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Held at the Neue Hofburg, Vienna,
on Thursday, 2 October 1986, at 3.20 p.m.

President: Mr. RAMANNA (India)

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[*] GC(XXX)/789.

The composition of delegations attending the session is given in document
GC(XXX)/INF/233/Rev.4.

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ELECTION OF MEMBERS TO THE BOARD OF GOVERNORS (GC(XXX)/790) (resumed)

1. The PRESIDENT informed the General Conference of the results of the voting.

2. The result of the election of three Members from the area of Latin America was as follows:

<u>Abstentions:</u>	28
<u>Valid votes:</u>	257
<u>Required majority:</u>	43
<u>Votes obtained:</u>	
Brazil	92
Chile	71
Panama	3
Venezuela	91

3. Having obtained the required majority, Brazil, Chile and Venezuela were elected to the Board.

4. The result of the election of two Members from the area of Western Europe was as follows:

<u>Abstentions:</u>	3
<u>Valid votes:</u>	187
<u>Required majority:</u>	47
<u>Votes obtained:</u>	
Ireland	93
Switzerland	94

5. Having obtained the required majority, Ireland and Switzerland were elected to the Board.

6. The result of the election of one Member from the area of Eastern Europe was as follows:

<u>Abstentions:</u>	6
<u>Valid votes:</u>	89
<u>Required majority:</u>	45
<u>Votes obtained:</u>	
Bulgaria	89

7. Having obtained the required majority, Bulgaria was elected to the Board.

8. The result of the election of two Members from the area of Africa was as follows:

<u>Abstentions:</u>	10
<u>Valid votes:</u>	180
<u>Required majority:</u>	46
<u>Votes obtained:</u>	
Madagascar	88
Nigeria	91
Zambia	1

9. Having obtained the required majority, Madagascar and Nigeria were elected to the Board.

10. The result of the election of one Member from the area of the Middle East and South Asia was as follows:

<u>Abstentions:</u>	21
<u>Valid votes:</u>	73
<u>Invalid votes:</u>	1
<u>Required majority:</u>	37
<u>Votes obtained:</u>	
Islamic Republic of Iran	26
Iraq	47

11. Having obtained the required majority, Iraq was elected to the Board.

12. The result of the election of one Member from the area of South East Asia and the Pacific was as follows:

<u>Abstentions:</u>	7
<u>Valid votes:</u>	87
<u>Invalid votes:</u>	1
<u>Required majority:</u>	44
<u>Votes obtained:</u>	
Thailand	87

13. Having obtained the required majority, Thailand was elected to the Board.

14. The result of the election of one Member from the area of Africa or of the Middle East and South Asia or of South East Asia and the Pacific was as follows:

<u>Abstentions:</u>	7
<u>Valid votes:</u>	88
<u>Required majority:</u>	45
<u>Votes obtained:</u>	
Iraq	6
Saudi Arabia	82

15. Having obtained the required majority, Saudi Arabia was elected to the Board.

16. The PRESIDENT, after congratulating the 11 Members so elected, recalled that under Article VI.D of the Statute they would hold office from the end of the current session until the end of the thirty-second regular session of the General Conference, i.e. for a period of two years.

17. He thanked the delegations of Denmark and Poland, which had provided tellers, the two tellers themselves, and their Secretariat assistants.

THE ISRAELI NUCLEAR THREAT (GC(XXX)778, GC(XXX)/792)

18. The PRESIDENT informed delegates that there had been many difficulties in the course of the consultations among delegations on the item under discussion, and reminded them that the Agency had acquired a reputation for solving problems in a business-like manner through consultation and consensus. Delegates should bear in mind that certain parties would seize any opportunity to malign nuclear energy as a force that was evil rather than constructive, and delegates should not play into their hands in any way.

19. Mr. AL-KITAL (Iraq) pointed out that no consultations had taken place that might have imparted to the draft resolution (GC(XXX)/792) the definitive form required for a decision to be taken on it.

20. The PRESIDENT expressed the view that the problem required informal consultation, and that formal amendments would at the present be inappropriate.

21. Mr. HADDAD (Syrian Arab Republic) said that the resolution under discussion was new, having nothing to do with the attack on the Baghdad reactor or the Israeli threat to peaceful nuclear installations in general. Those matters had been debated and had been the subject of a number of resolutions.

22. The resolution contained in document GC(XXX)/792 concerned the military nuclear threat posed by Israel's nuclear weapons manufacturing capacity. His delegation considered Israel to represent a nuclear threat, among other reasons because it was the only Middle East State whose Nuclear Energy Commission was attached to its Ministry of Defence; it hid its nuclear weapons manufacturing capacity under an innocent-looking disguise. It had to be remembered that Israel had accepted no Agency safeguards. Israel had annexed the territory of neighbouring countries, had been branded as a racist State by the United Nations, and was in continuous conflict with its neighbours. The Middle East had been a theatre of war five times in the previous 40 years, and there could be no guarantee of peace until Israel had withdrawn from the territories it had occupied and annexed.

23. The wars of 1973 and 1982 had once again focused international attention on the Middle East area as one fraught with danger. Israel's acquisition of a military nuclear capacity had turned the Middle East into an area of nuclear imbalance which might lead to a conflagration in which the use of nuclear weapons could not be ruled out. The consequences for the region and for the world might be of the utmost gravity. The Syrian delegation therefore called upon Member States to do their utmost to avoid such a conflagration and while recognizing that the draft resolution contained in document GC(XXX)/792 did not represent an ideal solution, commended it to delegates as a step in the right direction.

24. The first paragraph of the operative part of the draft resolution affirmed the necessity of establishing a nuclear-weapon-free zone in the Middle East; resolutions to establish such zones had been adopted by the United Nations in the past, and Syria was in favour of the creation of as many as possible.

25. The second operative paragraph demanded that Israel submit all its nuclear facilities to Agency safeguards; the principle motivating that demand was one of service to peace and security in the region and in the world as a whole, and had been accepted by the Security Council, the General Assembly of the United Nations and the General Conference of the Agency.

26. The third operative paragraph called upon all States to discontinue co-operation with and assistance to Israel in the nuclear field until the latter complied with the provisions of the draft resolution; that paragraph was designed to prevent Israel's nuclear potential from being reinforced, and, as a consequence, to limit Israel's capacity to wage nuclear war.

27. Paragraphs 4, 5 and 6 of the operative part contained the procedures necessary to monitor the situation and to ensure that the resolution was implemented, which alone would bring relief from the threat posed by Israel's nuclear capability.

28. The Syrian delegation called upon all delegates to be present at the vote on the resolution; by so doing, they would buttress the principle of full democracy within the Agency.

29. Mr. CONSTENLA UMANA (Costa Rica) recalled that the General Conference, in its recent debate on measures to strengthen international co-operation in nuclear safety, had carried out its work in a spirit of collaboration with scarcely a discordant note being heard. Furthermore, the discussions had contained nothing which might be considered alien to the objectives of the Agency.

30. The Costa Rican delegation reflected that, in the discussion of draft resolution GC(XXX)/792 on the other hand, clear divisions of a political nature could be observed. His delegation wished to remind the Conference that the International Atomic Energy Agency was intended to be an international forum for dealing with the peaceful uses of atomic energy, not with matters of a political nature, for which the appropriate venue was the General Assembly of the United Nations in New York.

31. It was, of course, the right of every State to call for the discussion of items affecting its vital interests; however, the subject matter of draft

resolution GC(XXX)/792 lay outside the competence of the Agency. His delegation therefore deplored the fact that an item on which so much time had been spent at previous sessions of the General Conference should again appear on the agenda, and likewise deplored the resulting diversion of effort which, were it directed into its proper channel, might benefit the many millions still suffering, at the end of the twentieth century, from hunger and want.

32. Mr. PELEG (Israel) also regretted that a number of States should have proposed to occupy the limited time of the General Conference by bringing up extraneous political matters. The culmination of that manoeuvre was to be found in draft resolution GC(XXX)/792, whose irrelevance was already evident in its preamble, which relied almost entirely on a series of purely political resolutions adopted by various organs of the United Nations and whose subject matter did not lie within the mandate of the Agency. He wished to list a number of specific aspects of the draft resolution and its contents to which his delegation particularly objected.

33. Firstly, as he had said, the issue was political and did not pertain to the functions of the Agency which would be prejudiced if the draft resolution were adopted. Second, the issue was being raised again for no cogent reason. The Secretary-General of the United Nations had stated in his reports to the General Assembly on the subject of "Israeli nuclear armament", contained in documents A/38/199 in 1983 and A/39/435 in 1984, that he "has received no new information in this regard and consequently has nothing to add to his earlier reports to the General Assembly on this subject". Furthermore, the Secretary-General's reports A/36/431 in 1981 and A/40/520 in 1985, which were cited in the draft resolution under discussion, had not indicated any nuclear threat.

34. Third, Israel was singled out by the draft resolution in an unacceptable manner. Some of the sponsors, Saudi Arabia for example, were not parties to NPT, while others, Syria and Tunisia for instance, had not concluded safeguards agreements with the Agency pursuant thereto. A number of the sponsors had also vitiated the legal standards of behaviour recognized by the international community; an example was the proven recourse by Iraq to chemical warfare, and in that context it was to be noted that Syria was also

developing a chemical warfare capability. Libya's search for nuclear weapons on the world market should likewise not be forgotten. Those countries, therefore, maintained one standard for themselves and advocated another for Israel.

35. Fourth, it was to be feared that the introduction of politically motivated items would create a dangerous precedent for the Agency. Many of the Agency's Member States were not party to NPT and did not accept full-scope safeguards; among them were various countries with proven scientific and technological capability. Those States might not at present be the target of demands such as those contained in the draft resolution, but that situation could easily change to their disadvantage.

36. Fifth, with reference to preambular paragraph (g) of the draft resolution, he wished to emphasize once again that Israel rejected apartheid and neither did it co-operate with South Africa in the nuclear field. It was the declared policy of the Government of Israel to reject and condemn apartheid as a system, whether political, social or economic.

37. Sixth, membership of the Agency and the acceptance of safeguards had no link under the Statute; the Agency had been established on the basis of the sovereign equality of all its Members, and the General Conference could not require Member States to accept full-scope safeguards which the Statute itself did not impose. In addition, States which did not themselves accept safeguards could not reasonably demand that others should do so.

38. Seventh, as provided in Article III.A.5 of the Statute, the conclusion of a safeguards agreement was a voluntary act by a State; every Member State had the right to decide for itself which safeguards agreements it wished to conclude with the Agency.

39. Eighth, the exhortation contained in operative paragraph 3 of the draft resolution, which called upon all States to discontinue co-operating with Israel in the nuclear field, was contrary to Article III.A.1 of the Statute. Once again, the sponsors of the draft resolution were attempting to convert the Agency into a weapon of political warfare.

40. Ninth, Israel affirmed the necessity of establishing a nuclear-weapon-free zone in the Middle East, along the general lines of the Tlatelolco Treaty, and Israel's statements, voting record and initiatives were conclusive evidence that that was its genuine desire. Israel regretted that its proposals to that end had been rejected by a number of Arab States, most significantly by Syria and Iraq. It was his delegation's opinion that the international community would better serve the cause of non-proliferation by persuading the bellicose Arab States which had sponsored the draft resolution to commence direct negotiations on a nuclear-weapon-free zone.

41. It was obvious that the draft resolution was yet another low attempt to turn the Agency into an additional instrument of political warfare against Israel. The international opposition to previous similar exercises was a clear expression of the wish of many Member States to do without manoeuvres of that kind, and the adoption of another anti-Israel resolution could not serve the cause of peace or any positive purpose. Instead of political irrelevances, adoption of full-scope safeguards had a specific role to play in a regional non-proliferation regime freely arrived at by the States concerned and negotiated by them in good faith.

42. His delegation called upon the General Conference not to repeat a useless and potentially damaging debate on an irrelevant issue, but instead to stay within the context of the Agency's Statute. The Chernobyl incident presented problems of substance and urgency, and it would be in the interest of all countries, and not of Israel alone, for the Agency not to be distracted from matters of such importance. The efforts of Member States should be directed towards ensuring that no further extraneous issues were raised at sessions of the Agency's policy-making organs. The Israeli delegation therefore urged all delegations to reject the draft resolution, and requested that each operative paragraph be voted on separately.

43. Mr. AL-KITAL (Iraq) said that Israel's objection to the draft resolution on the grounds of its irrelevance was an attempt to deny facts which proved that Israel was violating international law. The threat posed by Israel was real, and of that there was more than adequate proof. Statements emanating from the highest levels in the Ministry of Defence of that country

indicated that Israel had the capacity to manufacture nuclear weapons and intended to do so. Many sources outside Israel had even furnished evidence that Israel had already fabricated a substantial number of such weapons. Yet other sources indicated that Israel had installed medium-range nuclear weapons on the Golan Heights and elsewhere, in addition to its substantial capacity in terms of launch vehicles. Reports from the United States and Europe had indicated that Israel might be capable of manufacturing laser devices.

44. In the face of Israel's proven nuclear potential, the fears of its neighbours were quite legitimate. For that reason those neighbours were calling upon the States Members of the Agency to protect them, and although some States might try to conceal their real policies by arguing that the Agency was not a political forum, there was in fact no doubt at all about how the Agency should proceed. In the light of the above considerations the Iraqi delegation called for full support for the draft resolution contained in document GC(XXX)/792 of which it was a sponsor.

45. Mr. KENNEDY (United States of America) regretted the need to speak yet again on a subject which had been discussed repeatedly for five years. The draft resolution contained in document GC(XXX)/792 was totally unacceptable to the United States delegation and he urged that it be rejected. It was, contrary to the assertion made by the delegate of Syria, not a new resolution and was no different from previous equally unacceptable ones. That that was so could be shown by a glance at the operative paragraphs, some of which were identical to those contained in previous draft resolutions representing an attempt to press a regional political issue in a totally inappropriate international forum.

46. It was also claimed that the issue was now one of safety, but no genuine safety feature, such as those discussed at the Chernobyl post-accident review, was involved in the present case. If Israel represented a military threat, then that threat was the same as it had been in previous years. If the proposal were really for establishment of a nuclear-weapon-free zone, why was it focused on one country only? The proposal would need reshaping so as to be of general application and would have to include such highly relevant

matters as verification procedures and so on. Finally if what was at stake was peace in the region in question, then referral to the Security Council was the correct procedure.

47. His delegation wished to make it quite clear that if the item under discussion continued year after year to waste the Conference's time thanks to its irrelevance, then the United States would be forced seriously to consider changing its long tradition of firm support for the Agency. The draft resolution was discriminatory, disruptive and detrimental to the proper work and to the image of the Agency, serving only to keep alive a moribund issue.

48. He accordingly urged all delegations to reject the draft resolution in the name of good sense and to avoid damage to the Agency and to the United Nations system as a whole.

49. Mr. THOMPSON (Ireland) said that, although his delegation considered the existence of unsafeguarded facilities in a Member State to be an appropriate subject for debate by the General Conference - the prevention of nuclear proliferation being one of the Agency's principal objectives - and could therefore support a summons to Israel to submit all its installations to safeguards, his delegation could nevertheless not accept the draft resolution under discussion. There were at least five Members of the Agency which operated unsafeguarded nuclear facilities and several of those States appeared to fall into the category mentioned in preambular paragraph (h) of the draft resolution in having the capacity to produce material usable for nuclear weapons. Ireland remained deeply committed to the view that all those countries could be persuaded, within the framework of their membership of the Agency, that their best interests would be served by placing all their installations under Agency safeguards. His Government, however, objected to one member of that group being singled out for special condemnation in a manner least likely to achieve the overall objective of a universal safeguards regime.

50. Mr. HIREMATH (India) recalled that in his opening statement the President had urged delegates to avoid discussions of a purely political nature, especially those with no direct bearing on the peaceful uses of

nuclear energy. According to its Statute the main purpose of the Agency was to increase the contribution of nuclear energy to peace, health and prosperity throughout the world. However, it was sometimes necessary to discuss political matters since developments of a political nature could hamper the peaceful uses of nuclear energy. That situation was well illustrated by the explanatory memorandum on the item under discussion submitted by Syria and circulated as document GC(XXX)/778. It was stated therein that, since Israel's policies had led to an escalation of tension and had threatened peace and security in the region, and since Israel continued to occupy territory belonging to other countries and had even launched attacks on sovereign States as far away as Iraq and Tunisia, Israel's growing nuclear capability constituted a serious threat in proportion as it increased that country's capacity to destabilize or dominate the region.

51. India had in 1947 and 1948 accepted Resolutions 181 and 194 of the second and third sessions of the General Assembly of the United Nations, and had thus acknowledged the existence of Israel as a State. Nevertheless, India's position was that Israel must withdraw from all Arab and Palestinian territories occupied by it, including Jerusalem, restore the inalienable rights of the Palestinian people, including their right to a national State, and recognize the PLO as the legitimate representative of the Palestinian people. Unless those conditions were met, peace could scarcely be ensured in western Asia. India was therefore sympathetic towards the demand made by the Arab countries to impose a certain measure of international discipline on Israel's nuclear capability, and considered that the draft resolution sponsored by the Syrian and other delegations could form a basis for such action at international level.

52. It had been said that it would be invidious to make distinctions between Israel and other States in the matter of safeguards, and that if safeguards were to be applied to Israel's nuclear facilities, then they should also apply to the facilities operated by its neighbours. India accepted that principle, and if full-scope safeguards were accepted by everyone, no one would be more pleased than his Government. However, such was not the case, and with certain Governments pursuing unjust policies either towards some of

their own people or towards their neighbours, discrimination in nuclear matters could be justified. In that connection he recalled the declaration made by the Heads of State or Government at the recent summit meeting at Harare, strongly condemning the growing co-operation between the racist régimes of South Africa and of Israel and noting the similarity of the repressive policies practised by both. The Heads of State or Government had therefore called upon all States to refrain from co-operating with the régimes in Pretoria and Tel Aviv in the nuclear field, seeing in such co-operation a threat to international peace and security; they had also referred to the resolutions adopted by the fortieth session of the General Assembly recondemning the continuing nuclear collaboration between Israel and South Africa and deploring the grave consequences for international peace and security of those two States' collaboration in developing nuclear weapons and delivery systems.

53. In the light of those considerations, the Indian delegation supported the draft resolution contained in document GC(XXX)/792.

54. Mr. van GORKOM (Netherlands) said that the establishment of nuclear-weapon-free zones - however noble an aim - did not fall within the mandate of the Agency. The matter should therefore be discussed in an appropriate forum, such as the Committee on Disarmament or the General Assembly of the United Nations.

55. The Netherlands strongly favoured the application of Agency safeguards to all nuclear facilities in non-nuclear-weapon States. Israel and certain other States had chosen not to accept safeguards; his delegation regretted that fact and urged Israel and those other States, including South Africa, to accept full-scope safeguards.

56. His delegation, however, found that the third operative paragraph of the draft resolution was discriminatory in that it proposed discontinuation of nuclear co-operation with Israel alone, because of Israel's non-acceptance of full-scope safeguards; if the proposed action was called for in the case of Israel, then it should apply to all States in the same category.

57. Moreover, the Statute of the Agency, while it advocated the application of safeguards, made no provision for enforcing it. For that reason,

non-acceptance of safeguards by Israel could not under the Statute be considered to be sufficient reason for the sanctions called for in operative paragraph 3 of the draft resolution.

58. The Netherlands deplored the politicization of safeguards and the placing of purely political items on the agenda of a technical and professional organization which had during the past few days displayed its capacity for constructive action in its special field. The Netherlands delegation therefore could not support the draft resolution contained in document GC(XXX)/792.

59. Mr. BADRAN (Jordan) said that, given the Agency's primary purpose - as a non-political organization - of promoting the peaceful utilization of nuclear energy, if a Member State threatened or destroyed the peaceful nuclear facilities of another Member, then that constituted sufficient grounds for taking some corrective action against that State. That was the present situation as regards Israel.

60. As for repetition, if that were a criterion for removing an item from the agenda, then the General Conference would have very little left to discuss. The same would apply if political issues were banned. The General Conference would, for example, be unable to discuss the matter of South Africa, because it had featured repeatedly on the agenda and because it was a political issue. His delegation believed that delegates who had advocated the application of sanctions against South Africa could not, in all conscience, refuse to speak at all on the matter of Israel. The mere fact of repetition did not render an issue less vital. Delegates would also recall that the revision of Article VI.A.2 of the Statute had been under discussion for a good 10 years - but that was not held to vitiate the recurring debates on the subject. In any case, his Government believed that the solution to the problem was to translate words into deeds, and that could be done by ensuring compliance with the resolutions of the General Conference.

The meeting rose at 4.50 p.m.