

General Conference

GC(67)/COM.5/OR.9

Issued: December 2023

General Distribution

Original: English

Sixty-seventh regular session

Committee of the Whole

Record of the Ninth Meeting

Held at Headquarters, Vienna, on Friday, 29 September 2023, at 10.10 a.m.

Chair: Mr CSERVENY (Hungary)

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¹ GC(67)/24

Abbreviations used in this record

HEU	high enriched uranium
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
SLC	State-level concept
UK	United Kingdom of Great Britain and Northern Ireland
USA	United States of America

17. Strengthening the effectiveness and improving the efficiency of Agency safeguards (resumed)

(GC67/16; GC(67)/COM.5/L.8/Rev.1)

1. The CHAIR suggested that the Committee resume its consideration of the draft resolution on strengthening the effectiveness and improving the efficiency of Agency safeguards, a revised version of which was contained in document GC(67)/COM.5/L.8/Rev.1.
2. The representative of ROMANIA, speaking on behalf of the European Union as a coordinator of the draft safeguards resolution, said that efforts had been made to ensure inclusive and transparent consultations. Many delegations had expressed a commitment to constructive engagement and the consensus adoption of the text. There had also been overwhelming support for maintaining hard-won agreements reached in previous years and a strong preference to avoid altering agreed wording in any fundamental way.
3. In the interests of saving time and reaching a consensus, the coordinators had drawn up the revised draft that was before the Committee. Changes had been made only to paragraphs on which the coordinators had felt that a consensus was within reach. In paragraph (h), “makes every effort” had been changed to “makes and should continue to make every effort”. With regard to paragraphs (j), (k) and (l), it was thought that the proposal most likely to enjoy consensus was to delete “on 15 May 1997” from paragraph (l). That change was reflected in the revised draft. In paragraph (p), the phrase “and safeguards agreements” had been changed to “and in accordance with safeguards agreements”. With regard to paragraph (v) and the related operative paragraphs, it was thought that the necessary changes should be made to the preambular part of the resolution. Accordingly, in paragraph (v) “open dialogue” had been changed to “open and active dialogue and discussions”. Lastly, the revised paragraph 11 included the phrase “thereby strengthening the Agency’s ability to continue to draw safeguards conclusions for such States,”.
4. The representative of the UNITED KINGDOM said that the safeguards resolution had always been a carefully balanced text and changes had been rare in recent years given the sensitivities around the topic. He expressed appreciation for the efforts of the coordinators and others and welcomed the revised draft, which brought the Committee much closer to a consensus.
5. The representative of the RUSSIAN FEDERATION thanked the coordinators for exercising flexibility and accommodating some of the proposals made, including those made by her delegation, and said that she looked forward to further discussions.
6. The CHAIR suggested that the Committee consider the text page by page, as was customary procedure for the safeguards resolution.
7. It was so agreed.
8. The representative of the ISLAMIC REPUBLIC OF IRAN, while welcoming the changes made to paragraphs on page 2 of the draft resolution, said that his delegation still had concerns relating to paragraph (i). As proposed by his delegation in an earlier Committee meeting, the paragraph should read as follows: “Expressing grave concern that all attacks, including cyberattacks, or threats of attacks on, against or in the vicinity of nuclear facilities and sites devoted to peaceful purposes constitute a violation of the principles of the Charter of the United Nations, international law and the Statute of the Agency

as well as a serious threat to the entire Agency safeguards regime and can impede the Agency in conducting safeguards activities in accordance with relevant safeguards agreements.”.

9. The representative of GERMANY said that his delegation was of the view that the revised draft before the Committee struck the necessary delicate balance and that the wording proposed by the representative of Iran in no way enhanced the readability or substance of the text. It was therefore not in a position to accept that proposal.

10. The representative of FRANCE said that Iran’s proposal had already been considered at an earlier meeting and did nothing to enhance the readability of the paragraph.

11. The representative of the UNITED KINGDOM, supporting the statements made by the representatives of France and Germany, said that the draft resolution contained carefully crafted wording and that his delegation could not accept the changes proposed by Iran.

12. The representative of PAKISTAN, thanking the coordinators for their efforts, said that his delegation could accept the changes made to paragraph (p), which represented a good compromise solution.

13. The representative of the UNITED STATES OF AMERICA welcomed the revised draft, which brought the Committee closer to a consensus. With regard to paragraph (i), her delegation continued to support the previously agreed wording.

14. The representative of VENEZUELA, thanking the coordinators for their work, said that her delegation had been unable to participate in previous informal consultations on the draft resolution and that, since the text was not being shown on a screen, it was very difficult to track its evolution or ascertain which proposals were still pending.

15. The CHAIR said that it would be perfectly feasible to show the text on the screen if Committee members considered it necessary.

16. The representative of ITALY, praising the work carried out on the revised draft and supportive of the working method applied in the Committee thus far, said that his delegation could not accept the changes to paragraph (i) proposed by Iran, in particular in the context of safeguards.

17. The representative of the ISLAMIC REPUBLIC OF IRAN, while expressing full confidence in the Chair’s leadership, said that the use of the screen would facilitate the discussions and help the Committee reach agreement on outstanding issues.

18. The representative of AUSTRALIA said that his delegation could accept the constructive changes made on pages 1 and 2, even though it did not consider all of them to be entirely necessary. It could not, however, accept Iran’s proposed changes to paragraph (i) and had a strong preference to retain the existing wording.

19. The representative of SWEDEN, supported by the representative of the NETHERLANDS, expressing appreciation for the revised draft and for the flexibility shown during consultations, supported maintaining the current approach to the discussions and reviewing the text on paper.

20. The representative of the RUSSIAN FEDERATION, while not contesting the approach taken by the Chair, recalled that her delegation had already indicated its strong preference for using the screen. With regard to paragraph (i), she recalled that the Iranian delegation had previously been prepared to amend its proposal considerably. It appeared that the Committee was now taking a step backwards and she called on those present to exercise flexibility and address the concerns of all delegations — which were all equal — in order to make progress.

21. The representative of IRELAND, praising the balanced text before the Committee, said that her delegation was not in a position to support Iran's proposed amendments to paragraph (i).
22. The representative of CANADA, welcoming the approach taken by the Chair and thanking the coordinators and others for their flexibility, said that he hoped the Committee could work productively and reach a consensus before too long.
23. The CHAIR said that the Committee was close to reaching a consensus and that it would not be appropriate at the current stage to place any of the text in brackets or present new proposals that had not already been discussed. Mindful that additional text could still be proposed, however, he suggested projecting the revised draft onto the screen to facilitate the discussion and satisfy a number of requests made.
24. The representative of FRANCE said that the Committee was in the process of fine-tuning the draft and that it was not appropriate at the current stage to reopen paragraphs or add new wording.
25. The representative of ROMANIA, speaking on behalf of the European Union, said that the coordinators had endeavoured to accommodate the proposals made and, furthermore, had made considerable concessions. She urged the Committee to approach the current meeting as its final discussion of the text and to work as efficiently as possible towards a consensus.
26. The representative of the ISLAMIC REPUBLIC OF IRAN said that his delegation had not reopened any paragraphs — it was merely trying to close paragraphs that were already open. In that regard, he called on delegations to cooperate and demonstrate flexibility. Accordingly, as other delegations were clearly not prepared to consider his delegation's alternative proposal on paragraph (i), he turned to paragraph (r) and proposed the following alternative wording: “Noting with concern that the Agency has not been able to undertake verifying nuclear material from dismantled nuclear weapons,”.
27. The CHAIR said that the delegation of Iran was welcome to present its alternative proposal on paragraph (i).
28. The representative of the ISLAMIC REPUBLIC OF IRAN said that he had the impression that his delegation's proposals were not being taken seriously. All had been presented during the Committee's first reading of the draft resolution — none of them were new. As mentioned in an earlier meeting and in a spirit of compromise, his delegation was prepared to make a couple of small, technical amendments to paragraph (i). First, the word “any” should be inserted before “attacks or threats of attacks” to take into account emerging threats such as cyberattacks. Second, given the inclusion of the term “vicinity” — which had been added the previous year — the words “and sites” should be added after “nuclear facilities”. In that regard, he pointed colleagues to the definition of “sites” contained in the Safeguards Glossary 2022. Third, his delegation could support the proposal to add the phrase “in accordance with” in paragraph (p). He hoped that the Committee would appreciate his delegation's flexibility and accept the proposed additions.
29. The representative of the RUSSIAN FEDERATION welcomed the flexibility shown by Iran with regard to paragraph (i) and said that her delegation could support Iran's alternative proposal on that paragraph. She called on others not to reject proposals outright.
30. The representative of SOUTH AFRICA joined others in thanking the coordinators for their efforts to facilitate a consensus, which he hoped would be reached as soon as possible. He noted the alternative paragraph (r) proposed by Iran and reiterated his country's preference for the existing wording, as it related to a unique historic event that should be reflected in the text.

31. The representative of FRANCE said that the existing wording of paragraph (r) — which was agreed wording, elaborated in a very sensitive manner and with a view to finding a compromise — should be retained and that her delegation could not exercise any flexibility in that regard.

32. The representative of EGYPT thanked the coordinators for their efforts to facilitate the discussions. Noting that some colleagues had deemed certain proposals unnecessary, he stressed that compromise was a part of multilateral diplomacy. Indeed, many of his own delegation's proposals had been radically altered or ultimately rejected. He welcomed the fact that a number of delegations had withdrawn their proposals in the interests of compromise. The current draft provided a good basis for consensus and captured a large number of the proposals made. While noting Iran's support for the amended paragraph (p), his delegation firmly opposed the alternative paragraph (r) proposed by Iran. The Agency had clearly verified nuclear material from dismantled nuclear weapons in the past — one of its statutory functions was to further the establishment of safeguarded worldwide disarmament. His delegation was prepared, however, to accept the compromise proposal presented by South Africa in an earlier meeting, if there was support for it from others.

33. The representative of the ISLAMIC REPUBLIC OF IRAN, turning to paragraph (w), proposed deleting the words “is the reference point and”.

34. The representative of AUSTRALIA said that the Committee had discussed Iran's proposal on paragraph (w) at an earlier meeting, when a representative of the Secretariat had clearly explained the rationale behind the existing wording, as agreed the previous year. His delegation was of the strong view that the paragraph should not be amended.

35. The representative of GERMANY said that his delegation had already expressed its position on paragraphs relating to the SLC and had listened carefully to the explanations provided by the Secretariat. It also had a strong preference to retain the existing wording of paragraph (w).

36. The representative of the UNITED KINGDOM said that his delegation took all proposals seriously — it simply did not agree with them all. All delegations had a right to reject proposals that they did not agree with; indeed, a number of his own delegation's proposals had not been accepted. Turning to paragraph (w), he joined others in expressing support for the existing wording.

37. The representative of the RUSSIAN FEDERATION said that his delegation had adjusted its previous proposal on paragraph (v) in the hope of making it more palatable to others. In that regard, he proposed the addition of “with a view to, inter alia, promoting understanding by Member States of the modalities of safeguards implementation” at the end of the paragraph.

38. The representative of PAKISTAN, while thanking the coordinators for the amendments made to paragraph (v), said that the proposal by the Russian Federation could improve the paragraph further. In addition, he suggested the addition of “all aspects of” before “safeguards implementation”, which would cover a number of proposals made in earlier discussions without adding too much detail.

39. The representative of ROMANIA, speaking on behalf of the European Union, said that, when making changes to paragraph (v), the coordinators had taken into account the strong preference of the majority of delegations not to introduce any changes to SLC-related paragraphs. While paragraph (v) did relate to the SLC, it was considered to be the easiest place in which to accommodate proposals made without damaging the careful balance in the text. The coordinators could, however, work on paragraph (v) further in the interests of achieving a consensus.

40. The representative of the UNITED STATES OF AMERICA said that her delegation would prefer not to amend paragraphs relating to the SLC. It had been difficult to agree on the existing consensus wording and that wording should therefore be retained. Her delegation could support the coordinators'

amendment to paragraph (v) in the revised draft, but was not in a position to support any further changes to paragraph (v) or any changes to paragraph (w).

41. The representative of the ISLAMIC REPUBLIC OF IRAN welcomed the proposals made by the representatives of Pakistan and the Russian Federation on paragraph (v), both of which his delegation could accept.

42. The representative of the RUSSIAN FEDERATION said that his delegation supported Pakistan's proposal on paragraph (v). Turning to paragraph (w), he recalled that the Russian Federation had adjusted its original proposal following extensive consultations during which it had become clear that the existing wording was very important to a number of other delegations. While he hoped that the draft resolution could shortly be presented to the General Conference, he requested that paragraph (w) remain open until that point.

43. The representative of the UNITED KINGDOM said that his delegation had already shown a great deal of flexibility in relation to paragraph (v) and had a strong preference to retain the wording proposed in the current revision.

44. The representative of EGYPT, thanking the delegation of the UK for its flexibility and recalling the concessions made by his own delegation on paragraph (v), said that the current wording addressed a number of the concerns expressed in earlier discussions and was adequate.

45. The CHAIR, noting the strong preference to retain the existing wording of paragraph (v), said that further consultations would be required to establish whether the proposals made by Iran, Pakistan and the Russian Federation could be accommodated.

46. The representative of BRAZIL welcomed all efforts to advance the discussion on paragraph (v), in particular those of the delegation of Egypt.

47. The representative of PAKISTAN said that, while his delegation was of the view that some useful proposals had been made on paragraph (v) during earlier discussions, it would be happy to join consensus on the wording proposed in the current draft.

48. The representative of BRAZIL recalled that the delegation of South Africa had previously made a proposal on paragraph (r) that could bring the Committee closer to a consensus. Her delegation would therefore support that proposal if it was made again.

49. The CHAIR, recalling the broad support for maintaining the existing wording of paragraph (r), invited the delegation of South Africa to present its proposal once more.

50. The representative of SOUTH AFRICA proposed that the phrase "and noting with concern that the Agency has not been able to undertake further verification of nuclear material from dismantled nuclear weapons," be added to the end of paragraph (r) in order to take into account the various positions expressed.

51. The representative of BRAZIL said that, while her delegation would prefer to retain the existing wording, it would be prepared to support the compromise solution proposed by South Africa.

52. The CHAIR suggested that paragraph (r) be left open.

53. Turning to page 3, the representative of the ISLAMIC REPUBLIC OF IRAN said that his delegation remained seriously concerned about the confidentiality regime at the Agency and had proposed a paragraph to address that. It was not, however, proposing a standalone paragraph on confidentiality but was, instead, adding elements to paragraph (bb) to improve it. The original paragraph had stated: "Stressing the importance of a transparent and effective procedure for protection against

disclosure of classified safeguards information within the IAEA's organizational structure in light of paragraph D of Article III and paragraph F of Article VII of the Statute of the Agency”.

54. The CHAIR said that, while the proposed text was much less complex than the original paragraph, it amounted to an almost complete replacement of the paragraph rather than an addition.

55. The representative of EGYPT said that his delegation joined that of Brazil in supporting the proposal by South Africa on paragraph (r) but could accept it as it stood, if there was no room for that change. He also noted that another draft resolution appeared to be under discussion at the same time in the plenary — meaning that he might need to leave the room.

56. The representative of FRANCE said that her delegation had had amendments and had very much wanted to add some text to that paragraph on an issue that it deemed of exceptional importance. It had refrained from doing so, however, given the general agreement that the draft resolution was extremely well balanced and that the Committee was very close to consensus on it. Her delegation reserved the right, however, to re-submit the amendments if the quality of the text was further diminished.

57. The representative of GERMANY said that his delegation was grateful to the Secretariat for the explanations on confidentiality provided previously and that the current proposed paragraph (bb) on confidentiality already included all the important elements. There had been no reason in the past to question the Secretariat's measures and procedures for protecting confidentiality; his delegation remained of that view and did not agree to any further changes to that paragraph.

58. The CHAIR, responding to the concerns expressed by Egypt, said that discussions were under way in the plenary on two draft resolutions and a vote might be necessary. Given the limited time available, and that it was the last day of the conference, it had been agreed with the President that the Committee meeting would be held in parallel. He appreciated the difficulties which that posed for smaller delegations but there was still much to get through and the Committee needed to make progress on the draft resolutions rather than suspend its work in the Committee for the sake of the plenary.

59. The representative of EGYPT expressed thanks for the explanation and his understanding that it was the only way to proceed.

60. The representative of AUSTRALIA, updating the Committee on an issue — naval nuclear propulsion — not currently addressed in the draft resolution, said that his delegation thanked China for engaging bilaterally and constructively on the subject. Australia, the UK and the USA had cut back their proposal for a paragraph on naval nuclear propulsion to something very short and factual: “Noting the Director General's reports and updates to the Board of Governors on naval nuclear propulsion and relevant discussions in the Board.” On the first reading in the Committee, the delegation from China had added wording that Australia could not accept. Given that it was the last day of the General Conference, he hoped that that very short and simple paragraph could find consensus.

61. The CHAIR understood that Australia was raising that paragraph for consideration as the Committee was moving on to discussion of the operative paragraphs.

62. The representative of CHINA said that his delegation was very surprised by the delegation of Australia including that paragraph on the last day of the General Conference. China had held intensive bilateral discussions with Australia and the very short sentence proposed did not reflect the whole truth or the ongoing discussions, different opinions and concerns on AUKUS of more than twenty Member States. There were different definitions of “naval nuclear propulsion”, and Australia's simple sentence did not consider the divergent views among Member States. Accordingly, he suggested that it would be best, at least at the current General Conference, not to use that wording.

63. Since the Board of Governors' meetings in November 2021, his country had — on ten occasions — proposed the inclusion of AUKUS as an agenda item but, in the spirit of consensus, had not actively pushed forward its proposals. That said, since Australia was presenting its proposals, his delegation would do the same with a preambular paragraph (n) bis: “Noting the intergovernmental discussion in the Agency and the agenda item ‘Transfer of the nuclear materials in the context of AUKUS and its safeguards in all aspects under the NPT’, in particular on the transfer of HEU and on the challenge to the NPT regime and the IAEA safeguards system, as well as different views and concerns expressed by Member States in this regard”.

64. In addition, his delegation proposed adding as operative paragraph 5 bis: “Underscores the importance of continuing the intergovernmental discussion process under the agenda item ‘Transfer of the nuclear materials in the context of AUKUS and its safeguards in all aspects under the NPT’ and adhering to the tradition of inclusiveness and consensus in strengthening the IAEA safeguards system”. That wording was also factual and reflected the truth of the ongoing discussions within the framework of the Agency. He suggested that Australia withdraw its proposal and China would do the same since there was no collective agreement in the room on the definition of naval nuclear propulsion or on AUKUS issues. If Australia was determined to propose its amendment, there would be a vote and that vote would reflect the differing views among Member States, demonstrating the importance of continuing intergovernmental discussion in the Board of Governors and the General Conference.

65. The representative of AUSTRALIA expressed disappointment on hearing reference once again to paragraphs that had not been acceptable to a number of States. He said that his delegation's simple paragraph reflected the fact that there had been discussion in the Board and updates by the Director General — it was a compromise. If it threatened consensus on the resolution, however, that was not his country's intention, and his delegation could agree not to propose text in that draft resolution and to return to the issue in future.

66. The representative of CHINA said that his delegation was doing everything to work with Australia, the UK and the USA on AUKUS issues but a resolution needed to be agreed upon by all Member States, not just a group of countries.

67. The representative of the RUSSIAN FEDERATION said that, during the working group discussions, her delegation had supported China and would continue to do so. Discussions on AUKUS had been taking place since September 2021 — the wording “reports on naval nuclear propulsion” had only emerged in June 2023. For her delegation and others, naval nuclear propulsion and AUKUS were two separate issues. Australia's wording did not consider that, nor did it reflect the work that had been conducted in the Board over the previous two years. The Russian Federation remained hopeful of a compromise.

68. The CHAIR said that there had been extensive discussions on that issue in the Board of Governors and it had been an agenda item the previous day at the plenary. He had listened carefully to the different positions, and he thanked them for the update. Given the continuing lack of consensus on a proposal, the time constraints, and the agreement by the delegations of Australia and China to continue discussions at a later date, the Committee would proceed with looking at the other items.

69. The representative of the ISLAMIC REPUBLIC OF IRAN proposed deleting, in operational paragraph 2, “and underlines the vital importance of effective and efficient safeguards for facilitating cooperation in the field of peaceful uses of nuclear energy” and replacing it with “and underlines that international cooperation and safeguards obligations encompass the rights and responsibilities of each Member State as fundamental pillars of the non-proliferation regime, which needs to be implemented without discrimination”.

70. The representative of ROMANIA, supported by the representative of FRANCE, reiterated her delegation's position that it was very late in the day to enter into those discussions, which related more to the NPT. Accordingly, it could not accept additions or deletions to that paragraph.

71. Turning to page 4, the representative of the ISLAMIC REPUBLIC OF IRAN proposed deleting "complying fully with their safeguards obligations" in paragraph 5 and replacing it with "complying with all their obligations under the Statute and their respective safeguards obligations as well as international cooperation".

72. The representative of the UNITED STATES OF AMERICA said that her delegation remained of the view that the paragraph should remain unchanged.

73. The representative of the ISLAMIC REPUBLIC OF IRAN, turning to paragraph 9, said that his delegation proposed deleting "as described in GOV/2014/41".

74. The representative of AUSTRALIA said that his delegation's preference was to retain the SLC text as it had been in the previous year's resolution — it could not accept the deletion.

75. The CHAIR said that the same discussion had already taken place and there was no need for delegations to continue trying to convince one another.

76. The representative of the RUSSIAN FEDERATION said that her delegation could withhold its initial suggestion to delete that wording and, as a compromise, would accept the paragraph as it stood.

77. The representative of the ISLAMIC REPUBLIC OF IRAN said that, in paragraph 10, his delegation proposed adding after "Underscores the importance of", the wording "addressing a breach of obligations under the Statute of the IAEA as well as" and then continuing with "resolving all cases".

78. The CHAIR, seeking clarification, asked the representative of Iran if that was a new proposal and what was meant by "breach of obligations" — he questioned if that wording had come from the Statute.

79. The representative of the ISLAMIC REPUBLIC OF IRAN said that safeguards obligations were only one set of the obligations that Member States had under the Statute — the wording in the resolution needed to reflect that breaches of all obligations would be addressed equally.

80. The representative of the UNITED KINGDOM said that his delegation's strong preference was to retain the original paragraph.

81. The representative of the ISLAMIC REPUBLIC OF IRAN, turning to paragraph 15, proposed deleting the words "as a whole" at the end of the paragraph.

82. The representative of ROMANIA, supported by the UNITED KINGDOM, said that her delegation wished to retain the existing wording.

83. The CHAIR said that a discussion on that issue had already taken place: it was a notion that the Agency had been applying for approximately 12 years or more.

84. The DIRECTOR OF THE DIVISION OF CONCEPTS AND PLANNING said that the wording had been used with reference to safeguards dating back to the 1990s and the original protocol and was therefore factually correct.

85. Turning to page 5, the representative of the ISLAMIC REPUBLIC OF IRAN proposed replacing paragraph 20 with "Encourages strongly the nuclear-weapon States to keep the scope of their additional protocols under review with the aim of enhancing transparency and accountability".

86. The representative of FRANCE said that her delegation wished to retain the wording as it was.

87. The representative of the ISLAMIC REPUBLIC OF IRAN, turning to paragraphs 24 and 25, proposed replacing the word “Welcomes” with “Notes”.

88. The representative of ARGENTINA, supported by BRAZIL, said that was a very sensitive issue for his country in light of the circumstances and difficulties surrounding that subject in 2014–2015. While listening carefully to Iran, his delegation wished to keep the wording as it was.

89. Turning to page 6, the representative of the ISLAMIC REPUBLIC OF IRAN proposed replacing the phrase “for other States” in paragraph 30 with “for States as agreed by the State”.

90. The representative of GERMANY said that Iran had already presented that proposal and his delegation’s position was unchanged: it could not accept the change.

91. The representative of SOUTH AFRICA said that his delegation would like to retain the original text in paragraphs 24, 25 and 30.

92. The representative of the RUSSIAN FEDERATION reiterated her delegation’s proposal to replace, in paragraph 28, the phrase “including in the annual Safeguards Implementation Report” with “in relevant reports, including in, but not limited to, the annual Safeguards Implementation Report.” The wording was almost the same as that which her delegation had suggested during the first reading and responded, to some extent, to suggestions from other delegations who thought that there should be an explicit mention of other reports — that had been her delegation’s position from the outset.

93. The representative of the UNITED STATES OF AMERICA said that her delegation had a strong preference for retaining all the SLC-related wording that had been used in the previous consensus text. It had tried to show some flexibility that week and had accepted the revision to paragraph (v). Having consulted with its capital, it was now prepared to show further flexibility. Although that wording represented a major departure from her delegation’s earlier position, it agreed to accept the Russian Federation’s proposal to add “but not limited to” but would be unable to agree to “in relevant reports”. They were not opposed to further reporting, but it needed to happen when the Secretariat deemed it to be suitable.

94. The representative of the ISLAMIC REPUBLIC OF IRAN said that his delegation would like to see a new report on that very important issue, and it therefore supported the Russian Federation’s suggestion. Iran, once again, proposed adding to the end of paragraph 33 “without any new obligations beyond the safeguards agreement”.

95. The representative of the UNITED KINGDOM, supported by FRANCE, said that such a change would be unnecessary as the safeguards agreement was the obligation.

96. Turning to page 7, the representative of the ISLAMIC REPUBLIC OF IRAN, referring to paragraph 39, proposed replacing “Encourages” with “Invites” and adding at the end of the paragraph “strictly within the scope of each individual State’s safeguards agreements and related subsidiary arrangements”.

97. The representative of AUSTRALIA said that his delegation’s preference remained to retain the original text.

98. The representative of the ISLAMIC REPUBLIC OF IRAN proposed a new paragraph requesting the Secretariat to provide a report that considered a few elements, such as “general principles and associated measures for the handling of confidential information and conditions of staff employment relating to the protection of confidential information and procedure in cases of alleged breaches of confidential information”. His delegation was unsure about the transparency and other aspects of the

confidentiality regime at the Agency. The Secretariat had presented a document on that back in 1997. It was time for the Member States to request the Secretariat to update them on that very important issue.

99. The representative of the RUSSIAN FEDERATION supported Iran on the inclusion of that paragraph and proposed deleting the middle section, reading “with due regard to the current stringent confidentiality regime of some international organizations”.

100. The representative of GERMANY, supported by ROMANIA, said that what his delegation had said about Iran’s proposal for paragraph (bb) held true for that new paragraph — they could not accept it.

101. The CHAIR said that they had arrived at the end of their considerations and there had been much progress since the first reading. Given the number of statements, only a few concerns had not been addressed and he encouraged delegations to use the remaining time to forge consensus on the outstanding issues. He proposed taking up the nuclear security draft resolution tabled the previous evening.

102. The representative of the RUSSIAN FEDERATION said that it had been suggested that Iran’s proposal was already reflected in preambular paragraph (bb), which stated that the Agency must uphold the principle of confidentiality, whereas Iran had requested that the Secretariat should disclose the procedure used to ensure that information remained confidential, which was justified given that the Secretariat had undertaken to do so in 1997.

103. Returning to preambular paragraph (w), his delegation had accepted the views of delegations for whom it was important that the text continued to state that GOV/2014/41 was a “reference point”. They instead proposed adding to the end of the paragraph “while also noting developments in the implementation of the IAEA safeguards occurred since”.

104. The CHAIR said that the confidentiality issue involved a number of legal obligations by the Secretariat and the guidance needed to be legally watertight. He encouraged Iran to submit its text so that he could check if it was legally watertight and in line with the Agency’s policies, to ensure that the Committee did not adopt guidance that the Secretariat would be unable to implement because it was not legally well founded.

105. The meeting would continue with a discussion of the nuclear security draft resolution.

The meeting was suspended at 12.25 p.m. and resumed at 12.35 p.m.

14. Nuclear security (resumed)

(GC(67)/14; GC(67)/INF/3; GC(67)/COM.5/L.11/Rev.1)

106. The CHAIR said that the Committee had before it a draft resolution contained in document GC(67)/COM.5/L.11/Rev.1.

107. The representative of FRANCE, speaking on behalf of the European Union and introducing document GC(67)/COM.5/L.11/Rev.1, said that paragraphs (mm) and (nn) from the original version of the draft resolution, concerning Ukraine, had been deleted.

108. In paragraph 11, the word “Recognizes” had been updated to “Takes note of”.

109. Turning to paragraph 40, he said that the term “Integrated Nuclear Security Support Plan” had been corrected to “Integrated Nuclear Security Sustainability Plan”.

110. The representative of the RUSSIAN FEDERATION said that her delegation had expressed reservations regarding the wording “emphasizing the importance of” in paragraph (aa). As a compromise, she proposed replacing “emphasizing” with “noting”, but retaining the words “the importance of”, on which others had insisted.

111. The representative of FRANCE, supported by the representative of GERMANY, said that she wished to emphasize that her country had been very accommodating towards the Russian Federation by accepting the deletion of paragraphs (mm) and (nn). France was satisfied with the current balanced wording of paragraph (aa), and, if that paragraph were to be amended, she would insist on reinstating paragraphs (mm) and (nn).

112. The representative of the UNITED STATES OF AMERICA, agreeing with the representative of France, said that all present should endeavour to make minimal additional edits and should consider other areas where compromise might be possible, without revisiting paragraphs where many had articulated long-standing principled positions.

113. The representative of the ISLAMIC REPUBLIC OF IRAN said that, in paragraph 2, there had been a proposal to delete the word “highly” and to add the word “all” before the words “nuclear and other radioactive material”.

114. The representative of the UNITED STATES OF AMERICA said that the wording of paragraph 2 had been settled after extensive discussions, in which Iran had participated. Delegations should not make small changes to wording, but rather concentrate on what was of real importance to them.

115. The representative of the ISLAMIC REPUBLIC OF IRAN, expressing agreement with the representative of the USA, said that his delegation had merely wished to gauge whether there was flexibility on the wording of the paragraph.

116. The CHAIR invited the Committee to move to the next part of the draft resolution.

117. The representative of the ISLAMIC REPUBLIC OF IRAN recalled that his country had proposed an amendment to paragraph 8 at a previous meeting of the Committee.

118. The CHAIR said that there was no agreement on that proposed amendment; as time was short, he suggested that the Committee move on.

119. The representative of the RUSSIAN FEDERATION said that his country supported Iran’s proposed amendment. Concerning the question of time, he noted that the Committee had initially planned to meet twice per day, but some meetings had been postponed even though most delegates had been ready and waiting. Although time was indeed a factor, the Committee was there to discuss and exchange views, and should do so to the greatest possible extent.

120. The CHAIR said that the Committee had been meeting all week, except when it had requested him not to call a meeting because of conflicting sessions of the plenary. Other than that, there had been no delay.

121. The representative of the ISLAMIC REPUBLIC OF IRAN recalled proposals made by his country on paragraph 11, including deletion of the word “effective”.

122. The representative of EGYPT noted that the revised version of the draft resolution already contained the wording “Takes note of”.

123. He said that, given the lengthy and intensive efforts exerted to reach consensus on many parts of the draft resolution, all those present should exhibit the utmost flexibility during the final hours of the

General Conference; consensus remained possible, and he hoped that all could take steps in that direction. He trusted that the many discussions involving all parties would make that work easier.

124. The representative of the ISLAMIC REPUBLIC OF IRAN said that his delegation appreciated the fact that some of its concerns had been addressed, and withdrew its proposed deletion of the word “effective”.

125. Recalling the preambular paragraph proposed by South Africa concerning Member States’ right to accept or accede to international instruments or conventions, he asked about the status of that proposal.

126. The representative of FRANCE said that there had been a desire to avoid repeating the same concepts about States’ sovereignty to accede to a legally binding instrument or to implement a non-legally binding instrument. A chapeau had been sought, such as by moving up existing paragraphs referring to States’ sovereign rights. South Africa and others had indeed endeavoured to propose such an amendment, but no agreement had been reached.

127. The representative of EGYPT said that his country had acknowledged South Africa’s sterling work to draft a chapeau, but some superfluous elements remained. Nonetheless, there was scope to accommodate it, either as a separate chapeau at the beginning or by using its wording at the start or end of one of the paragraphs referring to international instruments. There was a great deal of room for movement on the matter.

128. The representative of SOUTH AFRICA said that his delegation proposed a paragraph (c) bis, reading: “Respecting that participating in and joining international nuclear security instruments is a voluntary and a sovereign decision of a State, while noting efforts towards the universalization of such instruments.”. Mindful that the proposal did not enjoy consensus and that different views had been expressed, he wished nonetheless to put it forward for consideration.

129. The representative of PAKISTAN, supported by the representatives of ARGENTINA, AUSTRALIA, FRANCE and the UNITED STATES OF AMERICA, said that discussions on that topic had been constructive and that agreement thereon might solve other problems elsewhere in the draft resolution. Pakistan supported the proposal by the representative of South Africa.

130. The representative of CANADA, supported by the representatives of BRAZIL, CUBA, and the UNITED KINGDOM, said that her delegation approved of the proposed wording, which was an improvement on South Africa’s initial proposal.

131. The representative of the RUSSIAN FEDERATION said that the broad agreement was promising. His delegation, too, supported the wording proposed by the representative of South Africa and hoped that it would alleviate others’ concerns. He underlined, however, that the inclusion of such a chapeau did not mean that all existing caveats could be deleted; rather, it would mean that no new caveats would have to be added.

132. The representative of EGYPT said that while he had noted the wide support for the wording proposed by the representative of South Africa — wording that was a very good start — the whole premise had been to counterbalance subsequent calls for universalization. It therefore seemed superfluous and unbalanced for the proposed chapeau to itself contain a caveat, and the question of universalization should be handled proportionately. He suggested using the proposed wording at the start or end of an existing paragraph, such as paragraph 13.

133. The representative of the ISLAMIC REPUBLIC OF IRAN said that his country’s proposals concerning paragraphs 13 and 16 could be withdrawn in the light of the new paragraph proposed by South Africa.

134. Turning to paragraph 21, he said that he was able to accept it in its current form.

135. The representative of the RUSSIAN FEDERATION said that his delegation proposed replacing the word “emphasizes” with “notes” in connection with the “seven pillars” in paragraph 28. Originally, his delegation had proposed using the word “notes”, and also deleting the words “the importance of”, but it had listened to the debate on Ukraine at the plenary and had remarked that delegations in favour of and those opposed to the resolution alike had noted the importance of the seven pillars. His delegation had therefore moved towards that apparently widely held position. The wording that he was proposing was somewhat stronger than that in the draft resolution on nuclear and radiation safety, which had only the word “notes”, without “the importance of”.

136. The CHAIR noted that the current discussion also had a bearing on paragraph (aa).

137. The representative of GERMANY, supported by the representative of ITALY, said that it was impossible to overemphasize the importance of the “seven pillars” and the “five principles” and that the current wording should be used.

138. The representative of FRANCE recalled her comments concerning paragraph (aa): a major compromise had already been made.

139. The representative of the ISLAMIC REPUBLIC OF IRAN said that paragraph (i) of the resolution on nuclear and radiation safety adopted by consensus at the previous year’s session of the General Conference² contained the word “noting”, without “the importance of”. He suggested retaining that agreed wording, for the sake of consistency.

140. The representative of FRANCE said that, speaking as coordinator of the discussions on the draft decision, he wished to note that the paragraph was similar but not identical to a paragraph in the draft resolution on nuclear and radiation safety. The previous year’s resolution on nuclear and radiation safety had contained the wording “without prejudice to the views of Member States”, which had not appeared in the previous year’s resolution on nuclear security. For the sake of compromise, that wording had been added to the current draft resolution on nuclear security; having accepted that compromise, certain delegations wished to avoid further weakening the paragraph.

141. The representative of the ISLAMIC REPUBLIC OF IRAN said that, at the previous year’s General Conference, Iran and others had expressed serious reservations about referring to the “seven pillars”, as they had been announced by the Director General without having been the subject of consultations with Member States. Given their importance to some Member States, his country had compromised by accepting a reference to the seven pillars in the resolution on nuclear and radiation safety, with the addition of the phrase “without prejudice to the views of Member States”, to highlight that views differed. There had been an informal agreement to reflect wording from the resolution on nuclear and radiation safety in the resolution on nuclear security, but the latter resolution had been put to a vote and it had been impossible to honour the agreement.

142. The representative of IRELAND said that her delegation preferred the current wording of paragraphs (aa) and 28.

143. The representative of LITHUANIA, supported by the representative of FINLAND, supported the current wording of paragraph 28.

144. The representative of the RUSSIAN FEDERATION said that, although aware of the preference expressed for the word “emphasize” in paragraphs (aa) and 28, his delegation had already exceeded its very strong instructions in acquiescing to the wording “the importance of”. Those two words in

² GC(66)/RES/6

paragraphs (aa) and 28: “emphasize” and “importance”, were the most important issue in the entire draft resolution, and retaining the word “emphasize” would regrettably render it impossible for his delegation to join consensus.

145. The representative of SPAIN said that the addition of “without prejudice to the views of Member States” represented a change to previous wording; accordingly, his delegation wished to include the word “emphasizes”.

146. The representative of SWITZERLAND said that the new addition of “without prejudice to the views of Member States” made the paragraph more open and flexible, which ought to pave the way for consensus.

147. The representative of the ISLAMIC REPUBLIC OF IRAN said that his country was not in principle opposed to the “seven pillars” or the “five principles”: its concern was that neither had been the subject of consultations with Member States. It was unfortunate that the vote on the previous year’s resolution on nuclear security had prevented agreed wording from being included. His country shared the position expressed by the representative of the Russian Federation.

148. The CHAIR invited the Committee to move to the next part of the draft resolution.

149. Turning to paragraph 45, the representative of the ISLAMIC REPUBLIC OF IRAN proposed replacing “Welcomes the 20th anniversary of the non-legally-binding Code of Conduct on the Safety and Security of Radioactive Sources and encourages all Member States to make political commitments to” with “Notes the 20th anniversary of the voluntary Code of Conduct on the Safety and Security of Radioactive Sources and invites all Member States to consider to make political commitments and/or to support” and to continue with the rest of the text as it stood.

150. The representative of AUSTRALIA asked whether, in the light of discussions on paragraph (c) and the new paragraph (c) bis proposed by the representative of South Africa, Iran would be willing to retain the current wording.

151. The representative of the ISLAMIC REPUBLIC OF IRAN said that, if the wording of the chapeau were to be resolved, his delegation would positively consider that proposal.

152. The CHAIR invited the Committee to continue through the draft resolution.

153. The representative of the ISLAMIC REPUBLIC OF IRAN said that, with regard to paragraph 53, he required more time for consultations.

154. He noted that his delegation had proposed adding “separated plutonium” after the words “further minimize” in paragraph 58.

155. The CHAIR, noting that there were no further comments on the draft resolution, said that informal consultations in smaller groups would continue on the outstanding draft resolutions on safeguards, nuclear and radiation safety, and nuclear security. He trusted that consensus could still be achieved, and said that the Committee would reconvene subsequently to consider those draft resolutions.

The meeting rose at 1.45 p.m.