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COMMITTEE OF THE WHOLE

RECORD OF THE FOURTH MEETING

Held at the Austria Center Vienna
on Wednesday, 20 September 2000, at 3.15 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.

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| For reasons of economy, this document has been printed in a limited number. Delegates are kindly requested to bring their own copies of documents to meetings. |
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STRENGTHENING THE EFFECTIVENESS AND IMPROVING THE EFFICIENCY OF
THE SAFEGUARDS SYSTEM AND APPLICATION OF THE MODEL PROTOCOL
(continued)
(GC(44)/12, GC(44)/COM.5/L.10)

1. The representative of AUSTRIA opposed the proposal, made during the previous meeting by the representative of Pakistan, that the words “and cost-effective” be inserted after “integrated” in operative paragraph 3 of the draft resolution contained in document GC(44)/COM.5/L.10; integrated safeguards were intended from the outset to be cost-effective.
2. He also opposed the proposal, also made by the representative of Pakistan, that “Parties to the NPT” be inserted after “non-nuclear-weapon States” in operative paragraph 7; it was open to all States - not just to States which were Parties to the NPT - to conclude comprehensive safeguards agreements with the Agency.
3. The representative of INDIA cautioned against undue haste in seeking to implement the plan of action proposed by the representative of Japan; over 50 States Parties to the NPT had not yet concluded comprehensive safeguards agreements with the Agency.
4. The representative of EGYPT proposed inserting “full-scope” before “safeguards” in preambular paragraph (b) of the draft resolution and replacing “Considering” by “Noting” in preambular paragraph (c).
5. He further proposed substituting “Requests” for “Urges” in operative paragraph 2, in line with operative paragraph 1 of resolution GC(43)/RES/17 adopted in 1999.
6. In addition, he proposed a preambular paragraph along the following lines: “Convinced of the necessity of achieving universal adherence to the NPT and application of the Agency’s full-scope safeguards system”.
7. The representative of SWITZERLAND said that his delegation had misgivings about the 2003 deadline envisaged in the operative paragraph proposed by the representative of Japan.
8. The representative of the SYRIAN ARAB REPUBLIC said that his delegation was not in favour of the proposed amendments to operative paragraphs 5, 8 and 12 of the draft resolution.
9. The CHAIRMAN suggested that representatives of the sponsors of the draft resolution, those representatives who had proposed amendments and any other interested representatives meet informally under the chairmanship of Vice-Chairman Di Sapia of Italy for consultations with a view to reaching a consensus.
10. It was so agreed.

STRENGTHENING THE AGENCY'S ACTIVITIES RELATED TO NUCLEAR SCIENCE,
TECHNOLOGY AND APPLICATIONS

(b) PLAN FOR PRODUCING POTABLE WATER ECONOMICALLY
(GC(44)/13, GC(44)/COM.5/L.3)

11. The representative of URUGUAY, introducing the draft resolution contained in document GC(44)/COM.5/L.3 on behalf of the Group of 77 and China, expressed the hope that it would be adopted by consensus.
12. The representative of the REPUBLIC OF KOREA, expressing strong support for the draft resolution, suggested that in preambular paragraph (h) the words "the initiation of" be replaced by "the progress made in".
13. The representative of GREECE noted that the title of the draft resolution did not correspond to that of the agenda sub-item. In his view, the phrase "using innovative small and medium-sized reactors" should be deleted.
14. Referring to preambular paragraph (d), he noted that it was identical with preambular paragraph (d) of resolution GC(43)/RES/15 adopted in 1999 except for the fact that it did not contain "as an alternative to the use of fossil-fuelled plants for supplying energy for seawater desalination". Why did that phrase not appear in the draft resolution under consideration?
15. The representative of the RUSSIAN FEDERATION called for retention of the phrase "using innovative small and medium-sized reactors" in the title of the draft resolution.
16. The SECRETARY OF THE COMMITTEE OF THE WHOLE said that the titles of draft resolutions were traditionally identical with those of the agenda items concerned.
17. The representative of GERMANY said he had the same misgivings as the representative of Greece regarding the title of the draft resolution.
18. He questioned the wording of preambular paragraph (j), on the grounds that it clearly did not correspond to the title of the agenda sub-item.
19. The representative of FRANCE, endorsing the comments made by the representative of Germany, said that his delegation had problems also with operative paragraph 7, which seemed to prejudge the outcome of the Director General's initiative referred to there.
20. The representative of the UNITED KINGDOM said that the scope of the draft resolution significantly exceeded that of resolution GC(43)/RES/15 adopted in 1999.
21. Referring to operative paragraph 2, she proposed that the words "within existing resources" be inserted between "carry out" and "further work".
22. Referring to operative paragraph 7, she proposed that "Welcomes" be replaced by "Notes" and "contribute" by "consider contributing".

23. Noting that the phrase “SMR development” in operative paragraph 8 of resolution GC(43)/RES/15 had been replaced by “innovative nuclear reactor design development” in operative paragraph 8 of the draft resolution, she said that her delegation would now have difficulty with the words “high priority”.
24. Referring to operative paragraph 9, she proposed that the Director General be requested to report in 2002, at the General Conference’s forty-sixth session, rather than in 2001.
25. The representative of INDIA said that, given the importance for the developing world both of producing potable water economically and of innovative small and medium-sized reactors, his delegation would like the title of the draft resolution to be kept unchanged.
26. The representative of DENMARK said that the focus of the draft resolution appeared to be on innovative small and medium-sized reactors rather than on producing potable water economically - a long-standing subject of General Conference agenda items.
27. The representative of the RUSSIAN FEDERATION said that his delegation could go along with the proposals made by the representative of the United Kingdom for changes in operative paragraph 7.
28. With regard to the title, he suggested that the second part be amended to read “using innovative technology”.
29. The representative of JAPAN, having expressed support for the comments made by the representatives of Greece, Germany, the United Kingdom, France and Denmark, said that the task force referred to in operative paragraph 7 of the draft resolution had yet to discuss the objectives and scope of its work; in his delegation’s view, therefore, paragraph 7 was prejudging matters.
30. With regard to preambular paragraph (k), he proposed the deletion of “with appreciation” after “Noting”.
31. He agreed with the representative of the United Kingdom that the Director General should be requested to report in 2002 - not 2001.
32. The representative of BRAZIL suggested that preambular paragraph (j) might be more acceptable to some representatives if it read “Convinced of the usefulness for the promotion of nuclear energy of developing new, innovative ...”.
33. The representative of MOROCCO said that the draft resolution covered two separate subjects; the only alternative would have been to submit two separate draft resolutions, which many representatives would undoubtedly have deplored.
34. With regard to preambular paragraph (k), he called for the retention of “with appreciation” after “Noting” - in line with preambular paragraph (j) of resolution GC(43)/RES/15.

35. With regard to paragraph 7, he opposed the replacement of “Welcomes” by “Notes”; in his delegation’s view, the paragraph did not prejudge the outcome of the task force’s work.

36. The representative of IRELAND, having expressed agreement with the concerns raised regarding the title of the draft resolution, said that preambular paragraph (j) and operative paragraph 7 gave the impression that the draft resolution’s sponsors attached more importance to nuclear reactors than to seawater desalination.

37. The DIRECTOR OF THE DIVISION OF BUDGET AND FINANCE suggested that the word “secure” in operative paragraph 5 be replaced by “seek”.

38. The representative of the UNITED STATES OF AMERICA said that under the agenda item “Plan for producing potable water economically” the focus had in previous years been on sea water desalination and on the possible role of nuclear power in that connection. The reference to “innovative small and medium-sized reactors” in the title, preambular paragraphs (k), (l) and (m) and operative paragraph 5 of the draft resolution now under consideration meant a great shift of focus which his delegation did not welcome.

39. The HEAD OF THE NUCLEAR POWER TECHNOLOGY DEVELOPMENT SECTION OF THE DIVISION OF NUCLEAR POWER, responding to a request for clarification made by the representative of INDIA, said that the Secretariat’s nuclear desalination studies had focused on the needs of developing countries, for which small and medium-sized reactors appeared to be the most appropriate. All such reactors were innovative in the sense that considerable research and development work on them was still needed.

40. The representative of SWEDEN, calling for the deletion of “using innovative small and medium-sized reactors” from the title of the draft resolution, said that the suggestion made by the representative of Brazil for amending preambular paragraph (j) would not make that paragraph more acceptable to his delegation.

41. The representative of GREECE said that the Agency had been dealing with small and medium-sized reactors in its programmes for many years. However, the word “innovative” introduced a new element whose significance was not clear.

42. The representative of the SYRIAN ARAB REPUBLIC, referring to operative paragraph 7, called for retention of “and invites Member States to contribute to its activities”.

43. The representative of AUSTRIA said that he had misgivings about the title of the draft resolution, preambular paragraph (j) and operative paragraph 7. As regards operative paragraph 8, he was very concerned about the idea of assigning high priority to innovative nuclear reactor design development in the preparation of Agency programmes and budgets.

44. The CHAIRMAN proposed the following amendments based on comments and suggestions made in the discussion: deletion of “using innovative small and medium-sized reactors” from the title of the draft resolution; replacement of “the initiation of” in preambular paragraph (h) by “the progress made in”; amendment of the start of preambular paragraph (j)

to read “Noting the usefulness for the promotion of nuclear energy of developing new, innovative ...”; deletion of “with appreciation” after “Noting” in preambular paragraph (k); insertion of “within existing resources” between “carry out” and “further work” in operative paragraph 2; replacement of “secure” by “seek” in operative paragraph 5; replacement of “Welcomes” by “Notes” and of “invites Member States to contribute” by “invites Member States to consider contributing” in operative paragraph 7; replacement of operative paragraph 8 of the draft resolution by operative paragraph 8 of resolution GC(43)/RES/15; and replacement of “forty-fifth” by “forty-sixth” in operative paragraph 9.

45. The representative of KUWAIT welcomed the Chairman’s proposal that preambular paragraph (d) remain without the phrase “as an alternative to the use of fossil-fuelled plants for supplying energy for seawater desalination”, which had appeared in preambular paragraph (d) of resolution GC(43)/RES/15.

46. The representative of GREECE said that he would like that phrase to be inserted in preambular paragraph (d) of the draft resolution but would not insist.

47. The representative of BRAZIL said that his delegation could accept the Chairman’s proposal concerning preambular paragraph (j).

48. The representative of EGYPT said his delegation would still like the words “with appreciation” to be retained in preambular paragraph (k) and “Welcomes” and “to contribute” to be retained in operative paragraph 7.

49. With regard to operative paragraph 9, his delegation felt strongly that the Director General should be requested to report in 2001 rather than 2002.

50. The representative of the UNITED KINGDOM suggested that preambular paragraph (j) be amended to read “Noting that the development of new, innovative reactors and fuel cycle designs that exhibit intrinsic safety characteristics, proliferation resistance and economic competitiveness may be useful for the promotion of nuclear energy”.

51. The representative of MOROCCO, supported by the representative of INDIA, said his delegation could accept all of the Chairman’s proposals except the one relating to operative paragraph 9; the Group of 77 and China had in 1999 agreed that the “Extensive use of isotope hydrology for water resources management” should not be included in the agenda for the General Conference’s 2000 session, and a similar concession regarding the agenda item now under discussion would be going too far.

52. The representative of the RUSSIAN FEDERATION, supported by the representatives of PERU and ALGERIA, called for the retention of “to contribute” in operative paragraph 7 and of “forty-fifth” in operative paragraph 9.

53. The representative of JAPAN said that, given the additional elements in preambular paragraph (k) of the draft resolution relative to preambular paragraph (j) of resolution GC(43)/RES/15, his delegation felt that “with appreciation” should be deleted. His

delegation could accept the reformulation of preambular paragraph (j) proposed by the representative of the United Kingdom.

54. The representative of GREECE said that preambular paragraph (m) was confusing. It stated that the extrabudgetary support for “the Agency’s activities on innovative SMRs” had decreased, which implied that the Agency was already engaged in such activities. The Agency might become engaged in such activities, but only as a result of the work of the task force referred to in operative paragraph 7.

55. The DIRECTOR OF THE DIVISION OF BUDGET AND FINANCE suggested that “innovative” be deleted from preambular paragraph (m).

56. The representative of GERMANY, supported by the representative of NORWAY, said that in preambular paragraph (m) the decreasing extrabudgetary support for certain Agency activities was deplored, whereas in other contexts certain Member States were deploring the Agency’s increasing reliance on extrabudgetary resources. Perhaps preambular paragraph (m) should be deleted.

57. With regard to preambular paragraph (j), his delegation would at the very least like the word “innovative” to be deleted.

58. The representative of DENMARK said that, as his country had renounced the nuclear power option, his delegation could not support any version of preambular paragraph (j) which spoke - as proposed by the representative of the United Kingdom - of “the promotion of nuclear energy”.

59. The representative of BRAZIL said he could not understand how one could object to a reference to “the promotion of nuclear energy” in the context of an organization like the Agency.

60. The representative of FRANCE expressed support for the version of preambular paragraph (j) proposed by the representative of the United Kingdom, for the comments made by the representative of Greece regarding preambular paragraph (m) and for the replacement of “to contribute” by “to consider contributing” in operative paragraph 7.

61. The representative of CHINA, expressing support for the version of preambular paragraph (j) proposed by the representative of the United Kingdom, suggested that the phrase “may be useful” in that version be replaced by “will be useful”.

62. In his delegation’s view, operative paragraph 9 should provide for a report by the Director General in 2001.

63. The representative of the LIBYAN ARAB JAMAHIRIYA, referring to operative paragraph 5, said that his country was prepared to support technical and economic feasibility studies of seawater desalination using nuclear energy.

64. The representative of SWITZERLAND proposed that, in order to accommodate Denmark's position with regard to nuclear power, the words "for some countries" be inserted at the beginning of the version of preambular paragraph (j) proposed by the representative of the United Kingdom, which would then read "Noting that, for some countries, the development of ..."

65. The representative of the UNITED KINGDOM proposed - after comments by the representatives of BRAZIL, INDIA and the RUSSIAN FEDERATION - that preambular paragraph (j) read "Noting that a number of countries consider that developing new, innovative reactors and fuel cycle designs that exhibit intrinsic safety characteristics, proliferation resistance and economic competitiveness will be useful for the promotion of nuclear energy".

66. The CHAIRMAN took it that the Committee wished to recommend to the General Conference the adoption of the draft resolution with preambular paragraph (j) reading as just proposed by the representative of the United Kingdom, with the amendments which he had proposed earlier except for the replacement of "forty-fifth" by "forty-sixth" in operative paragraph 9 and also with the deletion of "innovative" in preambular paragraphs (k) and (m).

67. It was so agreed.

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

- DRAFT RESOLUTIONS ON THE SAFETY OF TRANSPORT OF RADIOACTIVE MATERIALS (GC(44)/COM.5/L.12 and L.17)

68. The representative of NEW ZEALAND, introducing the draft resolution contained in document GC(44)/COM.5/L.12, said that the 2000 NPT Review Conference had acknowledged the concerns of small island developing States and other coastal States about the transport of radioactive materials.

69. A balance of the rights and responsibilities relevant to the safety of transport of radioactive materials had been missing from previous General Conference resolutions on the subject. The preamble of the draft resolution contained in document GC(44)/COM.5/L.12 sought to provide for such a balance, rather than the subordination of one set of interests to another.

70. The operative part of the draft resolution acknowledged that there was room for safety improvements in the transport of radioactive materials, with Member States encouraged to make use of the Agency's Transport Safety Appraisal Service (TranSAS) in that connection.

71. The draft resolution had been drafted with the utmost care. Extensive discussions had been held on it, and her delegation looked forward to further discussion as necessary in order to secure agreement on a balanced, practical and forward-looking text.

72. The representative of IRELAND said that her country - an island State - was very concerned about the safety of transport of radioactive materials, particularly by sea. There were inherent risks associated with the transport of radioactive materials, and the highest international standards must therefore be upheld; public concern about those risks was based on legitimate fears. The States situated along transport routes must be made fully aware of the timing and nature of shipments.

73. The CHAIRMAN, responding to a query from the representative of TURKEY, said that he would have an opportunity to introduce his country's draft resolution on the safety of transport of radioactive materials (GC(44)/COM.5/L.17) at a later stage.

74. The representative of THAILAND said that her country and the other States party to the Treaty on the Southeast Asia Nuclear-Weapon-Free Zone were required to comply with the relevant Agency safety standards. The draft resolution in document GC(44)/COM.5/L.12 was very much in line with certain provisions of the Treaty, and her delegation hoped therefore that it would gain wide support.

75. The representative of AUSTRALIA, expressing support for the general thrust of the draft resolution in document GC(44)/COM.5/L.12, said that his delegation looked forward to the adoption of a balanced text which took account of the security and safety concerns of coastal States.

76. The representative of the UNITED KINGDOM called for the draft resolution submitted by Turkey in document GC(44)/COM.5/L.17 to be introduced. In his view, that draft resolution was more likely to attract general support.

77. The representative of NEW ZEALAND pointed out that Turkey had only just submitted that draft resolution. Her delegation was not opposed to its being introduced, but would need time in order to obtain instructions regarding it.

78. The representatives of SOUTH AFRICA and SWITZERLAND requested clarification as to whether the draft resolution in document GC(44)/COM.5/L.12 covered transport in general or just maritime transport.

79. The DIRECTOR OF THE DIVISION OF RADIATION AND WASTE SAFETY said it was the Secretariat's understanding, particularly in view of the reference to the Agency's Transport Regulations in preambular paragraph (a) and the reference to the other organizations in preambular paragraph (d), that the draft resolution covered transport in general.

80. The representative of ARGENTINA said that his delegation attached great importance to the achievement of a consensus on a text which struck the right balance between the interests of all.

81. The representatives of JAPAN and GREECE said that in their view the draft resolutions in documents GC(44)/COM.5/L.12 and 17 should be discussed together.

82. The CHAIRMAN invited the representative of Turkey to introduce the draft resolution contained in document GC(44)/COM.5/17.

83. The representative of TURKEY said that, in submitting the draft resolution contained in document GC(44)/COM.5/L.17, his country had built on resolutions on the safety of transport of radioactive materials adopted by the General Conference in previous years. The aim was to encourage the Secretariat to pursue the work assigned to it by the General Conference in the past.

84. The CHAIRMAN, at the request of the representative of NEW ZEALAND, suggested that the Committee revert to the two draft resolutions on the safety of transport of radioactive materials later.

85. It was so agreed.

STRENGTHENING THE AGENCY'S ACTIVITIES RELATED TO NUCLEAR SCIENCE, TECHNOLOGY AND APPLICATIONS (resumed)

- DRAFT RESOLUTION ON STRENGTHENING CO-OPERATION BETWEEN NUCLEAR RESEARCH CENTRES (GC(44)/COM.5/L.8)

86. The representative of TURKEY, introducing the draft resolution, said that under its Statute the Agency was required to "seek to accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world"; nuclear research centres were one means to that end.

87. An informal Secretariat report on a meeting on "Nuclear Research Centres in the 21st Century" held in December 1999¹ contained valuable assessments of the future importance of nuclear research centres, especially for training scientists and engineers in the fields of nuclear science and applications. In the light of that report, his delegation believed that the Agency should assist nuclear research centres by collecting and disseminating information on the global and regional benefits of nuclear technology.

88. Finally, he said that "Agency" should be replaced by "Secretariat" in each of the operative paragraphs.

89. The representative of INDIA proposed amending preambular paragraph (a) to read "... in the fields of nuclear science, technology and applications", in line with the title of the draft resolution.

90. The representative of SLOVAKIA asked what the word "stakeholders" in operative paragraph 2 meant.

¹ See, in this connection, document GOV/OR.999, para. 54.

91. The representative of TURKEY said that “stakeholders” meant the institutions and other organizations providing financial support for nuclear research centres.

92. The CHAIRMAN proposed - following comments by the DEPUTY DIRECTOR GENERAL FOR MANAGEMENT and the representatives of INDIA, the UNITED KINGDOM and JAPAN - the addition of an operative paragraph 5 reading “Requests that the actions of the Secretariat referred to in paragraphs 1-4 above be carried out subject to the availability of resources”.

93. The representative of INDIA said he would prefer the additional paragraph to end “... be carried out within available resources”.

94. The representative of GREECE, supported by the representatives of FRANCE and AUSTRIA, suggested that the words “and the promotion of their safety” be inserted in preambular paragraph (b) after the words “the development of nuclear power reactors”.

95. The representative of TURKEY welcomed the suggestion.

96. The representative of FRANCE proposed - following comments by the representatives of JAPAN, SOUTH AFRICA, the RUSSIAN FEDERATION and TURKEY - that the words “in the area of the peaceful applications of nuclear technology” be added to the title of the draft resolution.

97. The representative of JAPAN suggested that the words “with a view to promoting the peaceful uses of nuclear energy” be added to the end of the proposed operative paragraph 5.

98. The representative of the PHILIPPINES proposed that the word “strategies” in operative paragraph 1 be replaced by “programmes”.

99. The CHAIRMAN proposed - following comments by the representatives of AUSTRIA, DENMARK, INDIA, IRELAND, and EGYPT - the deletion of the phrase “the global and regional benefits of” in operative paragraph 2.

100. He took it that the Committee wished to recommend adoption of the draft resolution with the following modifications: the addition of “in the area of the peaceful applications of nuclear technology” in the title; the replacement of “nuclear science and nuclear technology” by “nuclear science, technology and applications” in preambular paragraph (a); the insertion of “and the promotion of their safety” after “the development of nuclear power reactors” in preambular paragraph (b); the replacement of “Agency” by “Secretariat” in operative paragraphs 1-4; the replacement of “strategies” by “programmes” in operative paragraph 1; the deletion of “the global and regional benefits of” in operative paragraph 2; and the addition of an operative paragraph 5 reading “Requests that the actions of the Secretariat referred to in paragraphs 1-4 above be carried out within available resources and with a view to promoting the peaceful uses of nuclear energy”.

101. It was so agreed

ELECTIONS TO THE AGENCY'S STAFF PENSION COMMITTEE

102. The CHAIRMAN said that the General Conference was represented on the Committee by two members and two alternates. The members at present were Mr. Herrera Andrade (Mexico) and Mr. Raja Adnan (Malaysia) as members and Mr. Bourita (Morocco) and Ms. Cliff (United Kingdom) as alternates. Mr. Bourita was no longer available to serve on the Committee, and it was therefore necessary for the Conference to elect a new alternate. The proposal had been made that Mr. Thema (South Africa) be elected.

103. He took it that the Committee wished to recommend to the General Conference the election of Mr. Thema (South Africa) as an alternate to represent the General Conference on the Agency's Staff Pension Committee.

104. It was so agreed

The meeting rose at 7.40 p.m.