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President: Mr CORTESE (Italy)

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¹ GC(66)/17

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The composition of delegations attending the session is given in document GC(66)/INF/14

² GC(66)/17

Abbreviations used in this record

CSA	comprehensive safeguards agreement
GRULAC	Latin American and Caribbean Group
ITDB	Incident and Trafficking Database
NPP	nuclear power plant
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
PMO	Policy-Making Organs
TC	technical cooperation
TCF	Technical Cooperation Fund
UK	United Kingdom of Great Britain and Northern Ireland
UN	United Nations
USA	United States of America

– Oral report by the Chair of the Committee of the Whole

1. Mr BENGU (South Africa), Chair of the Committee of the Whole, reported on the outcome of the Committee's deliberations on agenda items 10, 13, 14, 17, 21 and 23.
2. Under item 10, "The Agency's Budget Update for 2023", the Committee recommended that the Conference adopt draft resolutions A ("Regular Budget Appropriations for 2023"), B ("Technical Cooperation Fund Allocation for 2023") and C ("Working Capital Fund for 2023") set out in document GC(66)/L.8. The Committee had also taken note of the information contained in document GC(66)/INF/13 concerning the Secretariat's intention to revise the price adjustment after approval of the Regular Budget for 2023.
3. Under item 13, "Nuclear and radiation safety", the Committee recommended that the Conference adopt the draft resolution set out in document GC(66)/L.10.
4. Under item 14, "Nuclear security", the Committee was not in a position to recommend the draft resolution set out in documents GC(66)/COM.5/L.17/Rev.1 and GC(66)/COM.5/L.17/Rev.1/Corr.1. However, the members of the Committee should be commended on having spared no effort in striving to achieve consensus.
5. Under item 17, "Strengthening the effectiveness and improving the efficiency of Agency safeguards", the Committee recommended that the Conference adopt the draft resolution in document GC(66)/L.9.
6. Under item 21, "Promotion of efficiency and effectiveness of the IAEA decision making process", the importance of maintaining and promoting the efficiency and effectiveness of the Agency's decision-making processes and strengthening the Agency and its governing bodies had been highlighted. The expansion of the membership of the Board of Governors, enhancing the role and authority of the General Conference and the Board, and the importance of maintaining an appropriate balance between the two bodies had also been underlined. The importance of the direct engagement and participation of all Member States in the decision-making process on issues related to the Agency's work had been emphasized. The relevance and importance of the process under way for the timely ratification of the amendment to Article VI of the Agency's Statute had been referred to, and some views and suggestions had been expressed in that context. The possible use of electronic voting at the General Conference — following the example of the UN General Assembly — had also been raised.
7. Under item 23, "Restoration of sovereign equality in the IAEA", the Committee had engaged in a substantive discussion, in the course of which Kazakhstan had announced its intention to defer submission of its draft resolution to the sixty-seventh regular session of the General Conference, in order to allow for further consultations with Member States.
8. The PRESIDENT thanked the Chair and the Vice-Chair of the Committee of the Whole for their work.

10. The Agency's Budget Update for 2023 (GC(66)/6 and GC(66)/INF/13)

9. As recommended by the Committee of the Whole, draft resolutions A, B and C set out in document GC(66)/L.8 were adopted.

10. Mr WANG Chang (China), welcoming the resolution's adoption by consensus, said that his country wished to clarify its position.

11. In China's view, budget issues were directly related to the Agency's ability to fulfil its duties and played a vital role in its functioning. As the second largest financial contributor to the Agency, China would continue to support the work of the Secretariat and the Agency's objectives as set forth in the Statute, namely to contribute to peace, health and prosperity throughout the world. China would continue to work together with other Member States towards attaining those objectives.

12. The debate during discussions on the budget resolution had centred on whether to include language referring to the objectives of the Statute. That should not have been the case, as the Agency should always act in accordance with the objectives of its Statute regardless of whether the resolution was adopted. It was a question of whether the Agency could perform its non-proliferation function, a question of right and wrong.

13. China believed that the crux of the issue lay in whether or not the Agency sought to uphold the NPT as the cornerstone of the international non-proliferation regime, adhere to the relevant provisions of the Statute and fulfil the non-proliferation and safeguards responsibilities of the Director General and the Secretariat. How the budget was used was directly related to the political direction of the Agency. As a matter of principle, there could be no ambiguity.

14. China called for strict compliance with the Statute, especially Articles II and XII. The budget must not be used to participate in any furtherance of military purposes, still less in any act of nuclear proliferation. Regardless of whether the resolution was adopted, the Secretariat must report to Member States on how the budget was used and clarify in detail whether that use was in line with relevant provisions of the NPT and the Statute, especially Articles II and XII. Doing so would allow the Director General and the Secretariat to better fulfil their obligations under the Statute.

15. The PRESIDENT said that the Conference had taken note of the information contained in document GC(66)/INF/13.

13. Nuclear and radiation safety

16. As recommended by the Committee of the Whole, the draft resolution set out in document GC(66)/L.10 was adopted.

17. Strengthening the effectiveness and improving the efficiency of Agency safeguards (GC(66)/13)

17. As recommended by the Committee of the Whole, the draft resolution set out in document GC(66)/L.9 was adopted.

18. Mr WANG Chang (China) said that, although the draft resolution should have been adopted by consensus, there had been unprecedented controversy and confrontation during the consultations. The root cause of the disagreement was the move by Australia, the UK and the USA to forcibly insert three substantive paragraphs into the resolution to deliberately blur the difference between naval nuclear propulsion, which was within a country's sovereign rights, and the three countries' nuclear submarine cooperation and proliferation. The AUKUS countries were attempting to use the safeguards resolution to coerce the Conference into legitimizing the illegal transfer of nuclear weapons materials involved in their cooperation. For that reason, China had proposed a hedging text aimed at upholding the NPT, the Statute and the international non-proliferation regime.

19. China firmly believed that, whatever tactics the three AUKUS countries employed, the NPT's status as the cornerstone of the international non-proliferation regime could not be shaken. The Agency could not be coerced into participating in proliferation or furthering military purposes, and the Secretariat could not be hijacked to provide a safeguards programme that benefitted the three countries. The intergovernmental review process, which had been agreed upon by consensus five times at the Board, could not be stopped.

20. The attempts by the three AUKUS countries to impose the legitimacy of their nuclear submarine cooperation on other Member States through the resolution was unpopular and doomed to failure. The issue could be resolved only by adhering to the correct political direction, following the rules, allowing the intergovernmental process to proceed and continuing to seek common ground while respecting differences.

21. On that basis, China had supported adoption of the draft resolution by consensus.

22. Mr NUSBAUM (Israel) said that his country wholeheartedly supported improvement of the effectiveness and efficiency of Agency safeguards. His country noted with regret, however, that paragraph 8 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.

23. Mr MAZUMDAR (India) said that his country had consistently supported all Agency activities under the Statute and, attaching high importance to safeguards, had contributed to improving their effectiveness and efficiency. Explaining India's position on paragraph 8 of the resolution, he said that Agency safeguards should apply to all Member States and other relevant parties, in accordance with their respective legal obligations.

24. Mr SADLEIR (Australia), speaking also on behalf of the UK and the USA, and responding to comments regarding his country's effort to acquire conventionally armed, nuclear powered submarines, said that he would not respond to all the mischaracterizations in the statement made by the representative of China. The three countries reiterated that they remained fully in compliance with their

non-proliferation obligations, as affirmed by the Director General in his report on AUKUS³ and his statements to the September 2022 set of meetings of the Board of Governors.

25. The Director General's report clearly demonstrated the Agency's satisfaction with the early, open and transparent approach taken under AUKUS. Naval nuclear propulsion was fully compatible with Australia's safeguards commitments and with the NPT.

26. It was important to operate in the realm of fact. Paragraph 5 of the Director General's report on AUKUS noted that the Board had previously authorized the Director General to implement Australia's CSA and the voluntary offer agreements of the UK and the USA. The report confirmed that the ongoing engagement with the Secretariat on naval nuclear propulsion was taking place pursuant to those agreements, on the basis of long-standing Agency practice. The three countries remained and would continue to remain in full compliance with their obligations.

27. Mr KHOKHER (Pakistan), explaining his country's understanding of paragraph 8 and Agency safeguards more broadly, said that Pakistan supported all Agency activities conducted in accordance with its Statute. His country's support for Agency safeguards was evident from its implementation of all its 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 facilitate and provide a framework for cooperation in the peaceful applications of nuclear energy without discrimination and unaffected by strategic or political considerations.

28. The Statute took account of the different safeguards obligations of Member States and did not accord universality to any particular model, including the CSA. Paragraph 8 must be read in conjunction with the paragraph introducing the operative section of the resolution, stipulating that the operative paragraphs must be implemented "consistent with the respective safeguards undertakings" of Member States. For that reason, Pakistan believed that paragraph 8 applied only to States that had undertaken obligations to sign CSAs.

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

30. Mr BULYCHEV (Russian Federation) said that his country agreed with the view expressed by the representative of China and thoroughly disagreed with what had been said by the representative of Australia.

21. Promotion of efficiency and effectiveness of the IAEA decision making process

31. 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.

32. It was so decided.

³ GOV/INF/2022/20

23. Restoration of sovereign equality in the IAEA (GC(66)/1/Add.2)

33. Mr BOGENBAIULY (Kazakhstan) said that his delegation was satisfied with the tangible progress made in bringing the issue of sovereign equality at the Agency to the attention of all Member States and the Secretariat. The issue of the ‘homeless’ States had been overlooked since the Agency’s inception, despite the clear provisions of the Agency’s Statute concerning the sovereign equality of all its Member States. Kazakhstan had been struggling for nearly thirty years to exercise its legitimate right to join one of the regional groups reflecting its geographic location, thereby enabling it to contribute to the Agency’s decision-making processes.

34. During the current session of the General Conference, his delegation had submitted fair and practical proposals aimed at charting a path towards restoring sovereign equality. It was to be hoped that such a political mechanism could serve as a blueprint for other countries in the same unfortunate situation.

35. In a spirit of cooperation and goodwill, his delegation had decided to respect the strong calls to engage in further robust consultations. Welcoming the encouragement by some Member States to continue consultations in order to change the unfair status quo with regard to ‘homeless’ States, his country would defer its draft resolution to the sixty-seventh regular session of the General Conference. It expected, however, that all those Member States that had called for further consultations would work with his country to find a sustainable solution and end inequality and injustice once and for all at the Agency.

36. Mr SHAHYAROV (Azerbaijan) reiterated that sovereign equality meant that all Member States had the right to be elected to the Board of Governors and to belong to one of the regional areas listed in the Statute. He said that Member States’ full and equitable participation in Agency decision-making was important to the effective functioning of the Agency as a whole. Ensuring that all Member States could enjoy the rights and benefits deriving from membership would strengthen their commitment to fulfil, in good faith, their obligations under the Statute.

37. Azerbaijan therefore agreed that Kazakhstan had the right to be involved in decision-making processes and to be elected to the Agency’s governing bodies. Kazakhstan was a reliable partner to the Agency, making a significant contribution to the Agency’s activities in the fields of nuclear non-proliferation and the peaceful uses of nuclear energy. However, despite actively cooperating with the Agency and fulfilling all its obligations, Kazakhstan remained unable to take full advantage of its rights in accordance with the principle of the sovereign equality of all members enshrined in the Statute — a situation that should be corrected.

38. Mr BULYCHEV (Russian Federation) said that it was shameful that the issue of ‘homeless’ States remained unresolved after so many years. His country supported the endeavours by the delegation of Kazakhstan to remedy the problem and hoped that it would continue promoting the draft resolution presented in the Committee of the Whole.

39. Some of the advice given to Kazakhstan by other delegations seemed rather derisive. The amendment to Article VI of the Statute, expanding the membership of the Board of Governors, would not help the ‘homeless’ countries, which had been excluded from the regional groups and would, regrettably, remain so. The solution to the problem lay in admitting those States to the regional groups, not in trying to promote the amendment to Article VI of the Statute.

40. The Russian Federation would stand ready to favourably consider Kazakhstan’s draft resolution on the restoration of sovereign equality at the sixty-seventh session of the General Conference.

41. Mr KHOKHER (Pakistan) said that his country appreciated that Kazakhstan had taken on board the advice of various Member States and reiterated that Pakistan supported the desire of Kazakhstan and other ‘homeless’ States to join a regional group and duly participate in the workings of the Agency.

42. Mr ELER (Türkiye) said that Kazakhstan, a staunch supporter and active member of the Agency, was widely recognized as contributing to the Agency’s work, in particular through the IAEA Low Enriched Uranium Bank. Türkiye supported Kazakhstan’s request that the matter be considered at the sixty-seventh regular session of the General Conference.

43. 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.

44. It was so decided.

14. Nuclear security

(GC(66)/8; GC(66)/INF/5; GC(66)/COM.5/L.17/Rev.1, Rev.1/Corr.1, Rev.1/Add.1)

45. Ms TER HOEVE-VAN HEEK (Netherlands) introduced the draft resolution set out in documents GC(66)/COM.5/L.17/Rev.1 and GC(66)/COM.5/L.17/Rev.1/Corr.1 on behalf of the European Union and its member States and the other sponsors — Australia, Bosnia and Herzegovina, Canada, Georgia, Iceland, Japan, the Republic of Korea, Liechtenstein, Montenegro, New Zealand, Nigeria, North Macedonia, Norway, San Marino, the UK and the USA.

46. She said that, from the outset, the sponsors had aimed for the adoption of the draft resolution by consensus, and it had been discussed extensively in a transparent, inclusive and consensual manner. The Netherlands thanked the Chair of the Committee of the Whole, all delegations for their active engagement and constructive approach, and the Secretariat for its support, in particular the Division of Nuclear Security and SEC-PMO.

47. Although the sponsors had shown great willingness to make compromises and demonstrated flexibility in producing a text that was as close to commanding consensus as possible, consensus had regrettably not been achieved in the Committee of Whole.

48. Under Rule 60 of the Rules of Procedure of the General Conference, she moved the closure of the debate so that the draft resolution could be adopted without further delay, thereby providing important support and guidance on nuclear security to the Agency. She encouraged all Member States to support the motion for closure of debate and to back the adoption of the draft resolution as proposed.

49. The PRESIDENT, noting that, pursuant to Rule 60, permission to speak on the closure of the debate would be accorded only to two speakers opposing the closure, asked if there were any objections to the motion.

50. Mr BULYCHEV (Russian Federation) said that the draft resolution required further discussion as it contained politicized passages that divided the Agency’s policy-making organs. In the light of the drafters’ regrettable unwillingness to achieve compromise, the Russian Federation wished to propose a number of amendments for consideration by the plenary. He began by pointing out that nuclear security was a non-statutory activity of the Agency.

51. The PRESIDENT, following consultations with the Secretariat, recalled that, under Rule 60, the Russian Federation had the right to oppose the motion for closure of debate but not to propose amendments.

52. Mr BULYCHEV (Russian Federation) said that his country was opposed to the motion. It was premature to vote on the draft resolution and he requested permission to present a number of proposed amendments.

53. The PRESIDENT said that the Secretariat had informed him that the amendments could be considered in accordance with the Rules of Procedure, but not until the motion for closure of debate had been decided.

54. Mr NAZIRI ASL (Islamic Republic of Iran) said that his country also opposed the motion. He requested that the required quorum be verified before a vote took place.

55. The PRESIDENT, following consultations with the Secretariat, said that, as 113 Member States were in attendance, the quorum of 88 had been attained.

56. He invited the General Conference to vote, by show of hands, on the motion for closure of debate put forward under Rule 60 by the representative of the Netherlands.

57. There were 67 votes in favour and 7 against, with 23 abstentions. The motion was carried.

58. The PRESIDENT asked whether the Conference wished to adopt the draft resolution set out in documents GC(66)/COM.5/L.17/Rev.1 and GC(66)/COM.5/L.17/Rev.1/Corr.1.

59. Mr BULYCHEV (Russian Federation) said that his delegation wished to propose five amendments, which would substantially improve the draft resolution.

60. Ms TER HOEVE-VAN HEEK (Netherlands), rising to a point of order, said that, as the motion for closure of debate had been carried by vote, it was her delegation's understanding that amendments were no longer permitted. In her previous statement, she had requested that the draft resolution be put to the plenary for adoption.

61. Ms JOHNSON (Director of the Office of Legal Affairs) explained that, after the successful motion for closure of debate, no further discussions could take place and no new substantive proposals or amendments could be submitted. However, the President could permit a decision to be taken, without any discussion, on amendments already before the General Conference — such as those tabled by the Russian Federation — after which a decision on the draft resolution as a whole would follow.

62. Ms HOLGATE (United States of America), rising to a point of order, said that, under Rule 56, she was appealing against the ruling of the presiding officer. In her delegation's view, the Russian Federation was not allowed under the Rules of Procedure to propose amendments given that the motion for closure of debate had been carried.

63. Ms JOHNSON (Director of the Office of Legal Affairs) said that the representative of the USA had indicated that the proposed amendments for which the Russian Federation sought the General Conference's approval were inadmissible because they were new and the debate had been closed. Under Rule 56, the presiding officer had to make a decision on the matter and a vote might be required.

64. Mr BULYCHEV (Russian Federation), rising to a point of order, said that his country was fully entitled to present its amendments as they were not new; they had already been proposed in the Committee of the Whole. The weakness of the drafters, attempting to use procedural methods to thwart his delegation by immediately moving to close debate before anyone had taken the floor, did not cast them in a good light.

65. In view of the predilection in the room to trawl through the Rules of Procedure, he drew attention to Rule 8. The General Committee had fixed 30 September 2022 as the closing date of the current session; as it was past midnight, the current date was 1 October 2022. Strictly speaking, the Conference had concluded and no more decisions were possible.

66. The PRESIDENT said that, as one delegation wished to propose amendments that other delegations did not want to be considered, there should be a vote on whether to consider the proposed amendments. He stressed that no debate or drafting proposals would be permitted.

67. Mr BULYCHEV (Russian Federation) said that the President had not responded to his previous statement, in which he had noted that, acting on the recommendation of the General Committee, the Conference had fixed 30 September 2022 as its closing date. As it was after midnight, and the date was currently 1 October 2022, the Conference had ended.

68. His delegation thanked all participants for an interesting event and the President for his skilful leadership.

69. The PRESIDENT said that he took it that the Conference wished to continue its work until its completion, regardless of the General Committee's recommendation, and noted no objection.

70. Ms HOLGATE (United States of America) said that holding a vote as suggested by the President meant asking the Conference to consider negating the motion for closure of debate that had already been carried. She asked for clarification of the situation.

71. The PRESIDENT said that, although the debate had been closed, amendments that had previously been proposed in the Committee of the Whole could still be presented to the plenary. Wholly new amendments, however, could not be proposed.

72. Ms HOLGATE (United States of America) said that there were no document numbers for the amendments that the Russian Federation was claiming to have proposed. As the Russian Federation had not proposed amendments with document numbers from the plenary floor before the motion for closure of debate had been initiated, it could not be considered that there were amendments before the plenary. Any proposals made in the Committee of the Whole or other subsidiary bodies of the Conference were immaterial; proposals needed to be reintroduced in the plenary in order to be considered for adoption.

73. The PRESIDENT said that, since no amendments had been formally proposed, the amendments in question were considered to be new and could not be proposed in the plenary, given that the motion for closure of debate had been carried. He therefore suggested taking a decision on the draft resolution as it stood.

74. Mr BULYCHEV (Russian Federation) repeated his question about whether the Conference had effectively ended — the date was 1 October 2022 and the Conference was no longer empowered to take decisions.

75. The PRESIDENT said that, as there had been no objection to his earlier remark on the issue, he took it that the Conference agreed to continue its work. All delegations, with the possible exception of the delegation of the Russian Federation, seemed ready to keep working.

76. Mr NAZIRI ASL (Islamic Republic of Iran) said that the Conference had clearly overrun its scheduled time: its mandate had been to complete its work before 1 October 2022 and it had regrettably not been able to do so. He did not agree with the President's explanation — no deliberate decision had been taken to continue working. The powers entrusted to the General Committee were effectively being overruled, which set an unacceptable precedent. A deliberate decision needed to be taken by the

Conference to determine its position on the matter and care needed to be taken from the legal point of view as to how to proceed.

77. Turning to the amendments, he said that it was customary in the Committee of the Whole to work with informal documents containing amendments that were later incorporated into the draft resolution put before plenary. Those amendments were never given document symbols — and it was not the case that each amended paragraph needed to be tabled in its own official document, as had been implied.

78. In short, he did not agree with the President's rulings and hoped that further legal clarification would be sought so that the session could proceed on a solid basis.

79. The PRESIDENT, following further consultations with the Secretariat, reiterated that the amendments should not be considered because they were new.

80. Mr BULYCHEV (Russian Federation) asked that individual paragraphs of the draft resolution be voted on separately in accordance with the Rules of Procedure.

81. The PRESIDENT asked the Russian Federation to state which paragraphs it wished to put to a vote. Subsequently, the entire draft resolution would be voted on.

82. Mr BULYCHEV (Russian Federation) said that he was requesting a separate vote on four paragraphs.

83. Paragraph (p) erroneously stated that the Nuclear Security Summits were inclusive, which flew in the face of common sense.

84. Paragraph (mm) referred to two Board of Governors resolutions that were one-sided, politicized, and had divided the Board and strayed beyond the Agency's mandate.

85. Paragraph (nn) provided a distorted view of the situation at Zaporizhzhya NPP, with a highly selective use of just two of the Director General's 'seven pillars'; it also continued to refrain from naming the party responsible for shelling the plant, which was, of course, Ukraine.

86. Lastly, paragraph 46 referred to the utility of the ITDB, a tool that was largely populated from Wikipedia and collated rumours from around the world. His delegation had tolerated paragraph 46 while the draft resolution had been based on consensus, but it was no longer prepared to do so and wished to register its position on that dubious instrument.

87. In closing, he reiterated that nuclear security was a non-statutory activity of the Agency.

88. Mr WANG Chang (China) said that there were two procedural matters that needed to be resolved.

89. First, as flagged by the delegate of the Russian Federation, in accordance with Rule 8 of the Rules of Procedure, the current session should have ended on 30 September. Unless Member States decided otherwise, the Conference had to comply with the recommendation of the General Committee.

90. Second, as the amendments proposed by the delegate of the Russian Federation had already been tabled in the Committee of the Whole, they were not new proposals. The Russian Federation had the right to request a vote on them in plenary.

91. Ms HOLGATE (United States of America) said that her country opposed the motion for division. The draft resolution had been discussed at great length but to no avail; it was high time to adopt it as a whole, without any more procedural shenanigans. She encouraged all delegations to vote against the motion.

92. Ms TER HOEVE-VAN HEEK (Netherlands) said that she agreed wholeheartedly with the representative of the USA.

93. Ms JOHNSON (Director of the Office of Legal Affairs) said that, as the representatives of the Netherlands and the USA had spoken against the motion for division requested by the representative of the Russian Federation pursuant to Rule 75, the President would allow two speakers in favour of the motion before it was put to the vote.

94. Mr WANG Chang (China) said that, in accordance with the Rules of Procedure, his country considered that the delegation of the Russian Federation was entitled to request a division of the vote on the amendments.

95. Mr NAZIRI ASL (Islamic Republic of Iran) recalled that, in his delegation's view, the President had acted ultra vires when he had ruled that the General Conference could continue beyond midnight; the Conference had not taken a deliberate decision on the matter. He was taking the floor without prejudice to the legal opinion that his country still expected to be rendered, and it was unfortunate that such clarification had not been provided to his delegation or to those of China and the Russian Federation.

96. His country supported the motion put forward by the representative of the Russian Federation, and seconded the statement made by the representative of China.

97. In closing, he noted that his delegation also hoped to be given the opportunity to table amendments — which it had proposed in the Committee of the Whole — to three paragraphs of the draft resolution.

98. The PRESIDENT invited the General Conference to vote, by show of hands, on the motion for division requested under Rule 75 by the representative of the Russian Federation.

99. There were 7 votes in favour and 59 against, with 24 abstentions. The motion was rejected.

100. The PRESIDENT said that he could, as a result, invite the General Conference to vote on the draft resolution.

101. Mr BULYCHEV (Russian Federation), rising to a point of order, expressed indignation at the games being played by Western delegations with the Rules of Procedure. He noted that, judging by the results of the latest vote, only 90 delegations were present, with 88 required for quorum. He invited all those opposed to what he called the current 'circus' to leave the room and thereby deprive the Western bloc of a quorum and the ability to adopt its draft resolution.

102. The PRESIDENT, noting that the quorum had already been ascertained, invited the General Conference to vote, by show of hands, on the draft resolution set out in documents GC(66)/COM.5/L.17/Rev.1 and GC(66)/COM.5/L.17/Rev.1/Corr.1.

103. There were 62 votes in favour and none against, with 29 abstentions. The draft resolution was adopted.

104. Mr MAZUMDAR (India), speaking in explanation of vote, said that his country placed high importance on nuclear security and had therefore supported the resolution. Expressing regret that consensus had not been achieved, India signalled its reservations regarding paragraphs (mm) and (nn), on which there had been diverging views.

105. Mr KHOKHER (Pakistan), speaking in explanation of vote, said that his country attached the utmost importance to nuclear security and to the Agency's central role in coordinating international efforts to strengthen global nuclear security.

106. It was deeply regrettable that a vote on the resolution had been required. Throughout the process, Pakistan had urged all sides to engage in good faith and to find consensus in the Committee of the Whole; difficulties with other resolutions had been overcome and a basis for compromise on the current resolution could also have been found, which was also why his country had voted against the motion for closure of debate.

107. Unfortunately, Pakistan's pleas, which had been supported by many other delegations, had not been heeded, and his country was of the view that the very important resolution had thereby been politicized. For that reason, Pakistan had been compelled to abstain, as the resolution contained references to Board of Governors resolutions on which it had also abstained. Underscoring his country's conviction that the nuclear security resolution was too important to be compromised for political and divisive reasons, he expressed the hope that such an unfortunate approach would be shunned in future and that consensus would again be found on that important resolution.

108. Lastly, he requested the opportunity to put forward views on the procedural issue of the date of the Conference's conclusion.

109. Mr TSYMBALIUK (Ukraine) expressed gratitude to all those who had supported the resolution — the drafters and all those who had taken part in its creation, negotiation and adoption — in particular in the light of the procedural attempts to derail it.

110. Ms ÁLVAREZ NÚÑEZ (Cuba), speaking in explanation of vote, said that her country attached great importance to the nuclear security resolution adopted annually by consensus by the General Conference. The nuclear security assistance and advice offered by the Agency were vitally important in strengthening the capabilities of Cuba — as a developing country — in that area, and her country therefore supported the objectives and initiatives mentioned in the resolution with regard to the Agency's nuclear security activities.

111. Cuba reiterated that the resolution was wholly technical in nature; it was, therefore, important that it did not contain political considerations. Her country had abstained, and signalled its concern that a negative precedent had been set with the inclusion of political judgements unrelated to the resolution's essence and purposes. Naturally, Cuba would support the Agency's nuclear security activities and called for the nature and characteristics of that important resolution to be upheld in future. At the same time, the Cuban delegation would have preferred consensus to be achieved and had, therefore, supported the continuation of debate.

112. Mr ZAHARI (Malaysia), speaking in explanation of vote, said that his country was committed to the principles and purposes of the UN Charter and the ideals espoused therein. Malaysia reiterated the inviolability of the fundamental principles of territorial integrity and sovereignty and of the peaceful settlement of disputes in order to preserve international peace, security and prosperity — all parties must uphold such fundamental and sacrosanct principles of the UN Charter and international law that guided the conduct of friendly relations between nations and peaceful coexistence.

113. Malaysia was troubled by the situation in Ukraine, which jeopardized the safety, security and safeguards at that country's nuclear facilities, potentially affecting the Agency's work. The conflict posed serious and direct threats to the safety and security of those facilities and their civilian personnel and significantly heightened the risk of a nuclear accident or incident endangering the population of Ukraine, neighbouring States and the international community. Malaysia therefore supported the Director General's initiative to establish a nuclear safety and security protection zone around Zaporizhzhya NPP.

114. Malaysia was disappointed that consensus on the resolution had proved elusive; while the resolution was far from perfect, the Vienna spirit must prevail. Owing to time constraints with regard to the receipt of instructions from his Government, his delegation had abstained.

115. Ms HOLGATE (United States of America), thanking the President for his patience and skilful leadership of the meeting, said that her country was encouraged that, at a juncture when the Russian Federation was purporting to annex part of Ukraine's sovereign territory through sham referendums, the Agency's Member States had adopted — with no votes against — a nuclear security resolution that reinforced the shared international responsibility to secure nuclear and radiological material.

116. The Conference had demonstrated its resolve to send a message that the Agency continued to play a vital role in coordinating and strengthening global nuclear security, and had highlighted that the world would not ignore the Russian Federation's deplorable actions in Ukraine, in particular the unprecedented risks to nuclear safety and security caused by its actions at Zaporizhzhya NPP. The Agency's contributions would endure and the USA would continue to work with the Secretariat and its partners to advance shared nuclear security priorities.

117. Ms SRISWASDI (Thailand), speaking in explanation of vote, said that her country had voted for the resolution; it should, however, have been adopted by consensus. Thailand attached great importance to the resolution on nuclear security and hoped that in future it would be adopted by consensus. She took the opportunity to restate her country's support for the Director General's efforts and initiatives in the area of nuclear security.

26. Report on contributions pledged to the Technical Cooperation Fund for 2023

(GC(66)/15/Rev.1)

118. The PRESIDENT said that document GC(66)/15/Rev.1 contained details of pledges of TCF contributions for 2023 which governments had made to the Director General by 5 p.m. on 29 September 2022.

119. The number of Member States that had pledged was higher than the number at the same time the previous year. Since the document had been sent for printing, two more Member States had communicated pledges: the Republic of Moldova — €4630 — and Senegal — €6482. That brought the total amount pledged by the end of the sixty-sixth regular session of the General Conference to €32 878 492, representing pledges from 87 Member States and accounting for 35.51% of the TCF target for 2023. The 87 Member States that had pledged represented 49.7% of Member States.

120. The percentage of the TCF target pledged by the end of the sixty-sixth regular session was 3.48% higher than the previous year and represented the highest percentage at any General Conference. He urged all delegations that had not yet done so to make their 2023 pledges and pay their contributions in full at the earliest opportunity, to enable the Secretariat to submit to the Technical Assistance and Cooperation Committee in November 2022 a draft TC programme and budget for 2023 based on the level of pledges received and then to implement the approved programme without hindrance or uncertainty.

– Closing of the session

121. The PRESIDENT said that the current session of the General Conference had been attended, in person and in a virtual manner, by high-level representatives of Member States, including one Vice-President, two Deputy Prime Ministers and 64 ministers. During the general debate, 140 speakers had taken the floor. A total of 93 side events had taken place.

122. Mr ALWAZZAN (Kuwait) commended the President on his able management of the sixty-sixth regular session of the General Conference and thanked the Secretariat and the Chair of the Committee of the Whole for their work.

123. Mr ŠRÁMEK (Czech Republic), speaking on behalf of the European Union, extended sincere thanks to the President and his team for their dedication and excellent steering of the General Conference. The European Union also commended the Chair of the Committee of the Whole on his tireless and skilful efforts to reach consensus on a number of difficult draft resolutions, and expressed sincere appreciation to the Secretariat and the interpreters.

124. The Conference had taken place in unprecedented circumstances, amid rising international tensions that had affected its work. It was deeply regrettable that that had seemingly caused the Vienna spirit of consensus to falter; it was to be hoped that it had not been entirely lost. The European Union commended all those who had endeavoured to maintain such an approach, while emphasizing that consensus must not turn into a tool to be abused.

125. The worsening political environment was primarily to be attributed to the Russian Federation's unprovoked and unjustified aggression against Ukraine, which the European Union condemned in the strongest possible terms. The Russian Federation's invasion of a sovereign country grossly violated international law, in particular the UN Charter, and severely undermined European and global security and stability.

126. The European Union did not and would never recognize the falsified outcomes of the illegal, sham referendums that the Russian Federation had engineered as a pretext for further violations of Ukraine's independence, sovereignty and territorial integrity within its internationally recognized borders. Crimea, Donetsk, Kherson, Luhansk and Zaporizhzhya were Ukraine.

127. The European Union called on all States and international organizations to unequivocally reject all the illegal annexations. Such developments posed serious and direct threats to the safety and security of Ukraine's nuclear facilities and further aggravated the nuclear safety and security situation at Zaporizhzhya NPP — which had been illegally seized by the Russian Federation — and posed additional obstacles to the Agency's fulfilment of its safeguards mandate within Ukraine's internationally recognized borders.

128. Mr AHOUGA (Morocco), speaking on behalf of the Group of 77 and China, congratulated the President on his excellent leadership and thanked the Secretariat for its invaluable organizational support and the Chair and Vice-Chair of the Committee of the Whole. All ten of the Group's draft resolutions had been swiftly agreed by the Committee of the Whole and had been sponsored by numerous delegations, demonstrating the importance of cooperation.

129. In closing, he thanked the entire Group of 77 and China team and all its delegations for their hard work and commitment.

130. Mr ROLDÁN BARILLAS (Guatemala), speaking on behalf of GRULAC, said that he warmly congratulated the President on his leadership of the Conference. The group also thanked the Director

General for his endeavours to provide documents in a timely manner and for his management of the Agency.

131. The PRESIDENT, acknowledging the delegations' kind words, said that it was an honour and privilege, for himself and his country, to serve as President of the General Conference. He expressed his sincere appreciation to the Chair of the Committee of the Whole for his skill and patience in guiding the Committee's deliberations.

132. In spite of many difficulties, in part attributable to the extraordinary international situation, and with a handful of exceptions, the Conference had managed to adopt resolutions on a number of agenda items by consensus. He expressed his gratitude for the cooperation and assistance he had received, which had enabled a number of problems to be dealt with. The spirit of Vienna had, after all, been preserved.

133. He also thanked the Director General and the Agency's able and dedicated staff — including the interpreters, translators, précis-writers, conference officers, general services staff and SEC-PMO — for their valuable support. He further thanked the Austrian authorities and the city of Vienna for their hospitality.

134. Lastly, in accordance with Rule 48 of the Rules of Procedure, he invited the Conference to observe one minute of silence dedicated to prayer or meditation.

All present rose and stood in silence for one minute.

135. The PRESIDENT declared the sixty-sixth regular session of the General Conference closed.

The meeting rose at 1.40 a.m.