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LETTER DATED 15 JUNE 1981 FROM THE PERMANENT REPRESENTATIVE
OF ISRAEL TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT
OF THE SECURITY COUNCIL

On instructions from my Government, and further to my statement in the Security Council on Friday, 12 June 1981, I have the honour to draw your attention to the draft resolution (A/C.1/35/L.8) submitted by Israel during the thirty-fifth session of the General Assembly which called upon all States of the Middle East and non-nuclear-weapon States adjacent to the region "to convene at the earliest possible date a conference with a view to negotiating a multilateral treaty establishing a nuclear-weapon-free zone in the Middle East". The full text of that draft resolution is attached.

On 12 December 1980, the General Assembly, at its 94th plenary meeting, adopted resolution 35/147, entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East". In the light of Israel's participation in the consensus in favour of that resolution, I am instructed by my Government to reaffirm Israel's support for the establishment of such a zone.

Israel now formally and urgently turns to all States of the Middle East, and to States adjacent to the region, and requests that they each indicate in the course of 1981 their consent to the holding of a preparatory conference to discuss the modalities of such a conference of States of the Middle East, with a view to negotiating a multilateral treaty establishing a nuclear-weapon-free zone in the Middle East.

In the view of the Government of Israel, the establishment of a nuclear-weapon-free zone in a specific geographic region depends, as reflected in the language of paragraph 61 of the Final Document of the Tenth Special Session of the General Assembly on disarmament (resolutions S-10/2), "on the characteristics of each region".

The Middle East is a region characterized by conflict and tension. Besides the Arab-Israel dispute, there are several serious conflicts in the area, such as the current war between Iraq and Iran. In such a volatile area, a nuclear-weapon-free zone can only be established if each State is contractually assured of compliance with the commitment by all the other States in the region to abstain from introducing nuclear weapons into the region. As long as the resort to war is not ruled out, little faith can be placed either in unilateral declarations

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amounting to no more than self-denial ordinances in the nuclear sphere or in the strict and unbroken compliance with such pledges. Adherence to the Treaty on the Non-Proliferation of Nuclear Weapons cannot be presented as a credible alternative to the establishment of a nuclear-weapon-free zone in a given region. This has been clearly recognized in paragraph 67 of the above-mentioned Final Document. Indeed, in Latin America -- the only inhabited nuclear-weapon-free zone in existence -- not all parties to the Treaty of Tlatelolco are parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

Israel is fully cognizant of the many political differences between the States of the Middle East. However, without prejudice to any political or legal claim, it behooves all the States of the region, for the sake of their common future, to take concrete steps towards the establishment of a nuclear-weapon-free zone and to respond affirmatively to this initiative being taken by Israel.

In the meantime, the Government of Israel has taken careful note of the contents of the letter to the Secretary-General from the Chargé d'Affaires a.i. of the Permanent Mission of Egypt to the United Nations, dated 20 April 1981 (A/36/220), in which the preparation of a study on the modalities for establishing a nuclear-weapon-free zone in the Middle East is suggested. The Government of Israel welcomes this idea and, for its part, proposes that the study be undertaken by qualified experts from Middle East States, including Israel, as recommended in paragraph 243 of the Secretary-General's report of 8 October 1980 (A/35/416).

There is no need to wait until all Governments in the Middle East see their way to endorsing such a study: undertaking it in the manner proposed by Israel would, by itself, constitute a valuable step in the direction of building much-needed confidence between the States of the region prior to the holding of the preparatory conference proposed above.

I should be grateful if this letter and its attachment could be circulated as a document of the Security Council.

(Signed) Yehuda Z. BLUM
Ambassador
Permanent Representative of Israel
to the United Nations

1. Background

Pakistan is not a party to the Treaty on the Non-Proliferation of Nuclear Weapons. It has not ratified the Partial Test-Ban Treaty of 1963, and its nuclear activities are not completely covered by International Atomic Energy Agency (IAEA) safeguards.

Although Pakistani officials frequently deny their country's intentions to develop nuclear weapons and maintain that its nuclear activities are designed for peaceful purposes, there is abundant evidence indicating that Pakistan aims at producing nuclear weapons. The Pakistani Atomic Energy Commission, the Ministry of Defence and the Engineering Research Laboratories share responsibility for the country's nuclear activities, and are involved in a process directed at the establishment of a nuclear infrastructure, which, on completion, will make Pakistan self-sufficient in the nuclear field. 1/

In order to obtain weapon-grade material, Pakistan has embarked in parallel on the reprocessing of plutonium and on uranium enrichment. Pakistan is also working on the development of nuclear explosive devices and on preparations for a test nuclear detonation.

2. The weapons programme

(a) Plutonium course

Since 1972, Pakistan has operated a 137MW CANDU (heavy water type) power reactor located at Paradise Point Sind, near Karachi. This reactor - known as KANUPP - is under IAEA safeguards. KANUPP is well-suited for the production of weapons-usable plutonium since it can be loaded and unloaded on line. During its eight years of operation, KANUPP has produced spent fuel containing more than 100 kg of plutonium. A chemical facility is required to obtain plutonium. Pakistan obtains plutonium from the irradiated fuel produced in this nuclear power plant through reprocessing activities carried out at a hot laboratories complex located close to the Nuclear Research Centre at PINSTECH (the Pakistan Institute of Technology), near Islamabad. 2/ This facility has functioned clandestinely since 1980, 3/ and produces annually at least 20 lb of plutonium necessary for one explosive device a year. 4/ Thus it is possible that this reprocessing facility will provide Pakistan with the necessary quantity of plutonium for one explosive device by the middle of 1981.

In addition - after obtaining most blueprints of a French reprocessing plant and clandestinely purchasing components from a variety of countries - Pakistan has begun constructing at the Chasma Nuclear Centre a large reprocessing plant (KNC2), to be completed in 1982-1983. This plant will enable Pakistan to produce plutonium for at least 10 nuclear explosive devices a year. In other words, it will enable Pakistan to build a meaningful arsenal of nuclear weapons. 5/

(b) Enriched uranium course

Pakistan is secretly constructing (near Kahuta, 20 km. from Islamabad) a plant for the production of weapon-grade enriched uranium by centrifuges. This plant is built on the basis of information concerning uranium enrichment technology stolen from the URENCO plant in the Netherlands by a leading Pakistani scientist, Dr. A. G. Khan. 6/ Pakistan has established a chain of "front" companies throughout 14 countries to acquire clandestinely all the necessary components piece by piece. 7/

Pakistan apparently intends to build the plant in phases:

- (i) A pilot plant which, already in 1979, was reported to have been working. 8/
 - (ii) The assembling of about 1,000 centrifuges which are expected to produce enough enriched uranium for one nuclear explosive device every two years. This phase is in the process of being completed. 9/
 - (iii) The assembling of close to 10,000 centrifuges which in turn could produce about 150 kg of enriched uranium a year, sufficient to make about seven nuclear explosive devices a year. 10/
- (c) Development of the first nuclear explosive device

Pakistan is making preparations related to the development of an explosive device and its testing. For this purpose, it is apparently acquiring overseas the necessary items and equipment and is preparing a detonation site in the desert. 11/

The first Pakistani nuclear explosive device will probably be a plutonium one produced at the hot laboratories of PINSTECH. The decision as to whether and when the first nuclear device is tested will apparently be influenced by various political considerations facing the country's leadership.

3. Other activities in the nuclear fuel cycle

Pakistan is also actively seeking to achieve self-sufficiency in other fields of the fuel cycle.

(a) Uranium mining and purchasing

Pakistan mines, mills and processes uranium ores at the Iera Gazi Khan mines in the central region of the country. 12/ Several hundred tons of uranium are being purchased from Niger, either directly or through Libya. 13/

(b) Fuel fabrication plant

Pakistan has built at Chasma a plant to manufacture fuel elements, apparently using indigenous uranium. 14/

4. Foreign assistance and financial support

There are reports that Libya and Saudi Arabia have provided extensive financial assistance to Pakistan. 15/ Saudi Arabia, which expressed admiration for the Pakistani achievements in the nuclear field, 16/ tried to influence Pakistan to curtail Iraqi financial support in return for sharing Pakistani know-how. 17/

Sources

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2. Washington Post, 23 September 1980; Energy Daily, 30 September 1980, p. 3.
3. Washington Post, 24 September 1980.
4. Energy Daily, 30 September 1980, p. 4; Washington Post, 23 September 1980.
5. Liberation, Paris, 17 June 1980; The Globe and Mail, Toronto, 19-21 June 1980.
6. The Times, London, 8 March 1980. The Netherlands Government decided to start criminal proceedings against the Pakistani scientist - see Le Monde, Paris, 13 February 1981; News Bulletin, The Hague, vol. 166, No. 69, 11 February 1981.
7. 8 Days, London, 23 June 1979, pp. 9-10.
8. Financial Times, London, 14 August 1979.
9. International Defence Review, Geneva, 1980, No. 2, p. 203.
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11. Daily Telegraph, London, 3 July 1979, p. 5; International Herald Tribune, Paris, 18 August 1979, p. 5; The Guardian, London, 17 June 1980; Energy Daily, 30 September 1980, p. 4.
12. The Hindu, Madras, India, 4 September 1980, p. 8.
13. Nuclear Fuel, New Jersey, 10 December 1979, pp. 3-4; Financial Times, 4 January 1980; Nuclear Engineering International, Sutton, England, February 1980, p. 11.
14. International Herald Tribune, 2 September 1980; Financial Times, 1 September 1980; Washington Post, 24 September 1980; Nuclear Engineering International, October 1980.
15. The Globe and Mail, 19-21 June 1980; Sunday Times, London, 18 January 1981.
16. Al-Medina, Saudi Arabia, 14 December 1980.
17. Sunday Times, London, 18 January 1981.

The Iranian-Egyptian Initiative B

The Iranian-Egyptian resolution on the creation of a nuclear-weapon-free zone in the Middle East was at first (in 1974) much more an Iranian rather than an Egyptian initiative. The Egyptians at first merely "went along". This resolution was invariably accepted by the General Assembly without opposition with only Israel abstaining.

The Iranian insistence on pushing the resolution through was supposed to have been inspired by the reputed personal interest of the late Shah. By 1977, the resolution--now enthusiastically propagated by the Egyptians-- began looking very much like the resolution Israel supported last year (though with severe reservations on Israel's part).

The present version of the Egyptian draft resolution (the Iranians dropped out after the collapse of the Shah) was incorporated in the Final Document of the Special Session on Disarmament in 1978.

Throughout the years U.S. representatives have been urging their Israeli colleagues not to be the only country abstaining on this resolution and to join the consensus. Israel's juridical reservations about the mention made in the draft resolution of the N.P.T. and Safeguards were, of course, in the present UN circumstances not a real obstacle-- after all, about 50 other members states who had not signed the N.P.T., or not ratified it, or not signed the Safeguards, had no compunctions about joining the consensus.

Israel's real conceptual disagreement with the Egyptian draft resolution refers particularly to a paragraph which says: "(The General Assembly) Invites those countries, pending the establishment of such a zone in the Middle East and during the process of its establishment, to declare solemnly that they will refrain on a reciprocal basis from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices;"

As the representatives of Israel have stated time over again, Israel does not believe in the utility of declaratory statements of intent deposited with the Security Council. As far as Israel is concerned only "the establishment of a system of mutually binding obligations which would provide each state in the ~~area~~ region with a contractual assurance with the others' compliance with the commitment to abstain from introducing nuclear weapons into the region" can prevent the proliferation of nuclear weapons in the Middle East.

In 1977 the U.S. officially requested Israel to join the consensus in a demarché with the Director-General of the Ministry.

In 1980 Israel accepted the advice of the U.S. and other friendly countries and joined the consensus on the Egyptian draft resolution. Israel was encouraged to do so by previous statements of U.S. representatives, like that of Ambassador Fisher, which stressed the importance of a mutual agreement among members of a nuclear-weapon-free zone.

Israel, for its part, made its views clear in the submission of a draft resolution, which though it was compelled to withdraw it, was praised by representatives of the U.S., the Federal Republic of Germany, Ireland and, significantly, also by the representative of Mexico.

bly at its thirtieth session of any measure adopted by those States;

4. *Decides* to include in the provisional agenda of its thirtieth session an item entitled "Implementation of General Assembly resolution 3262 (XXIX) concerning the signature and ratification of Additional Protocol I of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)".

2309th plenary meeting
9 December 1974

3263 (XXIX). Establishment of a nuclear-weapon-free zone in the region of the Middle East

The General Assembly,

Having considered the question of the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Desiring to contribute to the maintenance of international peace and security by bolstering and expanding the existing regional and global structures for the prohibition and/or prevention of the further spread of nuclear weapons,

Realizing that the establishment of nuclear-weapon-free zones with an adequate system of safeguards could accelerate the process towards nuclear disarmament and the ultimate goal of general and complete disarmament under effective international control,

Recalling the resolution adopted by the Council of the League of Arab States at its sixty-second session, held in Cairo from 1 to 4 September 1974, on this subject,

Recalling the message sent by His Imperial Majesty the Shahanshah of Iran on 16 September 1974 on the establishment of a nuclear-weapon-free zone in the region of the Middle East,⁴¹

Considering that the establishment of nuclear-weapon-free zones, on the initiative of the States situated within each zone concerned, is one of the measures which can contribute most effectively to halting the proliferation of those instruments of mass destruction and to promoting progress towards nuclear disarmament, with the goal of total destruction of all nuclear weapons and their means of delivery,

Mindful of the political conditions particular to the region of the Middle East and of the potential danger emanating therefrom, which would be further aggravated by the introduction of nuclear weapons in the area,

Conscious, therefore, of the need to keep the countries of the region from becoming involved in a ruinous nuclear arms race,

Recalling the Declaration on the Denuclearization of Africa issued by the Assembly of Heads of State and Government of the Organization of African Unity in July 1964,⁴²

Noting that the establishment of a nuclear-weapon-free zone in the region of the Middle East would contribute effectively to the realization of aims enunciated in the Declaration on the Denuclearization of Africa,

Recalling the notable achievement of the countries of Latin America in establishing a nuclear-free zone,

Also recalling resolution B of the Conference of Non-Nuclear-Weapon States, held at Geneva from 29 August to 28 September 1968, in which the Conference recommended that non-nuclear-weapon States not comprised in the Latin American nuclear-free zone should study the possibility and desirability of establishing military denuclearization of their respective zones,⁴³

Recalling the aims pursued by the Treaty on the Non-Proliferation of Nuclear Weapons,⁴⁴ in particular the goal of preventing the further spread of nuclear weapons,

Recalling its resolution 2373 (XXII) of 12 June 1968, in which it expressed the hope for the widest possible adherence to the Treaty on the Non-Proliferation of Nuclear Weapons by both nuclear-weapon and non-nuclear-weapon States,

1. *Commends* the idea of the establishment of a nuclear-weapon-free zone in the region of the Middle East;

2. *Considers* that, in order to advance the idea of a nuclear-weapon-free zone in the region of the Middle East, it is indispensable that all parties concerned in the area proclaim solemnly and immediately their intention to refrain, on a reciprocal basis, from producing, testing, obtaining, acquiring or in any other way possessing nuclear weapons;

3. *Calls upon* the parties concerned in the area to accede to the Treaty on the Non-Proliferation of Nuclear Weapons;

4. *Expresses the hope* that all States, in particular the nuclear-weapon States, will lend their full cooperation for the effective realization of the aims of the present resolution;

5. *Requests* the Secretary-General to ascertain the views of the parties concerned with respect to the implementation of the present resolution, in particular with regard to its paragraphs 2 and 3, and to report to the Security Council at an early date and, subsequently, to the General Assembly at its thirtieth session;

6. *Decides* to include in the provisional agenda of its thirtieth session the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

2309th plenary meeting

9 December 1974

3264 (XXIX). Prohibition of action to influence the environment and climate for military and other purposes incompatible with the maintenance of international security, human well-being and health

The General Assembly,

Noting the concern of peoples to consolidate peace and to pursue efforts designed to save mankind from the danger of using new means of warfare, to limit the arms race and to bring about disarmament,

Bearing in mind that, under conditions of continuous scientific and technological progress, new possibilities arise for using the results of this progress not only for peaceful but also for military purposes,

Convinced that the prohibition of action to influence the environment and climate for military and other

⁴¹ Official Records of the General Assembly, Twenty-ninth Session, Annexes, agenda item 101, document A/9693/Add.3.

⁴² Ibid., Twentieth Session, Annexes, agenda item 105, document A/5975.

⁴³ Ibid., Twenty-third Session, agenda item 96, document A/7277 and Corr.1 and 2, para. 17.

⁴⁴ Resolution 2373 (XXII), annex.

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A/C.1/32/PV.34

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(U Tint Soe, Burma)

It is encouraging that all States in the Middle East region agree in principle to the creation of a nuclear-weapon-free zone. Burma has consistently supported all genuine efforts towards the achievement of world peace and security.

Mr. MISTRAL (France) (interpretation from French): My delegation abstained on the two separate votes on operative paragraphs 1 and 2 of A/C.1/32/L.27 and voted in favour of the resolution as a whole. That is because we favour the establishment of a nuclear-weapon-free zone in the Middle East, particularly in view of the fact that all the countries of the region have given their assent to that initiative, at least in principle. Nevertheless, we cannot accept that on this occasion my country should be requested to waive its basic options concerning, inter alia, the Non-Proliferation-Treaty. In regard to that diplomatic instrument, we maintain our reservations. We have not ourselves signed that treaty; therefore, we cannot agree to urge other countries to do what we ourselves refuse to do. The same considerations apply with regard to the commitment requested of all countries to place all their nuclear activities under international control.

Mr. FISHER (United States of America): My delegation is pleased to have voted in favour of resolution A/C.1/32/L.27 because we strongly support the concept of nuclear-weapon-free zones in areas of the world where they are appropriate, particularly the Middle East, under conditions that would assure the effectiveness of such a zone. In our view the value of a nuclear-weapon-free zone in the Middle East is self-evident.

We continue to believe, however, that the actual provisions set forth in the resolution governing a nuclear-weapon-free zone in that area must be negotiated and agreed among the potential participants in the zone before States can be expected to undertake commitments regarding it.

My delegation supports the efforts being made to explore new ideas and steps to relieve apprehensions over possible proliferation of nuclear weapons in the Middle East and to contribute to the creation of an atmosphere of confidence in the region.

33/65. Establishment of a nuclear-weapon-free zone in the region of the Middle East

The General Assembly,

Recalling its resolution 3263 (XXIX) of 9 December 1974, in which it overwhelmingly commended the idea of the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Recalling also its resolution 3474 (XXX) of 11 December 1975, in which it recognized that the establishment of a nuclear-weapon-free zone in the Middle East enjoyed wide support in the region,

Bearing in mind its resolution 31/71 of 10 December 1976, in which it expressed the conviction that progress towards the establishment of a nuclear-weapon-free zone in the Middle East would greatly enhance the cause of peace in the region and in the world,

Considering its resolution 32/82 of 12 December 1977, in which it expressed the conviction that the development of nuclear capability would further complicate the situation and immensely damage the efforts to create an atmosphere of confidence in the Middle East,

Guided by its relevant recommendations in the Final Document of the Tenth Special Session of the General Assembly, dealing with the establishment of a nuclear-weapon-free zone in the region of the Middle East,²⁰

Recognizing that the establishment of a nuclear-weapon-free zone in the Middle East would greatly enhance international peace and security,

1. Urges all parties directly concerned seriously to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the Middle East in accordance with the relevant resolutions of the General Assembly and, as a means of promoting this objective, invites the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons;²¹

2. Invites these countries, pending the establishment of such a zone in the Middle East and during the process of its establishment, to declare solemnly that they will refrain on a reciprocal basis from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices;

3. Calls upon these countries to refrain, on a reciprocal basis, from permitting the stationing of nuclear weapons on their territory by any third party, and to agree to place all their nuclear activities under International Atomic Energy Agency safeguards;

4. Further invites these countries, pending the establishment of a nuclear-weapon-free zone in the Middle East and during the process of its establishment, to declare, consistent with paragraph 63 (d) of the Final Document of the Tenth Special Session, their support for establishing such a zone in the region and to deposit these declarations with the Security Council;

5. Reaffirms again its recommendation to the nuclear-weapon States to refrain from any action contrary to the spirit and purpose of the present resolution and the objective of establishing in the region of the Middle East a nuclear-weapon-free zone under an ef-

²⁰ *Ibid.*, para. 63 (d).

²¹ Resolution 2373 (XXII), annex.

extend their co-operation to the States of the region in their efforts to promote these objectives;

6. Renews its invitation to the Secretary-General to continue to explore the possibilities of making progress towards the establishment of a nuclear-weapon-free zone in the region of the Middle East;

7. Decides to include in the provisional agenda of its thirty-fourth session the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

84th plenary meeting
 24 December 1978

33/65. Establishment of a nuclear-weapon-free zone in South Asia

The General Assembly,

Recalling its resolutions 3265 B (XXIX) of 9 December 1974, 3476 B (XXX) of 11 December 1975, 31/73 of 10 December 1976 and 32/83 of 12 December 1977 concerning the establishment of a nuclear-weapon-free zone in South Asia,

Reiterating its conviction that the establishment of nuclear-weapon-free zones in various regions of the world is one of the measures which can contribute most effectively to the objectives of non-proliferation of nuclear weapons and general and complete disarmament,

Believing that the establishment of a nuclear-weapon-free zone in South Asia, as in other regions, will strengthen the security of the States of the region against the use or threat of use of nuclear weapons,

Noting the declarations issued at the highest level by Governments of South Asian States reaffirming their undertaking not to acquire or manufacture nuclear weapons and to devote their nuclear programmes exclusively to the economic and social advancement of their peoples,

Recalling that in the above-mentioned resolutions it called upon the States of the South Asian region and such other neighbouring non-nuclear-weapon States as might be interested to make all possible efforts to establish a nuclear-weapon-free zone in South Asia and to refrain, in the meantime, from any action contrary to this objective,

Further recalling that, in its resolutions 3265 B (XXIX), 31/73 and 32/83, it requested the Secretary-General to convene a meeting for the purpose of the consultations mentioned therein and to render such assistance as might be required to promote the efforts for the establishment of a nuclear-weapon-free zone in South Asia,

Bearing in mind the provisions of paragraphs 60 to 63 of the Final Document of the Tenth Special Session of the General Assembly²² regarding the establishment of nuclear-weapon-free zones, including in the region of South Asia,

Noting the report of the Secretary-General on the establishment of a nuclear-weapon-free zone in South Asia,²³

²² Resolution S-10/2.

²³ A/33/360.

Recalling that, in paragraph 122 of the Final Document of the Tenth Special Session of the General Assembly,³⁹ it decided that, at the earliest appropriate time, a world disarmament conference should be convened with universal participation and with adequate preparation,

1. *Renews* the mandate of the *Ad Hoc* Committee on the World Disarmament Conference;

2. *Requests* the *Ad Hoc* Committee to maintain close contact with the representatives of the States possessing nuclear weapons in order to remain currently informed of their attitudes, as well as with all other States, and to consider any relevant comments and observations which might be made to the Committee, especially having in mind paragraph 122 of the Final Document of the Tenth Special Session;

3. *Requests* the *Ad Hoc* Committee to submit a report to the General Assembly at its thirty-fourth session;

4. *Decides* to include in the provisional agenda of its thirty-fourth session the item entitled "World Disarmament Conference".

84th plenary meeting
14 December 1978

33/70. United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

The General Assembly,

Convinced that the suffering of civilian populations and combatants could be significantly reduced if general agreement could be attained in the prohibition or restriction for humanitarian reasons of the use of specific conventional weapons, including any which may be deemed to be excessively injurious or to have indiscriminate effects,

Mindful that positive results as regards the non-use or restriction of use for humanitarian reasons of specific conventional weapons would serve, in addition, as encouragement in the broader field of disarmament,

Recalling its resolution 32/152 of 19 December 1977, in which it decided to convene in 1979 a United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons Which May be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,

Reiterating the task entrusted by the General Assembly at its tenth special session to the Conference, namely, that it should consider specific categories of such weapons, including those which had been the subject-matter of previously conducted discussions, as well as the appeal addressed by the Assembly at its special session to all States to contribute towards carrying out this task,⁴⁰

Recalling its decision to convene a Preparatory Conference for the United Nations Conference with the task of establishing the best possible substantive basis for the achievement at the United Nations Conference of agreements on prohibitions or restrictions

³⁹ Resolution S-10/2.

⁴⁰ *Ibid.*, paras. 86 and 87.

of use of certain conventional weapons and of considering organizational matters relating to the holding of the United Nations Conference,⁴¹

1. *Takes note* of the report of the Preparatory Conference for the United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects⁴² on its first session and of the progress made with regard to organizational aspects;

2. *Notes* that a number of proposals on the substantive work of the United Nations Conference were introduced and views exchanged on them;

3. *Reaffirms* its belief that the United Nations Conference should strive to reach agreement on specific instruments in the field of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects;

4. *Endorses* the decision of the Preparatory Conference to hold another session from 19 March to 12 April 1979 with a view to continuing its preparatory work in respect of both the organizational and the substantive aspects of the United Nations Conference;

5. *Reaffirms* its decision that the United Nations Conference should be held in 1979 and endorses the recommendation of the Preparatory Conference that it should be held at Geneva from 10 to 28 September 1979;

6. *Invites* States to participate actively in the further work of the Preparatory Conference and in the United Nations Conference itself and to be represented, in so far as possible, by the required legal, military and medical expertise;

7. *Requests* the Secretary-General to provide continued assistance to the Preparatory Conference in its work and to undertake the necessary preparations for the holding of the United Nations Conference;

8. *Decides* to include in the provisional agenda of its thirty-fourth session an item entitled "United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects: report of the Conference".

84th plenary meeting
14 December 1978

33/71. Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session

A

MILITARY AND NUCLEAR COLLABORATION WITH ISRAEL

The General Assembly,

Gravely concerned over the continued and rapid Israeli military build-up,

Alarmed by the increasing evidence regarding Israeli attempts to acquire nuclear weapons,

Expressing its alarm over the use by Israel of cluster bombs against refugee camps and civilian targets in southern Lebanon,

⁴¹ Resolution 32/152, paras. 3 and 4.

⁴² Official Records of the General Assembly, Thirty-third Session, Supplement No. 44 (A/33/44).

Recalling its resolutions 3263 (XXXIX) of 9 December 1974, 3474 (XXX) of 11 December 1975, 31/71 of 10 December 1976 and 32/82 of 12 December 1977 on the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Recognizing that the continued escalation of Israeli armament constitutes a threat to international peace and security and underlies Israel's persistent defiance of General Assembly resolutions and its policy of expansion, occupation and denial of the inalienable rights of the Palestinian people,

Further recalling its repeated condemnations of the intensification of military collaboration between Israel and South Africa and its resolution 32/105 F of 14 December 1977, entitled "Military and nuclear collaboration with South Africa",

1. Calls upon all States to co-operate fully in effective international action, in accordance with Chapter VII of the Charter of the United Nations, to avert this grave menace to international peace and security;

2. Requests the Security Council, in particular, to call upon all States, under Chapter VII of the Charter and irrespective of any existing contracts:

(a) To refrain from any supply of arms, ammunition, military equipment or vehicles, or spare parts therefor, to Israel, without any exception;

(b) To ensure that such supplies do not reach Israel through other parties;

(c) To end all transfer of nuclear equipment or fissionable material or technology to Israel;

3. Further requests the Security Council to establish machinery for supervising the implementation of the measures referred to in paragraph 2 above;

4. Invites all Governments and organizations to take all appropriate action to promote the purposes of the present resolution.

84th plenary meeting
14 December 1978

B

NON-USE OF NUCLEAR WEAPONS AND PREVENTION OF NUCLEAR WAR

The General Assembly,

Alarmed by the threat to the survival of mankind and to the life-sustaining system posed by nuclear weapons and by their use inherent in concepts of deterrence,

Convinced that nuclear disarmament is essential for the prevention of nuclear war and for the strengthening of international peace and security,

Recalling the statement contained in the Final Document of the Tenth Special Session of the General Assembly that all States should actively participate in efforts to bring about conditions in international relations among States in which a code of peaceful conduct of nations in international affairs could be agreed and which would preclude the use or threat of use of nuclear weapons,⁴³

1. Declares that:

⁴³ Resolution S-10/2, para. 58.

(a) The use of nuclear weapons will be a violation of the Charter of the United Nations and a crime against humanity;

(b) The use of nuclear weapons should therefore be prohibited, pending nuclear disarmament;

2. Requests all States, particularly nuclear-weapon States, to submit to the Secretary-General, before the thirty-fourth session of the General Assembly, proposals concerning the non-use of nuclear weapons, avoidance of nuclear war and related matters, in order that the question of an international convention or some other agreement on the subject may be discussed at that session.

84th plenary meeting
14 December 1978

C

URGENT NEED FOR CESSATION OF FURTHER TESTING OF NUCLEAR WEAPONS

The General Assembly,

Gravely concerned that continued testing of nuclear weapons exacerbates the arms race and constitutes a serious hazard to the environment and the health of present and future generations of mankind,

Reiterating its conviction that the cessation of nuclear-weapon testing in all environments would be a major step towards controlling the development of nuclear weapons and an important contribution to the prevention of nuclear-weapon proliferation,

Recalling the determination of the parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water,⁴⁴ expressed in that Treaty, to continue negotiations to achieve the discontinuance of all test explosions of nuclear weapons for all time,

Recalling its resolutions on the question of nuclear-weapon testing adopted each year since 1958 by very large majorities and, in particular, resolution 32/78 of 12 December 1977,

Reaffirming that a comprehensive test ban is a matter of the highest priority,

Recalling the various views expressed by non-nuclear-weapon States during the tenth special session of the General Assembly that, pending the conclusion of a comprehensive test-ban treaty, the world community would be encouraged if all the nuclear-weapon States refrained from testing nuclear weapons,

Regretting that the Conference of the Committee on Disarmament has not been able to commence negotiations on a comprehensive nuclear test-ban treaty owing to the non-submission of the joint draft treaty expected from the three nuclear-weapon States involved,

Calls upon all States, in particular all the nuclear-weapon States, pending the conclusion of a comprehensive test-ban treaty, to refrain from conducting any testing of nuclear weapons and other nuclear explosive devices.

84th plenary meeting
14 December 1978

⁴⁴ United Nations Treaty Series, vol. 480, No. 6964, p. 43.

hat, in a spirit of good will and in an endeavour to harmonize their positions, they may establish the political pre-conditions for the solution of those problems, and also, in the interests of disarmament, to make maximum use of all opportunities for co-operation created by States in other fields of their relations with one another;

(d) To consider in a fully responsible manner and in a spirit of co-operation all proposals and initiatives aimed at promoting the achievement of mutually acceptable concrete measures of disarmament and helping to accelerate progress in disarmament negotiations;

IV

1. Declares that the provisions of the present Declaration are interrelated in their interpretation and implementation and that each of them is a component of a joint approach by States in their determination fully to respect and apply all the principles of the Final Document of the Tenth Special Session of the General Assembly and to develop broad international co-operation for achieving the objectives of real disarmament as defined by the Assembly at its tenth special session;

2. Declares further that no provision of this Declaration may be interpreted as contradicting the purposes and principles of the Charter or superseding the Final Document of the Declaration may interfere with the immediate realization of the right of every State to individual or collective self-defence or its legitimate right to defend its territorial integrity, to liberate its occupied territories in accordance with the Charter, or with the right of colonial or displaced peoples to struggle by every possible means for their national freedom, independence and self-determination.

97th plenary meeting
11 December 1979

~~34/89: Israeli nuclear armament~~

The General Assembly,

Alarmed by the increasing information and evidence regarding Israel's activities aiming at the acquisition and development of nuclear weapons,

Recalling its resolution 33/71 A of 14 December 1978 on military and nuclear collaboration with Israel,

Recalling its repeated condemnation of the military and nuclear collaboration between Israel and South Africa,

Reaffirming its resolutions 3263 (XXIX) of 9 December 1974, 3474 (XXX) of 11 December 1975, 31/71 of 10 December 1976, 32/82 of 12 December 1977 and 33/64 of 14 December 1978 on the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Convinced that the development of nuclear capability by Israel would further aggravate the already dangerous situation in the region and further threaten international peace and security,

1. Appeals to all States to put an end to any co-operation with Israel which may assist it in acquiring and developing nuclear weapons and also to dissuade corporations, institutions and individuals within their jurisdiction from any co-operation that may result in providing Israel with nuclear weapons;

2. Calls upon all States to take all necessary measures to prevent the transfer to Israel of fissionable materials and nuclear technology which could be used for nuclear arms;

3. Calls upon Israel to permit international Atomic Energy Agency:

4. Strongly condemns any attempt by Israel to manufacture, acquire, store or test nuclear weapons or introduce them into the Middle East;

5. Requests the Security Council to adopt appropriate measures to ensure the implementation of the relevant resolutions concerning Israeli nuclear armament;

6. Requests the Secretary-General, with the assistance of qualified experts, to prepare a study on Israeli nuclear armament and to report to the General Assembly at its thirty-sixth session;

7. Further requests the Secretary-General to submit a progress report on the work of the group of experts to the General Assembly at its thirty-fifth session;

8. Decides to include in the provisional agenda of its thirty-fifth session the item entitled "Israeli nuclear armament".

97th plenary meeting
11 December 1979

34/99. Development and strengthening of good neighbourliness between States

The General Assembly,

Bearing in mind the determination of the peoples of the United Nations as expressed in the Charter of the United Nations to practise tolerance and live together in peace with one another as good neighbours,

Noting that good neighbourliness is also contained in numerous bilateral and multilateral treaties,

Recalling its resolutions 1236 (XII) of 14 December 1957 and 1301 (XIII) of 10 December 1958, in which it stressed the importance of constantly promoting good neighbourly relations for the peace and security of all peoples and for the development of co-operation among States,

Bearing in mind that, owing to geographic proximity, there are particularly favourable opportunities for co-operation and mutual advantage between neighbouring countries in many fields and that these opportunities should be further promoted and encouraged, in view of their positive influence on international relations as a whole,

Considering that the great changes of a political, economic and social nature as well as the scientific and technological progress which have taken place in the world and led to unprecedented interdependence of nations have given new dimensions to good neighbourliness and increase the need to ensure its further development and its more effective implementation in the conduct of States in all fields,

Convinced that the development and strengthening of good neighbourliness are likely to contribute to the solution of problems between States, particularly between neighbouring ones, and to the enhancing of confidence between them,

Deeply concerned at the persistence and emergence of conflicts between States, particularly neighbouring ones, which endanger the peace, security and progress of States,

Considering that the generalization of the long practice and certain norms of good neighbourliness is likely

* Subsequently referred to as the Group of Experts to Prepare a Study on Israeli Nuclear Armament.



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/RES/35/147
9 January 1981

Thirty-fifth session
Agenda item 38

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

On the report of the First Committee (A/35/690)

~~57/147~~ Establishment of a nuclear-weapon-free zone in the region of the Middle East

The General Assembly,

Recalling its resolution 3263 (XXIX) of 9 December 1974, in which it overwhelmingly commended the idea of the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Recalling also its resolution 3474 (XXX) of 11 December 1975, in which it recognized that the establishment of a nuclear-weapon-free zone in the Middle East enjoyed wide support in the region,

Bearing in mind its resolution 31/71 of 10 December 1976, in which it expressed the conviction that progress towards the establishment of a nuclear-weapon-free zone in the Middle East would greatly enhance the cause of peace in the region and in the world,

Recalling its resolution 32/82 of 12 December 1977, in which it expressed the conviction that the development of nuclear capability would further complicate the situation and immensely damage the efforts to establish a nuclear-weapon-free zone in the Middle East,

Guided by the recommendations in the Final Document of the Tenth Special Session of the General Assembly dealing with the establishment of a nuclear-weapon-free zone in the region of the Middle East, 1/

Recalling also its resolutions 33/64 of 14 December 1978 and 34/77 of 11 December 1979,

1/ Resolution S-10/2, para. 63 (d).

81-00601

Recognizing that the establishment of a nuclear-weapon-free zone in the Middle East would greatly enhance international peace and security,

1. Urges all parties directly concerned seriously to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the Middle East in accordance with the relevant resolutions of the General Assembly and, as a means of promoting this objective, invites the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons; 2/
2. Invites those countries, pending the establishment of such a zone in the Middle East and during the process of its establishment, to declare solemnly that they will refrain, on a reciprocal basis, from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices;
3. Calls upon those countries to refrain, on a reciprocal basis, from permitting the stationing of nuclear weapons on their territory by any third party and to agree to place all their nuclear activities under International Atomic Energy Agency safeguards;
4. Further invites those countries, pending the establishment of a nuclear-weapon-free zone in the Middle East and during the process of its establishment, to declare their support for establishing such a zone in the region consistent with paragraphs 60 to 63, in particular paragraph 63 (d), of the Final Document of the Tenth Special Session and to deposit those declarations with the Security Council for consideration as appropriate;
5. Reaffirms again its recommendation to the nuclear-weapon States to refrain from any action contrary to the spirit and purpose of the present resolution and the objective of establishing in the region of the Middle East a nuclear-weapon-free zone under an effective system of safeguards and to extend their co-operation to the States of the region in their efforts to promote these objectives;
6. Renews its invitation to the Secretary-General to continue to explore the possibilities of making progress towards the establishment of a nuclear-weapon-free zone in the region of the Middle East;
7. Decides to include in the provisional agenda of its thirty-sixth session the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

94th plenary meeting
12 December 1980

2/ General Assembly resolution 2373 (XXII), annex.



UNITED NATIONS

GENERAL
ASSEMBLYDistr.
LIMITEDA/C.1/35/L.8
31 October 1980

ORIGINAL: ENGLISH

Thirty-fifth session
FIRST COMMITTEE
Agenda item 38ESTABLISHMENT OF A NUCLEAR-WEAPON-FREE ZONE
IN THE REGION OF THE MIDDLE EASTIsrael: draft resolutionThe General Assembly,

Reaffirming paragraph 60 of the Final Document of the tenth special session of the General Assembly, which reads as follows: "The establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned constitutes an important disarmament measure";

Aware of the urgent need to establish such a zone in the Middle East, in view of conflict situations which threaten the peace of that region,

Convinced that the effective way to prevent the proliferation of nuclear weapons in the Middle East is through negotiations leading to the establishment of a system of mutually-binding obligations which would provide each State in the region with a contractual assurance of others' compliance with the commitment to abstain from introducing nuclear weapons into the region,

Recalling its resolution 31/70 on the comprehensive study of the question of nuclear-weapon-free zones in all its aspects, particularly paragraph 3, which reiterates the conviction that the establishment of nuclear-weapon-free zones can contribute to the security of members of such zones, to the prevention of proliferation of nuclear weapons and to the goals of general and complete disarmament,

Recalling further its resolution 33/91 B of 16 December 1979 on confidence-building measures and convinced that the adherence of all Member States of the Middle East region to a treaty establishing a nuclear-weapon-free zone in the Middle East would in itself serve to reduce tensions and pave the way for the introduction of further confidence-building measures,

80-26906

A/C.1/35/L.8
English
Page 2

1. Calls upon all States of the Middle East and non-nuclear-weapon States adjacent to the region, which are not signatories to any treaty providing for a nuclear-weapon-free zone, to convene at the earliest possible date a conference with a view to negotiating a multilateral treaty establishing a nuclear-weapon-free zone in the Middle East;
2. Urges all States of the region to state by 1 May 1981 their willingness to participate in the conference;
3. Requests the Secretary-General to provide the necessary facilities for the convening of such a conference.

Nam, ~~men~~, Yugoslavia, Zaire, Zam~~b~~, Zimbabwe

Against: None

Abstaining: Belgium, Canada, France, Germany, Federal Republic of, Greece, Israel, Italy, Luxembourg, Netherlands, Portugal, United Kingdom of Great Britain and Northern Ireland, United States of America

Draft resolution B was adopted by 133 votes to none, with 12 abstentions (resolution 35/146 B).

The PRESIDENT: We have thus concluded our consideration of agenda item 37.

The next report of the First Committee is on agenda item 38, entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East". The report is contained in document A/35/690. The Assembly will take a decision on the draft resolution which is recommended by the First Committee in paragraph 9 of that report.

The First Committee adopted the draft resolution without a vote. I hope I may take it that the General Assembly wishes to do likewise.

The draft resolution was adopted (resolution 35/147).

The PRESIDENT: I shall now call on those representatives who wish to explain their votes.

Mr. EILAN (Israel): Israel went along with the consensus expressed by the General Assembly in support of the draft resolution contained in document A/35/690 because, like so many Member States, Israel holds that there is an urgent need to establish a nuclear-weapon-free zone in the Middle East. Israel has joined the consensus despite our serious reservations as to the modalities of arriving at the establishment of such a zone as recommended by the resolution before us.

The introduction of nuclear weapons in the region can be effectively prevented only by means of contractual assurances freely arrived at, and not by obligations imposed from without. Israel has for the last five years not only supported the idea of establishing such a zone, but on numerous occasions - in plenary meetings and

in the First Committee, as well as in letters to the Secretary-General - offered proposals to that end.

It is essential that a nuclear-weapon-free zone be established in a manner most likely to assure each State in the region of the others' compliance with the terms of a freely negotiated convention on the model of the Treaty of Tlatelolco.

Israel has therefore proposed the conclusion through direct negotiations by all States of the region of a multilateral convention establishing a

DK/11

A/C.1/35/PV.37

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The CHAIRMAN: I now call on the representative of the United States, who would like to make a statement following the adoption of the resolution.

Mr. FLOWEREE (United States of America): The United States welcomes the adoption of the Convention on Prohibitions or Restrictions of Use of Certain Conventional Weapons and hopes that all States will give the most serious consideration to early signature and ratification of the Convention and its three Protocols. We believe that the Convention can serve real humanitarian interests in minimizing unnecessary injury or damage to the civilian population in times of armed conflict.

We want to emphasize, however, that formal adherence by States to agreements restricting the use of weapons in armed conflict would be of little purpose if the parties were not at the same time firmly committed to taking every appropriate step to ensure compliance with those restrictions after their entry into force.

In particular, the provisions of the present Convention and its Protocols would have little humanitarian value if the parties were inclined to tolerate breaches in the future by States which are bound to comply with them. In this connexion, it would be useful to note that States parties would have a variety of actions open to them to deal with any situation in which significant doubts might arise as to compliance with this Convention. For example, they might request the State or States in question to consult promptly and fully regarding any such situation and to act responsibly to cease any violations - which is, of course, the duty under international law of States party to any treaty. In the case of any violations by any adversary, the right of reprisal, as defined and limited by the international law of armed conflict, would be available. They might raise compliance problems at any conference of parties convened under article 8 of the Convention and agree on appropriate action to deal with them.

They might also invoke the provisions of article 90 of Protocol I to the 1949 Geneva Conventions, to the extent that the fact-finding procedures of that article might apply to the case in question. And finally, in serious cases, they might call upon the appropriate bodies within the United Nations system to take suitable action in accordance with their particular mandates to address and resolve the situation.

While, on the whole, we believe that this range of remedies provides adequate means for States parties to ensure compliance with the Convention, the United States also supported the adoption by the United Nations Conference of a provision proposed by a number of States for the creation of a special consultative committee of experts to assist in dealing with specific compliance questions under this Convention. We regret that such a provision was not adopted and, of course, reserve our right to return to this idea at a later date.

In any event, we trust that States which become party to this Convention will do all in their power to see to it that its provisions are fully observed. This is, of course, the firm intention of the United States. If States adhere to the Convention with this determination, we believe that it can be an important and useful step in advancing the humanitarian cause of giving the maximum feasible protection to civilian populations in time of armed conflict.

The CHAIRMAN: The Committee will now take action on draft resolution A/C.1/35/L.17/Rev.1. This draft resolution has 19 sponsors and was introduced by the representative of Belgium at the thirty-second meeting of the First Committee on 17 November 1980.

I now call on the Secretary of the First Committee, who will make a statement regarding the financial implications of this draft resolution.



General Assembly

Distr.
GENERALA/RES/35/157
12 January 1981

Thirty-fifth session
Agenda item 49

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY
[on the report of the First Committee (A/35/700)]

35/157. Israeli nuclear armament

The General Assembly,

Recalling its relevant resolutions on the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Reaffirming its resolution 33/71 A of 14 December 1978 on military and nuclear collaboration with Israel, and its resolution 34/89 of 11 December 1979 on Israeli nuclear armament,

1. Takes note of the progress report of the Secretary-General on the work of the Group of Experts to Prepare a Study on Israeli Nuclear Armament 1/ submitted to the General Assembly at its thirty-fifth session;
2. Requests the Secretary-General to pursue his efforts in this regard and to submit his report to the General Assembly at its thirty-sixth session;
3. Decides to include in the provisional agenda of its thirty-sixth session the item entitled "Israeli nuclear armament".

94th plenary meeting
12 December 1980

adopted by: 99-6-38

1/ A/35/458.

81-00702 8857E (E)

Atomic Energy Agency (IAEA) adopted recommendations to the General Conference whose operative part reads, in part, as follows:

- "1. Strongly condemns Israel for this premeditated and unjustified attack on the Iraqi nuclear research centre, which is covered by Agency safeguards;
2. Recommends to the General Conference at its forthcoming regular session to consider all the implications of this attack, including suspending the exercise by Israel of the privileges and rights of membership;...
4. Recommends that the General Conference suspend provision of any assistance to Israel under Agency's technical assistance programme;..."

2. It is submitted that these recommendations have no relation to the raid on the Tamuz I reactor and lack foundation in the Charter or Statute of the IAEA.

3. Article XIX B of the Statute states that a "member which has persistently violated the provisions of this Statute... may be suspended from the exercise of the privileges and rights of membership by the General Conference acting by a two-thirds majority of the number present and voting upon recommendation by the Board of Governors". It is clear from the language and spirit of the Statute that the violations referred to can only be non-compliance with inspection procedures (Article XII C of the Statute) or arrears of more than two years in the payment of membership dues (Article XIX A). On both of these counts, Israel has an immaculate record.

4. Withholding "assistance to Israel under the Agency's technical assistance programme" would be without precedent unless preceded by a suspension of privileges and rights.

IAEA technical assistance to Israel has always been given and received in conformity with the provisions of the IAEA Statute. The Iraqi incident cannot conceivably have any bearing on Israel's entitlement to such assistance. Therefore, any decision on suspension of technical assistance adopted at the forthcoming General Conference which links that suspension with the reasons cited by the Board of Governors would be arbitrary and run counter to Article III A 1 of the IAEA Statute which authorizes the Agency "to encourage and assist research on, and development and practical application of atomic energy for peaceful uses throughout the world". Indeed, such a decision would dangerously erode the principle of universality which is fundamental to the existence and functioning

5. It should be added that a decision not to accept the credentials of the Israel delegation to the General Conference would also amount to an illegal denial of a member State's basic rights and privileges under the IAEA Statute.

6. Israel should not be singled out for condemnation or punitive action. No action was taken by the IAEA when India exploded a nuclear device; in relation to the Pakistani activities to produce nuclear weapons; when the Iranian Air Force bombed the Tamuz complex in September 1980; or in the face of the Agency's inability to perform its safeguards duties in Iran for about two years from 1979 until recently. At the same time, Israel was denied the possibility to present its case to the Governors of the IAEA before they proceeded to condemn it on 12 June 1981.

7. Before reverting to the questions concerning Israel in the Conference, a brief explanation of the reasons which moved the Government of Israel to its decision to act in self-defence and to destroy the Tamuz reactor near Baghdad is offered.

8. The Government of Israel decided on the raid out of the conviction that Tamuz and its auxiliary installations were designed to produce plutonium for nuclear weapons the principal target of which would be Israel. To prevent injury to the civilian population, Tamuz was disabled before the start-up of the reactor, scheduled for the latter half of 1981.

9. The Government of Israel entertained the following considerations out of a sense of responsibility that it must ward off the grievous threat to the existence and safety of Israel inherent in the emerging Iraqi nuclear programme:

- a) Iraq is committed to the elimination of Israel ever since Israel was established and has taken every opportunity within its power to promote this aim.
- b) In the Israeli view, Iraq adhered to the NPT to qualify as a recipient of nuclear facilities and expertise, and assembled all ingredients required for the development of nuclear weapons.
- c) Iraq's preference for Osiraq, and the supporting facilities, indicated a calculated Iraqi attempt to exploit limitations in IAEA safeguards on materials testing reactors (MTRs) for the purpose of embarking on a nuclear weapons programme without risking detection.

- d) Israel could not possibly await, without mortal risks, the consummation of the Iraqi nuclear effort for final and manifest proof.
- e) Israel's concern about the Iraqi nuclear programme was shared by authoritative governmental and professional assessments abroad. Yet six years of diplomatic effort to take the sting out of the Iraqi programme had yielded little more than reference to IAEA inspections under the NPT of which Iraq is a signatory.
- f) While highly appreciative of the efforts of the staff of the IAEA to discharge their duties loyally and effectively, the Government of Israel was compelled to conclude that the inspection procedure for MTRs such as that presently authorized for use by the IAEA could not prevent Iraq from succeeding in making bombs.
- g) Finally, the Government of Israel could not lose sight of the fact that withdrawal from the NPT is possible upon 3 months' notice. In such a case, the Board of Governors of the IAEA, of which Iraq itself is a member, would hardly demur, considering that among the members of the Board are Pakistan (which is not party to NPT) and other countries which share Iraq's hostility to Israel.

10. To sum up, action by the General Conference against Israel in the spirit of the recommendations of the Board of Governors would be in disregard of the Agency's Charter and Statute. Such a misuse of powers on political grounds might convert the IAEA into but one more instrument of political warfare, turn it against its own Charter and Statute, and erode the Agency's authority as a responsible and autonomous agency, hampering its ability to perform its duties. If any one of the Board's recommendations is allowed to go forward, it may be harmful not only to Israel but to the future of the IAEA. Clearly, a decision which is contrary to the constitutional instruments of the Agency does not become lawful because a majority of States votes in favour of it. Numbers cannot cure a lack of constitutional competence.

11. The Government of Israel requests other Governments that, in the light of the explanations here set out, they weigh carefully the voting instructions they give to their representatives to the General Conference of the IAEA.

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12. Israel has recently taken a number of initiatives on the establishment of a nuclear-weapons-free zone in the Middle East to be negotiated and patterned after the Tlatelolco Treaty. The Government of Israel holds this to be a promising way of removing further gathering threats in the region and believes that its initiatives deserve general support. Ostracizing Israel by the IAEA could tend to discourage Israel's trust in the Agency's discharge of its global and comprehensive mission. Such a course would be as much out of tune with the interests of the IAEA and the world community as it would be with the hopes and desires of the Government of Israel.



הוועדה לאנרגיה אטומית
ATOMIC ENERGY COMMISSION

TEL-AVIV, ISRAEL
P O B 7061 TEL 415111-6
CODE 61070

ת.ד. 7061 ט.ס. 415111-6
סיקור 61070

Atomic Energy Tel-Aviv
TELEX 13300 ST PF IL

14 August, 1951

KS - 20 - 452

Dr. Sigvard Ekland
Director General
International Atomic Energy Agency
P.O. Box 100
A-1400 Vienna

I would like to thank you once more for having met me at such a short notice and notwithstanding your heavy load of previous commitments.

I deem it necessary to recapitulate the main points of our meeting, in writing, because of their importance.

I should like to point out the very special interest the Prime Minister, as Chairman of the Israeli A.E.C., has in maintaining good relations both with you, an esteemed friend of old standing, and with the Agency which you represent.

The military operation undertaken against an object viewed in Israel as a threat to the existence of this nation should not be construed as injurious to the Agency, whose ideals we share, or to its staff, whose loyalty and devotion to their delicate duty we respect.

The various steps taken by Iraq to further its nuclear development: were scrutinized throughout the years by the most competent advice available to the Government of Israel. These steps have been described more than once. Their implications pointed in the Israeli view towards only one goal - the production of a nuclear weapon to be used against Israel.

הוועדה לאנרגיה אטומית
ATOMIC ENERGY COMMISSION

TEL AVIV, ISRAEL
P. 7001, TEL. 415111-6
CODE 41070

ת.ל.א. - ל.כ.
ת.ד. 7061 ס"ט 415111-6
מיקוד 41070

TELETYPE Tel-Aviv
X : 83450 ST PF IL

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On this point the consensus in Israel was total. Over the years Israel tried to remove this threat by diplomatic means by interceding with Iraq's suppliers and urging other friendly governments to use their influence, but to no avail.

The growing threat spurred Israel to promote efforts on the international scene to prevent the spread of nuclear weapons to the Middle East, by appealing at the UN to all states in the region to negotiate the establishment of a nuclear-weapons-free zone in the area modeled on the Treaty of Tlatelolco. However Iraq rejected this proposal.

Faced with this situation, the Government of Israel felt it was left with no choice, in face of the emerging threat, but to remove this danger by military action.

Israel believes that the IAEA and its staff are fully competent within the limits of the mandate conferred on them by the international community, and the contractual characters of its inspection procedures.

Israel believes that this mandate should be expanded by removing the existing technical difficulties and limits imposed upon the IAEA.

Ostracising Israel from the IAEA altogether or partially would disadvantageously affect the initiatives taken by Israel on the establishment of a nuclear weapons free zone in the Middle East, negotiated and patterned after the Tlatelolco Treaty, and remove the hope for a genuine way of removing further gathering threats in the Middle East.

Israel's continued participation in the activities of the IAEA is therefore more imperative than in the past.



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ATOMIC ENERGY COMMISSION

ת.ל.א. - ל
ת.ד. 7061 ס"ט 615111-6
מיקוד 61070

TEL AVIV, ISRAEL
TEL. 415111-6
CODE 61070

Energy Tel-Aviv
EX : 33450 ST PF IL

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The Director General of the IAEA guarantor of the integrity of the IAEA, and who has shown himself immune against political pressures, should not let this organization become one more political agency whose members pay lip service to the noble ideals embodied in its statute while using every mean to debate these ideals and enfeeble the Charter of the IAEA.

The IAEA faces the danger of politization, a process which would hamper its ability to perform its duties particularly in the field of safeguards. There is no greater danger to the international non-proliferation regime and to world peace than a politicized safeguards system or a technical assistance in a politicized institution.

Since my return, I have met the Prime Minister, and have endeavoured to forward your views on the above mentioned subjects as well as the spirit in which they were given.

You may rest assured that above and beyond any differences of opinion, which may have been generated by recent events, the feeling exists among our people that the ideals and hopes of the Agency are a mainstay in humanity's fight for survival.

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