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Chair: Mr CSERVENY (Hungary)

Later: Ms NAVARRO ANGEL (Colombia)

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¹ GC(67)/24

Abbreviations used in this record

CPPNM	Convention on the Physical Protection of Nuclear Material
ICONS	International Conference on Nuclear Security: Shaping the Future
INSSP	Integrated Nuclear Security Support Plan
NPP	nuclear power plant
NSGC	Nuclear Security Guidance Committee
OIOS	Office of Internal Oversight Services
PMOs	Policy-Making Organs
UK	United Kingdom of Great Britain and Northern Ireland
UN	United Nations
USA	United States of America

14. Nuclear security (continued)

(GC(67)/14; GC(67)/INF/3; GC(67)/COM.5/L.11)

1. The CHAIR recalled that the Committee had before it a report by the Director General on nuclear security, contained in document GC(67)/14, and a draft resolution on nuclear security, contained in document GC(67)/COM.5/L.11.
2. The representative of FRANCE, speaking on behalf of the European Union, said that paragraph (r) remained unchanged compared to the analogous paragraph in the 2021 General Conference resolution on nuclear security². There had been suggestions about including a reference to the sovereign right of States vis-à-vis international undertakings, but those related rather to the preambular part of the resolution.
3. Turning to paragraph (s), he said that one delegation had proposed deletion of the phrase “and the Agency’s role in promoting universalization of relevant legal instruments and assisting Member States, upon request, in adherence to, and implementation of, relevant international legal instruments”. As many delegations had found that proposal to be unacceptable, however, the text had been left unchanged.
4. The representative of the ISLAMIC REPUBLIC OF IRAN said that, with regard to paragraph (r), his delegation had proposed the insertion of the words “in accordance with applicable international law” after “IAEA Member States” and the deletion of “and universalization”. From the very first meeting of the open-ended working group, his delegation had expressed the view that, as the 2022 General Conference resolution on nuclear security³ had been adopted by vote, the resolution could not be considered to be agreed wording. The 2021 resolution was agreed wording, however, as it had been adopted by consensus. In any case, every Member State had the right to try to improve even agreed language.
5. The representative of FRANCE said that his delegation could not accept the deletion of “and universalization” as it weakened the text.
6. The representative of AUSTRALIA said that, given the importance of the Agency’s work towards universalization of the CPPNM and its Amendment and the fact that the wording had been agreed in previous years, his delegation wished to leave the paragraph unchanged.
7. The representative of ARGENTINA, highlighting the importance of the universalization of the CPPNM and its Amendment, said that his delegation preferred to keep the paragraph as it stood as the wording had previously been agreed upon at the sixty-fifth regular session of the General Conference.
8. The representative of the UNITED STATES OF AMERICA echoed the sentiment expressed by the representatives of Australia and Argentina, adding that references to universalization could also be found in the Nuclear Security Plan 2022–2025, which had been agreed upon after a lengthy debate and had been brought before the General Conference and approved in 2021.
9. The representatives of the UNITED KINGDOM, SWITZERLAND, JAPAN and IRELAND supported retaining the wording as it stood.

² GC(65)/RES/9

³ GC(66)/RES/7

10. The representative of the RUSSIAN FEDERATION suggested that, as paragraph (r) recognized the importance of acceptance, approval or ratification of the CPPNM by further Member States and therefore, in his view, already covered universalization of the Convention, and paragraph (s) noted the Agency's role in promoting universalization of relevant legal instruments, there was no added value in mentioning universalization again at the end of paragraph (r).

11. The CHAIR took it that paragraphs (r) and (s) would be the subject of further consultations. He suggested that the Committee move on to the next paragraph.

12. Regarding paragraph (u), the representative of FRANCE, speaking on behalf of the European Union, said that there had been a proposal by Iran to add the words "separated plutonium" after "use of", but that proposal had been rejected by a number of States. For that reason, the paragraph remained unchanged from the previous year.

13. Turning to paragraph (aa), he said that "without prejudice to the views of Member States" had been inserted at the end of the paragraph, which was wording taken from the 2022 General Conference resolution on nuclear and radiation safety⁴.

14. Speaking in his national capacity and supported by the representatives of GERMANY and CANADA, he said that the Iranian proposal for paragraph (u) was unacceptable as it ran counter to the nuclear fuel cycle strategies of a number of States.

15. With regard to paragraph (aa), the representative of the RUSSIAN FEDERATION proposed replacing "emphasizing the importance of" with the consensus wording "noting", which would better harmonize the text of the draft resolution with that of the 2022 resolution on nuclear and radiation safety.

16. The representative of SWITZERLAND said that his delegation had accepted the inclusion of the caveat "without prejudice to the views of Member States" in the draft resolution in a spirit of compromise and in accordance with the wording agreed upon the previous year in the resolution on nuclear and radiation safety, believing that it would allay the concerns expressed by Iran. The removal of the reference to the importance of the "seven indispensable pillars for ensuring nuclear safety and security during an armed conflict" would be a compromise too far, however. As an alternative, he suggested that the word "emphasizing" could be replaced with "noting".

17. The CHAIR asked whether the representative of Iran could accept "noting the importance of".

18. The representative of the ISLAMIC REPUBLIC OF IRAN said that it was his delegation that had shown great flexibility and compromise during the previous year's negotiations on the resolution on nuclear and radiation safety, as it had not wanted to accept the inclusion of any reference to the "seven pillars" in the resolution at all. Having noted delegations' interest in retaining such a reference, however, his delegation had agreed to the wording, wishing only to highlight that Member States had different views on the "seven pillars".

19. The representative of the UNITED STATES OF AMERICA echoed the comments made by the representative of Switzerland. He said that the inclusion of "without prejudice to the views of Member States" represented a significant compromise. Given that the importance of the seven pillars was a key concept, he supported the suggestion to replace the word "emphasizing" with "noting".

20. The representative of FRANCE, expressing agreement with the representatives of Switzerland and the USA, said that her delegation would prefer the wording of the paragraph to be retained.

⁴ GC(66)/RES/6

21. The representative of the ISLAMIC REPUBLIC OF IRAN pointed out that, during the deliberations on the draft resolution on nuclear and radiation safety, delegations had agreed upon the wording “noting the IAEA Director General’s ‘seven indispensable pillars for ensuring nuclear safety and security during an armed conflict’”. In that connection, he wished to remind delegations of the common understanding that any text agreed upon during consideration of the draft resolution on nuclear and radiation safety could also be reflected in the draft resolution on nuclear security.
22. The representative of the RUSSIAN FEDERATION supported the wording “noting the IAEA Director General’s ‘seven indispensable pillars for ensuring nuclear safety and security during an armed conflict’”.
23. The CHAIR, noting that the Committee was unable to reach agreement, suggested that it move on to the next paragraph.
24. The representative of FRANCE, speaking on behalf of the European Union, said that paragraph (bb) introduced the “five principles to help ensure nuclear safety and security at Zaporizhzhya NPP” presented by the Director General to the UN Security Council on 30 May 2023.
25. The representative of the ISLAMIC REPUBLIC OF IRAN said that, as with the draft resolution on nuclear and radiation safety, his delegation was not in a position to accept any reference to the “five principles”.
26. The representative of FRANCE said that, given the importance of the issue for the Agency, her delegation wished to keep the paragraph as it was.
27. The representative of SWITZERLAND said that it was essential to note the “five principles”, as Member States would thereby be indicating their support for the important work of the Director General and the Agency.
28. The representative of the UNITED STATES OF AMERICA, expressing agreement with the representative of Switzerland, pointed out that the wording of the paragraph was very neutral. She therefore hoped that the delegation of Iran could agree to it.
29. The representative of GERMANY said that his delegation attached the utmost importance to the “seven pillars” and the “five principles” and wished to see the wording retained.
30. The representative of AUSTRIA echoed the comments made by the representatives of Switzerland, the USA and Germany.
31. The CHAIR, noting that paragraph (bb) required further consideration, suggested that the Committee move on to the next paragraph.
32. The representative of the ISLAMIC REPUBLIC OF IRAN said that his delegation had proposed the inclusion after paragraph (aa) of a paragraph on cyberattacks and the impact of such attacks on the security of nuclear facilities.
33. The representative of FRANCE, speaking on behalf of the European Union, said that the proposal by the delegation of Iran had been discussed at length during the informal consultations; it had not been included in the draft resolution as it had not been possible to find consensus wording for the text.
34. With regard to paragraph (gg), he said that the words “or other malicious acts” had been added after “sabotage”.
35. The CHAIR took it that paragraph (gg) was acceptable to the Committee.
36. It was so agreed.

37. Turning to paragraphs (mm) and (nn), the representative of FRANCE, speaking on behalf of the European Union, said that the proposal by the Russian Federation to delete the paragraphs had not yet been discussed.

38. The CHAIR suggested that the Committee revert to paragraphs (mm) and (nn) once discussions had been held on the Russian proposal.

39. The representative of FRANCE, speaking on behalf of the European Union, said that paragraph 2 had reverted to the wording used in the 2021 General Conference resolution on nuclear security, with the deletion of the word “all” before “nuclear and other radioactive material”.

40. The CHAIR took it that the paragraph was acceptable to the Committee.

41. It was so agreed.

42. The representative of FRANCE, speaking on behalf of the European Union, said that paragraph 3 had been amended to read as follows: “Notes the importance of computer security and the need for Member States to take measures within their responsibility to maintain computer security, and also taking into account insider threats, keeping in mind the importance of international cooperation in this respect”.

43. The CHAIR took it that the paragraph was acceptable to the Committee.

44. It was so agreed.

45. The representative of FRANCE, speaking on behalf of the European Union, said that paragraph 4 had been updated to reflect Member States’ views on the nature of the work carried out by the Secretariat over the past year.

46. The representative of the ISLAMIC REPUBLIC OF IRAN requested that paragraphs 2, 3 and 4 be placed in square brackets so that he could check the instructions from his Government.

47. Turning to paragraph 6, the representative of FRANCE, speaking on behalf of the European Union, said that the text had been newly introduced into the draft resolution.

48. The CHAIR took it that the paragraph was acceptable to the Committee.

49. It was so agreed.

50. The representative of FRANCE, speaking on behalf of the European Union, said that paragraph 8 had been updated to take note of ICONS 2024. As with the analogous paragraph in the 2019 General Conference resolution on nuclear security⁵, all Member States were encouraged to participate at ministerial level and all Member States were called upon to strive towards a substantive outcome in the form of a consensual Ministerial Declaration. The paragraph had not been the subject of consensus, with some delegations wanting to significantly scale back the ambitions regarding the outcome of ICONS 2024. One option would be to revert to the same wording used in the 2019 resolution.

51. The representative of the ISLAMIC REPUBLIC OF IRAN said that his delegation did not support the current wording of the paragraph as it went too far in attempting to prejudge the future. He therefore proposed to make the text more factual by amending it as follows: “Notes the ongoing preparations for the ICONS 2024: Shaping the Future, encourages all Member States to participate at the appropriate level, and further calls upon the Secretariat to continue to organize ICONS every four years”.

⁵ GC(63)/RES/8

52. The representative of AUSTRALIA said that, in his delegation's view, it was entirely appropriate to use ambitious wording in paragraph 8 similar to that in the 2019 resolution, as both resolutions had been drafted one year prior to ICONS. He did not consider the current wording of the paragraph to be predicting the future; rather, it was setting out a procedure for ICONS, in the hope that it would have a successful outcome achieved through a technical and scientific programme and a consensual Ministerial Declaration. Given, however, that the proposed wording was more ambitious than that of the 2019 resolution, he could agree to revert to the wording used in the 2019 resolution, in a spirit of compromise.

53. The representative of FRANCE said that her delegation supported reverting to the wording previously agreed in 2019, as it would be strange to lower the level of ambition for ICONS 2024 from that of ICONS 2020. By encouraging Member States to participate at ministerial level in ICONS — which was held on a regular basis and covered issues of major concern to the international community — the Committee was not prejudging the future but promoting the success of the Conference and laying the foundations to ensure that ICONS could take place in the best possible conditions.

54. The representative of the UNITED KINGDOM, welcoming the suggestion to revert to the wording used in the 2019 resolution, observed that, in her delegation's view, the word “encouraging” was not synonymous with “compelling”.

55. The CHAIR, noting that there were no more comments, suggested that the Committee move on to the next paragraph.

56. Turning to paragraph 11, the representative of FRANCE, speaking on behalf of the European Union, said that Iran's proposal to delete “effective” from the reference to Regulatory Infrastructure Development Projects had been discounted because “effective” was considered to correctly reflect the added value of those projects from the perspective of the Agency and the participants. Iran had also proposed changing “Recognizes” to “Takes note of”.

57. The representative of SPAIN said that the participation of more than 70 Member States in Regulatory Infrastructure Development Projects attested to their value and effectiveness. The current wording should not be changed.

58. The representative of CANADA said that it was important to retain “effective” to convey support for those projects, which had been recognized by the OIOS as a model for delivering services and results cost-effectively. In the spirit of compromise, her delegation could consider using “Takes note of” if the rest of the paragraph was left unchanged.

59. The representative of AUSTRALIA, noting that many countries in her region considered Regulatory Infrastructure Development Projects an effective mechanism for requesting Agency support, said that the existing wording should be kept.

60. The representative of the ISLAMIC REPUBLIC OF IRAN said that he could consider keeping “effective” if the Committee was ready to accept Canada's constructive offer.

61. The representative of FRANCE said that her country, as a committed contributor to Regulatory Infrastructure Development Projects, preferred to retain the current wording. It could, however, accept Canada's proposal for the sake of consensus.

62. The CHAIR took it that the replacement of “Recognizes” with “Takes note of” was acceptable to the Committee.

63. It was so agreed.

64. The representative of FRANCE, speaking on behalf of the European Union, thanked the delegation of Canada for its flexibility. Referring to paragraph 13, he said that text reflected the wording

from 2022 and was part of the continuing discussion on proposed references to the sovereign rights of States to join international agreements.

65. The representative of the ISLAMIC REPUBLIC OF IRAN proposed adding “taking into account the right of Member States under applicable international law to consider to join an international instrument” after “universalization”.

66. The representative of the UNITED STATES OF AMERICA said that the proposed reference to applicable international law was vague and, in a technical resolution, was a significant obstruction to consensus. She urged Iran to accept the longstanding agreed wording.

67. The CHAIR, noting that the legal complexities of the proposal required further consultation, suggested that the Committee move to the next open paragraph.

68. The representative of the ISLAMIC REPUBLIC OF IRAN, turning to paragraph 12, said that his delegation’s proposed insertion of “as appropriate” after “consider providing” in the first line did not appear to be correctly reflected in the text. He requested that the paragraph be bracketed pending verification.

69. The representative of FRANCE, speaking on behalf of the European Union, recalled that, following extensive discussions, it had been agreed to keep only one of the two instances of “as appropriate”, as reflected in the text.

70. The representative of the ISLAMIC REPUBLIC OF IRAN said that one delegation had made an alternative proposal to add “as appropriate” after “support” in the second line. He did not recall accepting the alternative amendment, however, and therefore maintained his request.

71. The CHAIR requested that the relevant delegations confirm the correct amendment before the draft resolution was submitted to the General Conference for adoption.

72. The representative of FRANCE, speaking on behalf of the European Union, said that paragraphs 21, 24, 25, 26 and 27 had been updated. He asked the Secretariat to clarify whether the phrase “under the auspices of the NSGC” in paragraph 26 was accurate.

73. The HEAD OF THE PROGRAMME DEVELOPMENT AND INTERNATIONAL COOPERATION SECTION said that the phrase was not accurate, since, according to its terms of reference, the Nuclear Security Guidance Committee had been established to make recommendations to the Deputy Director General for Nuclear Safety and Security.

74. Moving on to paragraph 28, the representative of FRANCE, speaking on behalf of the European Union, said that the text was part of the same debate on the inclusion of the “seven pillars” in paragraph (aa).

75. The representative of the RUSSIAN FEDERATION reiterated that the General Conference should only note, rather than emphasize the importance of, the “seven pillars”, mirroring the wording in the draft safety resolution.

76. The representative of the ISLAMIC REPUBLIC OF IRAN said that paragraph 28 should be coordinated, rather than harmonized, with paragraph 39 in the draft nuclear safety resolution.

77. The representative of SWITZERLAND, restating his delegation’s position, said that the language in the two draft resolutions need not be identical, as their subject matter was different. Furthermore, a caveat had been included to reflect the differing views of Member States. He urged delegations to accept “Notes the importance of” as a compromise.

78. The representative of FRANCE said that her delegation wished to retain the current wording in paragraph 28.

79. The representative of the UNITED STATES OF AMERICA said that paragraphs (aa) and 28 had indeed been coordinated with their counterparts in the draft nuclear safety resolution, including the use of the caveat. He requested that the current wording be retained.

80. The representative of the RUSSIAN FEDERATION said that his delegation acknowledged that the wording used in relation to safety and security might differ. Given, however, that hardly any of the “seven pillars” were relevant to security, it was unclear why their importance should be emphasized in the draft security resolution, when they were only noted in the draft safety resolution.

81. The representative of GERMANY said that his delegation shared Switzerland’s view that it was unnecessary to harmonize all language concerning the “seven pillars” and the “five principles”.

82. The CHAIR, seeing that further discussion was needed, suggested that the Committee proceed to the next paragraph.

83. The representative of BRAZIL drew attention to a minor editorial change needed in paragraph 21.

84. The representative of the ISLAMIC REPUBLIC OF IRAN requested that paragraph 21 be bracketed pending further consultation. Turning to paragraph 16, he said that “without prejudice to the position of Member States” should be inserted after “also” in the second line.

85. The representative of the UNITED STATES OF AMERICA, recalling the hard-won consensus on the text in paragraph 21 the previous year, said that there had been lengthy debate again in 2023 on reflecting the Secretariat’s progress regarding the Nuclear Security Review, the Nuclear Security Report and the Nuclear Security Plan 2022–2025. He appealed to Iran to exercise flexibility.

86. The representative of SOUTH AFRICA, noting that there had been agreement on the text in the informal consultations, asked the representative of Iran to specify the issue with paragraph 21.

87. The representative of the ISLAMIC REPUBLIC OF IRAN said that, following instructions, he had simply requested that the paragraph be bracketed pending further consultations with his capital and would clarify the issue as soon as possible.

88. The CHAIR said that, in the interest of efficiency and transparency, the representative of France should lead the Committee in a sequential first reading of all the open paragraphs and that delegations should raise any further points at the end.

89. It was so agreed.

90. The representative of the ISLAMIC REPUBLIC OF IRAN, expressing regret that he had to account for what was merely the performance of his duty, said that the representative of France was well aware of the paragraphs which were of concern to his delegation and should therefore ensure that they were not bypassed so that all the paragraphs could be addressed in order.

91. The representative of FRANCE, speaking on behalf of the European Union, said that paragraph 29 included minor amendments to the agreed text from 2022. A proposal to delete “associated facilities and activities” had been rejected by many delegations because it was inconsistent with the Nuclear Security Series publications and seriously undermined the impact of the draft resolution.

92. In paragraph 36, the phrase “in the framework of organizational culture in a balanced, risk informed manner” was new compromise wording. Clearer wording had been agreed upon for paragraph 37 on the Nuclear Security Training and Demonstration Centre, and the Secretariat’s progress in

redistributing programme support costs to activities for supporting the centre had been noted. With regard to paragraph 44, there appeared to be consensus on the addition of “policies” in the last line.

93. The CHAIR took it that the amended paragraphs were acceptable to the Committee.

94. It was so agreed.

95. The representative of FRANCE, speaking on behalf of the European Union, said that paragraph 45 was text from 2022 amended to reflect the 20th anniversary of the Code of Conduct on the Safety and Security of Radioactive Sources and the supplementary nature of the two guidance documents. Despite those instruments being specified as non-legally binding, some delegations had wished to emphasize the voluntary nature of their implementation. Ultimately, the proposed additions had not been included, as they made the text cumbersome.

96. The representative of the ISLAMIC REPUBLIC OF IRAN said that his delegation had proposed adding the word “voluntary” to “Code of Conduct” in the first line and changing the wording in the second line to the effect that the General Committee invited all Member States to consider making political commitments to and/or supporting the non-legally binding Code of Conduct and its supplementary guidance.

97. The representative of the UNITED STATES OF AMERICA said that, in the context of the Code of Conduct, Member States made commitments; they did not offer support. He also proposed a minor editorial change.

98. The representative of FRANCE said that “political commitments”, not “support”, was the legally correct expression. Moreover, “voluntary” was superfluous in view of the intrinsically non-legally binding nature of a code of conduct.

99. The representative of the RUSSIAN FEDERATION, endorsing Iran’s proposal in principle, suggested qualifying the Code of Conduct from the outset by moving “non-legally binding” to the first line and deleting the second occurrence of the phrase.

100. The representatives of GERMANY and the UNITED STATES OF AMERICA said that they could accept the Russian Federation’s amendment.

101. The representative of AUSTRALIA, noting that her delegation had wanted much more ambitious wording regarding the anniversary of the Code of Conduct, said that the Russian Federation’s proposal was acceptable. She urged Iran to exercise flexibility, as its proposed amendment diluted and confused the text.

102. The representative of the ISLAMIC REPUBLIC OF IRAN said that the absence of a screen made it difficult to follow the various suggestions and that it should not become the norm in the Committee’s working methods. His delegation could not accept the Russian Federation’s proposal because the two terms were not interchangeable: “non-legally binding” could mean binding in a political or other manner and was therefore not synonymous with “voluntary”. Furthermore, if an instrument was truly voluntary, a State should be free to decide to make a political commitment to and/or support it.

103. The CHAIR, noting the clear lack of consensus, suggested moving on to the next paragraph.

104. The representative of FRANCE, speaking on behalf of the European Union, said that paragraphs 46 and 56 were wording from 2022 with added references to Agency support on radioactive source storage and to procurement and capacity building, respectively. In paragraph 48, “as appropriate” had been added to the wording from the 2021 resolution. In addition, there was tentative agreement on not replacing “computer security” with “cyber security” in paragraph 53, and on the wording of paragraph 54 regarding the 2023 International Conference on Computer Security in the Nuclear World.

105. The CHAIR took it that the amended paragraphs were acceptable to the Committee.
106. It was so agreed.
107. The representative of FRANCE, speaking on behalf of the European Union, said that Iran's proposed reference to the further minimization of separated plutonium had not been included in paragraph 58.
108. The representatives of FRANCE and GERMANY said that Iran's proposal remained unacceptable.
109. The CHAIR, noting that the proposed amendment was part of the same discussion as that on paragraph (u), suggested that the Committee proceed to the next paragraph.
110. The representative of FRANCE, speaking on behalf of the European Union, said that paragraph 60 requested the Secretariat to consider the most recent OIOS recommendations, set out in document GOV/2023/15, Annex 1, in the improvement of the management of the nuclear security programme. In paragraph 61, "women's empowerment" was new compromise wording, and paragraph 64 had been harmonized with paragraph (j) by including deterrence and access delay.
111. The CHAIR took it that the amended paragraphs were acceptable to the Committee.
112. It was so agreed.
113. The representative of FRANCE, speaking on behalf of the European Union, said that paragraph 68 regarding the application of nuclear security guidance in armed conflict situations contained wording from 2022 that had been updated and condensed.
114. The representative of the ISLAMIC REPUBLIC OF IRAN said that his delegation maintained its reservations about paragraphs that seemed to limit the scope of the Secretariat's work to armed conflict situations. The paragraph should remain open pending further consultations.
115. The representative of FRANCE, speaking on behalf of the European Union, said that, as explained during the consultations, the paragraph referred to a specific Agency activity in relation to an armed conflict. It would be at odds with the spirit of the paragraph to extend it to other exceptional situations that Member States had never discussed.
116. The CHAIR, seeing that there were no further comments, thanked the representative of France for his transparency in the first reading of the draft resolution. Responding to a question from the representative of the UNITED STATES OF AMERICA regarding paragraph 40, he confirmed that INSSP now stood for Integrated Nuclear Security Sustainability Plan. He further noted that work would also continue on the draft resolutions concerning safeguards and nuclear safety.

Ms Navarro Angel (Colombia), Vice-Chair, took the Chair.

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

(GC(67)/1/Add.2)

117. The CHAIR said that item 22 had been included in the agenda at the request of the Islamic Republic of Iran. It was covered by an explanatory memorandum contained in document GC(67)/1/Add.1.

118. The representative of the ISLAMIC REPUBLIC OF IRAN, noting that the item had been discussed by the General Conference for 11 consecutive years, said that promoting the effectiveness and efficiency of the Agency's decision making process in a fair and balanced manner was of the utmost importance. The international political landscape had shifted dramatically since the Agency's establishment in 1957, in response to the deep fears and expectations generated by the discoveries and diverse uses of nuclear technology, both for weapons and for peaceful purposes. It was therefore crucial for the Agency to ensure that it was in step with global realities and with the fundamental changes in international relations of recent decades, especially within the global nuclear community engaged in the peaceful uses of nuclear energy.

119. In accordance with Article IV of its Statute, the Agency was based on the principle of the sovereign equality of all its members, necessitating the direct engagement and participation of all Member States in taking decisions on issues fundamental to the work of the Agency — in particular those that affected the sovereign rights of Member States. Some Member States, however, still appeared to be 'more equal', so to speak, than others.

120. Regrettably, the General Conference, while consisting of representatives of all of the Agency's Members, did not seem to be the Agency's highest policy making body. Given that the General Conference represented all Member States, while membership of the Board of Governors was limited, the balance of powers and functions between the two bodies was inappropriate: most of the issues that the General Conference was able to discuss and on which it could make recommendations were subject to prior agreement or recommendation by the Board. The efficiency of the Agency's decision making process could be improved by reconsidering the balance between the two bodies.

121. There was also a need to increase the size and reconsider the composition of the Board's membership to ensure inclusivity. The 1999 adoption of an amendment to Article VI of the Statute, as set out in resolution GC(43)/RES/19, had been a positive step, but, owing to various political and regional issues, the amendment appeared unlikely to enter into force.

122. In addition, the composition of certain regional groups referred to in the Statute had for some considerable time restricted their own members' opportunities for Board membership. The Agency and the regional groups needed to establish a fair, logical and efficient arrangement to ensure that no Member States were unjustly deprived of the equal opportunities that they should enjoy. An open-ended consultative group of Member States should be set up to discuss proposals and make appropriate recommendations for consideration by the General Conference.

123. Lastly, he said that the General Conference should consider adopting electronic voting, which was widely used in other forums — including the UN General Assembly — by amending Rule 72 of its Rules of Procedure. Doing so would reduce costs and mean that less time was spent on procedural matters, freeing up time for substantive issues.

124. The representative of the UNITED KINGDOM said that his country also attached great importance to ensuring the effectiveness and efficiency of the Agency, and the sovereign equality of all Member States and their right to full participation in the Agency's PMOs. It was in that spirit that the UK had sponsored the draft resolution on the sovereign equality of Member States and looked forward to its adoption by consensus. His country firmly believed, however, that the Board functioned effectively as the Agency's highest policy making body. The UK could not agree to establishing an open-ended consultative group to consider the matter, as that would undermine the Board's work and the Agency's effectiveness and efficiency.

125. At the same time, consideration could be given to increasing the number of Board members to reflect the Agency's growing membership and to provide additional opportunities for Member States to

serve on the Board. Recalling that his Government had ratified the amendment to Article VI of the Statute, he encouraged other Member States to follow suit as soon as possible.

126. The representative of the RUSSIAN FEDERATION, noting the importance of the issue raised by Iran, said that it was unacceptable that certain Member States had recently been attempting to politicize the PMOs by forcing votes on resolutions. The entire membership might need to collectively revise the General Conference's decision making process.

127. The representative of CUBA, stressing the priority that his country attached to the strengthening and democratization of the UN system, said that a structural and operational review of the Agency's bodies was essential to the promotion of an appropriate balance among its various statutory activities. Cuba therefore supported the statements by the representatives of Iran and the Russian Federation.

128. The representative of FRANCE, fully concurring with the representative of the United Kingdom, said that sovereign equality was at the crux of the issue. The key to resolving the situation was the entry into force of the Article VI amendment, which her country had ratified in 2001.

129. The CHAIR said that she would report to the General Conference that, under item 22 of the agenda, 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.

130. Expansion of the Board's membership, enhancement of the role and authority of both the General Conference and the Board, and the importance of maintaining an appropriate balance between the two bodies had been underlined. The importance of sovereign equality and 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 currently under way for the timely ratification of the amendment to Article VI of the Statute had been referred to and some views and suggestions had been expressed in that context. The issue of the use of electronic voting by the General Conference, following the example of the UN General Assembly, had also been raised.

131. She took it that her summing-up was acceptable to the Committee.

132. It was so agreed.

The meeting rose at 5.35 p.m.