

# General Conference

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## Sixty-fourth regular session

# Plenary

## Record of the Twelfth Meeting

*Held at Headquarters, Vienna, on Friday, 25 September 2020, at 1.40 p.m.<sup>1</sup>*

**President:** Mr FARHANE (Morocco)

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<sup>1</sup> In view of the COVID-19 pandemic, the Conference decided that delegations so wishing could attend in a virtual manner using the Interprefy IT platform or make their statements by means of a pre-recorded video.

<sup>2</sup> GC(64)/19.

### **Abbreviations used in this record**

|          |                                    |
|----------|------------------------------------|
| COVID-19 | coronavirus disease 2019           |
| CSA      | comprehensive safeguards agreement |
| EU       | European Union                     |
| TC       | technical cooperation              |
| SQP      | small quantities protocol          |
| USA      | United States of America           |
| ZODIAC   | Zoonotic Disease Integrated Action |

## **17. Strengthening the Agency's activities related to nuclear science, technology and applications (continued)**

(GC(64)/5; GC(64)/INF/2; GC(64)/COM.5/L.5 and Add.1; L.6 and Add.1; L.7 and Add.1 and 2; L.10 and Add.1 to 4)

1. Ms DYE (South Africa), introducing the draft resolution contained in document GC(64)/COM.5/L.10 (“A. Non-power nuclear applications. Zoonotic Disease Integrated Action (ZODIAC) Project”), said that it had been submitted by the Group of 77 and China. The draft resolution had arisen out of the current difficult global circumstances and was the result of extensive and substantive negotiations and consultations among all Member States; thanks were due to all who had actively participated in the process. The draft resolution commended the Agency on its rapid and substantive response to the COVID-19 pandemic, noted the Director General’s proposal presented to the Board of Governors in June 2020 aimed at strengthening the capacity of the Agency and Member States to better address future outbreaks of zoonotic diseases, and outlined the way forward for the further development of ZODIAC.
2. The PRESIDENT took it that the Conference wished to adopt the draft resolution contained in document GC(64)/COM.5/L.10.
3. It was so decided.
4. Mr PENHA BRASIL (Brazil) introduced document GC(64)/COM.5/L.8 (under part A — non-power nuclear applications) on behalf of the Group of 77 and China. The document contained one draft operative paragraph each under the headings “Development of the sterile insect technique for the control or eradication of malaria-, dengue- and other disease-transmitting mosquitoes”; “Strengthening the support to Member States in food and agriculture”; and “Plan for producing potable water economically using small and medium-sized nuclear reactors” for inclusion in the resolution under agenda item 17. The operative paragraphs requested the Director General to report on progress made in the implementation of resolution GC(62)/RES/9 to the Board of Governors and to the subsequent session of the General Conference. In the circumstances, no substantive discussion of the three items was envisaged at the current session of the General Conference.
5. The PRESIDENT took it that the Conference wished to adopt the draft resolution contained in document GC(64)/COM.5/L.8.
6. It was so decided.
7. Ms PARLANGE (France) introduced the draft resolution contained in document GC(64)/COM.5/L.7 (“B. Nuclear power applications. C. Nuclear knowledge management”). The draft resolution had been submitted by the Friends of Nuclear Energy — Canada, China, France, India, Japan, the Republic of Korea, the Russian Federation, the United Kingdom and the United States of America — along with Australia, Belarus, Bosnia and Herzegovina, the Czech Republic, Georgia, Romania, Serbia, Slovakia, Turkey, Ukraine and the United Arab Emirates. Thanks were due to all those who had helped in preparing the text.
8. Extensive consultations had taken place while the document was being prepared. The previous year’s sponsors had been consulted, successive drafts had been sent to all Member States on four occasions, and a consultation meeting open to all Member States had enabled agreement to be reached

on the whole text. Two minor editorial amendments had subsequently been made as a result of exchanges with two delegations, and all Member States had been duly informed. The draft resolution had been prepared in line with the approach adopted for all resolutions and therefore comprised only technical updates, with the exception of one mention of the IAEA Marie Skłodowska-Curie Fellowship Programme. Part C, on nuclear knowledge management, included in the resolution biennially and scheduled for inclusion in 2020, comprised placeholder text; substantive discussions would be postponed to the following year.

9. Ms SELLNER (Austria) recalled her country's well-known position on nuclear power: while all States had the right to determine their own energy mix, Austria did not consider nuclear power a sustainable energy source or a viable option to combat climate change owing to its very serious safety, security and waste management issues and the troubling risk of nuclear proliferation. Such matters had global implications. Nonetheless, Austria did not wish to block the adoption of the draft resolution.

10. Mr GHARIB ABADI (Islamic Republic of Iran), welcoming the fact that most draft resolutions had been forwarded directly to the Plenary and not opened for discussion in the Committee of the Whole, said that, while his country did not object to the draft resolution as a whole, it had serious concerns regarding operative paragraph 10 of section 1 ("Introduction"). That paragraph had, in fact, been amended, in respect of the previous year's resolution, to make reference to the venue — Washington DC — of the fifth International Ministerial Conference on Nuclear Power in the 21st Century.

11. The USA had imposed restrictions on several Member States of the Agency, including Iran. Very recently, the USA had again imposed illegal sanctions against certain officials of the Atomic Energy Organization of Iran, whose head had already been the target of sanctions. Iran's participation in the international ministerial conference was, therefore, impossible. In Iran's view, the USA should not be hosting such an important conference and it expected the Secretariat to take all such issues into consideration before entering into negotiations with candidate host countries: it was not possible to say that a conference was being held for all the Member States of the Agency if some were unable to take part. Iran questioned why the Member States had not been consulted previously. Many countries might profess to have no problem with the state of affairs, but the Member States of the Agency were a family and would be divided in such situations if certain Member States' remarks were not taken into account.

12. Iran therefore proposed amending operative paragraph 10 of section 1 ("Introduction") of the draft resolution to read: "Takes note of the preparation by the Secretariat for the 5th International Ministerial Conference on Nuclear Power in the 21st Century and stresses that all members of the Agency shall be able to participate in it without impediment". Such harmless wording would pave the way for all members of the Agency to be treated equally, without discrimination, and would also preserve the Agency's reputation: while the USA was the host country, the Agency's Secretariat would be convening the conference.

13. Ms PARLANGE (France), speaking on behalf of the Friends of Nuclear Energy, said that the proposed amendment was not acceptable to the group. As there was a convention that draft resolutions should refer, for example, to the location of conferences, such as the one in question, it was a purely technical update. The group had been flexible in accommodating Member States' observations and had provided ample opportunities to voice issues before the General Conference, but the paragraph in question had not been raised. It did not make sense to reopen the paragraph, which was both standard and factual.

14. Mr BULYCHEV (Russian Federation) said that, as one of draft resolution's co-authors, the Russian Federation also saw no need to amend the paragraph in question, which was in line with conventional drafting of General Conference resolutions and expressed a simple fact.

15. At the same time, the problem raised by Iran was a real one — host countries of international events must ensure that visas were issued for all delegates of interested States, which was far from being the case. That was clearly a cause for serious concern, and the Russian Federation trusted that the fifth International Ministerial Conference on Nuclear Power in the 21st Century would not encounter such problems.

16. Mr GHARIB ABADI (Islamic Republic of Iran) requested either a counterproposal or assurances regarding the ability of all Member States to participate in the conference.

17. The PRESIDENT noted that the paragraph in question had not been contested or clearly objected to while the resolution was being drafted and that Iran had not raised any objection or put forward its amendment in the Committee of the Whole.

18. Mr GHARIB ABADI (Islamic Republic of Iran) said that it was not unusual for a country to express disagreement after having voiced agreement with certain proposals during informal consultations. Furthermore, as the draft resolution had not been discussed in the Committee of the Whole, Iran had not been able to raise its objections there. The issue in question had arisen very recently, and Iran again requested the Friends of Nuclear Energy to give assurances regarding the full participation of all members of the Agency in the conference.

19. Ms PARLANGE (France), speaking on behalf of the Friends of Nuclear Energy, said that during the consultations on the draft resolution opportunities had been provided to raise any concerns. The draft resolution was not meant to enter into the details of participation in a conference; only factual and technical updates had been made. Accordingly, the Friends of Nuclear Energy wished to make no further proposal.

20. Mr GHARIB ABADI (Islamic Republic of Iran), expressing disappointment at the response given, noted that the paragraph under discussion was not merely a statement of fact but also raised substantive issues: a conference was to be convened without laying the groundwork for the full participation of all Member States. The matter under discussion was new — just some days previously the USA had placed sanctions on officials of the Atomic Energy Organization of Iran, and his country would therefore be unable to participate in the international ministerial conference.

21. The PRESIDENT invited the Conference, in view of the lack of consensus, to vote on Iran's proposed amendment to operative paragraph 10 of section 1 of the draft resolution contained in document GC(64)/COM.5/L.7 by show of hands.

22. There were 4 votes in favour and 59 against, with 24 abstentions. The proposal was rejected.

23. Mr ALKAABI (United Arab Emirates), speaking in explanation of vote, said that his delegation had voted against the amendment in view of the prior agreement among all Member States to avoid altering resolutions in the circumstances. Moreover, as the proposed amendment referred to a subject normally dealt with in Host Government Agreements, it was not appropriate to discuss it in the context of a resolution on technical matters.

24. Ms REDONDO (Cuba), speaking in explanation of vote, said that her delegation had voted in favour. Iran's proposed amendment was neither aggressive nor hostile, but simply asked for States' legitimate rights to equal participation in any international event, regardless of its location, to be guaranteed.

25. Mr MOHAMMAD POUR FERAMI (Islamic Republic of Iran) said that his country regretted the decision to hold the fifth International Ministerial Conference on Nuclear Power in the 21st Century in Washington DC, since the USA did not observe international rules and practices in that connection and unilaterally imposed sanctions on officials of Member States of the Agency, purely for ill-advised

political purposes. The Agency was responsible for ensuring that all its members were able to participate at the international ministerial conference on an equal footing and without any impediment. Iran therefore disassociated itself from operative paragraph 10 of section 1 of the draft resolution; owing to the importance of nuclear energy to developing countries, however, it did not wish to block adoption of the draft resolution.

26. Mr SABBAGH (Syrian Arab Republic), speaking in explanation of vote, said that, owing to the USA's imposition of unilateral measures against several Member States, including Syria, his delegation shared the serious concerns expressed by the Iranian delegation with regard to Washington DC being the host city for the fifth International Ministerial Conference on Nuclear Power in the 21st Century. The USA must guarantee that all Member States could take part in the conference. That was why his delegation had supported the proposed amendment to operative paragraph 10: namely, to protect the rights of Member States to participate.

27. The PRESIDENT took it that the Conference wished to adopt the draft resolution contained in document GC(64)/COM.5/L.7 as a whole.

28. It was so decided.

29. The PRESIDENT, recalling the agreement in the Committee of the Whole, said that all the draft resolutions adopted under the item would be clustered for final publication in accordance with normal practice.

30. Ms RAYOS NATIVIDAD (Philippines), speaking as the chair of the Group of 77 and China, said that the draft resolutions tabled by the Group had at their core the contribution of the peaceful uses of nuclear energy to the development agenda. She commended the General Conference on having adopted the Group's draft resolutions — including on the COVID-19 pandemic — despite the unprecedented current state of affairs. The Group had tabled those draft resolutions in order to ensure that the Agency could continue its work and receive sufficient guidance on the direction of the TC programme and nuclear applications, given their significant contribution to peace and development, in particular in developing countries. That achievement had been made possible by the commitment of all delegations concerned, both within the Group and beyond. It was to be hoped that the spirit of flexibility, consensus, multilateralism and, above all, mutual respect could be sustained in future.

## **18. Strengthening the effectiveness and improving the efficiency of Agency safeguards** (GC(64)/COM.5/L.2 and Add.1 to 3)

31. Ms RUSU (Romania), speaking on behalf of the EU, introduced the draft resolution set out in document GC(64)/COM.5/L.2. The draft resolution, co-sponsored by Albania, Australia, Bosnia and Herzegovina, Canada, Georgia, Iceland, the Republic of Korea, Mexico, Montenegro, New Zealand, North Macedonia, Norway, Serbia, San Marino, Switzerland, Turkey, Ukraine, the United Kingdom and the United States of America, had been discussed in an informal setting following the understanding reached among the coordinators of the various draft resolutions for the General Conference. They had respected the long-standing practice intended to ensure a transparent and inclusive process, in spite of the unusual circumstances.

32. Her thanks were extended to all delegations for their understanding and commitment to the approach agreed for the sixty-fourth regular session of the General Conference. Her appreciation was

also expressed for the flexibility of those who had refrained from submitting substantial proposals and would defer them until the following year, when it was hoped the Agency's work would return to normality and allow for substantive negotiations to take place.

33. The draft resolution as tabled therefore included only factual and technical updates. In the hope that the text would enjoy consensus among Member States, the sponsors recommended its approval.

34. Mr ELIE (Israel) said that his country wholeheartedly supported improvement of the effectiveness and efficiency of Agency safeguards. His country noted with regret, however, that operative paragraph 7 did not allay the concerns expressed by some Member States. Achieving universal application of comprehensive Agency safeguards was contingent on international obligations which each State took upon itself and was therefore beyond the scope of the Agency's mandate.

35. Mr GHARIB ABADI (Islamic Republic of Iran) said that, considering the frequent observations made by the Director General about the implementation of Agency safeguards in States with SQPs, his country welcomed the Director General's intention to monitor that issue more attentively. States with unmodified SQPs in particular were requested to rescind them without further delay or preconditions, while Member States were called on to work alongside States with SQPs to ensure that necessary safeguards obligations were in place before any action was taken. Iran requested that the Director General provide reports on the progress made in that regard.

36. The PRESIDENT took it that the General Conference wished to adopt the draft resolution contained in document GC(64)/COM.5/L.2.

37. It was so decided.

38. Mr MAZUMDAR (India), explaining his country's position on operative paragraph 7 of the resolution, stated that the Agency safeguards should apply universally to all Member States and other relevant parties, in accordance with their respective legal obligations.

39. Mr KHOKHER (Pakistan), explaining his country's understanding of operative paragraph 7, said that Pakistan supported all Agency activities conducted in accordance with the Agency's Statute. His country's support for Agency safeguards was evident from its implementation of its safeguards obligations with respect to all its civilian nuclear facilities and from its cooperation with the Agency. In his country's view, the purpose of safeguards was to provide a framework for cooperation in the peaceful applications of nuclear energy without discrimination and unaffected by strategic or political considerations.

40. The Agency's Statute took account of the different safeguards obligations of Member States and did not accord universality to any particular model, including the CSA. The paragraph introducing the operative section of the resolution stipulated that the operative paragraphs must be implemented "consistent with the respective safeguards undertakings of Member States". For that reason, Pakistan believed that operative paragraph 7 applied only to States that had undertaken obligations to sign CSAs.

41. Pakistan would continue its support for, and cooperation with, the Agency's verification activities, consistent with the framework provided for in the Statute.

## **22. Promotion of efficiency and effectiveness of the IAEA decision making process**

42. The PRESIDENT took it that the Conference wished to take note of the report by the Chair of the Committee of the Whole on the agenda item in question.

43. It was so decided.

## **21. Elections to the Agency's Staff Pension Committee**

44. As recommended by the Committee of the Whole, Mr Zaman of Bangladesh was elected as a member, and Mr Mobrici of Argentina and Ms Orina of Kenya as alternate members, to represent the General Conference on the Agency's Staff Pension Committee.

45. The PRESIDENT said that the General Conference had completed consideration of the matters on which the Chair of the Committee of the Whole had provided his interim report.

**The meeting rose at 2.45 p.m.**