

General Conference

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Fifty-seventh regular session

Provisional agenda

Supplementary Item for Inclusion in the Provisional Agenda

1. On 12 June 2013, the Director General received a request, submitted by the Ambassador of the Sultanate of Oman on behalf of the Arab States that are members of the International Atomic Energy Agency, for the inclusion of an item entitled “Israeli nuclear capabilities” in the agenda of the 57th (2013) regular session of the General Conference.
2. Pursuant to the Rules of Procedure of the General Conference¹, this item is hereby placed on a supplementary list which will be circulated not later than 26 August 2013. The letter from the Ambassador of Oman and the accompanying explanatory memorandum relating to the inclusion of this item are attached hereto.
3. It is suggested, for consideration by the General Committee, that this item follow item 21 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 12 June 2013 from the
Ambassador of the Sultanate of Oman**

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

I have the honour to forward to you the request of the Arab States listed hereabove, based on the decisions of the Council of the Arab League at the level of the Summit and Arab Foreign Ministers, for the inclusion of an item on "Israeli nuclear capabilities" in the agenda of the fifty-seventh session (2013) of the General Conference of the International Atomic Energy Agency.

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

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

Accept, Sir, the assurances of my highest consideration.

(signed)

Ambassador Dr Badr bin Mohamed Al Hinai
Ambassador of the Sultanate of Oman
Chairman, Council of Arab Ambassadors in Vienna

Enc:-Explanatory memorandum

Mr Yukiya Amano
Director General
IAEA
Vienna

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

1. An item on “Israeli nuclear capabilities and threat” has been on the agenda of the General Conference of the International Atomic Energy Agency since 1987 and the Conference has adopted resolutions calling upon Israel to place its nuclear installations under Agency safeguards.
2. In 1992 the Conference endorsed the President’s statement, which included the following: “... 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”.
3. The policies of Israeli Governments have obstructed the peace process in the Middle East and thwarted all initiatives to free the Middle East region of weapons of mass destruction, and in particular of nuclear weapons.
4. The Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons which was held in May 1995 adopted a resolution on the Middle East expressing the concern of the States Party to the Treaty at the dangerous situation in the Middle East resulting from the presence in the region of nuclear activities not subject to Agency safeguards, which put regional and international peace and security at risk.
5. 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 requested that Israel accede to the NPT as soon as possible and welcomed the accession to it of a number of Arab States during the period 1995–2000, while Israel remained the only State in the region that had not acceded to that Treaty. The Conference reaffirmed the importance of Israel’s accession to that Treaty and the placement of all its nuclear facilities under comprehensive Agency safeguards in realizing the goal of universal adherence to the Treaty in the Middle East.
6. In May 2010, the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons was held and adopted the work plan regarding the Middle East and a Final Document including all the required procedures for holding an international conference in 2012 to make the Middle East a zone free from nuclear weapons and other weapons of mass destruction, appointing a coordinator for the conference, and designating the State that would host the conference, as soon as possible, in consultation with the States of the region.
7. While all the Arab States have acceded to the Treaty on the Non-Proliferation of Nuclear Weapons and shown their continuing readiness to take practical steps towards the establishment of a zone free from weapons of mass destruction in the Middle East, Israel continues to defy the international community by its refusal 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.
8. In clear violation of international resolutions, Israel’s former Prime Minister Ehud Olmert delivered a statement on German television in December 2006 implying that Israel possesses nuclear weapons, which is likely to lead to a destructive nuclear arms race in the region, especially as Israel’s nuclear installations remain outside any international control.
9. 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”.

10. The Arab States acceded to the proposals submitted by certain States during the 52nd session of the International Atomic Energy Agency General Conference in September 2008 in the interests of showing flexibility and in an endeavour to find consensus, and made modifications to the draft Arab resolution, the title of which became “Israeli nuclear capabilities”, which remained on the agenda of the General Conference until its fifty-fourth session (2010).
11. All Member States of the Agency are invited to cooperate in order to remedy this situation resulting from the fact that Israel alone possesses nuclear capabilities, which are undeclared and not subject to international control thus constituting a permanent threat to peace and security in the region.
12. In the framework of the positive climate and international initiatives calling for strengthening of the Nuclear Non-Proliferation Treaty, and the emergence of new international stances urging Israel to accede to that Treaty, the Arab States affirm that their initiative to make the Middle East a nuclear-weapon-free zone represents a comprehensive regional remedy to the likelihood of the proliferation of these weapons and achieves mutual security for all the States of the region. This initiative is undoubtedly consistent, in a practical framework, with the new vision and promotes efforts towards ridding the world of weapons of mass destruction, placing emphasis on the right of States to obtain all nuclear technologies for peaceful purposes in accordance with the provisions of the Treaty.
13. 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.
14. There is international agreement on the need to accelerate nuclear disarmament in the world and the placement of all nuclear installations under the IAEA comprehensive safeguards regime. Also, there is an international commitment to the non-proliferation of nuclear weapons since these weapons pose a grave threat to security and stability in the world, particularly in regions of tension.
15. There is no doubt that the IAEA has a fundamental role in the process of achieving nuclear disarmament and non-proliferation in conformity with the Agency’s Statute, particularly Article II concerning the non-use of assistance provided by the Agency in such a way as to further any military purpose and Article III.B.1. relating to the establishment of safeguarded disarmament.
16. Adoption of the resolution entitled “Israeli nuclear capabilities” (GC(53)/RES/17) by the fifty-third session of the IAEA General Conference has highlighted the international community’s concern about the Israeli nuclear capabilities, and it called upon Israel to accede to the NPT and place all its nuclear facilities under comprehensive Agency safeguards. Also, the resolution urged the Director General to work with the States concerned towards achieving that end and to submit a report to the Board of Governors and the General Conference at its fifty-fourth session on implementation of the resolution.
17. The Arab States, desirous of giving an opportunity to the international efforts made to establish a zone free from nuclear weapons and other weapons of mass destruction in the Middle East, had cooperated transparently with ongoing efforts of the facilitator and with the organizing parties of the conference, submitted positive, constructive proposals in support of the holding of the conference on the date agreed and defined their positions based on the terms of reference. Likewise, they decided against submitting their resolution entitled “Israeli nuclear capabilities” to the fifty-fifth and fifty-sixth sessions of the IAEA General Conference in 2011 and 2012. However, the recent course of events has failed to meet the expectations of the Arab Group and in no way matches either the efforts undertaken by the Group or the flexibility it has displayed thus far.
18. The Arab States affirm their commitment to the convening of the conference aimed at ridding the Middle East region of nuclear weapons and other weapons of mass destruction (which had been scheduled to take place in 2012) as stipulated by the Final Document of the 2010 Review

Conference to the Treaty on the Non-Proliferation of Nuclear Weapons, considering that convening it constitutes an important basis for the process of building confidence and achieving stability, security and peace in the region.

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

A number of resolutions issued by the United Nations General Assembly, the Security Council and the 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 the following resolutions:

1. Resolutions issued by the United Nations General Assembly:

Year	Res. No.
1994	49/78
1995	50/73
1996	51/48
1997	52/41
1998	53/80
1999	54/57
2000	55/36
2001	56/26
2002	57/97
2003	58/68
2004	59/106
2005	60/92
2006	61/103
2007	62/56
2008	63/84
2009	63/38
2010	64/26
2011	66/25
2012	67/28

2. Resolutions issued by the Security Council:

Year	Number
1981	S/RES/487

3. Resolutions issued by the International Atomic Energy Agency:

Year	Number
1987	GC(XXXI)/RES/470
1988	GC(XXXII)/RES/487
1989	GC(XXXIII)/RES/506
1990	GC(XXXIV)/RES/526
1991	GC(XXXV)/RES/570
2009	GC(XXXXXIII)/RES/17