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**COMMUNICATION RECEIVED FROM THE
RESIDENT REPRESENTATIVE OF ISRAEL**

The attached communication dated 27 August 1987 from the Resident Representative of Israel is being distributed at the Resident Representative's request.

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COMMUNICATION RECEIVED FROM THE
RESIDENT REPRESENTATIVE OF ISRAEL

I refer to document GC(XXXI)/808 concerning a request by Iraq for the inclusion in the agenda for the thirty-first regular session of the Agency's General Conference of an item entitled "Israeli nuclear capabilities".

With regard to the inclusion of this item in the agenda and to the major points made in the explanatory memorandum, permit me to make the following comments:

1. Inclusion of the item in the agenda

The issue is not relevant to the mandate of the Agency. The United Nations General Assembly has been dealing with an identical issue since 1979, and the item is still on the agenda of the General Assembly, which starts its forty-second regular session in September.

2. Israel's nuclear capabilities

Nuclear capabilities have not been made out to constitute a danger in respect of any of the many Agency Member States which have such capabilities and pursue their programmes without having their motives challenged in the Agency. The only pertinent issue is the declared policy of governments.

In the case of Israel, this policy is that:

- (a) Israel will not be the first to introduce nuclear weapons into the Middle East.

- (b) Israel supports the principle of non-proliferation and affirms the necessity of establishing a nuclear-weapon-free zone in the Middle East along the lines laid down in the Tlatelolco and Rarotonga Treaties, covering Latin America and the South Pacific respectively.
- (c) Israel has only referred to its scientific and technical competence in the nuclear field by offering technical assistance and co-operation. Such co-operation with many developing countries, over decades, has invariably been welcome.
- (d) It is Israel's adamant policy to have no relations with South Africa in the nuclear field.

Israel's consistent statements, its voting record and its initiatives are conclusive evidence of this.

3. The Iraqi reactor

This issue was disposed of by the General Conference in 1985, when, in resolution GC(XXIX)/RES/443, it considered that Israel's letter of 25 September 1985 satisfied the requirements of resolution GC(XXVIII)/RES/425. In any case, this subject bears on Iraq's nuclear activities - not Israel's.

4. Call on Israel to accept full-scope safeguards

This is a matter which each State must decide for itself. Israel cannot countenance - nor would any other Agency Member State - that such a decision be arrogated to the General Conference of the Agency.

Israel's road to non-proliferation in the Middle East is by way of a negotiated nuclear-weapon-free zone, as set out above. More formally, the conclusion of safeguards agreements is the statutory right of a State. This is provided by Article III.A.5 of the Statute. The voluntary nature of such an act was also recognized by the Board of Governors in 1976 in decision 11 contained in document GOV/DEC/88(XIX). Each Member State is sovereign and has every right to decide for itself on the safeguards agreements it wishes to enter into with the Agency. The Iraqi memorandum in effect demands that the General Conference oblige organs of the Agency (and in particular the Director General) to implement safeguards against Israel, in direct breach of the expressed provisions of the Statute that it is an optional matter.

5. Pertinence of United Nations resolutions to the Agency

United Nations resolutions relating to the Agency are reported on to the Board of Governors. The Agency is free to decide which United Nations resolutions it will consider. The Agency should be guided by its Statute and mandate alone.

The entire catalogue of United Nations resolutions listed in the Iraqi memorandum has already received attention by the Agency and there is no need to solicit reconsideration of them. Moreover, Iraq is certainly not a credible defender of United Nations resolutions. It flouts its international undertakings when that suits its purposes (chemical warfare) and adduces United Nations resolutions when they promote Iraq's incessant assaults upon Israel. One cannot have it both ways.

Israel holds that there are solid grounds to reject the inclusion of this item in the agenda. If a majority of the General Committee members decides otherwise, however, Israel hopes that an eventual draft resolution as foreseen in the Iraqi memorandum will be opposed and defeated.

