
Fifty-second regular session

Committee of the Whole

Record of the Fourth Meeting

Held at the Austria Center, Vienna on Wednesday, 1 October 2008, at 4.35 p.m.

Chairman: Mr. NIEWODNICZAŃSKI (Poland)

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¹ GC(52)/COM.5/1.

Abbreviations used in this record:

CPPNM	Convention on the Physical Protection of Nuclear Material
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13. Measures to strengthen international cooperation in nuclear, radiation and transport safety and waste management (resumed) (GC(52)/COM.5/L.1/Rev.1)

1. The CHAIRMAN said that the delegation of the Russian Federation had proposed an amendment to paragraph (s) of the draft resolution contained in document GC(52)/COM.5/L.1/Rev.1. Rule 66 of the Rules of Procedure of the General Conference, which applied *mutatis mutandis* also to its committees, read: “When a proposal or amendment has been adopted or rejected, it shall not be reconsidered at the same session unless the General Conference, by a two-thirds majority of the Members present and voting, so decides.” However, the Committee was perhaps prepared to consider the draft resolution already recommended by it in document GC(52)/COM.5/L.1/Rev.1 with respect to paragraph (s) in order to permit the proposed amendment to be introduced.

2. It was so agreed.

3. The representative of AUSTRALIA said that his delegation could accept the proposed amendment, which would make the draft resolution more comprehensive. If the amendment was adopted, preambular paragraph (s) would read “Recalling the Vienna Convention on Civil Liability for Nuclear Damage, the Paris Convention on Third Party Liability in the Field of Nuclear Energy as well as the Protocols amending these Conventions and noting the intention of the Convention on Supplementary Compensation for Nuclear Damage to establish a worldwide nuclear liability regime based on the principles of nuclear liability law, without prejudice to other liability regimes”.

4. The representative of EGYPT requested that consideration of the proposed amendment be deferred as his delegation needed time in which to consult on technical matters.

5. The CHAIRMAN proposed that the Committee consider the proposed amendment later in the meeting.

6. It was so agreed.

14. Nuclear security — measures to protect against nuclear terrorism (GC(52)/12 and Corr.1, GC(52)/COM.5/L.6 and Add. 4)

7. The representative of FRANCE, introducing the draft resolution contained in document GC(52)/COM.5/L.6, said that the international community had, since the fifty-first regular session of the General Conference, stepped up efforts to promote the security of nuclear materials and facilities in the light of the major risk posed by nuclear and radiological terrorism. That was reflected in the draft resolution.

8. The draft resolution highlighted the quality of the Agency’s work in the field of nuclear security and protection against terrorism and the importance of the Agency’s forthcoming Nuclear Security

Plan for 2010–2013. It also highlighted the importance of international cooperation in the field of nuclear security and the importance of the Agency’s assistance to Member States in developing their national capacities in that field.

9. In line with a recommendation made by the Board of Governors the previous week, all Member States were called upon in the draft resolution to continue actively supporting the Secretariat by providing it, on a voluntary basis, with the financial resources it needed.

10. As regards physical protection, State Parties to the CPPNM were called upon to work towards its universal adherence. As regards illicit trafficking in nuclear and other radioactive materials, the work done by the Agency in cooperation with Member States to put in place increasingly effective detection systems was welcomed and the importance of the Illicit Trafficking Database for determining the origin of illicitly trafficked materials was highlighted.

11. In addition, note was taken of the steps taken by the Secretariat to ensure the confidentiality of information relevant to nuclear security.

12. The representative of EGYPT said that his delegation was concerned about the content of the draft resolution, which there had not yet been sufficient time to consider. Much of the language agreed on in 2007 under the General Conference agenda item “Nuclear security — measures to protect against nuclear terrorism” had been modified or deleted, and his delegation wished to make proposals with a view to redressing the balance.

13. The representative of BRAZIL said that his delegation was also concerned about the draft resolution, which differed substantially from resolution GC(51)/RES/12 adopted in 2007, particularly since it had been difficult to achieve consensus on that resolution.

14. He suggested that the Committee defer further consideration of the draft resolution until a later meeting.

15. The representative of ARGENTINA, echoing the concerns expressed by the representatives of EGYPT and BRAZIL, said that his delegation regretted the fact that there had not been wider participation in the consultations on the draft resolution.

16. His Government had frequently expressed concern at the lack of coordination between the nuclear safety activities and the nuclear security activities of the Agency — a lack of coordination reflected in the fact that separate draft resolutions on the two sets of activities had been submitted to the General Conference.

17. The representative of the ISLAMIC REPUBLIC OF IRAN, echoing the comments made by the representative of BRAZIL, said that his delegation needed more time to consider the draft resolution.

18. The CHAIRMAN proposed that the Committee return to the draft resolution at a later stage.

19. It was so agreed.

16. Strengthening the Agency's activities related to nuclear science, technology and applications (resumed) (GC(52)/COM.5/L.7 and Add. 2)

20. The representative of CANADA, introducing the draft resolution entitled "Approaches to supporting nuclear power infrastructure development" and contained in document GC(52)/COM.5/L.7, drew particular attention to the reference to the Agency publication *Milestones in the Development of a National Infrastructure for Nuclear Power*, the reference to the workshops on infrastructure evaluation methodology scheduled to take place in December 2008 and the reference to the establishment of nuclear energy programme implementing organizations (NEPIOs) in Member States.
21. The representative of IRELAND, referring to paragraph (c), proposed the deletion of "vital" in the phrase "the Agency's vital role".
22. Referring to paragraph 6, he proposed that the phrase "activities aimed at helping Member States" be amended to read: "activities aimed at helping interested Member States at their request".
23. Referring to paragraph 7, he proposed that "Welcomes" be changed to "Notes" and that the phrase reading "and encourages ... in that regard" be amended to read simply "and encourages the exchange of information".
24. The representative of CANADA said that his delegation could accept the amendment to paragraph 6 proposed by the representative of Ireland. However, it felt that the present wording of paragraph (c) and paragraph 7 was justified; the Agency did have a vital role to play in assisting Member States that were considering and planning for the introduction of nuclear power, and it was surely appropriate to "welcome" rather than merely "note" the cooperation among Member States in nuclear power infrastructure development.
25. The representatives of AUSTRIA and NORWAY expressed support for all the amendments proposed by the representative of Ireland.
26. The representative of NEW ZEALAND said that in paragraph (c) "significant" would be more appropriate than "vital". She expressed support for the proposed amendment to paragraph 6, which had been accepted by the delegation of Canada, and the proposed amendments to paragraph 7.
27. The representative of the ISLAMIC REPUBLIC OF IRAN said that the Agency really did play a vital role in assisting developing Member States that were considering and planning for the introduction of nuclear power, some of which were not in a position to obtain the necessary assistance through bilateral cooperation agreements.
28. The representative of the UNITED STATES OF AMERICA, expressing support for the present wording of paragraph 7, said that it was important that the phrase "as appropriate" be retained since there might be cases where coordination of activities was not appropriate because of the need to protect confidential information.
29. The representative of SOUTH AFRICA said that his delegation could go along with the proposed amendment to paragraph 6 but not with the others.

30. The representative of FRANCE, expressing strong support for the draft resolution, said that it related to an important core activity of the Agency — helping Member States, especially developing ones, to establish the nuclear power programmes that they, as sovereign States, had decided to establish. The adjective “vital”, or a similar adjective, should feature in paragraph (c).
31. Regarding paragraph 6, the proposed addition of “at their request” after “Member States” was surely unnecessary: if that phrase was added there, it would also have to be added to many other draft resolutions.
32. In his delegation’s view, paragraph 7 should remain unchanged.
33. The representative of JAPAN called for the present wording of paragraph 7 to be retained.
34. The representative of the RUSSIAN FEDERATION requested time for informal consultations.
35. The CHAIRMAN proposed that further discussion of the draft resolution be deferred pending the outcome of informal consultations.
36. It was so agreed.

13. Measures to strengthen international cooperation in nuclear, radiation and transport safety and waste management (resumed) (GC(52)/COM.5/L.1/Rev.1)

37. The representative of EGYPT said that, after studying the version of paragraph (s) proposed by the Russian Federation, his delegation was prepared to accept it.
38. The CHAIRMAN assumed 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/Rev.1 with the version of paragraph (s) read out by the representative of Australia earlier in the meeting.
39. It was so agreed.
40. The representative of ARGENTINA, supported by the representative of AUSTRIA, said that he trusted that the reopening of the agenda item in order to permit the amendment of paragraph (s) of the draft resolution contained in document GC(52)/COM.5/L.1/Rev.1 would not constitute a precedent.
41. The CHAIRMAN said that, since the Committee merely recommended draft resolutions for adoption, it was at liberty to reopen an agenda item if it so wished.

16. Strengthening the Agency's activities related to nuclear science, technology and applications (resumed)
(GC(52)/COM.5/L.8 and Add.2)

42. The representative of CANADA, introducing the draft resolution entitled "Nuclear knowledge" and contained in document GC(52)/COM.5/L.8, said that nuclear knowledge management, an issue first considered by the General Conference at its 2002 session, had become an important activity of the Agency, with its own dedicated subprogramme.

43. The representative of JAPAN expressed strong support for the draft resolution.

44. The CHAIRMAN, noting that no other Committee members had requested the floor, assumed that the Committee wished to recommend to the General Conference that it adopt the draft resolution contained in document GC(52)/COM.5/L.8.

45. It was so agreed.

The meeting rose at 5.45 p.m.