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Committee of the Whole

Record of the Second Meeting

Held at the Austria Center, Vienna on Tuesday, 30 September 2008, at 3.10 p.m.

Chairman: Mr. NIEWODNICZAŃSKI (Poland)

Contents

Item of the agenda ¹		Paragraphs
13	Measures to strengthen international cooperation in nuclear, radiation and transport safety and waste management	1–44
16	Strengthening the Agency's activities related to nuclear science, technology and applications	45–51
17	Cooperation agreements with intergovernmental organizations	52–54
22	Elections to the Agency's Staff Pension Committee	55–57

¹ GC(52)/COM.5/1.

Abbreviations used in this record:

INLEX	International Expert Group on Nuclear Liability
IRRS	Integrated Regulatory Review Service
ITER	International Thermonuclear Experimental Reactor

13. Measures to strengthen international cooperation in nuclear, radiation and transport safety and waste management

(GC(52)/2, GC(52)/INF/2, GC(52)/COM.5/L.1 and Add.4)

1. The representative of AUSTRALIA, introducing the draft resolution contained in document GC(52)/COM.5/L.1, said that his delegation had consulted on it with delegations of a wide range of Member States — countries with and without nuclear power programmes.
2. Since many countries had remarked on the considerable length of the predecessor draft resolutions, the text now before the Committee referred to forthcoming events only in cases where it contained a request for Secretariat action in connection with such an event.
3. He drew particular attention to section 7 of the draft resolution, entitled “Safety in Uranium Mining and Processing and Remediation of Contaminated Mining Sites”, and to paragraph 11, regarding the valuable work of INLEX. Also, he drew attention to paragraphs 56 and 60, which spoke of the need to address shortfalls in the availability of trained and experienced human resources in order to ensure safety in the projected expansion of uranium production and nuclear power generation respectively.
4. The delegation of South Africa had suggested that in paragraph 7 the words “including regulatory self-assessment” be included between the words “proactive steps” and “to establish”. His delegation had no objection to that suggestion but would like to hear what other delegations thought about it.
5. The representative of ARGENTINA, having thanked the Australian delegation for the work done by it in coordinating consultations on the draft resolution, which was very comprehensive, said that the additional phrase suggested by the South African delegation would improve the text.
6. He proposed that the title of the draft resolution be amended to read “Measures to strengthen international cooperation in nuclear, radiation, transport and waste safety”.
7. The representative of BRAZIL expressed support for the remarks made by the representative of Argentina.
8. The representative of NORWAY expressed appreciation of the work done by the delegation of Australia.
9. The representative of EGYPT said that his delegation, while welcoming the draft text, had problems with the phrase “joining the international nuclear liability regime” in paragraph 12. Perhaps it could be replaced by the phrase “international nuclear liability instruments” — in other words, perhaps “joining” could be deleted and “the ... regime” replaced by “instruments”.
10. The representative of NEW ZEALAND said that his delegation had no problems with the suggestion made by the South African delegation.
11. The representative of the ISLAMIC REPUBLIC OF IRAN proposed that “Recognizing” be replaced by “Noting” in paragraph (r), that “appeals” be replaced by “encourages” in paragraph 42 and that “non-legally-binding” be inserted before “Code of Conduct on the Safety and Security of Radioactive Sources” in paragraphs 69 and 70.

12. The representative of FRANCE proposed: the insertion, in paragraph 37, of the words “and unnecessary” between “accidental” and “exposures”; the addition, at the end of paragraph 36, of the phrase “and encourages the Agency to involve Technical and Scientific Organizations (TSOs) in activities aimed at providing support to regulatory authorities in sharing information and lessons learned about incidents and accidents in the medical applications of radiation”; and the addition, at the end of paragraph 63, of the phrase “and encourages the Secretariat to implement the necessary technical support”.

13. The representative of SPAIN, having congratulated the Australian delegation on the work done by it, said that his delegation regretted the fact that the draft resolution did not contain a reference to the IRRS mission to Spain that had taken place early in 2008, to the workshop on lessons learned from IRRS missions due to be held in Spain in November 2008, or to the International Conference on Control and Management of Inadvertent Radioactive Material in Scrap Metal due to be held in Spain in February 2009.

14. The representative of the UNITED STATES OF AMERICA urged that the phrase “joining the international nuclear liability regime” in paragraph 12 be retained.

15. The representative of the ISLAMIC REPUBLIC OF IRAN expressed support for the position of the delegation of Egypt regarding paragraph 12.

16. The representative of AUSTRALIA, responding to comments made on the draft resolution, said that his delegation could go along with the proposal of the representative of Argentina regarding the title, especially as paragraph (a) of the draft resolution referred to “nuclear, radiation, transport and waste safety”.

17. With regard to paragraph 12, he would really prefer it if the phrase “joining the international nuclear liability regime” were retained, particularly in view of the fact that paragraph 12 contained the phrases “as appropriate” and “to give due consideration to”. However, in the interest of consensus his delegation could go along with the replacement of “the ... regime” by “instruments”.

18. The proposals made by the representative of the Islamic Republic of Iran regarding paragraphs (r), 42, 69 and 70 were acceptable to his delegation.

19. The proposals made by the representative of France regarding paragraphs 36 and 37 were likewise acceptable to his delegation, but he was unsure about the meaning of the words “the necessary technical support” proposed by the representative of France with regard to paragraph 63.

20. The SECRETARY OF THE COMMITTEE proposed the wording “encourages the Secretariat to implement the technical support necessary for these activities”.

21. The representative of FRANCE said that his delegation could accept the wording proposed by the Secretary of the Committee.

22. The representative of EGYPT suggested that the words “necessary technical support” be changed to “relevant technical cooperation” or “relevant technical assistance”.

23. Referring to paragraph 12, he said that his delegation was still of the view that the words “international nuclear liability regime” were inappropriate. Many Member States had not yet adhered to any international nuclear liability instruments.

24. The representative of FRANCE said that his delegation could accept the change to paragraph 12 proposed by the representative of EGYPT.

25. The representative of EGYPT, having expressed appreciation for the flexibility shown by the representative of AUSTRALIA regarding paragraph 12, said that, if the word “joining” was to be retained, his delegation would like to see the words “the possible benefits of” inserted after “to give due consideration to”.
26. The representative of AUSTRALIA said that his delegation could go along with the insertion of the words “the possible benefits of” after “to give due consideration to”.
27. The representative of the UNITED STATES OF AMERICA said that his delegation could go along with the replacement of “the ... regime” by “instruments”. He suggested the insertion of the words “the benefits of” after “due consideration to”.
28. The representative of MOROCCO suggested that the phrase “to give due consideration to joining” be amended to read “to give due consideration to the benefits of and the possibility of joining”.
29. The representative of NORWAY said that his delegation could accept the suggestion to change “the ... regime” to “instruments” but would prefer the word “joining” to be retained.
30. The representative of the ISLAMIC REPUBLIC OF IRAN said that the message of paragraph 12 would be clear even if the word “joining” was deleted. However, his delegation could go along with the suggestion made by the representative of MOROCCO.
31. The representative of INDIA said that his delegation could go along with the wording “to give due consideration to the possibility of joining”.
32. The representative of AUSTRALIA said that the suggestion made by the representative of Morocco was a good one.
33. The representative of EGYPT said that in his view the word “joining” should be deleted. If other delegations wished to retain that word, it should be qualified by the insertion of “the possible benefits of”, although even that solution would not be entirely satisfactory as far as his delegation was concerned.
34. The representative of AUSTRALIA requested a short suspension of the meeting to allow for informal consultations regarding paragraph 12.
35. The CHAIRMAN proposed that the Committee return to the draft resolution once informal consultations had been held.
36. It was so agreed.

The meeting was suspended at 4.15 p.m. and resumed at 4.30 p.m.

37. The CHAIRMAN, referring to paragraph 18, said that “July 2008” should be amended to read “July 2007”
38. The representative of AUSTRALIA said that in informal consultations it had been agreed that paragraph 12 should read “Encourages Member States, as appropriate, to give due consideration to the possibility of joining international nuclear liability instruments”.
39. The CHAIRMAN took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution contained in document GC(52)/COM.5/L.1 with “Recognizing” replaced by “Noting” in paragraph (r), with “, including regulatory self-assessment,” inserted after “proactive steps” in paragraph 7, with paragraph 12 amended to read “Encourages Member States, as appropriate, to give due consideration to the possibility of joining international nuclear liability

instruments”, with “and encourages the Agency to involve Technical and Scientific Organizations (TSOs) in activities aimed at providing support to regulatory authorities in sharing information and lessons learned about incidents and accidents in the medical applications of radiation” added at the end of paragraph 36, with the insertion of “and unnecessary” between “accidental” and “exposures” in paragraph 37, with “appeals to” replaced by “encourages” in paragraph 42, with the addition of “and encourages the Secretariat to implement the relevant technical support” at the end of paragraph 63, and with the insertion of “non-legally-binding” before “Code of Conduct” in paragraphs 69 and 70.

40. It was so agreed.

41. The representative of ARGENTINA said that in his view the title of the draft resolution should be amended to read “Measures to strengthen international cooperation in nuclear, radiation, transport and waste safety”.

42. The CHAIRMAN said that, while he shared the view of the representative of Argentina, the Committee had already agreed to recommend the draft resolution with the existing title.

43. The SECRETARY OF THE COMMITTEE said that it would not be a problem to change the title of the draft resolution if the Committee had no objections.

44. The CHAIRMAN, noting that there were no objections, said that, in that case, the title could be changed.

16. Strengthening the Agency’s activities related to nuclear science, technology and applications

(GC(52)/3 and Mod.1, GC(52)/INF/3 and Corr.1 and Supplements, GC(52)/INF/6 and Mod.1, GC(52)/INF/10, GC(52)/COM.5/L.3)

45. The representative of BRAZIL, introducing the draft resolutions contained in document GC(52)/COM.5/L.3, said that his delegation had noticed mistakes in draft resolutions 3 and 4. He suggested that the Committee consider only draft resolutions 1 and 2 for the time being.

46. The CHAIRMAN proposed that the Committee postpone consideration of draft resolutions 3 and 4.

47. It was so agreed.

48. The representative of MALAYSIA said that draft resolutions 1 and 2 contained no substantive changes relative to, respectively, resolution GC(51)/RES/14.A.1 adopted in 2007 and resolution GC(50)/RES/13.A.3 adopted in 2006.

49. The representative of JAPAN requested that consideration of the draft resolutions be deferred.

50. The CHAIRMAN proposed that the Committee revert to the draft resolutions at a later meeting.

51. It was so agreed.

17. Cooperation agreements with intergovernmental organizations (GC(52)/4)

52. The CHAIRMAN, introducing document GC(52)/4, said that, at its June session, the Board of Governors had authorized the Director General, subject to the approval of the General Conference, to conclude a cooperation agreement with the ITER International Fusion Energy Organization.

53. Noting that no Committee members had requested the floor, he assumed that the Committee wished to take the action recommended in document GC(52)/4 and approve the conclusion of the proposed cooperation agreement with the ITER International Fusion Energy Organization.

54. It was so agreed.

22. Elections to the Agency's Staff Pension Committee

55. The CHAIRMAN said that the General Conference was represented on the Committee by two members and two alternates. As a result of Committee members having left Vienna, a vacancy existed for one alternate position.

56. In the light of consultations, he had been asked to propose that Ms Caroline Cliff of the delegation of the United Kingdom be elected as an alternate member. There being no other proposals, he took it that the Committee wished to recommend to the General Conference that Ms Caroline Cliff be elected as an alternate member to represent the General Conference on the Agency's Staff Pension Committee.

57. It was so agreed.

The meeting rose at 4.45 p.m.