



International Atomic Energy Agency

# GENERAL CONFERENCE

GC(XXXI)/GEN/OR.50  
December 1987\*

RESTRICTED Distr.

ENGLISH

For official use only

THIRTY-FIRST REGULAR SESSION: 21-25 SEPTEMBER 1987

## GENERAL COMMITTEE

### RECORD OF THE FIFTIETH MEETING

Held at the Austria Center, Vienna,  
on Tuesday, 22 September 1987, at 2.40 p.m.

#### CONTENTS

<u>Item of the provisional agenda**</u>	<u>Paragraphs</u>
- Adoption of the agenda for the meeting	1 - 2
4 Arrangements for the Conference	3 - 23
(a) Adoption of the agenda and allocation of items for initial discussion	3 - 13
(b) Closing date of the session and opening date of the next session	14 - 23
- Communication received by the Director General from Nicaragua	24 - 41

[\*] A provisional version of this document was issued on 2 October 1987.

[\*\*] GC(XXXI)/799.

ATTENDANCE AT THE MEETING

Chairman

Mr. COLOMBO (Italy), President of the General Conference

Members

Mr. BAMSEY, representing Mr. HAYDEN (Australia), Vice-President of the General Conference

Mr. WATERFALL, representing Mr. SHIELDS (Canada), Vice-President of the General Conference

Mr. CHOI, representing Mr. HONG (Democratic People's Republic of Korea), Vice-President of the General Conference

Mr. AVENDAÑO (Ecuador), Vice-President of the General Conference

Mr. LOOSCH, representing Mr. ZILLER (Federal Republic of Germany), Vice-President of the General Conference

Mr. CHIKELU, representing Mr. LUKMAN (Nigeria), Vice-President of the General Conference

Mr. HADDAD (Syrian Arab Republic), Vice-President of the General Conference

Mr. ZOBOV, representing Mr. PETROSYANTS (Union of Soviet Socialist Republics), Vice-President of the General Conference

Mr. GUYER (Argentina), Chairman of the Committee of the Whole

Mr. KOLYCHAN (Byelorussian Soviet Socialist Republic), Additional Member

Mr. TETENYI (Hungary), Additional Member

Mr. AL-KITAL (Iraq), Additional Member

Mr. KENNEDY, representing Mr. HERRINGTON (United States of America), Additional Member

Secretariat

Mr. SANMUGANATHAN, Secretary of the Committee

Representative of the Director General

Mr. SIEVERING, Deputy Director General, Head of the Department of Administration

ADOPTION OF THE AGENDA FOR THE MEETING (GC(XXXI)/GEN/71)

1. The CHAIRMAN took it that the Committee wished to adopt the proposed agenda contained in document GC(XXXI)/GEN/71.
2. It was so decided.

ARRANGEMENTS FOR THE CONFERENCE

(a) ADOPTION OF THE AGENDA AND ALLOCATION OF ITEMS FOR INITIAL DISCUSSION  
(GC(XXXI)/799, 799/Add.1 and 2)

3. The CHAIRMAN pointed out that the Committee had before it the provisional agenda for the thirty-first regular session of the General Conference and two supplementary items, proposed by Iraq and the Syrian Arab Republic, respectively. However, since the issue of documents GC(XXXI)/799/Add.1 and Add.2 he understood that the sponsors of the two proposals in question had decided to reformulate them as a single item, to be entitled "Israeli nuclear capabilities and threat". In considering the requests for inclusion of the reformulated item, the Committee might wish to have regard also to the texts in documents GC(XXXI)/812 and 813 submitted by Israel.
4. In the absence of any objections, he would assume that the Committee agreed to recommend to the Conference that the agenda for the current session consist of all the items listed in document GC(XXXI)/799 and a supplementary item entitled "Israeli nuclear capabilities and threat".
5. It was so decided.
6. The CHAIRMAN suggested that the Committee recommend to the Conference the allocation of items for initial discussion indicated in document GC(XXXI)/799, the reformulated item relating to Israel being allocated to the plenary.
7. It was so decided.
8. The CHAIRMAN, referring to the order in which the items of the agenda were to be discussed by the Conference, drew attention to the request by Israel circulated in document GC(XXXI)/INF/248. He pointed out that acceding to the request would mean interrupting the general debate on Wednesday, 23 September, in order to take up the item relating to Israel, thus

creating an undesirable precedent, since the Agency's membership reflected a great diversity of religions and ethical systems, many with their own calendars of holidays. Nevertheless, it was important to take account of Israel's views on a matter of direct interest to it. The Israeli delegate would have an opportunity to make known his country's position on the item during the general debate, albeit only partially, as the positions of other countries would not be known to him fully at that time. Accordingly, in order that the views expressed by the Israeli delegate might be fresh in the minds of other delegates, he suggested that the item relating to Israel be taken up immediately after the general debate.

9. Mr. CHIKELU (Nigeria) felt that holidays in Member States should not be allowed to interfere with the Conference's work and that, if Israel considered the item in question to be important, the Israeli delegate ought to be present during its discussion.

10. Mr. HADDAD (Syrian Arab Republic) agreed that the Israeli delegate ought to be present during the discussion of the item relating to Israel; otherwise, it might be said that the Conference had taken a decision in the absence of the "accused". However, he supported the Chairman's suggestion.

11. Mr. AL-KITAL (Iraq) and Mr. ZOBOV (Union of Soviet Socialist Republics) also expressed their agreement with the Chairman's suggestion.

12. The CHAIRMAN took it to be the Committee's wish to recommend that the Conference take up the item "Israeli nuclear capabilities and threat" immediately after the conclusion of the general debate; the item "Israeli nuclear capabilities and threat" would thus be item 7 on the agenda as adopted, the subsequent items being renumbered accordingly.

13. It was so agreed.

(b) CLOSING DATE OF THE SESSION AND OPENING DATE OF THE NEXT SESSION  
(GC(XXXI)/799)

14. The CHAIRMAN observed that, in considering the closing date of the session, the Committee should bear in mind that the events associated with the commemoration of the Agency's thirtieth anniversary had already delayed the commencement of the general debate, in which 78 delegations had already indicated their intention to speak and many more would certainly follow.

However, assuming that evening or night meetings would be held and that the Committee of the Whole would be able to conclude its work by Thursday, he suggested the Committee recommend to the General Conference that the current session be closed on Friday, 25 September, on the understanding that if such a schedule was later in the week found to be unworkable, he would consult the Committee when it met to examine delegates' credentials.

15. It was so decided.

16. The CHAIRMAN, pointing out that under Rule 1 of the Conference's Rules of Procedure the Committee had to set a date for the opening of the next session, asked whether the Committee wished to recommend that the thirty-second regular session begin on Monday, 19 September 1988, in Vienna.

17. Mr. HADDAD (Syrian Arab Republic) suggested that the session might begin on a Tuesday or Wednesday and end on the following Monday or Tuesday so that delegations could have more time for consultations over the weekend.

18. The CHAIRMAN replied that he had been advised by the Secretariat that the Austria Center would not be available during the week beginning on 26 September 1988.

19. Mr. KENNEDY (United States of America), expressing his agreement with the delegate of the Syrian Arab Republic, wondered whether the Neue Hofburg would not be available for the purpose.

20. Mr. WATERFALL (Canada) considered the Syrian suggestion to be of interest but, for financial reasons, was unable to support it.

21. Mr. BAMSEY (Australia) said that, although he had sympathy for the suggestion, it might be costly to implement. He asked whether the Secretariat could indicate the additional financial implications it would have for the Agency.

22. The CHAIRMAN suggested that the Committee might wish to consider the Syrian suggestion at the Conference's next session, by which time the financial implications might be worked out, and that it meanwhile recommend 19 September 1988 as the opening date of the thirty-second regular session.

23. It was so agreed.

COMMUNICATION RECEIVED BY THE DIRECTOR GENERAL FROM NICARAGUA  
(GC(XXXI)/INF/253)

24. The CHAIRMAN recalled that Nicaragua, one of the Member States to which Article XIX.A of the Statute had applied as of 11 a.m. on 21 September 1987, as was indicated in document GC(XXXI)/INF/252/Rev.1, had requested in the telex reproduced in document GC(XXXI)/INF/253 that Article XIX.A not be applied to it during the current session of the General Conference in such a way as to deprive it of the right to vote during the current session. The Committee had simply to make a recommendation to the General Conference on whether or not it should accede to that request.

25. Mr. LOOSCH (Federal Republic of Germany) pointed out that in view of the Agency's critical cash-flow situation a number of countries which were in extreme financial difficulties had made every effort to meet their obligations to the Agency. While Nicaragua's request was perfectly understandable, granting it would create a bad precedent.

26. Mr. ZOBOV (Union of Soviet Socialist Republics) considered that the explanations submitted by Nicaragua were acceptable. Although it was indebted to the Agency, it was not alone in that situation, and the amount due from it represented only a minute fraction of the Agency's cash shortfall. Permitting Nicaragua to participate fully in the current session would not mean setting an undesirable precedent as such a decision was covered by the Statute.

27. Mr. BAMSEY (Australia), while expressing understanding for Nicaragua's position, pointed out that many countries in similar circumstances had discharged their commitments to the Agency. Moreover, the provisions of Article XIX.A were designed to protect the Agency from the situation which it was now actually facing.

28. Mr. KOLYCHAN (Byelorussian Soviet Socialist Republic) agreed that fulfilling their statutory obligations and financial commitments was the duty of all Member States. All the same, it was wise to consider not only the letter, but also the substance of the Statute's provisions. Perhaps the Secretariat could indicate what the amount due from Nicaragua was as compared with the total amount due from all Member States. For his part, he was fully

satisfied that the reasons for Nicaragua's failure to pay were valid and beyond its control. He thus felt that an exception should be made in Nicaragua's case and that it should be permitted to vote.

29. Mr. SIEVERING (Deputy Director General, Head of the Department of Administration) replied that there were 14 Member States in default, to a total amount of between US \$900 000 and US \$1 000 000; as indicated in document GC(XXXI)/INF/252/Rev.1 the minimum payment required from Nicaragua was US \$3375.

30. Mr. KENNEDY (United States of America) considered that Nicaragua had not presented persuasive arguments in support of its request. In the context of the Agency's cash-flow situation it had been suggested that incentives be given to States to pay their contributions. Article XIX of the Statute provided one such incentive, and it would be unwise to abandon it. There were many calls on a State's resources, and its willingness to pay was a matter of choosing its priorities. If Nicaragua's request were acceded to, the General Conference would be unfair to those States which had met their commitments despite their difficulties.

31. Mr. TETENYI (Hungary) was fully convinced that Nicaragua's failure to pay was due to conditions beyond its control. Its situation was unique, and he hoped the General Conference would permit it to vote.

32. Mr. CHOI (Democratic People's Republic of Korea) expressed his support for delegations which were in favour of acceding to Nicaragua's request. Everybody knew why Nicaragua was unable to pay.

33. Mr. WATERFALL (Canada) said he was opposed to the granting of Nicaragua's request because that would set a bad example for other countries at a time when the Agency was facing cash-flow difficulties. The scale of assessment took account of Member States' ability to pay, and to establish that a State's failure to meet its financial commitments was for reasons beyond its control required convincing evidence. The restoration of the right to vote was not a matter to be treated lightly.

34. Mr. HADDAD (Syrian Arab Republic) inquired how many countries had made such a request in the past.



35. Mr. SIEVERING (Deputy Director General, Head of the Department of Administration) replied that only one Member State in the thirty years of the Agency's existence had made such a request, in 1960, and that the Conference had on that occasion permitted it to vote.

36. Mr. HADDAD (Syrian Arab Republic) felt that, in view of what the Deputy Director General for Administration had just said and considering that the amount owed by Nicaragua, were it to be paid, would not significantly affect the Agency's financial situation, Nicaragua should be permitted to vote.

37. Mr. CHIKELU (Nigeria) pointed out that, since a number of States were in default on their assessed contributions, a favourable decision by the General Conference in the present case might encourage them to follow Nicaragua's example. Although the amount involved was relatively small, he was unable to support the request.

38. Mr. AVENDAÑO (Ecuador) recalled that many developing countries, especially in Latin America, were in a critical financial situation. He therefore fully understood and accepted the reasons given by Nicaragua to explain why it was unable to pay promptly. There was a difference between a State not wanting to pay its contributions and its not being able to do so promptly, as was the case with Nicaragua.

39. Mr. KENNEDY (United States of America) emphasized that his objection to granting Nicaragua's request was one of principle. As to Nicaragua's reference in document GC(XXXI)/INF/253 to General Assembly resolution 41/200 of December 1986, which had called on international organizations, specialized agencies and so on to continue and to increase their assistance towards the economic recovery of Nicaragua, he considered that the Agency had already done more than its share in that regard. For example, the Agency's accounts for 1986[1] indicated that, as compared with Nicaragua's assessed contribution of US \$8103, the Agency's net new obligations in respect of Nicaragua in 1986 had been \$9946 for fellowships and training and \$53 731 for experts and equipment, the total being \$63 677. Thus, Nicaragua had been deriving considerable benefit from its technical co-operation relationship with the Agency. That resolution of the General Assembly could not therefore be cited in support of Nicaragua's request.

---

[1] See document GC(XXXI)/801, Schedules B.1 and D.2.



40. The CHAIRMAN, noting that there appeared to be a majority in favour of acceding to Nicaragua's request, assumed that the Committee wished to recommend that the General Conference permit Nicaragua to vote under the provisions of the second sentence of Article XIX.A of the Statute for the duration of the current session.

41. It was so decided.

The meeting rose at 3.40 p.m.

