

# General Conference

**GC(66)/COM.5/OR.1**

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**Sixty-sixth regular session**

## Committee of the Whole

### Record of the First Meeting

*Held at Headquarters, Vienna, on Monday, 26 September 2022, at 3.40 p.m.*

**Chair:** Mr BENGU (South Africa)

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<sup>1</sup> GC(66)/COM.5/1

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

AU-PATTEC	African Union's Pan African Tsetse and Trypanosomosis Eradication Campaign
COVID-19	coronavirus disease 2019
CRP	coordinated research project
G-77	Group of 77
NUTEC Plastics	Nuclear Technology for Controlling Plastic Pollution
PACT	Programme of Action for Cancer Therapy
PATTEC	Pan African Tsetse and Trypanosomosis Eradication Campaign
PBC	Programme and Budget Committee
R&D	research and development
ReNuAL	Renovation of the Nuclear Applications Laboratories
SDGs	Sustainable Development Goals
SIT	sterile insect technique
SMRs	small and medium sized or modular reactors
TC	technical cooperation
TCF	Technical Cooperation Fund
USA	United States of America
ZODIAC	Zoonotic Disease Integrated Action

## – Election of Vice-Chairs and organization of work (GC(66)/COM.5/1)

1. The CHAIR, having expressed appreciation for the confidence that the General Conference had placed in him, said that he had been informed that, following group consultations, the Group of Western European and Other States had nominated Ms Callesen of Denmark to serve as Vice-Chair of the Committee of the Whole.
2. He took it that the Committee, pursuant to Rule 46 of the Rules of Procedure of the General Conference, wished to elect Ms Callesen as Vice-Chair of the Committee.
3. It was so agreed.
4. The CHAIR drew attention to document GC(66)/COM.5/1, which listed the agenda items referred to the Committee by the General Conference.
5. He proposed that the Committee take up the items contained in document GC(66)/COM.5/1, as far as possible, in the order in which they were listed. He also proposed that, in line with past practice, the Chair report orally on the Committee's deliberations at a plenary meeting of the General Conference. In addition, he took it that the Committee wished to continue, to the extent practicable, the practice of clustering the draft resolutions to be recommended to the General Conference for adoption.
6. It was so agreed.
7. The representative of CHINA pointed out that not all items in the supplementary list contained in document GC(66)/1/Add.6 — which had just been accepted by the General Committee — appeared in document GC(66)/COM.5/1.
8. The CHAIR said that some items in the list would be discussed in the plenary and not in the Committee of the Whole.
9. The representative of CHINA, noting in particular that the item contained in document GC(66)/1/Add.3 had just been accepted by the General Committee, requested that the Secretariat and Chair of the Committee coordinate closely with the President of the General Conference to ensure that draft resolutions tabled under supplementary items received due consideration.
10. The CHAIR said that the Secretariat had taken note of the request.

## 9. The Agency's Financial Statements for 2021 (GC(66)/3)

11. The CHAIR, noting that there were no requests to take the floor, took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution on page i of document GC(66)/3.
12. It was so decided.

## **10. The Agency's Budget Update for 2023** (GC(66)/6 and GC(66)/INF/13; GC(66)/COM.5/L.1)

13. The CHAIR drew attention to draft resolutions “A. Regular Budget Appropriations for 2023”, “B. Technical Cooperation Fund Allocation for 2023” and “C. Working Capital Fund for 2023” contained in document GC(66)/6.

14. With regard to the draft resolution on Regular Budget appropriations for 2023, he said that the Agency's programme for the 2022–2023 biennium had been adopted by the Board of Governors and presented to the General Conference in 2021; the 2022 portion of the budget had been approved. Document GC(66)/6 contained the adjustments for 2023 — the second year of the biennium. The document for the Board containing the Secretariat's proposals, including price adjustments, had been issued at the beginning of the year. The PBC had recommended the budget figures in May 2022, a recommendation accepted by the Board in June 2022. Accordingly, the Board had recommended to the General Conference a total Regular Budget for 2023 of €403.0 million for operational and capital requirements combined, including a 1.7% price adjustment, representing a zero real growth budget compared to 2022.

15. Document GC(66)/INF/13 notified the General Conference of the Director General's intention, after the General Conference's approval of the Agency's budget update for 2023, to revise the price adjustment in order to address the unprecedented budgetary shortfall, for consideration by the Board in November 2022.

16. Furthermore, document GC(66)/COM.5/L.1 contained amendments proposed by China to the draft resolution.

17. Turning to the draft resolution on the TCF, he said that, in its decision of June 2021, the Board had recommended a target for voluntary contributions to the TCF for 2023 of €92 600 000.

18. Concerning the third draft resolution, he recalled that the Board had recommended that the Working Capital Fund for 2023 be kept at €15 210 000.

19. Lastly, in connection with draft resolution A in document GC(66)/6, he said that informal consultations had revealed that a number of Member States desired further clarification from the Secretariat concerning the proposed revision of the budget outlined in document GC(66)/INF/13.

20. The DIRECTOR OF THE DIVISION OF BUDGET AND FINANCE said that the programme for the full 2022–2023 biennium, together with a budget for 2022, had been adopted at the sixty-fifth regular session of the General Conference in 2021.

21. She recalled that the budget for 2023 was a zero real growth budget compared to the budget for 2022, just as the budget for 2022 had been compared to the budget for 2021. The draft programme and budget for 2022–2023 had received widespread support from Member States and the PBC had recommended the programme and budget for approval to the Board of Governors and General Conference without any changes. The Secretariat was very appreciative of Member States' support in that regard.

22. Document GC(66)/INF/13 described the Agency's situation with respect to inflation and drew attention to the Director General's statement to the Board, delivered on 12 September 2022, in which he had announced that the Agency would need to revise the price adjustment to bring the Agency's budget for 2023 up to the level of zero real growth. Budget estimates based on the revised price adjustment would be submitted after the General Conference in order to provide sufficient time for

consideration. Given its experience in recent years, the Agency would need some degree of advance contributions for 2023 in 2022 so as to continue its work in 2023 without any interruption.

23. The representative of CHINA, introducing his country's proposed amendments — contained in document GC(66)/COM.5/L.1 — to draft resolution A contained in document GC(66)/6, said that they essentially quoted the exact wording of Article II of the Statute. Moreover, his country was requesting that the Secretariat submit reports confirming that the Agency's budget was used in compliance with the Statute.

24. The representative of the UNITED STATES OF AMERICA said that his country supported the budget resolution recommended by the Board of Governors in June 2022 for the General Conference's approval. It was imperative that, consistent with its responsibilities and mandate under Articles XIV and V.E.5. of the Statute, the General Conference approved the budget estimates without further delay.

25. China's proposal to add language to the budget resolution — unprecedented at the General Conference — reflected a clear and cynical attempt to inject a political issue into a resolution essential to the Agency's basic operations. The proposed language was, in addition, highly misleading with respect to its references to Article II of the Statute. As the Director General had affirmed at a recent meeting of the Board of Governors, the provisions of the Statute related to the Agency's implementation of safeguards agreements were distinct from the assistance functions addressed in Article II and other articles of the Statute. The USA was deeply concerned at the attempt by one country to hold the Agency's entire operations hostage to its narrow geopolitical agenda.

26. Everyone was concerned about the Agency's serious financial situation owing to the high inflationary environment. The more time the Committee spent discussing such spurious efforts to amend a budget resolution that had been carefully considered and then submitted by the Board to the General Conference, consistent with the former's responsibilities and mandate under the Statute, the greater the risk posed to the Agency and its ability to discharge its core functions upon which the international community depended.

27. The representative of CHINA thanked the Secretariat for its useful briefings on the budget. Rejecting the assertions made by the representative of the USA, he said that the doubts he had expressed about China's proposed amendments raised the question as to whether the USA had a problem with the purpose of the Statute. Would the USA be taking steps designed to defeat the purpose and objective of the Statute?

28. Turning to the budget itself, in particular the issues related to the price adjustment raised by the Director General before the Board a week earlier, he said that China supported his recommendation to convene a special session of the General Conference in that connection. It was to be hoped that, by then, a constructive — and, ideally, consensual — decision on the budget would have been reached. China would do its best in striving for that consensus.

29. The CHAIR said that, in the light of the divergent views expressed, he believed that informal consultations would be required and proposed that discussion of the item be suspended; the Committee would be informed of subsequent steps.

30. The representative of CHINA said that his previous remark, which had been based on interactions with the Secretariat and with interested delegations, had not been disputed. He asked the Chair to make a procedural decision accordingly.

31. The CHAIR said that he remained of the belief that informal consultations should be conducted in order to bring the divergent positions closer.

## **11. Amendment to Article XIV.A of the Statute** (GC(66)/7; GC(66)/COM.5/L.16)

32. The CHAIR, having drawn attention to document GC(66)/7, said that document GC(66)/COM.5/L.16 contained the text of the decision adopted by the General Conference on the subject in 2021, updated for 2022. The Committee might wish to recommend the updated text as a decision to be adopted by the General Conference at its sixty-sixth regular session.

33. Noting that there were no requests to take the floor, he took it that the Committee wished to recommend that the General Conference adopt the draft decision set out in document GC(66)/COM.5/L.16.

34. It was so decided.

## **12. Scale of assessment of Member States' contributions towards the Regular Budget for 2023** (GC(66)/11)

35. The CHAIR, noting that there were no requests to take the floor, took it that the Committee wished to recommend that the General Conference adopt the draft resolution on page 3 of document GC(66)/11.

36. It was so decided.

37. The representative of the RUSSIAN FEDERATION pointed out that, as consideration of item 10 — and, specifically, the amendments proposed by China — had not yet finished, the financial items on the Committee's agenda had not yet been completed.

38. The CHAIR, confirming that consideration of item 10 was ongoing, said that he would suggest a way forward to the Committee as soon as possible. In the meantime, he proposed that the Committee turn to the technical items on its agenda.

## **15. Strengthening of the Agency's technical cooperation activities** (GC(66)/INF/7 and Supplement; GC(66)/COM.5/L.3 and L.4)

39. The CHAIR drew attention to two draft resolutions on strengthening the Agency's TC activities. The first was set out in document GC(66)/COM.5/L.3; the second, on PACT, was set out in document GC(66)/COM.5/L.4.

40. The representative of PAKISTAN said that extensive, open and transparent discussions had been held with Member States, both within and outside the G-77 and China, to achieve consensus on the draft resolutions to be presented by the Group. Owing to severe time constraints, some proposals had been deferred until 2023. Encouraging Member States to sponsor the draft resolutions, he thanked them for their support and flexibility during the preparation process, and the Secretariat, especially the Department of Technical Cooperation, for its assistance.

41. Introducing the first draft resolution, he said that the few substantive changes made related to the evolving context of the Agency's TC activities, especially in the light of the COVID-19 pandemic and the growing demand for the TC programme.
42. The representative of the RUSSIAN FEDERATION, recognizing the efforts made to produce a high-quality draft text within tight deadlines, said that, in paragraph (i) of section 1, the short quotation from the Ministerial Declaration of the 2022 High-level Political Forum on Sustainable Development did not fully reflect the content of that lengthy document. He suggested deleting the quotation and making an editorial change accordingly.
43. The representative of PAKISTAN said that the quotation was believed to capture the essence of the document.
44. The representative of the PHILIPPINES said that the pandemic had caused major setbacks in progress towards achieving the SDGs, necessitating further technical cooperation with the Secretariat. The length of the Declaration was due to the many commitments made by Member States in recognition of those setbacks.
45. The representative of the RUSSIAN FEDERATION said that a reference to the Declaration as a whole would be stronger, given that it contained many other equally worthy calls to action; for example, in relation to foreign direct investment, global supply chains and the unfulfilled delivery by developed countries of \$100 billion per year for climate finance.
46. The representative of the NETHERLANDS said that the quotation — in a preambular paragraph — duly contextualized Member States' need for technical cooperation with the Agency, whereas the examples cited by the representative of the Russian Federation were not relevant to the Agency's mandate.
47. The representative of EGYPT said that the quotation was not intended to summarize the entire Declaration, but to reinforce the message contained in the paragraph concerned, and it did so adequately. Moreover, the inclusion of the quotation had already been discussed at length during the consultations and was therefore appropriate.
48. The representative of the RUSSIAN FEDERATION proposed instead that the words "inter alia" should be inserted after "recognizes", to clarify that the quotation did not represent a summary of the entire Declaration, but highlighted one of its many important ideas.
49. The representative of PAKISTAN accepted the alternative amendment as proposed and thanked the representative of the Russian Federation for exercising flexibility.
50. The CHAIR took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution set out in document GC(66)/COM.5/L.3, as amended.
51. It was so decided.
52. The representative of the PHILIPPINES, introducing the second draft resolution, said that, although the draft resolution was not due to be tabled until 2023, the G-77 and China had felt it necessary to update the document to include references to the Rays of Hope initiative and to the collaboration of the Division of PACT with other Agency departments and relevant international organizations.
53. The Group expressed appreciation to the Division for assisting in the preparation of the draft resolution and providing continued support to Member States in the area of cancer control by reviewing national capacities, supporting national cancer control planning, mobilizing resources and facilitating partnerships. She thanked all Member States that had sponsored the draft resolution or pledged extrabudgetary support for Rays of Hope and encouraged others to do the same.

54. The CHAIR took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution set out in document GC(66)/COM.5/L.4.

55. It was so decided.

## **16. Strengthening the Agency's activities related to nuclear science, technology and applications**

(GC(66)/9 and GC(66)/INF/4; GC(66)/COM.5/L.5, L.6, L.7, L.8, L.9, L.10, L.11, L.12 and L.13)

56. The CHAIR drew attention to a number of documents containing draft resolutions on strengthening the Agency's activities related to nuclear science, technology and applications, including non-power nuclear applications in general (GC(66)/COM.5/L.6); support for AU-PATTEC (GC(66)/COM.5/L.7); ReNuAL (GC(66)/COM.5/L.8); the ZODIAC project (GC(66)/COM.5/L.9); the use of isotope hydrology for water resources management (GC(66)/COM.5/L.10); SIT development (GC(66)/COM.5/L.11); the production of potable water economically using SMRs (GC(66)/COM.5/L.12); the strengthening of support for Member States in food and agriculture (GC(66)/COM.5/L.13); and nuclear power applications (GC(66)/COM.5/L.5).

57. The representative of INDIA, introducing the draft resolution contained in document GC(66)/COM.5/L.6 ("A. Non power nuclear applications. 1. General"), thanked the Secretariat for its assistance, and Member States, both within and outside the G-77 and China, for adopting an open-minded, constructive and flexible approach to achieve consensus in preparing the draft resolution.

58. The representative of the RUSSIAN FEDERATION said that, in paragraph (o), the words "to Member States and Non-Member States" should be deleted, given that in principle the Agency's assistance in response to COVID-19 had been provided to all States.

59. In paragraph (cc), the whole reference to the opening of the new linear accelerator (LINAC) facility in 2019 should be deleted because it had already been noted in resolutions in 2020 and 2021.

60. Moreover, paragraph (kk) should be updated and shortened to focus more on resource mobilization, to read: "Welcoming the ongoing modernization of the NA Laboratories in Seibersdorf, including the ReNuAL 2 project contributing to R&D activities and supporting access to nuclear applications to Member States and the Agency's effort to mobilize resources in this regard".

61. The representative of INDIA said that the specific reference to non-Member States had been included in paragraph (o) following in-depth discussions and consultations, because the Agency had provided that assistance in collaboration with the multilateral organizations listed in the footnote. The proposed amendments to paragraphs (cc) and (kk), on the other hand, were acceptable.

62. The representative of SOUTH AFRICA, supported by the representative of BRAZIL, said that the rewording of paragraph (kk) was acceptable, provided that the part referring to building traditional and non-traditional partnerships was retained.

63. The representative of the UNITED KINGDOM said that in paragraph (cc) reference to the LINAC facility should be retained but his country could agree to the deletion of the word "new".

64. The representative of PAKISTAN, supported by the representative of the NETHERLANDS, said that "new" and also "in June 2019" could be deleted in paragraph (cc).



65. The representative of the PHILIPPINES, highlighting the important support provided by the LINAC facility in the area of dosimetry for cancer control, agreed with the proposal made by the representative of Pakistan.
66. The representative of the RUSSIAN FEDERATION said that he could agree to retain the reference in paragraph (cc) to the opening of the LINAC facility if other delegations deemed it important. His delegation could accept the proposal to remove the word “new”, but the words “in June 2019” should be retained, as their deletion could give the impression that another facility had been opened.
67. The CHAIR, seeing no objections, thanked delegations for their flexibility. He invited the Russian Federation to respond to comments made by the representative of South Africa in relation to the proposed deletion of the reference to traditional and non-traditional partnerships in paragraph (kk).
68. The representative of the RUSSIAN FEDERATION said that his delegation was not in favour of retaining the reference to non-traditional partnerships and asked to what extent such partnerships had contributed to resource mobilization efforts for ReNuAL.
69. The representative of SOUTH AFRICA, speaking on behalf of the co-chairs of the Group of Friends for ReNuAL, said that she did not have exact figures relating to the contribution of non-traditional partners, but was aware that such resources were largely untapped. Furthermore, given the ever-evolving economic environment and the other challenges faced by Member States, it was always prudent to consider alternative sources of funding. Furthermore, since non-traditional partnerships were referred to in other parts of the draft resolution under discussion, it would be preferable to retain that wording to ensure consistency.
70. The representative of the RUSSIAN FEDERATION said that, as the co-chairs of the Group of Friends for ReNuAL were of the view that the reference to non-traditional partnerships should be retained, he would not insist on its deletion.
71. The CHAIR, thanking the representative of the Russian Federation for his flexibility, took it that the Committee accepted the proposed amendments to paragraphs (o), (cc) and (kk).
72. It was so agreed.
73. The CHAIR appealed to the Committee to refrain to the extent possible from turning the discussions into a drafting session.
74. The representative of the RUSSIAN FEDERATION, turning to preambular paragraph (oo), proposed that the word “Welcoming” should be replaced with the less emphatic word “Noting”. According to the Director General’s report contained in document GC(66)/9, over the previous year the Agency had held only four regional roundtable discussions and launched just one CRP under the NUTEC Plastics initiative.
75. The representative of INDIA said that the G-77 and China had agreed to use the word “Welcoming” in relation to NUTEC Plastics to reflect the importance of the initiative. It was important to elicit the views of other members of the Group.
76. The representative of the PHILIPPINES said that her delegation had no strong objections to the proposed amendment but pointed out that the Agency planned more activities in relation to NUTEC Plastics in the future.
77. The representative of PAKISTAN, while recognizing that few activities had been carried out to date, stressed that the initiative would be expanding. Nevertheless, he believed that the Group could exercise flexibility and accept the proposal.
78. The representative of AUSTRALIA said that, while no hugely significant strides had been made under NUTEC Plastics to date, the initiative was growing. As the issue of marine plastic pollution was

a challenge to Australia and the Asia-Pacific region, her delegation favoured retaining the existing wording if there was a consensus.

79. The representative of INDIA, speaking in his national capacity and supported by the representative of INDONESIA, agreed that NUTEC Plastics, although in its infancy, was gathering momentum and attracting considerable attention from Member States. He would therefore prefer to retain the existing wording, but was willing to exercise flexibility.

80. The representative of the UNITED STATES OF AMERICA said that retention of the word “Welcoming” would help to build momentum for NUTEC Plastics, which was a very important initiative. She was, however, willing to exercise flexibility.

81. The representative of COLOMBIA said that NUTEC Plastics was a very important initiative for many Member States and its expansion was inevitable. Her country was therefore in favour of retaining the word “Welcoming”.

82. The representative of ARGENTINA said that, while it would prefer to retain the existing wording given the importance of NUTEC Plastics, his delegation could accept the proposed amendment in order for the Committee’s business to progress.

83. The representative of NIGERIA, supported by the representative of MALAYSIA, said that, as the sponsors of the draft resolution had discussed the text at length, he supported the wording as it stood. He called on the representative of the Russian Federation to further clarify the reasons for his proposed amendment.

84. In response, the representative of the RUSSIAN FEDERATION reiterated that only four regional roundtable events had taken place and just one CRP had been launched under NUTEC Plastics during the reporting period. The use of the word “Noting” would indicate to the Secretariat that Member States were less than satisfied with progress made under the initiative.

85. The CHAIR, noting that some delegations were strongly opposed to the proposal while others had indicated that they could accept it, asked the representative of the Russian Federation whether he could exercise flexibility in a spirit of compromise.

86. The representative of the RUSSIAN FEDERATION said that he would welcome comments from other delegations in response to the clarifications he had provided on request.

87. The representative of the PHILIPPINES said that, in addition to the activities mentioned by the representative of the Russian Federation, a number of Agency and national projects relevant to NUTEC Plastics had been launched in the Asia-Pacific region, in relation, among other things, to the protection of marine, terrestrial and coastal environments and to polymer recycling.

88. The representative of CHINA, rising to a point of order, said that the Committee should refrain from focusing on specific drafting issues at its first meeting. Given the need to progress efficiently with all the work before the Committee, the Chair might consider outlining all the work before it — including his country’s proposed amendments pertaining to the draft resolution under item 17 — so that delegations could prepare in full for detailed discussions at subsequent meetings.

89. The CHAIR outlined the remaining draft resolutions before the Committee — including the one set out in document GC(66)/COM.5/L.14 — and indicated the order in which they would be considered. He said that, as time was up, the Committee would resume consideration of the draft resolution under discussion the following day. Countries that had opposed the Russian Federation’s proposed amendment to paragraph (oo) might indicate at that time whether they could accept the proposal on the basis of the clarifications provided by that country’s delegation.

**The meeting rose at 6 p.m.**