



International Atomic Energy Agency

# GENERAL CONFERENCE

GC(XXI)/GEN/OR. 28  
February 1978\*

RESTRICTED Distr.  
ENGLISH

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## TWENTY-FIRST REGULAR SESSION: 26–30 SEPTEMBER 1977

GENERAL COMMITTEE

RECORD OF THE TWENTY-EIGHTH MEETING

Held at the Neue Hofburg, Vienna, on Wednesday, 28 September 1977, at 5.15 p. m.

Agenda item**	Subject	Paragraphs
-	Adoption of the agenda for the meeting	1
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\* A provisional version of this document was issued on 3 October 1977.

\*\* GC(XXI)/591.

ATTENDANCE AT THE MEETING\*

Chairman

Mr. ETEMAD (Iran), President of the General Conference

Members

Mr. HOFFMANN, representing Mr. HAUNSCHILD (Federal Republic of Germany), Vice-President of the General Conference  
Mr. RATHORE, representing Mr. SETHNA (India), Vice-President of the General Conference  
Mr. KAMIL (Indonesia), Vice-President of the General Conference  
Mr. KATORI (Japan), Vice-President of the General Conference  
Mr. ADENJI (Nigeria), Vice-President of the General Conference  
Mr. BARREDA DELGADO (Peru), Vice-President of the General Conference  
Mr. EROFEEV, representing Mr. MOROKHOV (Union of Soviet Socialist Republics), Vice-President of the General Conference  
Mr. STONE, representing Mr. FRI (United States of America), Vice-President of the General Conference  
Mr. RÖHNSCH (German Democratic Republic), Chairman of the Committee of the Whole  
Mr. HAFHEY, representing Mr. CARTER (Canada), Additional Member  
Mr. VALDES-MARTINEZ (Chile), Additional Member  
Mr. SIRRY, representing Mr. EL-GUEBEILY (Egypt), Additional Member  
Mr. de PEYSTER, representing Mr. GOLDSCHMIDT (France), Additional Member  
Mr. FODOR, representing Mr. OSZTROVSZKI (Hungary), Additional Member  
Mr. HABASHI (Sudan), Additional Member  
Mr. SLATER, representing Sir John HILL (United Kingdom of Great Britain and Northern Ireland), Additional Member

Secretariat

Mr. EDWARDS, Director, Legal Division  
Mr. GARRETT, Secretary of the Committee

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\* The composition of the General Committee at the twenty-first regular session will be found in document GC(XXI)/INF/170/Rev. 2.

## THE RECORD

### ADOPTION OF THE AGENDA FOR THE MEETING (GC(XXI)/GEN/51)

- 1. The agenda proposed for the meeting (GC(XXI)/GEN/51) was adopted.

### EXAMINATION OF DELEGATES' CREDENTIALS

2. The CHAIRMAN informed the General Committee that, according to information furnished by the Secretariat, the Director General had received credentials which, in his opinion, complied with the provisions of Rule 27 of the Rules of Procedure for the delegates of 73 Member States. In addition, the Secretariat had received a number of official communications - letters, telegrams, etc. - relating to the status of the delegates of 15 Member States, none of which, however, constituted credentials complying with the provisions of Rule 27. One delegate of a Member State was attending the session in respect of whom no credentials or other communications of accreditation whatsoever had been received.
3. Mr. ADENIJI (Nigeria) asked to which of those three groups the delegate of South Africa belonged.
4. The CHAIRMAN said that he understood the credentials of the South African delegate to have been found in order.
5. Mr. ADENIJI (Nigeria) recalled that the President of the twentieth regular session of the General Conference had in his report reflected the almost unanimous disapproval by the General Conference of the practices and policies of the South African Government. The General Committee should not confine itself to determining the validity of delegates' credentials purely from the standpoint of form, but should consider whether the State was fulfilling its obligations under the Agency's Statute. The Government of South Africa seemed more interested in destroying lives than in promoting peaceful uses of atomic energy. The policies of that Government had already been condemned at the previous session of the General Conference; he therefore urged the General Committee to reject the credentials of South Africa.
6. Mr. KAMIL (Indonesia) shared the views of the Nigerian delegate.
7. Mr. SIRRY (Egypt) also felt that the South African credentials were unacceptable, as the Government of that country did not fairly represent the South African people.
8. Mr. HABASHI (Sudan) and Mr. RATHORE (India) associated themselves with the previous speakers.
9. Mr. STONE (United States of America) said that Rules 27 and 28 of the Rules of Procedure of the General Conference placed upon the Committee the duty of examining the credentials of all delegates and of reporting on them to the Conference. It was clear that, in carrying out that duty, the General Committee should consider only the question of whether the credentials of participating Member States had been submitted in the prescribed form and in a timely manner. Other questions, such as the legal, ethical or moral qualifications of Governments, were irrelevant. In the past, the Agency's Members had been aware that considering such irrelevant factors in the context of credentials would constitute a serious blow to universality of participation in the Agency's work, since the credentials of many Members would then be subject to challenge by others on solely political grounds.
10. The Government of the United States had repeatedly condemned the practice of apartheid and had been engaged for some time in efforts to achieve an acceptable solution to the problems of Southern Africa. However, it did not believe that the interests of Africa or of the Agency's Members would be well served by a rejection of South Africa's credentials. The past year had seen an increasing politicization of the Agency which was deplorable. One aspect of the process had been an increasing disregard for the established rules and Statute of the Agency. He urged the Members of the Committee to act in the constructive spirit which had characterized Agency deliberations for most of the past 20 years.
11. Mr. SLATER (United Kingdom) said that his country, too, condemned the policy of apartheid, and was contributing to efforts to find a peaceful solution to the problems of Southern Africa. The task of the General Committee, however, was solely to examine credentials and to report on them. If the South African credentials had been found in order the Committee should accept them.
12. Mr. HOFFMANN (Federal Republic of Germany) agreed with the delegates of the United States and the United Kingdom. His Government also condemned the policy of apartheid in South Africa. He referred to the statement of the Federal Minister for Foreign Affairs of the Federal Republic of Germany before the thirty-first session of the General Assembly of the United Nations regarding apartheid, as quoted in document A/CONF. 91/4/Add. 1 of 15 August 1977 for the World Conference for Actions against Apartheid, held in Lagos, Nigeria, from 22-26 August 1977. His Government deplored the increasingly political tone of Agency meetings. The Agency had been established to cope with the more specifically technical problems of safeguards, technical assistance and, foremost, the development of the peaceful uses of atomic energy. The proper forum for the discussion of political issues was the General Assembly of the United Nations. The rejection of credentials on political grounds would not only lead to the isolation of the countries in question, but would also cause the Agency's Members to lose all control over any nuclear activities in those countries.

13. Mr. de PEYSTER (France) and Mr. KATORI (Japan) fully agreed with the three previous speakers.

14. Mr. EROFEEV (Union of Soviet Socialist Republics) said that the Rules of Procedure of the General Conference nowhere stated that the General Committee should consider only the formal aspects of credentials. Those speakers who had questioned the validity of certain credentials on political grounds were quite justified in doing so; the Soviet delegation supported the proposal not to recognize the credentials of the South African régime, and urged the Committee likewise to reject the credentials presented by the Chilean junta and by South Korea.

15. A further problem which should be examined by the Secretariat was the time at which the General Committee usually met for the examination of credentials. Unless that examination took place at the very beginning of the session delegates whose credentials were not accepted might nevertheless take part in the work of the General Conference, even in a prominent position, as was the case on the present Committee.

16. The CHAIRMAN said that the Secretariat would consider the question of the timing of the General Committee's meetings.

17. Mr. FODOR (Hungary) condemned the policy of apartheid, and supported the proposals not to accept the credentials of the delegates from South Africa, Chile and South Korea.

18. Mr. HAFHEY (Canada) asked the Secretariat to explain what requirements had to be met for a delegate's credentials to be considered formally acceptable.

19. Mr. EDWARDS (Director, Legal Division) said that, in principle, credentials had to comply with the last sentence of Rule 27 of the Rules of Procedure of the General Conference. A definition had been provided by the Legal Counsel of the United Nations in about 1970 to the effect that valid credentials of a representative to an international organization were the documents attesting that the person or persons named in them were entitled to represent their State at the seat of, or at the meetings of, the organization.

20. Mr. BARREDA DELGADO (Peru) said that his Government condemned the racist policies of

South Africa and was in favour of accepting the Chilean credentials; however, he could not make any pronouncement on behalf of the Latin American group with respect to either South Africa or Chile without first consulting that group.

21. Mr. VALDES-MARTINEZ (Chile) rejected the proposals made by the delegates from the Soviet Union and from Hungary with respect to the Chilean credentials, as those proposals had been made for political reasons that were irrelevant to the work of the Agency and ran counter to the spirit of the Helsinki agreement. His country was a member of many international organizations, and fulfilled all its obligations. His credentials had been signed by the same authorities for a number of years and had been included by the Secretariat in the category of credentials that were formally in order; he therefore protested against the objections that had been raised against them.

22. As to the credentials of the South African delegate, he did not wish to voice any opinion until the consultations of the Latin American group had taken place.

23. The CHAIRMAN suggested that the Committee should submit a report to the General Conference which would be similar in form and structure to that of the previous year; it would reflect the views expressed in the course of the discussion, and would contain lists indicating which Members had submitted credentials satisfying the requirements of the Rules of Procedure, which had submitted credentials that did not do so, and which delegations had presented no credentials whatsoever.

● 24. The Chairman's suggestion was approved.

25. The CHAIRMAN then read out a communication received from the Resident Representative of Turkey transmitting the text of a telegram sent by His Excellency Rauf Denktaş, President of the Turkish Federated State of Cyprus, to the Director General. He also read out the operative parts of the telegram, in which Mr. Denktaş contested the right of the Greek Cypriot Administration's delegate to represent Cyprus as a whole at the General Conference.

● The meeting rose at 6.5 p.m.