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on Friday, 20 September 1991, at 3.45 p.m.

President: Mr. SANTANA CARVALHO (Brazil)

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[*] GC(XXXV)/982.

The composition of delegations attending the session is given in document GC(XXXV)/INF/301/Rev.2.

91-4758 (8864e/828e)

Abbreviation used in this record

NPT **Treaty on the Non-Proliferation of Nuclear Weapons**

ORAL REPORT BY THE CHAIRMAN OF THE COMMITTEE OF THE WHOLE

1. Mr. WILSON (Australia), Chairman of the Committee of the Whole, presenting the Committee's report on item 7 of the agenda, "General debate and annual report for 1990", said that the Committee recommended that the General Conference adopt the draft resolution contained in document GC(XXXV)/1000.
2. The draft resolution contained in document GC(XXXV)/1000 was adopted.

APPLICATION OF IAEA SAFEGUARDS IN THE MIDDLE EAST (GC(XXXV)/980/Rev.2)

3. Mr. KHERBI (Algeria), supported by Ms. TALLAWY (Egypt), said that the amended draft resolution contained in document GC(XXXV)/980/Rev.2 had only just been circulated and that more time was needed for delegates to study it.
4. Mr. ROSALES ARIAS (Cuba) added that the draft resolution was at present available only in English.
5. The PRESIDENT said that if there was no objection he would postpone consideration of the matter.
6. It was so decided.

ISRAELI NUCLEAR CAPABILITIES AND THREAT (GC(XXXIV)/RES/526; GC(XXXV)/960, 976)

7. The PRESIDENT recalled that the item had been included in the agenda pursuant to resolution GC(XXXIV)/RES/526. In accordance with operative paragraph 2 of that resolution, the Director General had submitted the report contained in document GC(XXXV)/960. The summary record of the Board's discussion on the matter in June was reproduced in Annex B to that document. In addition, a draft resolution on the subject had been submitted in document GC(XXXV)/979, which he invited the delegate of Jordan to introduce.
8. Mr. MUR (Jordan) said that the draft resolution in document GC(XXXV)/979 had been submitted with a view to ensuring that nuclear technology in the Middle East was used exclusively for peaceful purposes to improve the standard of living of the peoples in that region. Israel's possession of short-range and medium-range missiles and aircraft capable of reaching distant targets created anxiety about that country's growing nuclear capability. Moreover, Israel's continued occupation of Palestinian

territories, its refusal to apply the Geneva Convention on civilians in the occupied areas, its annexation of Arab Jerusalem, its continued construction of settlements in Arab territories, its denial of the Palestinian people's right of self-determination and its barbaric practice of terror to suppress the Palestinian people were leading to increasing tension and the possibility of the use of nuclear weapons.

9. Although ten years had elapsed since the adoption of Security Council resolution 487/1981, which had requested Israel to submit all its nuclear installations to the Agency's safeguards system, Israel was still refusing to comply with that resolution. Thus, double standards were evidently being applied in the implementation of Security Council resolutions.

10. The draft resolution in document GC(XXXV)/979 was a moderate one and he hoped that the Conference would respond positively and adopt it, so that people in the area concerned could live in peace and security.

11. Mr. AYATOLLAHI (Islamic Republic of Iran) expressed his support for the draft resolution, although it had been made very mild. While he completely agreed with the application of full-scope safeguards in the Middle East, it should be remembered that, with the exception of Israel, all States in the Middle East with any significant nuclear activities were already under full-scope safeguards. A nuclear-weapon-free zone in the area could only be established once Israel agreed to place all its nuclear facilities under Agency safeguards.

12. Ms. TALLAWY (Egypt) said that her delegation's position was well known. Israel should join the NPT and work for the application of full-scope safeguards in the Middle East. States exporting nuclear material to Israel should make the supply of such material conditional upon the application of full-scope safeguards to Israeli nuclear facilities. The co-sponsors of the draft resolution having made great efforts to accommodate the different views on the subject, she hoped that all delegations would be able to support the draft resolution, and requested that a roll-call vote be taken on it.

13. Mr. LOOSCH (Germany) said that his delegation's opposition to such resolutions was equally well known. His country did, however, call upon all

countries in the Near and Middle East region to play their part in laying the foundations for a peaceful future for all peoples in the region. The establishment of a nuclear-weapon-free zone, involving comprehensive safeguards under the NPT, would be in the interest not only of the region concerned, but of the international community as a whole.

14. With regard to the draft resolution in document GC(XXXV)/979, he requested, under Rule 75 of the Rules of Procedure of the General Conference, that a separate vote be taken on operative paragraph 5.

15. Mr. KENNEDY (United States of America) noted that the item had been on the General Conference's agenda for a number of years and that the debate on it was for the most part repetitive. In 1990 the issue had been broadened to include safeguards in the region as a whole, rather than singling out Israel, and indeed preambular paragraph (f) of the draft resolution in document GC(XXXV)/979 referred to the Director General's report contained in document GC(XXXV)/960 dealing with the application of safeguards in the Middle East. Since that was the subject of another agenda item, there was apparently a case of redundancy.

16. The United States position on safeguards was quite clear, namely that it urged all States to become parties to the NPT and to accept full-scope safeguards as required by that Treaty. For its part, the United States made full-scope safeguards a condition of nuclear co-operation and supply. However, his delegation believed that the draft resolution in document GC(XXXV)/979, and in particular its call for reconsideration of the matter in 1992, was unnecessary and, moreover, undesirable in that it confused the issues being discussed under items 8 and 9 of the agenda.

17. Mr. ETTINGER (Israel) said that the item "Israeli nuclear capabilities and threat" had been included in the agenda for the sole purpose of arraigning Israel. His delegation was tired of repeating that the item was provocative, counter-productive and discriminatory in that it singled out Israel. His country had never threatened the existence of any other country, but had been constantly subject to threats from Arab countries. In the course of the Gulf War it had become clear that the Iraqi Government had taken steps to carry out its threat to obliterate Israel and was engaged in creating a

nuclear potential. Israel had always maintained that Iraq had taken advantage of its adherence to the NPT to obtain vital technical assistance while violating its commitments under the NPT. Recent events had revealed Iraq's massive build-up of non-conventional weapons and had established the real scope and nature of the Iraqi threat to Israel and other States in the region.

18. For the past 11 years, Israel had called for free and direct negotiations on the establishment of a nuclear-weapon-free zone in the Middle East, in the firm belief that only direct negotiations and mutually reassuring arrangements could prevent nuclear proliferation. Had such negotiations been accepted by the Arab States, they could probably have prevented Iraq's abuse of the NPT.

19. The events in Iraq had undermined the confidence which adherence to the NPT and Agency safeguards were supposed to confer, not only in the Middle East, but also worldwide, and the Agency must now give earnest thought to ways of restoring that confidence.

20. In conclusion, he believed that the item on Israeli nuclear capabilities and threat should be removed from the agenda for future sessions of the Conference and urged all delegations to reject the draft resolution in document GC(XXXV)/979.

21. Mr. ZHOU (China) welcomed the Director General's report on the application of Agency safeguards in the Middle East and expressed his delegation's appreciation of all the efforts made by the Agency's Secretariat with a view to applying full-scope safeguards in that region. China had always supported the proposal to establish a nuclear-weapon-free zone in the Middle East and accordingly hoped that the countries in the region would give serious consideration to the various proposals made by the Agency's Secretariat. For the same reason, it supported the draft resolution contained in document GC(XXXV)/979.

22. Mr. AL-MATOOQ (Iraq) said that his delegation's views concerning the Israeli nuclear capabilities and threat were well known. The international community already had sufficient proof that Israel owned a complete arsenal of nuclear weapons and thus bore full responsibility for starting the arms race in the Middle East region. Joining that arms race had

been the only way for the peoples of the region to exercise their legitimate right to defend themselves and ensure their future survival. His delegation fully endorsed Jordan's statement introducing the draft resolution on behalf of the Arab States, and wished only to add a strong condemnation of Israel's non-compliance with Security Council resolution 487 (1981) and its persistent refusal to submit its nuclear facilities to the Agency's safeguards system. His delegation also condemned all Powers extending their protection to Israel, for they were thereby obstructing the implementation of the resolutions concerning Israel's nuclear armaments adopted by the Agency's General Conference and other international forums.

23. In response to remarks made by the United States delegation, he wished to point out that document GC(XXXV)/960 had been prepared pursuant to resolution GC(XXXIV)/RES/526 regarding the Israeli nuclear capabilities and threat, and was not concerned with any other matter.

24. Recalling once again that all Members were aware of the Israeli nuclear threat, he urged them to vote in favour of the draft resolution.

25. Mr. AYATOLLAHI (Islamic Republic of Iran) reiterated that all Middle East States with appreciable nuclear activities had already submitted them to full-scope Agency safeguards and were even prepared to accept the proposed strengthened safeguards regime. The problems in the Middle East were caused by the illegitimate Israeli régime, whose nuclear threat was the sole cause of proliferation in the region.

26. Mr. HADDAD (Syrian Arab Republic) said he understood from the statement of the United States delegation that it considered the present agenda item to be redundant and therefore useless. However, he wished to remind that delegation of a past occasion when such repetition had in fact proved to be of benefit, namely the Security Council resolution concerning a nuclear-weapon-free zone in the Middle East. That resolution had been presented to the United Nations General Assembly on more than one occasion, only to be rejected by Israel. However, Israel had recently agreed to accept the resolution, thus proving that repetition could be effective.

27. The Israeli delegate had claimed that his country was the victim of threats from neighbouring countries, threats which were directed only at

Israel. However, delegates would recall the acts of aggression that had occurred in 1956 and 1967, and remember which State had started the war in 1973. Syrian, Lebanese and Palestinian territories had been occupied, and Member States were well aware of the identity of the State responsible for those actions.

28. Mr. CONSTENLA (Costa Rica) said he supported the German motion that a separate vote be taken on operative paragraph 5 of the draft resolution contained in document GC(XXXV)/979.

29. Mr. AL-NOWAISER (Saudi Arabia) expressed a preference for voting first of all on the draft resolution as a whole, before dealing separately with operative paragraph 5.

30. Mr. KHERBI (Algeria) shared the preference indicated by the delegate of Saudi Arabia.

31. Mr. AMMAR (Tunisia) said that although, as the United States had pointed out, the resolution in question had been presented for a number of years in succession, no progress had yet been made with regard to the Israeli refusal to submit to monitoring by the international community. His country attached great importance to international legality and the right to security, and had therefore co-sponsored the draft resolution. He agreed with the views of the Algerian and Saudi Arabian delegations as to the order in which the votes should be taken.

32. The PRESIDENT said that under the Conference's Rules of Procedure, the vote on operative paragraph 5 would have to be taken before the draft resolution as a whole was put to the vote. However, as some delegations had opposed taking the votes in that order, he suggested that, in accordance with Rule 75, a vote be taken by show of hands on the German motion to vote separately on the paragraph in question.

33. There were 35 votes in favour and 31 against, with 9 abstentions. The motion was carried.

34. The PRESIDENT accordingly asked the Conference to proceed with a roll-call vote on whether to retain operative paragraph 5 of the draft resolution contained in document GC(XXXV)/979.

35. Bulgaria, having been drawn by lot by the President, was called upon to vote first.

36. The result of the vote was as follows:

In favour: Algeria, Bangladesh, Bolivia, China, Cuba, Democratic People's Republic of Korea, Egypt, Ghana, India, Indonesia, Islamic Republic of Iran, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mexico, Morocco, Nicaragua, Nigeria, Pakistan, Philippines, Qatar, Saudi Arabia, Senegal, Sudan, Syrian Arab Republic, Tunisia, Turkey, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yugoslavia, Zambia, Zimbabwe.

Against: Australia, Austria, Belgium, Canada, Costa Rica, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, South Africa, Spain, Sweden, Switzerland, Ukraine, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Cameroon, Chile, Colombia, Cyprus, Ecuador, Holy See, Republic of Korea, Namibia, Thailand, Venezuela.

37. There were 36 votes in favour and 34 against, with 14 abstentions. The paragraph was retained.

38. The PRESIDENT then invited the Conference to take a roll-call vote on the draft resolution contained in document GC(XXXV)/979 as a whole, as requested by the delegate of Egypt.

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

40. The result of the vote was as follows:

In favour: Algeria, Bangladesh, Bolivia, China, Cuba, Cyprus, Democratic People's Republic of Korea, Egypt, Ghana, India, Indonesia, Islamic Republic of Iran, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mexico, Morocco, Nicaragua, Nigeria, Pakistan, Philippines, Qatar, Saudi Arabia, Senegal, Sudan, Syrian Arab Republic, Thailand, Tunisia, Turkey, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Viet Nam, Yugoslavia, Zambia, Zimbabwe.

Against: Australia, Austria, Belgium, Canada, Costa Rica, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, South Africa, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Cameroon, Chile, Colombia, Ecuador, Holy See, Republic of Korea, Romania, Thailand, Ukraine, Venezuela.

41. There were 39 votes in favour and 31 against, with 13 abstentions. The draft resolution was adopted.

42. Mr. WILSON (Australia), explaining his vote, said that he had opposed the resolution because it sought to keep before the Conference political issues extraneous to the functions and responsibilities of the Agency. His delegation had repeatedly stated that such matters were not appropriate subjects for discussion by the Agency. It regretted that the issue continued to come before the Conference, where it gave rise to sterile debate consisting largely of the annual repetition of set-piece statements, offering little prospect of making a real contribution to security in the region. Australia had always urged all States to accept the NPT, or at least the application of full-scope safeguards and the failure to do so on the part of Israel and a small number of other States was a source of concern to his country.

43. Mr. PLUG (Netherlands), speaking on behalf of the 12 Member States of the European Community, said that the Twelve had not supported the resolution for the same reasons that had led them to decide against it the previous year. In addition, there was now even less need for the resolution, as its only constructive aspect, "the application of safeguards in the Middle East", was now a separate agenda item.

44. Mr. BAKSHI (India) recalled that, according to Article III.A.5 of the Agency's Statute, safeguards could be applied "at the request of the parties, to any bilateral or multilateral arrangement, or at the request of a State, to any of that State's activities in the field of atomic energy". Despite upholding that principle, India had supported the resolution submitted

in document GC(XXXV)/979, as well as all earlier resolutions passed by the General Conference on that issue, because of the exceptional situation created in the Middle East by the undisclosed Israeli nuclear programme, by Israel's refusal to withdraw from the occupied territories, and by its continued denial of the legitimate rights of the Palestinian people. It was on account of the threat posed by Israel's nuclear activities that the United Nations Security Council, following the Israeli military attack on an Iraqi nuclear reactor subject to Agency safeguards, had adopted its resolution 487(1981) calling upon Israel urgently to submit all its nuclear installations to the Agency's safeguards. Ten years on, that requirement still remained unfulfilled, and so the task entrusted to the Agency by the Security Council had yet to be accomplished. The resolution just adopted would enable the Agency to carry out that task, and that was why India had supported it.

45. Mr. MONDINO (Argentina) said that his country fully shared the deep concern of the international community at the escalation of tension in the Middle East and reaffirmed the need to encourage and support all efforts aimed at preserving peace, stability and compliance with the aims and principles of the United Nations Charter in the region.

46. The position of Argentina regarding the application of safeguards was well known: it was firmly convinced that confidence in the Agency's safeguards system could only be maintained if the system was applied in strict conformity with the Statute. Consequently, any attempt to impose safeguards against the sovereign will of a Member State would strike at the essence of the system and detract from its credibility. Even a decision taken by consensus by the General Conference could not alter the voluntary nature of a Member State's acceptance of Agency safeguards, let alone make obligatory the acceptance of full-scope safeguards, which were not mentioned in the Agency's Statute. Acceptance of such safeguards could be legally binding only for States which had freely acceded to an international instrument imposing on them an obligation to that effect. Accordingly, Argentina had abstained from voting.

47. Mr. KOSTENKO (Ukraine) said that resolutions of the type contained in document GC(XXXV)/979 did not offer a technical organization such as the

Agency the opportunity to take a step forward in the shared search towards ending the problems that had built up over so many years in the Middle East. His delegation had therefore abstained. However, he reiterated his country's support for those parts of the resolution that referred to the setting up of a nuclear-weapon-free zone in the Middle East.

48. Mr. ENDO (Japan) said that his country's basic position remained unchanged: it firmly believed that Israel and other countries which had not yet acceded to the NPT should do so as promptly as possible and should agree to place all their nuclear facilities under Agency safeguards.

49. However, the Agency was a technical international organization, entrusted with promoting the peaceful uses of nuclear energy worldwide and with ensuring global nuclear non-proliferation. Introducing extraneous matters such as the proposals contained in document GC(XXXV)/979 only caused an undesirable distraction from the Agency's original aims and mandate, and could not lead to any constructive results. Moreover, continuing to discuss the matter in the future within the Agency would jeopardize the normal conduct of its activities as defined in its Statute. Accordingly, Japan had voted against the resolution.

50. Ms. MACHADO QUINTELLA (Brazil) said that her delegation fully endorsed the views expressed by the delegate of Argentina.

APPLICATION OF IAEA SAFEGUARDS IN THE MIDDLE EAST (GC(XXXV)/980/Rev.2) (resumed)

51. Ms. TALLAWY (Egypt), introducing, on behalf of the sponsors, the amended draft resolution on the subject contained in document GC(XXXV)/980/Rev.2, stressed the importance of non-proliferation and the peaceful use of nuclear energy and highlighted the danger that existed in the Middle East from the presence of nuclear weapons. She called upon all States in the region to submit all their nuclear installations to the Agency's safeguards and control, and also upon the Agency's Director General, together with countries bearing special responsibility in the region, to prepare a model safeguards agreement that took full account of the circumstances and conditions prevailing there.

52. The sponsors of the draft resolution firmly believed that in order to achieve peace and security in the Middle East, a new approach was needed in which the co-operation of all States that either exported or imported nuclear

materials would be required. In particular, exporting countries should be prepared to submit lists of their nuclear material shipments to the Agency and importing countries to place their nuclear installations under Agency safeguards. All countries in the region must be persuaded urgently to join in that endeavour if the Middle East was to emulate the pattern set over the last few years in matters of disarmament by the United States and the Soviet Union.

53. The sponsors had been calling for a nuclear-weapon-free zone in the Middle East since 1974, and had been encouraged in submitting their draft resolution by recent international developments in disarmament and the Agency's new role in the application of safeguards. Given its high aims, therefore, she hoped that the Conference would adopt the draft resolution and thereby mark the beginning of a new era of co-operation between the Middle East region and the Agency.

54. Mr. VILAIN XIIII (Belgium) said his delegation was particularly pleased to welcome a draft resolution that, for the first time, offered the possibility of an equitable solution to the long-standing problems in the Middle East. He fully endorsed the text given in document GC(XXXV)/980/Rev.2, which was well conceived and well balanced. The adoption of the resolution by the General Conference would show that the Agency was aware of its responsibilities and ready to play a part in solving a conflict which had disturbed international peace and security for more than forty years.

55. Mr. EL-SAEID (Kuwait) associated himself with the comments made by the delegate of Egypt. He was convinced that the Agency's safeguards could play an important role in the Middle East and hoped that the resolution would be approved unanimously by the General Conference.

56. Mr. AHMAD (Pakistan) said that his country had always favoured the setting-up of nuclear-weapon-free zones in different regions of the world. The application of Agency safeguards to all nuclear installations in the Middle East in a non-discriminatory manner, together with the establishment of a nuclear-weapon-free zone in the region, would be an important confidence-building measure and would strengthen the non-proliferation regime. His delegation therefore fully supported the draft resolution in document GC(XXXV)/980/Rev.2.

57. Mr. PLUG (Netherlands), speaking on behalf of the 12 Member States of the European Community, welcomed the constructive efforts by the sponsors of the draft resolution to contribute to the development of a zone free of weapons of mass destruction, including nuclear weapons, in the Middle East. In the view of the Twelve, the establishment of such a zone was primarily a task for the countries in that region and would require the co-operation of all States concerned. In that respect, the wording of operative paragraph 2 of the draft resolution placed too heavy a burden on the Director General of the Agency. Nevertheless, the Twelve felt that the resolution would be a most important step on the way to establishing a climate of confidence in the region and would vote in favour of its adoption.

58. Mr. HADDAD (Syrian Arab Republic) said his country had always supported the adherence to the NPT and acceptance of full-scope safeguards by all Middle East States, and had called for those measures on several previous occasions, including meetings of the General Conference and of the United Nations Security Council. The item should if necessary remain on the agenda of the General Conference for several years to come. His delegation hoped the forthcoming peace conference to be held in the Middle East would result in an equitable and just solution for the fundamental problems relating to the presence of weapons of mass destruction in that region. It therefore wished to see discussion of document GC(XXXV)/980/Rev.2 postponed until the following year, in case it should affect, by its wording, the outcome of the peace conference.

59. Mr. KENNEDY (United States of America) said that great efforts had been made recently to broaden the scope of discussions concerning the question of non-proliferation in the Middle East away from single issues towards consideration of all the countries in the region. In the opinion of his delegation, that was the right direction for the Agency to take. He regretted, therefore, that the General Conference had elected to include a separate item concerning Israel in the agenda for its next session. The present draft resolution, by contrast with that adopted on item 9, was much more in keeping with the Agency's role and concerns, could be more effectively discharged by the Agency, and deserved approval by a consensus of the General Conference. He had therefore listened with regret to the statement made by the delegate of the Syrian Arab Republic.

60. Mr. KHERBI (Algeria) said that the draft resolution, if adopted, would have both a short- and a long-term impact on the operations and the Statute of the Agency. His country unreservedly endorsed the principle of non-proliferation, both vertical and horizontal, but did not wholly approve of the methods of preparation or the wording of the amended document now before the Conference. Therefore, although fully in agreement with many of the points it contained, his delegation wished to see consideration of the item deferred, believing that immediate adoption of the resolution would have a negative effect on the Agency and on diplomatic and strategic considerations in the Middle East.

61. Ms. TALLAWY (Egypt) felt that the arrangements made for consultations on the amended version of the draft resolution to take place among representatives of the various regions had been adequate to allow interested delegations to express their views; there had certainly been no intention to hide the proposed amendments from any delegation. While she agreed that the item should remain under discussion, she would welcome an early decision on the draft resolution and hoped that there would be a consensus. If misgivings persisted, however, she might request a roll-call vote on it.

62. Mr. AYATOLLAHI (Islamic Republic of Iran) said it was gratifying to note that the draft resolution had brought delegations closer together on the issue of safeguards in the Middle East. Believing as he did in the application of full-scope safeguards to all Middle East Member States, he felt that the draft resolution's only shortcoming was its general nature: it should be made more specific and point to the source of the nuclear threat in the Middle East, namely Israel.

63. Mr. TREMEAU (France) said that while resolutions on the present subject had in the past been no more than a ritual, the draft resolution now under discussion was positive, constructive and novel in approach and came at an important time in the life of the Agency as well as in the broader international context, when the cause of non-proliferation was at a crossroads and there was general agreement that the safeguards system should be upgraded. It was arguably the most important draft resolution before the Conference, and for that reason, but also for the sake of the Agency's credibility and of international democracy, it should be considered and decided upon at the

present session - unless its sponsors volunteered to have it withdrawn - for after all, Member States were entitled, indeed had the duty, to prepare and table resolutions.

64. Mr. WILSON (Australia) commended the Secretariat on the thought it had given to the application of safeguards in the Middle East and encouraged it to study the subject further. The "measures" cited by the Secretariat in Annex A to document GC(XXXV)/960 corresponded to his country's view of how Agency safeguards should be strengthened wherever they were applied, in particular through the use of special inspections, where appropriate, and the earlier provision of design information.

65. The objective of universal adherence to the NPT was fundamental, and he called upon the few Middle East States which had not yet acceded to the NPT to do so soon, or at least to accept full-scope safeguards. He supported an increase in the Agency's contribution to confidence-building in the Middle East through the application of IAEA safeguards to all nuclear installations in that region, and called upon those NPT parties which had yet to conclude and bring into force their NPT safeguards agreements with the Agency to do so promptly in fulfilment of their Treaty obligations.

66. As to the draft resolution contained in document GC(XXXV)/980/Rev.2, it should attract wide support since it offered the prospect of progress towards the universal application of Agency safeguards in the Middle East, and his delegation was certainly in favour of adopting it.

67. Mr. TALIANI (Italy) said that although two delegations wished to postpone consideration of the draft resolution to the next session of the General Conference, none had actually spoken against it. Virtually all other speakers had expressed their satisfaction with the draft resolution and their desire to adopt it forthwith. He hoped that those favouring deferral could be persuaded to join in a consensus.

68. Mr. CZERVENY (Hungary) said that he welcomed the draft resolution as an expression of the long-standing wish of all Member States to apply Agency safeguards in the Middle East with a view to the establishment of a nuclear-weapon-free zone in that very important region. The Agency had a historic opportunity to make a positive contribution to that process. Since

the sponsors of the draft resolution, and Egypt in particular, had evidently understood that historic opportunity and attempted to formulate the resolution in a responsible manner acceptable to all, he supported its adoption, though he would accept a vote on it if need be; in that event, he would vote in favour of its adoption, for the introduction and application of Agency safeguards in the Middle East was a matter of urgency.

69. Mr. GHONDA (Zaire) said that, despite a certain hesitancy, there was clearly general support for the reasons advanced by Egypt, France, Belgium and Hungary in favour of adopting the draft resolution, which met the concerns of all the parties present. In accordance with the democratic process, to which the French delegation had drawn attention, the voice of the people, which was also usually the voice of the majority, should prevail and the draft resolution contained in document GC(XXXV)/980/Rev.2 be adopted.

70. Mr. HADDAD (Syrian Arab Republic) said that although he endorsed the principles embodied in the draft resolution, the text had been communicated to him too late and he would prefer the item to be placed on the agenda for the next session. However, if the Conference wished to consider the matter and adopt the draft resolution by consensus on the present occasion, he would follow that decision and withdraw his request for the item to be deferred.

71. Mr. ALER (Sweden) associated himself with the Australian delegation and others in supporting the draft resolution and hoping it would be approved by consensus.

72. Mr. SALLOUKH (Lebanon) said that the draft resolution contained in document GC(XXXV)/980/Rev.2, in whose preparation his country had participated, was a step towards the establishment of a lasting and just peace in the Middle East. The countries in that region, and Lebanon in particular, wanted it to be free of weapons of mass destruction. Consequently, if the draft resolution enjoyed a consensus, he would support it in the interest of restoring peace in the Middle East and throughout the world.

73. The PRESIDENT said he took it that the Conference wished to adopt the draft resolution contained in document GC(XXXV)/980/Rev.2 without a vote.

74. It was so decided.

75. Mr. BAKSHI (India) said that he wished to explain his delegation's position regarding the resolution contained in document GC(XXXV)/980/Rev.2. During the discussion of the present agenda item, "Application of IAEA safeguards in the Middle East", no Middle East Member State seemed to have expressed disagreement with the call, in the operative paragraphs of the resolution, for the application of IAEA safeguards to all nuclear activities in the region. In view of the implied consent of all States in the region to the application of Agency safeguards to all their nuclear activities and the establishment of a nuclear-weapon-free zone in the Middle East, his delegation had gone along with the consensus to adopt the resolution, even though he was not aware that any formal request had been made to the Agency by the Member States of the region for the application of Agency safeguards, as required by Article III.A.5 of the Statute. It did not appear necessary to insist on observance of the law in the letter when it was clear to all that it was being honoured in spirit. However, that was without prejudice to his country's consistent and long-standing position of principle that, in keeping with Article III.A.5, the Agency could apply safeguards only on the basis of voluntary requests by Member States, regardless of whether the requests were made individually, bilaterally, or as part of a multilateral arrangement.

76. Mr. AL-MATOOQ (Iraq), explaining his country's position on the resolution, said that, apart from wishing not to break the consensus at the present meeting, his country had always supported the creation of a nuclear-weapon-free zone in the Middle East, believing as it did that all nuclear facilities should be placed under international safeguards. However, despite the general agreement on the implementation of a nuclear-weapon-free zone, Israel persisted in its refusal to submit its nuclear facilities to the safeguards system. The resolution inviting Israel to do so passed earlier under agenda item 9 was very general in nature, imposed no legal obligation on Israel to apply Security Council resolution 487(1981), and, in conjunction with the resolution on the present item, led to the inherent contradiction that all the countries in the region would be applying a global system of safeguards except Israel, which was the only one to possess nuclear weapons.

77. Mr. MONDINO (Argentina) said that although he had joined the consensus on the resolution, he wished to record his reservations on operative

paragraph 1 for the reasons already indicated following the vote under agenda item 9.

78. Mr. ETTINGER (Israel) said that his delegation found it unacceptable that an item entitled "Israeli nuclear capabilities and threat" should again be placed on the agenda for the next session of the General Conference for the sole purpose of arraigning Israel. However, his delegation had decided to support efforts to develop a more constructive approach. In particular, it believed that IAEA safeguards should be applied in the Middle East in the context of a nuclear-weapon-free zone based on the following principles: (i) Primacy of zonal initiatives; (ii) Negotiations among the States in the region; and (iii) Verification of agreements through mutual inspections complemented by IAEA safeguards. Those were the essential conditions for a credible non-proliferation regime in the Middle East, and bringing them about would serve as an unambiguous confidence-building measure.

79. Ms. MACHADO QUINTELLA (Brazil) said that, having signed and ratified the Tlatelolco Treaty creating a nuclear-weapon-free zone in Latin America, her Government applauded the aim of the resolution just adopted, namely to promote the establishment of a nuclear-weapon-free zone in the Middle East. However, the voluntary adherence of the States concerned was of paramount importance to achieving that aim. She would therefore have preferred the wording of operative paragraph 1, to reflect her country's views more closely, but she had joined in the consensus because of the political importance of the resolution.

EXAMINATION OF DELEGATES' CREDENTIALS (GC(XXXV)/996)

80. The PRESIDENT drew attention to document GC(XXXV)/996, 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 18 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 19 of its report.

81. Since the report had been issued, credentials in proper form had also been received from Ukraine and Jordan.

82. Mr. SALLOUKH (Lebanon), speaking on behalf of the delegations from member countries of the League of Arab States participating in the General Conference, drew attention to the reservations regarding the credentials of the Israeli delegate expressed by those delegations in the statement circulated in document GC(XXXV)/981 and reproduced in Annex I to the General Committee's report in document GC(XXXV)/996.

83. Mr. GHONDA (Zaire), speaking on behalf of the African Group, drew attention to the reservations regarding the credentials of the South African delegate expressed by that Group in the statement reproduced in Annex II to document GC(XXXV)/996.

84. Mr. AYATOLLAHI (Islamic Republic of Iran) expressed strong reservations concerning the credentials of the Israeli delegate because Israel, from its very inception, had illegitimately occupied Palestinian land and imposed a Zionist State on the peoples of the Middle East region.

85. Ms. TALLAWY (Egypt) reiterated her country's reservations regarding the credentials of the South African delegate, as expressed in the African Group's statement in Annex II to the General Committee's report.

86. Mr. UMAR (Nigeria) said that he, too, shared the African Group's reservations about the credentials of the South African delegate. The recent actions taken by South Africa were only a part of the measures necessary for that country to be accepted by the international community. Moreover, although certain legal props of the apartheid system had been removed, discrimination still persisted in South Africa.

87. Mr. HADDAD (Syrian Arab Republic) endorsed the statement made by Lebanon and the Islamic Republic of Iran regarding the credentials of the Israeli delegate.

88. Mr. AHMAD (Pakistan) also associated himself with the statement by the delegate of Lebanon concerning the credentials of the Israeli delegate. Moreover, he wished to place on record his reservations about the credentials of the delegate representing Afghanistan. In view of the decision taken by the Organization of the Islamic Countries and the realities of the situation in Afghanistan, Pakistan continued to withhold recognition of the régime in Kabul.

88 bis. The draft resolution contained in paragraph 19 of document GC(XXXV)/996 was adopted.

APPOINTMENT OF THE EXTERNAL AUDITOR

89. The PRESIDENT recalled that the term of office of the present External Auditor, who was the Auditor General of Canada, would end after he had completed auditing the Agency's accounts for 1991, and that it was therefore necessary for the Conference at its current session to make an appointment to provide for the auditing of the accounts for 1992 and 1993. He had been informed that the Auditor General of Canada would be prepared to serve as the Agency's External Auditor for a further period of two years, and so he proposed that the General Conference appoint the Auditor General of Canada as External Auditor to audit the Agency's accounts for 1992 and 1993.

90. The President's proposal was accepted.

ELECTIONS TO THE AGENCY'S STAFF PENSION COMMITTEE

91. The PRESIDENT recalled that the General Conference was currently represented on the Agency's Staff Pension Committee by two members - Mr. de Klerk (Netherlands) and Ms. Schick (Australia) - with Mr. Hamada (Tunisia) and Mr. Hernandez (Argentina) as alternates. Mr. de Klerk and Mr. Hernandez being no longer available to serve on the Committee, he proposed that Mr. Hamada (Tunisia) be elected as a member and Mr. Khalifa (Egypt) and Mr. Myck (Luxembourg) as alternates.

92. Mr. Hamada (Tunisia) was elected as a member of the Agency's Staff Pension Committee and Mr. Khalifa (Egypt) and Mr. Myck (Luxembourg) were elected as alternates, with Ms. Schick continuing to serve as a member.

REPORT ON VOLUNTARY CONTRIBUTIONS PLEDGED TO THE TECHNICAL ASSISTANCE AND CO-OPERATION FUND FOR 1992 ((GC(XXXV)/972/Rev.3)

93. The PRESIDENT said that, as indicated in document GC(XXXV)/972/Rev.3, by 7 p.m. on 19 September 1991 the voluntary contributions pledged by Member States to the Technical Assistance and Co-operation Fund for 1992 had reached a total of US \$17 880 688. Since then, Belgium had pledged \$166 667, Kenya \$5250 and Zaire \$1500, thus bringing the total amount pledged to \$18 054 105.

CLOSING OF THE SESSION

94. Mr. CSERVENY (Hungary), speaking as a representative of the country whose delegate had chaired the Conference's preceding session, commended the diplomatic skill and professional ability with which the President had conducted the work of the Conference, which had had before it several complex and controversial issues. Under the President's able guidance, the Agency had completed a truly historic session and was now ready for the necessary adjustments and improvements to meet the diverse challenges facing it.

95. Mr. ENDO (Japan), speaking on behalf of the Far East Group, expressed its sincere appreciation of the excellent way in which the President had guided the work of the Conference.

96. Mr. GHONDA (Zaire), Mr. AYATOLLAHI (Islamic Republic of Iran), Mr. BOROVIKOV (Byelorussian Soviet Socialist Republic), Mr. REUTER (Luxembourg), Mr. CASTRO DIAZ BALART (Cuba) and Mr. AL-NOWAISER (Saudi Arabia) paid rich tributes to the exemplary manner in which the President had conducted the proceedings.

97. The PRESIDENT said he was touched by the kind words addressed to him. It had indeed been an honour and privilege to serve as the President of the thirty-fifth regular session of the Conference. He wished to express his gratitude to delegations for the co-operation extended to him during the conduct of business, which had involved a number of complex problems.

98. On behalf of the Conference he thanked the Austrian authorities and the City of Vienna for their traditional hospitality and for the facilities provided at the Hofburg conference centre. He also thanked the Director General and his staff, whose valuable support had enabled the Conference to complete its work successfully.

99. Before closing the session, in accordance with Rule 48 of the Rules of Procedure, he invited delegations to observe a minute of silence dedicated to prayer or meditation.

All present rose and stood in silence for one minute.

100. The PRESIDENT declared the thirty-fifth regular session of the General Conference closed.

The meeting rose at 7.40 p.m.