

# General Conference

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# Plenary

## Record of the Ninth Meeting

*Held at Headquarters, Vienna, on Thursday, 17 September 2009, at 3.05 p.m.*

**President:** Ms MACMILLAN (New Zealand)

## Contents

Item of the agenda <sup>1</sup>	Paragraphs
9 Election of members to the Board of Governors	1–23
8 General debate and Annual Report for 2008 ( <i>resumed</i> )	24–42
Statements by the delegates of:	
Slovakia	24–32
Slovenia	33–42
9 Election of members to the Board of Governors ( <i>resumed</i> )	43–45

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<sup>1</sup> GC(53)/24.

## Contents (continued)

Item of the agenda <sup>1</sup>	Paragraphs	
8	General debate and Annual Report for 2008 ( <i>resumed</i> )	46–72
	Statements by the delegates of:	
	Croatia	46–52
	Palestine	53–59
	ABACC	60–67
	Sovereign Order of Malta	68–72
21	Application of IAEA safeguards in the Middle East	73–105

**Abbreviations used in this record:**

ABACC	Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials
CPF	Country Programme Framework
CPPNM	Convention on the Physical Protection of Nuclear Material
Euratom	European Atomic Energy Community
FAO	Food and Agriculture Organization of the United Nations
MESA	Middle East and South Asia
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
NPT Review and Extension Conference	Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
Quadripartite Agreement	Agreement between the Republic of Argentina, the Federative Republic of Brazil, the Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials and the International Atomic Energy Agency for the Application of Safeguards
SEAP	South East Asia and the Pacific
SQP	small quantities protocol
UNSCEAR	United Nations Scientific Committee on the Effects of Atomic Radiation



## **9. Election of members to the Board of Governors** (GC(53)/8 and 25)

1. The PRESIDENT recalled that in 1989 the General Conference had approved a procedure whereby, when there was agreement regarding the candidate or candidates from a particular area, no secret ballot would be held provided that there was no objection; balloting would take place only for those areas where no candidate had been agreed upon. That procedure considerably facilitated the rational use of the General Conference's time. If it was agreeable to the Conference, she would proceed with the election of members to the Board of Governors in the manner outlined.

2. It was so decided.

3. The PRESIDENT drew attention to document GC(53)/8 containing a list of the Agency Member States designated to serve on the Board from the end of the current session of the Conference until the end of the 54th (2010) session. She recalled that, under Rule 83 of the Rules of Procedure, she had to inform the General Conference of the elective places on the Board that had to be filled. To that end, document GC(53)/25 had been prepared; it indicated that the Conference had to elect eleven members of the Board from the seven categories listed.

4. Agreement had been reached on the candidates for the vacancies to be filled in all area groups with the exception of Africa, where more than one candidate was listed for one vacancy to be filled. Accordingly, a secret ballot would have to be held in order to fill one vacancy in that area.

5. She took it that the General Conference wished to elect Peru and Venezuela to the two vacant seats for Latin America.

6. Peru and Venezuela were duly elected.

7. The PRESIDENT took it that the General Conference wished to elect Denmark and the Netherlands to the two vacant seats for Western Europe.

8. Denmark and the Netherlands were duly elected.

9. The PRESIDENT took it that the General Conference wished to elect Azerbaijan and Ukraine to the two vacant seats for Eastern Europe.

10. Azerbaijan and Ukraine were duly elected.

11. The PRESIDENT took it that the General Conference wished to elect Pakistan to the one vacant seat for the Middle East and South Asia.

12. Pakistan was duly elected.

13. The PRESIDENT took it that the General Conference wished to elect Mongolia to the one vacant seat for the Far East.

14. Mongolia was duly elected.

15. The PRESIDENT took it that the General Conference wished to elect the Republic of Korea to the floating seat for the Far East/MESA/SEAP, which it was the turn of a member from SEAP to fill.

16. The Republic of Korea was duly elected.

17. The PRESIDENT noted that there were two vacant seats to be filled for Africa. There appeared to be agreement on one of those vacant seats but not on the second and, consequently, the Conference would have to hold a ballot to fill the second vacant seat.
18. She took it that, for one of the vacant seats for Africa, the General Conference wished to elect Kenya.
19. Kenya was duly elected.
20. The PRESIDENT invited the General Conference to proceed to a vote by secret ballot for the remaining vacant seat for Africa.
21. A vote was taken by secret ballot.
22. At the invitation of the President, Mr Brady (Ireland) and Ms Rivera (Philippines) acted as tellers.
23. The PRESIDENT, noting that the counting of votes would take some time, suggested that the General Conference should resume the general debate until the results could be announced.

## **8. General debate and Annual Report for 2008 (resumed)** (GC(53)/7)

24. Ms ŽIAKOVÁ (Slovakia) said that nuclear energy made an important contribution to meeting energy needs worldwide and particularly in Slovakia, where almost 50% of electricity was produced in nuclear power plants. Under the country's energy strategy, nuclear energy would remain an important energy source in the long term. The shutdown of the second unit of the Bohunice V-1 nuclear power plant at the end of 2008 posed an increased challenge to the security of energy supply, but significant steps had been taken by her Government and the energy sector to find appropriate ways of offsetting the resulting shortfall in electricity production. Units 3 and 4 of the Mochovce nuclear power plant were expected to come into operation in 2012 and 2013 respectively, which would be a major step forward.
25. In December 2008, the Slovakian Government had approved an initiative for the construction of a new unit at the Bohunice site to provide for the expected medium-term increase in energy consumption and, in that connection, she expressed appreciation for Agency activities to support Member States introducing or expanding nuclear energy for power generation. In such activities, particular attention should be accorded by the Agency to safety, security and waste management. The fifth meeting of the European Nuclear Energy Forum would be taking place in Bratislava in May 2010.
26. Slovakia used nuclear energy exclusively for peaceful purposes and paid the closest attention to safety and security. Based on operational performance, regulatory assessments and inspection results, its independent Nuclear Regulatory Authority considered the operation of all nuclear installations in the country to be safe, reliable and within the national legal framework.
27. At the 3rd review meeting of the Contracting Parties to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management held in Vienna in May 2009, Slovakia's national report had been widely discussed and its comprehensiveness and transparency had been commended by several Contracting Parties. The review meeting had concluded

that the safety of nuclear installations and the legal and regulatory framework were in line with international best practice. The Agency should promote adherence to international instruments such as the Convention on Nuclear Safety and the Joint Convention.

28. Safety was a precondition for all applications of nuclear energy and it was essential that the Agency support that objective and make its services available to Member States. The Slovak authorities considered the Agency's expert services an essential part of international cooperation and a confidence-building measure to support national regulatory decision-making processes.

29. European Council Directive 2009/71/Euratom of 25 June 2009 establishing a Community framework for the nuclear safety of nuclear installations was the first legally binding European Union document in the nuclear safety area. Member States were obliged to ensure proper transposition of the Directive into national legislation and Slovakia had already begun preparatory work in that regard.

30. In the field of improving the security of nuclear material and nuclear facilities, the Slovakian Government was preparing a law to protect national critical infrastructure, including the nuclear power sector. The working group established to address that task comprised experts from various ministries and other governmental bodies under the auspices of the Ministry of the Interior. The main features of the law related to the financing of protection systems and implementation of the relevant European Union Directive.

31. Technical cooperation with the Agency remained an important part of Slovakia's international cooperation activities. Her country had been cooperating with the Agency on a wide range of national, regional and interregional projects, and technical cooperation under the auspices of the Agency had contributed in the medium term to the development of peaceful uses of nuclear energy in the Europe region. During 2009, Member States in the Europe region had been working on a strategy for regional technical cooperation with the aim of improving its effectiveness and efficiency and reflecting new trends and realities worldwide. The objectives of the strategy were to ensure the relevance and impact of the programme, to promote inclusive participation of Member States, to strengthen partnerships, to ensure effective governance of the programme, and to promote optimal use of financial and human resources. The strategy should be complete by the end of the year. The regional strategies currently being elaborated could be used as a basis for preparing an overall medium-term strategy for technical cooperation.

32. As in previous years, Slovakia stood ready to continue making experts and training facilities available and would maintain its general policy of accepting fellows and scientific visitors sponsored by the Agency. The country was committed to fulfilling its financial obligations to the Agency, including its contribution to technical cooperation activities, and would continue to support the Agency fully.

33. Mr STRITAR (Slovenia) said that the Agency's role in preventing the misuse of nuclear material was widely recognized and its ultimate goal was to prevent the spread of nuclear weapons. The Agency had more than fifty years' experience of impartial and independent verification activities. Eighty-four States had comprehensive safeguards agreements and additional protocols in force, which should be considered the contemporary verification standard, and his country urged all other Member States to adopt that standard without delay. Slovenia, as one of the countries in which integrated safeguards were being implemented, supported progress in strengthening the effectiveness and improving the efficiency of the Agency's safeguards system.

34. The threat of nuclear or other radioactive material being used in malicious acts remained high and should be addressed in a timely manner in order to minimize potential consequences to society and the environment. The Agency's work in the area of nuclear security was indispensable to prevent, detect and respond to nuclear terrorism, and it was pleasing that almost 90% of Member States that

had responded to the November 2007 evaluation of the nuclear security programme had been satisfied with the Agency's work. Nevertheless, the responsibility for nuclear security rested with Member States, which should work hand in hand with the Agency to strengthen non-proliferation, nuclear verification and export controls. In that connection, Slovenia had ratified the amended CPPNM.

35. His country attached great importance and was fully committed to supporting the Agency's technical cooperation activities. It had hosted Agency regional workshops, training courses and seminars in the preceding year and Slovenian organizations and institutions had trained Agency fellows from various developing countries. Since 2006, Slovenian experts had been active in assisting Serbia with the decommissioning of nuclear facilities. Slovenian assistance had been given mainly to the Serbian regulatory authority, which needed to issue a licence for the repackaging and transport of spent fuel from the Vinča research reactor. In 2009, the assistance provided had comprised on-site visits, a workshop in Ljubljana, review of the final safety analysis report, drafting of licensing conditions, and consultations on transport of spent fuel to Russia.

36. Slovenia recognized the efforts made by the Secretariat to improve and strengthen emergency preparedness and response in Member States. The Agency's Incident and Emergency Centre maintained the Joint Radiation Emergency Management Plan of the International Organizations and acted as the focal point for international preparedness, communication and response to nuclear and radiological incidents. Slovenian organizations participated in the Response Assistance Network, under which Member States party to the emergency conventions and relevant international organizations were able to register their response capabilities. He welcomed the network's increasing popularity among Member States, which sent a clear message that no country should be left alone in the event of an emergency. Exercises were an important tool to test emergency response capability and the ConvEx exercises were widely appreciated by Member States. Slovenia successfully participated in such activities, which ranged from simple communication and response tests to the full operation of the worldwide information exchange mechanism. In the light of emerging security threats, those exercises should also include a security component.

37. Slovenia's system for preventing illicit trafficking of radioactive material in scrap metal had been significantly improved in 2008 to strengthen national control over orphan sources, which could be present in any shipment from domestic suppliers or from abroad. During 2008, 86 000 shipments had been monitored by scrap metal importers and metal reprocessing plants. Two findings involving radioactive sources had occurred at scrap yards, but there had been no events posing a threat to workers or the population.

38. For the time being, Slovenia's main goals related to the continued safe operation of existing nuclear capacities. Since 2005, there had been no automatic or manual reactor trips at the Krško nuclear power plant. The programme for the next periodic safety review at the plant, due to be complete in 2013, had been submitted to the regulator. An ageing management programme had been completed and life-extension activities ranked high on the operator's agenda. International experience and information exchange could significantly contribute to maintaining high levels of nuclear safety. The Krško nuclear power plant had an excellent operating record, maintaining its share of almost 40% of electrical power supplied to the national grid despite the overall increase in production, including from hydroelectric and thermal power, in recent years.

39. With the phasing out of older thermal power plants over the coming decade, it was expected that new units would be added to the Slovenian fleet of power plants. A new nuclear power plant was still considered to be a possible solution, although other energy options were competing to provide the power that would be needed in the near future. The advantages of nuclear energy were numerous and included reliability, large units, low operational costs and negligible greenhouse gas emissions, although the disadvantages were large initial investment and the long and complicated licensing and



construction phase. Nevertheless, nuclear power remained a viable option for Slovenia's current and future energy mix. With the development of new and safer nuclear power plant designs, nuclear energy would be even more attractive. Slovenian nuclear-related organizations were seriously considering that option.

40. The process of identifying a site for a repository for low- and intermediate-level radioactive waste would soon be completed. A major step had occurred in July 2009 when the Krško municipal council had approved an amendment to the national plan to locate the repository at Vrbinja, after long public debate. Once the plan for the repository had been adopted by the Government, an application for construction could be filed.

41. Slovenia attached the utmost importance to high levels of nuclear safety worldwide. The Convention on Nuclear Safety and the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management were recognized as incentive conventions, and the review process under those instruments helped maintain a high level of nuclear safety. An analysis of issues relating to the Convention on Nuclear Safety had revealed that many appeared to be country-specific. Following the 4th review meeting of the Contracting Parties to the Convention on Nuclear Safety, the time had come to introduce changes to make the review process more efficient. Slovenia welcomed the forthcoming first extraordinary meeting of the Contracting Parties and hoped that the proposed rule changes would meet Parties' expectations. He highlighted the importance of continuous safety improvement and promoting international cooperation on safety matters, including outside the framework of the aforementioned conventions. In addition, bilateral relations could be used to exchange information, which could resolve many safety-related issues in countries with less operating experience.

42. Drawing attention to the widespread use of radiation techniques in medicine, he noted that advances in medical imaging and therapy equipment had resulted in better treatment methods for patients, but radiation protection could not be neglected. UNSCEAR estimated that the dose to the world population due to medical diagnostic procedures had risen by more than 70% in less than a decade. Medical radiation techniques offered benefits, but medical exposure had to be justified and optimized. Exchange of information and experience among practitioners should be encouraged, in addition to strengthening regulatory oversight of patient exposure.

## **9. Election of members to the Board of Governors (resumed)** (GC(53)/8 and 25)

43. The PRESIDENT announced the result of the ballot to the Conference.

44. In the election of one member to the remaining vacant seat for Africa, the result of the vote was as follows:

<u>Ballot papers returned:</u>	109
<u>Invalid votes:</u>	0
<u>Abstentions:</u>	8
<u>Valid votes:</u>	101
<u>Required majority:</u>	51

Votes obtained:

Cameroon:	53
Libyan Arab Jamahiriya:	46
Morocco:	1
Niger:	1

45. Having obtained the required majority, Cameroon was duly elected to the remaining vacant seat for Africa.

## **8. General debate and Annual Report for 2008 (resumed)** (GC(53)/7)

46. Mr HORVATIC (Croatia) said that the Agency was the world's focal point for peaceful nuclear cooperation and nuclear safety and it had an indispensable role in preventing the spread of nuclear weapons, especially since Member States had been facing new security challenges and threats, nuclear terrorism foremost among them. The three pillars of the Agency's activities — verification, safety and technology — had retained their validity for the past 53 years and they were equally important and interdependent.

47. Croatia supported international initiatives on non-proliferation of nuclear weapons and the peaceful use of nuclear technology. It had actively participated in the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism, the Code of Conduct on the Safety and Security of Radioactive Sources and the amended CPPNM. It was monitoring the ratification process for the amended CPPNM with keen interest and was looking forward to the required two-thirds majority of State Parties being achieved. At national level, Croatia had established institutional capacities for the prevention of illicit trafficking in nuclear and other radioactive material. In addition, in 2009, it had participated in the 3rd review meeting of the Contracting Parties to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management and had successfully presented its third national report.

48. His country had been one of the first Member States to sign and ratify an additional protocol and it had also brought into force a revised SQP. He called on all States that had not yet done so to sign, ratify and implement an additional protocol without delay. He also called on all States with SQPs to conclude an exchange of letters with the Agency to give effect to the standardized text and modified criteria. Croatia was implementing integrated safeguards and all nuclear material in Croatia remained in peaceful activities.

49. One of the most important aspects of collaboration between Croatia and the Agency was technical cooperation. The Agency's development role, as a focal point for peaceful nuclear cooperation, should not be underestimated. He expressed his country's gratitude for the assistance provided by the Agency through a wide range of ongoing technical cooperation projects and research agreements, which had made a positive impact in various fields of the peaceful use of nuclear energy and techniques.

50. In the 2009–2011 project cycle, five national projects were being implemented, covering applications of radiation in medicine, improvement of nuclear and radiation safety infrastructure, and

implementation of nuclear techniques in environmental protection, based on the priorities set out in the country's current CPF. Croatia hoped that a revised CPF would be finalized soon, taking into account Croatia's new energy strategy.

51. His country extended its full support to the Agency's activities to enhance regional cooperation and exchange of knowledge through regional projects. It actively participated in regional projects either as a lead country, or through the organization of meetings and workshops in research and other relevant institutions in Croatia. A large and growing number of foreign experts were being trained in Croatia's institutions under the Agency's fellowship programme. The Member States of the Europe region recognized regional cooperation as the best mechanism to promote effective and open exchange of know-how and experience and they were moving towards the preparation of a strategy for technical cooperation, which Croatia supported strongly.

52. For many years, Member States had been discussing and negotiating every budget proposal for very lengthy periods. Budgetary issues were of particular importance in the light of the global financial crisis. As the Director General had repeatedly emphasized, without adequate funding the Agency would be unable to fulfil its statutory tasks. He drew attention to the importance of States' budgetary commitments and obligations and stressed that Croatia had continued to fulfil its own obligations and expected all Member States to do the same, for their common benefit, security and prosperity.

53. Mr ELWAZER (Palestine) emphasized the importance of the Agency's support for peaceful uses of nuclear energy in areas such as medicine, industry, research, power generation and water desalination. The technical cooperation programme had boosted international confidence in the role of nuclear technology in vital areas of everyday life. Other important Agency activities included the application of safeguards and promotion of nuclear-weapon-free zones.

54. Palestine strongly urged all States that had not yet signed a safeguards agreement and had not acceded to the NPT, especially Israel, to do so forthwith. It also called on all nuclear-weapon States to disarm in the interests of the survival and well-being of humankind. Israel's refusal to accede to the safeguards regime and sign the NPT posed a threat to regional and international peace and security.

55. The people of Palestine were directly exposed to the threat of Israel's nuclear reactors. For instance, there were many reports, some written by Israelis, to the effect that the Dimona reactor had reached the end of its service life and that a variety of accidents were liable to occur. The resulting risk to the Palestinian people and land could not be ignored. He therefore urged the Agency and its Member States to make every effort to assess the status of Israeli nuclear installations, to take steps to reassure the Palestinian people and other peoples of the region, and to eliminate the existing risks.

56. Palestine was greatly concerned over the persistent shortcomings of the Agency's safeguards regime and at the lack of safeguards in States that had not acceded to the NPT. The current situation in the Middle East posed a serious threat to regional peace and security because of Israel's refusal to accede to the NPT and apply safeguards, and the inability of the Agency and other States to take effective action in that regard. The situation was conducive to an arms race and escalating tension in the region. The Agency's credibility depended on how it handled the issues of the establishment of a nuclear-weapon-free zone in the Middle East and application of Agency safeguards to all nuclear installations in the region.

57. Palestine strongly supported discussion of the agenda item on Israeli nuclear capabilities proposed by the Arab States with the support of other groups. Israel's continued pursuit of a policy of ambiguity and its unwillingness to speak frankly about its nuclear capabilities constituted blatant defiance of the international community. He demanded that all Member States be given the opportunity to discuss the item and adopt an appropriate resolution aimed at eliminating the threat

posed by Israeli nuclear capabilities. There would be no peace in the Middle East until the Palestinian people realized their dream of establishing an independent State with its capital in Jerusalem on the Palestinian land occupied since 1967, and until the Palestinian refugees were able to return to their homeland in accordance with relevant United Nations resolutions, in particular General Assembly resolution 194 (III).

58. He warmly thanked the Secretariat for the support it was giving to projects relating to the development of environmental radiation monitoring, support for the production of a radiation map of Palestine, development of radiation protection services, building of national preparedness to deal with radiation and nuclear accidents, training of human resources and support for nuclear technology applications. The Agency's support in those areas would make an effective contribution to the realization of the Palestinian people's dream of being able to live like other peoples in a safe and stable environment.

59. He also thanked the Agency for its positive response to the request made by the Council of Arab Ambassadors in Vienna concerning the content of a number of reports and witness statements by specialist physicians regarding the possibility that the Israeli army had used ammunition and bombs containing depleted uranium during its attack on the Gaza Strip in late December 2008, which had claimed the lives of more than 1500 Palestinians, most of them innocent civilians, including women and children, and had injured more than 6000. The veracity of the reports was still being investigated with the assistance of the Agency, which was the sole authority capable of undertaking the necessary analyses with a view to reassuring the people of Gaza.

60. Mr MARCUZZO DO CANTO (ABACC) said that the mission of his institution was to manage the Common System of Accounting and Control of Nuclear Materials, which involved safeguarding all nuclear facilities and material in Brazil and Argentina. He was pleased to be able to confirm that all nuclear material and other items under safeguards in the two countries had been used for exclusively peaceful purposes and recorded appropriately in 2008.

61. All ABACC activities related to the application of safeguards were performed in conjunction with the Agency, respecting the independent conclusions of each body, and within the framework of the Quadripartite Agreement signed in 1991. Under that agreement, Brazil and Argentina had committed themselves to the application of safeguards to ensure the non-diversion of nuclear material. Coordination between the Agency and ABACC ensured effective cost management, avoided duplication of effort and promoted efficiency and effectiveness in safeguards activities. The good results obtained with regard to unannounced inspections and sharing of safeguards equipment reflected the high level of understanding and cooperation between the two institutions.

62. An example of significant progress over the preceding year had been the successful implementation of short-notice random inspections at fuel element factories in Argentina and Brazil thanks to the efforts of officials, technicians, inspectors, consultants and laboratories in both countries, all working under the supervision and guidance of ABACC's Board of Directors.

63. For several decades, cooperation between the Agency and the FAO had produced good results, with the use of nuclear technologies leading to improvements in the quantity and quality of harvests. With the global food crisis and forecasts of steep population increases, the Agency was set to play a greater role in the fields of agriculture and nutrition.

64. The Agency's responsibilities were also growing exponentially in the context of the growing interest in using nuclear power to meet increased energy needs in a way that did not produce carbon dioxide emissions. With its accumulated experience and knowledge, the Agency was regarded as an invaluable source of support and assistance for the construction of adequate, safe and reliable infrastructures in countries launching nuclear power programmes. However, more nuclear power

plants entailed increased proliferation risks and there was a threat that belligerent nations or terrorist groups might abuse nuclear material.

65. The Agency's enhanced responsibilities meant that it needed an increased budget. The Commission of Eminent Persons had concluded that the budget should be doubled by 2020 in order to meet the new demands successfully.

66. One way to face future challenges would be to create independent and reliable regional systems to be applied in coordination with the Agency while optimizing use of available resources. The successes of Euratom and ABACC could serve as a model. Models could not be directly applied in other regions owing to differing geopolitical characteristics and cultural differences, but the concept of developing regional agencies merited consideration.

67. The decisions of both Argentina and Brazil to reactivate their nuclear programmes meant that an increase in ABACC's inspection, accounting and control activities was foreseen over the coming years. New technologies such as three-dimensional images obtained using laser rays, environmental sampling and satellite imagery could be incorporated into safeguards processes to render them more effective and less intrusive. ABACC stayed abreast of such developments and understood that officials and inspectors must receive ongoing training to keep them up to date with the latest technologies. As part of its quest for excellence, it was ABACC's policy to ensure that its staff and inspectors were well qualified and it therefore cooperated with the Agency, the United States Department of Energy and Euratom in areas such as non-destructive analysis, containment and surveillance, training courses and safeguards approaches.

68. Mr GRANSER (Sovereign Order of Malta) said that the modern world was characterized by a high degree of interdependence at the economic, political, social and environmental level. It was important to mobilize resources to promote lasting peace and sustainability. His organization, as the predecessor of modern international humanitarian institutions, still actively pursued the humanitarian commitments which had inspired its founding 900 years before. It worked without religious or ideological discrimination to help the poor and suffering, preserve the fundamental values of humanity, act as a promoter of peace among nations, religions and societies, and contribute to worldwide security.

69. The Agency's work had always been marked by the so-called spirit of Vienna, which sought to unite nations in their efforts to achieve the peaceful and safe use of nuclear technology, respect for the environment and consideration for the most disadvantaged populations. His organization wished to see all States working together to promote nuclear safety and security, and a culture of life and peace capable of promoting the development of peoples.

70. The NPT was the cornerstone of nuclear disarmament efforts and an important element in the further development of nuclear energy applications for peaceful purposes.

71. The Agency's technical cooperation programme had achieved major advances in the fields of agriculture, hydrology, food security and medicine. He encouraged the Agency to continue those activities, particularly those aimed at improving access to safe drinking water.

72. The Agency's activities showed how issues and conflicts in the world community could be governed by common regulations if all countries worked together towards the same goals. In the same spirit of joint action, his organization, through its embassies and relief organizations, gave people the chance to escape poverty, conflict and disease. He commended the significant technical contribution of the Agency to peace and security and to development activities benefiting the most marginalized peoples of the world.

**The meeting was suspended at 4.45 p.m. and resumed at 6.40 p.m.**

## **21. Application of IAEA safeguards in the Middle East** (GC(53)/12, Add.1 and Corr.1; GC(53)/L.2/Rev.1)

73. The PRESIDENT said that the item had been included on the agenda pursuant to General Conference resolution GC(52)/RES/15. Pursuant to operative paragraph 13 of that resolution, the Director General had submitted the report contained in document GC(53)/12, Add.1 and Corr.1. Also before the General Conference was document GC(53)/L.2/Rev.1 containing a draft resolution submitted by Egypt.

74. Mr FAWZY (Egypt), introducing the draft resolution, said that it had been prepared following extensive consultations during the preceding weeks under the auspices of the President and with the participation of the United States of America, Sweden on behalf of the European Union, and Israel. Egypt had fully supported that process, displaying a high degree of flexibility and a willingness to accommodate the differing views that existed on the serious and substantive issues addressed by the resolution.

75. He thanked all those who had contributed their time, goodwill and energy to the process. He believed that the result of all those efforts could be seen in the draft resolution which, in Egypt's view, reflected all views and should restore the consensus that had eluded the General Conference in recent years. He expressed particular gratitude to Egypt's partners from the Arab Group and NAM.

76. Mr DANIELI (Israel) said that his delegation had striven for a resolution that would enable the General Conference to regain the consensus on the issue that had been lost three years previously. In recent weeks, Israel had engaged with Egypt with a view to arriving at an agreed text for the draft resolution. In addition, it had fully cooperated with the President, the European Union and the United States of America, offering utmost flexibility in the interests of consensus. Israel appreciated those efforts, as it did the efforts of other delegations that had supported the process, and those of Egypt.

77. The attainment of regional peace, security and stability was the fundamental goal in the Middle East, as in other regions. Israel's vision and policy was to establish the Middle East as a mutually verifiable zone free of weapons of mass destruction and their delivery systems. It had always emphasized that such a process should, through direct negotiations, begin with confidence-building measures, which should be followed by mutual recognition, reconciliation and peaceful relations. As a consequence, 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.

78. As the international community had accepted and recognized in other regions, any move to establish in a region a zone free of weapons of mass destruction could only emanate from within the region itself. In Israel's view, progress towards the vision of such a zone could not be made without a fundamental change in regional circumstances, including a significant transformation of the attitude of some States in the region towards Israel. Israel's gradual approach towards the establishment of a nuclear-weapon-free zone in the Middle East was in line with experience of similar processes in other regions, including Latin America, the South Pacific, South East Asia and Africa.

79. Israel questioned the statements and activities of some of its neighbours, which it viewed not only as being discordant with the responsibility and mission of the Agency, but also as undermining the confidence building that was instrumental to regional security and arms control measures. Non-compliance with and violations of international commitments and obligations in the nuclear domain characterized the Middle East more than any other region: four out of five recognized cases of violations of legally-binding NPT obligations over the preceding 50 years had taken place in the Middle East. Israel attached great importance to the nuclear non-proliferation regime and had supported, wherever possible, adherence to arms control and other international treaties. Universal

adherence to the NPT was evidently no remedy in the context of such regional circumstances. His country hoped that in future a new balance could be found that would truly benefit the Middle East region as a whole.

80. Finally, under Rule 72 of the Rules of Procedure, he requested a separate vote on operative paragraph 2 of the draft resolution.

81. Mr FAWZY (Egypt), speaking on behalf of NAM, thanked the Director General for his report and drew attention to paragraph 123 of the final document of the 15th NAM Summit held in Sharm El Sheikh in July 2009, which stated the following:

“The Heads of State and Government *reiterated* their support for the establishment in the Middle East of a zone free of all weapons of mass destruction. As a priority step to this end, they *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. They called upon all parties concerned to take urgent and practical steps towards the fulfilment of the proposal initiated by Iran in 1974 for the establishment of such a zone and, pending its establishment, they 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 called for the earliest implementation of relevant IAEA resolutions on “Application of IAEA Safeguards in the Middle East”. 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 further *welcomed* the initiative by H.E. Mr Mohammed Hosni Mubarak, President of the Arab Republic of Egypt, on the establishment of a zone free from weapons of mass destruction in the Middle East, and in this context, they took into consideration the draft resolution tabled by the Syrian Arab Republic, on behalf of the Arab Group, before the Security Council on 29 December 2003 on the establishment of a zone free of all weapons of mass destruction in the Middle East. They *stressed* that necessary steps should be taken in different international fora for the establishment of this zone. 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.”

82. NAM noted with regret the Director General’s statement that he remained unable to make further progress in fulfilling his mandate pursuant to resolution GC(52)/RES/15 regarding the application of comprehensive Agency safeguards in the Middle East. It noted that the Director General

would continue with his consultations in accordance with his mandate regarding the early application of comprehensive Agency safeguards on all nuclear activities in the Middle East region.

83. NAM also regretted Israel's continued insistence that progress in that regard be made contingent on other developments related to the achievement of peace in the Middle East.

84. NAM welcomed the Director General's finding that there was a continuing consensus that the global nuclear non-proliferation regime would be further strengthened through the establishment of a nuclear-weapon-free zone in the Middle East, and it held the view that every effort should therefore be made to translate that consensus into urgent and practical steps.

85. Furthermore, NAM took note of the recent efforts of the Director General aimed at developing the agenda and modalities for a forum on the relevance of the experience of existing nuclear-weapon-free zones to establishing such a zone in the Middle East. In that connection, NAM stressed that, for that forum to be successful, its agenda should reflect the consensus within the international community on the importance of establishing a nuclear-weapon-free zone in the Middle East. NAM requested the Director General to continue consultations with Member States of the Middle East in an effort to achieve consensus on the agenda and modalities for the forum.

86. NAM endorsed the draft resolution put forward by Egypt under the current item.

87. Speaking on behalf of his own country, he requested that the vote requested by Israel be conducted by roll call.

88. The PRESIDENT invited the Conference to proceed to a roll-call vote on operative paragraph 2 of the draft resolution contained in document GC(53)/L.2/Rev.1.

89. Sudan, having been drawn by lot by the President, was called upon to vote first.

90. The result of the vote was as follows:

In favour: Albania, Algeria, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Botswana, Brazil, Bulgaria, Burkina Faso, Cameroon, Chile, China, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Germany, Ghana, Greece, Holy See, Hungary, Iceland, Indonesia, Islamic Republic of Iran, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Republic of Korea, Kuwait, Latvia, Lebanon, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Malaysia, Malta, Mexico, Montenegro, Morocco, Myanmar, Namibia, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Thailand, The Former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom, Uruguay, Bolivarian Republic of Venezuela, Vietnam, Yemen, Zambia, Zimbabwe.

Against: Israel.

Abstaining: Canada, Georgia, India, United States of America.

91. There were 100 votes in favour and 1 against, with 4 abstentions. The paragraph was adopted.



92. Mr DANIELI (Israel) requested a vote on the resolution as a whole under Rule 72 of the Rules of Procedure.

93. Mr FAWZY (Egypt) requested that the vote be conducted by roll call.

94. The PRESIDENT invited the Conference to proceed to a roll-call vote on the draft resolution contained in document GC(53)/L.2/Rev.1.

95. Poland, having been drawn by lot by the President, was called upon to vote first.

96. The result of the vote was as follows:

In favour: Islamic Republic of Afghanistan, Albania, Algeria, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belarus, Belgium, Botswana, Brazil, Bulgaria, Burkina Faso, Cameroon, Chile, China, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Germany, Ghana, Greece, Holy See, Hungary, Iceland, India, Indonesia, Islamic Republic of Iran, Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Republic of Korea, Kuwait, Latvia, Lebanon, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Malaysia, Malta, Mexico, Montenegro, Morocco, Myanmar, Namibia, Netherlands, New Zealand, Niger, Norway, Oman, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, The Former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom, Uruguay, Bolivarian Republic of Venezuela, Vietnam, Yemen, Zambia, Zimbabwe.

Abstaining: Canada, Georgia, Israel, United States of America.

97. There were 103 votes in favour and none against, with 4 abstentions. The resolution was adopted.

98. Mr KUMAR (India), speaking in explanation of vote, said that his delegation had abstained in the vote on operative paragraph 2 of the draft resolution because it introduced matters extraneous to the Agency.

99. Mr OTHMAN (Syrian Arab Republic) said that, in 2003, his country had submitted a draft resolution to the Security Council on behalf of the Arab States on the establishment of a nuclear-weapon-free zone in the Middle East. Unfortunately, that resolution had not been adopted. A nuclear-weapon-free zone in the Middle East was part of confidence building and a preliminary to the establishment of peace. Israel lacked the serious political will for peace and was hindering the peace process in order to enhance its military domination in the region. The establishment of a nuclear-weapon-free zone required more than the wish to do so; it required the taking of practical steps, acceptance of an international resolution like the one put forward by Syria, and accession by Israel to the NPT and the placement of all its facilities under Agency comprehensive safeguards.

100. He asked the Director General and the international community to bring pressure to bear on Israel to accede to the NPT.

101. Mr HASTOWO (Indonesia) said that his country supported the resolution just adopted and the tasks entrusted to the Director General in it.

102. Indonesia remained fully committed to the peace process in the Middle East and was disappointed that there had been no significant progress in efforts to establish a nuclear-weapon-free zone in that region. It supported the Director General's efforts to speed up progress in that regard and to convene a forum in which participants from the Middle East and other interested parties could learn from the experience of other regions. He expressed appreciation for the agenda and modalities for such a forum presented in Annex 1 to document GC(53)/12 and expressed the hope that consultations with Member States in the Middle East would lead to a consensus in that regard.

103. He expressed concern at the continued defiant attitude and policy of a single country in the region with regard to the placement of its nuclear installations under Agency safeguards, and at that country's refusal to accede to the NPT, which impeded the achievement of peace and security. The 1995 NPT Review and Extension Conference had expressed concern about the dangerous situation in the Middle East resulting from the presence of nuclear activities in the region that were not subject to Agency safeguards. Furthermore, the 2000 NPT Review Conference had requested Israel to accede to the NPT as soon as possible. Indonesia strongly believed that the accession of Israel to the NPT and the placement of all its nuclear facilities under comprehensive Agency safeguards were the most critical steps for the establishment of a nuclear-weapon-free zone in the region. It therefore urged Israel to accept the application of Agency comprehensive safeguards on all its nuclear activities and to respond positively to the demands of the international community.

104. Mr DAVIES (United States of America) expressed appreciation for the flexible approach shown by all sides in the discussions leading up to adoption of the resolution. That approach was essential if substantive progress was to be made in the future. He offered reassurance that his country's abstentions in the voting did not mean that it was any less committed to the goal of the universality of the NPT and a Middle East free of weapons of mass destruction and their means of delivery.

105. Mr LUNDBORG (Sweden), speaking on behalf of the European Union, expressed satisfaction at the positive outcome of the discussions and voting on the resolution. In acting as co-Chairman — with the United States of America — of the negotiations on the resolution, he had been gratified by the positive atmosphere and the efforts made to find common solutions. He thanked Egypt and Israel for their constructive cooperation and expressed the hope that it could be further built upon in the future.

**The meeting rose at 7.45 p.m.**