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President: Mr. COLOMBO (Italy)

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[**] GC(XXXI)/818.

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

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ISRAELI NUCLEAR CAPABILITIES AND THREAT (GC(XXXI)/825, 825/Add.1 and 2)
(continued)

1. Mr. KASANDA (Zambia) said that the issue under discussion was a very sensitive and important one, relating as it did to a real and legitimate concern of Member States of the Agency: the threat posed by Israel's nuclear capability. The Agency had been set up to promote the peaceful utilization of nuclear energy, not its open or secret military use; therefore, it could not stand idly by while nuclear technology was diverted into the construction of weapons of mass destruction.

2. He had listened with interest to arguments against the draft resolution contained in document GC(XXXI)/825, but had been dismayed by the assertion that the Agency was not the correct forum for the issues raised; the act of acquiring a nuclear capability and manufacturing weapons expressly for use against neighbouring countries was a political one, but it was within the competence of the Agency to deal with the matter and to find a lasting solution. Zambia considered that it was in the interest of the Agency and of its Member States to support the draft resolution in its entirety. If a fair and realistic solution were not found, the issue would continue to appear before the General Conference, since a very significant number of Member States regarded it as important; the wishes of those States must be respected, and it was for no one country to dictate the agenda of the General Conference.

3. It was not to be expected that either Israel or South Africa, or their supporters, would admit to co-operation, but the truth was that there had been collaboration between Israel and South Africa. The resolution before the General Conference was clear and presented in due form, and he urged all Member States committed to preserving and promoting peace to support it.

4. Mr. HADDAD (Syrian Arab Republic) wished to comment on two points made by the United States delegation the previous day: firstly, in response to the assertion that the 1985 General Conference had already dealt with the issue and that no threat from Israel existed, he said that the matter in hand was not the same as that discussed by the General Conference in 1985, which had been the Israeli military threat against nuclear installations in neighbouring and other countries; what was at issue now was the Israeli

nuclear capabilities and threat. Secondly, Israel was said to have given repeated assurances that it did not co-operate with South Africa, and indeed, after the positive, humanitarian stance adopted internationally against racial discrimination and against South Africa, Israel had been obliged to declare that it would not establish any agreements with South Africa; however, the Israeli position remained that existing agreements would be honoured.

5. Turning to the question of the sale by Norway to Israel of heavy water for peaceful purposes which, according to various international news media, had been used instead for military purposes, he requested the President to invite the Norwegian delegate to explain his country's view of that transaction.

6. Finally, in line with the statement made the previous day by the Iraqi delegate, he wished to state that the type of assistance to and co-operation with Israel which worried his delegation and which was mentioned in the United Nations General Assembly resolutions referred to in paragraph 2 of the draft resolution under consideration was that which helped to enhance its military nuclear capabilities.

7. Mr. ZANNAD (Tunisia) said that his country attached great importance to the examination of Israel's nuclear capability and the threat which it represented for the Arab countries. Tunisia considered the draft resolution well founded, and its purpose in keeping with the Agency's mandate. The issue was one of nuclear policy in the technical sense and thus fell within the normal scope of such policy in international law. The draft resolution was also in keeping with the statutory goals of the Agency in that it was concerned with the development of nuclear energy in a particular case and with avoiding the promotion of military applications.

8. Only one aspect of the matter had been raised at the General Conference in 1985, that of the aerial destruction of the Iraqi nuclear reactor, which had been under Agency safeguards since 7 June 1981. That affair, indeed, was far from being relegated to the archives, for the good reason that operative paragraph 5 of resolution GC(XXIX)/RES/443 called upon Israel "urgently to place all its nuclear facilities under IAEA safeguards". Only a minimum of rationality and consistency was needed to see that the General Conference must seek ways and means to put its own resolutions into effect.

9. The assertion that the draft resolution discriminated against Israel seemed neither pertinent nor persuasive, to any member of the Arab League at least, given that successive Governments of Israel had always declared that they would never permit the Arabs to acquire a peaceful nuclear capacity lest they thus acquire the means of mass destruction. The truth of the matter was that Israel had never ceased developing its own nuclear capacity in order to equip itself with a nuclear arsenal and a complete delivery system. That was the end to which Israel had built up its nuclear co-operation with South Africa and other Member States of the Agency.

10. A look at the history and the precedents of the last twenty years showed that Israel's nuclear programme was aimed entirely against the Arabs; Israel had never given up its strategy of ambiguity and had kept open its nuclear option by developing nuclear deterrents, benefiting the while from major concessions, exemptions even, in the matter of non-proliferation. For that reason, some experts were of the view that the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) could not survive, in part because of the worsening discrimination against developing countries signatory to it.

11. That the danger from Israel's nuclear capacity was real was demonstrated by the bombardment of Iraq's OSIRAK reactor on 7 June 1981, which had fortunately not been fuelled at the time. Had it been, the absurd bombardment might have resulted in a kind of small-scale Chernobyl accident in the Middle East, with unimaginable consequences. There was also the act of aggression perpetrated by Israel against his own country's sovereignty and territorial integrity on 1 October 1985, an act unanimously condemned by the Security Council as being in violation of the Charter of the United Nations, the rule of law and all standards of international conduct. Indeed, the Security Council, in its document S/17659, had urgently requested "the States Members of the United Nations to take measures to dissuade Israel from resorting to such acts against the sovereignty and territorial integrity of all States".

12. In the light of the remarks made by the Arab delegations and of the considerations he had himself expressed, he called upon all Members to promote, in the absence of polemic or acrimony, the development through the

Agency of peaceful uses of nuclear energy, particularly south of the Mediterranean, in the Arab countries and in other developing countries. Such development, where everybody was aware what was at stake in commercial, industrial and political terms, implied that assurances must be given as to Israel's nuclear capabilities, and he therefore urged the General Conference to adopt the draft resolution contained in document GC(XXXI)/825.

13. Mr. MORPHET (United Kingdom) considered that the item under discussion was essentially political in nature, although it did in some ways concern non-proliferation. Since the United Kingdom regarded non-proliferation as the keystone of its policy, it viewed acceptance by States of full-scope safeguards as highly desirable, both as a mark of their confidence in international safeguards and as a measure of assurance to the international community. The United Kingdom therefore strongly supported the extension of the Agency's safeguards regime, and had supported Security Council resolution 487 of 1981, which had called upon Israel to place all its nuclear facilities under Agency safeguards.

14. However, the draft resolution under discussion did not call upon Israel to take that step, it demanded that it do so, and it was not for the Agency to demand that Israel or any other Member State should adopt full-scope safeguards. The matter was one for the State concerned; indeed, many Members present would be deeply offended if such a demand were made of them.

15. In any case, demands could not be made in the absence of means to enforce them, and the Agency was not in the business of enforcement, either in terms of its Statute or in the real powers it had. The Agency could call upon, could negotiate, and it could regret; it could not and should not demand.

16. Thus, the United Kingdom feared that there was a misconception at the heart of the draft resolution about what the Agency could and could not do, and it considered that resolutions should not be passed which were based on misconceptions.

17. There were a number of other defects in the document, in particular the call to maintain the item on the agenda of the General Conference: his country was concerned about the effect on the Agency of repeated discussions

on matters which were essentially of a wider political nature, which could not be solved in the present forum, and which would leave Member States divided to no good end. The root of that problem was a second misconception, one concerning the purpose of the Agency.

18. The draft resolution failed also in that it did not mention Israel's undertaking, reproduced in resolution GC(XXIX)/RES/443, not to attack peaceful nuclear facilities in Iraq or anywhere else; surely that undertaking could not be considered irrelevant to a discussion of Israel's nuclear capabilities.

19. Finally, the United Kingdom considered that the draft resolution failed in that it requested the Director General to perform tasks which he could not fulfil. Moreover, it was otiose to request the Director General to report back in a year's time to confirm that the Agency was not assisting Israel to develop a military nuclear capability, something it would scarcely assist any other State to do.

20. In the light of those objections, and in view of the excessive claims on the Agency's limited time and energies which the issue made, he opposed the draft resolution.

21. Mr. AL-MINAYES (Kuwait) said that his country demanded that Israel place all its nuclear facilities under Agency safeguards, a step from which the Middle East could not but benefit. Kuwait believed the Agency to be the appropriate forum for the draft resolution, since it specialized in nuclear energy and would play a principal role in applying safeguards to Israel's nuclear reactors. Israel had openly threatened the Arab countries, and any other country which it supposed to constitute a danger, that it would not permit them to have nuclear reactors, but Israel itself had nuclear reactors for military purposes, thereby openly flouting the resolutions of the international community which wanted nuclear energy to be used to benefit mankind. The matter was too serious to be put aside unresolved, and it would remain before the Agency's policy-making organs, at the risk of some repetition, until a satisfactory solution was found.

22. The victims of Israel's past aggression must be reassured that the matter was at least being considered, as the threat of attack was a continuing one, and Israel must be prevented from wielding nuclear terror. Israel had

been singled out in the demand that it submit all its nuclear facilities to Agency safeguards because it had singled itself out as the only State to have destroyed a peaceful nuclear facility, one under Agency safeguards and still under construction. Kuwait therefore commended the draft resolution to the General Conference in the hope that Israel might thereby be deterred from wielding nuclear terror.

23. Mr. van GORKOM (Netherlands) remarked that Israel was not the only Agency Member State with significant nuclear activities which had not so far been willing to submit all its facilities to Agency safeguards. The Government of the Netherlands regretted that situation and had on many occasions called upon the Governments of Israel and of other countries in a similar position to reconsider their attitude to the application of full-scope safeguards. However, the draft resolution under discussion was one-sided in that it was directed exclusively against Israel, and not against those other Member States in a similar position.

24. There was no obligation under the Statute of the Agency for any Member State to accept full-scope safeguards. The Netherlands was prepared to support efforts made by the Director General to persuade Member States to accept full-scope safeguards, but it could not accept the Agency's applying sanctions against Member States which did not so accept them.

25. Operative paragraph 2 of the draft resolution referred to General Assembly resolution 41/93, which called upon the Agency to refrain from any scientific co-operation with Israel which would contribute to that country's nuclear capability. The Netherlands took the resolution to mean that the Agency should refrain from contributing to Israel's nuclear-weapon capability, and the Agency of course never engaged in co-operation of that kind. That request in operative paragraph 2 was therefore superfluous. Moreover, the Secretary-General of the United Nations was soon to present an updated version of earlier reports on Israel's nuclear capabilities; since it could be assumed that the Secretary-General would perform that task perfectly adequately, the Netherlands could see no place for any useful contribution on the same subject by the Director General of the Agency.

26. Thus, considering the draft resolution to have serious flaws in many of its main paragraphs and to constitute a further deplorable attempt at politicizing the Agency, the Netherlands opposed its adoption.

27. Mr. ERRERA (France) said that his country would be voting against the draft resolution for several reasons which would be explained in a joint statement to be made by the delegate of Denmark on behalf of the twelve member states of the European Community. The principal reason for France, however, was that the Agency's safeguards system was a confidence-building mechanism which was essential to international nuclear relations and which must not be used to exert pressure or apply sanctions against any State whatever. France did not consider itself to have the right to impose full-scope Agency safeguards on another State; the decision to apply safeguards could be taken only by the State concerned itself.

28. France therefore rejected all the more strongly any idea of using the safeguards system for punitive purposes, as that would be the first step down an extremely dangerous road, on which the Agency would see its mission perverted, its actions deflected from their goal and its credibility rapidly and perhaps irrevocably compromised. The entire safeguards system, of whose usefulness none present could be unaware, would be endangered and the development of nuclear energy, too, would be jeopardized, and thus also the interests of many countries wishing, in the exercise of their sovereignty, in safety and to the exclusion of outside pressure, to develop on their own territory nuclear power programmes to meet their energy needs.

29. It was in nobody's interest to walk down that road and thereby exacerbate divisions at the very moment when everything was impelling Member States to strengthen their solidarity within the Agency.

30. Mr. SOLTANIEH (Islamic Republic of Iran) said that his country considered Israel's nuclear capability a serious threat to the health, security and prosperity of the world because the Israeli régime refused to be bound by any international commitments or moral values. The bitter experience of the use of nuclear weapons at Hiroshima and Nagasaki by Israel's greatest backer, the country which the Islamic Republic of Iran termed the Great Satan, left no doubt that there was a potential threat.

31. Only suspending Israel from the exercise of the privileges and rights of membership would guarantee the principle of universality, which was intended to serve as an umbrella for those countries which agreed to be bound by universally acceptable principles. It was incumbent on the General Conference to adopt measures to implement the statutory function of the Agency, namely to ensure the peaceful utilization of nuclear energy.

32. The violation of the spirit of the Agency's Statute and the persistent flouting of the Agency's resolutions by the Zionist régime of occupied Palestine had seriously damaged the Agency's credibility and would therefore justify the application of Article XIX.B of the Statute.

33. The Islamic Republic of Iran, in a spirit of solidarity, supported the draft resolution, which seemed only a mild gesture towards the ultimate goals of bringing justice to the Agency and implementing its Statute in full. The Islamic Republic of Iran held those countries which had transferred nuclear technology and material to Israel, such as the United States of America, to be fully responsible for any political upheavals experienced by the international technical organization which the Agency was supposed to be, and therefore urged the General Conference to exert the necessary pressure to prevent the continuation of such unjustifiable co-operation.

34. Mr. CONSTENLA (Costa Rica) said that his country opposed the draft resolution as being detrimental to the Agency's prestige and its scientific and technical mission, irrelevant to the Agency's mandate, and capable of undermining the kind of solidarity in nuclear matters which had been shown with the Soviet Union after the Chernobyl accident. The draft resolution also undermined the principle of universality and thus affected every Member State of the Agency.

35. In any case, the General Conference had reiterated, year after year, its rebuttal of such resolutions against Israel, for there was no provision in the Statute of the Agency that would allow trespassing on the privileges and rights of a Member State. Moreover, if the desired goal were to make Israel confident that it would receive international backing once it reached equitable agreements in the Middle East, then obstacles such as a patently discriminatory and harmful text should not be put in its way.

36. It seemed worth recalling that Israel had invited its neighbours to negotiate with it a nuclear-free zone on the example of Latin America, an invitation which those States had declined, even though by accepting it they could have derived great benefits and the nuclear peace which they so desired. Instead, the draft resolution oozed a rancour which Costa Rica desired to see banished from international relations to the good of world peace.

37. Mr. EMSAK (Libyan Arab Jamahiriya) said that the arguments put forward each year by the United States of America to the effect that such draft resolutions as the present one did not serve the interests of the Agency were absurd and untrue.

38. All present were aware that one of the main statutory objectives of the Agency, in accordance also with the Charter of the United Nations, was to bring under safeguards all nuclear facilities in all Member States - a point perhaps best passed over in silence where the superpowers were concerned. The Agency was thus an important instrument of non-proliferation, in accordance with the wishes of the whole international community and of almost every State Member of the United Nations. The Libyan Arab Jamahiriya therefore deplored the fact that some Member States, one major power in particular, continued in their attempts to undermine resolutions taken by the General Conference.

39. If the nuclear capabilities of the State some called Israel were indeed intended for the peaceful utilization of atomic energy, then there could be no reason why they should not be placed under Agency safeguards, as were those of other, peace-loving States, and even those of the superpowers.

40. In response to the charge that the resolution was discriminatory, he said that indeed it was: discriminatory against aggression, against oppression, against the flouting of international law, against breaches of fundamental human rights, against injustice and against exploitation. Israel was against the Palestinian people, and not only that, against its neighbours, and against the world as a whole; the acquisition by Israel of nuclear capabilities could only serve to underpin its aggressive and oppressive ends, a fact of which he was sure the United States was well aware.

41. In reply to the further charge that the resolution was political in nature, he said that the Agency was a policy organ of the United Nations system which could not be assumed to take only apolitical decisions. The duty of the Agency was to fulfil its responsibilities and to take the right decision whenever and wherever necessary; in the case in point, it was of the utmost necessity that the resolutions which had mouldered for so long unimplemented be at last put into effect.

42. Indeed, the Libyan Arab Jamahiriya held that it was the United States which had been engaged in constant attempts to misuse the Agency for its own political objectives and for those of the State which the Libyan Arab Jamahiriya considered a Zionist protectorate of the United States. In so doing, the United States had been no stranger to the language of threats and blackmail.

43. Against the charge that the draft resolution singled out one particular State, the Libyan Arab Jamahiriya would reply that that State had singled itself out from the international community by not complying with internationally agreed resolutions, and therefore had only itself to blame for its isolation.

44. The Libyan Arab Jamahiriya therefore commended the draft resolution, which it considered carefully and wisely conceived, to the General Conference.

45. Mr. KENNEDY (United States of America) observed that, had he not intended to speak on the present issue in any case, he would have been forced to exercise his right of reply to some of the comments aimed directly at his country. The attacks on the United States of America by the Islamic Republic of Iran and the Libyan Arab Jamahiriya were unacceptable and totally unwarranted and his delegation rejected them in their entirety.

46. He had asked to speak because one of the sponsors of the draft resolution now before the Conference had said, most significantly, that the following year would see a further resolution which would be a more effective one in bringing about the results called for - namely to eliminate an alleged threat. In the United States view the real threat was to the Agency and its future. If the present draft resolution was only a prelude to events to come, it could be likened to a Trojan horse, bringing a new gift, one which many

perhaps had not anticipated when looking at a resolution that seemed innocuous but was described by its own proponents as being not the end but the beginning of a process.

47. Members should ponder on what was meant by the promise that a more effective resolution would be presented the following year. It was no rhetoric: it was a promise to continue the disruption of the Agency's proceedings in perpetuity, year after year.

48. There must be some limit on the consideration and reconsideration of the present issue, and others like it, if the Agency was to survive. That was his delegation's concern and that was the threat that it saw.

49. Mr. KATTAN (Saudi Arabia) said that he wondered why some States rejected the draft resolution, which was not political but merely demanded - in the name of the Agency - that a Member State should abide by the Agency's safeguards system.

50. The draft resolution was obviously not discriminatory. Israel, in precisely the same way as the racist régime of South Africa, had launched military attacks on neighbouring countries. It wanted sovereignty and control over them. Israel's nuclear capability and its acquisition of nuclear weapons were facts which only the politically motivated could ignore. No further proof was needed of the close co-operation between South Africa and Israel.

51. In 1981 the matter had been discussed in the United Nations General Assembly and the Security Council. It was an issue that concerned security, interference by one State in the sovereignty of another. How were the resolutions of the General Assembly, the Security Council and the Agency to be interpreted? Was Israel to be given the right to reject the will of the international community? As everyone knew, the Middle East was a highly sensitive region, living in daily threat of nuclear war. If such a war broke out, the effects would be world wide, threatening all people, not merely those of the Middle East.

52. The issue came within the competence of the Agency and the Conference, since it involved nuclear activities which were contrary to the purpose of the safeguards system and NPT. The draft resolution merely asked the

General Conference to request that Israel should open its nuclear installations to safeguards - something that the United Nations had asked for again and again, especially after the attack on the Iraqi reactor in 1981, but which Israel had refused. In the years that had passed, there had obviously been an escalation of nuclear armaments in Israel which ran completely counter to NPT. The General Conference must adopt the draft resolution calling upon Israel to submit its installations to the safeguards system. That country's continued refusal to do so would then show that the sole purpose of Israel's nuclear activities was aggression and the furtherance of military plans. On the other hand, rejection of the draft resolution would be an obvious gift to Israel, with far-reaching repercussions on the prestige of the Agency.

53. Inclusion of the item on the agenda for the 1988 session would make it clear that the General Conference wished to see the common will respected and to discharge its responsibilities.

54. Mr. SHAKER (Egypt) said that he wished to record his delegation's support for the draft resolution before it was voted upon. At a time when efforts were increasing to achieve a just and durable peace in the Middle East, there was growing concern about the Israeli threat. The urgent need to apply full-scope safeguards in the explosive areas of the world and to reinforce the Agency's role there in the interests of maintaining international peace and security had been repeatedly stressed. Israel's acceptance of full-scope safeguards on all its nuclear facilities would be a major step towards establishing a nuclear-weapon-free zone in the Middle East, and thus towards achieving the people's desire for prosperity and security.

55. Mr. CHIKELU (Nigeria), also supporting the draft resolution, said that Israel had defied resolutions of the General Assembly and the Security Council calling upon it to submit all its nuclear facilities to Agency safeguards. Israel's nuclear weapons capability compromised the safeguards functions of the Agency and was a threat to international peace and security. Furthermore, intelligence reports confirmed that Israel was actively collaborating with South Africa in the nuclear field. There was an urgent need for the Agency and the international community to put strong pressure on

those two countries to respect international law, and his delegation saw the adoption of the draft resolution by the General Conference as one means of doing so.

56. Mr. PECCI (Paraguay) said that his country was opposed to the draft resolution on Israel because the problem was a political one which should be dealt with in other United Nations fora.

57. The delegations of countries like Paraguay came from far away in order to attend scientific meetings, not political ones, and they wanted to share experience with other countries. His delegation very much hoped that such a situation would not recur, otherwise it might no longer care to attend. His country's clear and unequivocal position was that it wanted to see friendship, not enmity, reigning in the community devoted to the peaceful use of nuclear energy for the benefit of mankind.

58. Ms. ARYEE (Ghana) said that she wished to add her delegation's voice to those supporting the draft resolution. Some countries seemed to consider that the issue was not so much whether Israel should submit all its facilities to full-scope Agency safeguards, but whether the Agency was competent to demand that Member States do so. However, the issue was a crucial one, since it involved a kind of technology which, while offering many advantages, also entailed grave dangers in the event of something going wrong. Her country knew that Israel had the capabilities and was using them in a way that jeopardized peace in the Middle East. It was aware of the dangers facing everybody when countries used their nuclear energy for the purposes of war. She urged delegates to recognize that danger. It was not a question of some countries compelling other countries: it was a question of mankind ensuring that peace reigned instead of war. She hoped that good reason would prevail and that delegations would vote for the draft resolution.

59. The PRESIDENT, noting that there were no more speakers, invited the General Conference to vote on the draft resolution contained in document GC(XXXI)/825. As had been requested by the delegation of Iraq, the vote would be taken by roll-call.

60. Canada, having been drawn by lot by the President, was called upon to vote first.

61. The result of the vote was as follows:

In favour: China, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Egypt, German Democratic Republic, Ghana, Hungary, India, Indonesia, Islamic Republic of Iran, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Mongolia, Morocco, Namibia, Niger, Nigeria, Pakistan, Philippines, Poland, Qatar, Saudi Arabia, Senegal, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Viet Nam, Yugoslavia, Zambia, Zimbabwe, Albania, Algeria, Bangladesh, Bulgaria, Byelorussian Soviet Socialist Republic

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

Abstaining: Chile, Côte d'Ivoire, Ecuador, Greece, Kenya, Republic of Korea, Mexico, Peru, Spain, Venezuela, Argentina, Brazil

62. There were 48 votes in favour and 29 against, with 12 abstentions. The draft resolution was adopted.

63. Mr. HIREMATH (India), explaining his vote, said that India's position of principle regarding the application of safeguards was well known. India was firmly committed to the provision in Article III.A.5 of the Statute that the Agency was authorized 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". It would go even further and agree to the universal application of safeguards provided it were truly universal and non-discriminatory.

64. At the same time, India was deeply committed to the restoration of peace in West Asia, which could not be achieved unless Israel withdrew from all Arab and Palestinian territories occupied by it, including Jerusalem, and

restored the inalienable rights of the Palestinian people, including their right to self-determination and a State of their own. That had unfortunately not happened, and the countries of the region continued to share a common threat from Israel's growing military strength. India therefore supported the demand of the Arab countries to impose a certain measure of discipline on Israel with regard to its nuclear capability.

65. Mr. CHRISTENSEN (Denmark), speaking on behalf of the member states of the European Community, said that those countries had either opposed the draft resolution or abstained in the vote on several grounds. First, the question of Israel had already been dealt with in a resolution adopted by the General Conference in 1985. Secondly, the draft resolution singled out in an unbalanced manner the nuclear policies of one State. Thirdly, the draft resolution had the effect of politicizing the Agency in a divisive manner. Lastly, the member states of the European Community considered it desirable that safeguards be applied as widely as possible, in furtherance of the cause of non-proliferation. Since, however, the application of safeguards under the Statute was a matter for decision by the State concerned, the non-submission of a Member State's nuclear facilities and installations to Agency safeguards could not justify the action demanded in the draft resolution.

66. Mr. SHIELDS (Canada), explaining his country's vote, said that, in the first place, his delegation could not accept the wording of preambular paragraph (h). Secondly, it regarded operative paragraph 1 as discriminatory. It was well known that Israel was not the only country which had not placed all its nuclear facilities under Agency safeguards. Thirdly, the assessment of a military capability or threat was outside the Agency's mandate. Lastly, the Canadian delegation considered it unfortunate that a political issue of that nature had appeared on the agenda of the Agency's General Conference at all; in particular, it objected to operative paragraph 5, which would make it a recurrent item.

67. Mr. ORNSTEIN (Argentina) said that his delegation's reasons for abstaining had been explained in the general debate. His delegation was firmly convinced that, in order to maintain confidence in the Agency's safeguards system, it must be applied in full conformity with the Statute.

Consequently, any attempt to impose it in a binding manner, against the sovereign will of a Member State, would completely change its nature and detract from its ultimate credibility. Not even a consensus decision by the General Conference could alter the voluntary nature of the submission of a facility or installations of a Member State to safeguards. Still less could it render mandatory submission to full-scope safeguards, which were not covered by the Agency's Statute. Such submission would be legally binding only where a State freely adhered to an international instrument whose provisions were mandatory. Argentina did not regard as valid any decision by a policy-making organ which attempted to impose such an obligation on a Member State.

68. Mr. YATABE (Japan) said that his delegation had voted against the draft resolution for the following reasons. Japan's basic position on the question of Israel in the nuclear field remained unchanged: it firmly believed that Israel and other countries which had remained outside the NPT should become parties to it and should accept Agency safeguards on all their nuclear facilities. However, the Agency was an international organization having well-defined functions and purposes – specifically, it was entrusted with the functions of promoting the peaceful uses of nuclear energy world wide and ensuring global nuclear non-proliferation. To introduce factors that were not relevant to its functions into discussions at the General Conference detracted from the Agency's original and genuine aims. In his delegation's view, the draft resolution contained elements which would jeopardize the normal conduct of the Agency's activities as defined in its Statute.

69. The PRESIDENT, replying to a request by the delegate of Tunisia, explained that, in accordance with Rule 74 of the Rules of Procedure of the General Conference, he could not permit the Tunisian delegate to explain his vote, since he was a co-sponsor of the draft resolution.

EXAMINATION OF DELEGATES' CREDENTIALS (GC(XXXI)/828)

70. The PRESIDENT asked the Conference to consider document GC(XXXI)/828 containing the report of the General Committee, which had met to examine the credentials of all delegates, as provided for in Rule 28 of the

Rules of Procedure of the General Conference. Paragraphs 2-13 of the report described the Committee's procedure and conveyed the opinions expressed during the discussion. The Committee had agreed to recommend adoption of the draft resolution set forth in paragraph 14.

71. Mr. AL-MUFTAH (Qatar), speaking on behalf of the Arab delegations members of the League of Arab States and participating in the work of the General Conference, drew attention to their reservations concerning the credentials of the Israeli delegate, which were set forth in the Attachment to document GC(XXXI)/820 annexed to the Committee's report.

72. Mr. JAMALUDDIN (Malaysia) said that he wished to place on record his delegation's reservations concerning the credentials of the delegate from the so-called State of Israel and its endorsement of the views of the Arab States just mentioned by the delegate of Qatar.

73. Mr. KENNEDY (United States of America) said that his delegation's views on the present subject had been given in the General Committee and were recorded in paragraph 6 of the Committee's report in document GC(XXXI)/828.

74. Mr. SOLTANIEH (Islamic Republic of Iran) said that, since the Zionist régime of so-called Israel was based on illegal occupation of Jerusalem and Palestine, credentials issued in Jerusalem were not valid. He therefore expressed his Government's reservations on the credentials of the Israeli delegate to the present Conference.

75. Ms. SUDIRDJO (Indonesia) reaffirmed her delegation's long-standing reservations concerning the Israeli credentials.

76. Mr. SHAKER (Egypt) said that his country's position concerning Israel's illegal occupation of Arab territories on the West Bank, and especially Jerusalem, Gaza and the Golan Heights, and the need for a speedy end to that occupation, was a matter of principle and was well known, as was its position on the present subject.

77. Mr. PETROSYANTS (Union of Soviet Socialist Republics) said that the USSR delegation was prepared to accept document GC(XXXI)/828 and the draft resolution it contained. Its views on the present question were stated in paragraph 9 of that document.

78. The PRESIDENT said that, since there were no more speakers, he took it that the General Conference was prepared to adopt the draft resolution contained in document GC(XXXI)/828. All observations and reservations put forward by delegates in regard to certain credentials would be reflected in the official records. The reservations expressed by members of the Arab Group concerning the credentials of the Israeli delegate were already annexed to the General Committee's report.

79. The draft resolution contained in paragraph 14 of document GC(XXXI)/828 was adopted.

COMMUNICATION RECEIVED BY THE AGENCY FROM THE PERMANENT MISSION OF BOLIVIA

80. The PRESIDENT informed the Conference that the General Committee had considered a request from Bolivia, reproduced in document GC(XXXI)/INF/254, that Article XIX.A of the Statute should not be applied to it and that Bolivia should be permitted to vote during the present session. The Committee's recommendation to the Conference was that it should not accede to that request. He took it that the Conference accepted that recommendation.

81. It was so decided.

ELECTION OF MEMBERS TO THE BOARD OF GOVERNORS (GC(XXXI)/826)

82. The PRESIDENT said that, pursuant to Rule 79 of the Rules of Procedure, the elections would be taken by secret ballot. The elective places on the Board which had to be filled were indicated in document GC(XXXI)/826. Paragraph 2 of that document set forth, for each of the geographical areas, the number of Member States to be elected so as to ensure that the Board would be constituted in accordance with Article VI.A of the Statute. Paragraph 4 contained a list of 24 Member States which had been either designated by the Board of Governors at its June meetings for membership of the Board pursuant to Article VI.A.1 of the Statute, or elected by the General Conference in 1986 in accordance with Article VI.A.2 of the Statute, and which would therefore be serving on the Board during the year 1987/88.

83. A vote was taken by secret ballot to elect 11 members to the Board of Governors.

84. At the invitation of the President, a member of the Brazilian delegation and a member of the United Kingdom delegation acted as tellers.

85. The PRESIDENT, noting that the counting of votes would take some time, suggested that consideration of item 18 of the agenda be taken up in the meantime.

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

86. The PRESIDENT noted that the item on South Africa's nuclear capabilities had been included in the agenda in accordance with General Conference resolution GC(XXX)/RES/468. Document GC(XXXI)/807 contained a report by the Board of Governors prepared in connection with operative paragraph 12 of that resolution.

87. A draft resolution on the subject was also before the Conference, in document GC(XXXI)/827; it was co-sponsored by a great many delegations, to which that of the Democratic People's Republic of Korea had been added. The delegate of Algeria would be introducing the draft resolution on behalf of its sponsors.

88. Mr. MESLOUB (Algeria) began by saying that the French version of the draft resolution should be amended to bring it in line with the English text: in operative paragraph 1, "Décide de procéder à un échange de vues" should be replaced by "Décide d'examiner".

89. The question of South Africa's nuclear capabilities was not a new one: the Agency had been considering the matter for a number of years in response to growing concerns within the United Nations about the corresponding threat to international peace and security, and in particular, to the security of the African States. It was precisely because South Africa had not budged from its refusal to comply with both United Nations and IAEA resolutions that the subject was still before the General Conference: holding to its reprehensible policy of apartheid, South Africa struck out constantly against its neighbouring States and committed untrammelled acts of destabilization. Flaunting international law, it was illegally occupying Namibia and exploiting that country's resources, particularly its uranium, which helped South Africa to expand its nuclear capabilities still further.

90. The Agency's Statute made membership conditional upon a willingness to act in accordance with the purposes and principles of the United Nations Charter, as well as stipulating that every Member must carry out the obligations laid down in the Statute. It was clear that South Africa was in no way moved by such considerations. In fact, it constantly used delaying tactics and pretences to sidestep its obligations and the General Conference's repeated appeals.

91. Accordingly, the Board of Governors had decided to recommend to the General Conference the suspension of South Africa from the exercise of the privileges and rights of membership in accordance with Article XIX.B of the Statute - unless, by the present session of the General Conference, it had complied with the relevant General Conference resolutions and begun to conduct itself in accordance with the purposes and principles of the Charter of the United Nations.

92. During the discussion which had preceded that decision, some Board members had expressed the hope that there would be encouraging developments between the Board's meetings in June and the present session of the General Conference. It must be acknowledged, however, that no changes had occurred; in fact, the racist régime had exacerbated its repression of the black population and penalized a number of white leaders who had tried to establish dialogue with the African National Congress of South Africa at a meeting in Dakar.

93. The recent ploys of the South African régime, designed to lend credence to the idea that its policy might evolve, did not fool anyone. Its signing and ratification of the Conventions on Early Notification and on Emergency Assistance should be seen as another device to sow confusion, for there was clearly no connection between the signing of such documents and the question of South Africa's nuclear capabilities. Just recently, at the beginning of the present session, South Africa had published information which could be seen only as part of its diversionary tactics. It was impossible to believe in the good will of the South African régime when so many years' work had remained fruitless - and yet, on the very first day of the thirty-first

session, South Africa had announced that it was willing to engage in negotiations which did not even fall in line with the provisions of the relevant Agency resolutions.

94. The African Group and the Member States which supported it were not to be led astray by such transparent manoeuvres, whose obvious intent was to postpone a decision by the General Conference; nevertheless, moved by a desire for co-operation with those who believed in the possibility of a change in the attitude of the South African régime, the States concerned were submitting to the General Conference a draft resolution which would have the effect of postponing, until the thirty-second session, a decision on the Board's recommendation to suspend South Africa from the exercise of the privileges and rights of membership in the Agency. The sponsors themselves were dissatisfied with the draft resolution but viewed it as a gauge of their will to co-operate with those who, out of their own sense of moral rectitude, continued to show forbearance towards a régime which had time and time again been condemned by the international community.

95. In fact, the draft resolution was simply one of procedure: it referred to facts and situations amply documented in Agency publications and United Nations decisions and requested the Director General to take steps to ensure the implementation of a number of resolutions, particularly GC(XXX)/RES/468. The most important provision, obviously, was that which called for the postponement of consideration, until the thirty-second session of the General Conference, of a decision on the Board's recommendation to suspend South Africa from the exercise of its privileges and rights of membership. He was convinced that he and his co-sponsors were justified in calling for the draft resolution's adoption by consensus: if that were not possible, he would invoke Rule 72 of the Rules of Procedure to request a vote by roll-call.

96. Mr. CHIKELU (Nigeria) said that his delegation strongly supported the draft resolution. The Board of Governors had been fully justified in recommending, under Article XIX.B of the Statute, the suspension of South Africa from the exercise of its rights and privileges as a Member. The

recommendation had been prompted by South Africa's persistent refusal to comply with a number of General Conference resolutions and by the fact that South Africa's policies were clearly inconsistent with the United Nations Charter, upon which the Agency's Statute was based. No responsible organization could retain among its members a country that was not prepared to abide by its regulations. The Agency was therefore both morally and legally justified in insisting on the suspension of racist South Africa; that course was surely the best one the Agency could take.

97. Nevertheless, because representations had been made in some quarters, it had been decided to give racist South Africa another chance to comply with the General Conference's resolutions and to reform its policies in line with the United Nations Charter. In fact, that decision was a very generous offer reluctantly made to the racist régime in question. It was to be hoped that South Africa would read the handwriting on the wall and respect the principles of human dignity. It was not sufficient for South Africa to make statements of intent: what was required was action. The world would no longer be fooled by South Africa's specious promises.

98. The African Group had fought a long battle: in 1977, it had succeeded in having South Africa removed from the Board of Governors. It was still engaged in a war of survival, but no nation had ever lost when such a war had been justified. The Group would continue to fight, and was convinced that victory was in sight.

99. Ms. ARYEE (Ghana) said that the subject under discussion was the business of the entire international community. General Assembly resolution 41/35B called upon Member States to exclude South Africa from all organizations within the United Nations system: although the Agency was not a part of that system, it was a member of the United Nations family and should therefore be bound by that decision. Moreover, in resolution 41/55B, the General Assembly called upon all States to end all forms of nuclear collaboration with South Africa. Many States had denied having collaborated with the racist régime, but South Africa could not have come as far as it had without such assistance.

100. Some States were claiming that the "universality" of an organization should not be jeopardized by excluding any of its members - but did not Articles IV and XIX.B of the Statute imply that States which persistently violated the rules of international organizations should be prevented from joining, or, if necessary, be suspended from membership?

101. She had cited only some of the many resolutions adopted by the United Nations in an effort to encourage the racist régime to act in accordance with the simple rules of human dignity. However, South Africa's track record was one of nothing but persistent disregard for those rules. That attitude had prompted the United Nations to pass resolutions calling for comprehensive sanctions.

102. South Africa had announced that it was considering signing NPT and thus, by inference, submitting its facilities to Agency safeguards. Yet how could a régime which was totally committed to the development of its nuclear-~~weapons~~ capabilities become a party to a treaty which enjoined its adherents to renounce nuclear weapons? Was it, perhaps, contemplating accession to the Treaty as a nuclear-~~weapons~~ State?

103. South Africa's refusal to implement United Nations decisions such as Security Council resolution 435 (1978) on Namibia, and bilateral agreements such as the Nkomati accord reached with Mozambique, showed that it was not to be trusted. The debate about whether South Africa was worthy of being a member of international organizations had only given that country a persecution complex which might drive it to push through a series of drastic measures to ensure white supremacy: no one knew whether the Botha régime, haunted by the fear of annihilation, might not then resort to the use of nuclear weapons. The argument that it was discriminatory to single out South Africa for condemnation begged the issue: South Africa was the only country in the world where discrimination on account of race was institutionalized.

104. For those reasons, her delegation considered the draft resolution to be an extremely well-balanced one and urged all delegations to vote for it.

105. Mr. BADRAN (Jordan) said he agreed with those delegations which favoured the draft resolution's adoption. The fact that the issue had to be raised again and again was indicative of its importance for all countries,

particularly the African States, which were persevering in attempts to rectify an anomalous situation which had prevailed for a number of years. The subject must be kept under discussion until South Africa responded constructively to the demands of the international community.

106. It was unnecessary to provide further evidence of the threat represented by the racist régime of South Africa to the safety of the African continent. The Arab countries saw a direct link between that danger and the threat to the Middle East created by Israel's policies. The growing collaboration between South Africa and Israel in nuclear and military technology meant that the proliferation of nuclear weapons in either country affected both the Middle East and Africa.

107. He did not agree that the Agency had no business to decide whether a given activity might have military applications. Article III.A.5 of the Statute referred to the Agency's responsibility for administering safeguards to ensure that special fissionable and other materials were not used to further any military purpose. Clearly, therefore, the Agency's mandate extended to investigating the use by any country of nuclear materials for military purposes, and so it was inaccurate to contend that the subject of South Africa's nuclear capabilities was outside the Agency's competence.

108. The raising of the issue year after year should be seen, not as a waste of time, but as a sign of good will, since it provided an opportunity for the State which was failing to carry out the Statute's provisions to adjust its policies and comply with the wishes of the international community. He appealed, accordingly, to all delegations to support the draft resolution.

109. Mr. AL-QARAGULI (Iraq) said that, because of the striking similarity between the South African and Israeli régimes, his delegation had received clear instructions to vote in favour of the immediate suspension of South Africa from the exercise of its privileges and rights of membership, although Iraq was willing to go along with the suggestions made by the representative of Algeria. There was incontrovertible evidence of collaboration between the dangerous racist entities in South Africa and Israel, especially in the nuclear field: both régimes represented a threat to the international community and to its desire to live in peace, free of the spectre of nuclear war.

110. The South African statement issued as document GC(XXXI)/819 was merely a ploy designed to weaken the determination of the African countries to push for the suspension of South Africa's privileges and rights of membership.

111. There was no legal justification for racism: it despoiled the dignity and rights of man and was an outrage to peoples throughout the world. His delegation therefore fully supported the draft resolution before the Conference.

112. Mr. SOLTANIEH (Islamic Republic of Iran) said that fourteen centuries had passed since the divine message of Islam had forbidden discrimination on the basis of skin colour, but still the intolerable racist oppression of the African nations and the exploitation of Namibia's natural resources, including uranium, by the apartheid régime of South Africa continued.

113. In view of South Africa's consistent refusal to comply with Agency resolutions and its thwarting of the Director General's efforts to ensure that those resolutions were carried out to the letter, there seemed no justification whatsoever for South Africa's co-existence with the majority of Member States of the Agency.

114. His delegation admired the Board of Governors for having recommended the suspension of the privileges and rights of membership of South Africa and had hoped the same sort of decision would be adopted by the General Conference. In a spirit of co-operation, however, it had joined in a consensus on the draft resolution which the Conference had before it as a first step towards the goal of ensuring that justice was served within the Agency.

115. It was the countries that had transferred nuclear technology and material to the racist régime of South Africa which bore full responsibility for the current political conflicts within the Agency: he therefore appealed to all Member States to exert the necessary pressure to put an end to such nuclear co-operation.

116. Mr. KASANDA (Zambia) welcomed the decision by the Board of Governors to recommend that the General Conference consider suspending South Africa from the exercise of its privileges and rights of membership in the

Agency. The decision was intended to force the Pretoria régime to give serious consideration to complying with the General Assembly and General Conference resolutions aimed at persuading it to abandon its mobilization of nuclear programmes for military purposes, its military aggression against the majority black population and neighbouring independent States, and its illegal occupation of Namibia and exploitation of that country's uranium resources.

117. His delegation did not accept the view that southern Africa would be better served if South Africa remained a Member of the Agency. While still a Member, South Africa had built up its nuclear capabilities with a view to military use and had perpetuated its racist policies and expansionist ambitions. Some Member States of the Agency had even collaborated with the racist régime in expanding its nuclear capabilities and supplied it with weapons for use against the independent States of Angola and Mozambique. Over the past 30 years, nothing had stopped the proliferation of nuclear weapons, and South Africa's membership in the Agency would not prevent it from pursuing its nuclear-weapons programme.

118. To the contention that the subject was a political one and therefore should not be discussed by the Agency, he retorted that the Agency's overriding principle was to contribute to the peace and stability of the world by emphasizing the safe use of nuclear energy for peaceful purposes. Technical developments in nuclear energy had to be considered in relation to the welfare of all peoples. The build-up of its military might by the racist régime of South Africa was an eminent danger to the peace of southern Africa and to the entire African continent. The Pretoria régime was the only African Government which deployed its nuclear programme for military purposes, had institutionalized the systematic repression of the majority of its population and was now actively engaged in the illegal exploitation of another country's uranium.

119. South Africa's announcement of its intent to sign NPT was a transparent propaganda ploy designed to buy time. Over the past ten years there had been more than enough time for it to change its attitudes. Moreover, resolution GC(XXX)/RES/468 did not call upon South Africa to accede to NPT, but to

conduct itself in accordance with the purposes and principles of the United Nations, something it had always blatantly refused to do.

120. He had endorsed the Board's recommendation to suspend South Africa from the exercise of its privileges and rights of membership and had only reluctantly joined in the consensus to postpone consideration of the matter until the thirty-second session of the General Conference. He therefore called on all progressive Governments, those which wished to see peace and stability in southern Africa, at least to support the draft resolution.

121. Mr. KOLYCHAN (Byelorussian Soviet Socialist Republic), speaking on behalf of the socialist States, said that they had consistently condemned the apartheid policy of the minority régime of South Africa and favoured the adoption by the international community of agreed measures to combat apartheid as a destabilizing force in international relations. The socialist countries had always supported General Assembly and Security Council resolutions adopted to achieve that end, and in 1986 they had endorsed the majority position in favour of a resolution which had angrily condemned apartheid and called on the Security Council to apply comprehensive sanctions against South Africa, in full accordance with the United Nations Charter.

122. The socialist countries believed that the threat to the peace and security of the African continent and of the entire world represented by the South African régime was greatly exacerbated by the régime, as possession of nuclear weapons, which dramatically increased the danger of further proliferation of nuclear weapons, undermined current efforts to achieve nuclear disarmament, and prevented mankind from opening the door to a non-violent and non-nuclear world.

123. Like most of the Agency's Member States, his country was anxious to see the adoption of specific, practical measures to prevent South Africa from sabotaging non-proliferation and to counter its efforts to develop its nuclear capabilities, measures which must involve increased control by the Agency over South Africa's nuclear activities. The Agency must play a leading role in the international organizations' endeavours to force South Africa to renounce its nuclear ambitions and to ratify NPT.

124. The socialist countries strongly advocated the adoption of any measures that would stop South Africa from becoming a nuclear threat to peace and ensure that its nuclear activities were placed under strict Agency safeguards. They further demanded that South Africa comply with the resolutions on its nuclear capabilities adopted by the United Nations and the Agency. The Board of Governors would be reconsidering the subject in February 1988, and the Director General should then report on any progress made in achieving those goals. It might also be possible for the February Board to analyse information from depositaries of the Non-Proliferation Treaty in order to ascertain whether South Africa was really doing what was required to ratify the Treaty.

125. The socialist countries called upon all other delegations to use all their influence to induce South Africa to ratify NPT as soon as possible and to submit its nuclear activities to Agency safeguards. Meanwhile, the socialist countries would fully support the draft resolution submitted by the African group.

The meeting rose at 12.55 p.m.

