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Held at the Austria Center Vienna
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President: Mr. HALIM (Malaysia)

CONTENTS

<u>Item of the agenda*</u>	<u>Paragraphs</u>
- Oral report of the Chairman of the Committee of the Whole on the following items:	1 - 13
- The Agency's accounts for 1987	14
- Measures to strengthen international co-operation in nuclear safety and radiological protection	15 - 19
- Status and implementation of conventions for which the Agency is depositary	20
(a) Convention on the Physical Protection of Nuclear Material	

[*] GC(XXXII)/856.

The composition of delegations attending the session is given in document GC(XXXII)INF/262/Rev.2.

88-4842 (3917e/454e)

<u>Item of the agenda*</u>	<u>Paragraphs</u>
(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	
- The Agency's contribution to sustainable development	21
- The Agency's programme and budget for 1989 and 1990	22
- Scale of assessment of Members' contributions for 1989	23
- The financing of technical assistance	24 - 26
- Staffing of the Agency's Secretariat	27
- Amendment of Article VI.A.2 of the Statute	28
- Revision of Article VI of the Statute as a whole	29
- Representation of IAEA Member States not members of the Board at meetings of the Board as observers	30 - 53
7 Israeli nuclear capabilities and threat	54 - 97

ORAL REPORT BY THE CHAIRMAN OF THE COMMITTEE OF THE WHOLE

1. Mr. LAVIÑA (Philippines), Chairman of the Committee of the Whole, presented the report by the Committee on items 9 to 19 of the agenda.
2. Under item 9, "The Agency's accounts for 1987", the Committee recommended that the General Conference adopt the draft resolution appearing on page III of document GC(XXXII)/836.
3. Under item 10, "Measures to strengthen international co-operation in nuclear safety and radiological protection", the Committee recommended that the General Conference adopt the draft resolution in document GC(XXXII)/867 concerning the revised NUSS Codes, the draft resolution in document GC(XXXII)/868 entitled "Dumping of nuclear wastes", and the draft resolution in document GC(XXXII)/869 entitled "Liability for nuclear damage".
4. 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 "Prohibition of all armed attacks against nuclear installations devoted to peaceful purposes whether under construction or in operation", with a view to its being considered in 1989 in conjunction with the item entitled "Measures to strengthen international co-operation in nuclear safety and radiological protection".
5. Under item 11, "Status and implementation of conventions for which the Agency is depositary", the Committee recommended that the General Conference adopt the draft resolution in document GC(XXXII)/864 relating to the Convention on the Physical Protection of Nuclear Material and the draft resolution in document GC(XXXII)/865 relating to the Convention on Early Notification of a Nuclear Accident and the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency.
6. Under item 12, "The Agency's contribution to sustainable development", the Committee recommended that the General Conference adopt the draft resolution contained in document GC(XXXII)/863.
7. Under item 13, "The Agency's programme and budget for 1989 and 1990", 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(XXXII)/837.

8. Under item 14, "Scale of assessment of Members' contributions for 1989", the Committee recommended that the General Conference adopt the draft resolution set forth in document GC(XXXII)/843.

9. Under item 15, "The financing of technical assistance", the Committee recommended that the General Conference adopt the draft resolution in document GC(XXXII)/859. It further recommended that the General Conference request the Director General to arrange for the summary records of the Committee's discussion under that item to be transmitted to the Board of Governors.

10. Under item 16, "Staffing of the Agency's Secretariat", the Committee recommended that the General Conference adopt the draft resolution set out in document GC(XXXII)/860.

11. Under item 17, "Amendment of Article VI.A.2 of the Statute", the Committee recommended the adoption of the draft resolution in document GC(XXXII)/861.

12. Under item 18, "Revision of Article VI of the Statute as a whole", the Committee recommended that the General Conference adopt the draft resolution contained in document GC(XXXII)/862.

13. Under item 19, "Representation of IAEA Member States not members of the Board at meetings of the Board as observers", he reported that the Committee had been unable to reach a consensus on the draft resolution appearing in document GC(XXXII)/838/Add.1/Rev.1.

The Agency's accounts for 1987

14. The draft resolution on page III of document GC(XXXII)/836 was adopted.

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

15. The draft resolutions in documents GC(XXXII)/867, GC(XXXII)/868 and GC(XXXII)/869 were adopted.

16. Ms. SCHWAB (United States of America), noting that her country had joined in the consensus on the resolution on liability for nuclear damage (GC(XXXII)/869), said that the aspects of that issue which should be studied

on a priority basis were those which followed logically from the recent adoption of the Joint Protocol harmonizing the Vienna and Paris Conventions, namely the revision and enhancement of the existing civil liability regime.

17. The PRESIDENT said that, if there were no objections, he would take it that the General Conference wished to request the Director General to include on the provisional agenda for the following regular session an item entitled "Prohibition of all armed attacks against nuclear installations devoted to peaceful purposes whether under construction or in operation", with a view to its being considered in 1989 in conjunction with the item entitled "Measures to strengthen international co-operation in nuclear safety and radiological protection".

18. It was so decided.

19. Mr. KENNEDY (United States of America) said that his delegation had not blocked the consensus in favour of the inclusion of an item on armed attacks against civil nuclear installations in the provisional agenda for the thirty-third session of the General Conference, but that its views on the subject remained unchanged: the issue was not appropriate for consideration by the IAEA. The considerable military, technical and legal problems that would have to be resolved in formulating a multilateral approach went well beyond the Agency's competence and authority. His Government's strong preference would have been to remove the item entirely from the Conference's agenda. The Agency's continued discussion of issues that were extraneous to its responsibilities and on which there was no prospect of consensus could only be damaging, for it clearly detracted from its ability to fulfil its basic responsibilities.

Status and implementation of conventions for which the Agency is depositary

20. The draft resolutions in documents GC(XXXII)/864 and GC(XXXII)/865 were adopted.

The Agency's contribution to sustainable development

21. The draft resolution in document GC(XXXII)/863 was adopted.

The Agency's programme and budget for 1989 and 1990

22. Draft resolutions A, B and C contained in Annex III to Part I of document GC(XXXII)/837 were adopted.

Scale of assessment of Members' contributions for 1989

23. The draft resolution in document GC(XXXII)/843 was adopted.

The financing of technical assistance

24. The draft resolution in document GC(XXXII)/859 was adopted.

25. The PRESIDENT said that, if there were no objections, he would take it that the General Conference wished to request the Director General to arrange for the summary records of the discussion in the Committee of the Whole on the financing of technical assistance (item 15) to be transmitted to the Board of Governors.

26. It was so decided.

Staffing of the Agency's Secretariat

27. The draft resolution in document GC(XXXII)/860 was adopted.

Amendment of Article VI.A.2 of the Statute

28. The draft resolution in document GC(XXXII)/861 was adopted.

Revision of Article VI of the Statute as a whole

29. The draft resolution in document GC(XXXII)/862 was adopted.

Representation of IAEA Member States not members of the Board at meetings of the Board as observers

30. Mr. LAVIÑA (Philippines), speaking as the delegate of the Philippines and not as Chairman of the Committee of the Whole, said that in the long and fruitful debate on the item in the Committee, a slight majority of members had spoken in favour of the draft resolution in document GC(XXXII)/838/Add.1/Rev.1, but it was impossible to state that a clear consensus had emerged. As it was highly desirable for the General Conference to resolve the issue by consensus, he requested that consideration of the draft resolution be postponed pending the outcome of ongoing consultations.

31. Mr. AGRELL (United Kingdom) said the discussion in the Committee of the Whole had revealed that there was general sympathy for the idea that

non-Board members should be able to attend Board meetings and express their views on matters of interest. Many of the participants in the discussion had favoured a solution to the problem being found by the Board itself, however, since - as the Director of the Legal Division had stressed - the Board was master of its own proceedings. He therefore suggested that the General Conference seek a way, other than the adoption of a resolution, of conveying its wish that the Board continue consideration of the matter in the coming year.

32. Mr. YBAÑEZ (Spain) said that, although his delegation had no objection to the spirit behind the Philippine initiative, it believed that a decision should be reached through consensus, not through statistical majorities. The achievement of consensus was often a time-consuming task, but in the present case a solution was already within reach. He therefore supported the suggestion just made by the United Kingdom representative.

33. Mr. BEETS (Belgium) said that the question could not be resolved through a vote; a solution by consensus should continue to be sought.

34. Mr. TALIANI (Italy) supported the request of the Philippine delegate for a postponement of consideration of the draft resolution in document GC(XXXII)/838/Add.1/Rev.1.

35. Mr. KANIEWSKI (Poland) said he fully endorsed the United Kingdom representative's suggestion.

36. Mr. PROENCA ROSA (Brazil) said that the question of the representation of non-Board members at Board meetings should be given further consideration by the Board, particularly in view of its legal, financial and political implications.

37. Mr. GUYER (Argentina) said the question was an important one and had implications, including implications of a financial nature, that merited careful consideration. He therefore felt that the Board should continue examining the question, with a view to reaching a solution satisfactory to all.

38. Mr. MESLOUB (Algeria) said that the Philippine initiative was aimed at making the deliberations of the Board more democratic and hence more effective, and he supported the Philippine delegate's request for a postponement of consideration of the draft resolution in question.

39. Mr. PRZEDBORSKY (Costa Rica), supporting the suggestion made by the United Kingdom representative, said that he appreciated the desire underlying the Philippines initiative that as many Member States as possible should be able to keep abreast of the Board's deliberations.
40. Mr. KENNEDY (United States of America) said he wished to associate himself with those speakers who had stressed the importance of the issue and the need for further consideration of it by the Board of Governors during the coming year.
41. Mr. BARBOSA FERREIRA (Portugal) said he welcomed the Philippine initiative, which was in line with the broader objective - endorsed by his delegation - of expanding the Board of Governors. Nevertheless, he felt that the matter should be considered within a different framework and therefore supported the United Kingdom representative's suggestion.
42. The PRESIDENT suggested that the summary records of the discussions of the matter both in the Committee of the Whole and at the Conference's current meeting be transmitted to the Board.
43. Mr. TALIANI (Italy), supported by Mr. YBAÑEZ (Spain), said it might be advisable to make clear to the Board the General Conference's strong wish that it should study the issue actively, and not confine itself to reading the summary records.
44. The PRESIDENT, recalling that his country - Malaysia - had been elected to the Board on the previous day, said that he, as a member of the Board, could convey to the Board the wish of the General Conference.
45. He suggested that he report to the Board on the following lines: that the Conference appreciated the spirit underlying the draft resolution on the representation of IAEA Member States not members of the Board at meetings of the Board as observers and shared the belief that every opportunity should be given to non-Board members to attend meetings of the Board of Governors and to express their views on matters of interest; that the Conference felt, however, that the question warranted further consideration by the Board; and that, while expressing its appreciation of the efforts already made by the Board, it recommended that the Board continue its consideration of the matter.

46. Mr. LAVIÑA (Philippines) said that, although there had been no consensus on the draft resolution in the Committee of the Whole, a majority of Committee members had spoken in favour of it. However, the supporters of the draft resolution were not seeking confrontation with those who did not share their views. Accordingly, he could go along with the President's suggestion, on condition that the Board was requested to report to the Conference at its next session on progress made in its further consideration of the matter. At the same time, depending on the contents of the Board's report, he reserved the right to submit a proposal at the next session of the General Conference.

47. The PRESIDENT thanked the delegate of the Philippines for going along with his suggestion on condition that the Board was requested to report to the Conference in 1989.

48. Mr. LOOSCH (Federal Republic of Germany) said he could go along with the President's suggestion, but not with the idea of requesting the Board to report back to the General Conference. Of course, the General Conference would expect the Board to continue its consideration of this matter with all due sensitivity.

49. The PRESIDENT asked the Conference whether it could go along with his suggestion and with the idea of a report by the Board to the Conference in 1989.

50. Mr. CUEVAS CANCINO (Mexico) said that, while he could go along with the President's suggestion, he could not go along with the idea of a request to the Board that it report back; the Agency's two governing bodies were independent of one another.

51. Mr. LOOSCH (Federal Republic of Germany) associated himself with the statement made by the delegate of Mexico.

52. The PRESIDENT, noting that there was no intention of directing the Board to report to the General Conference, asked whether his suggestion was acceptable to the General Conference, it being borne in mind that the Philippine delegate had reserved the right to submit a proposal to the General Conference at its next regular session, at which time the Conference would be aware of the progress which had been made in the Board.

53. It was so agreed.

ISRAELI NUCLEAR CAPABILITIES AND THREAT (GC(XXXII)/849 and 853/Rev.1)

54. The PRESIDENT stated that the item had been included in the agenda pursuant to resolution GC(XXXI)/RES/470. In response to paragraph 3 of that resolution, the Director General had submitted a report which had been discussed by the Board at its recent session. Document GC(XXXII)/849 contained both the report and a summary of the Board's discussion. The draft resolutions submitted in documents GC(XXXII)/852 and GC(XXXII)/853 had been withdrawn following consultations between their sponsors, and a revised single draft resolution was now before the Conference in document GC(XXXII)/853/Rev.1.

55. Mr. AL-AWADHI (Kuwait), introducing the draft resolution contained in document GC(XXXII)/853/Rev.1, noted that it expressed the concern of his region over Israeli's nuclear capabilities and the threat they posed. According to the Director General's report (GC(XXXII)/849), Israel could not be compelled to put all its nuclear facilities under Agency safeguards and the Agency had no information on Israel's nuclear activities. In fact, however, the Agency's powers were far wider than suggested. The draft resolution had been submitted because of Israel's non-recognition of international law and world opinion. The sponsors called upon Israel to place all its nuclear facilities under Agency safeguards in order to provide assurance that they were intended for peaceful purposes only. The resolution would be important in helping prevent Israel from continuing to flout international safeguards and conventions. The current instability in the region was the result of Israel's failure to respect international law, its attempt to disperse the Palestinian people, and its non-recognition of their rights.

56. His delegation requested a roll-call vote on the draft resolution under discussion and on any other draft resolutions that might be submitted under the present agenda item.

57. Ms. TALLAWY (Egypt) confirmed that her delegation had withdrawn its draft resolution in (GC(XXXII)/852), which was concerned with the establishment of a nuclear-weapon-free zone in the Middle East, and supported the revised draft resolution set forth in document GC(XXXII)/853/Rev.1.

58. Egypt would continue to call upon Israel to place all its nuclear installations under Agency safeguards. Contrary to what was stated in

Israel's reply to the Director General's letter of 17 November 1987, that could be achieved by means other than direct negotiations on the establishment of a nuclear-weapon-free zone. That and the reply from Israel were the reasons for the request in paragraph 1 of her delegation's draft resolution - now contained in paragraph 6 of the revised draft resolution - for a technical study on the application of Agency safeguards in the Middle East region.

59. Mr. BAEYENS (France), speaking on behalf of the West European countries, requested that the meeting be suspended for a short period so as to enable delegates to consider the revised draft resolution more carefully and to allow time for the text to be distributed in the other working languages.

The meeting was suspended at 11.30 a.m. and resumed at 12.10 p.m.

60. Mr. ETTINGER (Israel) expressed his delegation's regret at having to speak on the redundant issue now before the Conference. The irrelevance of the item and of the draft resolution was evident from the statements of the sponsors and their supporters, which consistently disregarded the declared policy of successive Governments of Israel, namely that Israel would not be the first to introduce nuclear weapons into the Middle East, and that Israel supported the principle of non-proliferation and affirmed the need to establish a nuclear-weapon-free zone in the Middle East along the lines of the Treaties of Tlatelolco and Rarotonga covering Latin America and the South Pacific respectively. Israel's policy had been repeatedly expressed at the previous session of the General Conference. The Prime Minister of Israel had reiterated Israel's position on non-proliferation at the special session of the United Nations General Assembly on 7 June of the current year. Its position was also set forth in its reply to the Director General's letter reproduced in document GC(XXXII)/849.

61. As a result of a continuing and narrow partisan effort by Iraq, the United Nations General Assembly had been dealing with an identical issue since 1979. Despite three inconclusive reports published by the Secretary-General, the item remained on the agenda of the forty-third session of the General Assembly, and on that of the present session of the General Conference. In his report to the Board of Governors reproduced in document GC(XXXII)/849, the Director General indicated that statements in the General

Conference the previous year had made it clear that the term "nuclear capabilities" as used in resolution GC(XXXI)/RES/470 was intended to mean "nuclear weapon capabilities" and that the IAEA Secretariat had not concerned itself with studies of nuclear weapon capabilities in any Member State. Nonetheless, the General Conference had once again been called upon to consider the issue, which was political and did not pertain to the Agency's statutory functions. To compel the Agency to deal with such issues would further compromise its essentially non-political nature.

62. The Agency had been founded as an autonomous international technical body, governed solely by its Board and General Conference, and not bound by resolutions of the General Assembly. That working relationship was recognized in Articles II and III of the Agency's Statute and by Article I of the agreement governing the relationship between the United Nations and the Agency (INFCIRC/11). The draft resolution was an attempt to turn the Agency and its Secretariat into instruments for implementation of United Nations resolutions that were extraneous to its mandate, thus jeopardizing the Agency's independent authority.

63. It was clear from Article III.A.5 of the Statute that the conclusion of safeguards agreements was the statutory right of a State. Also, the voluntary nature of safeguards had been recognized by the Board in 1976 in decision (11) contained in document GOV/DEC/88 (XIX). As was recognized in the Director General's letter to Israel reproduced in document GC(XXXII)/849, every Member State had the sovereign right to decide for itself whether or not to invite Agency safeguards. In its reply, Israel had stated, inter alia, that it remained committed to the establishment of a nuclear-weapon-free zone in the Middle East, on the basis of arrangements freely arrived at among the States of the region, and that the issue of full-scope safeguards could be satisfactorily settled within a nuclear-weapon-free zone.

64. A call addressed to Israel alone would be an act of singling out. Many States were not party to NPT and not subject to full-scope safeguards, among them some of proven scientific and technological capability. They were somehow immune from having similar requests addressed to them, yet presumed to sit in judgement of Israel. India and Pakistan, which were not parties to NPT, were not subject to full-scope safeguards, while Libya - a party to NPT -

was the only country to have shopped for nuclear weapons. Colonel Qadhafi had been quoted by the Libyan News Agency on 2 September 1987 as calling upon the Arab nations to take serious steps to acquire nuclear weapons.

65. The sponsors of agenda item 7 under discussion had attempted to justify it by arguing that Israel's activities constituted a nuclear threat and endangered international peace and security. They had also abused the platform afforded them by the Conference to deliver hostile political attacks on Israel which had nothing to do with the Agency's work. Israel had never threatened the existence of any country. The real and immediate threat was what the countries in his region were spending on arms. Iraq, Iran, Syria, Libya and Saudi Arabia were among the world's biggest arms importers, each of them buying more arms than Israel. The production and use of chemical weapons constituted a real threat to the peace of the region and of the entire world and was strongly condemned by Israel. Iraq, by its own admission, had used that vicious means of indiscriminate killing in its war with Iran and in its attacks on civilian Kurds, in gross and blatant violation of the Geneva Protocol which Iraq had signed. The United Nations Secretary-General had also established that chemical weapons were being used in the Iran-Iraq war, albeit without identifying the culprit. Such defiance of control measures designed by the international community was not reassuring in a region of instability such as the Middle East.

66. Mr. AL-KITAL (Iraq), speaking on a point of order, said that the General Conference was discussing the nuclear capabilities of Israel, not chemical weapons. The speaker should keep to the item under discussion.

67. Mr. ETTINGER (Israel) said that mutual reassurances and direct negotiations among all States in the region culminating in the establishment of a nuclear-weapon-free zone were the only constructive way of creating a measure of confidence in the Middle East. It was to be regretted that a draft resolution which showed signs of being a constructive attempt to achieve an accord in the region based on a principle long advocated by Israel had had to be withdrawn by its sponsor because of partisan political considerations. In any case, his delegation rejected the attempt to promote that issue, which was

of great significance for an effective non-proliferation regime in the Middle East, under the item entitled "Israeli nuclear capabilities and threat". That could only undermine the constructive approach that such an important and sensitive issue needed.

68. The proposal to involve the Agency, when direct and free negotiations between the States of the region had not yet started, was a further departure from internationally sanctioned principles and procedures governing agreements covering other regional areas. It prejudged the outcome of negotiations and should therefore be resisted. Any role envisaged for the Agency, either in the context of the creation of a nuclear-weapon-free zone or involving safeguards procedures, was a matter for the negotiating States to decide. The issue had already been dealt with and guidelines had been established by an ad hoc group of governmental experts under the auspices of the Conference of the Committee on Disarmament, which had prepared a study entitled "Comprehensive study of the question of nuclear-weapon-free zones in all its aspects". Paragraph 136 of that document stated that the exact mandate of the Agency would be determined essentially by two factors: the precise provisions of the agreements establishing zones and the tasks given to the Agency therein; and the Agency's Statute prescribing what duties the Agency could assume, Article III.A.5 of which permitted the Agency "to apply safeguards, at the request of the parties, to any bilateral or multilateral arrangement, or at the request of a State, to any of that State's activities in the field of atomic energy." A constructive course of action would be to establish a nuclear-weapon-free zone in the Middle East, and all States of the region should be persuaded to accept Israel's offer to begin negotiations to that end, in the manner in which that offer had been conceived.

69. A majority of Member States had in the past made possible the adoption of anti-Israeli resolutions, tailored to the sponsor's desire to apply to Israel different criteria from those that obtained generally. It was inconceivable that Israel should be discriminated against in the Agency, and at the same time be invited to trust international sponsorship to reach an equitable settlement in the Middle East. The General Conference should decide not to repeat a useless and potentially damaging debate on the current

extraneous issue but to stay within the framework of its Statute. The Agency must be allowed to concentrate on its statutory professional responsibilities and should not be abused or subverted in perpetuity.

70. The Israeli delegation therefore urged all responsible delegations to reject the draft resolution.

71. Mr. AL-KITAL (Iraq) said it was well known that Israel did in fact possess nuclear weapons, thanks to certain countries which had been helping it to enhance its nuclear capability over a period of years. The problem was made all the more serious by the aggressive, expansionist policies of the Israeli Government, which continued to defy the international community by occupying Arab territories and, in particular, by oppressing the Palestinian people and denying them their inalienable right to self-determination.

72. All the States of the region were committed to a policy of non-proliferation, and many had signed NPT and placed their nuclear facilities under Agency safeguards. The only States that had still not done so were those that had no activities in the nuclear field, the exception being Israel which was thus the only State in the region with significant nuclear installations which were not under safeguards and were being used to produce nuclear weapons. That situation created constant tension and constituted a threat to peace and security, with the result that the region was being drawn into the arms race.

73. Israel continued to reject resolutions adopted by United Nations bodies calling upon it to place its nuclear facilities under Agency safeguards and to renounce its nuclear weapons. Its support for the concept of a nuclear-weapon-free zone in the Middle East was a mere political manoeuvre designed to deflect the pressure being put on it by the international community. Israel's letter of reply to the Director General was part of that manoeuvre and had no credibility. If Israel was serious in its wish to establish such a zone, it should agree to place its nuclear facilities under Agency guarantees, to sign NPT, and to renounce its expansionist and aggressive policies. The chief reason for Israel's continued attitude of defiance was that United Nations bodies had failed to take sanctions against it. Although the draft resolution

now being submitted to the Conference was inadequate in that respect, the least the Conference could do was to adopt it, in view of the fact that Israel had defied all previous resolutions on the subject.

74. While the Israeli delegate had repeatedly stated that his country would never be the first to use nuclear weapons in the region, he had not denied that his country did in fact possess such weapons. Had not the Israeli engineer Vanunu been imprisoned for 18 years for having revealed the secret that nuclear weapons were being produced in Israel?

75. In conclusion, his delegation supported the request by the delegate of Kuwait that a roll-call vote be taken on the draft resolution contained in document GC(XXXII)/853/Rev.1, as well as on any other resolutions that might be submitted under agenda item 7.

76. Mr. SALGADO (United States of America) said his delegation strongly opposed the resolution contained in document GC(XXXII)/853/Rev.1, which was essentially no different from the long series of resolutions on the same issue which had burdened the Conference's agenda in the past. The United States had voted against all those resolutions and would continue to do so until the sponsors thereof came to recognize that it was highly inappropriate to seek to include such matters in the Conference's deliberations.

77. The resolution was obviously a politically motivated effort to criticize the nuclear programme of a single nation: it was blatantly discriminatory because it did not refer to the nuclear programmes of any other similarly situated States. In addition, the resolution implied that the voluntary acceptance of safeguards measures was in some sense a sanction or penalty, which they had never been intended to be. On the contrary, safeguards were entirely voluntary commitments, and no provision in the IAEA Statute gave the General Conference the right to demand that any particular State adopt them. Any action in that direction would run counter to the fundamental character of the safeguards system.

78. The draft resolution was unacceptable for a number of reasons. The preamble expressed concern about nuclear weapons in Israel, whereas the existence of such weapons had not been reliably confirmed. In addition, it referred to an Israeli "threat", whereas a formal communication from the

Government of Israel to the Agency, accepted by the General Conference in 1986, had confirmed that no such threat was being made by Israel either towards its neighbours in the region or towards any other State.

79. Particularly objectionable was preambular paragraph (i), which referred to the occupied territories, an issue totally irrelevant to the IAEA as a scientific and technical Agency. Nothing in the Statute empowered the General Conference to make judgements in respect of international law or to interpret the Charter of the United Nations, and his Government did not in any way recognize preambular paragraph (i) as establishing any valid interpretation of either international law or the Charter with respect to activities within the occupied territories.

80. His delegation found the operative part of the resolution even more unacceptable than the preamble. Operative paragraph 1 was discriminatory, in that it made demands of Israel that were not made of other similarly situated States. Operative paragraph 2 contained a judgement about peace and security in the region which only the United Nations Security Council was qualified to make: it was not within the province of the Agency to make such judgements. While avoiding any suspension of the rights and privileges of Israel's membership in the Agency, operative paragraph 3 placed the Director General in the unacceptable position of having to consider implementing General Assembly resolutions which could impose burdens on Israel that others did not share. Operative paragraph 4 was objectionable for the same reasons.

81. Operative paragraphs 5, 7 and 8 would have the effect of perpetuating the issue on the agenda of the Board of Governors, the General Conference, and the United Nations General Assembly. The time had come to take that issue off the agenda, since repeated ritualistic consideration of it could not in any way further the attainment of peace and security in the region. Rather, it introduced a political element into the work of a scientific and technical Agency, and diverted attention from issues on which real progress was being made.

82. It was apparent from operative paragraph 6 of the resolution, which was based in part on an earlier resolution calling for a study on a Middle East nuclear-weapon-free zone (GC(XXXII)/852), that no progress had been made

towards abandoning the negative and unproductive approach to the question of Israel which had burdened the Agency for a number of years. He was greatly disappointed to see that, in its revised form, the provision contained in operative paragraph 6 did not even mention the key concept of a nuclear-weapon-free zone in the Middle East which had motivated the sponsors of the original resolution and was the subject of various General Assembly resolutions; rather, it called for a technical study of the modalities of application of safeguards in the region. His delegation doubted the usefulness and appropriateness of making such a study in a single geographical region, without reference to any underlying arrangement such as a treaty for a nuclear-free zone. Such a study would not provide any useful information about safeguards in the Middle East, because it could not be based on information relating to the territory covered by such an arrangement, its legal character or the obligations of parties thereto. Moreover, such a study would not be a wise use of the Agency's limited funds at a time of scarce budgetary resources. Finally, operative paragraph 6 would not help to achieve the desired end of removing the item from the agenda of future conferences, but would merely add a further difficult and complex element to the annual debate.

83. He urged all delegations to vote against the draft resolution contained in document GC(XXXII)/853/Rev.1.

84. Mr. MGBOKWERE (Nigeria) expressed his delegation's deep concern over Israel's growing military nuclear capabilities, which rendered the situation in the Middle East dangerously explosive. African countries such as his own were particularly uneasy over Israel's collaboration with South Africa in nuclear matters. Israel's refusal to comply with General Assembly and Agency resolutions did not augur well for the peace and security of the region. His delegation called on Israel to place all its nuclear facilities under Agency safeguards, since only such a course of action could allay the fears of Israel's neighbours.

85. His delegation joined earlier speakers in supporting the draft resolution.

86. Mr. OLUMOKO (United Nations Council for Namibia), said he supported the draft resolution for three reasons: first, because of Namibia's

solidarity with the Committee on the Exercise of the Inalienable Rights of the Palestinian People; secondly, because Namibia condemned the close collaboration in the nuclear field between Israel and South Africa; and thirdly, because it also condemned the destabilization campaigns being carried out by Israel against her neighbours.

87. Mr. CLADAKIS (Greece), speaking on behalf of the Member States of the European Communities, said he could not support the draft resolution. The question of Israel had been resolved by a resolution adopted by the General Conference in 1985. The resolution now under consideration unfairly singled out the nuclear policies of one country, a move which was divisive and tended to politicize the Agency.

88. Although it was desirable that safeguards be applied as widely as possible in order to further the cause of non-proliferation, the Agency's Statute stated that acceptance of safeguards was a matter for decision by the country concerned. Hence, the non-submission to Agency safeguards of the nuclear facilities of any Member State could not justify the action called for in the resolution.

89. Mr. Al NUWAISER (Saudi Arabia) said the draft resolution under consideration was related to earlier resolutions both of the General Assembly and of the General Conference. The object of those resolutions had been to respond to public concern that the Agency should fulfil its statutory responsibilities of furthering the peaceful uses of nuclear energy worldwide and of preventing the proliferation of nuclear weapons. The sole objective of the draft resolution in document GC(XXXII)/853/Rev.1 was to ensure that Israel should not continue to use its nuclear facilities for non-peaceful purposes.

90. Israel's claim to support the concept of a nuclear-weapon-free zone in the Middle East was hypocritical, since it was the only country in the region to have developed a nuclear potential. Its claim that other countries in the region, including Saudi Arabia, had been buying weapons for purposes of aggression was also unjustified: those weapons had been purchased purely for defence against Israeli expansion and aggression.

91. In conclusion, he requested that a roll-call vote be taken on the draft resolution.

92. Mr. HADDAD (Syrian Arab Republic) said the argument that the Agency should not concern itself with the matter under discussion ran counter not only to the organization's Statute, but also to its motto "Atoms for Peace". Since the Agency's inception, no Member State had objected to its role in promoting nuclear safety and furthering the implementation of safeguards agreements.

93. It had been stated that Israel's nuclear capability should not be singled out for particular attention. In fact, it was Israel itself, by its policies of aggression and refusal to respect international law, which had singled itself out as a threat to peace in the region.

94. His delegation fully supported the concept of a nuclear-weapon-free zone in the Middle East. However, Israel's call for direct negotiations to establish such a zone was a mere political manoeuvre, designed to avoid a real solution to the problem. Israel had also claimed that many Arab States in the region were piling up weapons: the fact was that Israel had amassed more arms than all the Arab States put together. Similarly, Israel's claim that it would not be the first to introduce nuclear weapons to the region was contrary to the facts: a report by a United Nations expert group had already provided evidence of the Israeli military nuclear potential.

95. It was the duty of the Conference to take preventive action and to forestall the catastrophe of a possible nuclear war. The possession by Israel of nuclear weapons constituted a genuine threat to peace, and he trusted that the Conference would recognize that threat and adopt the draft resolution.

96. Mr. ZANNAD (Tunisia) said his country supported the draft resolution, which was moderate in tone and in full conformity with the Statute of the Agency. Israel's acts of aggression had on more than one occasion gone beyond the bounds of the Middle East and had affected North Africa, notably Tunisia, where attempts had been made to assassinate a Palestinian leader.

97. He thanked the delegation of Egypt for its understanding in withdrawing its initial draft resolution, and appealed to all Member States to give their support to the revised version contained in document GC(XXXII)/853/Rev.1.

The meeting rose at 1.05 p.m.