



GC(40)/OR.9
October 1996

GENERAL Distr.

Original: ENGLISH

International Atomic Energy Agency

GENERAL CONFERENCE

FORTIETH (1996) REGULAR SESSION

RECORD OF THE NINTH PLENARY MEETING

Held at the Austria Center Vienna
on Friday, 20 September 1996, at 10.30 a.m.

President: Mr. PADOLINA (Philippines)

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[*] GC(40)/22.

The composition of delegations attending the session is given in document GC(40)/INF/13/Rev.2.

Abbreviations used in this record

Agreed Framework	Agreed Framework between the United States of America and the Democratic People's Republic of Korea
DPRK	Democratic People's Republic of Korea
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
OAU	Organization of African Unity
Pelindaba Treaty	African Nuclear-Weapon-Free Zone Treaty

IMPLEMENTATION OF THE AGREEMENT BETWEEN THE AGENCY AND THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA FOR THE APPLICATION OF SAFEGUARDS IN CONNECTION WITH THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS (GC(40)/16 and Corr.1; GC(40)/33)

1. The PRESIDENT said that since the adoption the previous year of resolution GC(39)/RES/3, pursuant to which the item on the implementation of the agreement between the Agency and the Democratic People's Republic of Korea for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons had been placed on the General Conference's agenda, the Director General had reported periodically to the Board on the implementation of safeguards in the DPRK. The Director General had submitted to the General Conference document GC(40)/16, which summarized the developments of the past year. The Conference also had before it a draft resolution on the subject contained in document GC(40)/33.

2. Mr. MACKINNON (Canada), presenting the draft resolution on behalf of its sponsors, said that the resolution addressed a very important issue, namely the need for all Member States to comply with the legal obligations they had freely undertaken, and urged the DPRK to comply fully with its safeguards agreement.

3. It was extremely important that the discussions between the Agency and the DPRK on outstanding safeguards issues should result in substantial progress towards a resolution of those issues, so that the stated intention of the DPRK to enter into full compliance with its safeguards agreement could be realized. The draft resolution contained in document GC(40)/33 aimed to encourage that process.

4. Mr. Kun-Mo CHUNG (Republic of Korea) said that the issue under discussion had been on the agenda of the General Conference for more than four years. The resolution adopted the previous year with overwhelming support had expressed concern over the continuing non-compliance of the DPRK with its safeguards agreement and had called on that country to comply fully with it. The resolution had also urged the DPRK to co-operate fully with the Agency and, as an interim measure, to take all necessary steps to preserve all information about the past history of its activities. Since then, there had been continuing efforts by the Secretariat to resolve

the problem and three more rounds of technical discussions on outstanding safeguards issues had been held, but unfortunately no real progress had been made on most of the fundamental issues. There had only been limited progress on certain minor issues.

5. Judging from the results of the past rounds of discussions, it seemed clear that the DPRK had no real intention of honouring its obligations under the NPT. It contended that it was bound only by the Agreed Framework it had signed with the United States. However, that contention was unacceptable. It had been made very clear at the time that the Agreed Framework had been arranged in October 1994 that it was merely a complementary measure and that the safeguards agreement between the DPRK and the Agency remained binding. Indeed, the validity of that agreement had been confirmed both by the General Conference and by the United Nations Security Council. Some progress had been made in the implementation of the Agreed Framework, but there had to be corresponding efforts on the part of the DPRK in implementing the safeguards agreement and the DPRK should stop resorting to delaying tactics and excuses.

6. Since the DPRK continued to defy the resolutions adopted by the General Conference, the international community should take a firm stand. Persistent non-compliance on the part of that country with its safeguards agreement was a serious challenge to the Agency's overall safeguards system and would eventually undermine its authority as an international watchdog for nuclear non-proliferation, particularly at a time when measures to strengthen the system were being discussed. Therefore, the very least the Conference could do was to adopt the draft resolution contained in document GC(40)/33 calling upon the DPRK to comply with its safeguards agreements.

7. Mr. LI Changhe (China) said that for some time, since the signing of the Agreed Framework, the Agency had been monitoring the "freeze" on nuclear activities in the DPRK. Several rounds of technical consultations had taken place and some progress had been made. He hoped that the momentum generated could be kept up, so that a satisfactory solution could be found. Such a solution would be conducive to a climate of peace and stability, both on the Korean Peninsula and throughout the world.

8. China had always maintained that the issue should be resolved through dialogue, consultation and negotiation between the parties directly concerned, and it was opposed to putting pressure on the DPRK and imposing sanctions. As it had certain reservations regarding the draft resolution contained in document GC(40)/33, it requested that a roll-call vote be taken on it. For its part, China would abstain.

9. The PRESIDENT invited the General Conference to proceed to a roll-call vote on the draft resolution contained in document GC(40)/33, as requested by the Chinese delegation.

10. Mr. WALKER (Australia) proposed that the vote should be deferred until those delegations currently attending the meeting of the Committee of the Whole could be present.

11. It was agreed that the vote should be deferred.

AN AFRICAN NUCLEAR-WEAPON-FREE ZONE (GC(40)/14 and 35)

12. The PRESIDENT, noting that the item had been included in the agenda pursuant to resolution GC(39)/RES/4 adopted by the General Conference the previous year, said that the Director General had submitted a report in document GC(40)/14 on the implementation of that resolution. Attached to that document was the Pelindaba text of the African Nuclear-Weapon-Free Zone, which had been adopted by the thirty-first session of the OAU Assembly of Heads of State and Governments held in Addis Ababa in June 1995. The General Conference also had before it document GC(40)/35, which contained a draft resolution submitted by South Africa on behalf of the African Group.

13. Ms. MXAKATO-DISEKO (South Africa), speaking on behalf of the African Group, recalled that the Pelindaba text of the African Nuclear-Weapon-Free Zone Treaty had been adopted at the sixty-second session of the OAU Council of Ministers in June 1995 and that the Treaty had been signed in Cairo in April 1996. With the signing of the Pelindaba Treaty, the ideal to which Africa had aspired for so long, namely the denuclearization of the African continent, had become a reality.

14. The draft resolution contained in document GC(40)/35 encouraged African States to make every effort to ratify the Pelindaba Treaty as soon as possible. The Group was grateful to the international community and to nuclear-weapon-free States in particular for their support for the Treaty. It hoped that those States which had not yet signed it would do so at an early date.

15. Mr. OTHMAN (Syrian Arab Republic) commended the decision by African leaders to adopt the Pelindaba Treaty. Adoption of that Treaty would not have been possible if South Africa had not agreed to give up its nuclear option and to open its facilities for inspection under the safeguards system. The adherence of South Africa to the NPT had helped to free the African continent from the nuclear threat. He hoped that the new Treaty would set an example which other parts of the world, notably the Middle East, would follow.

16. The PRESIDENT took it that the General Conference wished to adopt the draft resolution contained in document GC(40)/35 without a vote.

17. It was so decided.

EXAMINATION OF DELEGATES' CREDENTIALS (GC(40)/40)

18. The PRESIDENT said that the General Committee had met to examine the credentials of all delegates, as provided for in Rule 28 of the General Conference's Rules of Procedure. The Committee's report was contained in document GC(40)/40. The Committee recommended that the Conference adopt the draft resolution contained in paragraph 11 of the report. Since the Committee's meeting, credentials in proper form had been received by the Director General in respect of the delegates of Argentina, the Philippines, Viet Nam and Zambia.

19. Noting that there were no speakers, he took it that the General Conference wished to adopt the draft resolution contained in document GC(40)/40.

20. It was so decided.

ELECTIONS TO THE AGENCY'S STAFF PENSION COMMITTEE

21. The PRESIDENT recalled that the General Conference was represented on the Agency's Staff Pension Committee by two members - Mr. Hamada of Tunisia and Mr. Myck of Luxembourg - and two alternates - Mr. Campuzano Piña of Mexico and Mr. Servigon of the Philippines. Since Mr. Hamada, Mr. Myck and Mr. Campuzano Piña were leaving Vienna and would no longer be available to serve on the Committee, he proposed that Mr. Pecsteen of Belgium and Mr. Servigon of the Philippines be elected as members, and Mr. Arrouchi of Morocco and Mr. Herrera Andrade of Mexico be elected as alternate members.

22. Mr. Pecsteen and Mr. Servigon were elected as members and Mr. Arrouchi and Mr. Herrera Andrade as alternate members to represent the General Conference on the Agency's Staff Pension Committee.

REPORT ON VOLUNTARY CONTRIBUTIONS TO THE TECHNICAL CO-OPERATION FUND FOR 1997 (GC(40)/21/Rev.4)

23. The PRESIDENT, drawing attention to document GC(40)/21/Rev.4, said that by 5.30 p.m. on 19 September 1996 the voluntary contributions pledged by Member States to the Technical Co-operation Fund for 1997 had reached a total of US \$8 751 593. Since then, \$400 000 had been pledged by Brazil, bringing the total amount pledged to \$9 151 593.

24. He urged those delegations that had not done so to make their 1997 pledges and to pay their contributions in full at the earliest opportunity so that the Secretariat could submit the 1997-98 technical co-operation programme to the Technical Assistance and Co-operation Committee based upon reasonably assured resources and subsequently implement the approved programme without hindrance or uncertainty.

ORGANIZATION OF BUSINESS

25. The PRESIDENT suggested that the meeting be adjourned until the Committee of the Whole had finished its consideration of the items allocated to it.

26. It was so agreed.

The meeting rose at 11.5 a.m.