



International Atomic Energy Agency  
**GENERAL CONFERENCE**



GC(44)/COM.5/OR.2  
November 2000

GENERAL Distr.  
Original: ENGLISH

**FORTY-FOURTH (2000) REGULAR SESSION**

**COMMITTEE OF THE WHOLE**

RECORD OF THE SECOND MEETING

Held at the Austria Center Vienna  
on Tuesday, 19 September 2000, at 3.10 p.m.

Chairman: Mr. GREGORIC (Slovenia)

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[\*] GC(44)/21.

The composition of delegations attending the session is given in document GC(44)/INF/18/Rev.2.

00-04150 (XLVII)

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## MEASURES TO STRENGTHEN INTERNATIONAL CO-OPERATION IN NUCLEAR, RADIATION AND WASTE SAFETY (continued)

## - DRAFT RESOLUTION ON THE SAFETY OF NUCLEAR RESEARCH REACTORS (GC(44)/COM.5/L.4)

1. The representative of AUSTRALIA, introducing the draft resolution, said that the safety of nuclear research reactors had been a matter of concern to his country and many others for some time. In his statement to the General Conference, the Director General had highlighted research reactor safety as a problem requiring urgent attention. The International Nuclear Safety Advisory Group (INSAG) had drawn attention to the large - and growing - number of old research reactors still in operation, to the large number no longer operating but not yet decommissioned and to the lack of adequate regulatory oversight in many countries, and the Secretariat had recently been urged by the Nuclear Safety Standards Advisory Committee (NUSSAC) to pay more attention to research reactor safety.
2. Some States had suggested that an international legal instrument on research reactor safety be developed, but there was unlikely to be a consensus in the near future in favour of developing such a legal instrument.
3. The representative of TURKEY, expressing support for the draft resolution, said that his country had greatly benefited from Agency assistance with research reactor seismic safety studies.
4. The representative of FRANCE, supported by the representative of SWITZERLAND, suggested that in preambular paragraph (g) and operative paragraphs 1 and 4 the word "regime" be replaced by the word "measures".
5. The representative of AUSTRALIA said that the word "regime" had been chosen with some care. If it was to be replaced by another word, his delegation would prefer that it be replaced by "arrangements".
6. The representative of the RUSSIAN FEDERATION, expressing support for the draft resolution, said that a number of INSARR (Integrated Safety Assessment of Research Reactors) missions had already been organized by the Secretariat. Accordingly, she proposed that in operative paragraph 4 the word "begin" be replaced by "continue" and the words "and INSARR missions" be added at the end.
7. In addition, she proposed that in preambular paragraph (d) "Welcoming" be replaced by "Taking note of".
8. The representative of the UNITED KINGDOM said that INSAG was not the only body active in the field of research reactor safety and proposed that in preambular paragraph (g) the words "among others" be inserted after "INSAG" and that in operative paragraph 4 the phrase "taking due account of the recommendations from INSAG" be deleted.

9. The representative of AUSTRALIA said that his delegation could accept the proposal made by the representative of the Russian Federation regarding the replacement of “begin” by “continue” in operative paragraph 4 and the proposal made by the representative of the United Kingdom regarding preambular paragraph (g).

10. As to the proposals regarding the last part of operative paragraph 4, his delegation would prefer to see the addition, after “INSAG”, of the words “and the views of other relevant bodies”.

11. The representative of the UNITED KINGDOM suggested that, if those words were going to be added at the end of operative paragraph 4, the words “the recommendations” be replaced by the word “inputs”.

12. The representative of INDIA said that his delegation, while having no objection to the draft resolution, felt that preambular paragraph (c) - with its reference to the final document of the 2000 NPT Review Conference - was redundant.

13. The CHAIRMAN took it that the Committee wished to recommend adoption of the draft resolution with “Welcoming” replaced by “Taking note of” in preambular paragraph (d), with “, among others,” inserted after “INSAG” in preambular paragraph (g), with “regime” replaced by “arrangements” in preambular paragraph (g) and operative paragraphs 1 and 4 (and consequential editorial changes), with “begin” replaced by “continue” in operative paragraph 4, with “the recommendations” replaced by “input” in operative paragraph 4, and with the phrase “and the views of other relevant bodies” added at the end of operative paragraph 4.

14. It was so agreed.

- DRAFT RESOLUTION ON MEASURES TO STRENGTHEN INTERNATIONAL CO-OPERATION IN NUCLEAR, RADIATION AND WASTE SAFETY  
(GC(44)/COM.5/L.5)

15. The representative of AUSTRALIA, introducing the draft resolution, said that it covered several of the safety issues of importance to Agency Member States. His delegation therefore looked forward to the draft resolution’s receiving support from a wide range of delegations, although it would welcome constructive suggestions for amendment.

16. As the Committee had already agreed to recommend adoption of the draft resolution on the safety of radioactive waste management in document GC(44)/COM.5/L.7 (with only one amendment), his delegation felt that preambular paragraph (i) and operative paragraph 3 of the draft resolution now before the Committee, which referred to the International Conference on the Safety of Radioactive Waste Management held in Córdoba, Spain, should be deleted.

17. The representative of FRANCE, supported by the representative of the UNITED KINGDOM, suggested that in preambular paragraph (j) the word “negotiation” be replaced by “preparation” and that in the English-language version of operative paragraph 5 the words “and implementation” be deleted (bringing it into line with the French-language version).

18. The representative of ARGENTINA said his delegation would have preferred to see a draft resolution devoted exclusively to the Action Plan for the Safety of Radiation Sources and the Security of Radiation Materials, but it could go along with an “omnibus” draft resolution of the kind under consideration.
19. Referring to operative paragraph 8, he suggested that Member States be urged to take steps to ensure that the International Conference of National Regulatory Authorities with competence in the Safety of Radiation Sources and the Security of Radioactive Materials which was due to take place in Buenos Aires in December 2000 was also well attended, particularly by participants from developing countries.
20. The representative of AUSTRALIA said his delegation found the suggestion made by the representative of Argentina regarding operative paragraph 8 acceptable.
21. The representative of the RUSSIAN FEDERATION, while expressing broad support for the draft resolution, proposed that the following additional paragraph be inserted between preambular paragraphs (c) and (d): “Stressing also the important role of nuclear technology and engineering in enhancing nuclear safety”.
22. She also proposed that, as the Code of Conduct mentioned in operative paragraph 5 was not a binding instrument, the paragraph be amended to read “Invites Member States to take note of the Code of Conduct on the Safety and Security of Radioactive Sources and to consider, as appropriate, means of ensuring its wide application”.
23. The CHAIRMAN requested the Secretary of the Committee to read out a written proposal submitted by the representative of Greece for paragraphs about the decommissioning of nuclear facilities.
24. The SECRETARY OF THE COMMITTEE OF THE WHOLE read out the following proposed paragraphs:
- “Noting the successful outcome of the workshop held in Rome in June last year on the decommissioning of nuclear facilities, the Director General’s statement to the General Conference at its forty-fourth session and the decisions already taken by certain States to decommission ageing nuclear power plants,
- “Requests the Director General to spare no effort, within existing financial resources, in developing safety standards together with other regional and international organizations and in helping all Member States to implement those standards when deciding about the decommissioning of their nuclear facilities;”.
25. The representative of UKRAINE suggested that in the proposed preambular paragraph the word “ageing” be deleted so that cases of early decommissioning of nuclear power plants might be covered.
26. The representative of the SYRIAN ARAB REPUBLIC expressed support for the paragraphs proposed by the representative of Greece.

27. The CHAIRMAN said that the question of safety standards for decommissioning - alluded to in the operative paragraph proposed by the representative of Greece - was perhaps covered in operative paragraph 7 of the draft resolution. He suggested that the preambular paragraph proposed by the representative of Greece be inserted in the draft resolution after the preambular paragraph starting "Recalling that the final document ..."

28. It was so agreed.

29. The CHAIRMAN took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution with that change, with the insertion between preambular paragraphs (c) and (d) of the preambular paragraph proposed by the representative of the Russian Federation, with the deletion of preambular paragraph (i) and operative paragraph 3, with the replacement of "negotiation" by "preparation" in preambular paragraph (j), with operative paragraph 5 amended to read "Invites Member States to take note of the Code of Conduct on the Safety and Security of Radioactive Sources and to consider, as appropriate, means of ensuring its wide application", and with operative paragraph 8 expanded to cover also the forthcoming International Conference of National Regulatory Authorities with competence in the Safety of Radiation Sources and the Security of Radioactive Materials.

30. It was so agreed.

- DRAFT RESOLUTION ON RADIOLOGICAL CRITERIA FOR LONG-LIVED RADIONUCLIDES IN COMMODITIES (ESPECIALLY FOODSTUFFS AND WOOD)  
(GC(44)/COM.5/L.9)

31. The representative of BELARUS, introducing the draft resolution, said that the three countries which had suffered most from the Chernobyl disaster - Belarus, the Russian Federation and Ukraine - had introduced regulations governing radionuclides in commodities. However, the substantial differences between the three sets of regulations had become an impediment to trade among those three countries, had generated political speculation and had further stimulated "radiophobia". In Belarus's law relating to the social protection of citizens who had suffered from the effects of the Chernobyl disaster, it was stated that the concentrations of radionuclides in commodities should correspond to internationally recognized standards. However, such standards did not yet exist. Belarus would like such standards to be established within the framework of the Agency, with the help of specialists from Belarus, the Russian Federation, Ukraine, countries of the European Union and other countries and of experts from WHO, FAO and other organizations.

32. The representative of AUSTRALIA said that the draft resolution drew attention to an important gap in the area of radiological protection standards.

33. He suggested inserting the phrase "using the Agency's radiation safety advisory mechanisms" after "Requests the Secretariat" in operative paragraph 1.

34. He also suggested that the words “based on” in operative paragraph 1 be replaced by “taking into account”.
35. The representative of the UNITED KINGDOM recalled that in the “omnibus” draft resolution just recommended by the Committee for adoption the Secretariat was urged “to complete the corpus of IAEA safety standards”. Was it appropriate to single out particular *radiological criteria* in a separate draft resolution?
36. Moreover, his delegation felt that the reference to international trade in the draft resolution under consideration might have implications for the World Trade Organization (WTO), which was not mentioned in the draft resolution.
37. The representative of UKRAINE, supported by the representative of AUSTRALIA, said that *radiological criteria for long-lived radionuclides in commodities* undoubtedly deserved to be singled out in a separate draft resolution.
38. The representative of FRANCE said that his delegation shared the misgivings expressed by the representative of the United Kingdom about overlapping with the “omnibus” draft resolution.
39. The representative of JAPAN said that in his delegation’s view the one-year period envisaged in operative paragraph 1 was too short.
40. Also, his delegation doubted whether the Agency was a suitable forum for discussions of international trade restrictions.
41. The DIRECTOR OF THE DIVISION OF RADIATION AND WASTE SAFETY said that the Agency was authorized by its Statute to establish standards of safety “in consultation and, where appropriate, in collaboration with the competent organs of the United Nations and with the specialized agencies concerned”. Organizations such as FAO and WHO were routinely invited to participate in the development of such standards and, if the draft resolution under consideration was adopted, the Secretariat would invite the WTO to participate in the development of the *radiological criteria* referred to in operative paragraph 1.
42. The representative of BELARUS said that the problem addressed in the draft resolution was a serious one and that the *radiological criteria* in question should be developed within a maximum of two years.
43. The CHAIRMAN suggested that in operative paragraph 1 the phrase “during the next year” be amended to read “during the next two years”.
44. The representative of GREECE, supported by the representative of NORWAY, proposed that the phrase “in collaboration with the competent organs of the United Nations and with the specialized agencies concerned” be inserted in operative paragraph 1.
45. The CHAIRMAN suggested that operative paragraph 1 be amended to read as follows:

“Requests the Secretariat to develop, using the Agency’s radiation protection advisory mechanisms and in collaboration with the competent organs of the United Nations and with the specialized agencies concerned, during the next two years and within available resources, *radiological criteria for long-lived radionuclides in commodities, particularly foodstuffs and wood*, taking into account ICRP Publication 82, in order both to ensure the radiation safety of people and to avoid unnecessary restrictions in international trade, and to submit them to the Board of Governors for its approval”.

46. The representative of the UNITED KINGDOM questioned the need to refer in operative paragraph 1 to international trade and to ICRP Publication 82, which was already mentioned in preambular paragraph (f).

47. The representative of UKRAINE called for the retention of the reference to international trade in operative paragraph 1.

48. The representative of CANADA suggested that, as preambular paragraph (e) contained the phrase “designed both to ensure the radiation safety of people and to avoid unnecessary restrictions in international trade”, the phrase “in order both to ensure the radiation safety of people and to avoid unnecessary restrictions in international trade” could safely be deleted from operative paragraph 1.

49. The CHAIRMAN suggested that the Committee recommend adoption of the draft resolution with operative paragraph 1 reading as follows:

“Requests the Secretariat to develop, using the Agency’s radiation protection advisory mechanisms and in collaboration with the competent organs of the United Nations and with the specialized agencies concerned, during the next two years and within available resources, *radiological criteria for long-lived radionuclides in commodities, particularly foodstuffs and wood*, and to submit them to the Board of Governors for its approval”.

50. It was so agreed.

#### STRENGTHENING OF THE AGENCY’S TECHNICAL CO-OPERATION ACTIVITIES (GC(44)/INF/3, GC(44)/COM.5/L.13)

51. The representative of URUGUAY, introducing the draft resolution contained in document GC(44)/COM.5/L.3, said that it was an updated version of resolution GC(43)/RES/14 adopted in 1999, with a number of new elements and some rewording.

52. The representative of YEMEN said that Agency technical co-operation was essential for his country, which prior to 1996 had not possessed a radiation protection infrastructure despite the fact that radioactive materials were being used there in industry.

53. The representative of ETHIOPIA, recalling that the Committee had recommended adoption of the draft resolution on education and training in radiation protection and nuclear safety and waste management with a reference to “regional and national training centres” in



its operative paragraph 3, suggested that in operative paragraph 10 of the draft resolution now under consideration “Regional Resource Centres” be amended to read “Regional and National Resources Centres”.

54. The DIRECTOR OF THE DIVISION OF PLANNING, CO-ORDINATION AND EVALUATION, supported by the representative of PAKISTAN, said that there was a difference between resource centres and training centres. It was reasonable to speak both of regional and of national training centres, but not of “national resource centres”. Regional resource centres had been established over the past five years in the context of enhancing technical co-operation among developing countries (TCDC).

55. The representative of GERMANY said that, although his country would continue to support the Agency’s safeguards, safety and technical co-operation activities, the decision to phase out nuclear power generation in Germany should, in his delegation’s view, be reflected in the draft resolution under discussion. He proposed the addition after preambular paragraph (h) of a preambular paragraph reading “Also conscious of the fact that the use of nuclear energy is connected with considerable risks for mankind and the environment and, therefore, implies specific requirements as to safety culture” and an amendment of the phrase “the role of nuclear power in mitigating greenhouse gas (GHG) emissions and achieving sustainable development” in operative paragraph 9 so that it read “the role of nuclear power in reducing greenhouse gas (GHG) emissions, taking into account the concept of sustainable development as a guiding principle”.

56. The representative of SOUTH AFRICA said that his delegation had serious misgivings about the proposal made by the representative of Germany.

57. The representative of SWITZERLAND said that his delegation also had serious misgivings about the proposal.

58. In addition, he said that in his delegation’s view operative paragraph 2 of the draft resolution (“Requests the Director General to review the financial and legal procedures that contradict and burden developing Member States;”) was unclear.

59. The representative of INDIA said that the proposal made by the representative of Germany was such a radical one that, pursuant to Rule 63 of the Conference’s Rules of Procedure, it should have been submitted in writing at least one day earlier.

60. The representative of GREECE said he did not consider the proposal made by the representative of Germany to be particularly radical.

61. His delegation, which accepted the overall thrust of the draft resolution and welcomed preambular paragraph (d) with its reference to the 2000 NPT Review Conference, would nevertheless like the phrase “the great potential of nuclear power ... in many countries” in preambular paragraph (h) to be amended to read “the great potential of nuclear power ... in some countries”. In addition, it would like the last part of preambular paragraph (h) - “and considering the ongoing discussions on the Clean Development Mechanism of the Kyoto Protocol” - to be deleted since the process in question had not yet been completed.

62. With regard to operative paragraph 4, he proposed inserting “voluntary” before “contributions to the Technical Co-operation Fund”.

63. The representative of the RUSSIAN FEDERATION said her delegation was happy with the draft text as a whole but would like clarification as to the meaning of operative paragraph 2.

64. With regard to the proposal made by the representative of Germany, her delegation considered the phrase “considerable risks for mankind and the environment” inappropriate.

65. The representative of AUSTRIA said his delegation also would like “many countries” to be replaced by “some countries” in preambular paragraph (h) of the draft resolution.

66. His delegation had doubts about the appropriateness of the reference to “the eradication of poverty” in operative paragraph 6.

67. The representative of the UNITED STATES OF AMERICA said his delegation shared the misgivings that had been expressed about the proposal made by the representative of Germany.

68. The representative of TURKEY said that his delegation would welcome clarification of the meaning of operative paragraph 7.

69. The representative of IRELAND, recalling that his country had rejected the nuclear power option, said that he had problems with preambular paragraph (h). By the same token, however, he had no problems with the phrase “the use of nuclear energy is connected with considerable risks for mankind and the environment” proposed by the representative of Germany.

70. The representative of BRAZIL said her delegation understood the concern behind the preambular paragraph proposed by the representative of Germany but did not like the negative tone of the wording.

71. The representative of NORWAY expressed support for the proposal made by the representative of Germany.

72. The representative of MALAYSIA, speaking on behalf of the draft resolution's sponsors, said that operative paragraph 2 should be considered in the context of cost-sharing, outsourcing and other forms of Partnership in Development. Developing Member States were encountering Partnership in Development problems due to out-dated financial and legal procedures.

The meeting rose at 6.10 p.m.