

**GC**

International Atomic Energy Agency

GENERAL CONFERENCE

GC(XXXI)/OR.302

March 1988*

GENERAL Distr.

ENGLISH

THIRTY-FIRST REGULAR SESSION: 21-25 SEPTEMBER 1987

RECORD OF THE THREE HUNDRED AND SECOND PLENARY MEETING

Held at the Austria Center, Vienna,
on Friday, 25 September 1987, at 3.15 p.m.President: Mr. COLOMBO (Italy)

CONTENTS

<u>Item of the agenda**</u>	<u>Paragraphs</u>
18 South Africa's nuclear capabilities (continued)	1 - 61
8 Election of members to the Board of Governors (resumed)	62 - 81
- Oral report of the Chairman of the Committee of the Whole on the following items:	82 - 144
- The Agency's accounts for 1986	97
- Measures to strengthen international co-operation in nuclear safety and radiological protection	98 - 131
- The Agency's budget for 1988	132 - 136
- The Agency's relations with the Scale of assessment of Members' contributions for 1988	137
- United Nations Industrial Development Organization	138
- The financing of technical assistance	139
- The staffing of the Agency's Secretariat	140
- Amendment of Article VI.A.2 of the Statute	141
- Revision of Article VI of the Statute as a whole	142 - 144

[*] A provisional version of this document was issued on 6 November 1987.

[**] GC(XXXI)/818.

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

<u>Item of the agenda**</u>	<u>Paragraphs</u>
20 Appointment of the External Auditor	145 - 146
21 Elections to the Agency's Staff Pension Committee	147 - 148
22 Report on voluntary contributions pledged to the Technical Assistance and Co-operation Fund for 1988	149
- Closing of the session	150 - 161

SOUTH AFRICA'S NUCLEAR CAPABILITIES (GC(XXXI)/807 and Add.1, 819, 827)
(continued)

1. Mr. KENNEDY (United States of America) said that his Government, which had closely followed developments concerning the issue at the Agency during recent years, was opposed in principle to draft resolution GC(XXXI)/827. Consequently, the United States delegation would vote against it. His Government's opposition stemmed from two basic considerations, namely the universality of the Agency and of other international organizations and respect for the Statute. The United States delegation believed that the draft resolution called into question those fundamental principles which should be respected by all States Members of the Agency.
2. He recognized the fact that the sponsors of the draft under discussion had taken considerable care not to include provisions which would suspend South Africa from the exercise of the privileges and rights of membership, as had been recommended at the June meetings of the Board of Governors. That was a positive point, showing that there was awareness of the harm which might be done to the Agency if a Member were to be excluded for purely political reasons, in a way that was incompatible with the Statute. The principles of universality and respect for the Statute led directly to the issue of the politicization of the Agency, detracting from its important work in the fields of safety, safeguards and technical assistance. It was above all for that reason that the United States delegation was opposed to the Agency taking up matters of that kind.
3. His Government was not defending South Africa. Opposition to the draft resolution before the Conference in no way constituted support for the racist and oppressive régime in South Africa. The record of the United States in favour of human rights was clear to all. In the current year 1987 the United States was celebrating the 200th anniversary of its constitution, which had served as a model for the constitutions of numerous other countries represented at the present session of the General Conference. That constitution guaranteed equal rights for all. That was a vital task for all countries, but not one which had been assigned to the Agency. Political questions should be left to the General Assembly of the United Nations, the Agency remaining free to concentrate on its important nuclear responsibilities.

4. The United States delegation had a deep respect both for the sponsors of the draft resolution and for the views on which their approach was based, but it saw their arguments in a different light. Thus, the argument that a nation which denied universality to its own citizens should not enjoy the benefit of universality as it applied to membership of the Agency was in his opinion based on confusion over the meaning of the word "universality" which, in the context of international organizations, had a significance quite different from the one it had in the internal affairs of individual nations.

5. Regarding the specific aspects of the draft resolution, his delegation first of all noted that the preamble was weakened by failing to take account of an important new development, namely the recent statement by the President of South Africa concerning his country's attitude to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). It believed that South Africa's accession to NPT would be a most positive development for the States in the region and for the world as a whole. It was difficult to understand why the numerous strong supporters of NPT who had sponsored the draft resolution had not been able to find any way to give support to the Treaty in the text. It thus appeared that the focus of attention in the draft resolution was not so much South Africa's nuclear activities as other questions of a political nature.

6. Although paragraphs (a) and (b) of the preamble presented no difficulty for the United States delegation, that was not the case with paragraph (c), the essential purpose of which was to imply that South Africa had violated the Agency's Statute in such a way as to give grounds for action to suspend it from the exercise of the privileges and rights of membership. In that connection he believed that any attempt to incorporate, by reference, provisions of the United Nations Charter into the Agency's Statute was impermissible. He rejected the interpretation implied by the paragraph in question, believing that in a General Conference resolution it in no way strengthened the legal case for action under the Statute. In any future discussion of the matter the United States delegation would not consider itself bound by that interpretation.

7. Preambular paragraph (d) also represented a problem, because it appeared to state that South Africa had already acquired a nuclear-weapons capability. The available evidence did not prove that it had. On the other

hand, it was certain that acquisition of such a capability by South Africa would constitute a danger for the region and for international peace and security. That was why the United States Government had, for many years past, been pressing the Government of South Africa to submit the whole of its nuclear programme to safeguards and to accede to the Non-Proliferation Treaty.

8. It was above all the operative part of the draft resolution which caused the most difficulties for the United States delegation. The thrust of those paragraphs was to ensure that that political matter again appeared on the agenda for the following session of the General Conference and perhaps for all subsequent sessions as well. His delegation considered that the present politicized debate was harming the Agency and distracting it from its important safety and safeguards functions. More specifically, he was unable to accept operative paragraph 2 in which the Director General was requested to take all possible action to ensure the full implementation of the resolution adopted by the General Conference the previous year, and he recalled that the United States had voted against the draft resolution on that occasion.

9. Mr. HADDAD (Syrian Arab Republic) said that the South African racist régime represented aggression against the native population of South Africa on a permanent basis and against the neighbouring States at regular intervals. That régime was refusing to apply the resolutions of the United Nations and, thanks to its military nuclear capability, constituted a danger for Africa and for mankind as a whole. That was why the Agency's General Conference had for more than ten years past been considering the matter of South Africa's nuclear capabilities and, as a result of a highly praiseworthy effort, the Board of Governors had at its meetings in June 1987 adopted a historic resolution demanding that South Africa should be suspended from the exercise of the privileges and rights of membership.

10. The Syrian delegation had hoped that the General Conference would adopt a resolution calling for the suspension of South Africa. However, document GC(XXXI)/819, issued by the South African régime and referring to the willingness of Pretoria to commence negotiations with a view to acceding to NPT and to submitting its nuclear facilities to safeguards represented a

enticement for certain delegations to the General Conference. His own delegation, however, considered that the document in question was not serious, for if South Africa really wished to accede to NPT it would already have indicated its intentions during its consultations with the Agency.

11. Recalling that the draft resolution under consideration made provision for including the item in the agenda for the following session, he said that his delegation, in solidarity with the African group, unreservedly supported the draft and trusted that the General Conference would adopt it unanimously; in the Syrian Arab Republic's view, anyone who failed to respect the principle of universality should not benefit therefrom himself.

12. Mr. KELSO (Australia) stressed that it was essential to secure respect for the Agency's Statute and for the principle of the universality of both the Agency and other international organizations. Although the original text of the draft resolution had now been modified, it still tended to prejudice any future consideration of the suspension of South Africa from the exercise of the privileges and rights of membership pursuant to a recommendation by the Board of Governors, against which Australia had voted. Consequently, the Australian delegation would also vote against draft resolution GC(XXXI)/827.

13. Australia, which condemned and abhorred apartheid as was attested by the wide range of sanctions it had taken against South Africa, believed that the Conference should not reject or appear to reject the offer by South Africa to consider acceding to NPT. Accession would represent major progress for peace and security throughout the world, and particularly in the neighbouring region, which would thus no longer be exposed to a nuclear threat by South Africa. Furthermore, the latter would accept a binding commitment not to acquire nuclear weapons or nuclear explosive devices, a commitment which would be verified through the application of Agency safeguards to all the country's nuclear facilities. Thus, the international community and the States Members of the Agency should make every effort to promote the accession of South Africa to NPT. For its part, Australia had already made appropriate representations to the South African Government, and would continue to urge it to take the necessary action.

14. Mr. CASTRO DIAZ-BALART (Cuba) said that he fully appreciated the grounds which had led the Board of Governors to adopt, in June 1987, a recommendation to suspend South Africa from the exercise of the privileges and rights of membership. The racist régime in South Africa was brutally oppressing and exploiting the black population of the country, by robbing it of decent living conditions and of its rights. The system of oppression imposed by the racist Government of South Africa was rejected by the international community, and particularly by the non-aligned countries. Thus, the 350 000 black miners who had recently struck to defend their most elementary rights had enjoyed the solidarity of many governments throughout the world but, far from entering into a constructive dialogue, the racist South African régime had intensified its repressive measures, so that the strike had resulted in several deaths, hundreds of wounded and imprisoned, and thousands of workers dismissed.

15. The repression perpetrated by the racist régime in Pretoria was not confined to its own territory but extended to that of neighbouring countries. Thousands of South African soldiers were illegally occupying the territory of Namibia and spending vast sums on waging a colonial war there. Furthermore, South Africa was illegally exploiting Namibia's natural wealth, particularly its uranium. In addition, the implementation of a large-scale nuclear programme and the existence of installations intended to expand that programme for patently military purposes meant that South Africa constituted a threat to international peace and security, particularly vis-à-vis the neighbouring States.

16. Cuba rejected the arguments put forward by certain delegations against depriving South Africa of its privileges and rights of membership, since numerous international organizations had already done so. In any case, suspension would not release South Africa from its obligations as a Member of the Agency and would merely legalize action which was already being taken in practice. International pressure had already forced Pretoria to accept certain compromises, as indicated by the very doubtful promise which it had recently made regarding accession to NPT. The moment had thus come to apply additional measures which would oblige South Africa to behave in the way

demanded by the international community. Consequently, although regretting that the proposed measures were not more drastic, Cuba would vote in favour of the draft resolution under consideration and would call for strict application of its provisions.

17. Mr. CHRISTENSEN (Denmark), speaking on behalf of the twelve Member States of the European Community, stressed that the Community countries fully shared the abhorrence of apartheid felt by the sponsors of the draft resolution. However, the question at issue was not the South African system of government but a fundamental principle of the Agency. To suspend South Africa or any other Member State from the exercise of the privileges and rights of membership would run counter to the fundamental principle of the universality of United Nations bodies. That would weaken the international safeguards system and might create a precedent endangering the participation of other countries in the Agency. That was why the Member States of the European Community were opposed to any action which could lead to the suspension of South Africa's membership privileges and rights - a possibility clearly envisaged in operative paragraph 1 of draft resolution GC(XXXI)/827. The Member States of the European Community would thus not be able to support the draft resolution. They had taken note of the statement by the South African State President on 21 September, which in their view called for further explanation.

18. Mr. ERRERA (France) said that, like the delegate speaking on behalf of the European Community, he was opposed to the draft resolution; he wished to explain the various reasons for his stand. During the June meetings of the Board of Governors, the French delegation had declared its opposition to recommending to the General Conference that South Africa be suspended from the exercise of its privileges and rights of membership. A recommendation of that kind represented an assault on the principle of Agency universality, a principle which France, in the interests of the Agency and of its Members, would defend whatever the State was whose legitimate rights were being unjustifiably subjected to attack and whatever the views which one might have regarding the policies of the State in question. In that connection he wished to stress, in case there was any doubt about the matter, that the French

delegation's opposition to the resolution could in no way be construed as any kind of endorsement of the policy of apartheid, for which France had always expressed its deepest aversion.

19. The French delegation would be voting against the draft resolution also because it firmly believed that the misuse of the Agency's Statute was contrary to the interests of all and held the seeds of the destruction of the Agency's very foundations. It further considered that the present draft resolution, in its preambular paragraphs (c) and (d), contained unacceptable features; the text also referred in its operative part to resolution GC(XXX)/RES/468, against which France had voted the previous year. Finally, the draft resolution called for the consideration, at the following session of the General Conference, of a Board recommendation to which France had already indicated its opposition. It was impossible for his Government to associate itself with a procedure which constituted a first step towards the possible suspension of a Member State from the exercise of its privileges and rights of membership.

20. Mr. OLUMOKO (United Nations Council for Namibia) said that his delegation unreservedly supported draft resolution GC(XXXI)/827, of which Namibia was a co-sponsor, and noted the Board's recommendation to suspend South Africa from the exercise of its privileges and rights of membership pursuant to Article XIX.B of the Statute.

21. The continued illegal and colonialist occupation of Namibia by South Africa, in defiance of numerous resolutions by the General Assembly and the Security Council and of the advisory opinion of the International Court of Justice dated 21 June 1971, constituted an act of aggression against the Namibian people and a challenge to the authority of the United Nations, which was directly responsible for Namibia until independence. The occupation was being accompanied by a series of repressive measures, including arbitrary imprisonment of SWAPO leaders and the killing and torture of innocent Namibians.

22. South Africa was the only country in the world whose system was based on institutionalized racism, in violation of the principles and purposes of the United Nations Charter and of the Agency's Statute. For decades past,

South Africa had been refusing to respect the numerous resolutions by the General Assembly, the Security Council and the General Conference, calling upon it to put a stop to its reckless and illegal plunder of Namibia's natural resources, particularly its uranium deposits, which were part of the heritage of the Namibian people. Moreover, the South African authorities had sited a nuclear waste depository near the Namibian border, on the pretext that the area was uninhabited. However, in the language of apartheid, "uninhabited" merely meant that there were no whites living in the area, so that the blacks could be left to suffer from exposure to radiation.

23. For all those reasons the delegation of the United Nations Council for Namibia recommended the General Conference to adopt draft resolution GC(XXXI)/827.

24. Mr. SUCRE FIGARELLA (Venezuela) said that his delegation would vote for the draft resolution in accordance with the position which it had adopted at the June meetings of the Board of Governors. Developments since then had confirmed the seriousness of the matter of South Africa's nuclear capabilities, but nevertheless it was necessary to consider carefully the Board's recommendation to suspend South Africa from the exercise of its privileges and rights of membership. The Venezuelan delegation thus unreservedly approved that operative paragraph of the draft resolution which proposed to defer a decision on the subject to the following session of the General Conference.

25. Regarding the argument to the effect that suspension of a sovereign State for any reason whatever was contrary to the principle of universality of the United Nations, his delegation believed that that argument was not valid in the case of South Africa. Since that State had erected racism into a constitutional principle, it could not expect to be treated as a State to which current international law was applicable. South Africa was certainly an established State, but owing to its character it was an atypical State which failed to respect one of the basic requirements laid down in the United Nations Charter, namely the principle of racial non-discrimination, which had been one of the chief motives for the establishment of the United Nations. That was why Venezuela believed that a top moral and legal priority in

international relations was not only to condemn the racist régime in South Africa but also to fight it by appropriate measures in all fora and at all levels in order to bring about its destruction.

26. It had been said that a technical organization such as the Agency should not entertain such considerations. However, the case of South Africa was the exception which proved the rule. His delegation was particularly concerned at the fact that South Africa, as a Member of the Agency, was not conforming to Article XIX.B of the Statute. His delegation experienced the same concern vis-à-vis all Member States which did not accept a thorough-going policy in the field of safeguards. Nuclear safety affected everyone, and it would be dangerous to lay down discriminatory criteria in that sphere. That was why his delegation welcomed the statement by the South African Government to the effect that it wished to accede to NPT, and he trusted that the relevant negotiations would be completed successfully.

27. Finally, the Venezuelan delegation wished to stress that its attitude was not governed by any search for political confrontation but was the legitimate expression of moral indignation and a desire to create a world where non-proliferation would be the responsibility of all. It believed that deferment of the item to the following session of the General Conference would help create a climate of détente and negotiation, which would yield a solution acceptable to all.

28. Mr. MORPHET (United Kingdom) explained that his delegation, whose attitude was reflected in the statement made on behalf of the countries of the European Community, was likewise not in a position to support the draft resolution. The United Kingdom Government had frequently expressed its abhorrence of apartheid, and its attitude had not changed. His delegation's opposition to the draft resolution in no way implied approval of the South African régime, but ensued from the stance it had adopted at the June meetings of the Board of Governors. Complete exclusion of South Africa would make the possibility of that country's submitting its nuclear facilities to Agency safeguards even more remote. It was also highly desirable that South Africa should accede to NPT, and in that connection the United Kingdom delegation believed that the statement issued by the South African Government on 21 September deserved further attention.

29. Mr. van GORKOM (Netherlands) stated that his Government, while being firmly opposed to apartheid, likewise attached great significance to the principle of the universality of the United Nations system, including the Agency. It was in the interests of the latter that that principle should be respected. Hence the Netherlands delegation had viewed with great concern the recommendation by the Board of Governors to suspend South Africa from the exercise of the privileges and rights of membership.

30. Draft resolution GC(XXXI)/827 proposed to resume study at the recommendation of the following session of the General Conference, and it was to the credit of the authors of the draft that they had not insisted on the item being put to the vote immediately. The Netherlands appreciated the efforts made to reach a consensus, while at the same time regretting that those efforts had not been successful. South Africa appeared to be moving towards modification of its nuclear policy, and it should be given the chance to do so. In that connection the Netherlands Government welcomed the statement by State President Botha on 21 September, although a number of questions were left unanswered, and it appealed to South Africa to sign and ratify the Non-Proliferation Treaty during the coming months.

31. The Netherlands delegation would vote against the draft resolution, not only in view of that important new development and of the paramount significance which the Netherlands attached to the principle of universality but also because operative paragraph 2 of the draft requested the Director General to take all possible measures to ensure the full implementation of resolution GC(XXX)/RES/468, against which the Netherlands had voted. Furthermore, preambular paragraph (c) passed judgement on the behaviour of South Africa as a member of the international community. However, that type of judgement did not lie within the Agency's competence. Finally, it had not been proved that South Africa, as was claimed in preambular paragraph (d), had acquired nuclear weapons capability.

32. Mr. QIN (China) said that South Africa was ignoring the basic claims of the African population. South Africa's apartheid policy, together with its policy of expansion, had been condemned by numerous countries. Hence the Board of Governors, at its June meetings, had recommended that South Africa

be suspended from the exercise of the privileges and rights of membership. A majority of countries wished to force South Africa to abandon that policy, and China entirely appreciated such a completely legitimate desire.

33. In the light of new developments and after reconsidering the matter, a number of countries had recently proposed that a decision on suspension of South Africa from the exercise of the privileges and rights of membership should be deferred to the following session of the General Conference. China considered that that proposal was a realistic one in that the countries concerned had a genuine desire to preserve the role of the Agency, and his delegation therefore supported draft resolution GC(XXXI)/827.

34. Mr. EMSAK (Libyan Arab Jamahiriya) pointed out that the item before the General Conference was extremely important by reason of its possible implications for the reputation of the Agency and of its Member States, since the draft resolution under consideration called upon a Member of the Agency to accept the latter's ruling. The racist régime in South Africa, as emerged from other Agency documents on that country's nuclear capabilities, represented a threat not only to the neighbouring countries but also to international peace and security. It was pursuing its policy of apartheid and oppression of the African peoples and was illegally occupying Namibia in flagrant violation of all United Nations resolutions. His delegation considered that such behaviour constituted sufficient justification to suspend South Africa from the exercise of the privileges and rights of membership. There were, however, also other events which proved that South Africa was not obeying the decisions of the General Conference or of the Board of Governors, particularly those indicated by the Director General in paragraph 44 of his report for 1986.

35. The Libyan delegation hailed the courageous line taken by the Board of Governors in June 1987, when it had recommended that South Africa be suspended from the exercise of the privileges and rights of membership, in accordance with the provisions of Article XIX.B of the Statute. He called upon the General Conference to take the appropriate decision before it was too late to undertake anything. The draft resolution before the Conference was fully in the spirit of NPT and would prevent South Africa from becoming a threat to

international peace and security. Even if the present version did not make it possible fully to attain that objective, it was not less good for the Agency's credibility on that account.

36. Mr. HAWAS (Egypt) remarked that in submitting the draft resolution under consideration the delegate of Algeria had accurately explained the situation and that his own delegation, as a co-sponsor of the draft, naturally subscribed to everything which that delegate had said and requested. In fact, the draft resolution remained far short of what the African countries wanted, and represented a compromise which bore witness to the understanding shown by the African group in connection with the matter. The vast majority of delegations had declared themselves in favour of the draft, and any objections had been of a minor and limited character.

37. His delegation had taken note of the statements by certain delegates in favour of a régime practising a policy of apartheid condemned by the rest of mankind. It was essential that South Africa should accede to NPT, and hence the degree of opposition to the draft resolution before the Conference seemed to him rather unexpected. What the world was now waiting for the Agency to do was to adopt the draft resolution without a vote. If certain delegations had a particular attitude on the subject, they could always express it in the form of a reservation after adoption. The message which the General Conference should address to the racist régime in South Africa was one of condemnation. Acting with complete solidarity, the General Conference should take the matter seriously and adopt a firm position without recourse to any more delaying tactics.

38. Mr. HIREMATH (India) said that his delegation, which had taken an active part in adopting resolution GC(XXX)/RES/468, expected that the General Conference would, at its present session, adopt the recommendation addressed to it by the Board.

39. However, it appeared that certain recent developments had induced the sponsors of draft resolution GC(XXXI)/827 to propose deferring a decision on the Board of Governors recommendation until the following year. In the opinion of the Indian delegation and in the light of past experience, those

so-called "new developments" had not materially altered the situation. He commended the patience and maturity shown by the African States in their long march to restore human decency in South Africa. The Indian delegation trusted that those countries would not be let down yet again, and that all peoples and all countries which, in a spirit of justice, had expressed their abhorrence of apartheid would assist them in attaining their principal goal. In the meantime, the Indian delegation fully supported draft resolution GC(XXXI)/827.

40. Mr. KHAN (Pakistan), recalling that his delegation had favoured the Board's recommendation appearing in document GC(XXXI)/807, strongly supported draft resolution GC(XXXI)/827, which was inspired with the same spirit as the Board recommendation, and he expressed the hope that an appropriate decision would be taken at the thirty-second regular session of the General Conference.

41. The PRESIDENT observed that draft resolution GC(XXXI)/827, before the General Conference, was not unanimously accepted and should therefore be put to the vote.

42. At the request of the delegate of Algeria, a roll-call vote was taken.

43. The United Arab Emirates, having been drawn by lot by the President, was called upon to vote first.

The result of the vote was as follows:

In favour: United Arab Emirates, Venezuela, Viet Nam, Yugoslavia, Zaire, Zambia, Zimbabwe, Albania, Algeria, Argentina, Bangladesh, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Cameroon, China, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Ecuador, Egypt, German Democratic Republic, Ghana, Hungary, India, Indonesia, Islamic Republic of Iran, Iraq, Jordan, Kenya, Republic of Korea, Kuwait, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mexico, Mongolia, Morocco, Namibia, Nicaragua, Niger, Nigeria, Pakistan, Panama, Peru, Philippines, Poland, Qatar, Saudi Arabia, Senegal, Sudan, Syrian Arab Republic, Thailand, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

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

Abstaining: Uruguay, Chile, Colombia, El Salvador.

44. There were 60 votes in favour and 28 against, with 4 abstentions. Draft resolution GC(XXXI)/827 on South Africa's nuclear capabilities was adopted.

45. Mr. COSTANZO (Uruguay), explaining his vote, said that his Government's attitude to the political aspects of the matter under discussion was well known. The President of Uruguay had categorically rejected the policy of apartheid practised by South Africa, as violating the most elementary human rights. Uruguay's position had not changed and would not change for as long as South Africa failed to honour international undertakings protecting human rights and continued to apply a policy of discrimination which was an affront to the moral conscience of nations.

46. However, his delegation did not consider it appropriate on the present occasion to abandon the principle of the universality of international institutions, in particular of an organization such as the Agency, which had proved itself capable of dealing rapidly and effectively with the problems presented by nuclear energy. Any suspension of South Africa from the exercise of its privileges and rights of membership or even the deferment of the item would only damage the interests of the international community as a whole, by placing South Africa outside the reach of controls which represented a guarantee of world peace.

47. That was why the Uruguayan delegation had abstained at the vote, in accordance with its policy and its ideals which provided for categorical rejection of apartheid and the defence of the principle of universality of international organizations. As he had already stressed during the general debate, those were the keystones of Uruguay's international policy.

48. Mr. SHIELDS (Canada) first recalled that Canada detested the system of apartheid, to which it was utterly opposed. His Government had taken a number of significant and extremely concrete steps which testified to that opposition. It was maintaining a firm line against apartheid in the United Nations General Assembly, the meetings of Commonwealth Heads of Government and other international fora. Furthermore, there was no nuclear co-operation between Canada and South Africa.

49. Nevertheless, Canada was a strong proponent of the principle of universality, in the Agency and in other multilateral organizations. In spite of its firm attitude towards South Africa, the Canadian Government considered that the suspension of that country from the exercise of its privileges and rights within the Agency would jeopardize the principle of universality and would do harm to the aims and the effectiveness of the Agency, particularly as regards nuclear non-proliferation and safeguards.

50. Canada considered that political issues should be dealt with by other United Nations bodies and not by the Agency's General Conference. Although the resolution on which a vote had just been taken postponed for a year the question of suspending South Africa from the Agency, the Canadian delegation had voted against it not only on the general grounds he had mentioned but also because its preamble, particularly paragraphs (c) and (d) thereof, prejudged the issue.

51. He wished to add that his Government would strongly welcome the accession of South Africa to NPT. It urged South Africa to follow up its statement of intention by beginning negotiations with a view to concluding a full-scope safeguards agreement with the Agency.

52. Mr. WALKER (New Zealand) said that there could be no doubt regarding New Zealand's total abhorrence of the policy of apartheid carried out by South Africa. The uncompromising opposition of the New Zealand Government to the racist policy and practices of that country was well known and had been enunciated in every appropriate international forum. The way in which the New Zealand delegation had just voted implied no dilution of that opposition.

53. However, New Zealand had always been opposed to the intrusion of political issues in the work of technical agencies, because it believed that such politicization distracted them from their proper responsibilities and damaged their credibility. New Zealand upheld the principle of universality of membership for the Agency, in the belief that the international community was better able to encourage governments that were Members to comply with the Agency's principles. There was no such obligation on States that were isolated and outside international organizations.

54. It was New Zealand's aim that all States should submit their nuclear facilities to Agency safeguards, the acceptance of which was an important non-proliferation measure. In that regard New Zealand called upon South Africa to put all its nuclear facilities under full-scope Agency safeguards. Furthermore, his Government expected South Africa rapidly and honestly to implement its declared intention of signing and ratifying NPT. South Africa's actions in that respect over the following twelve months would be convincing evidence of its regard for the principles which were implicit in membership of the Agency.

55. Mr. PECCI (Paraguay) explained that he had voted against the resolution because the Agency was a scientific and not a political organization, as he had already recalled in the case of Israel. Furthermore, suspension from the exercise of the privileges and rights of membership would deprive the country of its inalienable rights as a free and independent State. Similarly, it would deprive the Agency of the possibility of monitoring South Africa's actions, and would accord the latter country complete freedom to develop its nuclear activities without any control on the part of the Agency. That view of things in no way implied that Paraguay supported the racist practices of South Africa, on the subject of which the Paraguayan delegation had already explained its position in the United Nations.

56. Mr. NEGREIROS PORTELLA (Peru) wished to emphasize his country's adherence to the principle of universality of international organizations. Noting that there were different ways in which that principle appeared to be under attack, his Government trusted that it would nevertheless be invoked and applied likewise in other organizations where measures were being taken which

seemed to be undermining it. Peru considered that the suspension of a Member State from the exercise of the privileges and rights of membership would not solve the real question at issue, and that it would be preferable to make every effort to find a solution within the framework of obligations which had been entered into, in accordance with international law and the United Nations Charter.

57. Mr. YATABE (Japan) said that his Government's attitude to South Africa's completely unacceptable apartheid policies was perfectly clear and had been repeatedly stated in various fora. In that respect, he fully shared the concern and indignation of the sponsors of the resolution.

58. On the other hand, Japan firmly believed that South Africa, as well as other countries, should accede to NPT as soon as possible, and submit all its nuclear facilities to Agency safeguards. On that subject his delegation had noted with great interest the recent declaration by the South African Government of its intention to accede to NPT, and appealed to that Government to complete the accession procedure as soon as possible.

59. As had been stated in the general debate, the Japanese delegation was firmly convinced of the need to preserve the universality and the technical character of the Agency, and to avoid all politicization of its activities, so that the organization could proceed effectively with promoting the peaceful uses of nuclear energy and the non-proliferation of nuclear weapons throughout the world. That was why the Japanese delegation had voted against the draft resolution, which, inter alia, provided for the suspension of South Africa from the exercises of the privileges and rights of membership.

60. Mr. CONSTENLA (Costa Rica) said that his country, which firmly supported the Agency and its vital activities, was opposed to pursuing any political controversy. For essentially political reasons, the Board of Governors had recommended the General Conference to suspend South Africa from the exercise of the privileges and rights of membership, thereby forgetting the very principle of universality. Costa Rica rejected apartheid, but it feared that the action that had been proposed would be liable to cause serious problems for the Agency itself, seeing that South Africa was a major world exporter of uranium and - since it was necessary to know what happened with

the uranium exported - Agency safeguards were required to supervise those transactions. If South Africa were irrevocably suspended from the exercise of the privileges and rights of membership, the resulting loss of information would give rise to uncertainties regarding the supervision and use of nuclear materials throughout the world. In addition, South Africa had a nuclear programme and, if suspension were imposed, access to information on that programme might be restricted, which would compromise nuclear safety not only in South Africa itself but also in other areas, particularly the neighbouring States. The action contemplated would thus create difficulties for many other countries without, however, putting an end to apartheid.

61. Mr. CUENI (Liechtenstein) explained that his delegation had voted against the draft resolution for three reasons. First, Liechtenstein was a strong partisan of the principle of Agency universality, and therefore could not support resolutions incorporating recommendations in favour of suspending a country from the exercise of the privileges and rights of membership. Second, Liechtenstein deplored the growing politicization of the discussions in the Agency's General Conference. Finally, while being strongly opposed to the apartheid system, as it had repeatedly stated, Liechtenstein believed that the Agency's General Conference was not an appropriate venue for discussing the political system of any country.

ELECTION OF MEMBERS TO THE BOARD OF GOVERNORS (GC(XXXI)/803) (resumed)

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

63. The result of the election of two Members from the area of Latin America was as follows:

<u>Abstentions:</u>	18
<u>Valid votes:</u>	164
<u>Required majority:</u>	42
<u>Votes obtained:</u>	
Colombia	81
Cuba	83

64. Having obtained the required majority, Colombia and Cuba were elected to the Board.

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

<u>Abstentions:</u>	16
<u>Valid votes:</u>	166
<u>Required majority:</u>	42
<u>Votes obtained:</u>	
Spain	83
Turkey	83

66. Having obtained the required majority, Spain and Turkey were elected to the Board.

67. The result of the election of two Members from the area of Eastern Europe was as follows:

<u>Abstentions:</u>	13
<u>Valid votes:</u>	169
<u>Required majority:</u>	43
<u>Votes obtained:</u>	
Hungary	84
Yugoslavia	85

68. Having obtained the required majority, Hungary and Yugoslavia were elected to the Board.

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

<u>Abstentions:</u>	24
<u>Valid votes:</u>	156
<u>Invalid votes:</u>	2
<u>Required majority:</u>	40
<u>Votes obtained:</u>	
Ghana	1
Libyan Arab Jamahiriya	69
Morocco	1
Senegal	85

70. Having obtained the required majority, the Libyan Arab Jamahiriya and Senegal were elected to the Board.

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

<u>Abstentions:</u>	6
<u>Valid votes:</u>	84
<u>Invalid votes:</u>	1
<u>Required majority:</u>	43
<u>Votes obtained:</u>	
Kuwait	84

72. Having obtained the required majority, Kuwait was elected to the Board.

73. The result of the election of one Member from the area of the Far East was as follows:

<u>Abstentions:</u>	22
<u>Valid votes:</u>	67
<u>Invalid votes:</u>	2
<u>Required majority:</u>	34
<u>Votes obtained:</u>	
Democratic People's Republic of Korea	2
Republic of Korea	64
Philippines	1

74. Having obtained the required majority, the Republic of Korea was elected to the Board.

75. The result of the election of one Member from the area of the Middle East and South Asia or of South East Asia and the Pacific or of the Far East (so-called "floating seats") was as follows:

<u>Abstentions:</u>	9
<u>Valid votes:</u>	82
<u>Required majority:</u>	42
<u>Votes obtained:</u>	
Indonesia	82

76. Having obtained the required majority, Indonesia was elected to the Board.

77. Mr. LAVIÑA (Philippines) explained that his Government had withdrawn its candidature in an official note addressed to the Secretariat a few days before the election of members to the Board of Governors. He congratulated the Republic of Korea on its election, and also thanked the delegation which had voted for the Philippines.

78. Ms. ARYEE (Ghana) indicated that, in a spirit of African unity, Ghana had decided to support the candidatures of the Libyan Arab Jamahiriya and Senegal. Nevertheless, she wished to thank the country which had voted for Ghana and to congratulate all those which had just been elected to the Board.

79. Mr. KABBAJ (Morocco) stated that Morocco had likewise not been a candidate for election to the Board.

80. The PRESIDENT, after congratulating the 11 Members who had just been elected, recalled that, in accordance with Article VI.D of the Statute, they would hold office from the end of the current session of the General Conference until the end of the thirty-third regular session, i.e. for a period of two years.

81. He thanked the delegations of Brazil and the United Kingdom, which had provided the tellers, the tellers themselves, and their Secretariat assistants.

ORAL REPORT BY THE CHAIRMAN OF THE COMMITTEE OF THE WHOLE

82. Mr. GUYER (Argentina), Chairman of the Committee of the Whole, presented the report by the Committee on items 9 to 17 of the agenda.

83. Under item 9, "The Agency's accounts for 1986", the Committee recommended that the General Conference adopt the draft resolution appearing on page III of document GC(XXXI)/801.

84. Under item 10, "Measures to strengthen international co-operation in nuclear safety and radiological protection", the Committee recommended that the General Conference adopt draft resolutions GC(XXXI)/830 and 831.

85. In addition, the Committee of the Whole recommended that the General Conference request the Director General to place on the provisional agenda for its following 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; (c) Convention on Assistance in Case of a Nuclear Accident or Radiological Emergency; (d) Convention on Civil Liability for Nuclear Damage."

86. Under the same item, the Committee had considered the question of the sharing of nuclear-safety-related information, but had not been able to agree on a recommendation for the General Conference. That was why the Conference now had before it a draft resolution, GC(XXXI)/829, which was being submitted directly by Egypt, the Islamic Republic of Iran, Iraq, Pakistan, Panama and Tunisia. Finally, the Committee had discussed the question of armed attacks on nuclear installations, and recommended that the General Conference adopt draft resolution GC(XXXI)/832.

87. Under item 11, "The Agency's budget for 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(XXXI)/802, the level of the Agency's Working Capital Fund in 1988 recommended in draft Resolution C being \$2 million.

88. Under item 12, "Scale of assessment of Members' contributions for 1988", the Committee recommended that the General Conference adopt draft resolution GC(XXXI)/810.

89. Under item 13, "The Agency's relations with the United Nations Industrial Development Organization", the Committee recommended that the General Conference adopt draft resolution GC(XXXI)/809.

90. Under item 14, "The financing of technical assistance", the Committee recommended that the General Conference adopt draft resolution GC(XXXI)/822.

91. Under item 15, "Staffing of the Agency's Secretariat", the Committee recommended that the General Conference adopt draft resolution GC(XXXI)/821.

92. Under item 16, "Amendment of Article VI.A.2 of the Statute", the Committee recommended the adoption of draft resolution GC(XXXI)/823.

93. Under item 17, "Revision of Article VI of the Statute as a whole", the Committee recommended that the General Conference adopt draft resolution GC(XXXI)/824,

94. 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.

95. Mr. KOREF (Panama), raising a point of order, proposed that in view of the lateness of the hour and of the excellent work which the Committee of the Whole had done, the General Conference should adopt the oral report by the Chairman of the Committee as a single item.

96. The CHAIRMAN, while appreciating the grounds for the proposal by the delegate of Panama, pointed out that the General Conference was called upon to adopt the oral report by the Chairman of the Committee of the Whole item by item.

The Agency's accounts for 1986

97. The draft resolution on page III of document GC(XXXI)/801 was adopted.

Measures to strengthen international co-operation in nuclear safety and radiological protection

98. The draft resolutions in documents GC(XXXI)/830 and GC(XXXI)/831 were adopted.

99. The PRESIDENT said that if there were no objections he would take it that the General Conference requested the Director General to include on the provisional agenda for the following 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; (c) Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency; (d) Convention on Civil Liability for Nuclear Damage".

100. It was so decided.

101. The CHAIRMAN invited the delegate of Pakistan to present draft resolution GC(XXXI)/829 on the sharing of nuclear-safety-related information.

102. Mr. KHAN (Pakistan) explained that the draft resolution had already been examined by the Committee of the Whole, which had decided to transmit it to the General Conference for a decision. Without wishing to repeat all the arguments in favour of the draft, he would recall that at the 1986 special session of the General Conference Mexico had submitted, on behalf of the Group of 77, a draft resolution together with a number of proposals on the subject of safety, which the General Conference had decided to transmit to the Board. Draft resolution GC(XXXI)/829 was a new version of the previous year's text, taking account of the discussions in the Board and the various points of view put forward on the subject, the aim being that the resolution should enjoy maximum support. Its purpose was to prevent or to assist in preventing any nuclear accident which might result from the failure of a supplier State to communicate nuclear-safety-related information to a recipient State. Supplier States had a technical and moral responsibility to continue co-operating with recipient States by furnishing them with relevant information throughout the operational life of the nuclear facilities delivered by them. It was up to supplier States to co-operate with the Agency and with the recipient States in that respect. Adoption of the draft resolution by a large majority would strengthen the international safety regime, would promote wider acceptance of nuclear energy and would assist recipient States by providing them with relevant guarantees. He requested that draft resolution GC(XXXI)/829 be put to the vote.

103. Mr. KENNEDY (United States of America) recalled that his Government, as was well known, was strongly in favour of the sharing of nuclear-safety-related information and that it had in that connection concluded numerous wide-scope agreements with many countries. However, he was equally convinced that nuclear co-operation agreements - including the provision of safety-related information with regard to specific plants or types of plant - had inevitably to be linked with voluntarily undertaken international non-proliferation commitments. Any resolution regarding the

sharing of nuclear-safety-related information should reflect that interrelationship. Regarding operative paragraph 3 of the draft resolution, his delegation considered that the role of the Agency envisaged therein should be governed exclusively by the Agency's statutory mandate to facilitate the exchange of scientific and technical information on the peaceful applications of nuclear energy, including nuclear safety, through its standard programme activities. That was how the United States looked at any resolution presented for adoption on the subject, and it would act accordingly.

104. Mr. BAEYENS (France) said that the French delegation could not support the text proposed in draft resolution GC(XXXI)/829, mainly owing to the terms of operative paragraph 2. The French Government had repeatedly stated that it was entirely in favour of international co-operation in nuclear safety. However, the draft resolution dealt with the specific situation of communication of information in the context of the supply of nuclear facilities. The communication of safety-related information accompanying any export operation could take various forms. It might be regarded as an integral part of the commercial transaction, and the relevant procedures were then governed by the agreements or contracts concluded between suppliers and recipients. But it generally went further than that, and might be the subject of co-operation agreements between governments or the competent authorities in the partner countries, which would, for example, enable the recipient country to train its safety staff and experts in case of need. The provision of safety-related information thus assumed a highly specific aspect which forbade recourse to a single solution. The matter should be dealt with on a case-by-case basis, within a bilateral framework, and should take account of the particular features of each transaction, the particular requirements of the recipient country, and the type of facility, the legitimate interests - including industrial and commercial interests - of both partners being thus respected.

105. Mr. SHIELDS (Canada) recalled that Canada made extensive contributions to multilateral nuclear safety information networks, in particular, to the Agency's International Nuclear Information Service. Also, Canada had recently decided to contribute directly to the Agency's Incident Reporting System. Furthermore, where appropriate bilateral arrangements

existed, Canada provided its nuclear co-operation partners with complete information on the safe operation of a CANDU reactor throughout its operational life.

106. Nevertheless, the Canadian delegation was unable to support draft resolution GC(XXXI)/829, and there were two important reasons for that. First, Canada could only undertake to supply nuclear technology - including safety technology - bilaterally where an appropriate bilateral nuclear co-operation agreement existed. Such an agreement would emphasize that nuclear co-operation could best take place within the framework established under NPT. Those delegations which had expressed doubt regarding the relevance of NPT to safety questions should bear two important points in mind: on the one hand, information regarding the safe operation of a nuclear facility in many cases could not be distinguished from reactor technology as a whole; and on the other hand, even technology or equipment that could be regarded as solely safety-related might be contributing to the proliferation of nuclear weapons if it were provided for an inadequately safeguarded facility or a country that had not entered into a binding international commitment to non-proliferation.

107. The second reason why the Canadian delegation could not support the draft resolution was connected with procedure. A decision on activities to be undertaken by the Agency should be made within the context of the Agency's programme and budget as approved by the Board and the General Conference. It should be recalled that, as was made clear in the report contained in document GC(XXXI)/816, the Board had not arrived at a consensus on instructing the Agency to play a part in relation to bilateral activities in that field.

108. Mr. BADRAN (Jordan) remarked that the importance of nuclear-safety-related information was now undisputed, particularly for developing countries wishing to adopt nuclear techniques. It was true that certain types of information relating to nuclear safety should be considered on a case-by-case basis, but there was also a need for an internationally recognized base of such information, for an obligation on the supplier to respect certain minimum conditions and, in particular, for the acceptance of certain nuclear safety conditions. If the exporter and the importer were left

to settle the safety issue in each individual case, universality would be lost. As the preceding year had shown and as discussions had amply demonstrated, safety was not an individual or a bilateral matter, but a problem facing the international community as a whole.

109. He had considerable difficulty in understanding the connection between nuclear-safety-related information and NPT. Information of that kind was indeed directly connected with reactor technology, but it was hard to accept the idea that the matter should be handled within the context of NPT. His delegation therefore associated itself with those supporting draft resolution GC(XXXI)/829, and appealed to the General Conference to make a positive response.

110. Mr. LOOSCH (Federal Republic of Germany) said that his country was keenly interested in as complete an exchange of safety-related information as possible, which it viewed as one of the ways of ensuring a maximum level of safety wherever activities connected with the peaceful uses of nuclear energy were in progress. As was well known, in the Federal Republic of Germany responsibility for the supply of a nuclear facility was primarily incumbent upon the industry concerned. That type of operation naturally called for an export licence issued by the Government and, in the case of a private supplier, the Government approved the communication to the customer of safety-related information on as continuing a basis as possible. That was how his delegation interpreted, in particular, operative paragraphs 2 and 3 of draft resolution GC(XXXI)/829; it was accordingly in a position to join a consensus if one emerged.

111. Mr. HAWAS (Egypt) associated himself with the statement by the delegate of Pakistan. The matter of nuclear-safety-related information had been discussed exhaustively at the special session of the General Conference held the previous year, when the need to adopt a resolution on the subject had been stressed. His delegation therefore expected the General Conference to adopt draft resolution GC(XXXI)/829 by consensus at the present session. The work of the Committee of the Whole had, unfortunately, been hampered by the opposition of two or three delegations, but he trusted that those delegations now understood that it was a matter of the welfare of all.

112. Mr. MORPHET (United Kingdom) said that the idea underlying the draft resolution was quite understandable and there was no doubt about the importance to the recipient States of maintaining nuclear safety. However, as the delegate of the Federal Republic of Germany had explained, the subject had to be viewed in the context of governmental powers, and since relationships between suppliers and recipients were largely of a commercial nature, his delegation did not think that governments had a part to play in the matter.

113. Mr. ALER (Sweden) recalled his delegation's view that the supplier State was under an obligation to communicate to the recipient State all information relating to nuclear safety during the entire operational life of the supplied facility, provided that the recipient State honoured its undertakings towards the supplier State, particularly as regards safeguards. However, his delegation also noted with regret that the draft resolution did not appear to take account of the Swedish Government's position and consequently his delegation would be unable to support it.

114. Mr. CUMPS (Belgium) said that he substantially shared the views expressed by the delegates of the United Kingdom, France and the Federal Republic of Germany. In principle, Belgium also believed that nuclear-safety-related information was really a part of the transaction between commercial undertakings, a field in which governments could scarcely exercise a regulatory function. His delegation also considered that the Agency could not in any case lay down binding regulations for its Member States. He wished to stress that in practice Belgium had always adopted a very positive attitude on the subject. It was the regulatory character imparted to the draft resolution which raised certain difficulties for his delegation. At all events, the Belgian delegation would not oppose draft resolution GC(XXXI)/829.

115. Mr. AAMODT (Norway) reminded the Conference that Norway strongly supported any action to enhance nuclear safety, particularly in the form of sharing nuclear-safety-related information. His delegation would be prepared to join a consensus, but it experienced certain difficulties in that direction, particularly because draft resolution GC(XXXI)/829 made no reference to an appropriate non-proliferation regime, which was a basic prerequisite for bilateral and multilateral exchanges of information.

116. Mr. LAVIÑA (Philippines) remarked that the item of nuclear-safety-related information had been studied since the previous year by the Asian group and by the Group of 77, and that both groups supported the draft resolution.

117. The PRESIDENT, stating that all the explanations which had just been offered would be duly reflected in the record of the meeting, proposed that the General Conference should vote on draft resolution GC(XXXI)/829.

118. At the request of the delegate of Egypt a roll-call vote was taken.

119. The Islamic Republic of Iran, having been drawn by lot by the President, was called upon to vote first.

In favour: Islamic Republic of Iran, Iraq, Italy, Jordan, Kenya, Republic of Korea, Kuwait, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malaysia, Mexico, Mongolia, Morocco, Namibia, Netherlands, New Zealand, Nigeria, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Saudi Arabia, Senegal, Spain, Sri Lanka, Sudan, Switzerland, Syrian Arab Republic, Thailand, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Uruguay, Venezuela, Viet Nam, Yugoslavia, Zaire, Zambia, Albania, Algeria, Argentina, Austria, Bangladesh, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Cameroon, Chile, China, Colombia, Côte d'Ivoire, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Ecuador, Egypt, German Democratic Republic, Federal Republic of Germany, Ghana, Guatemala, Hungary, India, Indonesia.

Against: Monaco, Sweden, United States of America, Canada, France, Greece.

Abstaining: Japan, Luxembourg, Norway, United Kingdom of Great Britain and Northern Ireland, Australia, Belgium, Costa Rica, Denmark, Finland, Holy See, Ireland.

120. There were 71 votes in favour and 6 against, with 11 absentions. Draft resolution GC(XXXI)/829 was adopted.

121. The PRESIDENT recalled that under item 10 of the agenda the Committee of the Whole had also submitted draft resolution GC(XXXI)/832 on the protection of nuclear installations against armed attacks. If there were no objections he would take it that the General Conference adopted the draft resolution in question.

122. It was so decided.

123. Mr. BAEYENS (France) said that his delegation had not opposed the formation of a consensus on resolution GC(XXXI)/832 when it had been discussed in the Committee of the Whole, and that it had also not opposed it during the present plenary meeting. However, he was quite unable to subscribe to preambular paragraphs (c) and (d) of the resolution. The additional protocols to the Geneva Conventions already contained provisions concerning installations liable to release dangerous forces. At the time when those protocols had been drafted, there had been no reason to make a distinction between nuclear installations and others, and there was no more reason to do so today, since that would have the effect of establishing small denuclearized zones around civil nuclear installations - a situation which the French Government would be obliged to oppose.

124. Mr. KENNEDY (United States of America) said that his delegation, without opposing the consensus, had reservations on the subject of resolution GC(XXXI)/832 because it was firmly convinced that the protection of nuclear installations against armed attacks did not lie within the Agency's competence. That was a problem of international security which, to the extent necessary, should be dealt with by an appropriate international body armed with the necessary terms of reference and competence. That was why the United States delegation was opposed in principle to the resolution and to any other Agency initiative in the field in question.

125. In any case, he was unable to subscribe to certain parts of the resolution, particularly preambular paragraph (d), since that paragraph prejudged the aims of the Conference on Disarmament. No consensus existed in that Conference regarding the need for a convention on the subject. As for preambular paragraph (c), it assumed that it was necessary to prohibit armed attacks on nuclear installations and that it was urgent to conclude an international agreement on the subject, whereas in fact that was just not the case, seeing that no consensus had emerged at the Conference on Disarmament. The United States delegation firmly believed that it was inappropriate for the Agency to make such statements. The preparation of new measures of protection against armed attacks raised a number of difficult questions in the military,

tactical and juridical fields. On the subject of operative paragraph 2, the United States delegation noted that the resolution quite rightly stated that the Agency should act only at the request of competent international organs, and within the limits of its technical competence and statutory responsibilities. In conclusion, he pointed out that the possible financial implications of the proposal would have to be examined within the framework of the Agency's normal budgetary procedures.

126. Mr. CUMPS (Belgium) said that his delegation had not opposed a consensus on resolution GC(XXXI)/832, although it was not in a position to support it because, as he had pointed out in the Committee of the Whole, certain features of the resolution created difficulties for the Belgian Government. That applied in particular to preambular paragraph (c), for the General Conference should not lose sight of the fact that various political problems of that kind were already being discussed in the appropriate fora. The Belgian delegation was not opposed to operative paragraph 2, but it certainly expected that the Agency would remain within the general framework of its terms of reference in undertaking any tasks which might be entrusted to it by the organs in question.

127. Mr. KHAN (Pakistan) said that an armed attack on a nuclear installation would present considerable transfrontier radiological hazards. His delegation was therefore most favourable to the adoption of an international convention prohibiting armed attacks on all nuclear installations, and in that connection called upon the Agency to play its appropriate technical part with a view to gaining that objective.

128. Mr. BADRAN (Jordan) indicated that his delegation associated itself with those supporting resolution GC(XXXI)/832. The prohibition of any armed attack on a nuclear installation was one of the most important matters which the Agency had considered since the affair of the Israeli attack on an Iraqi nuclear installation. The Jordanian delegation therefore considered that resolution GC(XXXI)/832 represented a step in the right direction.

129. Mr. SOLTANIEH (Islamic Republic of Iran) regarded the protection of nuclear installations against armed attacks as an important matter and considered that the Agency was the most suitable organization to take it up,

naturally in co-operation with other competent international organizations. As it had indicated in the Committee of the Whole, the Iranian delegation would have preferred that the resolution should make explicit mention of terrorist attacks and not only armed attacks, so as to acquire as wide a scope as possible. In that connection he wished to draw attention to document A/CONF.108/L.16 (Prohibition of terrorist and armed attacks against all nuclear installations) submitted to the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy, a document supported by the Group of 77 at the last plenary meeting of that conference.

130. Pointing out that any attack or threat of attack on a nuclear installation under construction would compromise the promotion of the peaceful uses of nuclear energy, he said his Government assumed that the delegations attending the General Conference genuinely condemned terrorist or armed attacks against any nuclear installation, under construction or in operation. Finally, he called upon all peace-loving countries to co-operate in concluding an international agreement on the subject.

131. Mr. EMSAK (Libyan Arab Jamahiriya) emphasized that his delegation supported resolution GC(XXXI)/832.

The Agency's budget for 1988

132. Draft resolutions A, B and C contained in Annex III to Part I of document GC(XXXI)/802 were adopted.

133. Mr. LAVIÑA (Philippines) reminded the Conference that only two thirds of those present in the Committee of the Whole had voted in favour of the draft resolutions on the Agency's budget for 1988. Mindful of the consensus principle, the Philippine delegation had not requested that the plenary meeting of the Conference should again vote on those draft resolutions, although it was opposed to them.

134. Although a budgetary growth rate of 0.6% seemed reasonable at first sight, the fact still remained that that represented, for certain developing countries or for small countries with a heavy burden of debt, substantial budgetary contributions, bearing the scale of assessment in mind.

135. The Philippine delegation was also opposed to certain of the Board's procedures. Those countries which were not members of the Board had hardly any possibility of taking part in its discussions on matters of primary interest to them, such as the draft budget. They were even unable to make their opinions heard since normally the Board member for a given area did not concern himself with the interests of the other members in his area, which could even be diametrically opposed to his own. The area of the Far East comprised six States which were not permanent members of the Board, and owing to the current system of rotation each of them had to wait 12 years before being eligible for re-election to the Board. That was scarcely a democratic state of affairs when compared with the governing bodies of other international organizations, which wrote to non-represented countries inviting them to send observers to their meetings.

136. It was therefore unjust that countries which were not members of the Board should be unable to take part in the discussions at which their contributions or their assessments were fixed. He wished to recall in that connection the wise remarks of Mr. Goldschmidt who, at the opening meeting of the present session, had referred to the frustrations experienced by the countries of the Group of 77 right from the Agency's earliest years. Countries which were not members of the Board were at present victims of such frustrations and strongly desired that the Board should take the matter up at its next series of meetings.

Scale of assessment of Members' contributions for 1988

137. Draft resolution GC(XXXI)/810 was adopted.

The Agency's relations with the United Nations Industrial Development Organization

138. Draft resolution GC(XXXI)/809 was adopted.

The financing of technical assistance

139. Draft resolution GC(XXXI)/822 was adopted.

Staffing of the Agency's Secretariat

140. Draft resolution GC(XXXI)/821 was adopted.

Amendment of Article VI.A.2 of the Statute

141. Draft resolution GC(XXXI)/823 was adopted.

Revision of Article VI of the Statute as a whole

142. Draft resolution GC(XXXI)/824 was adopted.

143. Mr. ALESSI (Italy) said that, although his delegation had not opposed the formation of a consensus on resolution GC(XXXI)/824, he nevertheless wished to recall that Italy had, along with Belgium, Portugal, Spain and Sweden, proposed an amendment to Article VI of the Statute which appeared in document GC(XXX)/780 and provided for an improved and balanced representation on the Board. That proposal could still serve as a basis for a realistic compromise in the interests of the Agency as a whole rather than of a particular group of countries.

144. The Italian delegation would have preferred the Committee of the Whole to examine the substance of the proposal rather than the procedural questions associated with it. It nevertheless hoped that the procedure which had just been adopted would enable the next session of the General Conference to find a rational and just solution to the problem of the composition of the Board of Governors.

APPOINTMENT OF THE EXTERNAL AUDITOR

145. The PRESIDENT recalled that the term of office of the present External Auditor, who was the Comptroller and Auditor General of Kenya, would end after he had completed auditing the Agency's accounts for 1987, and that it was therefore necessary for the Conference at its present session to make an appointment to provide for the auditing of the accounts for 1988 and 1989. He had been informed that the Comptroller and Auditor General of Kenya would be prepared to serve as the Agency's External Auditor for a further period of two years, and he proposed that the General Conference appoint him as External Auditor to audit the Agency's accounts for 1988 and 1989.

146. The President's proposal was accepted.

ELECTIONS TO THE AGENCY'S STAFF PENSION COMMITTEE

147. The PRESIDENT recalled that the General Conference was at present represented on the Agency's Staff Pension Committee by two members - Mr. Morales Pedraza (Cuba) and Mr. Sreckovic (Yugoslavia) - with Mr. Bamsey (Australia) and Mr. Loedel (Uruguay) as alternates. Mr. Bamsey and Mr. Sreckovic being no longer available to serve on the Committee, he proposed that Mr. Loedel (Uruguay) should be elected as member and that Mr. von Preuschen zu Liebenstein (Federal Republic of Germany) and Mr. Itoh (Japan) should be elected as alternates.

148. Mr. Loedel (Uruguay) was elected as a member of the Agency's Staff Pension Committee and Mr. von Preuschen zu Liebenstein (Federal Republic of Germany) and Mr. Itoh (Japan) were elected as alternates, Mr. Morales Pedraza continuing to serve as a member.

REPORT ON VOLUNTARY CONTRIBUTIONS PLEDGED TO THE TECHNICAL ASSISTANCE AND CO-OPERATION FUND FOR 1988

149. The PRESIDENT said that, by 6.30 p.m. on 24 September 1987, the total of voluntary contributions pledged by Member States to the Technical Assistance and Co-operation Fund amounted to \$16 798 123. Since then, Viet Nam had announced a voluntary contribution of \$500. That thus brought the total amount pledged to \$16 798 623.

CLOSING OF THE SESSION

150. Mr. SHIELDS (Canada), speaking on behalf of the North American group, praised the President for the efficiency and wisdom with which he had guided the work of the General Conference. His indefatigable labours would enable the Agency to pursue its vital tasks in 1988, particularly in the area of safeguards, nuclear safety and technical co-operation.

151. He also offered congratulations on their work to the Vice-Presidents of the General Conference, to the Chairman of the Committee of the Whole and to the entire Secretariat.

152. Mr. ERNER (Turkey), speaking on behalf of the West European group, congratulated the President on the success of the General Conference. There was no doubt that his wisdom, his patience and his personal prestige had been the essential factors in that success. He also wished to express his appreciation to the Director General and his staff.

153. Mr. COSTANZO (Uruguay), acting as spokesman for the Latin America and Caribbean group, congratulated the President, the Director General and the Secretariat on the success of the General Conference, and also Mr. Roberto Guyer, who had chaired the Committee of the Whole.

154. Mr. HIREMATH (India), speaking on behalf of the Middle East and South Asia group, paid a tribute to the President for the skill with which he had guided the deliberations of the Conference. Highly appreciated as he already was in the scientific and technical fields, he had now acquired an excellent reputation as a diplomat, thanks to his ability to combine firmness with charm. He also wished to thank the Vice-Presidents, the Chairman of the Committee of the Whole, the Director General and the Secretariat for the excellent work which they had done during the session.

155. Mr. KOLYCHAN (Byelorussian Soviet Socialist Republic), speaking for the eastern European socialist countries, congratulated the President on the masterly way in which he had directed the session of the General Conference. He also thanked the Director General and his staff, together with all the delegates whose co-operation had made it possible to solve in an acceptable manner the important and difficult problems which faced the Agency in a world full of contradictions but at the same time a single entity. In conclusion, he gave an assurance that the countries in his region would continue to make a constructive contribution to the fruitful and effective work of the Agency.

156. Mr. MESLOUB (Algeria), speaking for the African countries, paid tribute to the President for his valuable contribution to the smooth running of the present commemorative session. He also praised the Director General for his keen sense of justice and his high awareness of his responsibilities. Finally, he offered his thanks to all those delegations which had displayed their solidarity with the Africa group on the occasion of the adoption of the resolution on South Africa's nuclear capabilities.

157. Mr. WALKER (New Zealand) congratulated the President on behalf of the area of South-East Asia and the Pacific for his skill in conducting the work of the thirty-first session of the General Conference, and also the Vice-Presidents, the Chairman of the Committee of the Whole and the Secretariat.

158. The PRESIDENT thanked all the delegates for their kind words. It had been a privilege for him to preside over the thirty-first regular session of the General Conference. He wished particularly to thank the members of the General Committee and the Chairman of the Committee of the Whole for their assistance in the conduct of the Conference's work. The present session had been marked by lively discussions and consultations on a number of difficult matters, and he was happy to observe that the Agency had emerged from those discussions possessed of new strength.

159. On behalf of the General Conference, he wished to express his gratitude to the Austrian authorities and to the city of Vienna for their hospitality and for the facilities of the Austria Center. Similarly, he thanked the Director General and his staff, the Secretariat of the Policy-making Organs and all those who had contributed to the smooth running of the Conference.

160. Before closing the session, he invited the delegates to observe one minute of silence dedicated to prayer or meditation, in accordance with Rule 48 of the Rules of Procedure.

All present rose and stood in silence for one minute.

161. The PRESIDENT declared the thirty-first regular session of the General Conference closed.

The meeting rose at 6.40 p.m.

