



General Conference

GC(61)/COM.5/OR.2

Issued: December 2017

General Distribution

Original: English

Sixty-first regular session

Committee of the Whole

Record of the Second Meeting

Held at Headquarters, Vienna, on Tuesday, 19 September 2017, at 10.10 a.m.

Chair: Mr. STALDER (Switzerland)

Contents

Item of the agenda ¹	Paragraphs
18 Strengthening the Agency's activities related to nuclear science, technology and applications	1–24
25 Personnel	25–65
(a) Staffing of the Agency's Secretariat	
(b) Women in the Secretariat	

¹ GC(61)/25.

Abbreviations used in this record:

AU-PATTEC	African Union's Pan African Tsetse and Trypanosomosis Eradication Campaign
G-77	Group of Seventy-Seven
ReNuAL	Renovation of the Nuclear Applications Laboratories

18. Strengthening the Agency's activities related to nuclear science, technology and applications

(GC(61)/12 and Corr.1; GC(61)/INF/4 and 8; GC(61)/COM.5/L.3, L.5, L.7, L.8 and L.9)

1. The representative of INDIA, introducing the draft resolution contained in document GC(61)/COM.5/L.9 (“A. Non power nuclear applications. 1. General”), said that it was based on section A.1 of resolution GC(60)/RES/12, updated to reflect developments since the 60th regular session of the General Conference, and had already been the subject of informal discussions among Member States.
2. The representative of NIGERIA, expressing support for the draft resolution, said that Nigeria attached great importance to isotope hydrology and was receiving substantial support from the Agency in that regard, including through regional projects benefitting several States in the Sahel.
3. The representative of SOUTH AFRICA drew attention to a minor editorial change needed in preambular paragraph (ii).
4. The CHAIR took it that the Committee wished to recommend that the General Conference adopt the draft resolution contained in document GC(61)/COM.5/L.9, as amended.
5. It was so decided.
6. The representative of NIGERIA, introducing the draft resolution contained in document GC(61)/COM.5/L.8 (“A. Non power nuclear applications. 2. Support to the African Union’s Pan African Tsetse and Trypanosomosis Eradication Campaign (AU-PATTEC)”), said that it reflected the text of section A.3 of resolution GC(60)/RES/12, with minor technical and factual updates. Consultations with other Member States had indicated that it enjoyed broad support. Based on those consultations, preambular paragraph (k) should be altered to read: “Welcoming the progress made in the implementation of the AU-PATTEC Strategic Plan for the period 2012–2018 and looking forward to its conclusion”.
7. The representative of the RUSSIAN FEDERATION underscored his country’s full support for the draft resolution.
8. The representative of SOUTH AFRICA expressed support for the adoption of the draft resolution, which was important to Africa.
9. The CHAIR took it that the Committee wished to recommend that the General Conference adopt the draft resolution contained in document GC(61)/COM.5/L.8, as amended.
10. It was so decided.
11. The representative of INDIA introduced the draft resolution contained in document GC(61)/COM.5/L.5 (“A. Non power nuclear applications. 3. Use of isotope hydrology for water resources management”), which was based on section A.3 of resolution GC(59)/RES/12, updated to reflect developments since the 59th regular session of the General Conference. He announced that Austria was also sponsoring the draft resolution.

12. The representative of the RUSSIAN FEDERATION said that his country fully supported the draft resolution, as the activities it covered contributed to resolving a number of problems in various countries.

13. The CHAIR took it that the Committee wished to recommend that the General Conference adopt the draft resolution contained in document GC(61)/COM.5/L.5.

14. It was so decided.

15. The representative of SOUTH AFRICA, introducing the draft resolution contained in document GC(61)/COM.5/L.7 (“A. Non power nuclear applications. 4. Renovation of the Agency’s Nuclear Applications Laboratories at Seibersdorf”), said that its purpose was to provide an update on progress made since September 2016 and to assist the Secretariat in mobilizing resources to ensure the successful completion of the ReNuAL project. In 2016, the target budget of €31 million had been raised and resource mobilization efforts were currently focused on raising the €26 million needed for ReNuAL+. He noted with appreciation that, as one of the project milestones achieved, the Insect Pest Control Laboratory would be inaugurated on 25 September 2017 and he welcomed the latest financial contributions to that project made by the United States and Germany.

16. He drew attention to two editorial changes that should be made to the text of the draft resolution: in preambular paragraph (l), the document symbol GOV/2017/20-GC(61)12 should be changed to GOV/2017/30-GC(61)12, and in preambular paragraph (s) the words “Regular Budget” should be altered to “capital Regular Budget”, to ensure clarity.

17. The CHAIR took it that the Committee wished to recommend that the General Conference adopt the draft resolution in document GC(61)/COM.5/L.7, as amended.

18. It was so decided.

19. The representative of the UNITED STATES OF AMERICA requested that his country be added to the list of sponsors of the draft resolution as the United States strongly supported the Agency’s use of nuclear technology to promote development. He welcomed the forthcoming inauguration of the Insect Pest Control Laboratory.

20. The representative of the RUSSIAN FEDERATION said that his country also wished to sponsor the draft resolution.

21. The representative of FRANCE, introducing the draft resolution contained in document GC(61)/COM.5/L.3 (“B. Nuclear power applications”), said that it was based on the text of section B of resolution GC(60)/RES/12, updated to reflect developments since the 60th regular session of the General Conference. Informal consultations on the draft resolution had been held with a number of Member States.

22. The CHAIR took it that the Committee wished to recommend that the General Conference adopt the draft resolution contained in document GC(61)/COM.5/L.3.

23. It was so decided.

24. The representative of AUSTRIA said that, while he had reservations regarding some paragraphs of the draft resolution on account of his country’s critical view of nuclear power generation, he was nonetheless willing to join the consensus, in the spirit of Vienna.

25. Personnel

(a) Staffing of the Agency's Secretariat

(b) Women in the Secretariat

(GC(61)/18 and 19; GC(61)/COM.5/L.6)

25. The CHAIR said that document GC(61)/COM.5/L.6 contained one draft resolution dealing with both sub-items 25(a) and 25(b). It had been submitted by the Islamic Republic of Iran on behalf of the Group of 77 and China. He took it that the Committee wished to consider the two sub-items together.

26. It was so agreed.

27. The representative of the PHILIPPINES, introducing the draft resolution on behalf of the G-77 and China, said that section A, on sub-item 25(a), reflected factual updates derived from statistics provided by the Secretariat. The Group noted the measures taken by the Secretariat pursuant to resolution GC(59)/RES/16.A, including meetings conducted with unrepresented and under-represented Member States and the innovative talent acquisition programme.

28. The Philippines noted in particular the relative success of the Agency's strategy to attract young talent through its internship programme, which had resulted in an increase in interns from developing countries and women interns. However, there was still a long way to go to achieve the objective of resolution GC(59)/RES/16, namely to increase the number of staff members from developing countries and from unrepresented or under-represented Member States, particularly at the senior and policy-making levels. The draft resolution, which had been drafted in consultation with Member States and the Secretariat, called for affirmative measures to address the persistent imbalance and encouraged the Secretariat to continue with its outreach measures and to intensify its efforts to increase the number of applications from developing countries.

29. Section B of the draft resolution, on sub-item 25(b), was based on the text of resolution GC(59)/RES/16.B, with the addition of a new preambular paragraph (e). It welcomed the 2016 UN publication on the "Status of Women in the United Nations System", which mentioned the Agency's outreach resources dedicated to attracting women candidates. The draft resolution urged the Secretariat to monitor the rate of advancement towards gender parity in leadership positions.

30. She sought the Secretariat's assistance in amending paragraph (g) to specify the period during which the proportion of women in the Professional and higher categories had increased by 1.6 percentage points. The words "of women" should be inserted in paragraph 1 after the phrase "to a target of equal representation".

31. The DIRECTOR OF THE DIVISION OF HUMAN RESOURCES said that the increase of 1.6 percentage points had been achieved between June 2015 and June 2017.

32. The representative of the UNITED STATES OF AMERICA proposed that the following paragraph should be inserted in section A of the draft resolution, after paragraph 9: "Welcomes the Secretariat's use of external experts to provide technical services, and urges the Secretariat to develop and implement a guidance document to ensure that the use of such experts does not result in conflicts of interest or convey commercial advantage". The word "and" would be deleted from the end of paragraph 9 and inserted at the end of the new paragraph.

33. The representative of the RUSSIAN FEDERATION said he understood that the Agency occasionally needed to recruit experts in areas where its own capacity was inadequate. He wished to know whether the external experts in question would be offered regular posts or research contracts,

whether they would be members of advisory groups, or whether they would be cost-free experts. He also enquired about the procedure for defining the degree of commercial interest involved. For instance, some members of the Standing Advisory Group on Nuclear Energy and the Standing Advisory Group on Technical Assistance and Cooperation were nationals of States that were actively developing nuclear energy technology. They might be deemed to be motivated by commercial interests. He wondered how such issues would be addressed in a guidance document.

34. The representative of the UNITED STATES OF AMERICA said that the proposed new paragraph was not applicable to regular staff but to external experts. It followed on directly from paragraph 9, which referred to consultants who provided expertise, and requested the Secretariat to formulate guidelines on the subject.

35. The representative of the RUSSIAN FEDERATION asked the Secretariat to clarify how such guidance would be developed and how it would be applied to diverse categories of experts.

36. The DIRECTOR OF THE DIVISION OF HUMAN RESOURCES said that the guidelines would focus on consultants rather than on cost-free experts, who had the status of staff members. Strong workforce planning would be required to ensure that consultancy arrangements were geared to programmatic needs and the financial situation. She would appreciate additional clarifications and feedback.

37. The representative of the RUSSIAN FEDERATION recommended that the words “external experts” in the proposed new paragraph should be replaced with “consultants”. He also recommended that the proposed guidance document should be drafted in consultation with Member States.

38. The representative of the UNITED STATES OF AMERICA said that both those proposals were acceptable.

39. The SECRETARY OF THE COMMITTEE OF THE WHOLE read out the following amended version of the proposed paragraph reflecting the proposals: “Welcomes the Secretariat’s use of consultants to provide technical services, and urges the Secretariat to develop and implement, in consultation with Member States, a guidance document to ensure that the use of such consultants does not result in conflicts of interest or convey commercial advantage”.

40. The DIRECTOR OF THE DIVISION OF HUMAN RESOURCES said that it would set a precedent if a General Conference resolution required internal Secretariat guidelines to be developed in consultation with Member States.

41. The representative of the RUSSIAN FEDERATION said that the guidance document should be developed in consultation with Member States but implemented independently by the Secretariat. He pointed out that in 2016 Member States had engaged in an open-ended dialogue with the Secretariat on guidance for seeking resources from non-traditional donors.

42. The representative of ZIMBABWE suggested that proposals for substantive amendments to draft resolutions should be circulated to Member States in advance.

43. The representative of the UNITED KINGDOM said that he wished to propose an additional amendment to the draft resolution, which should perhaps be submitted in writing.

44. The representative of BRAZIL requested additional information from the Secretariat on the possible implications of the proposed new paragraph, since increased recourse to consultants might have broader implications.

45. The representative of PAKISTAN wished to know whether the proposed new paragraph would have any direct or indirect impact on paragraph 9 of the draft resolution, which mentioned the important principle of the geographical distribution of consultants.

46. The CHAIR proposed suspending the meeting for informal consultations, which would also involve the Secretariat.

The meeting was suspended at 11.30 a.m. and resumed at 12.25 p.m.

47. The representative of the UNITED STATES OF AMERICA expressed appreciation for the suggestions proposed during the informal consultations. He presented a revised, simplified version of the proposed new paragraph, which read: “Further requests the Director General to continue to ensure that the use of consultants does not result in conflict of interest or commercial advantage.”

48. The DIRECTOR OF THE DIVISION OF HUMAN RESOURCES, responding to the request for clarification made by the representative of Pakistan, said that the proposed new paragraph as revised by the representative of the United States of America would have no implications for paragraph 9 of the draft resolution. The Secretariat would continue to ensure that the use of consultants did not result in conflict of interest or commercial advantage.

49. The representative of the UNITED KINGDOM proposed inserting “, and noting that Member States can support the principle by encouraging more well qualified women as candidates for positions at the Secretariat, particularly in the senior and policy-making levels, aiming, in the recruitment and employment of staff, to secure employees of the highest standards of efficiency, technical competence and integrity, pursuant to Article VII of the Statute” at the end of preambular paragraph (i) of section B of the draft resolution. Member States had a role to play in increasing the number of women in the Secretariat; they therefore needed to work in partnership with the Secretariat to achieve better gender parity among the Secretariat’s staff. The reference to Article VII of the Statute had been included as it was essential that the criteria set out therein were taken into account during recruitment.

50. His proposed text had originally referred to Member States “putting forward” candidates but, following informal discussions, it had been altered to refer instead to “encouraging” such applications, on the grounds that, as candidates were recruited through free competitions, Member States were not in a position to put forward candidates. They could, however, create enabling frameworks to help well qualified women candidates apply.

51. The representative of SLOVENIA proposed rewording paragraph 7 of section B of the draft resolution to read: “Recognizes the role of the Vienna International Gender Champions and the Group of Friends for Women in Nuclear as platforms for stronger action to promote gender equality in the IAEA and its Secretariat and encourages Member States that have not yet done so to join both initiatives, to actively support the Agency’s efforts to meet the terms of this resolution; and”. The Vienna Chapter of the International Gender Champions and the Group of Friends for Women in Nuclear were complementary initiatives that sought to improve the position of women in the Secretariat.

52. Referring to the proposal made by the representative of Slovenia, the representative of the RUSSIAN FEDERATION, supported by the representative of the HOLY SEE, suggested replacing “recognizes” with “takes note of”. Member States were free to choose whether to join the two initiatives in question, but there was no guarantee that all Member States would wish to do so. It was more appropriate for the General Conference to acknowledge the existence of those initiatives, rather than granting them a form of official recognition. He also proposed altering the words “that have not yet done so” to “in a position to do so”.

53. The representative of MEXICO expressed support for the representative of Slovenia's suggested changes to paragraph 7. The word "recognizes" should be retained, as the promotion of gender equality in the Secretariat was an ongoing process in which progress should be recognized. The wording proposed by the representative of Slovenia did not oblige Member States to adopt any particular position on the matter. He asked whether the representative of Slovenia would consider including the phrase "and to nominate contact points" in the proposed text, in line with the original wording of the draft resolution.

54. The representative of COSTA RICA expressed support for the representative of Slovenia's proposal with regard to paragraph 7 but said that she could accept the changes suggested by the representative of the Russian Federation, if they would enable consensus to be achieved.

55. The representative of CANADA expressed support for including a reference to the Vienna Chapter of the International Gender Champions in paragraph 7. She also expressed support for the original proposal made by the representative of the United Kingdom regarding preambular paragraph (i) of section B of the draft resolution, in particular with regard to the use of the word "encouraging". Nonetheless, she expressed reservations concerning the reference to Article VII of the Agency's Statute, as the Statute set out obligations for the Secretariat, whereas the proposal referred to actions to be taken by Member States. The reference made to Article VII of the Statute in paragraph 1 of section B might be sufficient to address the concerns expressed in that regard.

56. The representative of SLOVENIA said that, if the changes suggested by the representative of the Russian Federation were generally acceptable to the Committee, he could support them.

57. The representative of the UNITED KINGDOM expressed support for the suggestions made by the representative of Canada. The intention behind his proposal had been to highlight what Member States could do to support the policy of equal gender representation; as had been pointed out, it was therefore inappropriate to quote from the Statute, which set out the Director General's obligations in the areas of recruitment and employment. As paragraph 1 of section B already referred to Article VII of the Statute, he suggested ending his proposed amendment at "policy-making levels".

58. The representative of the RUSSIAN FEDERATION suggested that the concerns expressed might be allayed by removing the explicit reference to Article VII of the Statute but retaining the words "aiming, in the recruitment and employment of staff, to secure employees of the highest standards of efficiency, technical competence and integrity". His country recognized the principle of equal gender representation in the Secretariat and noted that Member States could support that principle by encouraging more well qualified women to apply for positions, particularly at the senior and policy-making levels, while always keeping in mind that the main criterion for the selection of candidates should be whether they were suitably qualified. All candidates who applied for a position in the Secretariat would presumably be aware of the relevant provisions of the Statute.

59. The representative of the UNITED KINGDOM said that the grammatical implications of his proposal, as originally drafted, were that Member States had a role in recruiting and employing the staff of the Secretariat, which was incorrect. Given that the relevant section of Article VII of the Statute was already included in paragraph 1 of the draft resolution, he proposed deleting the phrase "aiming, in the recruitment and employment of staff, to secure employees of the highest standards of efficiency, technical competence and integrity" from his original proposal, but retaining "pursuant to Article VII of the Statute", which would not have the same grammatical implications. He also proposed inserting "to come forward" after "well qualified women".

60. The representative of ARGENTINA said that, in addition to the essential qualities listed in Article VII of the Statute, due consideration should be given to the suitability of candidates and to the principles of gender equality and balanced geographical representation. She concurred with the

explanation given by the representative of the United Kingdom that the draft resolution should not refer to Member States putting forward candidates, as candidates applied on an individual basis.

61. The representative of CANADA emphasized the need to ensure that only well qualified candidates were appointed to positions in the Secretariat, which was reflected in the amendment proposed by the representative of the United Kingdom to preambular paragraph (i). Altering the proposed wording from “aiming, in the recruitment and employment of staff, to secure employees of the highest standards of efficiency, technical competence and integrity, pursuant to Article VII of the Statute” to “in aiming to secure employees of the highest standards of efficiency, technical competence and integrity”, would remove the explicit reference to the Statute, which was not applicable, while retaining the sense that Member States should seek to encourage potential candidates of that calibre.

62. The representative of SOUTH AFRICA said that the term “well qualified” was perhaps redundant in the context, given that reference was made in the next paragraph to securing employees “of the highest standards of efficiency, technical competence and integrity”. The issue was closely linked to ensuring equitable geographical representation within the Secretariat. The Secretariat needed to attract qualified women from developing countries, particularly in under-represented regions.

63. The representative of PAKISTAN, expressing support for the comments of the representative of South Africa, said that “well qualified” should be deleted from the amendment proposed to preambular paragraph (i).

64. The representative of GUATEMALA echoed the views of the representatives of South Africa and Pakistan.

65. The CHAIR invited interested delegations to hold informal consultations on the text of the draft resolution.

The meeting rose at 1 p.m.