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COMMITTEE OF THE WHOLE

RECORD OF THE FIFTY-SIXTH MEETING

Held at the Austria Center, Vienna,  
on Friday, 25 September 1987, at 10.30 a.m.

Chairman: Mr. GUYER (Argentina)

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[\*] A provisional version of this document was issued on 7 October 1987.

[\*\*] GC(XXXI)/818.

The composition of delegations attending the session is given in document GC(XXXI)/INF/246/Rev.3

MEASURES TO STRENGTHEN INTERNATIONAL CO-OPERATION IN NUCLEAR SAFETY AND RADIOLOGICAL PROTECTION (GC(XXXI)/816, GC(XXXI)/COM.5/57/Rev.1, GC(XXXI)/COM.5/59) (continued)

1. The CHAIRMAN said that, following consultations, a revised version of the draft resolution on armed attacks had now been distributed as document GC(XXXI)/COM.5/57/Rev.1.
2. Mr. CUEVAS CANCINO (Mexico), introducing the draft resolution, recalled that the matter had originally been put forward for discussion by his own country, on behalf of the Group of 77, through a specific proposal at the special session of the General Conference in September 1986. At the request of the General Conference, the Board of Governors had subsequently considered the matter at its meetings in February, June and September 1987. The Board's discussions had shown that there was deep concern over the need to avoid massive releases of radioactivity from nuclear installations as a result of possible attacks and general recognition of the grave transboundary consequences that could follow from such releases.
3. With those concerns in mind, various delegations from the Group of 77, together with other interested delegations - notably that of Sweden - had begun to consider seriously the need for drafting, as soon as possible, an international convention prohibiting armed attacks against nuclear installations and threats to carry out such attacks.
4. Although the Conference on Disarmament in Geneva was making efforts along those lines, the Agency was an appropriate forum for discussion of that matter, not only because the question had not yet been resolved in Geneva, but because the Agency possessed competence in the technical issues which were an essential factor in any discussion of nuclear safety. The detailed technical studies that the Agency could conduct would represent an extremely useful contribution to the establishment of a convention and would neither conflict nor compete with efforts made in other international fora. In that connection, Member States could, through the provision of relevant information and through direct co-operation, considerably enhance the studies envisaged in the draft resolution proposed.

5. Mr. STRATFORD (United States of America) said that his delegation had unfortunately so far been unable to join any consensus on the various draft resolutions submitted on the question. The Agency was not an appropriate forum for discussion of the matter of armed attacks, which involved a number of serious military, technical and legal questions. Any consideration of that subject should take place at the Conference on Disarmament.

6. With regard to the question of technical studies, any work undertaken by the Agency must be limited to matters lying within its own statutory scope, competence and experience. The United States continued to have strong reservations concerning the initiation by the Agency of studies on armed attacks, including studies that might be undertaken in conjunction with the United Nations in New York or through some co-ordinating mechanism. Although his delegation was unable to join a consensus on the draft resolution, it could support a decision by the Committee to forward it to the plenary meeting of the Conference for further discussion.

7. Mr. MALU wa KALENGA (Zaire) did not feel that transmitting the draft resolution to the plenary meeting would help to resolve the matter. Rather, its co-sponsors should expand on the nature of the technical tasks they wished the Agency to undertake and should make it clear how those tasks would add to the work already being done by the Agency. Either the draft resolution should be withdrawn now or its purpose stated in much clearer terms.

8. Mr. TILEMANN (Australia) said that, while there was scope for further improvement in the revised draft resolution, his country could nevertheless support it. However, any work undertaken by the Agency in consultation with the Conference on Disarmament - which remained the proper place in which to discuss such matters in detail - should be in accordance with its statutory role, and any funding and resource implications should be considered in the normal manner.

9. Mr. ALER (Sweden) said the work being done in the Conference on Disarmament indicated that the Agency might have a role to play in connection with a future treaty prohibiting attacks on nuclear installations. It had been proposed in Geneva, for instance, that a register of nuclear

installations to be protected should be set up, in which connection information available within the Agency on installations and their operational status could be of very great benefit. Furthermore, such a function would certainly come within the Agency's statutory responsibilities.

10. Mr. MOR (Jordan) said that, while his delegation supported the draft resolution now under consideration, there was a need to define the technical tasks mentioned in operative paragraph 2 and to specify the time during which the Director General should hold consultations with the Secretary-General of the United Nations.

11. Mr. IRACABAL LOBO (Chile), supporting the draft resolution submitted by Argentina, Mexico and Sweden, said his country's views on that subject had been expressed at the Board's meetings in December 1986 and February, June and September 1987.

12. Mr. JANOWSKI (Poland) shared the views of the Swedish delegation on the matter. He supported the draft resolution, since at some stage the Conference on Disarmament would be bound to approach the Agency as the competent body for problems relating to the use of nuclear energy.

13. Mr. BEETS (Belgium) observed that operative paragraph 2 of the draft made no attempt to define the technical tasks to be undertaken by the Agency, and that his country could not support such a poorly defined draft.

14. Mr. DE KLERK (Netherlands), Mr. ZEILEISSEN (Austria), Mr. ILJAS (Indonesia), Mr. SAVIC (Yugoslavia), Mr. USTYUGOV (Union of Soviet Socialist Republics), Mr. MELIBARY (Saudi Arabia), Mr. CHAUDHRI (Pakistan), Mr. STORHAUG (Norway) and Mr. KENYERES (Hungary) expressed their support for the draft resolution contained in document GC(XXXI)/COM.5/57/Rev.1.

15. Mr. JAMPSIN (France) suggested that the meeting be suspended for a short period to permit further consultations.

The meeting was suspended at 10.55 a.m. and resumed at 11.15 a.m.

16. The CHAIRMAN said that an understanding had been reached whereby the text of operative paragraph 2 of document GC(XXXI)/COM.5/57/Rev.1 would be replaced by the following text:

"2. Authorizes the Director General to assist the work of the Conference on Disarmament and other competent international organs, at their request, by undertaking studies within the technical competence and statutory responsibilities of the Agency;"

17. Mr. HAMZA (Côte d'Ivoire), referring to preambular paragraph (d), wondered whether the word "significant" in the second line was necessary, since it was not used in the title of the resolution, and whether it would be permissible to attack nuclear installations of lesser significance.

18. Mr. ALER (Sweden), speaking as a sponsor of the draft resolution, pointed out that the word "significant" should be understood in the context of preambular paragraph (b), which referred to attacks which might result in radiation releases with grave consequences. Other installations might not give rise to significant radiological consequences.

19. Mr. MALU wa KALENGA (Zaire) considered that preambular paragraph (d) should be harmonized with the title either by deleting the word "significant" from that paragraph or else by inserting that word before "nuclear installations" in the title.

20. Mr. MOR (Jordan) said that those nuclear installations which were to be protected against armed attacks ought to be clearly defined.

21. Mr. GOMAA (Egypt) suggested that the word "significant" be deleted from preambular paragraph (d) unless its meaning was defined explicitly. He was not in favour of adding that word to the title.

The meeting was suspended at 12.20 p.m. and resumed at 12.50 p.m.

22. The CHAIRMAN understood that, following consultations, agreement had been reached on the following: first, preambular paragraphs (c) and (d) would be transposed and renumbered accordingly; secondly, new preambular paragraph (c) would read: "Convinced of the need to prohibit armed attacks on nuclear installations from which such releases could occur and of the urgency of concluding an international agreement in this regard,".

23. Mr. HAMZA (Côte d'Ivoire) said that, although not fully satisfied with the amended version, he was prepared in a spirit of compromise to support it.

24. Mr. USTYUGOV (Union of Soviet Socialist Republics) had no objection to the amendment to the preambular paragraph.
25. Mr. CUEVAS CANCINO, speaking on behalf of the sponsors of the draft resolution, expressed his acceptance of the wording of operative paragraph 2 read out by the Chairman.
26. Mr. JAMPSIN (France) said his delegation had not wished to stand in the way of a consensus on the draft resolution, but that it could not approve amended preambular paragraphs (c) and (d) because the Additional Protocols to the Geneva Convention already contained provisions concerning installations which might release dangerous forces. At the time of drafting those protocols, there had been no reason to make a distinction between nuclear and other installations, and there continued to be none today. Such a distinction would lead to the creation of denuclearized mini-zones around civil nuclear installations, a situation which France could not accept.
27. Mr. STRATFORD (United States of America) said that, although it did not oppose the consensus reached, his delegation had certain reservations, which it might reiterate at a plenary meeting, about the substance of the resolution. First, the entire issue of armed attacks was not a proper matter for the Agency to pursue, although the draft resolution rightly referred to the Agency's acting at the request of other competent international organs. Second, the budgetary implications of the possible additional work had not been fully considered. Third, his country was not convinced of the need for an international agreement in that sphere. Fourth, it did not consider that the work of the Conference on Disarmament was being undertaken necessarily with a view to concluding an international agreement on the subject.
28. Mr. WILSON (United Kingdom) said that, while not wishing to oppose the consensus, his delegation had reservations about the new preambular paragraph (c), which it might express at a plenary meeting.
29. The CHAIRMAN assumed that the Committee wished to submit the draft resolution set out in document GC(XXXI)/COM.5/57/Rev.1, as amended at the present meeting, to the General Conference.
30. It was so decided.

31. The CHAIRMAN, drawing attention to the draft resolution contained in document GC(XXXI)/COM.5/59, invited the representative of Sweden to introduce it.

32. Mr. ALER (Sweden) noted that the purpose of the draft resolution was to sum up and transmit the results of the debate on item 10 of the agenda to the Board. In the operative paragraphs, the Board was called upon to pursue the initiatives on nuclear safety which had emerged from the special session of the General Conference and to take up those which had not been implemented yet. Also, it was proposed that the various proposals on the subject which had been dealt with in the preceding few days should be included in the material to be transmitted to the Board and that the Board and the Secretariat should report at the following session of the General Conference. With regard to operative paragraph 3 and the word in square brackets, the sponsors would welcome any suggestion which might make the draft resolution more acceptable.

33. Mr. STRATFORD (United States of America) commended the draft resolution. As to operative paragraph 3, "new initiatives" might have budgetary implications. The expression "pursue [new] initiatives" should be replaced by "continue to consider appropriate initiatives..."

34. Mr. JAMPSIN (France), Mr. ALER (Sweden), Mr. MAEKIPENTTI (Finland), Mr. DE KLERK (Netherlands), Mr. STORHAUG (Norway) and Mr. LAMPARELLI (Italy) agreed to the amendment proposed by the United States representative.

35. After some discussion in which Mr. USTYUGOV (Union of Soviet Socialist Republics), Mr. ALER (Sweden) and Mr. STRATFORD (United States of America) took part, it was agreed that operative paragraph 3 should be amended in the manner suggested by the United States representative, but without the word "appropriate" before "initiatives".[1]

36. The CHAIRMAN took it that the Committee wished to recommend that the General Conference adopt the draft resolution contained in document GC(XXXI)/COM.5/59, as amended.

37. It was so agreed.

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[1] Paragraph 3 of the draft resolution as submitted to and adopted by the General Conference reads "... continue to pursue initiatives proposed ..." (GC(XXXI)/RES/473).

38. The CHAIRMAN, noting that the Committee had dealt with the items referred to it by the Conference, said he would report orally to the General Conference, and thanked the delegations for their co-operation.

The meeting rose at 1.20 p.m.