

General Conference

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Committee of the Whole

Record of the First Meeting

Held at the Austria Center, Vienna, on Monday, 17 September 2012, at 4.35 p.m.

Chairman: Mr SHUKRI (Saudi Arabia)

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¹ GC(56)/19.

Abbreviations used in this record:

Early Notification Convention

Convention on Early Notification of a Nuclear Accident

OECD

Organisation for Economic Co-operation
and Development

– Election of Vice-Chairpersons and organization of work

1. The CHAIRMAN, having expressed appreciation for the confidence which the General Conference had placed in him, said that, pursuant to Rule 46 of the Rules of Procedure, following group consultations it had been proposed that Ms Martinho of Portugal should serve as one of the Vice-Chairpersons of the Committee. He took it that the Committee wished to accept the proposal.
2. It was so agreed.
3. The CHAIRMAN said he trusted that the Eastern Europe Group would propose the other Vice-Chairperson soon.
4. Having drawn attention to document GC(56)COM.5/1, which listed the agenda items referred to the Committee by the General Conference, he proposed that, in line with past practice, he report orally on the Committee's deliberations at a plenary meeting of the Conference. Also, he took it that the Committee wished to continue, to the extent practicable, the practice of clustering the draft resolutions recommended to the Conference by the Committee for adoption.
5. It was so agreed.

9. The Agency's Financial Statements for 2011 (GC(56)/10)

6. The CHAIRMAN, noting that no Committee members wished to take the floor, assumed that the Committee wished to recommend to the General Conference that it adopt the draft resolution on page "i" of document GC(56)/10.
7. It was so agreed.

10. The Agency's Budget Update for 2013 (GC(56)/4)

8. The CHAIRMAN drew attention to draft resolutions "A. Regular Budget appropriations for 2013", "B. Technical Cooperation Fund Allocation for 2013" and "C. The Working Capital Fund in 2013" contained in document GC(56)/4.
9. Pursuant to Article V.E.5 of the Statute, the General Conference was called upon to approve the Agency's budget for 2013. The Agency's programme for the biennium 2012-2013 had been approved by the Board and presented to the General Conference in 2011, at which time the General Conference had approved the 2012 portion of the budget. Document GC(56)/4 contained the proposed adjustments for the second year of the biennium. The Secretariat's proposal, which had been recommended by the Board of Governors for the approval of the Conference, constituted a zero-real-growth budget compared with the 2012 budget, with a price adjustment capped at 1.4%. Accordingly, the Board had

recommended to the Conference a total Regular Budget for 2013 of €337 933 305 for the operational and recurrent portion and €8 340 952 for the capital portion.

10. With regard to the draft resolution on the Technical Cooperation Fund allocation for 2013, in 2011 the Board had agreed that the Technical Cooperation Fund target for both 2012 and 2013 should be \$88 750 000.

11. Regarding the draft resolution on the Agency's Working Capital Fund in 2013, the Board had recommended that the Fund be kept at the level of the euro equivalent of \$18 million — i.e. €15 210 000.

12. Noting that no Committee members wished to take the floor, he assumed that the Committee wished to recommend to the General Conference that it approve a total Regular Budget figure for 2013 of €337 933 305 on the basis of an exchange rate of €1.00 to \$1.00 and, accordingly, that it adopt draft resolution "A . Regular Budget Appropriations for 2013".

13. It was so agreed.

14. The CHAIRMAN took it that the Committee wished to recommend to the General Conference that it approve a target for voluntary contributions to the Technical Cooperation Fund for 2013 of \$88 750 000 and, accordingly, that it adopt draft resolution "B. Technical Cooperation Fund Allocation for 2013".

15. It was so agreed.

16. The CHAIRMAN took it that the Committee wished to recommend to the Conference that it approve the level of the Working Capital Fund in 2013 at €15 210 000 and, accordingly, that it adopt draft resolution "C. The Working Capital Fund in 2013".

17. It was so agreed.

11. Amendment to Article XIV.A of the Statute (GC(56)/5, GC(56)/COM.5/L.2)

18. The CHAIRMAN, having drawn attention to document GC(56)/5, said that document GC(56)/COM.5/L.2 contained the text of the decision adopted by the Conference on the subject in 2011, updated for the current year. The Committee might wish to recommend the updated text as a decision to be adopted by the General Conference at its fifty-sixth regular session.

19. Noting that no Committee members wished to take the floor, he assumed it that the Committee wished to recommend to the Conference that it adopt the draft decision set out in document GC(56)/COM.5/L.2.

20. It was so agreed.

12. Scale of assessment of members' contributions towards the Regular Budget (GC(56)/12/Rev.1)

21. The CHAIRMAN, noting that no Committee members wished to take the floor, assumed that the Committee wished to recommend to the General Conference that it adopt the draft resolution on page 3 of document GC(56)/12/Rev.1.
22. It was so agreed.

13. Measures to strengthen international cooperation in nuclear, radiation, transport and waste safety (GC(56)/6; GC(56)/INF/2; GC(56)/INF/5; GC(56)/INF/11; GC(56)/COM.5/L.1)

23. The CHAIRMAN invited the Committee to consider the draft resolution submitted in document GC(56)/COM.5/L.1.
24. The representative of AUSTRALIA, introducing the draft resolution, thanked the delegation of New Zealand for coordinating the consultations with coastal and shipping States on section 6 (Transport Safety). He expressed appreciation of the cooperation and flexibility shown by delegations during the preparation of the draft resolution.
25. The draft resolution had been prepared by a broad-based drafting group, which had focused on what needed to be done in order to further enhance safety, bearing in mind that outcomes should be achievable and measurable.
26. The representative of ARGENTINA, having congratulated the delegation of Australia for its work on the draft text, said that he regretted the fact that the topic of nuclear security was not fully integrated into the text despite the close linkage between nuclear safety and nuclear security indicated in paragraph 6. The full integration of transport safety into the corresponding draft resolutions of previous years had proved very beneficial.
27. As regards paragraph 3, relating to the Convention on Nuclear Safety, his delegation considered that it should be deleted or at least that "calls upon" should be replaced by "encourages".
28. The representative of NEW ZEALAND, thanking the delegation of Australia for its work and the many delegations that had helped in the drafting of section 6 (Transport Safety), commended the draft resolution as a whole to the Committee.
29. The representative of the UNITED KINGDOM, having congratulated the delegation of Australia on the draft resolution, said that, in his delegation's view, nuclear safety and nuclear security were separate areas and the activities in those two areas should be coordinated through closer synergies rather than fully integrated.
30. The representative of the RUSSIAN FEDERATION said that some very interested delegations had not been involved in the preparation of the draft resolution and that informal discussions on the draft text should be held before it was considered further by the Committee.

31. His delegation had noted that certain parts of resolution GC(55)/RES/9 included in the draft text had not been reproduced accurately.

32. Moreover, the reference, in paragraph 3, to the outcomes of the Second Extraordinary Meeting of the Contracting Parties to the Convention on Nuclear Safety should be expanded so as to more fully reflect those outcomes.

33. The representative of AUSTRALIA said that every effort had been made to include all interested delegations in the preparation of the draft resolution, which had begun in June 2012.

34. The CHAIRMAN invited preliminary comments on each section of the draft resolution, in order to identify problematic paragraphs.

35. The representative of ARGENTINA echoed the view expressed by the representative of the Russian Federation regarding paragraph 3.

36. Regarding paragraph 9, the word “safety” should be inserted between “the value of” and “review services”. Also, “urges” should be altered to “invites”, as making use of safety review services was not a legal obligation.

37. The representative of the ISLAMIC REPUBLIC OF IRAN, having expressed appreciation of the work done by the delegation of Australia, suggested that in paragraph 2 the words “to continue” be changed to “to strengthen and continue”.

38. The representative of the RUSSIAN FEDERATION, questioning the phrase “enhance the application of INES” in paragraph 14, said that the discussions regarding the International Nuclear and Radiological Event Scale (INES) during the preparation of the IAEA Action Plan on Nuclear Safety had resulted in a consensus that INES should not be altered further; it should simply be applied as it stood. Accordingly, the words “as appropriate” in paragraph 15 seemed superfluous.

39. The representative of the UNITED KINGDOM said that, while agreeing with the spirit of the amendment of paragraph 2 suggested by the representative of the Islamic Republic of Iran, his delegation considered that the addition of the word “strengthen” might have cost implications.

40. His delegation agreed with the representative of the Russian Federation that the words “as appropriate” in paragraph 15 could be deleted.

41. The representative of ARGENTINA, referring to the comment regarding paragraph 3 made by the representative of the United Kingdom, said that activities could not be coordinated unless they were properly integrated.

42. The representative of JAPAN suggested that the wording of paragraph 22 be reconsidered in the light of the comments regarding lessons learned from the Fukushima Daiichi accident made by the Director General earlier that day in his statement to the General Conference.

43. The representative of ARGENTINA suggested that the word “robustness” in paragraph 33 be replaced by “safety”.

44. The representative of the ISLAMIC REPUBLIC OF IRAN suggested that subparagraph 42 (iv) be recast as a separate operative paragraph reading “Welcomes further cooperation of the Secretariat with other international organizations, including the OECD Nuclear Energy Agency;” Secretariat cooperation in the area of radiation safety should not be limited to cooperation with the OECD Nuclear Energy Agency.

45. The representative of CANADA pointed out that subparagraph 42 (iv) dealt with cooperation “in promoting greater participation in the Information System on Occupational Exposure (ISOE)”, of which the Agency and the OECD Nuclear Energy Agency were co-founders.

46. The representative of the ISLAMIC REPUBLIC OF IRAN, referring to paragraph 44, said that it took a considerable time for most Member States to adopt regulatory documents governing the transport of radioactive material and that it was difficult for them to ensure that those documents were in conformity with the current edition of the Agency’s Regulations for the Safe Transport of Radioactive Material (the Transport Regulations). Accordingly, the new review cycle referred to in paragraph 54 could, if it resulted in a revision of the Transport Regulations, create problems for such Member States.

47. The representative of CANADA said that in 2000 the Board of Governors had requested the Transport Safety Standards Committee to review the Transport Regulations every two years. However, the review process did not necessarily result in a revision of the Transport Regulations.

48. The representative of the RUSSIAN FEDERATION, referring to paragraph 74, said that in the past his country had made a number of proposals for strengthening the Early Notification Convention. Accordingly, his delegation would like the words “strengthening its implementation” to be amended to read “strengthening it and its implementation”.

The meeting rose at 6.05 p.m.