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Chair: Mr CSERVENY (Hungary)

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¹ GC(60)/COM.5/1.

Abbreviations used in this record:

CPPNM	Convention on the Physical Protection of Nuclear Material
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
UNSC	United Nations Security Council

14. Nuclear security

(GC(60)/11; GC(60)/INF/9; GC(60)/COM.5/L.11 and Add.1)

1. The CHAIR drew attention to the Nuclear Security Report 2016 in document GC(60)/11 and to the report on preparations for the International Conference on Nuclear Security in document GC(60)/INF/9. He invited the representative of France to introduce the draft resolution in document GC(60)/COM.5/L.11.

2. The representative of FRANCE, speaking on behalf of the 34 co-sponsors, said that consultations with all Member States had begun in early July 2016 and that the outcome of each open-ended meeting had been integrated into revised versions of the draft resolution. The drafting team had held bilateral negotiations on request. The co-sponsors attached great importance to achieving consensus. As opinions had diverged on some points, the draft reflected compromises that could bridge the divergences.

3. The representative of EGYPT voiced disappointment at the many amendments to the text of resolution GC(59)/RES/10; paragraphs that had been the outcome of sensitive negotiations had been deleted and the draft resolution did not contain consensus wording but new ideas that were highly unlikely to secure a consensus.

4. The representative of TUNISIA, speaking on behalf of the African Group, said that the Group would support the draft resolution, which had preserved a number of fundamental principles that it had espoused. Nuclear security should not hamper the inalienable right of Member States to pursue peaceful uses of nuclear energy under Article IV of the NPT or interfere with Member States' nuclear technology choices. Nuclear security should be pursued holistically within the context of the international community's broader efforts to promote nuclear disarmament, non-proliferation and peaceful uses of nuclear energy. Progress in nuclear disarmament was urgently needed to ensure compliance with relevant nuclear disarmament and non-proliferation obligations, given the catastrophic humanitarian consequences and risks associated with the detonation of nuclear weapons. Responsibility for nuclear security within a territory rested entirely with the State concerned. That important principle should govern all action, whether taken collectively through the Agency or through any other individual or regional initiative. The Group recognized the Agency's central nuclear security role, for it was the only widely recognized intergovernmental organization whose remit covered all nuclear material and facilities. Its role should be governed by relevant resolutions of the Agency's policy-making organs, and the utmost importance must be ascribed to striking a balance between the Agency's promotional and other statutory activities.

5. The representative of BRAZIL said that some proposals made during the consultations had not been properly discussed or reflected in the draft resolution. He therefore requested, supported by the representatives of SOUTH AFRICA, SWITZERLAND, PERU, ECUADOR, INDONESIA, CHILE, CUBA, GUATEMALA, SINGAPORE, MALAYSIA, MEXICO and CHINA, that all previously submitted amendments be compiled into a single document and distributed to permit informed discussion.

6. He agreed with the African Group that nuclear security should not hamper Member States' right to pursue peaceful uses of nuclear energy.

7. The representative of ALGERIA was disappointed that Algeria's proposals, in particular its recommendation that the draft resolution be based on resolution GC(59)/RES/10, had been ignored. Paragraph (d) constituted a step backwards on disarmament, while paragraph 7 toned down the wording of paragraph 6 of the previous year's resolution and did not reflect properly many States' concerns about the links between nuclear security and technical cooperation.

8. The representative of NIGERIA said that a constructive consensus-oriented approach should be taken to nuclear security. The draft resolution had been tabled somewhat belatedly, and smaller delegations required more time to consider new wording such as that contained in paragraph (c), which specified diverse areas on which nuclear security should focus.

9. The representative of SOUTH AFRICA voiced disappointment at the procedure followed in tabling the resolution. As many of the proposals contained in the draft resolution fell short of commanding consensus, it would have been preferable to share the proposals with all delegations to permit transparent discussions on all issues.

10. The representative of ECUADOR regretted that Member States' proposals had been ignored and voiced concern at the reinterpretation of paragraphs previously adopted by consensus and at the introduction of new wording on sensitive issues.

11. The representative of INDONESIA, supported by the representatives of CHILE and MEXICO, said that resolution GC(59)/RES/10 should be the basis for the draft resolution, which contained amendments on which no consensus had been reached during the consultations.

12. The representative of GUATEMALA agreed with the representative of Algeria that there would not be any consensus on paragraph (d). She voiced concern at the reference in paragraph (s) to the allocation of financial resources, which would necessitate transfers of resources from other programmes.

13. The representative of NORWAY said that the drafting team had made a serious effort to secure full consensus, in particular on paragraph (d), but, as choices must be made in any such process, Norway had been unable to co-sponsor the draft resolution.

14. The representative of the UNITED STATES OF AMERICA said that the draft resolution contained many new elements and raised challenging issues in a year of great importance for nuclear security, in the light of the Nuclear Security Summit to be held in December 2016, the 10th anniversary of the Global Initiative to Combat Nuclear Terrorism and the entry into force of the Amendment to the CPPNM. His delegation was strongly committed to consensus on the draft resolution.

15. The representative of BELGIUM pointed out that the draft resolution had been distributed during the summer and that the drafting team had taken note of the proposals made during the informal consultations. The co-sponsors would listen carefully to further proposed amendments in order to find a compromise solution.

16. The representative of SINGAPORE said that the drafting procedure should have been more inclusive and transparent, in particular, in regard to proposals to retain wording contained in resolution GC(59)/RES/10.

17. The representative of CANADA said that the failure to include several of her country's proposals and comments in the draft resolution was understandable, owing to the widely differing views of Member States on certain issues. She hoped that further amendments would be proposed in a spirit of efficiency, consensus and compromise.

18. The representative of the REPUBLIC OF KOREA, welcoming the amendments to previous versions of the draft resolution contained in the current draft, said that it had not been easy to reflect all concerns expressed during the consultations. She looked forward to constructive discussions leading to consensus.

19. The representative of JAPAN said that some of his country's proposals had not been reflected in the draft resolution. A more democratic approach to the drafting procedure should perhaps be considered but it was preferable, owing to time constraints, to take a more pragmatic approach.

20. The CHAIR referred to the request made by the representative of BRAZIL for a written compilation of proposed amendments to be distributed to permit informed discussion on draft resolution GC(60)/COM.5/L.11. He believed that it would promote transparency and facilitate the achievement of consensus if the drafters of the resolution could circulate a document to Member States, detailing those proposed amendments and indicating text that would remain identical to that of resolution GC(59)/RES/10.

21. The representatives of INDONESIA supported the proposal made by the CHAIR.

22. The representative of FRANCE said that numerous amendments had been proposed orally and in writing during the informal discussions on the draft resolution and that some Member States had taken seemingly contradictory positions as the discussions had proceeded. Although a compilation of many of the comments that had been made could be produced, it would be difficult to compile a complete list of all of the proposed amendments.

23. The representative of the NETHERLANDS said that the team was not sufficiently large to produce a comprehensive compilation of the proposed amendments. She suggested that the Committee commence its consideration of the draft resolution. The drafters would take note of all proposals made during the discussions and would circulate a compilation of those proposals to Member States as soon as possible, in addition to a version of the draft resolution highlighting proposed wording that remained identical to wording used in resolution GC(59)/RES/10.

24. The representative of BRAZIL thanked the representative of the Netherlands for agreeing to provide a written compilation of proposed amendments, which would enhance transparency in the negotiations on the text of the draft resolution and facilitate consensus among Member States. The Committee should move forward by seeking to finalize the wording of individual paragraphs of the draft resolution but, as the drafters had not yet provided the written compilation, all Member States should draw attention to the amendments that they had already proposed in the informal discussions.

25. The representative of JAPAN and SLOVAKIA agreed that the Committee should begin its consideration of the draft resolution.

26. The representatives of EGYPT and SOUTH AFRICA called for a compilation of as many proposals as possible to be provided to Member States at the earliest opportunity. In the meantime, the Committee should begin its consideration of the draft resolution.

27. The CHAIR took it that the Committee wished to begin its consideration of draft resolution GC(60)/COM.5/L.11 on the understanding that, by the following morning, the drafters would produce a written compilation of proposed amendments to the text and would circulate a document showing proposed wording that was identical to wording used in resolution GC(59)/RES/10.

28. It was so agreed

29. The representative of EGYPT requested that paragraph (c) of the draft resolution be amended because it contained an incomplete and selective definition of nuclear security. Egypt proposed that

the second and third phrases of paragraph (d) be amended to “reaffirming commitment to the obligations and shared goals, and stressing that progress is urgently needed in nuclear disarmament” in order to highlight that nuclear disarmament, nuclear non-proliferation and the peaceful uses of nuclear energy were legal obligations under the NPT and the importance of achieving rapid progress towards disarmament.

30. It urged the Committee to delete “... and that this will continue to be addressed in the appropriate international fora” from the end of paragraph (d), which gave the erroneous impression that progress was being achieved in negotiations on nuclear disarmament and effective measures, and did not highlight the key role played by the Agency in that regard.

31. Egypt proposed that the end of paragraph (e) be amended to “all nuclear and radioactive material, including nuclear material used in nuclear weapons”, thus stressing States’ responsibility for the security of their nuclear weapons. Noting that an additional paragraph that it had proposed during the informal negotiations had not been included, Egypt requested an explanation and urged Member States to reconsider.

32. The representative of SWITZERLAND proposed that paragraph (c) be either amended to include the full definition of nuclear security contained in the Nuclear Security Fundamentals (IAEA Nuclear Security Series No. 20) or deleted.

33. Switzerland noted that, unlike the previous year’s resolution, paragraph (d) did not highlight the link between nuclear disarmament and nuclear security, which was a matter of great importance to Switzerland. As consensus on paragraph (d) was unlikely, it urged the Committee to reinstate the wording used in paragraph (c) of the previous year’s resolution.

34. The representative of SOUTH AFRICA, supporting the proposals made by the representatives of SWITZERLAND and EGYPT, suggested that the third phrase in paragraph (d) be amended to read: “... and stressing that progress is urgently needed in nuclear disarmament, given the catastrophic humanitarian consequences associated with nuclear weapons”. Alternatively a reference to the catastrophic humanitarian consequences associated with nuclear weapons could be included in paragraph (q). She drew support from related wording in the final document of the 2010 NPT Review Conference and from Sections 2.1 and 2.3 of the Nuclear Security Fundamentals (IAEA Nuclear Security Series No. 20).

35. The representative of NEW ZEALAND agreed that paragraph (c) should be either amended to include a full definition of nuclear security or deleted and that paragraph (d) should be amended to reaffirm the link between nuclear disarmament and nuclear security, which was a matter of great importance to New Zealand. He agreed to the inclusion in paragraph (e) of a specific reference to nuclear material used in nuclear weapons and supported the inclusion of a reference to the humanitarian consequences of nuclear weapons, preferably in paragraph (q).

36. The representative of BRAZIL, commending the suggestions made by the representatives of Egypt, New Zealand, South Africa and Switzerland, considered that paragraph (c) should be deleted, that paragraph (d) should be amended as proposed and reworded in English in order to avoid the ungrammatical use of the word “commitment” and that paragraph (e) should be amended to include a reference to nuclear material used in nuclear weapons.

37. The representatives of SINGAPORE and INDONESIA were in favour of rewording paragraph (d) as in resolution GC(59)/RES/10 in order to highlight the link between disarmament and nuclear security and the urgent need for progress in nuclear disarmament, of deleting paragraph (c) and of referring to the catastrophic humanitarian consequences of nuclear weapons in paragraph (q), while supporting the amendment to paragraph (e) proposed by the representative of Egypt.

38. The representative of CUBA called for paragraph (c) to be deleted because there was no need for a definition of nuclear security and because the quotation in the resolution was incomplete.

39. Her delegation was in favour of inserting “urgently” before “needed” in paragraph (d), of inserting a reference to the humanitarian consequences of nuclear weapons wherever it was most appropriate and of linking nuclear security to nuclear disarmament.

40. The representative of COSTA RICA agreed with the statements on paragraphs (c), (d), (d) bis and (e) made by the representatives of Egypt, South Africa, New Zealand, Brazil, Singapore, Indonesia and Cuba.

41. The representative of PERU said that the definition of nuclear security given in paragraph (c) should be deleted because the quotation was incomplete.

42. Peru considered that paragraph (d), as currently worded, diluted the text of the previous year’s resolution and it therefore called for the reinstatement of that wording.

43. It was in favour of the proposal to refer to the humanitarian consequences of nuclear weapons in the draft resolution and of the proposed amendments to paragraphs (d) bis and (e).

44. The representative of the RUSSIAN FEDERATION said that paragraphs (c), (d) and (e) did not contribute to the furtherance of the Agency’s programme of work, for they were merely political statements. He opined that all Member States must agree to the statement of the Agency’s position on a matter when it was enshrined in a resolution.

45. He pointed out that the source of the definition of nuclear security in paragraph (c) was not binding in nature and considered that consensus on paragraph (d) could be regained only if States desisted from linking nuclear security and nuclear disarmament and from asserting that nuclear disarmament was a statutory activity at the Agency. Accordingly, he proposed that paragraph (d) be replaced by “Reaffirming the common goals of nuclear non-proliferation, nuclear disarmament, and the peaceful uses of atomic energy, recognizing that nuclear security contributes to international peace and security, and stressing that progress is needed in nuclear disarmament, consistent with the relevant obligations and commitments, based on the principle of equal and undiminished security for all, and that this will continue to be addressed in the relevant international fora”.

46. The representative of the ISLAMIC REPUBLIC OF IRAN supported the comments made by the representatives of South Africa, Brazil and Egypt.

47. He was in favour of the amendment to paragraph (d) proposed by the representative of Egypt. While acknowledging the concerns about linking nuclear security to nuclear disarmament, he noted that nuclear disarmament was in the interest of the entire international community.

48. He was in favour of the amendment to paragraph (e) proposed by the representative of Egypt, but suggested that the paragraph be divided into two in order to highlight the important first part. The new paragraph would thus begin with “Mindful of the responsibilities...”

49. He supported the proposal by the representative of South Africa to refer to the humanitarian consequences of nuclear weapons.

50. The representative of INDIA, recalling that the previous year’s nuclear security resolution had not been adopted by consensus, welcomed the newly worded paragraph (d) that could restore consensus but regretted that many delegations wished to step backwards to the previous year’s wording. As 2016 was a key year for nuclear security, consensus was more important than wrangling over wording that had no direct bearing on nuclear security. His delegation would support the wording proposed by the drafters or by the representative of the Russian Federation.

51. The representative of SLOVENIA said that her delegation objected to the deletion of paragraph (c) from the draft resolution.

52. Slovenia would support any wording of paragraph (d) that restored the consensus lost on the nuclear security resolution in 2015.

53. Her delegation did not support the inclusion of paragraph (d) bis proposed by the representative of Egypt, since the adoption of the report of the Open-ended Working Group on nuclear disarmament had required a vote.

54. The representative of ECUADOR was in favour of deleting paragraph (c) because it was not supported by all Member States. Her delegation was in favour of reinstating the wording used in the 2015 resolution for paragraph (d).

55. It was also in favour of the amendment to paragraph (e) proposed by the representative of Egypt and it ascribed the utmost importance to the proposal made by the representative of South Africa.

56. The representative of DENMARK highlighted the usefulness of paragraph (c), for it defined the scope of nuclear security for the purposes of the resolution and the Agency's work.

57. She noted that paragraph (d) had been reworded in order to regain the consensus that had been lost in 2015. It was important to continue efforts to find the middle ground on that paragraph, rather than propose text that was not conducive to consensus.

58. The representative of MEXICO, supporting the comments on paragraph (d) made by the representatives of Brazil, South Africa and Egypt, said that his delegation was in favour of reinstating the 2015 wording. Mexico considered that nuclear disarmament and nuclear security were linked and that doubts on the subject would be dispelled by an Agency-convened technical meeting on the conceptual and technological links between the two. As the preamble served to set mandates for the Agency, amendments were proposed thereto in furtherance of nuclear security, given its importance within the Agency.

59. Mexico considered that the reference to appropriate international fora for discussions on disarmament was inappropriate. It agreed that reference should be made to the catastrophic consequences of nuclear weapons.

60. The representative of GUATEMALA was in favour of deleting paragraph (c), believing that a quotation should be included in full or not at all.

61. Guatemala was in favour of reinstating the previous year's wording for paragraph (d) or of adopting the amendments thereto proposed by the representative of Egypt; it would consider the amendment proposed by the representative of the Russian Federation.

62. It was in favour of the amendment to paragraph (e) proposed by the representative of Egypt.

63. The representative of EGYPT fully supported the inclusion of a reference to the catastrophic consequences of nuclear weapons in paragraph (q) as proposed by the representative of South Africa.

64. In the light of the comments made on proposed paragraph (d) bis, Egypt proposed that "Welcoming" be replaced by "Taking note", for it was essential to take stock of major developments in the field of disarmament.

65. The representative of POLAND supported the comments made by the representative of Slovenia on paragraph (d) bis which, if inserted, would ruin the likelihood of any consensus on the draft resolution, which was important in such a key year for nuclear security.

66. The representative of PAKISTAN said that, as the resolution afforded an opportunity to give guidance on nuclear security to the Secretariat, the draft must focus unequivocally on nuclear security itself rather than on setting lofty goals or venting frustration about a lack of progress on nuclear disarmament. Most of the proposed amendments to the first page of the draft had no bearing on nuclear security but concerned matters that fell outside the Agency's mandate and were highly controversial and divisive, even in the fora duly mandated therefor. Pakistan appealed to all delegations to seek a compromise text and to avoid inserting politically charged elements into the draft resolution.

67. He noted that he, too, had at first been sceptical but had since understood the logic of including in paragraph (c) a reminder of the constituent elements of nuclear security.

68. The representative of BELGIUM said that proposed paragraph (d) bis was unacceptable to her delegation.

69. The representative of the UNITED STATES OF AMERICA supported the comments made by the representative of Pakistan and, while calling for paragraph (c) to be retained because it provided useful clarification, stressed that the quotation was complete because it matched the definition given in the Nuclear Security Series Glossary and that the second sentence in Section 1.1 of the Nuclear Security Fundamentals did not form part of the definition.

70. With regard to paragraph (d), he pointed out that nuclear disarmament did not form part of the Agency's nuclear security programme. Noting the importance of consensus on the resolution in such a key year for nuclear security, he thanked the representative of the Russian Federation for attempting to identify conceptual common ground for the paragraph.

71. In considering the proposal to refer to the catastrophic humanitarian consequences of nuclear weapons, he noted that nuclear weapons were a UNSC matter that might not be addressed in an Agency resolution.

72. The United States of America did not share the sentiment expressed in proposed paragraph (d) bis, and could not therefore support its inclusion in the draft resolution.

73. The representative of CANADA proposed, as a compromise on the definition in paragraph (c), that "as defined" be replaced by "as stated".

74. Turning to paragraph (d), she noted that, while Canada was committed to the shared goals of nuclear disarmament, it considered that the matter must be discussed in the specialized fora to avoid detracting from critical efforts to enhance nuclear security worldwide. Canada would be prepared to work on the suggestions made by the European Union or by the Russian Federation, or on the wording used in the 2015 resolution.

75. Canada was not in favour of referring to the catastrophic humanitarian consequences of nuclear weapons or of paragraph (d) bis proposed by the representative of Egypt.

76. The representative of FRANCE noted, with disappointment, that the numerous amendments being proposed were less conducive to consensus than the wording used in the draft as submitted.

77. Turning to the amendment proposed by the representative of Egypt, she said that it would be impossible to support a text that had been put to a vote in Geneva.

78. Noting that nuclear disarmament had been linked to nuclear security in a text that had been adopted by consensus in 2014, she regretted that proposals were being made to reopen agreed matters.

79. The representative of SOUTH AFRICA said that the link between nuclear disarmament and nuclear security was not a tenuous one, since nuclear weapons accounted for 85% of all nuclear material. She recalled that the Agency had been instrumental in verifying her own country's unilateral dismantlement of its nuclear weapons programme pursuant to Article III.B of the Statute. South Africa therefore supported the amendment proposed by the representative of Egypt and objected to the comment that humanitarian consequences were a UNSC matter.

80. The representative of NORWAY agreed with the representative of Poland that it was not appropriate to raise divisive issues that ought to be discussed elsewhere. He noted that "based on the principle of equal and undiminished security for all" contained in paragraph (d) proposed by the Russian Federation had been taken from a different context.

81. The representative of the UNITED KINGDOM agreed with all who had highlighted the importance of consensus on the draft resolution in order to give the Agency a clear mandate, and counselled against dwelling on matters that fell within the purview of other fora.

82. The representative of INDIA said that his country agreed with those who had spoken in favour of retaining paragraph (c) as a reminder and a definition but could agree to the replacement of "as defined in" by "as stated in".

83. With regard to the link between nuclear disarmament and nuclear security, he considered that consensus was possible on the draft resolution as submitted.

84. The representative of AUSTRALIA, noting the highly divergent views expressed on paragraph (d), called for flexibility in the effort required to agree on a text for paragraph (d) that put nuclear security in its proper context.

85. Australia was in favour of retaining paragraph (c) because it provided clarity, and it considered that paragraph (d) was essential. It recommended that the Committee focus on the Agency's role in order to increase the likelihood of consensus.

86. The representative of LUXEMBOURG was in favour of the draft as submitted, but could not accept proposed paragraph (d) bis because the issue was very controversial and had necessitated a vote in Geneva.

87. The representative of the NETHERLANDS considered that it was very important to retain paragraph (c) because it provided scope and direction and because the quotation was not selective. She supported the proposal that "as defined in" be replaced by "as stated in".

88. The Netherlands strongly supported paragraph (d) as submitted. It hoped that consensus could be reached on the resolution, as its purpose, importantly, was to guide the Agency in its work. She called on the Committee to consider accepting paragraph (d) in a spirit of compromise and to desist from proposing issues that were conducive to consensus.

89. The representative of EGYPT said that, in the interests of consensus, previously agreed texts on fundamental matters such as the link between nuclear disarmament and nuclear security should not be reopened, and he urged representatives to allow the discussion to move forward.

90. Egypt could agree to the deletion of "as defined in the Nuclear Security Fundamentals" and of "focuses" from paragraph (c).

91. The representative of BRAZIL welcomed the amendment to paragraph (d) proposed by the representative of the Russian Federation and suggested inserting a full stop in that text after "obligations and commitments".

92. He suggested that paragraph (c) be deleted because the entire resolution effectively constituted a definition of nuclear security.

93. The representative of INDIA did not agree that the annual resolution constituted a definition of nuclear security.

94. The representative of CHINA called for the Agency's nuclear security functions to be clarified. He agreed with the representatives of Pakistan and the Russian Federation on the need to be constructive and open in order to move towards consensus.

95. The representative of SWITZERLAND considered the amendment to paragraph (d) proposed by the Russian Federation to be a good basis on which to build consensus, as it sought to give pride of place to the three NPT pillars as in the previous year's resolution.

96. The representative of NEW ZEALAND said that his country could not agree to the amendment proposed by the Russian Federation in its entirety, but was prepared to consider it as a starting point.

97. The representative of BRAZIL considered that, as there was no definition of nuclear security, its principles and goals were in a state of flux and the concept was defined yearly when Committee members formulated their desiderata. At any rate, Brazil could not agree to a selective quotation from the Nuclear Security Fundamentals

98. The representative of INDIA was in favour of retaining paragraph (c) as submitted, since it had been taken from a previously agreed document. Alternatively, it would accept Canada's proposal that "defined" be replaced by "stated".

99. The representative of the RUSSIAN FEDERATION said that the amendment to paragraph (d) had been proposed in an attempt to find common ground conducive to consensus. The text had been premised on the stated importance of disarmament, which must be discussed elsewhere, in the relevant international fora. He acknowledged that there was room for improvement in the text, but stressed that nuclear non-proliferation, nuclear disarmament and the peaceful uses of atomic energy were indubitably common goals, to be achieved by Member States, drawing on the NPT.

100. He counselled against entrenched and growing disagreement on nuclear security and urged the Committee to make headway by regarding nuclear security, not as a political matter, but from the standpoint of the operator of a nuclear facility responsible for the physical protection of nuclear material.

The meeting rose at 9.05 p.m.