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Chair: Mr CSERVENY (Hungary)

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¹ GC(60)/COM.5/1.

Abbreviations used in this record:

NPT	Treaty on the Non-Proliferation of Nuclear Weapons
UNSC	United Nations Security Council

14. Nuclear Security (continued)

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

1. The CHAIR invited the Committee to continue its consideration of the draft resolution contained in document GC(60)/COM.5/L.11.
2. The representative of IRELAND said that his country regarded the amendment to paragraph (d) proposed by the Russian Federation as a good basis for consensus.
3. The representative of BRAZIL, regretting that a single document collating and reflecting all proposed amendments to the draft resolution had not been submitted to the Committee, said that transparency clearly remained a problem and called for the Committee's working methods to be reviewed and improved by the following year.
4. The representative of the NETHERLANDS said that it was neither possible nor desirable to provide a single document reflecting all proposals, many of which had already been heard and considered during the drafting process.
5. The representative of ARMENIA proposed that "such as terrorists and criminal groups," be inserted after "non-State actors" in paragraph (p). Stressing that there was no formal legal definition of "non-State actor", apart from one used in UNSC resolution 1540 (2004), Armenia called for a clear definition to be included in the resolution.
6. The representative of SWITZERLAND, supported by IRELAND, requested that its proposed amendment be replaced by "Noting the need to address nuclear security of nuclear material in a comprehensive approach encompassing the large majority of nuclear material used for non-civilian purposes and encouraging voluntary measures aimed at increasing the security of such material" in order to acknowledge that 85% of nuclear material worldwide was in non-civil uses, reflect the risk of terrorist groups seeking to acquire nuclear material and encourage Member States to avail themselves of the Agency's expertise that was equally applicable to all nuclear material.
7. The representative of the RUSSIAN FEDERATION, stressing the importance of wording that focused on the Agency's statutory activities, said that the Russian Federation was not in favour of any direct reference in the draft resolution to nuclear material in military programmes or non-civilian uses, for the Agency, with "atoms for peace and development" as its motto, was not the appropriate forum. It would agree to integrate some elements of the amendment proposed by the representative of Switzerland into paragraph (e), which covered the nuclear security of all nuclear and radioactive material. He suggested that "in a comprehensive approach" be moved to the end of the proposed paragraph or that the last phrase thereof be replaced by "welcoming the voluntary measures to be taken at the national level aimed at enhancing the security of this material".
8. The Russian Federation considered that, if consensus could be achieved on paragraph (d), it would be willing to reinstate the wording agreed in 2015 for other paragraphs about which it had serious reservations.
9. The representative of NORWAY said that the amendment proposed by the representative of Switzerland had raised some very valid points that required further attention, given that nuclear material worldwide was used mostly for non-civilian purposes. Norway supported the wording

proposed by the representative of Switzerland, for it encouraged Member States to take voluntary measures and to draw on the Agency's expertise.

10. The representative of INDIA questioned the value of calling for voluntary measures for material that was already highly secure, despite the impression given by the amendment proposed by the representative of Switzerland.

11. The representative of EGYPT requested explanations on the intention behind paragraph (f), on its relevance to the Agency's work and on the wording of the second half of the paragraph. He wondered whether examples could be given of technology currently under development by the Agency.

12. The representative of the NETHERLANDS called for the draft resolution to be discussed in its entirety in the Committee rather than informally because Member States ascribed great importance to the amendments being proposed.

13. The representative of the UNITED KINGDOM said that a forward-looking approach to nuclear security had been sought in paragraph (f) in anticipation of technological developments, such as drones, which could both bring benefits and pose threats.

14. The representative of EGYPT said that his country, which was prepared to work on the wording to take note of an evolving threat, could not agree to paragraph (f) because such technology did not fall within the Agency's mandate or technical capabilities.

15. The representative of GUATEMALA said that her country supported the wording proposed by the representative of Switzerland. It objected to "terrorist tactics" and to paragraph (f) as a whole, stressing that the General Conference had not formally defined "terrorism" and such political wording should be eschewed.

16. The representative of the RUSSIAN FEDERATION said that his country shared the serious concerns of the representatives of the States that had spoken on paragraph (f), as "terrorist tactics" were major unknowns. He considered that the second half of paragraph (f) could be better placed elsewhere in the draft resolution.

17. He did not agree to paragraph (j) as currently worded, considering that the Agency did not play a central role in developing comprehensive nuclear security guidance documents, for it was not a regulatory authority, its nuclear security guidance documents were non-binding and the establishment of mechanisms to ensure nuclear security was a matter for States themselves. He therefore called for the reinstatement of the wording used in paragraph (o) of the previous year's resolution.

18. The representative of BRAZIL said that his country shared some of the concerns about paragraph (f). The debate on whether or not terrorist tactics were changing did not fall within the purview of the Agency, and the relevance of comments about drones to the Agency's concerns had been unclear. Further discussion was required to clarify such matters.

19. The representative of CUBA said that her country, while sharing the views expressed by the representatives of Egypt and Brazil, proposed that paragraph (f) be deleted. It was not wise for the General Conference to refer, even assumptively, to terrorist tactics.

20. The representative of INDONESIA said that her country supported the amendment proposed by the representative of Switzerland, considering that the growing terrorist threat, especially if associated with nuclear military material, could have even greater catastrophic consequences for civilian lives.

21. Indonesia proposed that paragraph (f) be deleted, for the assessment of terrorism did not fall within the Agency's remit. The wording of the paragraph could, however, be improved by taking a comprehensive, rather than a selective, approach.

22. The representative of SOUTH AFRICA said that her country supported the proposal made by the representative of Switzerland. South Africa disagreed with the comments made by the representative of the Russian Federation regarding the Agency's mandate, for it considered that, although States ultimately decided whether to take the measures proposed, the Agency was central to ensuring that nuclear material was secured; it was therefore necessary to guard against the risks associated with such material falling into the wrong hands.

23. Her country shared the concerns voiced about paragraph (f), which contained new concepts that were unclear and required discussion in greater depth. Acknowledging the attempts made by the United Kingdom to improve the wording, South Africa considered that differences of opinion and a lack of clarity subsisted and called for further informal discussion.

24. The representative of CANADA believed that the nuclear security resolution would be most effective if it focused on civilian, nuclear and radiological security, in particular under the Agency's mandate for the peaceful uses of nuclear energy. Canada considered that it was undesirable to divert the discussion to issues that would be best discussed in other fora and it stressed that much of the content of the paragraph proposed by the representative of Switzerland had already been addressed in paragraph (e).

25. In considering paragraph (f), Canada stressed that nuclear security underpinned the peaceful uses of nuclear energy, that any areas related thereto fell within the Agency's mandate, that recognition of new and emerging technologies was crucial to enabling the Agency to continue its work and that awareness of the changing nature of terrorism and related "tactics" informed actual concern, for, as terrorists often took the simplest means of attack and as technologies evolved, simple tactics became potentially more destructive.

26. Canada believed that the Agency played a central role in strengthening nuclear security worldwide and that there was thus added value in adopting paragraph (j) and paragraph (l).

27. The representative of the UNITED STATES OF AMERICA, acknowledging that several Member States shared the concerns expressed in the amendment proposed by the representative of Switzerland, said that they would be best considered elsewhere. His country considered that the current amendment proposed by the representative of Switzerland, which did not refer to States' responsibility, was not conducive to consensus. Besides, the concerns expressed were already covered by paragraph (n) and, as noted by the representatives of Canada and the Russian Federation, by paragraph (e).

28. His country considered that it would be appropriate to retain the wording on evolving threats in paragraph (f), given Member States' capacity to make judgements about occurrences that they observed in the world.

29. The representative of NAMIBIA said that his country supported the amendment proposed by the representative of Switzerland and, sharing the concerns voiced by the representatives of Egypt, Brazil and others, called for paragraph (f) to be deleted.

30. The representative of NEW ZEALAND, acknowledging that all Member States recognized the importance of securing all nuclear material, said that his country supported the amendment proposed by the representative of Switzerland, as restated by the representative of Norway.

31. The representative of ALGERIA said that his country supported the amendment proposed by the representative of Switzerland. The efforts by the international community to reinforce safety should allow States to move towards a global vision of nuclear security, sharing the concerns of the NPT. The suggested wording was sufficiently simple and neutral, and took into account the concerns of most Member States.

32. Algeria considered that the approach taken in paragraph (f), which suggested that technological developments could be threatening, was misguided and that a distinction should be drawn between essential and accessory matters. It called for paragraph (f) to be reworded because the rationale behind the text was not clear.

33. The representative of CHILE agreed that Member States should tap the Agency's expertise and that nuclear security would not be effective if concerted efforts applied only to 15% of nuclear material and not the remaining 85%. The component elements of the proposed amendment were very interesting and could be merged with the other Member States' comments on the primary responsibility of States as a means of seeking consensus.

34. The representative of FRANCE stressed that, as the subject matter of the resolution was radiological and nuclear security of civilian material, the amendment proposed by the representative of Switzerland could not be inserted into the draft resolution. Furthermore, trends in the threat of terrorism covered by paragraph (f) currently gave cause for concern; France stressed that the amendment proposed by the representative of Switzerland had been similarly designed to counter terrorist attacks, but by different means, and called for a joint stance in meeting that threat.

35. The representative of the UNITED KINGDOM said that her country did not support the amendment proposed by the representative of Switzerland and stressed that the Agency should remain focused on strengthening the security of civilian nuclear material.

36. The United Kingdom wished to retain at least some of the wording of paragraph (f) in the draft resolution, but was flexible in that matter.

37. The representative of JAPAN, referring to paragraph (f), said that technological developments affected States' assessments of threats, in particular threats to nuclear facilities and material. Technological developments, such as the combination of facial recognition technologies and artificial intelligence, and data assessment, had strengthened nuclear security and had led to the identification of other threats and to the reduction of threats to facilities. It was therefore appropriate to consider how such technological developments should be assessed in order to improve nuclear security. Japan was willing to discuss the wording and hoped that the essence of the paragraph would be retained.

38. The representative of SINGAPORE said that his country supported the amendment proposed by the representative of Switzerland.

39. It called for further discussions in order to reach consensus on paragraph (f), which contained concepts that could be useful, but also too many conflicting ideas.

40. The representative of BRAZIL considered that the wording of the amendment proposed by the representative of Switzerland could be amended to address some of the concerns voiced by referring, for example, to the need for States to address the nuclear security of nuclear material rather than to the Agency's responsibility. Another solution would be to merge the paragraph with paragraph (e), as suggested by the representative of the Russian Federation. As the concepts were very important, further efforts should be made to find common ground.

41. The representative of MALAYSIA said that her country supported the amendment proposed by the representative of Switzerland.

42. Malaysia, too, voiced concerns about paragraph (f), as the link between the two parts of the paragraph was not clear; it would work constructively with other Member States to find acceptable wording.

43. The representative of PAKISTAN thanked the sponsors and co-sponsors for the document highlighting changes to the draft resolution in relation to the previous year's resolution.

44. Pakistan sought to dispel two misconceptions connected with the amendment proposed by the representative of Switzerland. Firstly, although non-civilian nuclear material was not covered by the Agency's Statute or any international treaty, or by any Agency guidance documents, and fell outside the Agency's mandate and competence, it was wrong to think that the security of such material was not taken seriously or was ignored. Secondly, it was not true that greater transparency in the security of non-civilian nuclear material would somehow increase security; rather, transparency must be balanced against the needs of confidentiality. As the draft resolution covered all material, for example in paragraphs (e) and (n), Pakistan objected to the amendment proposed by the representative of Switzerland and considered that the issue must be discussed elsewhere.

45. The representative of the REPUBLIC OF KOREA said that her country was in favour of retaining paragraph (f) because attempts had been made to carry out cyberattacks that could have affected nuclear facilities in the Republic of Korea. One of her country's priorities was computer security program development in the Agency's Division of Nuclear Security, which should help to develop best practices and to strengthen Member States' national nuclear security regimes. Her country would be flexible about the wording, but was keen to retain that paragraph and its underlying idea in the draft resolution.

46. The representative of BELGIUM said that her country wished to retain the concept contained in (f), which reflected a reality to which affected Member States must respond. Her country was, however, flexible about the wording.

47. The representative of the NETHERLANDS said that her country shared the concerns expressed by many other Member States on the security of all nuclear material, including civilian and military material. Those matters had been thoroughly discussed in previous years and the Netherlands considered that they had been duly covered in the draft resolution. The references to all nuclear material and to States' responsibility covered military material for the purposes of the draft resolution.

48. The representative of the ISLAMIC REPUBLIC OF IRAN said that his country supported the amendment proposed by the representative of Switzerland and was in favour of the reference to all nuclear material. His country considered that paragraph (k) contained some contradictions that must be resolved. It referred, problematically, to the inclusiveness of the nuclear security summits, which had actually been exclusive.

49. The representative of SOUTH AFRICA, supported by the representatives of EGYPT, GUATEMALA, INDONESIA and BRAZIL, proposed that "and acknowledging the concern expressed at the catastrophic humanitarian consequences of any use of nuclear weapons, and the need for all States, at all times, to comply with applicable international law, including international humanitarian law" be inserted at the end of paragraph (q), drawing on references such as the final document of the 2010 NPT Review Conference and Sections 2.1 and 2.3 of the Nuclear Security Series on Fundamentals.

50. The representative of ECUADOR said that her country supported the amendment proposed by the representative of Switzerland.

51. Ecuador called for paragraph (f) to be deleted, for it was sensitive and could give rise to conflict. Issues such as cyberattacks were important, but should be considered from an angle that did not involve any conflict based on concepts.

52. The representative of the RUSSIAN FEDERATION said that his country objected categorically to attempts to politicize the Agency and called on all representatives to take a rational, technical and responsible approach to finalizing the resolution on nuclear security and to desist from proposing a plethora of divisive issues that would necessitate a vote. The Russian Federation stressed that nuclear security must be considered from the point of view of those who carried out practical work with nuclear material, most of whom knew nothing of the Final Document of the 2010 NPT Review Conference, and whose daily work did not depend on progress in the discussion on humanitarian effects, disarmament or other diplomatic debates. The draft resolution must be devoted exclusively to technical radiological and nuclear security issues. Political wording was inappropriate.

53. The representative of the UNITED STATES OF AMERICA said that his country supported the comments made by the representative of the Russian Federation, for the use of nuclear weapons was a UNSC and not an IAEA issue. The Nuclear Security Series on Fundamentals had already been included in paragraph (u), which had been the foundation for considering that issue on a consensus basis in recent years. His country therefore called on representatives to desist from making the task of reaching consensus on the draft resolution even more difficult.

54. The representative of CUBA called for paragraph (k) to be divided into two in order to keep the achievements of the 16th summit of the Non-Aligned Movement separate from achievements at the exclusive nuclear security summits, as in the previous year's resolution.

55. Cuba proposed that "have played" in the very last phrase in paragraph (k) be replaced by "could play" or "have played for the participants", since States participated in the nuclear security summits by invitation only.

The meeting rose at 11.55 a.m.