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Chair: Mr CSERVENY (Hungary)

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¹ GC(60)/COM.5/1.

Abbreviations used in this record:

G-77	Group of Seventy-Seven
SDGs	Sustainable Development Goals
TC	technical cooperation
TCF	Technical Cooperation Fund
TCP	Technical Cooperation Programme
UN	United Nations
WGFAA	Working Group on Financing the Agency's activities

17. Strengthening the effectiveness and improving the efficiency of Agency safeguards (continued)

(GC(60)/COM.5/L.10/Rev.1)

1. The representative of AUSTRIA said that, following consultations held with delegations that had concerns or had proposed amendments to draft resolution GC(60)/COM.5/L.10/Rev.1, the Committee had before it a non-paper setting out amendments which had been agreed with all of those delegations and which could be incorporated into the revised draft resolution.

2. Paragraph (c) had been divided into two paragraphs:

“(c) Considering the Agency’s essential and independent role in applying safeguards in accordance with the relevant articles of its Statute, the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), nuclear-weapon-free zone treaties and Agency bilateral and multilateral safeguards agreements,”;

“(c bis) Noting that nothing should be done to undermine the authority of the Agency in applying safeguards in accordance with its Statute,”.

3. Paragraph (h) had been deleted and its content absorbed into paragraph (g), which reads:

“Recognizing that the Agency, in a professional and impartial manner, makes every effort to ensure effectiveness, non-discrimination and efficiency in implementing safeguards, in accordance with relevant safeguards agreements,”

4. Paragraph 8 had been amended by inserting “including other information to be assessed for accuracy, credibility and safeguards relevance, as described in GOV/2014/41” at the end of the paragraph.

5. A new paragraph 29 bis has been added, reading:

“Requests the Director General to report to the Board of Governors about lessons learned and experience gained in State-level approaches for States under integrated safeguards after State-level approaches have been updated and are being implemented for all such States, including a cost-benefit analysis;”

6. He thanked all delegations for their cooperation and flexibility.

7. The representative of GERMANY, commending the delegation of Austria for its work, thanked all delegations for their flexibility and readiness to compromise. The proposed text was a good solution and a compromise in the spirit of Vienna, and he called on all States to support it without delay.

8. The representative of BRAZIL said that his country had consented to the merging of paragraphs (g) and (h) on condition that “which must be” would be retained. He therefore requested an explanation for its deletion.

9. The CHAIR sought the Committee’s consent to retain “which must be” in paragraph (g).

10. There being no objections, he took it that the Committee wished to recommend that the General Conference adopt the draft resolution set out in document GC(60)/COM.5/L.10/Rev.1, amended as discussed.

11. It was so agreed.

The meeting was suspended at 3.20 p.m. and resumed at 3.40 p.m.

15. Strengthening of the Agency's technical cooperation activities (resumed) (GC(60)/COM.5/L.2)

12. The representative of MOROCCO introduced a non-paper setting out the amendments to the draft resolution in document GC(60)/COM.5/L.2 proposed by the Group of 77 and China.

13. In section 1, paragraph (j), the G-77 and China proposed that “additional” be replaced by “adequate” or by “sufficient, assured and predictable”.

14. In section 2, paragraph (c), the G-77 and China proposed that “will play an active role” be replaced by “should play an active role”. Paragraph 10 would remain unamended, as in document GC(60)/COM.5/L.2, which best reflected the idea to be portrayed.

15. In section 3, the G-77 and China proposed that “with a view to having a positive impact on results” be inserted at the end of paragraph (b). The Group wished to retain paragraph (e) unamended, as in GC(60)/COM.5/L.2.

16. The Group proposed that “Recalling that the recruitment and retention of staff of the highest standards of efficiency, technical competence and integrity are essential for the success and impact of the Agency's programme and” be inserted at the beginning of paragraph (g).

17. As no agreement had been reached during the consultations on section 4, paragraph (c), the G-77 and China proposed two alternatives thereto, namely:

“Recognizing that the Technical Cooperation Fund (TCF) target should be set at an adequate level, taking into account the growing needs of Member States, funding capabilities, and the increasing number of Member States,” and

“Recognizing that the Technical Cooperation Fund (TCF) target should be set at an adequate level, taking into account not only the growing needs of Member States but also funding capabilities, and mindful of the increasing number of Member States,”.

18. The G-77 and China wished to retain paragraph (e) unamended, as in GC(60)/COM.5/L.2.

19. The G-77 and China proposed that section 4, paragraph 6, be replaced by “Requests the Secretariat, when presenting the Programme and Budget Proposal 2018–2019, to inform Member States on how it intends to give effect to the Board's decision to place appropriate emphasis on the activities directly related to the implementation of the SDGs”, which was worded more generally, provided a timeline for the information to be provided by the Secretariat and accommodated delegations' concerns about the request for estimates.

20. The CHAIR invited the Committee to comment on the proposals made by the G-77 and China and, if necessary, on other parts of the draft resolution.

21. The representative of the RUSSIAN FEDERATION proposed that “Noting the Agency's efforts in using the good experience and best practices of other relevant international organizations, especially within the UN system, for the effective and efficient achievement of the Sustainable Development Goals”, which took views expressed during the discussions into consideration, be inserted as paragraph (o) in section 1.

22. The representative of NORWAY said that her country considered the Agency's role in contributing to the attainment of the SDGs to be very important and could agree to either "adequate" or "additional" in section 1, paragraph (j).

23. The representative of FRANCE said that adequate resources should be mobilized in a manner proportionate to the growing number of Member States requesting TC projects. Rising demand required not only adequate resources but also efforts by the Agency to meet to such demand and, above all, to prioritize the various projects and thematic areas. France called for "and prioritization" to be inserted after "resources" and the deletion of "for the Agency" in paragraph (j).

24. The representative of EGYPT wished to know the rationale behind proposed paragraph (o).

25. In reply to the proposal by the representative of France, he said, supported by the representative of INDONESIA, that "adequate" did not imply that the resources would be increased, nor did "adequate" sit well with "and prioritization". It was therefore more logical to use "additional".

26. The representatives of the UNITED KINGDOM, SPAIN, GERMANY, the UNITED STATES OF AMERICA, the NETHERLANDS, BELGIUM and JAPAN supported the amendment proposed by the representative of France.

27. The representative of the UNITED KINGDOM added that, according to the amount of resources available, an element of prioritization always came into play when demand was being addressed.

28. The representative of SPAIN, supported by the representative of BELGIUM, said that the options under paragraph (j) were either to increase resources or distribute them differently, which could also involve prioritization. It was important not to imply that there was a simple solution to the TC resources problem, thence the need to insert "and prioritization".

29. The representative of GERMANY said that "adequate" in combination with the reference to the increasing number of States could suffice in paragraph (j) to cover the possibility of higher contributions, but Germany, as a substantial TCF contributor, could not accept the imposition of an obligation to provide additional resources.

30. The representative of the UNITED STATES OF AMERICA said that prioritization was a good practice and should be mentioned irrespective of the adjective used in conjunction with "resources".

31. The representative of CUBA supported the point made by the representative of Egypt, stressing that there was no need for "and prioritization" because "adequate" resources implied perforce an analysis to determine their distribution.

32. The representative of PAKISTAN said that "adequate" and "sufficient, assured and predictable" were neutral terms that took account of the concerns expressed. Stressing the importance of using a neutral term, Pakistan cautioned against the risk of reopening negotiations on the budget inherent in listing the elements of resource acquisition and, therefore, supported the statements made by the representatives of Norway and Germany.

33. The representative of the NETHERLANDS, supported by the representative of JAPAN, said that the insertion of "and prioritization" would make the paragraph more balanced.

34. The representatives of CANADA and BELGIUM stated their preference for "adequate".

35. The representative of SOUTH AFRICA said that, as the WGFAA report, which formed the background to the provisions of the draft resolution, had laid emphasis on ensuring sufficient, assured

and predictable TCF resources, it was difficult to introduce the concept of prioritization, and South Africa objected to its insertion.

36. The representative of NAMIBIA was in favour of “sufficient, assured and predictable”, which had customarily been used, and said that “adequate” was her less favoured option.

37. The representative of KENYA supported the use of “sufficient, assured and predictable” because that phrase had customarily been used in connection with the availability of TCP funds and it gave the requisite leeway to the Agency to obtain funds from a variety of sources in order to meet Member States’ needs. Insertion of “and prioritization” could be viewed as an attempt to micromanage the Secretariat’s planning of request and needs assessment, which was unacceptable.

38. The representative of BRAZIL invited other delegations to consider that use of “adequate” in no way prejudged future action on paragraph (j).

39. The representative of the PHILIPPINES, stressing the importance of using wording on which there was common understanding, spoke in favour of using “adequate” or “sufficient, assured and predictable”, but objected to the insertion of “and prioritization”.

40. The representative of ALGERIA welcomed the proposed wording, which had simplified, without weakening, the text. Algeria supported “adequate” as the best means of balancing resources with the growing number of TC requests but considered the idea of “prioritization” to be beyond the pale.

41. The representative of FRANCE, supported by the representative of SWEDEN, proposed that the agreed wording used in 2015 be reinstated, pointing out that the Medium Term Strategy 2012–2017 was still in force and thus the wording remained relevant.

42. The representative of COSTA RICA said that the growing number of Member States requesting technical cooperation necessitated additional resources for the Agency to be able to fulfil its functions. Nevertheless, her country could accept the use of “adequate” or “sufficient, assured and predictable”.

43. The representative of INDIA, stressing that the paragraph addressed the growing number of TC requests and not the number of Member States, considered that the proposed insertion of “and prioritization” was unpalatable, as prioritization was already being practised because many TC projects remained unfunded.

44. The representative of GERMANY, supported by the representative of the UNITED STATES OF AMERICA, stressed that use of “assured resources” would amount to tasking the Agency with an undeliverable, inasmuch as TCF contributions were voluntary, and suggested that “adequate and predictable”, but not “and prioritization”, be inserted. If consensus still remained elusive, then the wording agreed in 2015 should be reinstated.

45. The representative of TURKEY said that the term “adequate” represented a neutral compromise for all.

46. The representative of VENEZUELA said that her country could not countenance the inclusion of “and prioritization” because it was important for developing countries to obtain the assistance that they required.

47. The representative of EGYPT said that the increasing number of TC requests was an ongoing issue that could not be avoided by reinstating to the previous year’s agreed wording and by referring to the Medium Term Strategy. As the strategy was nearly at an end, the issue must be addressed and reflected in writing sooner or later. Egypt considered that “adequate resources” struck a balance with

the increasing number of Member States, whereas “prioritization” implied a limit and the inevitability of new Member States’ requests not being met.

48. The representative of GUATEMALA said that his country eschewed “prioritization”, but would agree to use “adequate”, which was neutral.

49. The representative of ECUADOR said that, as the provision of technical cooperation concerned all Member States and not developing countries only, the message conveyed by the paragraph must be positive. As “prioritization” had negative connotations and possibly entailed the exclusion of new Member States, Ecuador supported the use of “adequate” or “adequate and predictable”, which were more positive.

50. The representative of MOROCCO, speaking on behalf of the G-77 and China, said that “adequate” or “sufficient, assured and predictable” were the Group’s preferred options. Nevertheless, it had appreciated delegations’ other proposals and would consider them in order to achieve consensus.

51. The representative of the UNITED STATES OF AMERICA, welcoming the positive references in the draft resolution to the SDGs and to the Agency’s important role in achieving them, suggested that “and noting the important contributions the Agency’s activities can make to achieving the Sustainable Development Goals” be inserted at the end of section 1, paragraph (g).

52. The representative of CANADA proposed new wording for insertion into section 3, paragraph (e), which would thus be amended to “Recognizing the growing number of Member States and their increasing demands on the TC programme and the importance of enhancing within available resources the capacity of Agency staff to meet the needs of Member States, so as to effectively service Member States in line with the Agency’s statutory requirements, in particular Articles II and III of the Statute, and further recognizing the valuable contribution of general service staff”, with emphasis on “within available resources”.

53. The representative of the UNITED STATES OF AMERICA supported Canada’s proposal to insert “within available resources” into the paragraph.

54. The representative of FRANCE, stressing that the wording used in the previous year’s resolution had been the balanced outcome of difficult negotiations, agreed to the reinstatement of “within available resources”.

55. The representative of MOROCCO, speaking on behalf of the G-77 and China, noted the request to reintroduce “within available resources” but said that the Group had preferred the wording contained in the draft resolution, in particular when considering holistically the resolution and certain other paragraphs that could not garner broad support.

56. The representative of SPAIN, while stating his preference for “within available resources” and the balance that it had achieved, called for that part of the paragraph to be replaced by “and the importance of optimizing the capacity of Agency staff to meet the needs of Member States”.

57. The representative of GERMANY said that the Spanish proposal elegantly addressed all concerns.

58. The representative of EGYPT said that his country could agree to the change to section 3, paragraph (g), if the two clauses could be inverted and if the additional text could be placed at the end of the paragraph.

59. The representative of the UNITED KINGDOM, turning to section 4, paragraph (c), said that his country was prepared to compromise and accept the second alternative paragraph (c) and was much less in favour of the first alternative.

60. The representative of the UNITED STATES OF AMERICA said that his country preferred the second alternative paragraph (c).

61. The representative of FRANCE, while appreciative of the Group's endeavours to find consensus wording for the paragraph, remained hesitant regarding the questionable link between the TCF and the increasing number of Member States. It was quite likely that new Member States would not make TCF requests and, on successful completion of projects such as those on disease eradication, requests from current Member States could decrease, thus freeing up resources for newcomers and ultimately reducing requests in the long term.

62. The representative of CANADA said that his country would agree to the second alternative paragraph (c).

63. The representative of BELGIUM said that the second alternative provided a good basis for agreement. To address the concerns raised by the representative of France, she suggested rewording the middle of the paragraph so that it read "and mindful of the increasing number of Member States who could request technical cooperation", noting that a new Member State would not necessarily request technical cooperation.

64. The representative of INDIA said that his country was in favour of the second alternative paragraph (c). He stressed that the proposed wording did not establish an automatic link between a rise in the number of Member States and the TCF; rather, it merely called for the TCF be set at an adequate level and for various factors to be borne in mind, the number of Member States being but one.

65. The representative of the RUSSIAN FEDERATION, explaining the rationale behind proposed paragraph (o), said that the Agency should be actively involved as a leading technical specialist in the achievement of at least seven SDGs and should therefore increase its activities and cooperation with other organizations and bodies of the United Nations system. As technical cooperation would be the cornerstone of the Agency's endeavours to those ends, the resolution should provide accordingly.

66. The representative of EGYPT said that, as his country could support the amendment to section 1, paragraph (g), proposed by the representative of the United States of America only if it was factual, he proposed that "promotional" be inserted before "activities" because the Agency's non-promotional activities would not contribute to the achievement of the SDGs.

67. He considered that paragraph (o), proposed by the representative of the Russian Federation, should come under section 5 of the resolution.

68. The representative of INDONESIA wondered whether the Agency had taken any action to adopt best practices followed by other international organizations in order to achieve the SDGs.

69. The representative of FRANCE proposed that "and aware that this would require adequate resources" in section 4, paragraph (e), be replaced by "and aware that this would provide a framework for consideration of projects and the allocation of resources" in order to state more clearly the intention behind document GOV/2016/29.

70. The DIRECTOR OF THE DIVISION OF PROGRAMME SUPPORT AND COORDINATION OF THE DEPARTMENT OF TECHNICAL COOPERATION said that the Agency was supporting nine SDGs, including SDG 17 on partnership for the goals, to which the Agency would pay

particularly close attention in the following years. It had garnered success stories from its work with other UN organizations on the subject. Moreover, the Department of Technical Cooperation had been taking action over the previous four years to identify best practices in Member States and promote them in others.

71. The representative of INDONESIA wondered whether the success stories mentioned were Agency-specific success stories.

72. The DIRECTOR OF THE DIVISION OF PROGRAMME SUPPORT AND COORDINATION OF THE DEPARTMENT OF TECHNICAL COOPERATION said that the success stories belonged to Member States that had sought the Agency's support.

73. The representative of MOROCCO, speaking on behalf of the G-77 and China, said that the wording of paragraph (o) proposed by the representative of the Russian Federation had been discussed during informal consultations but had not yet been included in the draft resolution because further clarification had been required.

74. The amendment to section 1, paragraph (g), too, proposed by the representative of the United States of America, had been discussed during informal consultations, but it had not been included because "activities" was vague and could refer to Agency departments that were not contributing to achieving the SDGs. As the wording of the resolution must support the goal of strengthening TC activities, the proposal did not fit the context of the resolution. She was, however, willing to discuss the proposal further in informal consultations.

75. She said that section 1, paragraph (j), section 3, paragraph (e) and section 4, paragraphs (c) and (e) would be discussed further during informal consultations.

21. Promotion of efficiency and effectiveness of the IAEA decision-making process

76. The representative of the ISLAMIC REPUBLIC OF IRAN said that his country remained convinced that the promotion of efficiency and effectiveness in the Agency's decision-making process in a fair and balanced manner was highly important to Member States. Given the Agency's age as an organization, its decision-making processes must be brought into line with current global realities. There had been fundamental structural changes in international relations in recent decades, particularly within the global community engaged in the peaceful use of nuclear energy.

77. Pursuant to Article IV.C of its Statute, the Agency was based on the principle of the sovereign equality of all of its Members. All Member States should therefore participate directly in the decision-making process on all fundamental issues that related to the Agency's work or that had an impact on States' sovereign rights.

78. Although the General Conference represented all Member States, it was not the main policy-making body of the Agency — as was the corresponding body in other international organizations — given that most of the issues that it discussed had been agreed upon in advance by the Board of Governors. The balance of power between the two bodies must be reviewed in order to improve the efficiency of the General Conference.

79. The number of Board Members must be increased and the composition of the designated seats reconsidered. All Member States should have an opportunity to be elected to the Board on a regional

basis. The adoption in 1999 of the Amendment to Article VI of the Statute, as contained in document GC(43)/RES/19, had been a positive step, but, owing to various political and regional issues, it had not yet entered into force. Member States must work together to find an innovative solution that would enable Member States that had been deprived of acting as Members of the Board, in violation of Article IV.C of the Statute, to do so. He therefore called for an open-ended working group to be established to consider the issue and make recommendations to the General Conference.

80. He proposed that the system of voting in the General Conference be improved by introducing electronic voting, which was widely used by international organizations, including the UN General Assembly. By inserting an additional paragraph into Rule 72 of the Rules of Procedure to allow electronic voting — along the same lines as for the General Assembly — Member States could reduce costs and make more time available for substantive issues.

81. The representative of AUSTRALIA expressed support for improving the efficiency and effectiveness of the Agency's mechanisms as opportunities arose, including through the introduction of electronic voting. He suggested, however, that they would be best achieved by improving existing procedures and ensuring that Member States worked effectively together and with the Secretariat, for example by omitting laudatory remarks from statements delivered during sessions of the Board of Governors and by reducing the speaking time for national statements delivered during the plenary meetings of the General Conference, rather than by establishing new working groups.

82. Australia commended the Chair of the Committee for the professional manner in which he had led its work, and appreciated the constructive spirit of the negotiations held during the Committee's meetings and informal negotiations.

83. Australia proposed that missions be required to table resolutions for the Committee by the end of the first day of each session of the General Conference, which would increase transparency and give delegations time to seek instructions from their respective governments so that they would engage better in the substance of the debate.

84. In its opinion, the meetings of the Board of Governors constituted the appropriate forum for Member States to inform the Secretariat of their views.

85. The representative of CUBA, noting that the 2030 Agenda for Sustainable Development and the Paris Climate Change Agreement had entered into force during the previous year, called on all parties to strive jointly to achieve the goals set therein and she highlighted the growing importance of the role of the UN and its specialized agencies in those regards.

86. Cuba called for action to be taken to strengthen the UN system and make it more democratic. It also called for the analysis of the efficiency and effectiveness of the Agency's decision-making process to begin with an assessment of the structural and functional aspects of its systems of governance, and for a balance to be maintained among the Agency's statutory activities. It further called for the role of the General Conference as the Agency's supreme, most democratic legislative body, in which all Member States participated, to be strengthened.

87. Cuba highlighted the importance of ensuring that all opinions were respected equally and that no Member State imposed its opinions on the other Member States during the decision-making process; the Agency's decisions, which were of international consequence, should be made only within the framework of the General Conference.

88. Cuba supported the introduction of electronic voting and the automation of conference room allocation, highlighting the special importance of such technology.

89. The representative of the UNITED STATES OF AMERICA considered that the issues raised by the representative of Iran were important, but did not necessitate the establishment of a working group, as other useful practices could be introduced to ensure effectiveness and efficiency gains. He supported the proposal by the representative of Australia that resolutions be tabled by the end of the first day of each session of the General Conference to permit optimum consideration by the participants.

90. The CHAIR said that whereas the tabling of resolutions was strictly moderated at other UN organizations, participants in the Agency's General Conference sessions were placed under severe time constraints. He therefore encouraged Members to give further consideration to the proposal made by the representative of Australia.

91. The representative of EGYPT supported the Chair's comments and the proposal made by the representative of Australia and called for discussions to establish an appropriate mechanism and deadlines.

92. The representative of BRAZIL supported all efforts to enhance the efficiency of the Board. Brazil considered that resolutions must be discussed inclusively and transparently in order to lessen the workload of Member States' representatives during the General Conference and to avoid any misperception that votes were being politicized. Good practices were already being followed in some areas of the decision-making process and should be used as models for efficiency gains in other areas.

93. The CHAIR said that he would report to the plenary meeting that, under item 21 on promotion of efficiency and effectiveness in the IAEA decision-making process, attention had been drawn to the importance of maintaining and promoting the efficiency and effectiveness of the Agency's decision-making processes and strengthening the Agency and its governing bodies.

94. The need to expand the Board's membership and to enhance the role and authority of the General Conference and the importance of maintaining an appropriate balance between the two bodies had been underlined by several Members.

95. The importance of the direct engagement and participation of all Member States in the decision-making process on issues related to the Agency's work had been emphasized by several Members.

96. The relevance and importance of the process currently under way for the early ratification of the amendment to Article VI of the Agency's Statute had been raised in that context.

97. The need for the Agency to reform and promote the efficiency of its working methods and adapt the application of procedures of its bodies, in particular with regard to the use of electronic voting and the timely tabling of resolutions, had been raised by some Members.

The meeting rose at 5.40 p.m.