
Sixty-eighth regular session

Committee of the Whole

Record of the Seventh Meeting

Held at Headquarters, Vienna, on Friday, 20 September 2024, at 4.15 p.m.

Chair: Mr LODDING (Sweden)

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¹ GC(68)/21

Abbreviations used in this record

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| EU | European Union |
| ICONS | International Conference on Nuclear Security |
| UK | United Kingdom of Great Britain and Northern Ireland |
| UN | United Nations |
| USA | United States of America |

13. Nuclear and radiation safety (resumed) (GC(68)/11; GC(68)/INF/2; GC(68)/COM.5/L.9)

1. The CHAIR invited the coordinator of the draft resolution on nuclear and radiation safety contained in document GC(68)/COM.5/L.9 to update the Committee on the consultations held.
2. The representative of AUSTRALIA said that the most recent consultations had been very productive and that she was in a position to present proposals on five paragraphs.
3. The representative of the ISLAMIC REPUBLIC OF IRAN stressed that all outstanding issues must be resolved before the draft resolution could be recommended for adoption by the General Conference.

14. Nuclear security (resumed) (GC(68)/7; GC(68)/INF/3 and 6; GC(68)/COM.5/L.15)

4. The CHAIR invited the coordinator of the draft resolution on nuclear security contained in document GC(68)/COM.5/L.15 to update the Committee on the consultations held.
5. The representative of FRANCE, speaking on behalf of the European Union, said that discussions had been held on two outstanding paragraphs: paragraph (k) relating to ICONS, on which Member States were very close to reaching consensus; and paragraph 28 bis, as proposed by Armenia at the previous meeting, on which further work was required.

16. Strengthening the Agency's activities related to nuclear science, technology and applications (resumed) (GC(68)/10; GC(68)/INF/4; GC(68)/COM.5/L.3, L.4, L.5, L.6, L.7, L.8, L.10, L.12 and L.13)

6. The CHAIR invited the coordinator of the draft resolution on nuclear power applications and nuclear knowledge management contained in document GC(68)/COM.5/L.10 to update the Committee on the consultations held.
7. The representative of FRANCE reported with regret that no further progress had been made on the text. She welcomed the support shown for the draft resolution and noted that Lithuania had joined the list of sponsors.

13. Nuclear and radiation safety (resumed) (GC(68)/11; GC(68)/INF/2; GC(68)/COM.5/L.9)

8. The CHAIR invited the coordinator for the draft resolution on nuclear and radiation safety to provide updates on open paragraphs.

9. The representative of AUSTRALIA, drawing attention to paragraphs (k) bis and 45 bis, said that delegations had discussed the proposal made by Switzerland in an earlier meeting to remove paragraphs (k) bis and 45 bis and to add the phrase “and to keep Member States informed” to the end of paragraph 45, and no objections had been expressed in that regard.

10. The representative of FRANCE said that, while her delegation had been very committed to retaining paragraphs (k) bis and 45 bis, it was willing, in the interests of time, to join consensus on the proposal.

11. The CHAIR invited the representative of Australia to continue through the draft resolution.

12. The representative of AUSTRALIA, turning to paragraph (ll), proposed the deletion of the words “and sustainable” from the fourth line, as previously requested.

13. The representative of the RUSSIAN FEDERATION thanked the delegation of Australia for its flexibility on paragraph (ll).

14. The CHAIR invited the representative of Australia to continue through the draft resolution.

15. The representative of AUSTRALIA, turning to paragraph 88, as originally proposed by Argentina, said that the delegation of Argentina had accepted the proposal by Iran to insert the word “guidance” before “document”, in line with the previous year’s resolution on nuclear and radiation safety².

16. The CHAIR invited the representative of New Zealand, as coordinator of the ‘Transport Safety’ chapter, to present an update on paragraph 95.

17. The representative of NEW ZEALAND said that proposals by Iran had been discussed in a small group and had undergone minor edits. The proposed version of the paragraph currently read: “Takes note of the work of the Denial of Shipment Working Group in compliance with GC(66)/RES/6 and GC(67)/RES/7, and urges the Secretariat to assist interested Member States to develop concrete solutions to effectively address denials of shipment at the earliest, in order to overcome the sustained challenges in this regard”. No objections had been expressed.

18. The representative of ARGENTINA welcomed the fact that the Committee had agreed on wording for paragraphs 88 and 95 that took into account the most important elements.

19. The representative of AUSTRALIA said that the final open paragraph was paragraph 114, on which agreement had yet to be reached on the reference to gender. She appealed to delegations to maintain the spirit of flexibility demonstrated thus far.

20. The CHAIR, stressing that the President of the General Conference had urged the Committee to intensify its efforts on all outstanding draft resolutions in order to reach agreement as soon as practicable, suggested taking up the remaining issues in intensified consultations before reconvening to agree on all outstanding paragraphs.

² GC(67)/RES/7

21. The representative of the ISLAMIC REPUBLIC OF IRAN said that, while his delegation would work to accommodate the President's request, it would have further proposals on paragraph 114 if that paragraph remained under discussion.

22. The representative of CHILE, supported by the representatives of COSTA RICA, CANADA, MEXICO and URUGUAY, said that his country's proposal to delete the words "or balance" from paragraph 114 was aimed, firstly, at incentivizing Member States to act in accordance with the internationally recognized concept of gender equality. Secondly, in the light of the manner in which the paragraph had been agreed upon the previous year — as documented in the official records — he stressed the vital importance of reaching consensus on the basis of transparent and inclusive discussions.

23. The CHAIR, reiterating the need to reach consensus as soon as possible, said that the results of the informal consultations would be reported to the Committee.

24. The representative of the UNITED STATES OF AMERICA said that it was essential that the Committee be guided by the concerns expressed by the representative of Chile, which her delegation shared and which had been shared by over 21 delegations the previous year. It was vital to highlight the error contained in the previous year's resolution and the very important effort of Chile to rectify that error.

25. The representative of the ISLAMIC REPUBLIC OF IRAN said that Chile's proposal was not acceptable to his delegation and proposed that the wording "in full conformity with national laws and regulations" be included in paragraph 114. He recalled that, the previous year, it had been agreed that the modifier "voluntary and non-legally binding" would be inserted before all references in the draft resolutions to codes of conduct, as requested by his delegation. Ultimately, however, that proposal had only been reflected in one paragraph — that was the real error. In contrast, the decision to include a reference to gender balance in the paragraph under discussion had been the outcome of small group discussions, as noted at the time by the representative of Pakistan — that could be verified in the official records. Lastly, he noted that the number of delegations that had expressed concerns the previous year was far outweighed by the number that had not.

26. The CHAIR said that intensified consultations would be held.

The meeting was suspended at 4.45 p.m. and resumed at 12.50 a.m.

27. The CHAIR said that the Committee had before it a revised version of the draft resolution on nuclear and radiation safety, contained in document GC(68)/COM.5/L.9/Rev.1.

28. The representative of AUSTRALIA said that extensive consultations had been held with a view to reaching consensus on paragraph 117, formerly paragraph 114. In the absence of such consensus, the current wording remained that used in the previous year's resolution.

29. The CHAIR said that he took it that the Committee was not in a position to recommend the draft resolution. He would report to the plenary that there had been broad consensus on the text, with the exception of paragraph 117.

30. It was so decided.

14. Nuclear security (resumed)

(GC(68)/7; GC(68)/INF/3 and 6; GC(68)/COM.5/L.15/Rev.1)

31. The CHAIR said that the Committee had before it a revised version of the draft resolution on nuclear security, contained in document GC(68)/COM.5/L.15/Rev.1.

32. The representative of FRANCE said that the draft resolution was sponsored by the 27 EU member States, as well as Albania, Australia, Bosnia and Herzegovina, Iceland, Japan, Liechtenstein, Montenegro, New Zealand, North Macedonia, Norway, the Republic of Moldova, San Marino, Switzerland, the UK and the USA.

33. Paragraphs (m) and (n) contained compromise text relating to ICONS. Paragraph (m) was a simplified version of the previous paragraph (k); paragraph (n) contained new text that took into account the views expressed by delegations.

34. In connection with the notion of attacks and threats of attacks, he said that the text previously contained in paragraph (aa) was now found in paragraph (dd) and remained unchanged. Turning to the draft operative paragraph on the same topic proposed by Armenia, he said that the extensive consultations held had regrettably not resulted in wording that was satisfactory to all delegations and that the proposed paragraph had accordingly been omitted.

35. In paragraph 30 — formerly paragraph 68 — relating to the Agency's review of nuclear security guidance, the reference to a technical document had been replaced with the phrase “and to keep Member States informed”, as discussed in an earlier meeting.

36. Lastly, in paragraph 53 — formerly paragraph 52 — the wording “opportunities for further international cooperation” had been replaced with “need for international cooperation” following bilateral consultations with one delegation.

37. The representative of ARMENIA expressed regret that a consensus had not been reached on the paragraph proposed by his delegation. His country's position on the issue was well known and its delegation had been persistent in raising awareness regarding the need to develop viable mechanisms and norms to protect peaceful nuclear facilities. The extensive discussions on his delegation's proposal had begun almost a month previously and had clearly demonstrated that the issue was of the utmost importance for many countries and should be addressed holistically. He thanked all delegations that had engaged constructively and in good faith and requested that Member States intensify their consultations on the matter with a view to revisiting the issue more ambitiously the following year.

38. The representative of the RUSSIAN FEDERATION said that it was regrettable that the text proposed by Armenia had not been accepted — and surprising, given the number of delegations that had been in favour of its inclusion. Turning to paragraph 53, he said that the revised wording, while representing an attempt to address concerns raised, was very difficult for his delegation to accept. He proposed replacing “bearing in mind the need for international cooperation” with “noting the potential for international cooperation”.

39. The representative of the ISLAMIC REPUBLIC OF IRAN expressed regret that, despite its great importance, the concept of refraining from attacks or threats of attacks against nuclear facilities devoted to peaceful purposes was missing from the operative part of the draft resolution. The absence of any call on States and non-State actors to comply with international norms in that regard was very misleading. His country would accept the draft resolution as it stood on the understanding that the matter would be revisited the following year. Iran maintained a very strong position on the issue and the restraint and flexibility it had shown during the deliberations should not be underestimated.

40. The representative of EGYPT said that his delegation also attached great importance to the matter at hand and expressed regret that the paragraph proposed by Armenia had not been included in the draft resolution. He recalled that the General Conference had decided to prohibit attacks against peaceful nuclear facilities, actions that would violate the UN Charter, international law and the Statute of the Agency. Considerable efforts had been made, without success, to reflect that idea in the draft resolution and his delegation looked forward to engaging constructively on the issue the following year.

41. The representative of CHINA, noting that certain proposals were not reflected in the draft resolution, said that he looked forward to further cooperation in the future so that the objectives of all parties could be achieved.

42. The CHAIR, noting that the draft resolution struck a delicate balance in the light of intensive consultations, took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution contained in document GC(68)/COM.5/L.15/Rev.1, as amended.

43. It was so decided.

16. Strengthening the Agency's activities related to nuclear science, technology and applications (resumed) (GC(68)/10 and GC(68)/INF/4; GC(68)/COM.5/ L.3, L.4, L.5, L.6, L.7, L.8, L.10, L.12 and L.13)

44. The CHAIR invited the coordinator of the draft resolution on nuclear power applications and nuclear knowledge management contained in document GC(68)/COM.5/L.10 to update the Committee on the consultations held.

45. The representative of FRANCE said that, following lengthy discussions, the original version of the draft resolution had proven the closest to a consensus text, enjoying broad support and reflecting the various positions expressed.

46. The representative of the ISLAMIC REPUBLIC OF IRAN said that his delegation had demonstrated the utmost flexibility and praised the efforts of the Chair and other facilitators. He hoped that the cooperative atmosphere would prevail the following year.

47. The CHAIR, noting that the draft resolution struck a delicate balance in the light of intensive consultations, said that he took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution contained in document GC(68)/COM.5/L.10.

48. It was so decided.

49. The CHAIR, noting that the Committee's work was complete, expressed appreciation to all those who had facilitated its deliberations, in particular his Vice-Chairs, Secretariat staff, his colleagues from the Swedish mission, the interpreters and conference services staff and the Secretary of the Committee.

The meeting rose at 1.15 a.m.