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Held at the Austria Center Vienna
on Friday, 25 September 1992, at 10.30 a.m.

President: Mr. ADEKANYE (Nigeria)

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[*] GC(XXXVI)/1027/Rev.1.

The composition of delegations attending the session is given in document
GC(XXXVI)/INF/313/Rev.2.

SOUTH AFRICA'S NUCLEAR CAPABILITIES (GC(XXXVI)/RES/567; GC(XXXVI)/1015, 1029)

1. The PRESIDENT recalled that the present item had been included in the Agenda pursuant to resolution GC(XXXV)/RES/567 adopted by the General Conference the previous year. The Director General's report, prepared in pursuance of operative paragraph 2 of that resolution, was contained in document GC(XXXVI)/1015.

2. The Conference also had before it, in document GC(XXXVI)/1029, a draft resolution submitted by Nigeria on behalf of the Group of 77; it contained a typographical error in preambular paragraph (c), where the reference number of the United Nations General Assembly resolution should be amended to read "A/RES/46/34/B".

3. Mr. LAMAMRA (Algeria), introducing document GC(XXXVI)/1029 on behalf of the Group of 77, said that the past year had seen major developments with regard to the technical aspects of the matter - developments which the Board and General Conference should welcome and take into account when considering their approach to the subject in the future.

4. The draft resolution before the General Conference was the result of extensive consultations both within the African Group and in the Group of 77. Because of the broad-based agreement achieved on its wording, the Group of 77 considered that the resolution warranted adoption by the General Conference by consensus.

5. With regard to operative paragraph 3, he pointed out that the OAU and the United Nations had created a group of intergovernmental experts to draw up a treaty or convention on the establishment of an NWFZ in Africa. That group had held two meetings, at which the Agency had also been represented. The aim of the paragraph was to formulate a legal basis for the assistance already being provided by the Director General to the OAU and the United Nations with a view to the elaboration of such a treaty or convention. In other words, the paragraph should be interpreted as an invitation to the Director General to fulfil the Agency's mandate in accordance with its Statute.

6. As to operative paragraph 4, the report which the Director General was then requested to make should relate to the second as well as the third operative paragraph of the draft resolution.

7. The sponsors felt that the positive developments which had prompted the draft resolution dictated that a new approach, in terms of both form and content, be adopted in discussing the present item, which in future should accordingly be entitled "The denuclearization of Africa".

8. Finally, the sponsors of the draft resolution considered it to be a well-formulated and carefully balanced text designed to deal with a transitional period in South Africa's nuclear development. They hoped that, in its discussions and resolutions, the Agency would be able to reflect the rapid process of normalization taking place in South Africa in the nuclear sphere.

9. Mr. CHEN (China) expressed appreciation for the efforts made by the Secretariat pursuant to resolution GC(XXXV)/RES/567 and welcomed the co-operative attitude displayed by the South African Government in that regard. Complete transparency and the assurance that all South Africa's nuclear installations and materials were placed under safeguards were preconditions for the eventual establishment of an NWFZ in Africa.

10. Since South Africa had possessed nuclear capabilities for approximately 15 years it would be unrealistic to expect to be able to form a complete picture of its nuclear programme immediately. However, the Agency had made a good start, and it was to be hoped that South Africa would continue to show the political will to co-operate fully with it in meeting its recently acquired obligations.

11. His delegation looked forward to hearing the Director General's report on the progress made in implementing resolution GC(XXXV)/RES/567 and supported the adoption of the draft resolution submitted in document GC(XXXVI)/1029.

12. Mr. KENNEDY (United States of America) also supported the draft resolution and hoped that it could be adopted by consensus. He was satisfied with the thoroughness and vigour of the efforts already undertaken by the Agency in verifying South Africa's nuclear inventory and he commended South Africa, in turn, for its co-operation. He trusted that both sides would continue the good work they had begun.

13. With reference to operative paragraph 3 of the draft resolution, he said that it was his country's intention to support and encourage the Director General's efforts to assist the African States in establishing an NWFZ in Africa, as that would constitute an important contribution towards peace and security in the African continent and throughout the world.

14. Mr. BAKSHI (India) expressed his country's full support for the aspiration of the people of Africa to secure equality and lasting peace on their continent. However, his delegation believed that any proposal regarding the establishment of an NWFZ should be the result of consultations and negotiations among the States of the region concerned rather than emanating from a proposal by the Agency or the Director General. Notwithstanding that position of principle, he noted that no State in the African region had objected to the proposals in the draft resolution and accordingly assumed that all those States consented to the establishment of an NWFZ. His delegation could therefore support adoption of the draft resolution.

15. The PRESIDENT said he took it that the Conference wished to adopt the draft resolution contained in document GC(XXXVI)/1029.

16. It was so decided.

EXAMINATION OF DELEGATES' CREDENTIALS (GC(XXXVI)/1044)

17. The PRESIDENT drew attention to document GC(XXXVI)/1044, which contained the General Committee's report on its meeting to examine delegates' credentials, as provided for in Rule 28 of the General Conference's Rules of Procedure. Paragraphs 2 to 9 of the report described the manner in which the Committee had approached its task and conveyed the opinions expressed during the discussion. The Committee had agreed to recommend the adoption of the draft resolution contained in paragraph 10 of its report.

18. Since the report had been issued, credentials in proper form had also been received from Côte d'Ivoire and the Dominican Republic.

19. Mr. JAMAL (Qatar), on behalf of the Arab delegations members of the League of Arab States participating in the current session of the General Conference, read out the statement circulated as an Attachment to document

GC(XXXVI)/1034, and reproduced in Annex 2 to the General Conference Committee's report, concerning those delegations' reservations about the credentials submitted by the Israeli delegation.

20. Mr. ONSY (Egypt) said that, in accordance with his country's policy of not recognizing Jerusalem as the capital of Israel, he wished to state his delegation's reservation regarding the credentials of the Israeli delegation, whose documents had been issued in Jerusalem.

21. Mr. KENNEDY (United States of America) said that in the light of the progress being made in the Middle East, which he hoped would continue apace, his delegation regretted that reservations regarding the credentials of the Israeli delegation had been expressed at the General Committee's meeting.

22. Mr. AYATOLLAHI (Islamic Republic of Iran) fully endorsed the statements made by the delegates of Qatar and Egypt in expressing their reservations concerning the credentials of the Israeli delegation. His country had already clearly stated its position on the matter, namely that it had not yet recognized the régime now occupying the Holy Land through a policy of brutal aggression. The issue of the Israeli delegation's credentials should continue to be discussed by the General Conference until the threat posed by Israel's nuclear capabilities was eliminated. Moreover, the negotiations aimed at securing peace in the Middle East region should not be allowed to "blackmail" the General Conference by preventing it from taking action for fear of jeopardizing those negotiations.

23. Mr. AHMAD (Pakistan) associated himself with the reservations expressed by the delegations of Qatar, Egypt and the Islamic Republic of Iran concerning the credentials of the Israeli delegation.

24. Mr. LAMAMRA (Algeria), after reading out the declaration of the African Group of Member States concerning their reservations about the credentials of the South African delegation which had been circulated as an Attachment to document GC(XXXVI)/1033 and was reproduced in Annex 1 to the General Committee's report, said that the declaration should be interpreted as a message of the African Group's hopes for the future and its readiness to assume its share of responsibility for realizing those hopes.

25. Ms. BECKER (United States of America) reiterated the regret expressed by her delegation in the General Committee that reservations should be stated with regard to South Africa, especially in view of the positive developments that had taken place recently in that country.

26. The PRESIDENT took it that the Conference wished to adopt the draft resolution set forth in paragraph 10 of document GC(XXXVI)/1044.

27. The draft resolution in document GC(XXXVI)/1044 was adopted.

IRAQ'S NON-COMPLIANCE WITH ITS SAFEGUARDS OBLIGATIONS (GC(XXXV)/RES/568; GC(XXXVI)/1014 and Add.1 and 2, 1043)

28. The PRESIDENT, noting that the item had been included in the General Conference's agenda pursuant to resolution GC(XXXV)/RES/568, pointed out that the Director General, in response to the request in operative paragraph 5 of that resolution, had submitted the report contained in document GC(XXXVI)/1014 and Add.1 on his efforts to implement Security Council resolutions 687 and 707. He had also referred to the matter in his opening statement to the Conference. The matter had been considered by the Board of Governors the preceding week on the basis of the Director General's report, and the summary record of the Board's discussion was contained in document GC(XXXVI)/1014/Add.2. In addition, the Conference had before it document GC(XXXVI)/1043, which contained a draft resolution on the matter.

29. Mr. KENNEDY (United States of America) said that at the previous year's session of the General Conference his Government had co-sponsored a resolution essentially identical with that in document GC(XXXVI)/1043. The earlier document had had 14 co-sponsors, whereas the present one had 24. During the previous year's debate on the matter, his Government had sincerely hoped that the Government of Iraq was being forthright and accurate in its statements before the Conference to the effect that it had made a "complete and definitive declaration of all aspects of its nuclear programme". Unfortunately, however, that had not been the case. Immediately afterwards, in the week following the Conference, the sixth Agency inspection team had discovered massive documentary evidence of Iraq's clandestine nuclear weapons programme at an office building in Baghdad. Later, through the persistent

efforts of the Agency's inspection teams, under the overall direction of Professor Zifferero, direct evidence had been uncovered of additional violations by Iraq of its safeguards agreements with the Agency relating to its safeguarded nuclear activities at Tuwaitha. Even now, Iraq still refused to provide the Agency with essential information about its nuclear procurement and other activities.

30. The record of Iraq's compliance with the relevant United Nations Security Council resolutions concerning its nuclear activities was one of continuing obstruction, obfuscation and misrepresentation. It could only be hoped that the assurances Iraq was now making regarding its willingness to co-operate fully with the Agency, and in particular its promise to submit to intrusive and long-term inspection and monitoring arrangements, were not shown yet again to be grounded in deception. Nothing short of full co-operation over a considerable period of time could dispel the suspicions raised. Iraq had not yet earned the trust of the international community with regard to its unlawful nuclear weapons activities. The Agency must therefore continue to verify that country's assertions in the most vigorous manner possible.

31. Accordingly, his Government hoped that the draft resolution submitted in document GC(XXXVI)/1043 would be adopted swiftly and unanimously.

32. Mr. AL-SAEID (Kuwait) asked that his country's name be added to the list of co-sponsors of the draft resolution contained in document GC(XXXVI)/1043.

33. Mr. AL-KITAL (Iraq) said that the previous year's session of the General Conference had seen a political drive by the United States to have a resolution adopted that was against the interests of the people of Iraq. The United States wished to maintain an embargo against Iraq and thus deprive its people of the right to live. Unfortunately, with the appearance of a similar draft resolution at the present session, the Agency seemed to be slowly drifting to the point of becoming an instrument of United States foreign policy.

34. With regard to the title of the draft resolution, neither he nor the Agency's Department of Safeguards was aware of any non-compliance with safeguards obligations on the part of Iraq since the 1991 session of the

General Conference. As everyone knew, two cases had been brought against Iraq in the Board of Governors and the General Conference. Both so-called cases of non-compliance had been properly discussed and action had been taken. Nothing else of the kind had occurred since 1991. Therefore, the draft resolution now before the Conference reflected not so much the present reality as the determination of the United States to pursue its political aims through every means possible, regardless of legality and legitimacy.

35. As there had been no non-compliance by Iraq during the past year, and since there was no legal basis on which the Agency's General Conference could implement the provisions of Security Council resolution 687, his delegation suspected that the title of the present draft resolution must have been chosen specifically to bypass the Agency's Statute.

36. Thus, operative paragraph 13 of Security Council resolution 687 entrusted the task of on-site inspection of Iraq's nuclear capabilities to the Director General, through the United Nations Secretary-General, with the assistance and co-operation of the Special Commission. The task had not been given to the Agency alone because it did not fall under the Agency's Statute. In his delegation's view, that was why the strange title of the present draft resolution had been chosen despite the fact that there had been no further non-compliance by Iraq.

37. Turning to the text of the draft resolution submitted by the United States and others, he noted that preambular paragraph (a) referred to Security Council resolution 687. In order to be more precise, it should have referred specifically to operative paragraphs 12, 13 and 14 of resolution 687, since the remainder of that resolution had no connection at all with the Agency's Director General or his activities.

38. Preambular paragraph (c) of the draft resolution had no basis in reality. It contradicted all the known facts regarding the activities of the inspection teams. Moreover, the entire draft resolution completely ignored the passages concerning Iraq in the Director General's opening statement to the Board of Governor's on 16 September 1992, and in the subsequent discussion by the Board as reflected in document GC(XXXVI)/1014/Add.2, from which it

emerged clearly that much progress had been made in the implementation of Security Council resolution 687 during the past year. The extent of the progress achieved had also been highlighted by Mr. Ghafour, head of the Iraqi delegation, in his general debate statement on 22 September[1].

39. With regard to operative paragraph 1 of the draft resolution, it was generally accepted in law that sentence was not passed twice as punishment for a single violation. The previous year's resolution had "strongly condemned" Iraq and, since no further violation had taken place since, it should not be condemned again. He challenged the United States, and requested the Director General, to produce evidence of any incident whereby Iraq had violated its safeguards commitments during the past year. As all Iraqi nuclear facilities had been inoperative during that period, he was at a loss to know how any possible non-compliance could have occurred. Operative paragraph 1 was thus merely a further indication of its authors' political intent. It had no connection with the Agency's Statute or safeguards system.

40. Operative paragraph 2 also departed from reality. Anyone who had read the Director General's report on the matter would be aware of how much had been achieved towards fulfilling the requirements of operative paragraph 13 of Security Council resolution 687. Iraq, contrary to what had been asserted by the United States delegation, had co-operated fully with the inspection teams which had visited Iraq since September 1991. The reports of the inspection teams themselves demonstrated as much and revealed the erroneous nature of the information on which operative paragraph 2 of the draft resolution was based.

41. For example, the report by the tenth inspection team[2] stated, in section 6 on page 4: "A steady improvement in Iraqi co-operation began during the seventh inspection mission.", and "In the course of the tenth inspection mission, the Iraqi authorities went a long way to facilitate and expedite the IAEA team's work". The report on the eleventh inspection[3], held between 7 and 15 April 1992, stated on page 1: "The Iraqi side provided all equipment, materials and manpower necessary for ensuring efficient fulfilment

[1] See document GC(XXXVI)/OR.345.

[2] See document GOV/INF/649.

[3] See document GOV/INF/655.

of the destruction plan under the supervision of the IAEA team." The report further stated, in section 16 on page 12: "The Iraqi side made an extraordinary effort to complete [the transfer of irradiated fuel] during the eleventh inspection". Similarly, the report on the twelfth inspection[4] stated, on page 2: "The Iraqi side's co-operation in implementing destruction plans at Al Atheer-Al Hatteen, Tarmiya and Ash Sharqat cannot be faulted and should be noted", and the report on the thirteenth inspection[5] confirmed, on page 4: "As was the case in the eleventh and twelfth mission, the Iraqi side provided all equipment, materials and manpower necessary for the efficient implementation of the destruction plan under the supervision of the IAEA team."

42. Furthermore, on 5 June 1992, the Director General had said that Iraqi officials had co-operated in the destruction of Iraq's key nuclear weapons design complex, the Al Atheer Centre, 65 kilometres (40 miles) south of Baghdad, without giving any other information, and on another occasion Mr. Hooper, the American head of the thirteenth inspection team, when asked how well Iraq had co-operated, had replied "superb, no problems whatsoever".

43. Many other quotations could be adduced to demonstrate that operative paragraph 2 of the draft resolution had no basis in reality. It showed how political aims had come to override the facts of life, even to the extent that the United States and its co-sponsors had not hesitated to discredit the inspection teams they had entrusted to carry out the inspection missions, and also the Action Team - which it should be noted comprised five persons, two of whom were Americans and none Iraqis.

44. Turning to operative paragraph 3 of the draft resolution, he expressed the hope that it implied no hidden intention to encourage the Agency to continue destroying anything it deemed to be nuclear-related, thus depriving the Iraqi people of the very basic tools with which they worked to improve their lives.

[4] See document GOV/INF/662.

[5] See document GOV/INF/663.

45. As to operative paragraph 4, it was a naked attempt to perpetuate a situation which had ended. After leading the fourteenth inspection mission to Baghdad, Professor Zifferero had made to news agencies a statement - by which, it seemed, he still stood - to the effect that the Iraqi nuclear programme had been brought to zero level and rendered harmless. He had further said that he had no strong reasons to believe that Iraq was hiding anything of significance, and that he had received assurances at all levels of the Iraqi authorities that Iraq had departed from all nuclear activities. That had been a statement of fact - Iraq had no nuclear facilities, nor would it have any, by decision of the Iraqi Government. The question therefore had to be asked why the Agency was seeking to perpetuate a political exercise.

46. In the light of the foregoing, the draft resolution should be rejected, because it went against the facts, because it was politically motivated, because it discredited the Agency and its inspection teams, and above all because it was an attempt, under the guise of safeguards activities, to perpetuate the embargo against the Iraqi people.

47. In conclusion, he proposed amending the draft resolution by deleting preambular paragraph (c) and operative paragraph 1, amending operative paragraph 2 to read "Demands that Iraq and the IAEA shall intensify their co-operation in order to fully implement the relevant paragraphs of Security Council resolution 687", and deleting the rest of that paragraph and all of operative paragraph 4. He requested that any vote on those amendments be taken by roll-call; depending on the outcome, he might subsequently ask for a separate vote on each of the operative paragraphs to which he had just suggested amendments.

48. Mr. de LA FORTELLE (France) said his delegation had closely studied the Director General's report on the matter and wished to commend him and the Agency's experts for the work they had carried out in particularly difficult circumstances.

49. He was pleased to note that the clandestine facilities in Iraq had been identified and either destroyed or rendered harmless. Although the Iraqi authorities had, on the whole, provided the level of co-operation required

under the terms of Security Council resolution 687, it remained a cause for concern that some of the Agency's requests had not yet been met. In addition, uncertainties remained in a number of areas owing to inconsistencies in the technical explanations given by the Iraqi authorities.

50. It was a matter of particular concern to his delegation that it could still not be said with complete certainty that all the facilities which had contributed to Iraq's clandestine nuclear programme were now known. It was not impossible that further revelations might in the future extend the list of identified sites which had been drawn up mainly on the basis of information supplied by the Special Commission.

51. It was clear that Iraq had neither complied with its obligations under the NPT and its safeguards agreement with the Agency, nor with all the provisions of Security Council resolution 687. That was why his delegation had co-sponsored the draft resolution contained in document GC(XXXVI)/1043. However, given that those clandestine facilities which had been identified had now been destroyed or rendered harmless, the time had come to implement the plan for post-destruction monitoring proposed under Security Council resolution 715, which of course would not preclude any further inspections that might be required in the future. Accordingly, his delegation wished to propose an addition to the text of the draft resolution under discussion, to be placed between operative paragraphs 3 and 4, and requesting the Director General "to take, as soon as possible, the necessary measures for the implementation of the long-term monitoring plan, in accordance with Security Council resolution 715".

52. In conclusion, he noted that the amendments to the draft resolution proposed by Iraq were completely unacceptable to his delegation.

53. Mr. GARCIA DE LA CRUZ (Cuba) said that his country's position concerning the background to Security Council resolution 687 and its implications for the Agency had been clearly stated on a number of occasions, so he would give only a brief summary of the basic principles underlying Cuba's present position.

54. Above all, unconditional respect for the sovereignty of States was vitally important. Therefore, agreements and international commitments voluntarily entered into by sovereign States were sacred and must be complied with in the context of international law. However, it was also true that in certain cases, even within the Agency, unequal treatment had been meted out and a discriminatory element introduced which was governed, at times, by interests alien to the spirit and nature of the Agency as an international institution. In the conduct of international relations, the non-use of force and of economic or any other pressure must prevail, or else the prospects for living in the world of peace and justice to which everyone aspired would be jeopardized.

55. Furthermore, his delegation believed that the Agency should focus on the tasks and functions which derived from its Statute. It should take care to refrain from entering into activities too far removed from the functions for which it had been created. That did not mean that co-operation with other bodies and organizations was ruled out, nor that the Agency should cease to implement its safeguards activities. It meant simply that the Agency should not demean itself by agreeing to serve as a policeman. Turning to the draft resolution under discussion, he noted, firstly, that since the Agency applied safeguards under agreements concluded with the various States, there was no need for any reference to obligations under the NPT, which was a matter better dealt with in another forum. Secondly, operative paragraph 2 seemed to suggest that information was being held in other hands and thereby introduced a delicate element which had been discussed on several occasions by the Board of Governors, and concerning which there existed diverse opinions. Thirdly, operative paragraph 3 commended the Director General and his staff in a manner likely to cause controversy for activities which were described only in general terms and which did not form part of the Agency's normal work. Lastly, as his delegation had stated at the meeting of the Board of Governors in May 1991[6], Cuba could not associate itself with the consequences for Member States and the Agency that might result from activities carried out pursuant to Security Council resolution 687.

[6] See document GOV/OR.748, para. 27.

56. Mr. KENNEDY (United States of America) moved that discussion of the amendments proposed by the representative of Iraq be adjourned under Rule 59 of the Rules of Procedure of the General Conference. The issue of Iraq's non-compliance with its safeguards obligations had already been discussed in detail at numerous meetings of the Board of Governors and in the General Conference. Furthermore, the proposed amendments were inconsistent with the functions of the General Conference and the aims of the United Nations system.

57. Mr. AL-KITAL (Iraq) noted with regret that the United States delegation did not seem disposed to allow free discussion of the amendments he had suggested. While he could accept adjournment of the debate under Rule 59, he considered that Rule 63 entitled the Iraqi delegation to ask for its proposed amendments to be put to the vote, and that in any case Rule 59 could not be invoked to forestall application of Rule 63, as the delegation of the United States was attempting to do.

58. Mr. LEE (Canada), supported the motion brought by the United States, that the General Conference should adjourn consideration of the amendments proposed by Iraq. Those amendments were so completely contrary to the objectives and essential aim of the draft resolution that they must be considered "ultra vires".

59. Mr. PLUG (Netherlands) also supported the motion put forward by the representative of the United States. The amendments proposed by Iraq were obfuscatory and ran counter to the thrust of the draft resolution.

60. Mr. AL-KITAL (Iraq) reiterated his view that Rule 59 could not be used to prevent the General Conference from voting on amendments and requested a legal opinion on the matter.

61. The PRESIDENT asked those present whether they were in favour of the motion proposed by the United States delegation.

62. The motion proposed by the United States of America was carried.

63. Mr. AL-KITAL (Iraq) said he had already requested that any votes on the item should be taken by roll-call. The decision on the United States motion, should therefore have been arrived at by means of a roll-call vote.

64. The PRESIDENT replied that the representative of Iraq had only requested a roll-call vote on the amendments which he had proposed. Also, the motion brought by the United States had been put to the General Conference and had been carried.

65. Mr. DONNELLY (United Kingdom) said that his delegation was grateful to the IAEA for the contribution it had made to the international efforts to uncover and render harmless Iraq's weapons of mass destruction and fully supported its continuing efforts to implement Security Council resolution 687. It was clear that Iraq had engaged in pursuing an extensive nuclear weapons programme over a considerable period of time in breach of the NPT and its safeguards obligations. Security Council resolution 687 had required Iraq to make a declaration of the locations, types and amounts of all its nuclear weapons material, or any subsystems or components, or any related research, development, support or manufacturing facilities. Security Council resolution 707 had required Iraq to make a full, final and complete disclosure of its programmes for the production of weapons of mass destruction. He remained unconvinced that Iraq had complied fully with those resolutions. For instance, Iraq was still refusing to supply procurement data and to return the papers which had been seized from the sixth inspection team by the Iraqi military authorities. It was extremely regrettable that Iraq had attempted to conceal its activities from the IAEA, the Special Commission and the Security Council by persistent and wilful deception and obstruction. There was clearly a need for a continued programme of intrusive and rigorous inspections to uncover the full extent of Iraq's nuclear activities. He therefore supported the draft resolution which had been submitted in document GC(XXXVI)/1043.

66. The PRESIDENT read out the amendment to the draft resolution proposed by France (reproduced in document GC(XXXVI)/1043/Mod.1) and asked the Conference whether it wished to adopt that amendment.

67. Mr. AL-KITAL (Iraq) requested that all votes on the item under discussion be taken by roll-call.

68. The PRESIDENT, complying with the request of the representative of Iraq, proposed that the General Conference proceed with a roll-call vote on the amendment to the draft resolution proposed by France.

69. Zimbabwe, having been drawn by lot by the President, was called upon to vote first.

70. The result of the vote was as follows:

In favour: Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Brazil, Bulgaria, Canada, Chile, China, Colombia, Costa Rica, Cyprus, Czechoslovakia, Denmark, Egypt, Finland, France, Germany, Ghana, Greece, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Japan, Republic of Korea, Kuwait, Liechtenstein, Luxembourg, Malaysia, Mexico, Monaco, Mongolia, Myanmar, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Philippines, Poland, Portugal, Qatar, Romania, Russian Federation, Saudi Arabia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela.

Against: Iraq.

Abstaining: Algeria, Cuba, Democratic People's Republic of Korea, Islamic Republic of Iran, Jordan, Libyan Arab Jamahiriya, Sudan, Tunisia, Zimbabwe.

71. There were 67 votes in favour and 1 against, with 9 abstentions. The amendment proposed by France was adopted.

72. The PRESIDENT then invited the General Conference to vote upon the whole draft resolution contained in document GC(XXXVI)/1043, as amended by France.

73. Mr. AL-KITAL (Iraq) moved that a separate vote be taken on each of the operative paragraphs of the draft resolution to which he had earlier proposed amendments.

74. The PRESIDENT asked, under Rule 75 of the Rules of Procedure, whether there was any objection to the motion for division put forward by Iraq.

75. Mr. LEE (Canada) objected that since the United States motion to adjourn discussion of the amendments proposed by Iraq under Rule 59 had been carried, the motion just brought by the representative of Iraq was out of order.

76. Mr. WAGNER (Czechoslovakia) and Mr. PLUG (Netherlands) supported the objection raised by the delegate of Canada.

77. Mr. CHEN (China) felt that the General Conference could not simply reject a request from a delegation for a vote. As he understood it, the motion for division which had just been brought by Iraq was different from the amendments to the operative paragraphs of the draft resolution which the representative of Iraq had proposed earlier. If a delegation requested a vote on an issue under Rule 75 there was no reason why the General Conference should refuse that request.

78. However, in the interests of the smooth working of the General Conference, he urged the representative of Iraq not to insist on his motion.

79. Mr. AL-KITAL (Iraq) thanked the representative of China for his remarks, but remained convinced that it was imperative that a separate vote be taken on the individual operative paragraphs of the draft resolution.

80. The PRESIDENT noted that two delegations had spoken against the motion for division put forward by Iraq and one in favour. In accordance with Rule 75, he therefore proposed that the General Conference proceed to a roll-call vote on the Iraqi motion that a separate vote be taken on the individual operative paragraphs.

81. Slovenia, having been drawn by lot by the President, was called upon to vote first.

82. The result of the vote was as follows:

In favour: Iraq.

Against: Argentina, Australia, Austria, Belarus, Belgium, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Cyprus, Czechoslovakia, Denmark, Egypt, Finland, France, Germany, Ghana, Greece, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Japan, Republic of Korea, Kuwait, Liechtenstein, Luxembourg, Malaysia, Mexico, Monaco, Mongolia, Myanmar, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Philippines, Poland, Portugal, Qatar, Romania, Russian Federation, Saudi Arabia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay.

Abstaining: Algeria, Bangladesh, Cuba, Democratic People's Republic of Korea, Islamic Republic of Iran, Jordan, Libyan Arab Jamahiriya, Sudan, Tunisia, United Arab Emirates[7], United Republic of Tanzania, Zambia, Zimbabwe.

83. There was 1 vote in favour and 62 against, with 13 abstentions. The motion was rejected.

84. The PRESIDENT then invited the General Conference to vote on the draft resolution contained in document GC(XXXVI)/1043, as amended by France.

85. China, having been drawn by lot by the President, was called upon to vote first.

86. The result of the vote was as follows:

In favour: Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Brazil, Bulgaria, Canada, Chile, Colombia, Costa Rica, Cyprus, Czechoslovakia, Denmark, Egypt, Estonia, Finland, France, Germany, Ghana, Greece, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Japan, Republic of Korea, Kuwait, Liechtenstein, Luxembourg, Malaysia, Mexico, Monaco, Mongolia, Myanmar, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Philippines, Poland, Portugal, Qatar, Romania, Russian Federation, Saudi Arabia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela.

Against: Iraq.

Abstaining: Algeria, China, Cuba, Democratic People's Republic of Korea, Islamic Republic of Iran, Jordan, Libyan Arab Jamahiriya, Sudan, Tunisia, Zambia, Zimbabwe.

87. There were 67 votes in favour and 1 against, with 11 abstentions. The draft resolution contained in document GC(XXXVI)/1043, as amended by France, was adopted.

88. Mr. AL-KITAL (Iraq) said the day on which that resolution had been adopted would come to be remembered as a black day in the history of the Agency. The General Conference had failed to respect its own Rules of Procedure. His requests for roll-call votes had been misrepresented and overruled, and his request for a legal opinion had been ignored. The United

[7] The delegation of the United Arab Emirates subsequently informed the Secretariat that it had intended to vote against the motion.

States of America had once again demonstrated its hegemony over the Agency and the General Conference. It had forestalled a free discussion of the item and prevented the General Conference from studying the amendments proposed by Iraq. The vote in favour of the United States position was a vote against the credibility of the inspection missions and in favour of continuing the embargo against the Iraqi people. Despite the policies of provocation and aggression of the United States Government, however, Iraq would continue to respect its international commitments and its obligations under Security Council resolution 687 and would continue to co-operate with the inspection missions.

89. Mr. CHEN (China) said that his delegation's abstention from voting did not mean that China had changed its position on the Iraq issue and Security Council resolutions 687, 707 and 715. The Security Council had adopted its resolutions in accordance with Chapter VII of the Charter of the United Nations as a restrictive measure on Iraq. Within the context of the Agency, Iraq had violated its safeguards agreement. Those two situations were different. The full co-operation of Iraq had to be obtained if it was to be persuaded to honour its safeguards obligations and to implement the resolutions of the Security Council. Without that co-operation the Agency would not be able to carry out its tasks, and it was imperative that any measures which were adopted should be such as to encourage Iraq to co-operate.

90. Mr. AYATOLLAHI (Islamic Republic of Iran) said that his delegation had made quite clear its position with respect to the issue of non-compliance and the vital importance of all Member States adhering strictly to their international obligations. However, he had already abstained from voting on the amendment to the resolution which had been adopted, and he had consequently felt obliged also to abstain from the vote on the resolution as a whole.

91. Mr. KENNEDY (United States of America) said that his Government categorically rejected the unfounded and outrageous allegations made against his country by the representative of Iraq.

The meeting rose at 1.10 p.m.

