

UNITED STATES  
ATOMIC ENERGY COMMISSION  
WASHINGTON 25, D. C.

~~H. R. C. H.~~  
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January 5, 1961

OFFICE OF THE CHAIRMAN

Dear Mr. Secretary:

In accordance with instructions contained in former Assistant Secretary Wilcox' letter of September 15 to me as United States Representative to the Fourth Regular Session of the General Conference of the International Atomic Energy Agency, I enclose the official report of the United States Delegation to that conference.

Under separate cover, twelve additional copies of this report are being sent, as requested, to the Office of International Conferences for distribution within the Department of State. Other copies of the report are being distributed to members of the United States Delegation and to the Joint Committee on Atomic Energy of the United States Congress.

Sincerely yours,

*John Amalun*  
Chairman

The Honorable Christian A. Herter  
The Secretary of State  
Washington, D. C.

Enclosure:  
Report of US Delegation

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REPORT  
of the

UNITED STATES DELEGATION

to the

FOURTH REGULAR SESSION OF THE GENERAL CONFERENCE

of the

INTERNATIONAL ATOMIC ENERGY AGENCY

Vienna, Austria

September 20 to October 1, 1960

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Work of the Administrative and Legal Committee

The Administrative and Legal Committee was ably chaired by Mr. Gunnar Randers of Norway. The more important items discussed in the committee are described below.

1. Agency Safeguards

In his statements in the General Debate, the United States Delegate, Mr. McCone, had expressed strong United States support for safeguards and, as evidence of this support, had announced the unilateral United States offer to subject four of our reactors to IAEA safeguards. In his opening statement on this item in the Committee, the Alternate United States Delegate, Ambassador Foster, strongly endorsed the proposed principles and procedures contained in the document provisionally approved by the Board of Governors and introduced a draft resolution (described below) sponsored jointly by the United States and 14 other nations.

Equally strong statements in favor of the safeguards document and the fifteen-power resolution were made by delegates from the UK, Mexico, Canada, Japan, New Zealand, the Netherlands, Brazil, and a number of others. These speakers emphasized that the document represented an honest compromise of the views of an overwhelming majority of the members of the Board, that the Board itself had given long and arduous attention to the issues involved, and that the Board had had the benefit of the advice of various committees of experts. They joined the U.S. Delegate in urging adoption of the fifteen-power resolution.

The Soviet bloc countries and India attacked safeguards on the usual grounds that they would discriminate against the less-advanced nuclear countries, would infringe on the national sovereignty of member countries, and did not take into account the technological or industrial capabilities of the countries concerned. The Soviet Union also advanced a line of attack to the effect that the proposed safeguard system was an attempt by the United States and other Western countries to use the Agency as a means to control and to supervise the development of nuclear science and technology in other countries. The Soviet Union further charged that the proposed system of Agency safeguards would in fact hinder the development of peaceful uses of atomic energy in member countries. The Soviet charges were effectively countered by rebuttals on the part of the United States Delegate and other supporters of the proposed Agency safeguards plan.

After an opportunity had been presented for each country to state its position on the proposed principles and procedures, the Committee considered three resolutions:

1) The 15-Nation resolution mentioned above, proposing that the General Conference:

(a) take note of the principles and procedures provisionally approved by the Board and contained in GC(IV)/108/Rev.1;

(b) invite the Board, before giving effect to this document, to take into account as appropriate the views expressed in the General Conference;

(c) request the Director General to transmit to the Board the record of discussions, including texts of proposals submitted; and

(d) invite the Board to report to future Conferences on the application of these principles and procedures and to report to the sixth regular session the results of a general review to be undertaken in the light of experience gained, as well as technological developments.

2) A resolution, sponsored jointly by Austria, Sweden and Switzerland, proposing a minor amendment to the preamble of the 15-Nation resolution, spelling out more clearly that the procedures contained in the safeguards document would guide the Board in negotiating project agreements with Member Nations and would be applied in a non-discriminatory manner.

3) A resolution, developed by India and submitted jointly by Afghanistan, Burma, Ceylon, India and Indonesia, proposing an alternative approach to the safeguards problem. In effect, this resolution proposed the following principles:

(a) a simple undertaking by recipient Member States that source materials or special fissionable material, or fissionable material produced therefrom, received through or from the Agency would be used solely for peaceful purposes;

(b) for special fissionable materials supplied beyond certain quantities to be determined by the Board, the receiving State would submit accounts according to a schedule to be agreed with the Agency;

(c) for special fissionable materials of weapon strength

with the criteria and quantities to be determined by the Board, the recipient State and the Agency would negotiate a schedule of inspections which would take into account the quantities of materials supplied or produced, and

(d) in deciding upon safeguards for each individual case, the technological and industrial capacity of the recipient country relevant to possibility of diversion would be taken into account.

This resolution requested the Board to take appropriate action, on the basis of these principles, on applications from Member States and to elaborate regulations in accordance with these principles for submission to the Fifth General Conference.

The 3-Power amendment, with the advance support of the other Western nations, was approved in Committee by a vote of 46 in favor to 8 against, with 8 abstentions. The 15-Power resolution, as amended, was then approved by a vote of 44 in favor to 14 against (Soviet bloc, Afghanistan, Burma, Ceylon, Ethiopia, India, and the UAR), with 5 abstentions (Indonesia, Iraq, Morocco, Tunisia and Yugoslavia).

India, supported by the Soviet bloc, made a strong effort to obtain a Committee vote on the substance of the 5-Power resolution. However, since the 5-Power resolution and the 15-Power resolution previously adopted were mutually exclusive in their approach to the safeguards question, the United States moved formally that the 5-Power resolution should not be brought to a vote. This motion was approved by a vote of 35 in favor to 21 against with 5 abstentions.

In plenary session, the 15-Power resolution was passed by a vote of 43 in favor to 19 against (Soviet bloc, Afghanistan, Burma, Ceylon, Cuba, Ghana, India, Indonesia, Iraq, Morocco, UAR and Yugoslavia) with 2 abstentions (Ethiopia and Tunisia).

## 2. Rules to Govern the Provision of Technical Assistance by the Agency

In accordance with a request of the Third General Conference (GC/III/RES.46), the Board communicated to the Conference the guiding principles and general operating rules which it had framed to govern the provision of technical assistance by the Agency. In an accompanying draft resolution, the Board asked the Conference to take note of these rules.

In the debate, a number of delegations maintained that the rules devised by the Board still did not give sufficient attention to the importance of equipment in total technical assistance, and a group of them (Argentina, Pakistan, Thailand, Tunisia, Turkey and Viet Nam) submitted a draft resolution requesting the Board to give special consideration to the provision of equipment within the



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