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RECORD OF THE TWO HUNDRED AND NINETY-SECOND PLENARY MEETING

Held at the Neue Hofburg, Vienna,
on Friday, 3 October 1986, at 3.40 p.m.

President: Mr. RAMANNA (India)

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[*] A provisional version of this document was issued on 16 October 1986.

[**] GC(XXX)/789.

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

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

1. Mr. ZANNAD (Tunisia) moved that the debate on the item under discussion be adjourned in accordance with Rule 59 of the Rules of Procedure so as to facilitate the work of the General Conference in view of the confusion regarding the procedural votes which had taken place in the previous meeting.

2. The debate was accordingly adjourned.

SOUTH AFRICA'S NUCLEAR CAPABILITIES (GC(XXX)/785, 795 and Mod.1)

3. The PRESIDENT asked delegates to consider the report by the Board of Governors contained in document GC(XXX)/785, which included a report by the Director General on his negotiations with the South African authorities concerning the application of safeguards to that country's semicommercial enrichment plant, and the draft resolution submitted by Tunisia on behalf of the African Group which was set out in document GC(XXX)/795; an amended version of operative paragraph 12 of that draft resolution was contained in document GC(XXX)/795/Mod.1.

4. Mr. ZANNAD (Tunisia) said that the draft resolution submitted by Tunisia constituted an appropriate response to the South African régime's intransigent attitude of defiance of the international community and to its continued refusal to abandon its apartheid policies and its illegal exploitation of Namibia's uranium resources. The South African régime, like Israel, had threatened other Agency Member States and had isolated itself within the international community. In accordance with Rule 72 of the Rules of Procedure, therefore, he requested, on behalf of the African Group, that a roll-call vote be taken on the draft resolution without division.

5. Mr. UMAR (Nigeria) welcomed the decision of the United States Congress to impose sanctions against South Africa, which he hoped would also prompt the European Community to apply stronger sanctions.

6. Collaboration by some nations with South Africa had encouraged that country's continued disregard of the Agency's resolutions. The most appropriate action to be taken against South Africa would be the immediate suspension of its rights and privileges as a Member of the Agency. However,

following consultations, his delegation both accepted the proposed amendment of operative paragraph 12 of the draft resolution and supported the request for a roll-call vote made by Tunisia.

7. Mr. SILANGWA (Zambia) said that his country's position with regard to South Africa was clear. The actions of the South African régime seriously affected the credibility of the Agency, which should therefore take appropriate action against that régime. Previous resolutions of the General Conference had been designed to make the South African régime conform to the Agency's Statute. It had been given ample time to reform, but it had used that time to intensify its nuclear programme for military purposes. The draft resolution contained in document GC(XXX)/795 was an inevitable follow-up to resolution GC(XXX)/RES/442 adopted in 1985. He urged all delegations to support the draft resolution and to vote in favour of it.

8. Mr. KENNEDY (United States of America) said that the draft resolution under discussion was extreme, technically defective and unacceptable. Suspension of South Africa's rights and privileges of membership in the Agency would eliminate the chance of achieving further safeguards coverage in South Africa and would undermine the effectiveness of safeguards that were already applied at a number of nuclear facilities in that country. It would also set a precedent for suspension of other countries for political reasons and would contravene the important principle of universality of membership. Furthermore, such action would make it difficult to encourage South Africa to adopt vital safety-related measures developed by the Agency following the Chernobyl accident and would thereby jeopardize the safety of neighbouring States and of South Africa's majority population.

9. The revised version of operative paragraph 12 was inappropriate, since the Board of Governors was asked to make a particular recommendation to the General Conference, and it was not proper for the Conference to impose a judgement on the Board. In any case, the legal requirements for suspension under Article XIX.B of the Statute had not been met, as that Article permitted suspension only if a country had persistently violated the provisions of the Statute or of any agreement entered into pursuant to the Statute.

Article III.B.1, on the other hand, clearly placed an obligation on the Agency, not on any individual Member State, and thus provided no grounds for suspension of South Africa.

10. Mr. ZANNAD (Tunisia) proposed amending the revised version of operative paragraph 12 contained in document GC(XXX)/795/Mod.1 by substituting the words "consider recommending" for the word "recommend" in the first line so as to avoid imposing a decision on the Board.

11. Mr. SOLTANIEH (Islamic Republic of Iran) declared that it had become standard procedure for the United States to speak in support of the régimes of Israel and South Africa - as if acting as their guardian. The measures adopted by the United States Congress against South Africa were very mild and insignificant and had only been taken after years of oppression of the South African people by the South African régime under the auspices of the United States Government, which was the real cause of unrest all over the world. South Africa had the same illegal status as Israel, and the constant violation of the Agency's Statute and resolutions by those régimes meant that they had no right to co-exist with peaceful countries in the Agency.

12. The draft resolution contained in document GC(XXX)/795 was a very moderate one but, in a spirit of solidarity with the African States, his delegation was prepared to support it.

13. However, if by the thirty-first session of the General Conference all the nuclear installations of South Africa were not subject to full-scope safeguards, his delegation would propose, as a short-term solution, that the budget of the Department of Safeguards not be submitted for approval.

14. Mr. HIREMATH (India) welcomed the efforts made by the sponsors of the draft resolution to terminate the discussion of at least one aspect of the debate on South Africa, namely that country's continued exercise of the privileges and rights of membership of the Agency. South Africa had again cleverly managed to avoid suspension of its rights and privileges under Article XIX.A of the Statute by paying a carefully calculated part of its arrears just in time. Nevertheless, South Africa's persistent disregard of

Agency resolutions and its continued apartheid policies and aggression provided ample justification for suspending it from the exercise of those rights and privileges under Article XIX.B.

15. It was pleasing to note that even countries which had hitherto been willing to make allowances were now prepared to impose sanctions against South Africa, and he could not see why the amended version of operative paragraph 12 should create problems for any delegation, since it would merely request the Board to "consider recommending" the suspension of South Africa.

16. Mr. SHASH (Egypt) urged that the draft resolution be adopted. Some delegates had expressed concern at what they called politicization of the Agency but they must be made to understand that what the African countries feared was the development of nuclear weapons by South Africa. That was why the African countries, and many others, wanted South Africa to place all its nuclear facilities under Agency safeguards. Such a desire was surely not "politicization". If no safeguards were applied to that country's nuclear activities, it might soon be too late. The draft resolution submitted by Tunisia was intended to reconcile the various delegations' divergent views on the subject, and he hoped that it would be approved by consensus. Otherwise, a roll-call vote would have to be taken on it.

17. Mr. CASTRO DIAZ-BALART (Cuba) regretted that the racist régime in South Africa continued increasingly to repress and exploit the indigenous population even though the non-aligned countries and the United Nations had suggested strong measures to dismantle apartheid. Moreover, the South African Government posed a permanent threat to the stability of the neighbouring countries, and persisted in its illegal occupation of Namibia, ignoring repeated calls from the United Nations, which had condemned the Government of South Africa but could apply no effective sanctions against it because of the opposition of certain western countries.

18. Furthermore, the South African Government was operating sensitive nuclear facilities which were not subject to Agency safeguards, and he was deeply concerned at the failure of the negotiations on the application of safeguards to the semicommercial enrichment facility under construction

there. Those facts justified the apprehensions of the world community that the racist South African Government was working towards the possession of nuclear weapons. It had not responded to the various resolutions adopted by the General Conference on the subject. For those reasons, Cuba firmly endorsed the draft resolution under discussion and would approve any measures that might be applied to force the South African régime to comply with the Conference's decisions or to isolate it internationally.

19. Mr. CAO (China) said that the South African authorities had ignored the Agency's resolutions and imposed unreasonable conditions during the negotiations on safeguards at the semicommercial enrichment facility. China condemned that attitude, and supported the draft resolution, which reflected the stand of the African countries.

20. Mr. CHAPMAN (United States of America), exercising his right of reply, said that the abusive references to his country by the representative of the Islamic Republic of Iran were entirely out of place, as was his threat to undermine support for the Agency's safeguards budget. The United States was a truly democratic country which did not need instruction from the Iranian representative.

21. Mr. GIGNAC (Canada) suggested that, under Rule 61 of the Rules of Procedure, the meeting be suspended to enable delegates to hold consultations.

In the absence of objections, the meeting was suspended at 4.40 p.m. and resumed at 5.10 p.m.

22. Mr. CHRISTENSEN (Denmark) moved that operative paragraphs 11 and 12 of the draft resolution contained in documents GC(XXX)/795 and Mod.1 be voted upon separately.

23. Mr. CUEVAS CANCINO (Mexico) and Mr. UMAR (Nigeria) opposed the motion.

24. Mr. CHRISTENSEN (Denmark), noting that no delegate had spoken in favour, withdrew his motion.

25. The PRESIDENT invited the General Conference to vote on the draft resolution contained in documents GC(XXX)/795 and Mod.1 with the further

amendment proposed by the delegate of Tunisia. As had been requested by several delegations, the vote would be taken by roll-call.

26. Indonesia, having been drawn by lot by the President, was called upon to vote first.

27. The result of the vote was as follows:

In favour: Albania, Algeria, Bangladesh, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Cameroon, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Ecuador, Egypt, Ethiopia, Gabon, German Democratic Republic, Ghana, Guatemala, Hungary, India, Indonesia, Islamic Republic of Iran, Iraq, Jamaica, Jordan, Kenya, Republic of Korea, Kuwait, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mexico, Mongolia, Morocco, Namibia, Niger, Nigeria, Pakistan, Panama, Peru, Philippines, Poland, 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, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Federal Republic of Germany, Greece, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Monaco, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Argentina, Chile, Paraguay

28. There were 66 votes in favour and 26 against, with 3 abstentions. The draft resolution was adopted.

29. Mr. PELEG (Israel), explaining his vote, said that, although his country rejected all forms of apartheid and did not co-operate with South Africa in the nuclear field, his delegation had voted against the draft resolution contained in documents GC(XXX)/795 and Mod.1 because of its firm belief in the principle of universality of membership in all international organizations.

30. Mr. UMAR (Nigeria) thanked all delegates for their sympathetic consideration of the draft resolution condemning South Africa, which had just been adopted.

31. Mr. WILMSHURST (United Kingdom), speaking on behalf of the 12 Member States of the European Community, emphasized their abhorrence of South Africa's policy of apartheid. It might be recalled that the Foreign Ministers of those States, less than three weeks earlier, had agreed on a package of restrictive measures against South Africa. However, the 12 countries unanimously opposed operative paragraph 11 of the draft resolution, which passed judgement on the issue before the Board was invited, in paragraph 12, to consider it. Their negative vote was based on their support for the principle of universality and on their position that the Agency's aims, especially in relation to safeguards, would not be furthered by the proposed suspension. Lastly, it was not for the Agency to determine whether a Member State had violated the United Nations Charter.

32. Mr. COSTANZO (Uruguay) pointed out that although his country absolutely rejected the South African Government's racist policy of apartheid, it believed that all States should participate in the Agency on equal terms and had therefore had reservations on the original wording of operative paragraph 12. However, the substantial amendment of that paragraph in document GC(XXX)/795/Mod.1 had enabled his delegation to vote in favour.

33. Mr. AAMODT (Norway), speaking on behalf of the five Nordic countries (Denmark, Finland, Iceland, Sweden and Norway), stressed that they considered universality to be a basic principle in the United Nations organizations and could not therefore support the suspension of South Africa from the Agency. But for operative paragraphs 11 and 12, they would have voted in favour of the draft resolution. The Nordic countries had consistently condemned apartheid as a negation of fundamental human rights. It was a serious threat to world peace and security, and the United Nations Security Council should therefore adopt comprehensive and mandatory sanctions against South Africa.

34. Mr. GIGNAC (Canada) pointed out that many elements of the draft resolution were already part of his country's foreign policy. However, Canada's negative vote was due to its concern for the principle of universality of membership in all United Nations bodies. Suspension should not be equated with sanctions. Moreover, operative paragraph 11 prejudged the conclusions of paragraph 12, even in the revised version. As to the demand made in operative paragraph 4, Canada held that all countries, and not only South Africa, should abide by it in the interest of non-proliferation. Lastly, it would be imprudent to preclude all future possibilities of safeguarding South Africa's nuclear facilities by suspending that country from the Agency.

35. Mr. GLEISSNER (Austria) said that his country upheld the principle of universality of membership in international organizations and on that ground alone had been unable to support the draft resolution.

36. Mr. GRIFFITHS (New Zealand) explained that his delegation believed universality of membership to be essential for continuing attempts to broaden the scope of Agency safeguards. Although he had voted against the draft resolution, he wished to express his strong support for operative paragraph 4 thereof.

37. Mr. TSUKADA (Japan) recalled that his Government did not condone the apartheid policies of the Government of South Africa; it had therefore adopted a number of restrictive measures against that country in the areas of sports, culture, education, investment and financing and was considering further measures. Nevertheless, Japan had found it difficult to support some paragraphs of the draft resolution, particularly operative paragraph 12, because they conflicted with both the letter and the spirit of the Agency's Statute. He urged all countries including South Africa which had remained outside the Non-Proliferation Treaty to accede to it and to accept full-scope Agency safeguards.

38. Mr. SUAREZ de PUGA y VILLEGAS (Spain) said that his country's firm rejection of the policy of apartheid had been expressed in its support for the imposition of sanctions by the European Community. He would have endorsed a

resolution reflecting those ideas. However, operative paragraphs 11 and 12 of the present resolution violated the principle of universality. Moreover, although his country had placed all its operating nuclear facilities under Agency safeguards, it could not accept the wording of operative paragraph 4, which sought to require universality of safeguards, because the question of mandatory safeguards went far beyond the provisions of the Agency's Statute. For those reasons, he had voted against the draft resolution.

39. Mr. KELSO (Australia) observed that his country's repugnance against apartheid and the action which it had taken against South Africa were well known. However, operative paragraphs 11 and 12 and the nexus between them infringed upon the principle of universality of membership of international organizations, which Australia cherished. That was why it had cast a negative vote on the draft resolution.

40. Mr. SOLTANIEH (Islamic Republic of Iran) said that his vote in favour of the draft resolution had been based, apart from the reasons mentioned earlier, on the firm belief that the principle of universality could be guaranteed only if all Member States were committed to the spirit of the Statute, which called for the peaceful use of nuclear energy and respect for the rights and privileges of other Member States.

EXAMINATION OF DELEGATES' CREDENTIALS (GC(XXX)/796 and Add.1)

41. The PRESIDENT recalled that the General Committee had met on the previous day as a credentials committee to examine the credentials of all delegates, as provided for in Rule 28 of the Rules of Procedure of the General Conference. The Committee's report was set out in document GC(XXX)/796 and the addendum thereto. Paragraphs 2-15 of the report described the manner in which the Committee had approached its task and conveyed the opinions expressed during the discussion. The Committee had agreed without a vote to recommend the adoption of the draft resolution contained in paragraph 16 of its report.

42. Mr. KHARMA (Lebanon), speaking also on behalf of the delegations of Algeria, Iraq, Jordan, Kuwait, the Libyan Arab Jamahiriya, Morocco, Qatar,

Saudi Arabia, Sudan, the Syrian Arab Republic, Tunisia and the United Arab Emirates, endorsed the reservations expressed in the General Committee by the representatives of Algeria and Jordan regarding the credentials of the Israeli delegation for the reasons given in paragraphs 5 and 6 of document GC(XXX)/796.

43. Mr. JAMALUDDIN (Malaysia) and Mr. SURYOKUSUMO (Indonesia) also expressed reservations regarding the credentials of the delegation of Israel.

44. Mr. PASHA (Pakistan) said that his delegation, too, had reservations concerning the credentials of the Israeli delegate because they had been issued from Jerusalem, which had been illegally annexed by Israel. That annexation had been declared null and void by the Security Council and the General Assembly of the United Nations. Furthermore, Israel was illegally occupying the Arab territories of the West Bank and the Golan Heights and consequently had no right to represent their population.

45. Mr. SOLTANIEH (Islamic Republic of Iran), saying that he shared the view of those delegations which had expressed reservations about the credentials of the Israeli delegate, expressed his Government's reservations concerning those credentials.

46. Mr. SHASH (Egypt) said his country's position was well known. It did not recognize the annexation of the Arab territories by Israel, an illegal action which was in breach of international law and various United Nations resolutions.

47. Mr. KENNEDY (United States of America) objected to the remarks made by previous speakers regarding the credentials of the Israeli delegate, on the grounds that they were of no relevance to the examination of credentials under the Rules of Procedure of the General Conference.

48. The draft resolution contained in paragraph 16 of document GC(XXX)/796 was adopted.

ELECTIONS TO THE AGENCY'S STAFF PENSION COMMITTEE

49. The PRESIDENT reminded the General Conference that it was currently represented on the Staff Pension Committee by two members - Mr. Morales Pedraza (Cuba) and Mr. Lozada (Philippines) - and by Mr. Sreckovic (Yugoslavia) and Ms. Voelkel (Federal Republic of Germany) as alternates.

Since Mr. Lozada and Ms. Voelkel were no longer available to serve on the Committee, he proposed that Mr. Sreckovic be elected to replace Mr. Lozada as a member and that Mr. Bamsey (Australia) and Mr. Loedel (Uruguay) be elected as alternates.

50. Mr. Morales Pedraza (Cuba) and Mr. Sreckovic (Yugoslavia) were elected as members of the Agency's Staff Pension Committee and Mr. Bamsey (Australia) and Mr. Loedel (Uruguay) as alternates.

REPORT ON VOLUNTARY CONTRIBUTIONS PLEDGED TO THE TECHNICAL ASSISTANCE AND CO-OPERATION FUND FOR 1987 (GC(XXX)/784/Rev.3)

51. The PRESIDENT said that, by 6 p.m. on 2 October 1986, Members of the Agency had pledged voluntary contributions amounting to US \$15 291 511. Since then a pledge of US \$120 000 by Argentina had been received, making a total of US \$15 412 511.

CLOSING OF THE SESSION

52. Mr. CUEVAS CANCINO (Mexico), speaking as acting Chairman of the Group of 77 and on behalf of the Latin American countries, commended the President on the impartiality and patience he had shown in conducting the long and often difficult negotiations of the past week.

53. Among its various tasks, the General Conference had discussed and approved a budget for 1987 which provided for some real expansion of the Agency's nuclear safety activities. While that increase was undoubtedly necessary in the present circumstances, the developing countries did not wish to see a future expansion of the Agency's safety activities unless it were accompanied by a similar increase in the remainder of the Agency's programme.

54. Mr. GIGNAC (Canada), speaking for the North American group, praised the President for the skill and efficiency with which he had conducted the work of the General Conference. His perseverance and patience had played a vital role in ensuring that the more difficult issues were successfully resolved. The Vice-Chairmen, the Director General and his staff also deserved thanks for their work.

55. Mr. SUAREZ de PUGA y VILLEGAS (Spain), acting as spokesman for the Western Europe group, said that the success of the Conference was largely due to the President's able guidance. The Western Europe group had taken an active part in the Conference, notably in the drafting of a resolution which held out hope that a balanced representation could eventually be achieved on the Board of Governors for all geographical areas and Member States.
56. Mr. JAMALUDDIN (Malaysia), speaking on behalf of the countries of South East Asia and the Pacific, expressed his sincere admiration for the way in which the President had steered the Conference through difficult negotiations and brought it to a successful conclusion.
57. Mr. SOWINSKI (Poland), speaking for the East European countries, said that, under the able guidance of the President, the Conference had succeeded in overcoming the many difficulties facing it. One of the highlights of the Conference had been the approval of an expanded nuclear safety programme. Many delegations had expressed their support of an enhanced role for the Agency following the Chernobyl accident and had commended the Soviet Union for providing - through the Agency - detailed information on the accident.
58. Mr. TSUKADA (Japan), speaking on behalf of the Far East group, said that the success of the Conference owed much to the skills and leadership of the President.
59. Mr. BADRAN (Jordan), speaking on behalf of the Middle East and South Asia group, expressed his appreciation for the way in which the President had conducted the proceedings of the Conference.
60. Mr. ZANNAD (Tunisia), acting as spokesman for the African countries, paid a tribute to the President for the skilful manner in which he had guided the work of the Conference. He hoped that, through the efforts of the Board of Governors and Member States, a solution would be found in the coming year to the difficult problems that remained, notably the nuclear threat posed by Israel and South Africa. Also, he was convinced that more equitable representation of Member States on the Board of Governors would be achieved.

61. The PRESIDENT thanked all the delegates for their kind words and for the co-operation they had extended to him during the conduct of the Conference's sometimes difficult business.

62. During the session many delegates had referred to the status of atomic energy in the world following the Chernobyl accident. He personally remained convinced that atomic energy was inevitable and was one of the safest and cheapest forms of energy discovered in recent times. Other sources such as fusion might be developed, but their commercial exploitation was still a distant prospect. Many delegations had expressed concern about the Chernobyl accident. He, however, believed that it was from such accidents that nuclear energy would emerge strengthened and even more useful to mankind.

63. The Director General and his staff were to be commended for the excellent technical work carried out by the Agency, which had played no small part in the development of nuclear energy.

64. On behalf of the General Conference, he wished to thank the Austrian authorities and the City of Vienna for their excellent hospitality. As delegates were aware, the following year's Conference would be held at the new Austria Center located next to the Vienna International Centre. The Conference was thus taking place for the last time in the historic setting of the Hofburg Palace, the delightful atmosphere of which had contributed to the success of many past sessions of the General Conference. That being so, he wished to invite Mr. Stock, representative of the Hofburg Congress Centre, to say a few words to the Conference.

65. Mr. STOCK, speaking on behalf of the staff of the Hofburg Congress Centre, said that the General Conference was meeting in the old imperial palace of the Hofburg for the twenty-fifth time, and he was greatly saddened that that occasion should also be the last on which the Hofburg Palace would provide the venue for the Conference. He thanked the delegates and staff of the Agency for their co-operation in the past and wished them every success for the next twenty-five sessions of the General Conference.

66. The PRESIDENT thanked Mr. Stock on behalf of the Conference. Also, he expressed his gratitude to the Director General and his staff, who had provided valuable support for the work conducted in the past week. Special thanks were due to the Secretary of the Conference, Mr. Sanmuganathan, whose advice and quick reactions had saved him (the President) from many legal pitfalls and ensured the smooth running of the Conference. Before closing the session, he invited all those present to observe a minute of silence for prayer or meditation.

All present rose and stood in silence for one minute.

67. The PRESIDENT declared the thirtieth session of the General Conference closed.

The meeting rose at 6.40 p.m.

