



International Atomic Energy Agency

# GENERAL CONFERENCE

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## THIRTY-SIXTH (1992) REGULAR SESSION

### RECORD OF THE THREE HUNDRED AND FIFTY-SECOND PLENARY MEETING

Held at the Austria Center Vienna  
on Friday, 25 September 1992, at 3.25 p.m.

President: Mr. ADEKANYE (Nigeria)  
later: Mr. BISLEY (New Zealand)

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[\*] GC(XXXVO)/1027/Rev.1.

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The composition of delegations attending the session is given in document  
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Abbreviations used in this record

NPT Treaty on the Non-Proliferation of Nuclear Weapons

ISRAELI NUCLEAR CAPABILITIES AND THREAT (GC(XXXV)/RES/570)

1. The PRESIDENT said that his extensive consultations with various groups and delegations over the past few days had revealed a general feeling among delegations that, in view of the peace process already under way in the Middle East, the aim of which was to conclude a comprehensive and just peace in the region, and which included in particular discussions on the establishment of a nuclear-weapon-free zone in the Middle East, it would be desirable not to consider the present agenda item at the thirty-sixth regular session. In the absence of any objection, he would take that to be the view of the General Conference.

2. It was so agreed

ORAL REPORT BY THE CHAIRMAN OF THE COMMITTEE OF THE WHOLE

3. Mr. EL-SAEIDI (Egypt), Chairman of the Committee of the Whole, presented the Committee's report on items 12 to 23 of the agenda.

4. Under item 12, "The Agency's accounts for 1991", the Committee recommended that the General Conference adopt the draft resolution on page III of document GC(XXXVI)/1005. The Committee also recommended adoption of the draft resolution entitled "Harmony and compatibility of programme and budget and accounts documents", which was to be found in document GC(XXXVI)/1028.

5. Under item 13, "Measures to strengthen international co-operation in matters relating to nuclear safety and radiological protection", the Committee recommended that the General Conference adopt the following four draft resolutions:

- (a) The draft resolution in document GC(XXXVI)/1046, which related to sub-item 13(c), "Report on the preparation of possible elements of a nuclear safety convention", and sub-item 13(e), "Implementation of resolution GC(XXXV)/RES/553 as a whole";
- (b) The draft resolution in document GC(XXXVI)/1042, entitled "Revision of the Basic Safety Standards for Radiation Protection";

(c) The draft resolution in document GC(XXXVI)/1048, entitled "Education and training in radiation protection and nuclear safety"; and

(d) The draft resolution in document GC(XXXVI)/1047, entitled "Liability for nuclear damage".

6. With regard to sub-item 13(f), "Convention on the Physical Protection of Nuclear Material", the Committee recommended that the General Conference take note of the report by the Director General in document GC(XXXVI)/INF/311, and also that the Conference request the Director General to report to it at its thirty-seventh regular session on the results of the conference to review the Convention which was to take place in Vienna during the following week.

7. The Committee also recommended that the Conference request the Director General to submit to the Board of Governors the summary record of its discussion regarding the draft resolution on "Measures to strengthen international co-operation in matters relating to nuclear safety and radiological protection" in document GC(XXXVI)/1046.

8. Lastly, from the discussion on the agenda item in the Committee of the Whole, he understood it to be the wish of many Member States to request the Secretariat to prepare a report on the subject of the notification and recording of nuclear accidents.

9. Under item 14, "Strengthening of the safeguard system", the Committee recommended that the Conference adopt the draft resolution in document GC(XXXVI)/1050.

10. Under item 15, "Strengthening of the Agency's main activities", the Committee recommended that the General Conference adopt the draft resolution in document GC(XXXVI)/1051 and also the draft resolution entitled "Practical utilization of food irradiation in developing countries" in document GC(XXXVI)/1030.

11. Under item 16, "The financing of safeguards", the Committee recommended that the General Conference adopt the draft resolutions set out documents GC(XXXVI)/1036 and GC(XXXVI)/1037.

12. Under item 17, entitled "The financing of technical assistance", the Committee recommended that the General Conference adopt the draft resolution in document GC(XXXVI)/1038.
13. Under item 18, entitled "Plan for producing potable water economically", the Committee recommended that the Conference adopt the draft resolution in document GC(XXXVI)/1049.
14. Under item 19, "The Agency's programme and budget for 1993 and 1994", the Committee recommended that the Conference adopt draft resolutions A, B and C in Annex IV to document GC(XXXVI)/1006 - the Blue Book.
15. In the Committee's discussion, two delegations had expressed reservations concerning draft resolutions A and B, but had not pressed for a vote. Their reservations would be reflected in the summary record of the eighty-third meeting of the Committee of the Whole.
16. Under the same agenda item, the Committee recommended that the Conference adopt the draft resolution entitled "Appropriations in the Agency's budget" in document GC(XXXVI)/1032.
17. Under item 20, "Scale of assessment of Members' contributions towards the Regular Budget", the Committee recommended adoption of the draft resolution in document GC(XXXVI)/1011 with the addition of the footnote contained in document GC(XXXVI)/1011/Mod.1 and with the second sentence in footnote (b) on page 7 of document GC(XXXVI)/1011 amended to read as follows: "The inclusion of Yugoslavia does not affect the question of the membership of Yugoslavia ..."
18. Under item 21, "Staffing of the Agency's Secretariat", the Committee recommended that the Conference adopt the draft resolution in document GC(XXXVI)/1031 and the draft resolution entitled "Women in the Secretariat" in document GC(XXXVI)/1040, to which there was a Corrigendum.
19. Under item 22, "Amendment of Article VI.A.2 of the Statute", the Committee recommended that the Conference adopt the draft resolution in document GC(XXXVI)/1039.

20. Under item 22, "Revision of Article VI of the Statute as a whole", the Committee recommended that the Conference take note of documents GC(XXXVI)/1024 and 1024/Add.1 and that it request the Board to establish a successor informal working group with the mandate set out in Conference resolution GC(XXXV)/RES/566.

21. In conclusion, he thanked the members of the Committee for their co-operative spirit and also the two Vice-Chairmen, Mr. Strulak of Poland and Mr. Verbeek of the Netherlands, for their support.

Mr. Bisley took the Chair.

22. The PRESIDENT suggested that the Conference take one by one the items considered by the Committee of the Whole.

The Agency's accounts for 1991

23. The draft resolution on page III of document GC(XXXVI)/1005 was adopted.

Harmony and compatibility of programme and budget and accounts documents

24. The draft resolution in document GC(XXXVI)/1028 was adopted.

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

25. The draft resolution in document GC(XXXVI)/1046 and the draft resolutions entitled "Revision of the Basic Safety Standards for Radiation Protection" in document GC(XXXVI)/1042, "Education and training in radiation protection and nuclear safety" in document GC(XXXVI)/1048 and "Liability for nuclear damage" in document GC(XXXVI)/1047 were adopted.

26. The PRESIDENT assumed that the Conference also wished to take note of the report of the Director General in document GC(XXXVI)/INF/311 on the Convention on the Physical Protection of Nuclear Material and that it wished to request the Director General to report to it at its thirty-seventh session on the results of the conference to review the Convention, which was to take place in Vienna the following week.

27. It was so decided.

Strengthening of the safeguards system

28. The draft resolution in document GC(XXXVI)/1050 was adopted.

Strengthening of the Agency's main activities

29. The draft resolutions in documents GC(XXXVI)/1051 and GC(XXXVI)/1030 were adopted.

The financing of safeguards

30. The draft resolutions in documents GC(XXXVI)/1036 and GC(XXXVI)/1037 were adopted.

The financing of technical assistance

31. The draft resolution in document GC(XXXVI)/1038 was adopted.

Plan for producing potable water economically

32. The draft resolution in document GC(XXXVI)/1049 was adopted.

The Agency's programme and budget for 1993 and 1994

33. Draft resolutions A, B and C in Annex IV to document GC(XXXVI)/1006 were adopted.

34. The PRESIDENT took it that the Conference also wished to adopt the draft resolution concerning appropriations in the Agency's budget, which was set out in document GC(XXXVI)/1032.

35. It was so decided.

Scale of assessment of Members' contributions for 1993

36. The PRESIDENT assumed that, as recommended by the Committee of the Whole, the General Conference wished to adopt the draft resolution in document GC(XXXVI)/1011 with the addition of the footnote contained in document GC(XXXVI)/1011/Mod.1 and with the second sentence in footnote (b) on page 7 of document GC(XXXVI)/1011 amended to read: "The inclusion of Yugoslavia does not affect the question of the membership of Yugoslavia".

37. It was so decided.

Staffing of the Agency's Secretariat

38. The draft resolutions in document GC(XXXVI)/1031 and the draft resolution entitled "Women in the Secretariat" in document GC(XXXVI)/1040 and Corr.1 were adopted.

Amendment of Article VI.A.2 of the Statute

39. The draft resolution in document GC(XXXVI)/1039 was adopted.

Revision of Article VI of the Statute as a whole

40. The PRESIDENT assumed that, as recommended by the Committee of the Whole, the General Conference wished to take note of documents GC(XXXVI)/1024 and 1024/Add.1 and that it wished to request the Board of Governors to establish a successor informal working group with the mandate set out in resolution GC(XXXV)/RES/566.

41. It was so decided.

REPORT ON VOLUNTARY CONTRIBUTIONS PLEDGED TO THE TECHNICAL ASSISTANCE AND CO-OPERATION FUND FOR 1993 (GC(XXXVI)/1026/Rev.4)

42. The PRESIDENT said that by 7 p.m. on 24 September 1992 the voluntary contributions pledged by Member States to the Technical Assistance and Co-operation Fund for 1993 had reached a total of US \$15 465 149. Since then, the Republic of Korea had pledged \$244 755, which took the total amount pledged for 1993 to \$15 709 904.

The meeting was suspended at 4.10 p.m and resumed at 5.10 p.m.

Mr. Adekanye (Nigeria) resumed the Chair.

APPLICATION OF IAEA SAFEGUARDS IN THE MIDDLE EAST (GC(XXXV)/RES/571; GC(XXXVI)/1019, 1045, 1045/Rev.1 and 1045/Mod.1)

43. The PRESIDENT drew attention to the proposals now before the Conference. Document GC(XXXVI)/1045, dated 24 September 1992, contained a draft resolution entitled "Application of IAEA safeguards in the Middle East". Document GC(XXXVI)/1045/Mod.1, dated 25 September 1992, proposed the



addition of a paragraph between operative paragraphs 5 and 6 of the draft resolution. Document GC(XXXVI)/1045/Rev.1, dated 25 September 1992, incorporated the proposed new paragraph.

44. Under Rule 63 of the Rules of Procedure, the texts of draft resolutions had to be distributed not later than the day preceding the meeting at which they were to be discussed. As document GC(XXXVI)/1045/Rev.1 did not satisfy that rule, he suggested that the Conference base its deliberations on documents GC(XXXVI)/1045 and Mod.1.

45. Mr. BAKSHI (India) endorsed that constructive suggestion. As the President had pointed out, document GC(XXXVI)/1045/Rev.1 had only been distributed that very day. The provision in Rule 63 of the Rules of Procedure regarding submission of draft resolutions one day in advance was motivated by practical considerations, among other things by the need for delegations to seek instructions from their capitals.

46. Even document GC(XXXVI)/1045, dated the previous day, had not actually been made available until 25 September. It might therefore be argued that Rule 63 applied to that document as well. Yet, in the interests of achieving consensus, he would urge that the General Conference take up that document, which closely followed the wording of resolution GC(XXXV)/RES/571, adopted by consensus in 1991.

47. Mr. CLARK (United Kingdom), speaking on behalf of the members of the European Community, said that they fully endorsed the comments made by the representative of India.

48. The PRESIDENT noted that, under Rule 63, the presiding officer could at his discretion, permit the consideration of amendments or procedural motions even if they did not satisfy the rule requiring distribution a day in advance. Document GC(XXXVI)/1045/Mod.1 was an amendment and was therefore covered by that rule: that was not the case with document GC(XXXVI)/1045/Rev.1.

49. Mr. AL-NOWAISER (Saudi Arabia) said the General Conference had already embarked upon a discussion of the draft resolution submitted by a number of countries, including his own, in document GC(XXXVI)/1045/Rev.1. It should continue that discussion, and those who opposed the text should simply

say so. Some countries apparently had no wish to see stability in the Middle East and, accordingly, did not favour wider adherence to the NPT. Yet in view of the crisis currently afflicting the region, the move to achieve greater stability should be welcomed by all. As a country in the Middle East, Saudi Arabia was fully cognizant of its responsibilities to promote peace: that was why it was a sponsor of the draft resolution in document GC(XXXVI)/1045/Rev.1. If Rule 63 of the Rules of Procedure was to be invoked as a pretext for blocking consideration of the draft, his delegation would request a 24-hour suspension of the debate so that the draft resolution could be considered the following day.

50. Mr. KENNEDY (United States of America) said that, as the representative of a country well known for its sincere interest in peace and stability in the Middle East - a depositary State of the NPT, moreover, and a country that followed the rule of law - he fully supported the position taken by the representatives of India and the United Kingdom.

51. Mr. ONSY (Egypt) said that, in the light of the foregoing discussion, he would appreciate an opportunity to introduce the draft resolution in document GC(XXXVI)/1045, of which his country was a sponsor.

52. Ms. MACHADO QUINTELLA (Brazil) said she was sure that all delegations shared the view expressed in document GC(XXXVI)/1045 that non-proliferation enhanced international peace and security and that the Agency's safeguards system provided a reliable means of verification of the peaceful uses of nuclear energy. The Brazilian Government, for its part, firmly believed that bilateral and regional systems of verification were important confidence-building measures. It had actively participated in recent initiatives aimed at the full entry into force of the Tlatelolco Treaty, and was entirely in favour of the establishment of a nuclear-weapon-free zone in the Middle East.

53. The issue was of such importance, however, that reaching consensus on it was essential. She did not see how that could be achieved if the Conference were to consider an amendment introducing an idea that was not acceptable to all. Brazil was not a party to the NPT and its position on the

subject was well known: the Treaty was not universal, and it was discriminatory. She would therefore urge the President not to permit consideration of the text contained in document GC(XXXVI)/1045/Rev.1. The text in document GC(XXXVI)/1045, however, was closely aligned on the resolution adopted at the thirty-fifth session, and stood an excellent chance of winning consensus.

54. Mr. AL-NOWAISER (Saudi Arabia), speaking on a point of order, recalled that his delegation had proposed the suspension of debate for 24 hours, so as to permit discussion of document GC(XXXVI)/1045/Rev.1. He would like to know why his motion had not been entertained.

55. The PRESIDENT referred the Saudi Arabian delegation to item 5(b) of the agenda, entitled "Closing date of the session and opening date of the next session", which clearly indicated that the closing date of the thirty-sixth regular session was today's date - 25 September 1992.

56. Mr. AYATOLLAHI (Islamic Republic of Iran) endorsed the comments made by the representative of Saudi Arabia and said it was unfortunate that time constraints might preclude a thorough consideration of the application of IAEA safeguards in the Middle East. The scheduling of the item at the very end of the General Conference was ill-considered. A way should be found of extending the Conference's session for one more day so that the item could be debated seriously.

57. Mr. KENNEDY (United States of America), speaking on a point of order, noted that Rule 66 of the Rules of Procedure stipulated that, when a proposal had been rejected, it could not be reconsidered at the same session. To his way of thinking, the Conference had already concluded its discussion of the item on application of IAEA safeguards in the Middle East. He had also understood the President to have ruled that document GC(XXXVI)/1045/Rev.1 could not be considered. That ruling was entirely appropriate. The Conference had initially had before it the draft resolution in document GC(XXXVI)/1045 and an amendment thereto in document GC(XXXVI)/1045/Mod.1. Under the Rules of Procedure, an amendment must be considered before the text to which it applied could be taken up. Yet document GC(XXXVI)/1045/Rev.1 had incorporated the amendment as if it had been approved, which was certainly not the case.

58. Mr. JAMAL (Qatar) said he endorsed the statement made by the delegate of Saudi Arabia concerning document GC(XXXVI)/1045/Rev.1.

59. Mr. HADDAD (Syrian Arab Republic) said it was clear that the Conference was prepared to approve document GC(XXXVI)/1045 by consensus: the document was, in essence, merely a repetition of the resolution adopted at the previous session. The only difficulty with the revised version incorporated in document GC(XXXVI)/1045/Rev.1 lay in the appeal to all States in the Middle East to accede to the NPT. That request obviously represented a source of concern for some. The text did not call for all States of the world to become parties to the NPT. Rather, it called for the establishment of a nuclear-weapon-free zone in the Middle East, an area in which several wars had been fought in the past 45 years. One of the States in the region had recently acquired nuclear weapons, making the threat to peace even more serious. Adherence in the Middle East to the NPT had accordingly become a matter of critical importance.

60. The sponsors respected the right of each and every State to decide whether or not to sign the NPT. The draft resolution did not depart significantly from the text approved at the thirty-fifth session of the General Conference. It was to be hoped that the Conference would take a historic step by approving the additional operative paragraph calling upon States in the Middle East to accede to the NPT. The threat represented by nuclear weapons transcended national boundaries, going far beyond the Middle East to affect all States and humanity as a whole.

61. Mr. GUTIERREZ LEYTON (Chile) said the Conference was now in the throes of a battle over interpretation of the Rules of Procedure, particularly Rule 63. Yet under that Rule it was the presiding officer's prerogative to decide, if he considered it right to do so, that an amendment could be admitted for consideration even when it failed to satisfy the rule requiring distribution the previous day. Interpretation of the Rules of Procedure was really secondary to the fundamental consideration, namely the establishment of a nuclear-weapon-free zone in the Middle East. His delegation attached great importance to that objective, and accordingly favoured the adoption of the draft resolution in document GC(XXXVI)/1045.

62. Mr. LEE (Canada) fully supported the ruling of the President to reject debate on document GC(XXXVI)/1045/Rev.1. Furthermore, the very late introduction of document GC(XXXVI)/1045/Mod.1 had brought unfortunate divisive factors into the discussion. His delegation, for one, would need to seek instructions on how to vote if the amendment set out in that document were considered; yet there was no time to do that. He supported the constructive suggestions made by the delegates of India, Egypt and Chile, who favoured an attempt to reach consensus on the basis of a resolution similar to the one adopted at the previous session (GC(XXXV)/RES/571); the draft the Conference should be considering was thus the one set out in document GC(XXXVI)/1045.

63. Mr. TALIANI (Italy), associating himself with the remarks made by the delegate of the United Kingdom, said it was clear from the discussion so far that documents GC(XXXVI)/1045/Mod.1 and Rev.1 presented difficulties to some Member States. In view of the fact that nearly all delegates were in agreement on the original document, GC(XXXVI)/1045, he appealed to the President to rule that discussion should be based on that uncontentious document.

64. Mr. MAJADA (Jordan), referring to the point of order raised by the delegate of the United States with regard to Rule 66 of the Rules of Procedure, pointed out that, since the proposal had not yet been either adopted or rejected, it must still be under consideration. He, like the representative of Saudi Arabia, was of the view that the document under consideration was in fact GC(XXXVI)/1045/Rev.1. Operative paragraph 6 of that document had been based on the Director General's report contained in document GC(XXXVI)/1019. From footnote 1 on page 1 of that document it was clear that the NPT was still an integral part of safeguards application in the Middle East, since the Syrian Government had declared that it would accept safeguards pursuant to Article III of the NPT. It followed, therefore, that the amendment incorporated in document GC(XXXVI)/1045/Rev.1 was in the spirit of that report.

65. Mr. MONDINO (Argentina) said his delegation supported all those who had spoken in favour of considering document GC(XXXVI)/1045, which was the one on which consensus appeared likely.

66. Mr. SALLOUKH (Lebanon) said that his country had been making tireless efforts in pursuit of a consensus on the application of safeguards in the Middle East. He hoped that concerned Member States would respond to the spirit of the resolution, which laid down the first steps towards reducing armaments and establishing a nuclear-weapon-free zone in the region. Although the efforts of the Agency had been commendable, no progress had yet been made because of the intransigence of certain parties. He believed that the application of full-scope safeguards would help to bring about the desired peace. His country had therefore co-sponsored document GC(XXXVI)/1045/Rev.1, which was intended to strengthen the original document particularly in view of the fact that the Middle East was such a sensitive area. He believed that adoption of that draft resolution would help bring peace to the region.

67. Mr. CHEN (China) said that his Government's policy on the issue of a nuclear-weapon-free zone in the Middle East was very clear. It supported all constructive proposals to establish such a zone in that region. Hence, his delegation had participated in the consensus on resolution GC(XXXV)/RES/571 the previous year and hoped that consensus would be reached by the present meeting. From the procedural point of view, his delegation felt that documents GC(XXXVI)/1045/Mod.1 and Rev.1 presented no problem since they had been drawn up by the sponsors of the original document, GC(XXXVI)/1045, who had every right to make amendments. Rule 63 of the Rules of Procedure allowed written or oral amendments to be introduced, and over-zealous application of the 24-hour rule would have the unreasonable consequence of prohibiting effective discussion on any draft resolution at a General Conference in the 24-hour period prior to closure of the session, since it meant that no amendments would be permissible.

68. Mr. AL-SAEID (Kuwait) and Mr. ONSY (Egypt), speaking as co-sponsors of the draft resolution in documents GC(XXXVI)/1045 and GC(XXXVI)/1045/Rev.1, supported the request made by the delegate of Saudi Arabia to extend the General Conference by a day and requested that a vote be taken on that proposal in accordance with Rule 66 of the Rules of Procedure.

69. Mr. MAYORSKY (Russian Federation) suggested that the President, in order to put an end to fruitless discussion, make a ruling, as allowed for under Rule 63 of the Rules of Procedure, on the question whether the two draft resolutions and the amendment could be considered.

70. In that connection he drew attention to the omission in the Russian version of the draft resolution set out in document GC(XXXVI)/1045/Rev.1 of paragraph 6, the very paragraph that had been the subject of intensive consultations. Unfortunately, the present occasion was not the first when omissions and serious mistakes had turned up in documents in Russian at the most crucial moment, and he felt bound to alert the Secretariat to the matter.

71. Mr. RAZLEY (Malaysia) said that his country had no difficulty in supporting the amendment proposed in document GC(XXXVI)/1045/Mod.1 and felt it would be regrettable if other countries who favoured strict adherence to the NPT had objections.

72. Mr. BELLO (Philippines) pointed out that procedural rules were meant to help, not obstruct, discussion and decision-making. He advocated invoking Rule 102 of the Rules of Procedure, which allowed for the suspension of rules. There appeared to be a clear choice between adhering slavishly to the rules or enhancing the chances for peace in the Middle East.

73. Mr. KENNEDY (United States) said it was his understanding that the President had declared document GC(XXXVI)/1045/Rev.1 out of order. In the interests of concluding the debate in good time, he suggested that the Conference give its attention immediately to finding a consensus on document GC(XXXVI)/1045.

74. Mr. KARIM (Bangladesh) joined the delegate of China in expressing the view that all amendments should be admissible. It was the prerogative of the President to make a ruling.

75. The PRESIDENT ruled that documents GC(XXXVI)/1045 and Mod.1 would be considered. He invited the General Conference to vote first on the amendment contained in document GC(XXXVI)/1045/Mod.1.

76. Mr. CLARK (United Kingdom) moved that the General Conference not proceed to a vote on document GC(XXXVI)/1045/Mod.1, for three reasons. Firstly, introduction of the additional operation paragraph contained in that document would break the consensus for which the Conference was striving. Secondly, as a Depositary Government of the NPT, his country regretted that the scope of the appeal contained in the amendment was restricted to a particular area of the world and was not universal. Thirdly, the amendment had been proposed too late, although it seemed that the President had ruled otherwise.

77. Mr. AL-NOWAISER (Saudi Arabia), Mr. AL-SAEID (Kuwait) and Mr. HADDAD (Syrian Arab Republic) supported the President's suggestion that the amendment in document GC(XXXVI)/1045/Mod.1 be put to the vote.

78. The PRESIDENT said that the relevant Rule as regards the motion put by the delegate of the United Kingdom appeared to be Rule 59. If the motion was carried no further, action could be taken by the General Conference with respect to the amendment.

79. Mr. KENNEDY (United States) fully endorsed the motion introduced by the delegate of the United Kingdom and pointed out that three speakers, one more than the rule provided for, had already spoken against it.

80. The PRESIDENT said that, in accordance with a request he had received, a roll-call vote would be taken on the motion of the United Kingdom delegate.

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

82. The result of the vote was as follows:

<u>In favour:</u>	Argentina, Australia, Austria, Belarus, Belgium, Brazil, Bulgaria, Canada, Colombia, Costa Rica, Czechoslovakia, Denmark, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, India, Ireland, Israel, Italy, Japan, Republic of Korea, Liechtenstein, Luxembourg, Monaco, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Poland, Portugal, Romania, Russian Federation, Slovenia, South Africa, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, United States.
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Against: Algeria, Bangladesh, China, Democratic People's Republic of Korea, Indonesia, Islamic Republic of Iran, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Morocco, Myanmar, Namibia, Pakistan, Philippines, Qatar, Saudi Arabia, Sri Lanka, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zambia, Zimbabwe.

Abstaining: Cameroon, Chile, Cuba, Cyprus, Ecuador, Egypt, Ghana, Mexico, Nigeria, Spain, Thailand, Uruguay, Venezuela.

83. There were 46 votes in favour and 28 against, with 13 abstentions. The motion was carried.

84. The PRESIDENT said that, since the United Kingdom motion had been carried, the Conference would no longer consider document GC(XXXVI)/1045/Mod.1; it must now take a decision on the basis of the draft resolution in document GC(XXXVI)/1045.

85. Mr. ONSY (Egypt) commended the draft resolution in document GC(XXXVI)/1045 to the General Conference and expressed the hope that it would be adopted by consensus.

86. Mr. VILIAN XIII (Belgium) said that his delegation attached great importance to the draft resolution in document GC(XXXVI)/1045 and could therefore join Egypt in recommending it strongly to the Conference.

87. Mr. KENNEDY (United States of America) seconded the proposal to adopt the draft resolution by consensus.

88. Mr. MONDINO (Argentina) said that his delegation also supported the draft resolution and was in full agreement with the suggestion that it should be adopted by consensus.

89. Mr. PELEN (France) said that his delegation also wished to join those who had supported the appeal of Egypt. The draft resolution in document GC(XXXVI)/1045 was a useful proposal, and very similar to the one which his delegation had supported the previous year. He also hoped that it would command a consensus.

90. Mr. LEE (Republic of Korea) said that his delegation also wished to join Egypt in asking for consensus. He had voted in favour of the procedural motion introduced by the United Kingdom delegation, but wished to emphasize that in doing so he had been motivated by purely procedural considerations; on the substance of the issue, his delegation wished to reiterate its full support for the NPT.

91. Mr. CSERVENY (Hungary) said that in principle his delegation shared the views of those who had spoken in favour of the NPT. Politics, however, had often been defined as the art of the possible, and the divergent views which had been heard on the subject of the three documents presented to the Conference made it perfectly plain that if the Conference wished to unite it would have to do so on the basis of document GC(XXXVI)/1045. The resolution thus represented a compromise. His delegation was joining the consensus in the hope that it would bring concrete results in the coming year.

92. Mr. BALANESCU (Romania) said that his delegation also supported the Egyptian proposal and hoped that a consensus would emerge in favour of it.

93. Mr. AYATOLLAHI (Islamic Republic of Iran) said his delegation was pleased to note that the draft resolution on the application of IAEA safeguards in the Middle East was meeting with a positive response from the various States in the region. The Israeli régime of course remained an exception. A point to be stressed was that all the Middle East States with peaceful nuclear programmes had in fact submitted their programmes to full-scope safeguards. It was to be hoped that, following measures to strengthen the regulatory functions of the Agency, there would be no further violation of safeguards agreements in the region of the Middle East and that all States with comprehensive safeguards agreements would honour their pledges.

94. His delegation further hoped that all Middle East States which at present did not have a comprehensive safeguards agreement with the Agency would reconsider their position and their policies and accept full-scope safeguards as a step towards the establishment of a nuclear-weapon-free zone in what was a very sensitive part of the world. The only major obstacle to achieving that aim was, and remained, Israel. His delegation had emphasized

that point before and wished to do so again: unless Israel accepted the United Nations and IAEA resolutions on the subject, no real progress could be achieved. His delegation accordingly requested all States in the Middle East to support the regulatory functions of the Agency in a spirit of international co-operation, as a step towards the establishment of peace and security in the sensitive region of the Middle East.

95. The world was confronted with numerous problems and complex issues; that being so, it needed peace and security to overcome its ills. The international community should not and would not tolerate attitudes which were plainly in defiance of the wishes of the majority.

96. His delegation accordingly believed that the real issue was not the implementation of comprehensive safeguards in the Middle East but rather the implementation of nuclear control and verification mechanisms in States which at present still lay beyond the reach of such mechanisms. Concerted international co-operation and co-ordination would be needed to solve that long-standing problem.

97. Finally, his delegation wished to reiterate its belief that the draft resolution lacked an operative paragraph which would urge those States in the Middle East that had not yet acceded to NPT to do so as soon as possible. Even so, it would support the draft resolution.

98. Mr. ALP (Turkey) said that his delegation also wished to add its voice to those who had spoken in favour of the draft resolution.

99. The PRESIDENT said that, in the absence of any objection, he would assume that the General Conference wished to adopt the draft resolution set out in document GC(XXXVI)/1045 without a vote.

100. It was so decided.

101. Mr. BAKSHI (India) said that India's historical, consistent and strong support for the establishment of a just and honourable peace in the Middle East was too well known to need any further repetition. He could assure the Conference that, whatever discussions were held and whatever decisions taken in a technical organization like the Agency, India's support

for that cause would continue. India sincerely hoped that all the peoples of the region would be able to live in peace and harmony, with dignity and honour.

102. His delegation noted that the resolution just adopted by the Conference requested the Director General to facilitate the application of full-scope Agency safeguards to all nuclear activities in the Middle East. Reference was also made to the preparation of model agreements for the establishment of a nuclear-weapon-free zone in the region. In that context, he wished to reiterate the position which India had long adopted as a matter of principle. India firmly believed that, under its Statute, the Agency could apply safeguards only "... at the request of 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". The basic principle involved in that connection was that the Agency's activities must be undertaken in response to a request made by a State or States from the region concerned. It followed that any proposal for a nuclear-weapon-free zone in a particular region must emanate from the region itself; that it must have the consent of all the States in the region; and that it must evolve as a result of negotiations among them. India did not believe that other States, or the Agency, could or should try to impose on a region a nuclear-weapon-free zone in the absence of an initiative emanating from the States of the region concerned.

103. With regard to the resolution just adopted, it was to be noted that no State from the region concerned had expressed disagreement with the call for application of IAEA safeguards to all nuclear activities in the region, or to the call for the establishment of a nuclear-weapon-free zone. In view of that implied consent, his delegation had gone along with the resolution. At the same time, however, he wished to state for the record that its assent in the present case was without prejudice to India's consistent and long-standing position of principle as outlined by his delegation.

104. Mr. AL-MATOOQ (Iraq) said that his delegation approved in principle of the application of safeguards to all nuclear activities in the Middle East and also supported the idea of creating a nuclear-weapon-free zone in that region. Nevertheless, it had reservations about the draft resolution

in document GC(XXXVI)/1045 because the text did not clearly and specifically mention the nuclear potential of Israel, the only country in the region which possessed nuclear weapons. The text seemed to equate Israel, a country in possession of nuclear weapons, with the Arab States which had none.

105. Mr. ETTINGER (Israel) said that a major event had taken place since the last session of the General Conference, namely the Madrid Peace Conference. That Conference was paving the way to direct talks among the States of the Middle East on all problems affecting their region, including regional security and arms control. The common purpose of those initiatives was to launch a confidence-building process which, it was to be hoped, would ultimately lead to peace.

106. One of the main tasks of all international organizations, including the IAEA, should be to support such endeavours, aimed as they were, in the present instance, at a peaceful resolution of conflicts between States in the Middle East. In that context, it was most important to maintain the principle of credible and equitable treatment of Member States. Israel expected such an approach on the part of the Agency's governing bodies with regard to Israel's standing in the Agency.

107. Israel had joined the consensus on the draft resolution in document GC(XXXVI)/1045 concerning the application of IAEA safeguards in the Middle East. However, it wished at the same time to put on record its position on that important matter. Israel believed that the application of IAEA safeguards in the Middle East should be an integral part of the process of establishing a nuclear-weapon-free zone in accordance with certain definite principles, among which were the primacy of zonal initiatives, direct negotiations among the States in the region, and verification of the agreement through mutual inspections complemented by IAEA safeguards. The Agency could render assistance to the negotiating parties by offering ideas which might lead to the establishment of models for the deliberations to be conducted by the negotiating States. Those were the essential conditions for a credible non-proliferation regime in the Middle East - one which, as everyone hoped, would bring peace, security and stability.

108. Mr. KENNEDY (United States of America) congratulated the General Conference on its adoption by consensus of the draft resolution set out in document GC(XXXVI)/1045. The United States delegation wanted to make it clear that it considered the Treaty on the Non-Proliferation of Nuclear Weapons to be one of the most important legal instruments in all of history; it was beyond any doubt the instrument which had attracted the widest adherence, and in fact accession to the NPT was a signal event in the life of a country. His own country stood solidly by the principle that the NPT should command universal adherence: all countries should belong to it, and that applied not just to the Middle East but to all regions of the world.

109. The position adopted by his delegation with regard to the draft resolution in document GC(XXXVI)/1045 had been dictated by its vision of consensus as a real possibility. That consensus had now been achieved, and he once again congratulated the General Conference on its wisdom.

110. Mr. CLARK (United Kingdom) said that he wished to second the sentiments just expressed. As a Depositary Government of the Treaty on the Non-Proliferation of Nuclear Weapons, the United Kingdom was second to none in its support for the Treaty and well understood the desire to include a reference to it in the resolution. The United Kingdom, like others, had been consistently in favour of universal application of the NPT, and urged all countries which had not yet done so to adhere to the Treaty, which, as the delegate of the United States had said, was a particularly important instrument for the preservation of world peace.

111. Mr. MAYORSKY (Russian Federation) said that his country had also been designated as a Depositary Government of the NPT and as such was particularly interested in universal participation. Russia was in fact doing its utmost to ensure that that most important legal instrument could be applied not only to all countries in the Middle East but indeed to all countries of the world. His delegation's vote should be regarded as having been dictated by concern for proper procedure, as had been made clear during the discussion preceding the vote.

CLOSING OF THE SESSION

112. Ms. MACHADO QUINTELLA (Brazil), speaking as the representative of a country whose Head of Delegation had presided over the General Conference at its thirty-fifth regular session, wished to express deep appreciation to the President for the signal competence and ability with which he had guided the Conference's work. Some difficult and controversial issues had had to be confronted in the course of the week, and it was greatly to the President's credit that he had conducted the discussion of those issues in such a helpful and impartial manner. He deserved the thanks of all.

113. Mr. AHUMADA (Colombia), speaking on behalf of the Latin American and Caribbean group, thanked the President for the supreme skill with which he had guided the work of the Conference. It was thanks to the President's wise stewardship that the Conference, despite the many shoals it had had to negotiate, had concluded its business successfully.

114. Mr. AL-NOWAISER (Saudi Arabia) thanked the President on behalf of his own delegation, and also on behalf of the Asian group which he represented, for the masterly way in which he had presided over the Conference. It was very much thanks to his wisdom and patience that the Conference had ultimately been steered into the right port. The delegates were unanimous in wishing him every success.

115. Mr. KENNEDY (United States of America) wished to add his voice to those who had paid tribute to the President's wise guidance. He had been the perfect chairman in fact, highly skilled as he was in obtaining consensus, and delegates wished him all the best for the future.

116. Mr. MAYORSKY (Russian Federation), speaking on behalf of the countries of Central and Eastern Europe, congratulated the President warmly on the superb work he had done. His shrewdness, wisdom and tireless efforts had made the Conference a success, and it was to be hoped that he would himself enjoy success and happiness in the future.

117. Mr. LAMAMRA (Algeria) said that he had had the pleasure, earlier in the week, of proposing the President's candidature for office and was pleased to say that, in the course of five days, the President had magisterially demonstrated the qualities mentioned in the nomination speech.

118. Mr. SEEBERG (Norway), speaking on behalf of the Western Europe and Others Group, congratulated the President on his supremely competent and skilful guidance of the Conference's business.

119. The PRESIDENT thanked all delegations for the kind words addressed to him on behalf of the Conference. It had been an honour and a privilege to serve as President of the General Conference at its thirty-sixth regular session. The day-to-day business of the Conference had involved a number of problems, and he was extremely grateful for the close co-operation which had made it possible to dispose of those problems successfully.

120. He had assumed the Presidency of the Conference in full confidence that he would continue to receive the kind of support so amply demonstrated by the acclamation he had received at the time of his election. After five days of hard work, it was indeed heartening to recall the practical demonstration of that support. He wished to thank all delegates who had been able to share their thoughts with him and assured them that their ideas had been invaluable.

121. The Conference had heard speakers detailing the progress made by national agencies responsible for IAEA affairs in implementing the decisions of the thirty-fifth regular session and in advancing the goals and objectives of the Agency. Delegates had also shared ideas on the important issues of the moment, such as nuclear safety, and had reaffirmed the need to exploit fully the benefits of nuclear energy. The Agency's safeguards system had received deserved emphasis, and the desirability of ensuring its effectiveness and efficiency as a means of strengthening the non-proliferation regime had been generally acknowledged. Delegates had also grappled with the complex issues of financing the activities of the Agency, and had done so with a sense of responsibility and with candour. The potential of nuclear applications for solving mankind's pressing problems in the areas of food and agriculture, industry, medicine and so on seemed never to have been greater, and the Agency's ability to assist in those areas was hardly in doubt.

122. It was reassuring to see that all delegates continued to have confidence in the Agency's staff and paid well-deserved tribute to the Director General for his leadership and his commitment to the Agency's goals.



Those qualities had also been seen in the skill with which the Agency had carried out the tasks assigned to it by the United Nations Security Council, as well as in the imagination with which it had confronted its financial problems - problems, one must firmly hope, that would prove to be only temporary.

123. He had been struck with admiration by the display of unity and candour among all delegations, in negotiating resolutions to advance the goals of the Agency, and also in providing signposts for future action. That unity, which he called the Vienna spirit, augured well for the Agency. It would be much needed during the months and years ahead, particularly when the problem of providing the Agency with the wherewithal to carry out its tasks had to be tackled.

124. Delegates would recall that, on assuming the Presidency of the session, he had referred to the honour done to his country by his election. As the Conference neared the end of its session, he was indeed appreciative of the manner in which that statement had received practical demonstration. Nigeria, his own country, took its role in the Agency seriously and had always endeavoured to discharge its obligations faithfully. As a party to the NPT, it considered the Agency's role in that area to be of primary importance. Thus, Nigeria continued to have confidence in the Agency's safeguards system. But perhaps even more germane was what the Agency had done for Nigeria by providing assistance for development. Nigeria's commitment to the Agency's goals and objectives would remain unshaken, and its active participation in the pursuit of those goals was certain.

125. At the threshold of a new era it would be folly to shy away from the task of expanding the frontiers of nuclear science and technology, or from the challenge of bringing their fruits to humanity at large. Those goals should be pursued with resolve. The new spirit of co-operation should be exploited to advance the goals and objectives of the Agency, so that both developed and developing Member States could share in the bounties that lay ahead.

126. He would not wish to conclude without expressing the Conference's appreciation to the Secretariat, whose tireless efforts had done so much to

make the Conference run smoothly. Last, but certainly not least, gratitude was due to the Secretary of the Conference, whose professional competence was so familiar that it was in danger of being taken for granted.

127. Finally, he wished, on behalf of the Conference, to thank the Austrian authorities and the city of Vienna for the traditional hospitality which had been enjoyed by all during the week past.

128. Before closing the session he invited delegations to observe one minute of silence dedicated to prayer or meditation, in accordance with Rule 48 of the Rules of Procedure, and to include in their thoughts Ambassador Gaston Ponce-Caballero, Resident Representative of Bolivia to the IAEA, who had passed away in La Paz the previous week.

All present rose and stood in silence for one minute.

129. The PRESIDENT declared the thirty-sixth regular session of the General Conference closed.

The meeting rose at 7.40 p.m.