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BUREAU OF  
INTELLIGENCE  
AND RESEARCH

ASSESSMENTS  
AND  
RESEARCH

(U) ISRAEL ESCAPES IAEA SUSPENSION THIS YEAR

Summary

(U) An Iraqi-led move to suspend Israel from the International Atomic Energy Agency (IAEA) was averted this fall after weeks of lobbying by the US and other Western countries. But the issue was only deferred, inasmuch as the General Conference (which met in Vienna, September 21-26) resolved that Israel's attack on Iraq's nuclear research facilities constituted an attack on the IAEA and its safeguards regime. The organization also suspended technical assistance to Israel and decided to cut off Israel's privileges and rights of membership at the IAEA General Conference in 1982 if Israel by that time has not accepted IAEA safeguards on all its nuclear activities.

(S) An outright suspension of Israel from the IAEA would have established a precedent for efforts to suspend Israel from the UN General Assembly and other UN and international forums. It also would have compelled the US to withdraw from the General Conference and reassess its participation in the IAEA.

(S) Although the passage of time may lead to a more moderate atmosphere at the 1982 General Conference, the IAEA will continue to be an area of Israeli vulnerability to Arab attacks. Whether Israel can resist suspension campaigns next year will depend on its acceptance of IAEA safeguards (considered unlikely), its involvement in any new, violent incidents, the outcome of attacks on Israel's membership in other international forums, and the US ability to continue to assemble sufficient European and Latin American support to block such moves.

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Background

(U) In the wake of the June 7 Israeli attack on Iraq's nuclear facilities, Baghdad succeeded in persuading the IAEA Board of Governors, at its June meeting in Vienna, to adopt a resolution that:

- strongly condemned Israel for its premeditated attack on the Iraqi nuclear research center;
- recommended that the 1981 General Conference "consider all the implications of this attack, including suspending the exercise by Israel of the privileges and rights of membership"; and
- recommended that the General Conference suspend provision of any assistance to Israel under the Agency's technical assistance program (which amounted to about \$145,000 in 1980).

(C) Between June and September, when the General Conference convened, Iraq conducted an extensive lobbying campaign aimed at bringing about Israel's exclusion from the IAEA. The US anticipated an Iraqi challenge of Israel's credentials (which would have required only a simple rather than a two-thirds majority), either as an alternative to expulsion or as a means of testing the sentiment of the membership.

(C) Although there was no hard evidence that the Iraqis actually planned a credentials challenge, the Arabs had made frequent threats to expel Israel from various UN bodies, including the UN General Assembly. The most recent example was the Islamic Foreign Ministers meeting in Baghdad (June 1-5, 1981) which called for effective steps to reject Israel's credentials in the UN and to "freeze" its membership (i.e., to negate the 1949 UNGA resolution that admitted Israel to the UN). Moreover, these points were consistent themes in the campaign that the PLO and the Syrians had been conducting over the past year. In addition, Syrian Foreign Ministry officials told Embassy Damascus in mid-September that Syria would challenge acceptance of Israel's credentials as it had done in the past, but that this was an individual, not an Arab, position.

(U) A credentials challenge never materialized. The Iraqi delegation made only a pro-forma objection to Israel's presence, and the General Committee's credentials report was approved routinely by consensus.

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Iraq Retreats at Vienna

(C/NF) On the eve of the conference it appeared that the Iraqis might succeed in getting Israel suspended. Several Latin American members, whose negative votes were vital to the US strategy of assembling a blocking third against any suspension resolution, were on the verge of abstaining. Although several of these Latin delegates agreed with the principle of universality of membership and did not want to see Israel excluded from the Agency, they and the Group of 77 were clearly under heavy pressure from Iraq. The US Mission to the IAEA concluded that even with the solid opposition of the Western European and Others Group (which includes Japan, New Zealand, etc.), there would not be sufficient votes without most of the Latin Americans.

(C) While the US and others were trying to shore up the Western position, Iraq was running into problems of its own which eventually forced it to retreat from its initial objective. The Iraqis flatly rejected a compromise draft resolution proposed by the UK and other European Community members: in lieu of calling for Israel's expulsion, it would have cut off technical assistance to Israel and increased technical assistance to Iraq. In an attempt to respond to Iraqi and other Arab concerns over Prime Minister Begin's threat to repeat the strike against the nuclear facilities if they were repaired, the resolution also declared that "any further such action would have the most serious international consequences and would (could, might, may) call into question the relationship of Israel with the Agency."\*

(C) Instead, Iraq submitted to the Group of 77 a hardline draft resolution that called for Israel's expulsion from the IAEA, the immediate suspension of all assistance to Israel, and the end of all transfers of fissionable material and technology to Israel. Many members of the Group of 77, however, felt that expulsion conflicted with the efforts to bring Israel under IAEA safeguards. Accordingly, the Group, including moderate Arabs-- Algeria, Saudi Arabia, Sudan, Tunisia, and the United Arab Emirates--put forth a slightly modified version (appended) of Iraq's tough draft.

\* (C) The EC resolution, which was never brought to a vote, strongly condemned Israel for its "premeditated, unjustified attack on the Iraqi nuclear research center, an action inconsistent with the objectives of the IAEA" as set out in its Statute; called on Israel to refrain from any further action inconsistent with the objectives of the Agency; urged Israel to comply with Security Council Resolution 487, calling on it urgently to place its nuclear facilities under IAEA safeguards; requested the Governing Board not to consider any further provision of technical assistance to Israel for the time being; and asked the Board and the Director General urgently to examine ways of increasing technical assistance to Iraq.

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(C) The revised draft, which was submitted by Algeria, omitted Iraq's call for Israel's expulsion but:

- considered the Israeli act of aggression against the safeguarded Iraqi nuclear installations as "an attack on the Agency and its safeguards regime";
- decided to suspend immediately the provision of any assistance to Israel under the Agency's technical assistance program;
- decided to suspend Israel from the exercise of the privileges and rights of membership until it abides by the provisions of Security Council Resolution 487 of June 19, 1981 (which among other things called on Israel to place its nuclear facilities under IAEA safeguards);
- called on member states to end all transfers of fissionable materials and technology to Israel which could be used for nuclear arms; and
- reaffirmed its confidence in the effectiveness of the Agency's safeguards system and the inalienable right of all member states to develop nuclear energy for peaceful purposes.

(C) The cosponsors of the resolution were: Algeria, Cuba, Indonesia, Jordan, Lebanon, Libya, Malaysia, Morocco, Pakistan, Qatar, Saudi Arabia, Sudan, Syria, Tanzania, Tunisia, United Arab Emirates, Yugoslavia, and Zambia. Although Iraq did not become a cosponsor because the resolution failed to call for Israel's expulsion, it acquiesced to the shift from expulsion to suspension because the shift substantially increased support for the draft within the Group of 77.

(C/NF) Meanwhile, the weeks of Western lobbying were culminating in an intensive eleventh-hour effort by the US in various member capitals, New York, and Vienna. Included was a specific warning that, if Israel were suspended, the US would withdraw from the conference and reassess its policies regarding US participation in the IAEA. These efforts succeeded in turning around a sufficient number of Latin American and other waverers to assemble a blocking third not only against Israel's expulsion but also against the suspension of its privileges and rights of membership as called for in the G-77 draft.

(C) The Iraqis, realizing that there was a blocking third against the Arab-sponsored G-77 resolution, decided to settle for less rather than to risk getting nothing from the exercise. At the last minute they retreated again and agreed to a change in the G-77 resolution that deferred the issue of suspension of membership until next year. In place of the clause calling for the

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suspension of Israel's privileges and rights of membership, the following language was substituted:

"...also decided to consider at its 26th regular session [in 1982] the suspension of Israel from the exercise of the privileges and rights of membership if by that time it has not complied with the provisions of Security Council Resolution 487 of 19 June 1981."

(C) The language modification attracted more votes from the 86 delegations attending the conference. The amended G-77/Arab resolution, titled "Military Attack on Iraqi Nuclear Research Center and Its Implications for the Agency," was adopted by a vote of 51 for, 8 against (US, Bolivia, Uruguay, Paraguay, Israel, Guatemala, Colombia, and Chile), and 27 abstentions, which included the EC 10 and Japan. Four delegations did not vote. (The question never arose as to whether the final version of the resolution required a two-thirds or only a simple majority vote for approval.)

(U) Baghdad Keeps Pot Boiling in New York

Iraq has continued to focus the international spotlight on Israel's destruction of the Osirak reactor. During the November UN General Assembly consideration of the IAEA annual report, which in past years normally was adopted by consensus with little debate, Iraq submitted two last-minute amendments which destroyed the consensus. The first amendment was a preambular paragraph referring to the Israeli raid as "a serious threat to the entire IAEA safeguards"; the second was an operative paragraph calling on states to refrain from the use of force, "including in particular any armed attack on nuclear installations." (Initially the Iraqis wanted to "condemn Israel's air attack against the Iraqi nuclear installation on June 7, 1981" and to call on all states to "initiate action to prohibit any armed attack against safeguarded nuclear installations.")

The preambular amendment was adopted on November 12 by an overwhelming vote of 119-2 with 10 countries, mostly from Latin America and Africa, abstaining. The US and Israel cast the only negative votes. The US along with 129 others, however, voted for the operative amendment. The Israelis cast the only negative vote on the resolution as a whole, which was adopted by a vote of 128-1-4. (US, Guatemala, Jamaica, and Malawi). In explaining their vote, the Israelis criticized the introduction of "partisan political matters" into the debate on the IAEA report.

The IAEA report came to the Assembly floor during debate on the Iraqi-sponsored resolution, "Armed Israeli Aggression Against the Iraqi Nuclear Installation." The latter, a tough indictment of Israel, in a preambular paragraph expressed grave concern over "the misuse of US-supplied aircraft and weapons by Israel in committing its acts of aggression against Arab countries."

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In its operative paragraphs the resolution:

- "strongly condemns Israel for its premeditated and unprecedented act of aggression...which constitutes a new and dangerous escalation in the threat to international peace and security";
- warns Israel to cease its threats and the commission of such attacks against nuclear facilities;
- asks the Security Council to investigate Israel's nuclear activities and the collaboration of other states and parties in those activities;
- demands that Israel pay compensation for the material damage and the loss of life suffered as a result of this act;
- calls for an arms embargo and "effective enforcement action" against Israel; and
- decided to include the same item on the provisional agenda of the 37th UNGA in 1982.

(U) On November 13 the UN General Assembly voted 109-2 (Israel and the US) with 34 abstentions. Most Western and Latin American countries abstained, explaining that they condemned the Israeli attack but had reservations about certain provisions of the resolution. The EC 10 and Japan abstained rather than vote against because the Iraqis had agreed to drop the clause "especially South Africa and the US" in the paragraph referring to the collaboration of others in Israel's nuclear activities.

(U) Forty-five speakers took part in the debate, including many Islamic and communist countries, Israel, the US, the UK (for the EC 10), Austria, Cyprus, India, and Guyana. Of this number all but the US and Israel condemned the raid and rejected Israel's argument that it was acting in self-defense under Article 51 of the UN Charter. Most speakers also denounced the raid as an attack on the IAEA safeguards system, pointing out that the Iraqi nuclear facility was under international safeguards, while Israel refused to accept such safeguards or accede to the non-proliferation treaty.

(U) In early December the Iraqis used the debate on the establishment of a nuclear-weapon-free zone in the Middle East further to condemn Israel for its action. On December 4 it submitted a resolution that referred to the IAEA Board of Governors' resolution of June 1981 and to the resolution adopted in September by the IAEA General Conference and considered that the Israeli military attack on Iraqi nuclear installations "adversely affects the prospects of the establishment of a

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nuclear-weapon-free zone." It declared that it was "imperative that Israel place forthwith all its nuclear facilities under IAEA safeguards." The resolution was adopted overwhelmingly by a vote of 107-2 (US, Israel)-31.

(C) What About Next Year?

Although Israel escaped suspension from the IAEA and braved the UNGA assault, it was in effect put on probation for a year. According to the US Mission to the IAEA, the virtually universal disapproval of the Israeli raid, as well as the usual anti-Israeli sentiment, was responsible for the large vote in favor of the resolution cutting off technical assistance and asking the General Conference to consider suspension again next year. Even those countries that abstained, which included most US allies, or voted against (a few Latin Americans) generally based their positions on legal or procedural grounds. Moreover, one of the major points raised by delegates was Begin's threat of last June that Israel would attack any future Arab nuclear facilities it considered a threat.

Although the Iraqis failed to attain their primary objective--Israel's expulsion--the fact remains that the stage is set for continued consideration of Israel's suspension from the Agency. Moreover, it is considered unlikely that Israel will move any time soon to place all of its nuclear facilities under IAEA safeguards.

The US Mission in Vienna believes that, barring Israeli involvement in new, violent incidents or successful attempts to exclude Israel from other international forums, the passage of time should lead to a more moderate atmosphere at the 1982 General Conference. At that time, the US and its allies should be able to head off Israel's suspension and may even be able to amend the technical assistance ban (there is no statutory ground for denying technical assistance for countries that do not have all their facilities under safeguards). Nevertheless, the IAEA will remain for some time to come an arena for continued Arab attacks on Israel's membership, and the US will again have to work assiduously to line up a blocking third among the Western European and Others Group as well as the Latin Americans.

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International Atomic Energy Agency  
GENERAL CONFERENCE  
Twenty-fifth regular session  
Agenda item 8  
(GC (XXV) /652)

GC (XXV) /RES/381

Resolution adopted during the 237th plenary meeting on  
26 September 1981

MILITARY ATTACK ON IRAQI NUCLEAR RESEARCH CENTRE  
AND ITS IMPLICATIONS FOR THE AGENCY

The General Conference,

- (a) Having considered the agenda item "Military attack on Iraqi nuclear research centre and its implications for the Agency";
- (b) Recalling the resolution adopted by the Board of Governors on 12 June 1981 on the same subject, which - inter alia - strongly condemned Israel for this premeditated and unjustified attack on the Iraqi nuclear research centre and recommended to the General Conference that it consider all the implications of the attack, including suspending the exercise by Israel of the privileges and rights of membership,
- (c) Taking note of resolution 487 (1981) adopted by the Security Council of the United Nations on 19 June 1981, which strongly condemned the military attack by Israel as a clear violation of the Charter of the United Nations and the norms of international conduct and which called upon Israel urgently to place its nuclear facilities under Agency safeguards,
- (d) Taking note further of the resolution adopted at the United Nations Conference on New and Renewable Sources of Energy in Nairobi on 20 August 1981, which warned against the danger of joint Israeli and South African military nuclear activities,
- (e) Bearing in mind the statements made by the Director General of the Agency to the Board of Governors on 9 and 12 June and 6 July 1981, and in the Security Council on 19 June 1981,
- (f) Considering that Iraq has fully subscribed to the Agency's safeguards regime and is a party to the Treaty on the

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Non-Proliferation of Nuclear Weapons and has fulfilled its obligations thereunder,

(g) Noting further that Israel has neither adhered to the Treaty on the Non-Proliferation of Nuclear Weapons nor accepted Agency safeguards on all its nuclear facilities,

(h) Alarmed by the increasing information and evidence regarding Israel's activities aiming at the acquisition and development of nuclear weapons;

(i) Gravely concerned that Israel's military aggression against a safeguarded nuclear research facility has caused considerable damage to the safeguards regime and could seriously jeopardize the development of nuclear energy for peaceful purposes,

(j) Expressing indignation at the loss of life and damage to nuclear facilities caused by this wilful act,

(k) Deploring the rejection by Israel of the repeated calls, including that of the Security Council on 19 June 1981, to place its nuclear facilities under Agency safeguards, and

(l) Recalling the provisions of Article XIX.B of the Statute of the Agency,

1. Considers that the Israeli act of aggression against the safeguarded Iraqi nuclear installations constitutes an attack against the Agency and its safeguards regime, which is the foundation of the Treaty on the Non-Proliferation of Nuclear Weapons;
2. Decides to suspend immediately the provision of any assistance to Israel under the Agency's technical assistance programme;
3. Also decides to consider at its twenty-sixth regular session the suspension of Israel from the exercise of the privileges and rights of membership if by that time it has not complied with the provisions of Security Council resolution 487 of 19 June 1981;
4. Calls upon the Member States of the Agency to end all transfer of fissionable material and technology to Israel which could be used for nuclear arms;
5. Reaffirms its confidence in the effectiveness of the Agency safeguards system as a reliable means of verifying peaceful use of a nuclear facility; and
6. Reaffirms further the inalienable right of all Member States to develop nuclear energy for peaceful purposes under internationally accepted safeguards.

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