



International Atomic Energy Agency

GENERAL CONFERENCE

Forty-sixth regular session

GC

GC(46)/1/Add.1

31 July 2002

GENERAL Distr.

Original: ENGLISH

PROVISIONAL AGENDA

Supplementary item for inclusion in the provisional agenda

1. On 15 July 2002, the Director General received a request submitted by the Resident Representative of the Libyan Arab Jamahiriya on behalf of the Arab States that are members of the Agency, for the inclusion of an item entitled "*Israeli nuclear capabilities and threat*" in the agenda of the 46th regular session of the General Conference.
2. Pursuant to the Rules of Procedure of the General Conference¹, this item is hereby included as a supplementary item. The letter from the Resident Representative of the Libyan Arab Jamahiriya, and the accompanying explanatory memorandum relating to the inclusion of this item, are attached hereto.
3. It is suggested that this item follow item 20 of the provisional agenda and be discussed in the Plenary.

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

**TEXT OF LETTER RECEIVED ON 15 JULY 2002 FROM
THE RESIDENT REPRESENTATIVE OF THE LIBYAN ARAB JAMAHIRIYA
TO THE INTERNATIONAL ATOMIC ENERGY AGENCY**

On behalf of the Arab States that are members of the Agency (Libyan Arab Jamahiriya, Sultanate of Oman (observer), Republic of Sudan, Kingdom of Saudi Arabia, Arab Republic of Egypt, Republic of Lebanon, Hashemite Kingdom of Jordan, Arab Republic of Syria, Republic of Tunisia, United Arab Emirates, Republic of Iraq, People's Democratic Republic of Algeria, State of Qatar, State of Kuwait, Kingdom of Morocco, and Republic of Yemen), whose Ambassadors met in the Mission of the Arab League Office in Vienna on 6th June 2002, I have the honour to request you kindly to include an item entitled "Israeli nuclear capabilities and threat" in the agenda of the forty-sixth session of the Agency's General Conference, which will be held in September 2002.

Enclosed, please find the explanatory memorandum related to the request for inclusion of the above-mentioned item.

It will be highly appreciated all necessary steps taken in this regard, and remain,

(signed) Dr. Said Abdelaati Mohamed
Dean of the Arab Diplomatic Corps
Ambassador of the Libyan Arab Jamahiriya

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

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

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

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

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

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

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

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

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

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

9. At the forty-second and forty-third sessions of the Agency's General Conference (September 1998 and 1999), an item entitled "Israeli nuclear capabilities and threat" was reinscribed on the agenda at the request of a number of Member States.

The Agency's General Conference endorsed at the tenth plenary meeting of its forty-fifth session in September 2001 the following statement by the President:

"The General Conference recalls the statement by the President of the 36th session in 1992 concerning the agenda item "Israeli Nuclear Capabilities and Threat". That statement considered it desirable not to consider that agenda item at the 37th session. The General Conference also recalls the statement by the President of the 43rd session in 1999 concerning the same agenda item. At the 44th and 45th sessions, this item was, at the request of certain Member States, reinscribed on the agenda. The item was discussed. The President notes that certain Member States intend to include this item on the provisional agenda of the forty-sixth regular session of the General Conference."

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

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

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

Some international resolutions on this subject

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

1. General Assembly resolutions:

1994	A/RES/49/78
1995	A/RES/50/73
1996	A/RES/51/48
1997	A/RES/52/41
1998	A/RES/53/80
1999	A/RES/54/57
2000	A/RES/55/36
2001	A/RES/56/27

2. Agency resolutions:

1987	GC(XXXI)/RES/470
1988	GC(XXXII)/RES/487
1989	GC(XXXIII)/RES/506
1990	GC(XXXIV)/RES/526
1991	GC(XXXV)/RES/570