

General Conference

GC(53)/OR.10

Issued: December 2009

General Distribution

Original: English

Fifty-third regular session

Plenary

Record of the Tenth Meeting

Held at Headquarters, Vienna, on Friday, 18 September 2009, at 11.30 a.m.

President: Ms MACMILLAN (New Zealand)

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¹ GC(53)/24.

Abbreviations used in this record:

CTBT	Comprehensive Nuclear-Test-Ban Treaty
NAM	Non-Aligned Movement
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
NPT Review Conference	Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

22. Israeli nuclear capabilities

(GC(53)/1/Add.1; GC(53)/19 and 26; GC(53)/L.1 and Add.1)

1. The PRESIDENT said that item 22 had been included in the Conference's agenda pursuant to a request by the Arab States that were members of the Agency. An explanatory memorandum was attached to document GC(53)/1/Add.1. In that connection, the Conference also had before it documents GC(53)/19 and GC(53)/26. Documents GC(53)/L.1 and Add.1 contained a draft resolution submitted by a number of countries.

2. Mr EL-KHOURY (Lebanon), speaking on behalf of the Arab States that were members of the Agency, said that all Arab States without exception had adopted a united stance in support of the non-proliferation regime, had acceded to the NPT and had approved the initiative aimed at establishing a nuclear-weapon-free zone in the Middle East. Israel was the only State that possessed nuclear weapons in one of the world's most troubled regions, and the only country in the region that had refused to accede to the NPT and to place its nuclear facilities under Agency safeguards. Its attitude rendered peace and security difficult to achieve and was a source of increased tension in the Middle East that could trigger an arms race.

3. The goal of the Arab States in raising the issue at successive sessions of the General Conference was not only to draw attention to the dangerous situation, but also to propose practical solutions. The only conceivable solution consisted in adopting a comprehensive approach that took the security of all countries in the Middle East into consideration, instead of dealing in a biased and selective manner with each country individually and applying double standards. Thanks to the efforts of the Arab States over the preceding three decades, resolutions had been adopted by the United Nations General Assembly and Security Council, and by the NPT Review Conferences, that called on Israel to accede to the NPT and to place all its nuclear facilities under comprehensive Agency safeguards as a prerequisite for the establishment of a nuclear-weapon-free zone in the Middle East.

4. Impartial reports had confirmed that Israel possessed a significant arsenal of nuclear weapons. The Arab States and the international community as a whole could not afford to ignore that situation, or tolerate Israel's efforts to develop its nuclear capabilities in the face of the lack of any real international pressure to impede such an escalation.

5. Some countries did their utmost to prevent the General Conference from adopting a resolution that mentioned Israel by name. At the same time, charges were levelled against other countries without solid proof. No solution could ever be found as long as that situation persisted. He would seek to address the arguments invoked by some States to block a vote on the draft resolution before the Conference.

6. Such States claimed that the Agency's role was a technical one and that it was inappropriate for it to address political issues. That was a claim that could be rebutted with irrefutable facts. The item had been discussed at numerous previous sessions of the Conference and far more strongly worded resolutions had been adopted. The text of the draft resolution submitted at the preceding session had been amended in the light of the views of a number of Member States and it focused on technical points that fell within the Agency's mandate, namely accession to the NPT and application of comprehensive safeguards.

7. The argument that a single resolution on the Middle East was sufficient did not hold water. The resolution on application of IAEA safeguards in the Middle East adopted at an earlier meeting fell under a different agenda item and constituted a basic and necessary step towards the achievement of the goal of the current resolution. Israel had chosen to isolate itself by insisting on remaining outside the framework of the NPT and the safeguards regime. Moreover, there was nothing in the Rules of Procedure of the General Conference to prevent it from adopting two resolutions dealing with the same region.

8. The Arab States had reacted positively to the call for a compromise by some Member States. They had pinned great hopes on the new international climate that had begun to emerge early in 2009 and had inserted a new preambular paragraph (f) to reflect those hopes. He trusted that the Conference would act accordingly and sweep away the difficulties that had arisen in previous years. The international community should show understanding for the fears of the Arab States and accept their commitment to a just, comprehensive and lasting peace.

9. The Arab States that were members of the Agency insisted on the inalienable right of every country — a right enshrined in the basic instruments of all international organizations — to express its concerns and to seek to resolve them with the support of the international community. They urged the General Conference to give the issue of Israeli nuclear capabilities the attention it deserved and to vote unanimously for the draft resolution with a view to ridding the Middle East of nuclear weapons and laying the basis for peace and security in the region and the world as a whole.

10. Mr FAWZY (Egypt), speaking on behalf of NAM, said that NAM Heads of State and Government, at their 15th Summit held in Sharm El Sheikh in July 2009, had urged the continued consideration of the issue of Israeli nuclear capabilities within the framework of the IAEA, including at the 53rd session of the General Conference. The Vienna Chapter of NAM, in a letter to the Director General, had subsequently expressed its support for the inclusion of the item “Israeli nuclear capabilities” in the agenda of the General Conference.

11. In paragraph 123 of the final document of the 15th NAM Summit, NAM had stated its position on the issue in the following terms:

“The Heads of State and Government ... *reaffirmed* the need for the speedy establishment of a NWFZ in the Middle East in accordance with the Security Council Resolution 487 (1981) and paragraph 14 of the Security Council Resolution 687 (1991) and the relevant General Assembly resolutions adopted by consensus. ... [T]hey demanded on Israel, the only country in the region that has not joined the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) nor declared its intention to do so, to renounce possession of nuclear weapons, to accede to the NPT without delay, to place promptly all its nuclear facilities under IAEA full-scope safeguards according to Security Council Resolution 487 (1981) and to conduct its nuclear related activities in conformity with the non proliferation regime. ... They *expressed* great concern over the acquisition of nuclear capability by Israel which poses a serious and continuing threat to the security of neighbouring and other States, and *condemned* Israel for continuing to develop and stockpile nuclear arsenals. In this context they also *condemned* the statement made by the Prime Minister of Israel on 11 December 2006, related to the possession of nuclear weapons by Israel. They *urged* the continued consideration of the issue of Israeli nuclear capabilities in the context of the IAEA, including at the General Conference at its 53rd Session. They were of the view that stability cannot be achieved in a region where massive imbalances in military capabilities are maintained particularly through the possession of nuclear weapons, which allow one party to threaten its neighbours, and the region. ... They also called for the total and complete prohibition of the transfer of all nuclear-related equipment, information, material and facilities, resources or devices and the extension of assistance in the nuclear related scientific or technological fields to

Israel. In this regard, they *expressed* their serious concern over the continuing development whereby Israeli scientists are provided access to the nuclear facilities of one NWS. This development will have potentially serious negative implications on security in the region as well as the reliability of the global non-proliferation regime.”

12. Mr CODORNIU PUJALS (Cuba) said that his country attached great importance to the sensitive item under discussion which had serious negative implications for regional and international peace and security. As Israel’s actions were in breach of the spirit of the Agency’s Statute, Cuba was unable to accept the argument that the subject matter of the draft resolution lay beyond the scope of the organization’s mandate. Israel should accede forthwith to the NPT and place its nuclear facilities under comprehensive Agency safeguards. The countries of the Middle East region had long been pressing for that with a view to establishing a nuclear-weapon-free zone in the region.

13. In the interests of the countries of the Middle East, and in order to eliminate a source of global instability, it was essential to halt the transfer to Israel of all nuclear-related equipment, information, material, facilities, resources or devices, and the extension of assistance in nuclear-related scientific or technological fields.

14. Genuine political will and the elimination of double standards were needed to turn the Middle East into a region of peace and security for all. Cuba rejected the double standards espoused by the United States and other countries which harassed some States in the region for their alleged non-compliance with safeguards while continuing to provide nuclear assistance to Israel, and which sought by all available means to prevent the adoption of a resolution calling on Israel to accede to the NPT. The United States and its allies should be consistent: they should abandon their permissive approach to Israel and require it to destroy, under international control, the nuclear weapons that it seemed prepared to use, if necessary, to execute its plans in the Middle East.

15. His country felt that Israel’s attitude should be addressed in a strongly worded United Nations Security Council resolution. It firmly supported the resolution before the Conference, which it had decided to sponsor.

16. Mr FAWZY (Egypt) said that Egypt had long ago undertaken to play a prominent role in promoting international peace, security and stability, not only in the Middle East but also in other geographical areas with which it had shared interests. The Middle East was an area of great strategic importance, and the goal of international and regional security could only be achieved if all parties enjoyed equal levels of security based on minimum stocks of weapons. Egypt had therefore focused in recent decades on regional and international disarmament and non-proliferation and, since 1974, on the establishment through the United Nations of a zone free of weapons of mass destruction in the Middle East, since the existence of such weapons, especially nuclear weapons, would thwart all attempts to achieve a comprehensive, fair and lasting peace in the region. In 1990, it had launched a specific initiative with that end in view.

17. In recent years, Egypt had also made several proposals for steps to be taken by all States in the region to achieve practical progress towards the establishment of a zone free of weapons of mass destruction, such as the launching of regional negotiations, the announcement by States in the region of their intention to accede within a specific time limit to international instruments pertaining to non-proliferation or prohibition of nuclear, chemical and biological weapons, and the adoption of confidence-building measures in the nuclear field with a view to applying Agency safeguards to all nuclear facilities in the region and restricting and controlling fissile material produced by countries in the region.

18. His country had hoped to promote a constructive dialogue in order to break the existing deadlock and allow all States in the region without exception to take practical steps to facilitate

negotiations on the elimination of weapons of mass destruction, as well as to promote a new vision of the future that would consolidate security and remove doubts concerning nuclear activities in the region in order to prevent an arms race. Unfortunately, however, it had failed to set in motion a serious dialogue based on the right of all States and peoples of the region to peace and security.

19. The Agency was still unable to apply comprehensive safeguards to all facilities in the Middle East for a single reason: Israel's refusal to accede to the NPT and place its facilities under Agency safeguards. Israel's logic was simple but wrong-headed, since it argued that a precondition for any practical step towards establishing a nuclear-weapon-free zone should be the achievement of a comprehensive peace in the region. The obvious question was how such a peace could be comprehensive and lasting in the absence of a nuclear-weapon-free zone.

20. Unfortunately some parties were still willing to accept Israel's twisted logic, overlooking the fact that lasting stability and security called for immediate national and regional disarmament measures. The result was continued stalling and procrastination. Not a single step had been taken to implement United Nations Security Council 487 (1981). The tendency instead was to resort to force, or to threaten use of force in the false belief that there were no alternative means of achieving security.

21. It was to be hoped that the current international climate would provide a genuine opportunity to take far-reaching measures aimed at the elimination of weapons of mass destruction.

22. Mr HASTOWO (Indonesia) said that Israel's nuclear capabilities posed a serious and continuing threat to its neighbours and other States. The leaders of NAM, at their summit held in Sharm El Sheikh in July 2009, had stated that stability could not be achieved in a region where massive imbalances in military capabilities were maintained, particularly through the possession of nuclear weapons, which allowed one party to threaten its neighbours and the region.

23. The statement made by the Prime Minister of Israel in December 2006 concerning Israel's possession of nuclear weapons was a source of great concern to the international community. The NAM Summit had therefore called for the complete prohibition of the transfer of all nuclear-related equipment, information, material and facilities, resources or devices, and the extension of assistance in nuclear-related scientific and technological fields to Israel. All countries should support that call to ensure the reliability of the NPT regime.

24. Indonesia reiterated its support for the establishment of a nuclear-weapon-free zone in the Middle East. It was deeply concerned at the lack of progress towards that goal because of Israel's policy of refusing to place its installations under Agency safeguards or accede to the NPT, which were prerequisites for the establishment of such a zone and for the promotion of mutual confidence and security in the Middle East. His country therefore continued to support the consideration of the issue of Israeli nuclear capabilities at the General Conference.

25. Mr SOLTANIEH (Islamic Republic of Iran) said that his country, as a victim of chemical weapons, had repeatedly called for effective measures to promote universal adherence to and full compliance with treaties concerning weapons of mass destruction. Israel's nuclear weapons capabilities were not only a potential threat to global peace and security but also undermined the integrity, credibility and universality of the NPT. It was profoundly regrettable that a nuclear-weapon-free zone had not yet been established in the Middle East because of Israel's defiance of all relevant resolutions and international norms and treaties.

26. The current debate was taking place on Al-Quds Day, when millions of people all over the world were demonstrating against the atrocities committed by the Zionist regime, expressing sympathy with millions of homeless Palestinians who were victims of the occupation and disproportionate military bombardment using prohibited weapons, including phosphorus and depleted

uranium, resulting in the massacre of thousands of innocent women and children, especially in Gaza. A United Nations fact-finding mission had that week described such action in Gaza as war crimes.

27. It was a matter of great concern that continued international calls for immediate accession by Israel to the NPT, the destruction of its nuclear weapons and the placement of its nuclear facilities under Agency safeguards had produced nothing but deadlock. Although a former Prime Minister of the Israeli regime had admitted to the possession of nuclear weapons, its representatives at the Agency denied the official announcement whenever that regime was condemned by the Board of Governors or the General Conference. His delegation had requested the Director General to send a fact-finding mission to establish who was telling the truth. Given the Agency's zero growth budget policy, his Government was prepared to bear the cost of such an inspection for the sake of international peace.

28. Mr QUEISI (Jordan) said that the safeguards regime played a key role in preventing the proliferation of nuclear weapons and ensuring that nuclear energy was used solely for peaceful purposes and for the benefit of all peoples.

29. Nuclear weapons and other weapons of mass destruction posed a major threat to international peace and security and, in particular, to stability in the Middle East, which continued to suffer the consequences of the failure to implement resolutions concerning nuclear disarmament. It was imperative for Israel to accede to the NPT and place all its nuclear installations under Agency safeguards in order to achieve universality of the NPT in the region and lay the basis for the establishment of a nuclear-weapon-free zone. The countries of the region could then focus on economic and social development instead of devoting resources to an arms race. He urged the General Conference to engage in a serious and objective discussion of the agenda item and the draft resolution.

30. Mr ELMESALLATI (Libyan Arab Jamahiriya) said that his country was deeply concerned about Israel's possession of weapons of mass destruction, as admitted by a high-level Israeli official to a German news outlet. Libya condemned the application of double standards by some countries to the States of the Middle East region. Such a policy could only lead to greater extremism and violence in a region whose peoples could no longer tolerate policies of hegemony and condescension, or the ongoing disregard for countries' legitimate fears for their security.

31. Many resolutions had been adopted by international organizations, and at the 1995 and 2000 NPT Review Conferences, calling on Israel to accede to the NPT and place its nuclear facilities under Agency safeguards. Unfortunately, none of them had been implemented owing to Israel's intransigence and failure to comply with any such resolutions. Libya therefore strongly urged all Member States to bring pressure to bear on Israel to accede to the NPT, and to allow the General Conference to adopt the draft resolution before it in order to send a clear signal to Israel that the international community was determined to enforce universality of the NPT and to promote peace and security in the Middle East.

32. Ms GONZÁLEZ (Bolivarian Republic of Venezuela) expressed concern at the Israeli Government's repeated refusal to accede to the NPT and place its nuclear installations under Agency safeguards, a refusal that constituted an obstacle to the establishment of a nuclear-weapon-free zone in the Middle East. Israel continued to ignore the appeals of the international community in various resolutions adopted by the Agency's General Conference and the United Nations General Assembly, and in Security Council resolution 487 (1981). Her country's concern had increased considerably when representatives of the Israeli Government had admitted publicly that the country possessed nuclear weapons.

33. The world could not remain indifferent to the fact that a State which had ignored United Nations resolutions for decades had an advanced nuclear programme that was not subject to any Agency safeguards. The same State had repeatedly challenged the international community by using force

against neighbouring countries at the cost of thousands of innocent lives and flouting basic principles of international humanitarian law, as had been noted by high-level United Nations authorities.

34. The draft resolution before the General Conference called on Israel to accede to the NPT and to place all its nuclear facilities under Agency safeguards, a call that was becoming increasingly urgent in view of Israel's repeated threats to peace in the Middle East. It should finally be acknowledged that Israel's failure to adhere to the NPT constituted a blatant challenge to the international community and raised the question of whether the Israeli Government was genuinely interested in achieving peace with its neighbours.

35. Mr HASSAN ALHAMADI (Qatar) said that the situation in the Middle East was unstable and unbalanced because of Israel's possession of major nuclear capabilities, and because of its refusal to accede to the NPT and place its facilities under comprehensive Agency safeguards.

36. The international community was duty bound to address the existing imbalance. The draft resolution submitted by the Arab States was a contribution to international efforts to send a message to the only State in the Middle East with nuclear capabilities, which posed a threat to peace, security and stability, that it should abandon its dangerous policy. Qatar called on all Member States to vote in favour of the draft resolution and not to obstruct any measures taken to implement it.

37. Mr WOOD (Canada) recalled that, for the past several years, the General Conference had expressed a clear unwillingness to take action on a divisive resolution focusing on a specific country. Canada regretted that the same situation, which served no useful purpose, had now recurred.

38. Although the General Conference already had an agenda item on the application of IAEA safeguards in the Middle East, and despite the fact that many countries had serious concerns about an item entitled "Israeli nuclear capabilities", in a spirit of understanding Canada and other concerned countries had not challenged the inclusion of the latter item in the agenda. Many had hoped that that gesture of goodwill would lead to a more consensual approach and Canada had supported the personal efforts of the President and the efforts of the United States of America and the European Union to reach a mutually satisfactory outcome.

39. Despite the positive outcome on the preceding day on the resolution on the application of IAEA safeguards in the Middle East, the draft resolution on Israeli nuclear capabilities remained imbalanced and inappropriate. Canada therefore felt that it had no choice but to move for adjournment of the debate under Rule 59 of the Rules of Procedure. In making that proposal, it appealed to the sponsors of the agenda item to work with all members of the Agency to restore the consensus-based approach that all wished to prevail at the General Conference.

40. Ms FEROUKHI (Algeria), on a point of order, asked for an explanation of the adjournment in terms of timescale.

41. The PRESIDENT explained that, if the motion was carried, no further action would be taken by the Conference on the resolution at the current session.

42. Mr EL-KHOURY (Lebanon) said that the Arab States strongly objected to the motion and called for an immediate vote on the draft resolution.

43. The PRESIDENT said that, in accordance with the legal advice she had received, and pursuant to Rule 62 of the Rules of Procedure on the order of procedural motions, the Conference must continue with the adjournment motion under Rule 59.

44. Mr RAUTENBACH (Director, Office of Legal Affairs), following a further request for clarification from Ms FEROUKHI (Algeria), said that practice and precedent at the General

Conference dictated that, if the motion proposed by the representative of Canada was carried, then the current session of the Conference would take no further action on the item.

45. Mr WOOD (Canada) requested that the motion be immediately put to the vote.

46. Mr RAUTENBACH (Director, Office of Legal Affairs), in response to comments made by Ms FEROUKHI (Algeria), Mr SOLTANIEH (Islamic Republic of Iran) and Mr WOOD (Canada), said that the inclusion of the item in the agenda for the next session of the General Conference would depend on the appropriate decision being taken by that session of the General Conference.

47. Ms FEROUKHI (Algeria) asked for clarification regarding Rule 60 of the Rules of Procedures on the closure of debate.

48. Mr RAUTENBACH (Director, Office of Legal Affairs) said that, under Rule 62, the motion put forward by Canada to adjourn the debate under Rule 59 must take precedence over any motion to close the debate under Rule 60, which latter action would entail stopping the debate and taking a vote on the resolution.

49. The PRESIDENT called for two speakers in favour of and two against the motion proposed by Canada.

50. Mr LUNDBORG (Sweden), speaking on behalf of the European Union and in favour of the motion, stressed that, in supporting the motion, his intention was not to block discussion of the implementation of IAEA safeguards in the Middle East or of the creation of a nuclear-weapon-free zone in that region. The European Union, together with other partners, had made sincere efforts to encourage and support dialogue with the States concerned. A good outcome had been achieved the preceding day on the resolution on the application of IAEA safeguards in the Middle East. The European Union did not believe that there was a need for another resolution on an issue that had already been fully discussed. Moreover, the European Union did not believe that the singling out of one country contributed positively to the atmosphere at the General Conference, as it had pointed out in the letter of 27 August 2009 from the Minister of Foreign Affairs of Sweden, on behalf of all Foreign Ministers of the European Union, to Mr Amre Moussa, Secretary General of the League of Arab States. Finally, the European Union deeply regretted that all efforts made with a view to agreeing on a Presidential statement on the item had not proved successful.

51. Mr DAVIES (United States of America), speaking in favour of the motion, said that his country stood with the large majority that strongly supported the relentless pursuit of effective multilateral diplomacy within the General Conference.

52. Together with its European Union, Egyptian, Israeli and other partners, the United States had demonstrated the preceding day, by the positive outcome on the resolution put forward by Egypt on the application of IAEA safeguards in the Middle East, that the General Conference did not need to continue to be held captive by the rancour of recent years on issues related to the Middle East region. The goal was to return to consensus and all had worked tirelessly to that end.

53. The United States had taken no action to block the agenda item on Israeli nuclear capabilities, even though the item did not differ substantially from that on safeguards in the Middle East. The efforts to find an agreed outcome on the draft resolution on Israeli nuclear capabilities had failed because of the desire of some to use it to criticize a single country. Such an approach was highly politicized and failed to take account of the complexities involved in crucial nuclear-related issues in the Middle East. The preceding day's resolution already called upon all States in the region to accede to the NPT. The United States therefore saw no point in proceeding with the current resolution as it was redundant.

54. Some had claimed that curtailing discussion put democracy at peril. Democracy was not, however, about seeking confrontation; rather, it was about compromise, dialogue and cooperation in a spirit of mutual respect. To avoid needless confrontation, and in the interest of the new approach the United States was seeking to foster in the General Conference and — more broadly — in the international system, he therefore strongly advocated support for the motion put forward by Canada.

55. Mr QUEISI (Jordan), speaking against the motion, said that thorough discussion was needed, especially by the General Conference, if efforts to create a nuclear-weapon-free zone in the Middle East and universalize the NPT were to be successful. Therefore, Jordan could not agree to adjournment of discussion of the item.

56. Mr OTHMAN (Syrian Arab Republic), also speaking against the motion, expressed concern at the attempt to adjourn discussion of the item. Israeli nuclear capabilities were outside international control and thus posed a danger to peace and stability in the region and the world.

57. Israel, with the help of some members of the Security Council, had been able to develop a nuclear arsenal covertly. At the same time, Israel had rejected numerous resolutions adopted in various forums, the latest being General Assembly resolution A/RES/63/84 of 13 January 2009 on the risk of nuclear proliferation in the Middle East. That resolution called upon Israel to accede to the NPT and noted that it was the only State in the Middle East that had still not done so.

58. It was incumbent upon the General Conference to deal with Israel's refusal to adhere to the NPT and submit its installations to Agency safeguards, and with the fact that it was against the convening of a Middle East forum as a first step towards the establishment of a nuclear-weapon-free zone in the Middle East, from which it was clear that Israel did not care about international opinion. The international community must take a firm line and adopt practical steps regarding Israel, which committed all kinds of acts of violence in the region in breach of international law. The international community, and in particular States party to the NPT, must shoulder their responsibilities with respect to regional and global peace and security.

59. The draft resolution on Israeli nuclear capabilities was a clear reflection of Arab concern that Israel was not a member of the NPT. The motion for adjournment of the debate was a reflection of the lack of concern of the international community about the Arab position.

60. The PRESIDENT, as requested by Mr DAVIES (United States of America) and Mr EL-KHOURY (Lebanon) under Rule 72 of the Rules of Procedure, invited the General Conference to proceed to a roll-call vote on the motion to adjourn the debate under Rule 59 of the Rules of Procedure put forward by the representative of Canada.

61. Congo, having been drawn by lot by the President, was called upon to vote first.

62. The result of the vote was as follows:

In favour: Albania, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Republic of Korea, Latvia, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, The Former Yugoslav Republic of Macedonia, Ukraine, United Kingdom, United States of America.

Against: Algeria, Angola, Argentina, Azerbaijan, Bahrain, Bangladesh, Belarus, Brazil, Burkina Faso, Chile, China, Cuba, Ecuador, Egypt, Ethiopia, Gabon,

Ghana, Indonesia, Islamic Republic of Iran, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mali, Morocco, Myanmar, Namibia, Niger, Nigeria, Oman, Pakistan, Peru, Philippines, Qatar, Saudi Arabia, Senegal, Serbia, Singapore, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Thailand, Tunisia, United Arab Emirates, Uruguay, Bolivarian Republic of Venezuela, Vietnam, Yemen, Zimbabwe.

Abstaining: Armenia, Cameroon, Chad, Colombia, India, Kenya, Malawi, Mexico, Mongolia, Panama, Russian Federation, Turkey, Uganda, United Republic of Tanzania, Zambia.

63. There were 45 votes in favour and 53 against, with 15 abstentions. The motion was defeated.

64. Mr EL-KHOURY (Lebanon) said that he felt that the rejection of the motion to adjourn the debate and take no action under the current item was a positive decision. It restored the right perspective and removed an obstacle to a deeper understanding of the issue. He thanked the countries that had rejected the motion. Their votes constituted a clear declaration of opposition to double standards and to selectivity in the work of the Conference. On behalf of all the Arab Member States, he expressed particular thanks to the member States of NAM, the African Group and the Organisation of the Islamic Conference.

65. He then requested a vote on the draft resolution as a whole.

66. Mr LUNDBORG (Sweden) requested a suspension of the meeting to allow European Union member States to consult.

67. Mr EL-KHOURY (Lebanon), supported by Mr FAWZY (Egypt), opposed the request of the representative of Sweden for a pause in proceedings and called again for an immediate vote on the draft resolution.

68. Mr CURIA (Argentina) said that, under Rule 61 of the Rules of Procedure, where a request for a suspension was opposed, there should be a vote on whether or not to suspend the meeting.

69. The PRESIDENT, responding to a question raised by Mr OTHMAN (Syrian Arab Republic), said that the process of voting on the draft resolution had not yet begun. The motion to suspend the meeting must therefore be dealt with first. Thus, she invited the Conference to proceed to vote by show of hands on the motion to suspend the meeting.

70. There were 49 votes in favour and 49 against, with 3 abstentions. The motion to suspend the meeting was defeated.

71. The PRESIDENT then invited the Conference to proceed to vote on the draft resolution contained in document GC(53)/L.1.

72. Mr DANIELI (Israel), explaining his delegation's vote against the draft resolution in advance, said that the draft resolution represented the height of hypocrisy and double standards on the part of the sponsors. The vote on the draft resolution followed the preceding day's joint effort by Egypt and Israel, sponsored by the United States of America, the European Union and many other delegations, to create a better atmosphere while addressing, under item 21, the Middle East issues that had been imposed time and again on the proceedings of the General Conference by the Arab Group. Israel had expected to work on the current draft resolution in the same spirit of cooperation, but its sponsors had chosen to adopt an uncompromising attitude.

73. In Israel's view, the draft resolution was driven by the kind of short-sighted political aims that had never benefited the sponsor countries. The resolution undermined confidence among States in the

Middle East rather than enhancing it. The States behind the resolution were openly hostile to Israel and missed no opportunity to stir up animosity and block conciliatory trends between Israel and Arab States. The resolution focused entirely on one country that had neither violated its obligations under any treaty or international instrument, nor threatened any of its neighbours. Israel had repeatedly stated that it would not be the first to introduce nuclear weapons into the Middle East. To single out Israel was counter-productive to regional confidence building and peace, and would also have negative implications for the credibility of the General Conference.

74. Israel's vision and policy was to establish the Middle East as a mutually verifiable zone free of weapons of mass destruction and their means of delivery. It had always emphasized that such a process should begin with confidence-building measures, which should be followed by mutual recognition, reconciliation and peaceful relations, as a consequence of which conventional and non-conventional arms control measures would emerge. Israel's long-term goals for regional security and arms control had been approved by its Government.

75. As the international community had accepted and recognized in other regions, the establishment of a zone free of weapons of mass destruction was an initiative that could only emanate from within the region itself. In Israel's view, progress could not be made towards realizing the vision of such a zone without a fundamental change in regional circumstances, including a significant transformation of the hostile attitude of some States in the region towards Israel. The constant efforts by States in the region to single out Israel in blatantly anti-Israeli resolutions at the General Conference were a clear reflection of that hostile attitude.

76. In recent years, the international community had witnessed several alarming proliferation developments in the Middle East. None of them had involved Israel, but all of them had challenged it and had posed a great threat to its security. Those developments had involved clear violations of non-proliferation obligations and had demonstrated the attitude of the States concerned to their international nuclear commitments. Several of the countries sponsoring the draft resolution in question had a proven record of non-compliance with their international legally binding nuclear obligations, and some were currently under Agency investigation with the aim of obtaining a full explanation of their suspicious or undeclared nuclear activities. Rather than address their own issues, those countries preferred to divert the attention of the General Conference, and the international community as a whole, by creating a diplomatic smokescreen to obscure the real facts and findings with regard to their own violations.

77. Grave and covert violations by Iran and Syria had been detected and formally reported by the Agency, and investigations in those countries had been hampered by a continued lack of cooperation, by denial of access and by efforts to mislead inspectors. Israel believed that Iran, Syria and some other States in the region had been using their membership of the NPT to disguise their pursuit of nuclear weapons, and that their flagrant violations should not go unpunished.

78. The politically motivated draft resolution which singled out Israel had no place at the General Conference. Like many other Member States, Israel considered the politicization of the Agency to be inherently detrimental to its objectives, professional reputation and credibility. He called upon all delegations to vote against the draft resolution, thereby demonstrating their objection to such negative practices at the General Conference.

79. Mr LUNDBORG (Sweden), explaining the votes of European Union member States and certain associated States in advance, said that the European Union appreciated the commitment of the Arab League to making the Middle East a zone free of weapons of mass destruction but did not believe that the draft resolution, which focused on a single country, would command consensus at the General Conference. The European Union had supported resolutions at previous General Conferences calling

for all States in the region to accept comprehensive safeguards, which it believed to be a more balanced approach. The European Union reaffirmed its support for a zone free of weapons of mass destruction and their means of delivery in the Middle East and called on all States in the region to accept comprehensive safeguards. It stressed that the adherence of all States in the region to the NPT and CTBT was of great importance for the nuclear non-proliferation regime. He also drew attention to the European Union's statement at the NPT Review Conference Preparatory Committee meeting in May 2009 on regional issues and implementation of the Middle East resolution of 1995.

80. The PRESIDENT, responding to a query raised by Ms FEROUKHI (Algeria), pointed out that, under Rule 74 of the Rules of Procedure, explanations of vote could be given either before or after the voting process.

81. Mr EL-KHOURY (Lebanon) requested a roll-call vote.

82. Belarus, having been drawn by lot by the President, was called upon to vote first.

83. The result of the vote was as follows:

In favour: Algeria, Angola, Azerbaijan, Bahrain, Bangladesh, Belarus, Burkina Faso, China, Cuba, Ecuador, Egypt, Ethiopia, Ghana, Indonesia, Islamic Republic of Iran, Iraq, Jordan, Kazakhstan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mali, Mongolia, Morocco, Myanmar, Namibia, Niger, Oman, Pakistan, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, Serbia, Singapore, South Africa, Sri Lanka, Sudan, Syrian Arab Republic, Tajikistan, Thailand, Tunisia, United Arab Emirates, Bolivarian Republic of Venezuela, Vietnam, Yemen, Zimbabwe.

Against: Albania, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Republic of Korea, Latvia, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, The Former Yugoslav Republic of Macedonia, Ukraine, United Kingdom, United States of America.

Abstaining: Argentina, Brazil, Cameroon, Chad, Chile, Colombia, Holy See, India, Kenya, Mexico, Nigeria, Peru, Uganda, United Republic of Tanzania, Uruguay, Zambia.

84. There were 49 votes in favour and 45 against, with 16 abstentions. The resolution was adopted.

85. Monsignor BANACH (Holy See), explaining his delegation's vote, said that the Holy See had always favoured the building of a climate of trust and peace in the Middle East region and had always supported every initiative aimed at resolving outstanding problems in the region. Thus, it had supported the resolution the preceding day under item 21. Furthermore, the Holy See hoped that the international community would continue to create conditions that favoured peace, avoiding tensions and the threat of war.

86. In order to arrive at a sustainable solution, it was necessary to adopt a universal perspective on the problems that characterized the Middle East, including the nuclear question, and not to focus on single issues. It was important to be aware of the suffering of all peoples and to take account of their equal dignity, aspirations and legitimate interests.

87. Mr KUMAR (India), explaining his delegation's vote, said that his country had had to abstain as it believed that the resolution incorporated elements extraneous to the Agency.

88. Mr SOLTANIEH (Islamic Republic of Iran), explaining his delegation's vote, said that his country had voted in favour of the resolution because it deplored the attitudes and conduct of Israel, which jeopardized the Agency's spirit of cooperation and polarized Member States. The division of States into northern and southern groups, as seen in the voting on the resolution, reflected a dangerous trend for the future of the Agency. Iran believed that most of the politically motivated debates among Member States over the preceding 40 years had related to the issue of Israel's violations of international treaties and Agency resolutions, and its non-compliance with international obligations including the Agency's Statute. He recalled that the Agency's General Conference, in 1981, had approved resolution GC(XXV)/RES/381 declaring Israel in violation of the Statute. With reference to the statement by Israel that it had not violated any treaties, he noted that that came as no surprise, since Israel was not party to such treaties as the NPT. His country saw such statements as following a consistent line of hypocrisy and deception. Iran appealed to all Member States, from both North and South, to cooperate with one another and not to sacrifice that spirit of cooperation over the issue of Israel.

89. Mr EL-KHOURY (Lebanon), on behalf of the Arab States, thanked all Member States that had voted in favour of the resolution. He expressed the hope that the resolution just adopted would be built upon in the future and that the spirit of Vienna would become a reality rather than just an empty phrase. In the light of the decision which had just been taken, and the one taken on the preceding day under item 21, the current session of the General Conference could be judged a true success.

90. Mr DANIELI (Israel) said that his country deplored the resolution just adopted, which served no purpose of the Agency or its General Conference. Israel would not cooperate in any way with the resolution, which only aimed at reinforcing political hostilities and lines of division in the Middle East. The resolution's sponsors would see no benefit from it besides the momentary satisfaction of the delegates present at the meeting. Israel would continue to cooperate with the delegations that had already demonstrated their desire to transform the General Conference's approach to Middle East issues.

The meeting rose at 2.05 p.m.