

General Conference

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Fifty-second regular session

Provisional Agenda

Supplementary item for inclusion in the provisional agenda

1. On 10 June 2008, the Director General received a request submitted by the Ambassador of the Kingdom of Morocco on behalf of the Arab States that are members of the Agency, for the inclusion of an item entitled "*Israeli nuclear capabilities*" in the agenda of the 52nd regular session of the General Conference.
2. Pursuant to the Rules of Procedure of the General Conference¹, this item is hereby placed on a supplementary list which will be circulated not later than 8 September 2008. The letter from the Ambassador of the Kingdom of Morocco and the accompanying explanatory memorandum relating to the inclusion of this item are attached hereto.
3. It is suggested, for consideration by the General Committee, that this item follow item 20 of the provisional agenda and be discussed in the Plenary.

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

**Text of letter received on 10 June 2008 from the
Ambassador of the Kingdom of Morocco**

On behalf of the Arab States that are members of and observers in the International Atomic Energy Agency (the Hashemite Kingdom of Jordan, the Kingdom of Bahrain, the United Arab Emirates, the Republic of Tunisia, the Republic of Algeria, the Kingdom of Saudi Arabia, the Republic of Sudan, the Syrian Arab Republic, the Republic of Iraq, the State of Qatar, the State of Kuwait, the Lebanese Republic, the Libyan Arab Jamahiriya, the Arab Republic of Egypt, the Kingdom of Morocco, the Republic of Yemen, the Sultanate of Oman, and Palestine), I have the honour to forward to you the request of these States, formulated on the decision of the Arab summit and the Council of Arab Foreign Ministers, for the inclusion of an item entitled "Israeli nuclear capabilities" in the agenda of the fifty-second session (2008) of the International Atomic Energy Agency's General Conference.

The explanatory memorandum relating to the request for inclusion of the above-mentioned item is enclosed herewith.

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

Accept, Sir, the assurances of my highest esteem.

(signed) Ambassador Omar Zniber
Dean of the Arab Diplomatic Corps in Vienna
Ambassador of the Kingdom of Morocco

Mr. Mohamed ElBaradei
Director General
IAEA

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

1. An item on Israeli nuclear capabilities and threat has been on the agenda of the General Conference of the International Atomic Energy Agency for a number of years, and the Conference has time and again adopted resolutions calling upon Israel to place its nuclear installations under Agency safeguards.
2. In 1992 the Conference endorsed the President's statement, which included the following: "... in view of the peace process already under way in the Middle East, the aim of which was to conclude a comprehensive and just peace in the region, and which included in particular discussions on the establishment of a nuclear-weapon-free zone in the Middle East, it would be desirable not to consider the present agenda item at the thirty-sixth regular session."
3. The policies of successive Israeli Governments have obstructed the peace process in the Middle East and all initiatives to free the region of the Middle East of weapons of mass destruction, and in particular of nuclear weapons, have failed.
4. The Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons which was held in May 1995 adopted a resolution on the Middle East expressing the concern of the States Party to the Treaty at the dangerous situation in the Middle East resulting from the presence in the region of nuclear activities not subject to Agency safeguards, which put regional and international peace and security at risk.
5. In May 2000, the sixth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, which followed developments in the implementation of the resolution on the Middle East issued at the previous Review Conference, issued a Final Document which, inter alia, requested Israel to accede to the NPT as soon as possible and welcomed the accession to it of a number of Arab States during the period 1995–2000, while Israel remained the only State in the region that had not acceded to that Treaty. The Conference reaffirmed the importance of Israel's accession to that Treaty and the placement of all its nuclear facilities under comprehensive Agency safeguards, in realizing the goal of universal adherence to the Treaty in the Middle East.
6. In 1997, the Member States of the Agency reinforced its control of nuclear activities through the Board of Governors' adoption of the Model Additional Protocol to enhance the effectiveness and improve the efficiency of the safeguards system, in respect of States which have concluded comprehensive safeguards agreements, in order to provide assurance that no undeclared nuclear activities or installations exist.
7. Arab States have always shown their readiness to take practical steps towards creating in the Middle East a zone free of nuclear, chemical and biological weapons of mass destruction, and to refrain from taking any measures which could hamper the attainment of this goal.
8. All Arab States have acceded to the Treaty on the Non-Proliferation of Nuclear Weapons, while Israel continues to defy the international community by its refusal to become a party to the Treaty or to place its installations under the Agency's comprehensive safeguards system, thus exposing the region to nuclear risks and threatening peace. Israel's Prime Minister (Ehud Olmert) has gone so far as to deliver a statement on German television in December 2006 implying that Israel possesses nuclear weapons, and thus Israel's possession of nuclear weapons is likely to lead to a destructive nuclear arms race in the region, especially as Israel's nuclear installations remain outside any international control.

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

10. At the forty-second, forty-third, forty-fourth, forty-fifth, forty-sixth, forty-seventh, forty-eighth, forty-ninth, fiftieth and fifty-first sessions of the Agency's General Conference (September 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006 and 2007), an item entitled "Israeli nuclear capabilities and threat" was re-inscribed on the agenda of those sessions at the request of a number of Member States. The Agency's General Conference endorsed at a plenary meeting of its forty-ninth session held in September 2005 the following statement by the President:

"The General Conference recalls the statement by the President of the 36th session in 1992 concerning the agenda item "Israeli nuclear capabilities and threat". That statement considered it desirable not to consider that agenda item at the 37th session.

"The General Conference also recalls the statement by the President of the 43rd session in 1999 concerning the same agenda item. At the 44th, 45th, 46th, 47th, 48th, 49th, 50th and 51st sessions, this item was, at the request of certain Member States, re-inscribed on the agenda.

"Several Member States requested that this item "Israeli nuclear capabilities" be included in the provisional agenda of the 52nd regular session of the General Conference".

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

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

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

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

1. Resolutions issued by the General Assembly:

Year	Res. No.
1994	49/78
1995	50/73
1996	51/48
1997	52/41
1998	53/80
1999	54/57
2000	55/36
2001	56/26
2002	57/97
2003	58/68
2004	59/106
2005	60/92
2006	61/103
2007	62/56

2. Resolutions issued by the International Atomic Energy Agency:

Year	No.
1987	GC(XXXI)/RES/470
1988	GC(XXXII)/RES/487
1989	GC(XXXIII)/RES/506
1990	GC(XXXIV)/RES/526
1991	GC(XXXV)/RES/570