



International Atomic Energy Agency

GENERAL CONFERENCE

GC(XXX)/OR.291

April 1987*

GENERAL Distr.

ENGLISH

THIRTIETH REGULAR SESSION: 29 SEPTEMBER-3 OCTOBER 1986

RECORD OF THE TWO HUNDRED AND NINETY-FIRST PLENARY MEETING

Held at the Neue Hofburg, Vienna,
on Friday, 3 October 1986, at 10.25 a.m.

President: Mr. RAMANNA (India)

CONTENTS

<u>Item of the agenda**</u>	<u>Paragraphs</u>
- Organization of work	1 - 3
- Oral report by the Chairman of the Committee of the Whole on the following items:	4 - 41
The Agency's accounts for 1985	20
The Agency's programme and budget for 1987 and 1988	21 - 30
The financing of safeguards	31
Scale of assessment of Members' contributions for 1987	32 - 33
The financing of technical assistance	34
Staffing of the Agency's Secretariat	35 - 37
Amendment of Article VI.A.2 of the Statute	38
Revision of Article VI of the Statute as a whole	39 - 41
7 The Israeli nuclear threat (resumed)	42 - 94

[*] A provisional version of this document was issued on 5 December 1986.

[**] GC(XXX)/789.

The composition of delegations attending the session is given in document GC(XXX)/INF/238/Rev.4.

ORGANIZATION OF WORK

1. The PRESIDENT recalled that the General Conference had not completed its consideration of item 7 of the agenda. However, merely in order to facilitate and accelerate the Conference's work, he proposed, before resuming discussion of the item in question, to take up the oral report of the Chairman of the Committee of the Whole, the latter having informed him that he was in a position to present his report.

2. Mr. SOLTANIEH (Islamic Republic of Iran) was opposed to that procedure and wished to resume the debate on the Israeli nuclear threat immediately.

3. The PRESIDENT urged the representative of the Islamic Republic of Iran to accept the procedure which he had proposed merely in order to facilitate the work of the General Conference; the examination of the report of the Chairman of the Committee of the Whole should not in fact take very much time and the items with which he would deal - important for the smooth operation of the Agency - should not cause any controversy. Then the Conference could devote itself to item 7, which was likely to take longer.

ORAL REPORT OF THE CHAIRMAN OF THE COMMITTEE OF THE WHOLE

4. The PRESIDENT invited the Chairman of the Committee of the Whole to present his oral report.

5. Mr. SOLTANIEH (Islamic Republic of Iran), raising a point of order, said that he could not accept that examination of item 7 should be thus postponed without prior notice.

6. The PRESIDENT pointed out that he had already invited the Chairman of the Committee of the Whole to take his place on the rostrum and that it was therefore difficult for him to go back on his decision unless a large number of delegations requested it. Since that was apparently not the case he would give the floor to the Chairman of the Committee of the Whole.

7. Mr. de la BARRE d'ERQUELINNES (Belgium), Chairman of the Committee of the Whole, presented the Committee's report on items 9 to 16 of the agenda.

8. Under item 9 (the Agency's accounts for 1985), the Committee recommended that the General Conference adopt the draft resolution on page I of document GC(XXX)/776.

9. Under item 10 (the Agency's programme and budget for 1987 and 1988), the Committee recommended that the General Conference adopt draft resolutions A, B and C set forth in Annex III to Part I of document GC(XXX)/777. In addition, the Committee had adopted the Board of Governors recommendation that the General Conference authorize the Board to continue its examination of the proposed expanded nuclear-safety-related programme and to make such modifications as it considered necessary.

10. Under the same agenda item, other draft resolutions had been submitted, after consideration of which the Committee had drawn the following conclusions.

11. Firstly, the Committee of the Whole recommended that the General Conference adopt draft resolution GC(XXX)/791 on the Convention on the Physical Protection of Nuclear Material; during the discussions on that document the representative of Argentina had expressed reservations about the procedure whereby draft resolutions unrelated to any of the items on the Conference's agenda were submitted to the Committee of the Whole. The Committee of the Whole further recommended that the General Conference request the Director General to place on the provisional agenda for the next regular session of the Conference an item entitled "Status and implementation of conventions for which the Agency is depositary", which would consist of three sub-items: (a) Convention on the Physical Protection of Nuclear Material; (b) Convention on Early Notification of a Nuclear Accident; and (c) Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency".

12. Secondly, after having considered a draft resolution submitted by Italy and Switzerland relating to the Convention on Early Notification of a Nuclear Accident, to the intervention dose levels and to the concept of radiological safety significance, the Committee had welcomed the initiative taken by Italy and Switzerland in that important area. Having noted that the Secretariat was preparing a report on intervention dose levels, the Committee recommended that the General Conference request the Director General: (a) to ensure that due

priority was given to the work currently under way in that area within the Secretariat; and (b) to submit a report on that and related matters to the Board of Governors in February 1987.

13. Under item 11 (the financing of safeguards), the Committee recommended that the General Conference adopt the draft resolution contained in document GC(XXX)/786.

14. Under item 12 (scale of assessment of Members' contributions for 1987), the Committee recommended that the General Conference adopt the draft resolution contained in document GC(XXX)/783.

15. Under item 13 (the financing of technical assistance), the Committee recommended that the General Conference adopt the draft resolution contained in document GC(XXX)/794.

16. Under item 14 (staffing of the Agency's Secretariat), the Committee recommended that the General Conference adopt the draft resolution contained in document GC(XXX)/793. In addition, the Committee recommended that the General Conference request the Director General to transmit the summary records of the Committee's discussions on that item to the Board of Governors.

17. Under item 15 (amendment of Article VI.A.2 of the Statute), the Committee recommended that the General Conference adopt the draft resolution contained in document GC(XXX)/798.

18. Finally, under item 16 (revision of Article VI of the Statute as a whole), the Committee recommended that the General Conference adopt the draft resolution contained in document GC(XXX)/797.

19. The PRESIDENT suggested that the draft resolutions relating to the agenda items which had been referred to the Committee of the Whole might now be considered by the Conference with a view to their adoption.

The Agency's accounts for 1985

20. The draft resolution on page I of document GC(XXX)/776 was adopted.

The Agency's programme and budget for 1987 and 1988

21. Draft resolutions A, B and C contained in Annex III to Part I of document GC(XXX)/777 were adopted.

22. The PRESIDENT said that if there were no objections he would take it that the General Conference authorized the Board of Governors to continue examination of the proposed expanded nuclear-safety-related programme and to make such modifications thereto as it considered necessary.

23. It was so decided.

24. The draft resolution contained in document GC(XXX)/791 was adopted.

25. The PRESIDENT said that if there were no objections he would take it that the General Conference wished the Director General to place on the provisional agenda for its next regular session an item entitled "Status and implementation of conventions for which the Agency is depositary:

a) Convention on the Physical Protection of Nuclear Material; b) Convention on Early Notification of a Nuclear Accident; and c) Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency".

26. It was so decided.

27. The PRESIDENT said that if there were no objections he would take it that the General Conference wished the Director General to ensure that due priority was given to the work currently under way within the Secretariat in the area of intervention dose levels and to submit a report on that and related matters to the Board of Governors in February 1987.

28. It was so decided.

29. Ms. MAGLIETTA (Italy) recalled that under item 10 of the agenda Italy had submitted two draft resolutions to the Committee of the Whole, contained in documents GC(XXX)/COM.5/48 and GC(XXX)/COM.5/45. The first resolution requested the Director General to take initiatives, in close co-ordination with other organizations concerned, to prepare recommendations on the scope of the concept of the radiological safety significance of a nuclear accident and to review the existing recommendations on intervention dose levels; the second concerned the need to improve the effectiveness of the Agency's Incident Reporting System by including additional types of safety-significant events which Member States should communicate to the Agency, by enlarging the scope of the present system and by studying and evaluating safety-significant events.

30. Italy was convinced that the ideas and suggestions contained in those documents were worth pursuing, and hoped that the Director General would take due account of the wishes of a large number of Member States in that area when implementing the expanded activities.

The financing of safeguards

31. The draft resolution contained in document GC(XXX)/786 was adopted.

Scale of assessment of Members' contributions for 1987.

32. The draft resolution contained in document GC(XXX)/783 was adopted.

33. Mr. LAVINA (Philippines) said that although his delegation was not opposed to the adoption of the draft resolution contained in document GC(XXX)/783 it wished to clarify its position regarding the United Nations scale of assessment of contributions used by the Agency to establish the base rates for Member States' contributions to the Regular Budget. At the fortieth session of the United Nations General Assembly his country had voted against resolution 40/348 on the scale of assessment of contributions, since its base rate had increased from 0.09% to 0.10% for the financial period 1986-1988. His delegation had on that occasion stated that the assessment for his country did not reflect its capacity to pay, in view of the economic crisis which it had been facing for the past four years. Until its economic situation had improved, the Philippines would not accept any new commitment and would not increase its contribution.

The financing of technical assistance.

34. The draft resolution contained in document GC(XXX)/794 was adopted.

Staffing of the Agency's Secretariat

35. The draft resolution contained in document GC(XXX)/799 was adopted.

36. The PRESIDENT said that if there were no objections he would take it that the General Conference wished the Director General to transmit the summary records of the discussions in the Committee of the Whole on that item to the Board of Governors.

37. It was so decided.

Amendment of Article VI.A.2 of the Statute.

38. The draft resolution contained in document GC(XXX)/798 was adopted.

Revision of Article VI of the Statute as a whole.

39. The draft resolution contained in document GC(XXX)/797 was adopted.

40. Mr. NOE (Italy) said that in a spirit of compromise his country had agreed to join the consensus which had emerged on the procedural proposal submitted by Tunisia. His delegation therefore withdrew its request for a vote on its proposal contained in document GC(XXX)/780, in the hope that its spirit of collaboration would promote a rapid solution to a problem which Italy considered to be extremely important.

41. Mr. ZANNAD (Tunisia) thanked the delegations which had supported the draft resolution submitted by his country on Article VI of the Statute and was grateful to the Italian delegation for its conciliatory attitude; Italy could always count on the co-operation of Tunisia in attempting to ensure that all worked in the Agency's interests.

THE ISRAELI NUCLEAR THREAT (GC(XXX)/778, GC(XXX)/792 and Add.1 and 2) (resumed)

42. Mr. de la BARRE d'ERQUELINNES (Belgium) said that, for various reasons, his country was opposed to draft resolution GC(XXX)/792. The idea of creating a nuclear-free zone in the Middle East was interesting but the matter clearly lay outside the Agency's competence and should be examined by other United Nations bodies.

43. Moreover, Belgium had always been in favour of the application of full-scope safeguards to the civilian facilities of all countries, whether or not they had nuclear weapons. However, it could not accept that safeguards were imposed on a single country and used as a sanction. Until a full-scope safeguards system had been established acceptance of safeguards could only be the sovereign decision of States.

44. Finally, his delegation believed that the problem had been solved at the previous session of the General Conference, since the assurances provided by Israel had been considered to be satisfactory by the Conference. Any

attempt to reopen the debate therefore appeared to be a regrettable politicization of the Agency's work and a large number of delegations wanted an end to such politicization.

45. Mr. SOLTANIEH (Islamic Republic of Iran) regretted that his delegation had not been consulted on the procedural matter which had been raised at the beginning of the meeting; although, in a spirit of co-operation, it had not made use of its right to appeal against the President's decision under Rule 56 of the Rules of Procedure of the General Conference, it wished to make clear that the case should not be regarded as a precedent.

46. His country believed that the illegal régime of Israel should be expelled from all international organizations, including particularly the Agency, where its presence was the main cause of tension, intrigue and disunity. The fact that Israel was not subject to the Agency's safeguards regime was only one example of that entity's disregard for international laws and regulations. That attitude had enabled it to develop full nuclear capability by means of industrial espionage, piracy and sabotage, all of which had been proved on various occasions.

47. It was therefore obvious that, with regard to the creation of a nuclear-free zone in the Middle East, the only country which actually posed a potential nuclear threat was Israel. As long as Israel refused full-scope Agency safeguards, the creation of a nuclear-free zone in the Middle East would remain a hypothetical issue and the effectiveness of the international safeguards system would be undermined. Many Member States might then think that the system did not deserve their support and their financial contributions. However, in a spirit of solidarity and co-operation, the Islamic Republic of Iran would support the relevant draft resolution.

48. The Islamic Republic of Iran was naturally one of the sponsors of draft resolution GC(XXX)/792. It deeply regretted, however, that the country which had committed the most flagrant violations of international law and had flouted the very spirit of the Agency's Statute and resolutions, including resolution GC(XXIX)/RES/444, namely Iraq, was also included among the sponsors of that draft resolution. In a spirit of goodwill, the Islamic Republic of

Iran had refrained from mentioning, during the present session of the General Conference the military attack carried out by Iraq against the Bushehr nuclear power plant on 12 July 1986. However, the Islamic Republic of Iran would soon be forced to draw the attention of Member States to the constant violations of the resolution in question by the Iraqi régime and to request that measures be taken to ensure that the development of nuclear power for peaceful purposes was not again jeopardized. That initiative would of course be taken in parallel with the energetic action to resolve the Israeli issue in an appropriate way.

49. Finally, if all the nuclear facilities in Israel and South Africa were not placed under full-scope safeguards before the following session of the General Conference, his country would propose, as a short term solution, that the budget of the Department of Safeguards should not be approved, since the Department would have demonstrated its ineffectiveness.

50. Mr. AL-MINAYES (Kuwait) said that his country was one of the sponsors of draft resolution GC(XXX)/792 because it believed that there was a constant threat that the Zionist Government would use nuclear energy for military purposes, and Kuwait wanted the Agency to monitor Israel's nuclear activities. His delegation fully endorsed the point of view expressed the previous day by the delegate of India, who considered that there was no difference between the Pretoria régime in South Africa and the Zionist Government in the occupied territories, because both were carrying out the same policy of racial discrimination and posing a serious threat to neighbouring States by using nuclear energy for military purposes as they thought fit.

51. It was not surprising that Israel was continuing on that course since it was supported and encouraged by a major power, well versed in international law and which was secretly promoting the policy of racial discrimination while condemning it publicly.

52. He urged all delegations to support draft resolution GC(XXX)/792 so as not to encourage Israel to continue the utilization of nuclear energy for military purposes.

53. Mr. PASHA (Pakistan) recalled that Israel was pursuing an aggressive expansionist policy. It had illegally occupied Arab and Palastinian territories and had refused to vacate them in defiance of resolutions of the United Nations General Assembly and Security Council. Furthermore, it had launched military attacks against Iraqi nuclear installations in 1981 and air attacks against Tunisia in 1985. The international community therefore had every reason to be seriously concerned by the expansion of Israel's arsenals and its military nuclear programme.

54. The experts' report submitted to the thirty-sixth session of the General Assembly (A/36/431) indicated that Israel had the technical capability to manufacture nuclear weapons and that its reactors would enable it to produce considerable quantities of plutonium and to separate plutonium from uranium in spent fuel. That report stated that Israel had the necessary experts and technical infrastructure to manufacture nuclear weapons. The experts concluded therefore that in order to avoid the danger of a nuclear arms race in the Middle East, Israel should renounce possession of nuclear weapons or any intention to possess them and should place all its nuclear facilities and installations under international safeguards. It was in that context that the sponsors of the draft resolution GC(XXX)/792 demanded, in operative paragraph 2, that Israel submit forthwith all its nuclear facilities and installations to Agency safeguards.

55. Israel's nuclear programme and its well-known capability to manufacture nuclear weapons constituted a serious threat to peace and security in the region; for that reason, the General Assembly and the Security Council had expressed, in a number of resolutions, their anxiety and concern about Israel's potential for fabricating nuclear weapons and its refusal to conform to the resolutions adopted by the international organizations. The Agency's General Conference had also requested, in resolution GC(XXIX)/RES/443 that Israel should place all its nuclear facilities under Agency safeguards. Unless Israel complied with the demands of the international community, peace and security in the Middle East would be threatened. The demilitarization of the Israeli nuclear programme was a prerequisite for the creation of a nuclear-free zone in the Middle East, the importance of which did not have to

be emphasized. It was therefore natural that the draft resolution should affirm the necessity of creating such a zone. His delegation consequently supported draft resolution GC(XXX)/792 and invited the General Conference to adopt it by an overwhelming majority.

56. Mr. KATTAN (Saudi Arabia) said that draft resolution GC(XXX)/792 concerned a vital question, since its aim was to prevent all uses of nuclear energy for non-peaceful purposes or for purposes not in conformity with the Agency's humanitarian objectives, which were to develop and promote the utilization of nuclear energy for the economic and social well-being of Member States. Although that problem was not a political one, it was nevertheless vital for the Agency's credibility. Everyone was well aware that the Middle East was constantly threatened by the aggressive expansionist behaviour of Israel, which did not respect international resolutions. His delegation called for the adoption of measures to ensure nuclear safety and security and to support and strengthen the uses of nuclear energy for peaceful purposes. Since the General Conference had adopted resolutions on the subject of South Africa at its twenty-eighth and twenty-ninth sessions, namely resolutions GC(XXVIII)/RES/423 and GC(XXIX)/RES/442, which at that time had not been considered to be political in nature, it should adopt draft resolution GC(XXX)/792 since Israel was conducting a policy of aggression similar to that of South Africa. By adopting that draft resolution, Member States would demonstrate a responsible attitude with regard to the Agency's objectives.

57. Mr. CONSTANZO (Uruguay) said that his Government, on the basis of the principles of universality, of the sovereignty of States and of equality between them, was opposed to all forms of discrimination towards a State and that therefore his delegation would vote against draft resolution GC(XXX)/792.

58. Mr. HADDAD (Syrian Arab Republic) reaffirmed that his delegation wished draft resolution GC(XXX)/792 to be voted on as a whole and the vote to be taken by roll-call.

59. In support of the draft resolution submitted by his delegation, it should be pointed out that Damascus was within immediate range of Israeli nuclear warheads installed on the Syrian Golan Heights. His delegation was convinced that in view of its primary objective to use the atom for peaceful

purposes, the Agency, within the framework of its multiple activities, could play an essential and constructive role in the creation of a nuclear-free zone in the Middle East. The Syrian delegation hoped that the Agency's Secretariat would do everything possible in that area, and was ready, for its part, to co-operate closely with it during the following year.

60. His delegation wished to draw attention to the fact that certain false statements had been made by the opponents of the draft resolution, and certain facts had been deliberately ignored by those opponents in order to evade the real issue.

61. Firstly, opponents of the draft resolution had not denied that Israel was the only State in the Middle East capable of manufacturing nuclear weapons, or that it was well known for its aggressive, expansionist and racist policy. Those two facts were sufficient to explain why the draft resolution related only to Israel.

62. Secondly, in response to the statement made by the delegate of Israel stating that the Syrian Arab Republic and the other Arab States would oppose the establishment of a nuclear-free zone in the Middle East, his delegation wished to stress that the Syrian Arab Republic, like the other Arab countries and countries throughout the world, had always requested and supported the creation of such a zone, but rejected the Israeli proposal to initiate direct negotiations on the subject. Two years previously, on the same platform, his delegation had proposed a complete project for a nuclear-free zone providing for the setting up of a committee consisting of five to seven members from neutral Member States of the Agency, with a mandate to prepare a draft convention which the States in the region should discuss and then adopt through the intermediary of the Agency's Secretariat.

63. The United States delegate, when he had said that the General Conference had been examining and discussing the matter for five years, was in fact referring to a completely different question - that of the armed attack against Iraqi nuclear facilities. The present subject of discussion was Israel's capability for manufacturing nuclear weapons and the ensuing dangers to peace in the region. In interpreting operative paragraph 5 of the draft resolution, the United States delegate had thought that the Syrian Arab

Republic was requesting the Director General, the Agency and the Board of Governors to submit a report on Israel's activities and operations in the nuclear field, which was something extremely wide. In fact, the Syrian Arab Republic was requesting a report on Israeli nuclear capability, including its capability for manufacturing nuclear weapons.

64. Finally, the opponents of the draft resolution had all stressed that it aimed to politicize the Agency and to divert it from its real objectives. That argument had been refuted and rejected by the delegate of India. In that connection his delegation observed that the United States delegate had taken regrettably little note of the Agency documents. He took it upon himself to deal with purely political subjects as he thought fit, while denying others the right to discuss political questions relating to nuclear safety. In that connection, it was worth noting document GC(SPL.I)/17 relating to the examination of delegates' credentials at the special session of the General Conference. The delegate of the United States had said during a meeting of the General Committee that his country remained deeply concerned about the situation in Afghanistan. Although he did not intend to raise any explicit objections to the credentials of the representatives of Afghanistan, he had said that it should not be considered that his delegation approved the armed intervention in that country, adding that the régime established and maintained in Afghanistan by the Soviet intervention and occupation did not represent the Afghan people. The scientific and technical nature of that statement was not obvious.

65. Mr. KABBAJ (Morocco), in reply to certain speakers who had pointed out that the draft resolution under consideration raised a political problem which did not come within the province or competence of the Agency, said that the role of the latter itself had political aspects which could sometimes be decisive.

66. The draft resolution under consideration was intended, firstly, to create a nuclear-free zone in the Middle East in accordance with the recommendations of the United Nations General Assembly. Even if it was claimed that the Agency, since it had an autonomous status, did not have to go by General Assembly resolutions, it was difficult to believe that it could stand above or beyond the principles of law governing the international community.

67. Secondly, the draft resolution requested Israel to submit its nuclear facilities to Agency safeguards. That request was directed solely at Israel because it was the only country with a nuclear arsenal in the Middle East, where there reigned a dramatic situation and a latent state of conflict. Furthermore, Israel was occupying by force territories belonging to sovereign States, had annexed the Holy City of Jerusalem in defiance of the law, justice and will of the international community, and was persecuting whole civilian populations. Finally, it had uprooted and robbed the Palestinian people of its possessions. That subject was cause for indignation, and not a draft resolution which only reinforced the Agency's action and brought an element of security to a sensitive region subject to most serious threats. Therefore his delegation urged all those who were inspired by a spirit of goodwill, justice and peace to approve that draft resolution.

68. Mr. UMAR (Nigeria) said that his delegation would vote in favour of the draft resolution under consideration for three reasons: firstly, it was compatible with Nigerian foreign policy; secondly, Israel had consistently refused to place its nuclear facilities under Agency safeguards; and thirdly, Israel was collaborating with the racist régime of South Africa.

69. Mr. PELEG (Israel) regretted that so much time had been taken up with consideration of the agenda item under discussion and by mendacious attacks against Israel. The statement made by the Iraqi delegation was nothing more than the repetition of sensationalist newspaper articles and books which, through having been quoted many times in the United Nations, had not become any truer than when they had been published.

70. His delegation had already observed in its previous statements that the draft resolution was aimed only at Israel; with remarkable candour the delegate of India had admitted as much, and had even attempted to justify that discrimination by using arguments which few delegates would find convincing or even relevant. In addition, he had made a hostile political attack against Israel which was totally out of place in the General Conference. The Israeli delegation naturally understood the reasons why India and Pakistan were particularly sensitive about that subject and wished simply to point out that those who live in glass houses should not throw stones.

71. The sponsors of the draft resolution had attempted to justify it by stating that Israel's activities constituted a real nuclear threat. That allegation was unfounded. If they really believed it, they would then be in favour of the solution which had long been proposed by Israel, namely the initiation of direct negotiations for the establishment of a nuclear-free zone for the whole region. The fact that they did not seriously envisage that solution showed very clearly the nature of their ruse, which was only a further attempt to use a technical organization for the purpose of pursuing their vendetta against Israel. His delegation urged all delegations to reject that draft resolution decisively.

72. The PRESIDENT recalled that the delegate of the Syrian Arab Republic had requested that a roll-call vote be taken on draft resolution GC(XXX)/792 and that the delegate of Israel had requested at the previous meeting[1] that each of the operative paragraphs be voted on separately.

73. Mr. KENNEDY (United States of America) recalled that Article V.C of the Agency's Statute and Rule 70 of the Rules of Procedure of the General Conference provided that the General Conference could decide that questions additional to those explicitly set forth in the Rules of Procedure and the Statute should be decided by a two-thirds majority. His delegation proposed, under Rule 70, that any decision on draft resolution GC(XXX)/792 entitled "The Israeli nuclear threat" should be taken by a two-thirds majority vote. The reasons why such a procedure should be adopted were evident.

74. Firstly, several speakers had stressed the great importance of the subject matter of the draft resolution under consideration in connection with preventing a nuclear confrontation in the Middle East. The draft resolution itself contained repeated statements on the urgency and seriousness of the problem and listed a number of resolutions adopted by the General Assembly and the Security Council on the subject. Those questions, as his delegation had already pointed out, had nothing to do with the role and functions of the Agency. Neither were they simple administrative questions of the type with

[1] See document GC(XXX)/OR.290, paragraph 42.

which the General Conference usually dealt. His and other delegations had pointed out that those questions did not belong in the Agency. Since they had an essentially political nature and concerned international security, they belonged in other bodies, namely the political organs of the United Nations in New York, if they belonged anywhere. It was obvious - as even the sponsors of the draft resolution would admit - that in view of the importance of those questions it would be inappropriate to subject them to a vote by simple majority.

75. Moreover, the operative paragraphs of the draft resolution had a direct and significant bearing on the sovereign rights of a State Member of the Agency. It had been agreed that acceptance of Agency safeguards was, in accordance with the Statute, a matter of national sovereignty. The draft resolution under discussion contained a demand - not a request, or a call, or a recommendation - but a demand that a specific Member State accept the application of safeguards to its entire nuclear programme. If one were to depart from the statutory approach which gave the Government of each Member State the right to decide for itself the scope of the safeguards which it would accept, that "demand" should surely represent the dominant view of the entire Agency membership. It should not therefore be decided by a simple majority, possibly by a single vote.

76. Other provisions of the draft resolution were equally significant for the Agency and for its activities. The resolution called upon other States to cease co-operation with Israel in the nuclear field - that was not something which could be taken lightly. The operative paragraph which requested the Secretariat to report on and the Board to examine Israel's nuclear activities would also have an impact on the limited resources of the Agency and would affect its priorities. If the Secretariat were to adopt that course of action and usurp resources which could be used to improve nuclear safety, the safeguards system or technical co-operation, one would have to be certain that that course had the widest support. The remarks made by the delegate of the Islamic Republic of Iran, co-sponsor of the draft resolution, also attached great significance to that issue. The draft resolution called for sanctions not only against Israel but against the Agency itself. What could be more important for the General Conference?

77. If a comparison was made with other categories of decision which required a two-thirds majority, it was obvious that the decision involved in the draft resolution was much more important than merely placing additional items on the agenda or suspending the Rules of Procedure of the General Conference. It would be a mockery of the Agency's decision-making process to decide by simple majority a matter which concerned the Agency's very survival. That was not a procedural trick - it concerned the very heart of the problem, namely, the way in which decisions had always been taken in the Agency, in a spirit of loyalty and understanding and with respect for the Agency's integrity. Those decisions had been taken by consensus wherever possible, but never by imposing majority views on a significant minority, just because the Rules of Procedure allowed it. In fact, a real procedural trick would be to take a vote by simple majority on such an important and controversial proposal. The General Conference should be aware of its responsibilities and take defensible decisions. His delegation urged other delegations to support the proposal that a decision on the draft resolution be taken by a two-thirds majority vote.

78. The PRESIDENT understood that certain delegates had asked to take the floor. However, he did not consider it desirable to engage in a long debate on procedural questions. Rule 70 of the Rules of Procedure indicated that decisions taken by the General Conference to determine additional questions to be decided by a two-thirds majority had to be made by the majority of the Members present and voting. Putting the United States proposal to the vote, he recalled that the vote was to decide whether a decision on draft resolution GC(XXX)/792 required a two-thirds majority.

79. The President took a vote by show of hands.

80. By 43 votes to 37, with 13 abstentions, the United States proposal was adopted.

81. Mr. HADDAD (Syrian Arab Republic) said that he had requested the floor before the United States proposal had been put to the vote in order to request a roll-call vote, and noted that he had been deprived of his right to speak. He requested that the proposal be voted on by roll-call.

82. Mr. AL-KITAL (Iraq) expressed doubts about the procedure adopted. With a view to requesting a roll-call vote, he also had asked to take the floor before the vote on the United States proposal.

83. The PRESIDENT said that the results of the vote had clearly shown that the majority of the Members of the General Conference wished the decision on draft resolution GC(XXX)/792 to be taken by a two-thirds majority. In reply to the delegates of the Syrian Arab Republic and Iraq he said that he had acted in accordance with Rule 56 of the Rules of Procedure of the General Conference. He now wished to proceed to the vote on the draft resolution itself.

84. Mr. AL-KITAL (Iraq), raising a point of order, recalled first of all that he had questioned the legality of the procedure and insisted that another vote be taken by roll-call on the United States proposal.

85. The PRESIDENT replied that he had applied the procedure in as correct a manner as possible by giving the floor at the appropriate time to anyone who requested it, and urged delegates not to engage in a long procedural debate.

86. Mr. HADDAD (Syrian Arab Republic) requested, under Rule 61 of the Rules of Procedure, that the meeting be suspended for half an hour.

87. The PRESIDENT asked whether there were any objections to that request.

88. Mr. ZANNAD (Tunisia) said that he had requested the floor on a procedural matter before the proposal to suspend the meeting. He believed that during the vote on the United States proposal one delegation had voted both for and against it, which was a serious vice of form. It was therefore necessary, in order to preserve objectivity and to avoid confusion, and likewise in the interests of the Agency itself and the General Conference, to proceed to a new vote, by roll-call, on the proposal in question.

89. The PRESIDENT, recalling that the vote had taken place with all present, said that under Rule 61 of the Rules of Procedure a request for suspension of the meeting was now before the General Conference, and wished to know whether any delegations were opposed to it.

90. Mr. van GORKOM (Netherlands) said that his delegation was opposed to the request.

91. The PRESIDENT read Rule 61 and concluded that he should put the request for suspension of the meeting to the vote.

92. At the request of Mr. Al-Kital (Iraq), a vote was taken by roll-call.

93. The result of the vote was as follows:

Votes for: Albania, Algeria, Bangladesh, Brazil, Byelorussian Soviet Socialist Republic, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Egypt, Gabon, India, Indonesia, Islamic Republic of Iran, Iraq, Jordan, Kenya, Kuwait, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Morocco, Namibia, Niger, Nigeria, Pakistan, Philippines, Qatar, Saudi Arabia, Senegal, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Zambia, Zimbabwe.

Votes against: Argentina, Australia, Austria, Belgium, Cameroon, Canada, Chile, Colombia, Costa Rica, Denmark, Ecuador, Finland, France, German Democratic Republic, Federal Republic of Germany, Ghana, Guatemala, Holy See, Iceland, Ireland, Japan, Liechtenstein, Luxembourg, Monaco, Netherlands, New Zealand, Norway, Panama, Paraguay, Portugal, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Abstentions: Bulgaria, China, Ethiopia, Greece, Hungary, Israel, Italy, Jamaica, Republic of Korea, Mexico, Mongolia, Peru, Poland.

94. By 43 votes to 37, with 13 abstentions, the request for suspension of the meeting was adopted.

The meeting was suspended at 12.35 p.m.[2]

[2] Owing to the lateness of the hour, the meeting was not resumed, and the Conference met again at 3.40 p.m. for its 292nd plenary meeting.

