Agency safeguards to

all nuclear installations in the area ..." Thus, for the sake of consistency with the wording of that operative paragraph, the Director General's report should have been entitled: "Report on the results of consultations held by the Director General with the States concerned in the area of the Middle East with a view to applying Agency safeguards to all nuclear installations in the area ..." Furthermore, the report should have been submitted to the Board for its consideration in the form of a document to which amendments could be made and on which decisions could be taken, and not as an information document simply brought to its attention. His delegation therefore requested the Board to correct the title and classification of the report.

49. Third, although Iraq did not doubt the Director General's sincerity in desiring the elimination of nuclear weapons in the Middle East, the elimination of the threat posed by such weapons to security and safety in that region and the placing of all nuclear installations in the region, notably Israel's nuclear installations, under full-scope Agency safeguards, it felt that he had not done everything that might have been expected of him in application of resolution GC(XXXIII)/RES/506. It was essential that he visit the area, and Israel in particular, to learn more about its position in the matter. It would have been even more vital to explain the true nature of Israel's position and attitude to the Board. Albeit useful, an exchange of letters could not be considered a practical and effective means of achieving the objectives of resolution GC(XXXIII)/RES/506. His delegation therefore hoped that the Director General would visit the Middle East before the next session of the General Conference.

50. Also, his delegation wondered what was really meant by the phrase "States concerned" in paragraph 2 of resolution GC(XXXIII)RES/506, where the Director General was requested "to consult with the States concerned in the Middle East area". If it meant those States exposed to the Israeli threat, the position of these States in question was already well known and did not call for any kind of decision. The States of the Middle East had always shown themselves to be deeply concerned about the threat posed by the build-up of Israeli nuclear weapons to the security and safety of their region and had ceaselessly called for the application of United Nations Security Council resolution 486(1981) requesting that all Israeli nuclear installations be

placed under safeguards. However, if, as his delegation believed, the authors of resolution GC(XXXIII)/RES/506 were referring to those States affected by the application of full-scope safeguards, they should have indicated which States operated nuclear installations and which of those refused to submit such installations to safeguards. Egypt, Iraq, Libya and Iran had all submitted their installations to safeguards, and it was quite clear that Israeli nuclear installations were the only significant ones in the area not under safeguards. It was therefore absolutely essential to call a halt to the obstinate and arrogant behaviour of the Tel Aviv Government, which should stop disregarding the resolutions of the United Nations Security Council and General Assembly and the Agency's General Conference, and accept safeguards. It was his delegation's sincere view that theoretical discussions did nothing to strengthen security and safety in the Middle East. Quite the contrary, they could have the effect of leaving the door open for continuous escalation of the arms race with all the dangers which that implied for the region.

51. Regarding the conclusions contained in document GOV/INF/584, his delegation wished first of all to draw the Board's attention to the noun "desirability" in the phrase "All agreed on the desirability of the application of Agency safeguards" in sub-paragraph 5(a) of the report and to point out that the response of the Arab States in that regard was totally unambiguous: they regarded the application of safeguards as necessary and not merely desirable.

52. In the second place, his delegation had no objection to the suggestion in sub-paragraph 5(c) that the States make legally binding declarations to the United Nations Security Council. None the less, Iraq considered that most of the States in the area possessing nuclear installations - including all the Arab States - were legally committed to not seeking to acquire nuclear arms and to submitting all their installations to safeguards in conformity with NPT. Israel, therefore, was the only State in the area which continued to refuse to adhere to NPT or to submit to the Agency's full-scope safeguards. Consequently, one could not place all the States in the area in the same category or refer to them in the same terms.

53. Furthermore, making the acceptance of safeguards contingent upon the establishment of a nuclear-weapon-free zone in the Middle East trivialized the

question of the application of safeguards and reduced it to a distant objective. His delegation supported the establishment in the Middle East of a nuclear-weapon-free zone or, indeed, a zone free of weapons of mass destruction of all types. However, it considered that the prior acceptance of full-scope safeguards was a precondition for the establishment of such a zone.

54. The letter from the Israeli Minister of Foreign Affairs, in which he stated that Israel welcomed "any genuine progress towards the establishment of a credible non-proliferation regime in the Middle East" and was "fully appreciative of the professional expertise" which the IAEA could contribute towards that end, left no doubt as to the position which Israel had always taken: it simply did not believe in the credibility of NPT. Moreover, although the Tel Aviv Government claimed to be fully appreciative of the Agency's professional expertise it did not apply the safeguards system and clearly had no respect for it. In that regard, it should be recalled that Israel had launched an air attack on Iraq's Tammuz nuclear reactors, which had been placed under safeguards, that at that time it had let it be known in no uncertain terms that it had little regard for the safeguards system and that in 1981 the General Conference had decided that that attack constituted an attack on the Agency itself and its safeguards system. The Israeli position had remained unchanged and it was strange that such an obvious conclusion had not been reached.

55. Furthermore, Israel stated in its reply that the creation of a nuclear-weapon-free zone should be negotiated freely; yet his delegation was surprised that the Tel Aviv Government should speak of negotiations. Israel refused to negotiate with the representatives of the Palestinian people and to recognize their legitimate rights including the right of self-determination and the right to create an independent State on their territory. At the same time, it continued to massacre Palestinian children and persistently rejected all initiatives, including those of its friends and supporters. It also maintained its threat to attack Iraqi scientific and industrial installations. The question arose, therefore, as to the real meaning of the letter. In fact, what Israel really wanted was to maintain the status quo, so that its nuclear weapons might continue to threaten the security and stability of the region.

56. Furthermore, by affirming a desire to submit its future nuclear installations to safeguards, Israel was making itself ridiculous and naively attempting to dodge the issue. Resolution GC(XXXIII)/RES/506 related to installations actually in service, since those were the source of the Israeli nuclear threat.

57. Israel's attitude was not serious, as his delegation felt should have been quite apparent. It could not conceal its dissatisfaction, therefore, at the present situation and felt that in dealing with such a serious problem it was important to call a spade a spade. It hoped that its comments would be duly reflected in the report, which it felt should be reformulated in such a way as to single out clearly the party who was standing in the way of the implementation of resolution GC(XXXIII)/RES/506 and the application of full-scope safeguards. Moreover, Iraq wanted the Director General to submit to the Board and the General Conference practical proposals on the action which he considered commensurate with the task of achieving the objectives set out in that resolution.

58. Mr. AMMAR (Tunisia) thanked the Director General for document GOV/INF/584 prepared in pursuance of General Conference resolution GC(XXXIII)/RES/506, and said it was clear from the report that the status quo had been preserved: the Israeli nuclear capability and threat remained and continued to be a source of concern to the international community, despite the repeated appeals which the United Nations Security Council and General Assembly and the General Conference of the Agency had made to Israel over the past ten years to adhere to NPT and submit its nuclear installations to safeguards.

59. There could be no doubt that in order to protect the credibility - indeed to ensure the survival - of the safeguards system, it was essential that the Agency take action to prevent the introduction and proliferation of nuclear weapons throughout the world, particularly in regions which, like the Middle East, were trouble spots from the point of view of international peace and security. For the international community the Agency continued to be an indispensable instrument for the promotion of well-being, progress, stability, peace and security throughout the world. However, by persisting in its

refusal to place its installations under safeguards when all the other States of the Middle East had done so, the Tel Aviv Government continued to jeopardize the credibility and integrity of that organization.

60. His delegation considered that the acceptance of full-scope safeguards was an essential step towards the creation of a nuclear-weapon-free zone; that the Agency should accordingly pay heed to the reasons for its own establishment which had been to bring about peace and disarmament. Fully aware of the Director General's efforts in that regard, his delegation considered that the best way of creating such a zone in the Middle East was to ensure the application of Agency safeguards. It therefore urged the Director General to redouble his efforts to persuade Israel to place its nuclear installations under the Agency's control.

61. Mr. KENNEDY (United States of America) regretted that the present item continued to appear on the agenda as part of a broader attempt to introduce into the agendas of Agency meetings political issues which were extraneous to the organization's scientific and technical mandate.

62. Recalling that his Government had repeatedly requested all non-nuclear-weapon States, including those of the Middle East, to submit all their nuclear activities to the safeguards system, he noted with satisfaction that the Agency stood ready to assist States in that region to apply full-scope safeguards. However, he believed that the Agency could contribute to that important objective only if it was able to focus its efforts on the technical mandate given it in the Statute, and to avoid being burdened by political matters beyond its sphere of competence.

63. Ms. TALLAWY (Egypt) thanked the Director General for document GOV/INF/584, but wished to stress that her delegation was not at all satisfied with the report which it contained. Although the matter was a sensitive one for the Agency, she felt that the Secretariat could have acted more effectively in response to resolution GC(XXXIII)/RES/506. She welcomed the fact that the Director General had consulted with the Ministers of Foreign Affairs of the States concerned, but would have liked the Agency to have followed up that initiative by visiting the region and contacting the members of the Board and permanent members of the United Nations Security Council, who had particular responsibility for the maintenance of international peace and

security. Her delegation requested the Director General to ensure that in future all the resolutions adopted by the General Conference were implemented on the basis of continuing consultation with the members of the Security Council in order to enable them to assume their full responsibilities and to avoid a situation in which the resolutions remained a dead letter.

64. Turning to the Israeli letter, in which the Tel Aviv Government affirmed that the establishment of a nuclear-weapon-free zone could only be achieved through direct negotiations, she said that until a peaceful settlement of the conflict in the region was possible, there was no reason why such a zone should not be created through indirect negotiations. Such negotiations were a means of settling conflicts which was recognized by international law and which had already been used, in the Middle East as elsewhere. The Rhodes talks in 1948 were a case in point. There was therefore no reason to shelve the question of the application of safeguards until the parties to the Middle East conflict had sat down together to negotiate, especially as Israel itself was still not prepared, as the Governor from Iraq had pointed out, to negotiate directly, and indeed refused to enter into direct negotiations with the Palestinians - one of the main parties to the conflict. Consequently, the assertions in Israel's reply conflicted with its attitude to direct negotiations with the parties to the Middle East conflict.

65. The establishment of a nuclear-weapon-free zone could be achieved by other means, for example through a voluntary choice on the part of the States concerned, assuming, of course, that they had the political will to take such a step. That would make it possible gradually to build up the confidence which was a precondition for a settlement of the conflict. Her delegation was therefore against subordinating the question of the application of safeguards in the Middle East to that of the creation of a nuclear-weapon-free zone in the region, as requested by Israel. Egypt, which, together with Iran, had first aired the idea of a nuclear-weapon-free zone in 1974, was, needless to say, not opposed to the creation of such a zone. However, anxious to facilitate the Agency's task and to satisfy the members of the Board who hoped that the Agency would not go beyond its mandate, her delegation preferred to rely in the first instance on safeguards and to demand their application.

66. In its reply to the Director General's letter, the Egyptian Government had stated that the absence of a solution to the Middle East conflict did not stand in the way of the creation of a nuclear-weapon-free zone in the area and had proposed that the States in the area make unilateral declarations to demonstrate their will not to commit any aggression or have any recourse to nuclear weapons. Accordingly, her delegation urged the members of the Board to assume their international responsibilities by responding favourably to the Egyptian proposal; if it were put into practice, that proposal would constitute a first step and would help persuade Israel to meet its responsibilities. All, or almost all, of the States in the area had adhered to NPT, whereas the Tel Aviv Government had still not done so. The latter should therefore make a unilateral declaration in which it could demonstrate its good faith by expressing its determination not to use nuclear weapons in the Middle East.

67. The action advocated by Egypt was of particular importance and urgency as the Middle East region had seemed for some time now to be heading for war. Two facts gave food for thought. Firstly, the Tel Aviv Government had informed the committee entrusted by the United Nations Department for Disarmament Affairs with the question of weapon-free zones that it rejected the Egyptian proposal to establish a zone free of all types of weapon of mass destruction in the Middle East and that it refused to have a link created between chemical and nuclear weapons. Her delegation was aware that other States also rejected the creation of such a link, but it considered that the Middle East could not be treated in the same way as other regions. It deplored Israel's refusal and believed that if the Tel Aviv Government wished to arm itself fully against the threat of chemical attack, it should first consent to having the nuclear weapons in its possession placed under some form of control.

68. Furthermore, Egypt had officially protested against the threats recently made by the Assistant Chief of Staff of the Israeli army, who had declared that a new war in the region was inevitable. The question arose as to the reasons behind such threats. She mentioned those two facts not in order to politicize the discussions, but simply to illustrate the mounting danger and intransigence in the region.

69. All members of the international community had a responsibility for what was happening in the Middle East, and the Agency could, provided its Member States were in agreement, contribute towards calming the situation in the region if only in a modest way, by working within its sphere of competence, namely safeguards. That was all her delegation was asking. In order to fulfil its task, however, the Agency did need the assistance of its Member States, and particularly the great powers, which had a special responsibility for maintaining international peace and security. She therefore appealed to the members of the Board not to be content to act as mere spectators to the discussions on the question, viewing them as a simple duel between the Arab States and Israel, but to take an active part in them. She hoped that an equally active approach would be demonstrated at the General Conference and that all members of the Board would be contacted beforehand to encourage them to assume their full responsibilities.

70. Mr. SINAI (India) said that his delegation had taken note of document GOV/INF/584 prepared in pursuance of resolution GC(XXXIII)/RES/506. He recalled that at the last session of the General Conference his country had supported that resolution, while clearly stating that its support did not in any way alter its fundamental objections to the idea of full-scope safeguards, which it considered alien to the Statute of the Agency, and that it was motivated solely by the threats posed by Israel's secret nuclear military programme to the States in the region and by the policy pursued by the Tel Aviv Government with regard to its neighbours and other Arab countries.

71. Given that all the States of the Middle East with nuclear installations except Israel had voluntarily accepted the safeguards system or some other satisfactory limitation of their nuclear policy, his delegation considered that the first objective of the consultations in progress reported in document GOV/INF/584 was to eliminate the Israeli threat. Moreover, that requirement should not under any circumstances be toned down in the report to be submitted to the General Conference. If the Agency's action was to produce any kind of results, it was necessary to give due attention to the root of the problem - Israel's secret nuclear capabilities - and not allow it to be displaced by other questions.

72. Moreover, his delegation did not agree with the suggestion in sub-paragraph 5(c) of document GOV/INF/584. While respecting Egypt's position, it considered that the proposal that the States make unilateral declarations to the United Nations Security Council was outside the Agency's competence and should be examined by other authorities in a better position to judge its intrinsic merits. It was also opposed to conditions being attached to exports of nuclear technology where such exports were in conformity with the Statute of the Agency.

73. Regarding paragraph 6 of document GOV/INF/584, his delegation considered that the Secretariat and the Agency as a whole should not concern themselves with questions such as the establishment of a nuclear-weapon-free zone except when they were asked to do so in General Conference resolutions. It believed that other authorities were more appropriate for the examination of the problem of nuclear-weapon-free zones in general. Finally, it wished to reiterate its support for the appeal made in operative paragraph 2 of resolution GC(XXXIII)/RES/506 and its readiness to support any measure aimed at responding to that resolution along the lines which it specified.

74. Mr. KULICHENKOV (Union of Soviet Socialist Republics) said that document GOV/INF/584, together with the summary records of the Board's discussion of the present item, might be of interest not only to the Agency's General Conference in September, but also to the United Nations General Assembly in its consideration of the report by the United Nations Secretariat concerning the establishment in the Middle East of a nuclear-weapon-free zone. The studies undertaken by the Agency and United Nations Secretariats related to very similar and interdependent problems, and complemented each other in a useful way.

75. As the report showed, the results of consultations held by the Director General with the countries of the Middle East with a view to applying Agency safeguards to all nuclear installations clearly indicated that practical measures could be taken to strengthen the nuclear non-proliferation regime in that region, provided the States concerned possessed the necessary political will.

76. Progress towards the establishment of a nuclear-weapon-free zone in the Middle East would contribute to a peaceful political settlement in that area.

His delegation therefore welcomed the Director General's intention to pursue direct negotiations in the capitals of the region before the General Conference in September and to submit a fuller report on that occasion.

77. Mr. AL-NOWAISER (Saudi Arabia) said that, in their reply contained in document GOV/INF/584, the Arab States clearly indicated that they consented to having all the nuclear installations in the area placed under Agency safeguards, whereas the reply by Israel, the only State in the Middle East known with certainty to possess nuclear weapons and capabilities, was once again negative and confused. The Board of Governors and General Conference should therefore continue their efforts with all due diligence to ensure that Israel demonstrated goodwill and agreed to submit its nuclear installations to safeguards. To that end, the Director General should also pursue his consultations in the field with a view to achieving practical results.

78. Furthermore, his delegation considered that the matter before the Board was technical in nature and not at all political. The problem was one of the existence of nuclear weapons in a troubled region. It was to be hoped that peace would one day be established in the Middle East. However, until that day the problem of nuclear weapons would continue to be a danger of which Israel, as much as the other States, should be fully aware.

79. Referring to the agreement on the provision of heavy water concluded between Israel and Norway in 1959, he recalled that Israel had obtained 21 tonnes of heavy water under that agreement and had been required to return it after one year, which it had not done. It had been announced that only eleven and a half tonnes had been returned. His delegation was curious about that discrepancy and wondered whether the missing amounts really had been used for peaceful purposes, especially since it was proven that their destination was the Dimona plant where nuclear weapons were manufactured. One might ask whether transactions of that type were quite consistent with the declarations of the Norwegian Government, which claimed to desire peace in the Middle East or whether, on the contrary, they might not in the long term lead to a kind of dangerous instability for the peoples of the region. His country believed, therefore, that such transactions should be carried out under the auspices of the Agency.

80. Ms. TALLAWY (Egypt), having listened carefully to the comments made by the Governor from India, invited him to consider in its entirety the reply by her Government contained in Annex 2 of document GOV/INF/584, and to examine sub-paragraphs 8(a), (b) and (c) with particular care.

81. Also, Egypt was entitled as a Member State of the Agency to recommend that the United Nations Security Council should publish any legally binding unilateral declaration of the type proposed in its letter. She could not, therefore, subscribe to the point of view expressed by the Governor from India.

82. Mr. KHAN (Pakistan) shared the concerns expressed in particular by the Iraqi, Saudi and Tunisian delegations. He urged the Director General to continue his efforts to implement resolution GC(XXXIII)/RES/506, which had his delegation's full support. Furthermore, he was in favour of establishing a nuclear-weapon-free zone in the Middle East, a measure which he felt would strengthen the non-proliferation regime and help to eliminate nuclear weapons in that region.

83. Mr. AL-SAEID (Kuwait)[\*], without wishing to repeat what had been said by the Governors from Iraq, Tunisia, Egypt and Saudi Arabia, nevertheless felt obliged to recall that his country had time and again warned against the real threat hanging over the States of the Middle East. He therefore invited the Director General to concentrate his efforts on the source of that danger - Israel.

84. Regarding the argument put forward by the Governor from the United States, whereby the Agency, with its purely technical and scientific mandate, should not be politicized, he simply recalled that the same Governor had the day before urged the Democratic People's Republic of Korea to apply safeguards and that the question of politicization had not been mentioned in that instance. It would seem that it was different for the Middle East, and as soon as Israel was involved the question was suddenly a political one. His country urged the Member States represented on the Board to consider without political bias the serious threat posed to the region by virtue of the Tel Aviv Government's refusal to place its installations under Agency safeguards.

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[\*] Member States not members of the Board of Governors are indicated by an asterisk.

85. Furthermore, referring to model B on page 2 of Annex 1 to document GOV/INF/584 concerning the Member States and States not members of the Agency parties to NPT which had not concluded safeguards agreements, he was surprised that the Agency should once again dwell on the fact that Kuwait had not signed such an agreement when it knew very well that Kuwait was not engaged in any nuclear activities. His delegation therefore asked the Agency for the second time running to focus its efforts on Israel, which was engaged in large-scale nuclear activities and had not placed its installations under the safeguards system.

86. The DIRECTOR GENERAL said that the starting point for himself, as for the Board and the General Conference, must naturally be the mandate given to the Agency in its Statute. Safeguards constituted a major element in the programme, but certainly not the only one: the promotion of nuclear power and of other applications of nuclear energy was equally important. Safeguards were usually thought of as a precondition for promoting the substantive uses of nuclear energy.

87. However, even if one took the broadest realistic perspective - going beyond safeguards, which were essentially confidence-building measures, and encompassing the practical applications of nuclear energy - the mandate of the Agency remained limited. The IAEA was not a disarmament agency, nor could it engage in negotiations on a non-proliferation treaty or on nuclear-weapon-free zones; and since there were several Members who insisted very strongly on that limitation, it had to be observed. In one sense the limitation made the Agency's task easier and in another more difficult. It was made easier because the Agency did not become involved in negotiations on questions with political ramifications, and in that sense could stand aloof from the complications of the Middle East. It was made more difficult, however, because safeguards did not exist in a vacuum. They were released, so to speak, into a magnetic field with very strong currents, political currents, and one could not meaningfully discuss the introduction of safeguards without an adequate awareness of the nature of that magnetic field. It obviously included NPT, the nuclear potential of countries, questions such as nuclear-weapon-free zones, even the presence of - and discussions on - other types of weapons of mass destruction. An awareness of the background was essential, even for those who did not enter into the negotiations.

88. It was his wish that the Agency's and his own role in the application of safeguards in the Middle East, as indeed in all other things, should be constructive and practical. The aim was not to be passive but to move prudently: only then could the Agency's efforts lead to constructive and practical results. Some apparently considered the pace too slow, and, since he fully appreciated the urgency of the issue, he could understand their impatience. A start had been made with what he considered to be a reasonable measure, namely addressing a letter to each of the States in the Middle East, for that was how he interpreted the words "the States concerned": plainly, all were concerned. Not all had replied as yet, but the replies so far received gave much food for thought. The Governor from Egypt was right in thinking that closer contacts were needed to discuss the suggestions by the Middle East Governments. It emerged from their letters that the approach to safeguards in the Middle East, at least in some capitals, was not exclusively through NPT. The concept of a nuclear-weapon-free zone and other avenues were thought to be worth pursuing as well, and the realization that there might well be a special safeguards approach corresponding to the specific requirements of the region was very important. The tendency to focus either on INFCIRC/153 safeguards or INFCIRC/66 safeguards had been solidly implanted over the years, but the Statute was in fact broad enough to allow much more scope. Indeed, confidence-building in the Middle East could well require something else - possibly a special safeguards approach. That lay entirely within the mandate that had been given to the Agency. Also, some thought had to be given to the bearing which safeguards had on the promotional side of the Agency's work: confidence lay after all in the assurance that nuclear weapons would not be manufactured or used, and it was a condition for the wider peaceful applications of nuclear energy in the Middle East.

89. Very useful contacts had been established with the United Nations, which had responsibilities in connection with the discussions on a nuclear-weapon-free zone. The expert group nominated for that purpose by the Secretary-General had visited the Agency, and a very fruitful discussion had taken place. It would probably be useful to send the final version of the Agency's own report to the Secretary-General, and he was planning to do so. A continuation of those contacts would be desirable if the General Conference renewed the mandate it had given him in that context. He intended to visit

both Cairo and Tel Aviv before the General Conference, and accordingly expected the report to be updated and supplemented in the light of what he would learn, or whatever else that might transpire in the meantime. The format of the report was accurate in his view, and the Board was not called upon to modify it. Since the General Conference had asked him to report on the matter to the Board, and to the Conference itself at its thirty-fourth session, he would take responsibility for it. However, the Board's discussion of the subject on the present occasion, or any subsequent discussion that took place before the General Conference, could certainly be appended to the report. In that way the Conference would be fully informed, not only about what the Director General had done but also about the views that had been expressed in the Board.

90. The title of the report had also attracted some comment, and he wished to defend the Secretariat's action in that regard. There had been contacts and discussions about it, and the title had been modified on the agenda for the present session of the Board. There was no consistent practice that required items of the agenda for the Board to be worded in exactly the same way as for the General Conference. The Secretariat had therefore felt free to modify the title. The present report actually emerged from operative paragraph 2 of the General Conference's resolution, and there was no obligation, as far as he could judge, to give it the same title as the resolution.

91. Finally, the statement by the representative of Kuwait, who had felt some impatience that the Secretariat should mention an interest in concluding a safeguards agreement with Kuwait and had suggested it should concentrate on Israel, merited comment. The Secretariat had a duty to negotiate with all parties who had ratified NPT with a view to concluding a safeguards agreement, whether they had important nuclear installations or not. That was the general practice followed everywhere; it did not signal any lack of interest in the situation of safeguards in the Middle East, or notably in Israel, which of course was of particular interest to the Governor from Iraq. There was no question of singling out any particular country; the reference to Kuwait had merely reflected a general approach taken to all parties to NPT.

92. The CHAIRMAN said that the discussions, including of course the comments by the Governor from Iraq on the manner of reporting to the General Conference, would, as usual, be reflected in the summary records and carefully noted by the Director General. He assumed that the Board wished to take note of document GOV/INF/584 and to request the Director General to attach to that document, upon its submission to the General Conference, the records of the Board's discussions of the matter.

93. It was so decided.