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President: Mr HAM Sang Wook (Republic of Korea)

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¹ GC(68)/21

Abbreviations used in this record

AP	additional protocol
CSA	comprehensive safeguards agreement
GRULAC	Latin American and Caribbean Group
GW	gigawatt
LEU	low enriched uranium
MESA	Middle East and South Asia Group
NPP	nuclear power plant
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
OPCW	Organisation for the Prohibition of Chemical Weapons
PMO	Policy-Making Organ
SEAP	South East Asia and the Pacific Group
UK	United Kingdom of Great Britain and Northern Ireland
UN	United Nations
USA	United States of America
USSR	Union of Soviet Socialist Republics
WMD	weapon of mass destruction

22. Restoration of the sovereign equality of Member States in the IAEA

(GC(68)/1/Add.3 and GC(68)/20)

1. The PRESIDENT said that the item had been included on the agenda at the request of Kazakhstan. It was covered by an explanatory note contained in document GC(68)/1/Add.3 and by document GC(68)/20.
2. Mr TILEUBERDI (Kazakhstan), introducing the agenda item, said that the adoption of resolution GC(67)/RES/15, on the restoration of the sovereign equality of Member States in the Agency, at the sixty-seventh regular session of the General Conference had been a milestone. The resolution had been widely supported and had been co-sponsored by 56 Member States from all geographical areas.
3. In the resolution, the General Conference had confirmed the existence of 17 ‘arealess’ Member States, which were not included in the informal regional groups. It had highlighted the wrongfulness of making membership of a regional group a condition for nomination to the Agency’s decision making bodies and had underlined that many Member States were still unwilling to ratify the amendment to Article VI of the Statute which, 25 years after its approval, remained far from entering into force. It was also made clear in the resolution that, until the long-standing issue of ‘arealess’ States was resolved, the Agency would continue to fail in its duty to ensure the full participation of all Member States and would be in contravention of its Statute and the UN Charter.
4. Although the principle of the right of States to sovereign equality was made clear in the Statute and was not in question, the challenge lay in the implementation of the relevant provisions of the Statute and the UN Charter.
5. The Statute itself referred to geographical areas rather than regional groups; each State, on the basis of its geographical location on the planet, could consider itself part of a particular geographical area. The Statute did not include any definition of the term ‘regional group’, an issue that had been highlighted by the Director General in a report issued in 1996. There was therefore no regulatory document that specified any requirements or procedures for the acceptance of ‘arealess’ States into regional groups and therefore no basis on which regional groups could dictate any conditions in that regard.
6. Despite the absurdity of the situation, discussions had taken place within the framework of the Group of Friends of Arealess States regarding the criteria and principles proposed by the regional groups with a view to finding ways to streamline the admission process. In a constructive spirit, the ‘arealess’ States had accepted those criteria and principles and had expected the start of negotiations with the regional groups; the regional groups, however, had continued to delay the process, citing various reasons, including a lack of consensus.
7. Although the former Chair of the Group of Friends, Ms Žvokelj of Slovenia, had endeavoured to compel the regional groups to break the deadlock, some groups had shown a complete lack of willingness to fulfil their obligations under the General Conference resolution. Using the proposed criteria and principles, and under the auspices of the Group’s Chair, the ‘arealess’ States had started to apply collectively to the relevant regional groups; many of them had been rejected without proper explanation or solid arguments from those groups, however. Some groups had even deliberately delayed

communicating their responses. Only SEAP and MESA had shown flexibility and demonstrated their sincere commitment by admitting Member States, namely Bahrain, Brunei Darussalam and Nepal.

8. Kazakhstan hoped that, under the leadership of the new Chair of the Group, Mr Martinsen of Argentina, it would be possible to further reduce the list of ‘arealess’ States. A realistic, step-by-step plan was needed to ensure that progress could be made.

9. The year 2024 marked the 30th anniversary of Kazakhstan’s membership of the Agency. The country was the largest uranium producer in the world, the host of the LEU Bank, a strong force in the nuclear world, a responsible member of the international community and a significant contributor to global nuclear security. It remained, however, deprived of its sovereign rights in the Agency, a situation which violated the principle of sovereign equality enshrined in Article IV.C of the Statute. If the Agency could not extend the rights and benefits of membership to all its current Member States, then, unless the issue was addressed directly, the same misfortune would also await future Member States.

10. Although Kazakhstan had been trying patiently and carefully to rectify the unfair and unlawful situation that had prevailed over the previous 30 years, it could not tolerate such a discriminatory attitude indefinitely — an attitude which was in flagrant violation of the provisions of the Statute and the UN Charter.

11. In light of the stark disconnect between what was happening in practice and what was set out in the provisions of international normative documents, Kazakhstan suggested that the ‘arealess’ States collectively refer the matter to the International Court of Justice and initiate broader discussions within UN platforms in New York and Geneva, where no such contradictions and violations existed.

12. In accordance with Article VI.A of the Statute, any Member State might be elected to the Board of Governors. Kazakhstan therefore reserved the right to put forward its candidature directly to the Board, without being a member of any informal regional group, and called upon all other ‘arealess’ States to do likewise.

13. If current unhealthy practices continued, Kazakhstan also reserved the right to suspend all its voluntary contributions and obligations, which it had always fulfilled transparently and responsibly. The fundamental flaw in the application of the principle of regional participation required urgent action, as the sovereign rights of Member States were being seriously violated by their exclusion. Kazakhstan firmly believed that all Member States that fulfilled their obligations had a legitimate right to participate fully in the Agency’s decision making process.

14. Ms MEAD (Australia), speaking on behalf of SEAP, announced with great pleasure that Brunei Darussalam had been admitted as a member of the Group, on the basis of a consensual decision made by all SEAP members. Bahrain’s and Nepal’s inclusion in MESA was also welcome, as the reduction in the number of ‘arealess’ States was a step in the right direction.

15. Congratulating the new Chair of the Group of Friends of Arealess States, SEAP encouraged further inclusive discussions, both within the Group of Friends and among Member States across area groups, to address the situation of ‘arealess’ States. SEAP assured the General Conference of the support and goodwill of all its members in that regard.

16. Mr TSENGEG (Mongolia), speaking on behalf of the Far East Group, reaffirmed the Group’s full support for the restoration of sovereign equality and its willingness to work with all Member States and regional groups to ensure a comprehensive, equitable and fair solution to the issue of ‘arealess’ States. The Group expressed appreciation for the efforts made by the Chair of the Group of Friends of Arealess States in that regard.

17. When considering the issue, it was critical to bear in mind geographical appropriateness and proportionality. Furthermore, the entry into force of the amendment to Article VI of the Statute would facilitate progress towards the restoration of sovereign equality.

18. The Group, which fully respected the right of all 'arealess' States to apply for membership of a regional group, had received formal applications for membership from Kazakhstan and Kyrgyzstan in May 2024. The applications were being given careful consideration by the Group, and a note verbale to that effect had been sent to Kazakhstan and Kyrgyzstan in September 2024.

19. The Group would continue to evaluate all applications or suggestions for consistency in the spirit of fairness to all Member States. It remained committed to the principle of consensus regarding the inclusion of any new member.

20. Ms KHARASHUN (Belarus), commending Kazakhstan on its tireless efforts to restore sovereign equality among Member States, said that, from a geographical standpoint, it was indisputable that each Member State belonged to one of the eight areas defined in the Agency's Statute. It was also the responsibility of all Member States to contribute in any way possible to the full realization of sovereign equality.

21. Belarus welcomed the progress made on the issue, namely that Bahrain, Brunei Darussalam and Nepal had been admitted to regional groups, thereby reducing the number of 'arealess' States to 14.

22. Her country called on representatives of all regional groups to show flexibility and refrain from creating artificial barriers to resolving the problem. It was deeply regrettable that there was no consensus on the issue in the Eastern Europe Group and that the applications of Kazakhstan, Tajikistan and Uzbekistan to join that Group had not received unanimous approval.

23. Belarus shared the concerns of the 'arealess' States and deemed it important to rectify the situation as soon as possible. It hoped that the increasingly proactive discussion of the issue, and notably the activities of the Group of Friends of Arealess States, would allow for the identification of mutually acceptable ways of restoring equality as soon as possible in the interests of the Agency and its Member States. Belarus stood ready to participate actively in that work.

24. Ms ŽUPEVC (Slovenia), thanking Kazakhstan for ensuring that the long-standing issue of 'arealess' States had been included on the agenda of the General Conference, recalled that her country had recently concluded its chairship of the informal Group of Friends of Arealess States and was pleased that the efforts of the Group had resulted in a decrease of the number of 'arealess' States from 17 to 14. Slovenia congratulated the incoming Chair of the Group and assured him that it would continue to engage actively in the Group's activities, as such collective efforts enabled more progress to be made.

25. The question of 'arealess' States was linked to the entry into force of the 1999 amendment to Article VI of the Statute, which set out a process through which each Member State would be allocated to one of the eight areas identified in the Statute.

26. Slovenia, together with Brazil, the Republic of Korea, Namibia, the UK and the European Union, had held a side event on facilitating the early entry into force of the amendment to Article VI on the margins of the current session of the General Conference. In resolution GC(43)/RES/19, the General Conference had approved the amendment and had urged all Member States to accept it as soon as possible. Although 25 years had passed since the resolution had been adopted, the amendment had still not entered into force, owing to a lack of ratifications by Member States. Since the amendment had been approved, the number of Member States had increased by almost 70% and, as the membership of the Agency grew, the goal of ratification by two thirds of Member States was becoming harder and harder to achieve. It was therefore imperative to act without delay. Slovenia urged all Member States that had not yet done so to accept the amendment as soon as possible, in accordance with their respective

constitutional procedures. Slovenia would continue to promote the early entry into force of the amendment and was certain that, collectively, the Member States would achieve that milestone. Slovenia remained committed to resolving the issue — an issue that never should have arisen in the first place.

27. Mr REGMI (Nepal) said that upholding the sovereign equality of all Member States and ensuring their fair representation in the Agency's PMOs was a matter of utmost importance. Nepal thanked Kazakhstan for bringing the issue to the attention of the General Conference once again and thanked the Group of Friends for its determination to resolve the matter.

28. When the issue had been discussed at the sixty-seventh regular session of the General Conference, Nepal had still been an 'arealess' State. Nepal therefore thanked MESA for its decision in June 2024 to include it, as well as Bahrain, in the Group. He noted that, as Nepal was situated in South Asia, it had been natural for it to apply to join MESA. Nepal assured MESA that it would always aim to play a positive and constructive role in the Group and maintain friendly relations with fellow members.

29. Nonetheless, 14 Member States remained 'arealess', limiting their ability to fully engage in and contribute to the Agency's work, despite being fully fledged Member States and paying their contributions. Nepal therefore urged all Member States, the Director General and the Secretariat to accord the issue the attention that it deserved, without further delay and without making the process unnecessarily complicated.

30. The principle of sovereign equality among Member States was provided for explicitly in Article IV.C of the Statute — in turn based on Article 2 of the UN Charter, which encapsulated the fundamental guidelines governing the operations of all international organizations. Member States had a legal and moral responsibility to adhere to that core principle, which was being fundamentally undermined by the exclusion of several Member States from the Agency's policy-making processes.

31. The inclusion of Bahrain and Nepal in MESA, and of Brunei Darussalam in SEAP, had shown that the problem could be resolved only with the understanding and genuine will of the 'arealess' Member States and the Member States of the regional groups concerned. The issue should not be made overly complex, for example by linking it to other matters; instead, focus should be placed on creating an environment conducive to healthy discussion between 'arealess' Member States and regional groups.

32. It was hoped that the process begun by MESA and SEAP would soon start in other regional groups, so that no Member State would remain 'arealess' and all Member States could feel fully included and well represented in the Agency, which was not the case currently.

33. Ms LIJAYA (Indonesia) said that all Member States were entitled to the rights and benefits associated with membership, including the opportunity to engage fully in all Agency mechanisms, in accordance with the principle of sovereign equality among all Member States, as outlined in the Statute.

34. Although a significant number of Member States remained unaffiliated with any regional group and therefore lacked the opportunity to engage meaningfully in and contribute effectively to the Agency's decision making bodies, the recent admission of certain Member States to regional groups demonstrated the flexibility and willingness of those groups to identify solutions to the issue.

35. Indonesia called upon all Member States and regional groups to continue consultations on the issue, taking into account the provisions of General Conference resolution GC(67)/RES/15. It stood ready to continue discussing the matter in an inclusive manner.

36. Mr IBRAGIMOV (Uzbekistan), recalling that all Member States had a shared commitment to ensuring fairness and equality within the Agency, said that the principle of sovereign equality, as

outlined in the Statute, should guarantee that all Member States had equal opportunities to contribute to the Agency's governance and decision making processes.

37. Several Member States, however, remained unassigned to any regional group, which prevented them from being elected to the Board of Governors. Despite some progress having recently been made, the issue, which had first been raised in 1999 and had since been revisited numerous times, was yet to be resolved.

38. The adoption of General Conference resolution GC(67)/RES/15 establishing the Group of Friends of Arealess States had marked a major step towards addressing that inequality. As a result of the Group of Friends' efforts to convene meetings and foster dialogue on ways to integrate 'arealess' States into regional groups, three Member States had recently been assigned to relevant groups. Nonetheless, 14 Member States still lacked such representation. It was therefore essential to ensure the full implementation of that resolution in order to restore the sovereign equality of all Member States.

39. Furthermore, Uzbekistan noted that membership of a regional group was not a political matter but rather a necessity for a fair and balanced international order. Exercise of the right of every Member State to join a group on the basis of geographical location was fundamental to the Agency's integrity. By working together, Member States could guarantee that they all had the opportunity to contribute to the governance of the Agency and uphold the principles of fairness and equality.

40. Uzbekistan thanked the Agency for its continued support of the safe and sustainable use of nuclear science and technology in the country, which had significantly enhanced nuclear and radiation safety, nuclear infrastructure, medicine and education at the national level. Uzbekistan's active participation in international initiatives, including innovative reactor projects, demonstrated its role as an emerging player in the nuclear energy sector.

41. Mr WEI Qingming (China) expressed his country's support for Kazakhstan's proposal to discuss the restoration of sovereign equality in the Board of Governors and congratulated the Ambassador of Argentina on taking over the Chair of the Group of Friends of Arealess States. China would actively cooperate with the new Chair in the fulfilment of his work.

42. General Conference resolution GC(67)/RES/15 encouraged regional groups to demonstrate flexibility by accepting 'arealess' States and welcomed the establishment of the Group of Friends. China was therefore pleased to observe that, thanks to the efforts of all parties, including the Group's former Chair, Bahrain and Nepal had joined MESA and Brunei Darussalam had joined SEAP, reducing the total number of 'arealess' countries from 17 to 14. China supported the accession of the remaining 14 Member States, including Kazakhstan, to regional groups and supported the Ambassador of Argentina's communication with Member States and regional groups to that end. It called on all parties to continue implementing the resolution so as to resolve the issue as soon as possible.

43. Amending Article VI of the Statute would further increase the representativeness of the Board and clarify the methods and procedures by which Member States could join regional groups. China stood ready to work with all parties to promote the amendment's quick entry into force and to work together towards a timely resolution.

44. Mr VALIYEV (Azerbaijan) said that his country thanked Kazakhstan for its efforts to address the long-standing issue of 'arealess' States and for its tireless pursuit of the aim of restoring sovereign equality within the Agency. The full and equitable participation of all Member States in the Agency's decision making processes, by virtue of their sovereign equality, was essential for the effective functioning of the Agency. All Member States had the right to be elected to the Agency's decision making bodies, including the Board of Governors, taking into account the geographical areas listed in Article VI of the Statute.

45. As a co-sponsor of resolution GC(67)/RES/15, Azerbaijan praised the recent accession of a number of former 'arealess' States to regional groups, which was a step forward. It was, however, regrettable that agreement had yet to be reached within certain groups regarding applications for admission from other Member States. In the interest of inclusivity and sovereign equality among Member States and in accordance with the Statute, it was crucial that all regional groups exercise appropriate flexibility in expanding to include Member States that did not currently belong to any such group.

46. Azerbaijan supported the efforts of the Group of Friends to identify opportunities for the swift inclusion of the remaining 'arealess' States in regional groups and congratulated the incoming Chair of the Group on his election. Deliberations within the Group should continue in order to deliver an effective, long overdue solution to the matter. Ensuring the rights and benefits resulting from membership of the Agency for all Member States would strengthen the commitment of every Member State to fulfil in good faith the obligations outlined in the Statute.

47. Mr KOKONOV (Kyrgyzstan) said that, for widely known reasons, the critical and fundamental issue of 'arealess' States remained unresolved, despite persistent efforts. A total of 14 Member States were unfairly being denied their fundamental right to participate in the elections to the Board of Governors and to the Bureau of the General Conference. Expanding the composition of the regional groups would enhance the effectiveness of joint actions aimed at achieving common goals. Kyrgyzstan therefore called upon all Member States, as well as the Secretariat, to engage actively in addressing the long-standing issue, thereby ensuring the full implementation of the fundamental principles enshrined in the Statute and the UN Charter.

48. Ms NAZAROVA (Tajikistan), thanking Kazakhstan for ensuring that the current item had been included on the agenda, recalled that the item had first been introduced at the General Conference three years previously and had since been considered at ten consecutive rounds of Board meetings.

49. It was highly disappointing that, even though rules and principles existed to ensure civilized coexistence within international organizations, the Agency was struggling to apply those core principles to itself. The issue of certain Member States being excluded from the Agency's eight area groups had been overlooked since the early days of the Agency and, despite a clear provision in the Statute relating to the principle of sovereign equality of all members, that principle had not been implemented, leading to the rights of several Member States being neglected. Applications for membership of regional groups had been delayed, ignored or made subject to certain conditions. Moreover, some members with privileged positions in certain regional groups seemed to have undue influence within those groups, and several 'arealess' States had recently had their applications for membership to certain groups refused without any rational explanation.

50. While there had been positive developments on the issue, namely the acceptance of three former 'arealess' States into regional groups, the problem persisted. It was therefore critical that the Group of Friends of Arealess States continue its work to break the unhealthy practice of violating the Statute and the UN Charter. In that connection, Tajikistan welcomed the new Chair of the Group of Friends.

51. Noting that Tajikistan had recently submitted its instrument of ratification of the amendment to Article VI of the Statute to the depositary Government, she recalled that the Statute provided that Board members should be elected from the eight areas listed in Article VI.A. It was evident that all Member States belonged to a geographical area and, according to the Statute, were eligible to present their candidature for election to the Board of Governors. Existing practice at the Agency, however, had established unfair and unlawful methods of election to the Board, which required membership of one of several informal regional groups that were not recognized by, and were not even mentioned in, the Statute. In order to exercise its full-fledged membership of the Agency, Tajikistan would consider

directly nominating itself to the Board — a step fully in line with the language and spirit of the Statute and UN Charter.

52. The Agency was the ‘common house’ of all Member States and its activities could not be monopolized or privatized. No Member State could deny ‘arealess’ States their fundamental rights, and all Member States must cooperate on an equal footing and with due respect, in accordance with the universal and indivisible core values of democracy and transparency. Each Member State should have equal opportunity to participate fully in all Agency decision making processes by nominating itself to the Board and to the Bureau of the General Conference, participating in information exchange and making valuable contributions to the work of the Agency. She therefore called upon all Member States and the Secretariat to make efforts to resolve the problem and to take immediate action to restore the implementation of all fundamental principles enshrined in the Statute and the UN Charter.

53. Mr CHASOV (Turkmenistan) said that the restoration of sovereign equality of Member States was a fundamental issue that had been discussed for many years. Thanks to Kazakhstan’s dedicated, intelligent work on the issue and to the efforts of other stakeholders, a historic resolution on the issue had been adopted at the sixty-seventh regular session of the General Conference. He recalled that all Member States were eligible to be included in one of the eight geographical areas specified in the Statute and noted that, in August 2024, Turkmenistan had deposited its instrument of ratification of the amendment to Article VI of the Statute.

54. Turkmenistan counted on the support and valuable contribution of the leadership teams of the Agency, the General Conference and the Board of Governors, as well as all other Member States, to resolve the issue of ‘arealess’ States during the current session of the General Conference.

55. Mr SHAUL (Israel), expressing thanks to Kazakhstan for its leadership on the important issue under discussion, said that his country attached great importance to the principle of sovereign equality of all Member States, as reflected in Article IV.C of the Statute. Over the years, Israel had been deeply affected by the existing inequality among Member States and had been systematically excluded from regional area arrangements.

56. Despite participating actively and constructively in the Agency’s work since 1957, Israel had never been admitted to its natural geographical group — MESA — nor to any other regional group and had thus been denied participation in the Agency’s PMOs. The amendment to Article VI, which his country had ratified, indicated that each Member State was to be allocated to a geographical area. The exclusion of Member States from regional groups ran counter to the principles of sovereign equality of Member States and equitable representation on the Board of Governors.

57. Israel welcomed the recent acceptance of three Member States into geographical groups. A total of 14 countries had, however, still not been admitted to any group — including Israel, whose request had been rejected by MESA. It was imperative that the Agency rectify that long-standing discrimination against Israel and others and allow them to enjoy all their inherent rights as equal Member States of the Agency.

58. Ms LEE Kyung-Ah (Republic of Korea) said that, appreciative of the commitment of ‘arealess’ States to contributing further to the Agency, her country had constructively engaged with the issue and had consistently maintained that it must be resolved once and for all. The Republic of Korea had worked with all Member States to seek a comprehensive solution to ensure that no ‘arealess’ States were left behind, given that their comprehensive allocation to regional groups was a prerequisite for the entry into force of the amendment to Article VI.

59. Given that the issue of ‘homeless’ States could not be resolved unilaterally by a single regional group or Member State, the Group of Friends of Arealess States had been created pursuant to resolution

GC(67)/RES/15, providing the first multilateral mechanism within the Agency specifically aimed at addressing the issue of sovereign equality and reflecting the significant interest of Member States in the issue and their commitment to resolving it. The Republic of Korea would continue to help ensure that the Group of Friends, under the able leadership of its new Chair, made further progress in that regard.

60. The side event on facilitating the early entry into force of the amendment to Article VI, which the Republic of Korea had successfully co-hosted in collaboration with Brazil, Namibia, Slovenia, the UK and the European Union, had demonstrated a shared sense of urgency in that regard. Efforts to achieve that goal and to ensure the allocation of all 'arealess' States to regional groups should proceed in parallel, as the two aims were complementary.

61. Mr ALZAYANI (Bahrain), thanking Kazakhstan for its efforts, said that his country appreciated MESA's acceptance of its membership — as well as that of Nepal — and stood ready to cooperate with its fellow members to achieve the Agency's objectives.

62. Noting Brunei Darussalam's admittance to SEAP, Bahrain hoped that other countries would also be included in their respective regional groups so that they could exercise their right to participate effectively in all organs of the Agency, in line with the UN Charter.

63. Mr ULYANOV (Russian Federation) said that the pressing issue of 'arealess' States needed to be resolved as soon as possible. As previous speakers had rightly said, the existence in the Agency of Member States that did not belong to any regional group contradicted the principle of the sovereign equality of all Member States.

64. Although his country had welcomed the adoption of the resolution on the matter at the sixty-seventh regular session of the General Conference, over the past year it had witnessed an abnormal situation: Member States were paying lip service to resolving the problem and voting in favour of the aforementioned resolution, some, however, were starting to hinder the process. He urged the representatives of the eight regional groups to exercise genuine flexibility and allow new members to join their ranks.

65. Linking the resolution of the issue to the entry into force of the amendment to Article VI of the Statute was contrived and had delayed the restoration of sovereign equality, which needed to take place as soon as possible. The fact that the two issues were unconnected was demonstrated by the acceptance of three 'arealess' States, namely Bahrain, Brunei Darussalam and Nepal, into regional groups, regardless of the status of the amendment. The Russian Federation welcomed that development.

66. It was regrettable that a number of other applications had not met with similar success. That was true of the Eastern Europe Group, which included the Russian Federation. Certain members of the Group had refused to show the necessary flexibility with regard to applicants and had blocked those applications without any explanation. That was puzzling given that, after the collapse of the USSR, those same States had themselves once applied to join the Eastern Europe Group and no one had prevented them from doing so at the time. Their behaviour with regard to the present issue was therefore poor. His country sincerely regretted that the Eastern Europe Group had not yet been able to open its doors to new recruits because of the position of some of its members.

67. The Russian Federation hoped that the respect and authority enjoyed on the Vienna platform by the Ambassador of Argentina would help him achieve practical progress as the new Chair of the informal Group of Friends of Arealess States.

68. The Russian Federation assumed that the interests of the 'arealess' States themselves, notably their preferences as to the groups that they would like to join, were an absolute priority. The 'arealess' States must not give up or slacken their efforts. The Russian Federation would provide them with every possible support and assistance.

69. Ms MURRAY (United Kingdom) said that her country supported the principle that every Member State should have the opportunity to participate fully in the Agency, and therefore regretted that certain Member States had not yet been allocated to a regional group and were therefore unable to seek positions in the PMOs.

70. The UK had joined Kazakhstan and other Member States in co-sponsoring General Conference resolution GC(67)/RES/15, which, among other things, had welcomed the establishment of the Group of Friends of Arealess States. The Group had, under Slovenia's chairship, consulted with all regional groups and 'arealess' States and had developed a set of principles and criteria for moving towards an appropriate and systematic solution to the issue. It was therefore pleasing that three Member States had subsequently been able to join regional groups. The UK thanked Argentina for agreeing to take over the chairship of the Group and stood ready to support its important work.

71. When the Agency had been founded in 1957, it had had only 54 Member States. Its current membership of more than three times as many States meant that there was an ever-increasing need to provide additional opportunities for Member States to serve on the Board of Governors. The UK continued to support the amendment to Article VI of the Statute, pursuant to which the size of the Board would be expanded, and all States would be allocated to a regional group. The UK had been pleased to co-sponsor a side event with Brazil, the Republic of Korea, Namibia, Slovenia and the European Union with the aim of increasing awareness of that amendment, and it urged all Member States that had not yet done so to ratify the amendment so that it might finally enter into force.

72. The issue of 'arealess' States could be resolved only through the core principles of dialogue and consensus, and in accordance with the Statute. The UK therefore encouraged all relevant Member States to uphold and implement resolution GC(67)/RES/15, support the Group of Friends of Arealess States, engage in constructive consultations on the basis of mutual respect, and demonstrate flexibility and understanding.

73. Mr AKTIPIIS (United States of America) said that every Member State should be represented in an appropriate geographical group, given the central role that those groups had traditionally played in nominating Member States for election to the Board of Governors.

74. The USA had been pleased to co-sponsor General Conference resolution GC(67)/RES/15. It welcomed the progress made over the past year, including the launch of the Group of Friends of Arealess States under the leadership of Slovenia. The Group had laid the groundwork for building consensus regarding the allocation of all Member States to appropriate groups, and the USA was confident that the new Chair of the Group would be able to build on that groundwork, given his deft performance and experience as Chair of the Board.

75. The USA continued to encourage the relevant regional groups to exercise greater flexibility regarding membership decisions, as the current situation — in which so many Member States were unable to join a regional group — was not sustainable. While recognizing that membership decisions were made by consensus, the USA emphasized that consensus must be accompanied by compromise or else it led to deadlock.

76. Many Member States had pointed to the pending amendment to Article VI of the Statute as the answer to the plight of 'arealess' States. Although the USA recognized that the entry into force of the amendment represented a long term solution to the issue, it could not address the issue in the short term. The status of the amendment must not become an excuse for refusing to take the required action.

77. Mr MARTINSEN (Argentina) said that his country deplored the situation faced by those Member States not included in a regional group. Argentina was fully aware of the contribution made by 'arealess'

States, such as Kazakhstan, to the Agency and of the importance of addressing the grievances of all affected States.

78. Sovereign equality among all Member States was an important principle of the Agency. The Group of Friends of Arealess States, and in particular its outgoing Chair, had carried out valuable work to that end over the preceding year. In line with its commitment to resolving the issue, his country had agreed to lead the Group for a short period and to build on those enormous efforts. He thanked Member States for their expressions of support in that regard and, in particular, for the confidence placed in him by the 'arealess' States in nominating him for the role. He was committed to making progress towards a solution based on consensus; a confrontational solution based on a unilateral decision arrived at without discussion would not have required a group of friends. The Group had already proved itself a hugely positive influence, having achieved the acceptance of three Member States into regional groups.

79. Consideration of the issue of 'arealess' States should not be delayed for another quarter of a century. It was vital to identify incentives to facilitate the acceptance of 'arealess' States into regional groups, so that those States could gain access to positions in the Agency's PMOs. Although the entry into force of the amendment to Article VI of the Statute was key to solving the issue, there was no real incentive for States to provide the required ratifications until the issue of the integration of 'arealess' States into regional groups had been resolved.

80. The ease and speed with which the General Conference had been able to decide on the election of Board members at the current session clearly demonstrated the need for, and wisdom of, maintaining the current regional group-based mechanism for arbitrating on the candidatures of aspiring Board members. It was therefore vital not to jeopardize that mechanism; unless 'arealess' States were incorporated into regional groups and granted the right to participate in elections, the alternative, as noted by the representative of Kazakhstan, would be for nominations outside of regional groups to be legitimized, which would be a significant drain on time and resources. Sincere efforts were required to identify a consensus solution to the delicate issue.

81. Mr NAZIRI ASL (Islamic Republic of Iran), recalling the provisions of the Statute relating to the need to respect sovereign rights and the principle of sovereign equality, said that his country supported the right of all 'arealess' States that were NPT States Parties and that remained committed to their safeguards obligations under the Treaty and other international instruments on WMDs to join a regional group. Iran commended Kazakhstan for its efforts to address the long-standing issue.

82. MESA had recently exercised its responsibilities in that regard by accepting two new members, thereby demonstrating that constructive engagement and the avoidance of confrontation was the only way of securing the acceptance of 'arealess' States into regional groups. Regional groups had a right to exercise discretion, on a case-by-case basis, regarding their composition and possible enlargement. In accordance with the Statute, they also had the right to establish criteria, principles, conditions and modalities for their enlargement.

83. Ms VIEIRA SANTOS (Brazil) said that her country thanked Kazakhstan for its continued leadership in promoting the discussion on the restoration of sovereign equality within the Agency and wished the new Chair of the Group of Friends of Arealess States every success in the role.

84. It was her country's long-standing position that the entry into force of the amendment to Article VI of the Statute offered the most comprehensive and effective solution to the issue of 'arealess' States. In addition to increasing the number of Board members, the amendment provided a pathway for the allocation of Member States to geographical areas.

85. Noting that the ratification progress had been slow and that more outreach was required to accelerate the amendment's entry into force, Brazil drew attention to the side event to promote the

amendment which it had held on the margins of the current session of the General Conference, jointly with the Republic of Korea, Namibia, Slovenia, the UK and the European Union. Outreach should be conducted not only by ratifying States but also by regional coordinators and the Secretariat, including through informative events, publications, web sites and social media. The Secretariat would benefit from the broader representation and participation of Member States as provided for by the amendment, which would improve the effectiveness of the Agency's mechanisms. Brazil also suggested that the Group of Friends should advocate the entry into force of the amendment, in order to break the inertia on the part of many Member States regarding the issue and pave the way for its entry into force in the near future.

86. Mr O'NEAL PINDER (Bahamas) said that his country aligned itself with the statements made by Argentina, the UK and the USA.

87. One element of the issue of sovereign equality was that, even within a regional group, a particular subgroup of countries could receive disproportionate representation on the Board of Governors, to the dismay of the other countries in the group. For example, within GRULAC, while Caribbean countries accounted for more than a third of the members, none had ever served on the Board. It was therefore critical also to ensure sovereign equality within the context of existing regional groups, so that Member States were properly engaged and had the opportunity to serve on the Board.

88. Mr TILEUBERDI (Kazakhstan) said that his country was grateful to those countries that had expressed their support for resolving the issue in a timely manner. Although various Member States had again made general calls for a comprehensive solution to the issue, including proposals for a package of options, and had underscored the need for other consensus-based decisions, they continued to drag their heels and offer excuses when asked to give more details about their views and to start working on the issue. That was because members of certain regional groups were not, in fact, interested in resolving the matter. Some Member States were afraid of enlarging the regional groups and facing longer queues for election to the Board of Governors, some were intent on preserving their privileged status within a group, and some even harboured grudges against certain Member States. Rather than settling for the mere semblance of consensus, Kazakhstan sought to establish a clear, results oriented process, either by developing a single package deal or by taking a step-by-step, case-by-case approach.

89. Although 25 years had passed since the acceptance of the amendment to Article VI of the Statute, the minimal progress made towards its entry into force, coupled with the year-on-year expansion of the Agency's membership and the strong opposition to the amendment from a significant number of Member States and even entire regional groups, meant that it was unlikely that the amendment would ever enter into force. Thus far, fewer than 70 Member States had ratified the amendment, which was far short of the required threshold of two thirds of the Agency's membership, and the number of ratifications in groups other than the Eastern Europe Group and the Western Europe Group remained extremely low. At previous Board meetings, several Member States had called upon the 'arealess' States to ratify the amendment and, over the previous 18 months, Tajikistan, Turkmenistan and Uzbekistan had done so. It was the turn of the Member States who had made that call to state how many members of their own regional groups had ratified the amendment.

90. Some Member States continued to make the resolution of the issue dependent on the entry into force of the amendment, whereas others believed that such an approach would lead only to long term deadlock. Although Kazakhstan attached great importance to the entry into force of the amendment, the allocation of 'arealess' States to regional groups could not depend upon that taking place, and the 'arealess' States could certainly not afford to wait another 25 years. Moreover, the admission of three formerly 'arealess' States to regional groups had shown that the problem could be solved without the entry into force of the amendment.

91. Kazakhstan recalled that the ‘arealess’ States were not requesting a favour but were asking for the restoration of rights of which they had been deprived. His country called upon the General Conference to provide all possible assistance and support for a swift resolution of the issue.

92. Mr DROUGHI (Libya), drawing attention to the various crises around the world, especially the conflict in Ukraine and the genocide in the Gaza Strip, said that certain countries needed to comply with international rules and regulations adopted by the Agency and with other controls before they could be admitted to regional groups and participate fully in global decision making within the Agency and within the United Nations more broadly. Israel, for example, could not be accepted into MESA because it was slaughtering the people of the State of Palestine, including women and children.

93. While Libya would welcome the membership of certain States in regional groups, their international programmes must be subjected to thorough international examination in order to set a good example.

94. Mr ZABALGOITIA TREJO (Mexico) reaffirmed his country’s support for the legitimate right and aspiration of all Member States to be integrated into a geographical area and therefore be able to participate in all the Agency’s PMOs. In that regard, Mexico acknowledged the leadership shown by Kazakhstan and its contributions to the Agency’s work, despite the clear disadvantages that it faced.

95. Mexico noted that, in light of the concerns raised regarding inequality in access to Board representation among Member States that were already part of a regional group, members of GRULAC were reflecting on the need to improve the level of representation of all its members, and not just those at a more advanced stage of nuclear technological development or with greater nuclear capabilities. Mexico would discuss the matter with other members of GRULAC in order to identify ways to facilitate membership of the Agency’s PMOs for Caribbean States. The voices of all States were valid and had something to contribute to the PMOs; Mexico valued in particular the voice of its Caribbean neighbours.

24. Nuclear safety, security and safeguards in Ukraine (GC(68)/8 and GC(68)/L.2)

96. The PRESIDENT, noting that the current item had been included on the agenda pursuant to resolution GC(67)/RES/16, drew attention to document GC(68)/8, containing a report by the Director General on nuclear safety, security and safeguards in Ukraine, and to the related draft resolution set out in document GC(68)/L.2, submitted by a number of Member States.

97. Mr LULASHNYK (Canada), introducing the draft resolution on behalf of its 52 co-sponsors, said that the text built upon the first General Conference resolution on the issue², adopted in 2023 by a significant majority. Canada thanked the Director General and the Secretariat for their tireless and professional efforts to uphold nuclear safety and security in Ukraine in extremely challenging circumstances. The Agency’s impartial, fact-based technical reporting, including with regard to the precarious nuclear safety situation at Zaporizhzhya NPP, continued to be invaluable.

98. The General Conference must give its full backing to the implementation of the Seven Pillars and the Five Principles at Zaporizhzhya NPP by approving the draft resolution, which offered strong support for the Agency’s ongoing presence at the plant and at other Ukrainian nuclear facilities and for the Agency’s comprehensive programme of technical assistance for Ukraine. At its core, the draft resolution

² GC(67)/RES/16

addressed one of the most significant challenges to nuclear safety, security and safeguards ever witnessed, namely the illegal seizure and continued control of a Member State's operating NPP by another Member State. It included a call for the withdrawal of all unauthorized military and other personnel and for the plant to be returned to the competent Ukrainian authorities. The co-sponsors were proud to introduce the draft resolution — which enjoyed broad cross-regional backing and an even greater number of co-sponsors than the previous year's resolution — as an important signal of the General Conference's unequivocal support for the Agency's efforts to contribute to nuclear safety, nuclear security and safeguards implementation in Ukraine.

99. The text of the draft resolution focused on the serious nuclear safety, security and safeguards issues prevailing in Ukraine and was therefore fully in line with the Agency's mandate. That clear and direct link was further reinforced by the Director General's 250 updates on the topic, his numerous trips to Ukraine and the ongoing Agency presence at Zaporizhzhya NPP and other Ukrainian facilities, which required significant human and financial resources from the Agency. The text of the draft resolution represented a balanced reflection of the views of Member States on the issue.

100. On behalf of the co-sponsors, he urged all Member States to express their support for the draft resolution in order to send a clear message to the Director General and the Secretariat regarding the continued importance of their efforts to uphold nuclear safety, security and safeguards in Ukraine.

101. Mr DANCS (Hungary), speaking on behalf of the European Union, said that North Macedonia, Montenegro, Albania, Ukraine, the Republic of Moldova, Bosnia and Herzegovina, Georgia, Iceland, Liechtenstein, Norway and San Marino aligned themselves with his statement.

102. The European Union once again condemned in the strongest terms the Russian Federation's full-scale invasion of Ukraine, which was in violation of the Statute and the UN Charter. By first attacking and looting Ukraine's Chernobyl site, then invading and seizing the country's Zaporizhzhya NPP and continuously shelling its energy grid, the Russian Federation was putting nuclear safety and security in great danger, with potentially severe consequences for Ukraine and the wider world.

103. As reported by the Director General, the situation remained precarious and fragile, in particular at Zaporizhzhya NPP. The European Union was deeply concerned at the fact that the Seven Pillars continued to be compromised, either partially or fully, and that the Agency was not able to fully assess whether the Five Principles were being observed at all times. The European Union underscored that the Seven Pillars and Five Principles must be respected, and that the Agency must be granted unrestricted and timely access to all requested locations, information and personnel at Zaporizhzhya NPP.

104. All units at Zaporizhzhya NPP must remain in cold shutdown, given the numerous safety concerns relating to off-site power, cooling water, staffing, maintenance and physical protection. The European Union expressed its gratitude to the Director General and the Agency's experts for their determination and courage in that context. The continued Agency presence at Zaporizhzhya NPP and Ukraine's other NPPs was of critical importance for providing independent information to the international community, for monitoring and mitigating nuclear safety and security risks and for implementing safeguards in accordance with Ukraine's CSA and AP.

105. The Russian Federation's massive airstrikes against Ukraine's energy infrastructure were aggravating the already dire situation. In accordance with the Seven Pillars, all nuclear sites must have a secure off-site power supply from the grid in order to ensure their safety and security. Aside from Zaporizhzhya NPP, recent attacks against Ukraine's energy grid had directly affected other NPPs in Ukraine; nonetheless, those plants remained in full operation and were at grave risk. In that context, the European Union welcomed the expansion of Agency monitoring activities at critical substations. The European Union stood with Ukraine and remained committed to providing further significant assistance to Ukraine bilaterally and through the Agency.

106. The European Union welcomed the Agency's clear compliance — as reflected in the Director General's report contained in document GC(68)/8 — with the UN General Assembly resolution of 12 October 2022³ reaffirming the sovereignty, independence and territorial integrity of Ukraine within its internationally recognized borders. The issue at hand was not a matter to be addressed only in New York, as claimed by the Russian Federation. None of the risks reported by the Director General had existed before the Russian Federation's full-scale invasion of Ukraine and its illegal seizure of Ukraine's Zaporizhzhya NPP. The Russian Federation must withdraw from the entire territory of Ukraine immediately, and Zaporizhzhya NPP must be returned to the full control of the competent sovereign Ukrainian authorities to ensure its safe and secure operation and enable the Agency to continue safeguards implementation in accordance with Ukraine's obligations as a non-nuclear-weapon State.

107. In closing, the European Union called upon all Member States to support the Agency's work in Ukraine and vote in favour of the draft resolution.

108. Mr TSYMBALIUK (Ukraine), noting that the General Conference had been forced at three consecutive sessions to consider the situation in Ukraine and the threats to nuclear and radiation safety and security created by the Russian Federation through its illegal war of aggression against his country, said that Ukraine was grateful to all Member States that had supported the adoption of General Conference resolution GC(67)/RES/16 and to those countries that had contributed to the purchase of equipment to restore nuclear safety and security in Ukraine since the Russian Federation's full-scale invasion and occupation of nuclear facilities.

109. Since the previous regular session of the General Conference, the situation at his country's Zaporizhzhya NPP had become even worse, with all Seven Pillars and Five Principles being violated. The plant continued to face constant nuclear risks, with Russian shelling, artillery strikes, drone attacks and other military activities taking place in the vicinity of the site.

110. As a result of Russian shelling in the Zaporizhzhya region that same week, one person had been killed and two wounded. Russian actions aimed at the deliberate, gradual destruction of Zaporizhzhya NPP showed that the country's primary goal at the site continued to be to cut Ukraine off from energy sources and to make it impossible for the plant to function even if it were to be returned to the Ukrainian authorities.

111. The Russian Federation continued to endanger nuclear security at Ukrainian NPPs by launching air attacks on Ukrainian territory. In mid-August 2024, Russian Shahed-type strike drones had been repeatedly detected near South Ukraine NPP. On one occasion, 17 such drones had been detected on the same night, with debris being found as close as 1.7 km from the site. During another attack by the Russian Federation on the region in which the plant was located, again using Shahed-type drones, a total of 23 drones had been detected in the immediate vicinity of the plant and one had even flown directly over the site. In early September 2024, the Russian Federation had launched another batch of Shahed-type drones, with the closest flying within just 1 km of the NPP and another crashing at a similar distance from the plant. Later that month, 22 drone flights had been recorded in the vicinity of South Ukraine NPP in the course of one night, including one that had flown within 1.5 km of the site and another that had flown directly over the site. Furthermore, the night before the current meeting, a Russian kamikaze drone had been recorded flying very close to Khmelnytsky NPP.

112. The Russian Federation was deliberately flying its drones directly over and near Ukrainian NPPs, thereby further increasing the threat to those critical facilities, including to open switchyards and the main substations connected to the power lines of the NPPs. The loss of off-site power lines between an

³ A/RES/ES-11/4

NPP and the grid could lead to a complete blackout, forcing the activation of emergency diesel generators — presuming that those generators had not been destroyed in an attack.

113. Since the beginning of the full-scale invasion of Ukraine, the Russian Federation had deliberately targeted Ukraine's energy infrastructure with the intention of disrupting the operation of its NPPs, which provided most of Ukraine's electricity, thereby posing a significant threat to the stable operation of nuclear facilities and to the safety of millions of people. Such action had already led to 12 blackouts at the country's NPPs. On 26 August 2024, the Russian Federation had launched its largest aerial attack yet on Ukraine, involving 127 missiles and 109 drones and targeting critical energy infrastructure. As a result of the attack, Units 1, 3 and 4 of Rivne NPP had been disconnected from the grid and the total power output of South Ukraine NPP had been reduced to 1.8 GW. Following subsequent fluctuations in the national power grid, Unit 3 of South Ukraine NPP had also been disconnected from the grid.

114. The Russian Federation not only posed a threat to nuclear safety and security in Ukraine but was jeopardizing the global nuclear safety, security and safeguards regime, including by acting in contravention of the Statute and failing to heed the related resolutions adopted at the sixty-seventh regular session of the General Conference, as well as the numerous calls of the Board of Governors. All the related resolutions, including the draft resolution currently under consideration, contained only information, data and possible solutions that were directly relevant to the technical issues of nuclear safety and nuclear security in Ukraine from an Agency perspective. Those issues had been affected by the Russian Federation's 'politicizing actions' in the field, its military ground attacks on Chernobyl NPP and Zaporizhzhya NPP, its shelling in the vicinity of all Ukrainian NPPs, the challenge it posed to the sovereignty of Ukraine, its occupation of Ukraine's nuclear facilities and its mismanagement of occupied NPPs. And yet, the Russian Federation's statements appeared to imply that it would continue to kill Ukrainians, while requesting that the issue not be 'politicized'.

115. Given that the nuclear fuel at the occupied Zaporizhzhya NPP was the property of Ukraine, any actions that the Russian Federation took with regard to the nuclear material at the plant were illegal. In addition, the seizure of both the facility itself and the nuclear material located there had jeopardized the non-proliferation regime. Such an act of nuclear piracy by a nuclear State raised serious concerns regarding the integrity of international safeguards.

116. Ukraine was profoundly grateful to the Director General and the Agency's experts for their efforts to monitor and report on the situation at Zaporizhzhya NPP. It was also grateful for all the technical support and assistance provided to Ukraine by the Agency and its Member States to help ensure the safe and secure operation of nuclear facilities and activities involving radioactive sources. In closing, he called upon Member States to support the draft resolution.

117. Ms KHARASHUN (Belarus) said that the draft resolution submitted by Canada and Ukraine was yet another attempt to undermine the statutory foundations of the Agency by politicizing its work. The draft resolution was motivated by political considerations, relied on unfounded judgments and was aimed at diverting the attention of Member States from genuinely important issues.

118. The mandate of the General Conference, and of the Agency as a whole, did not include discussion or voting on issues such as war and peace, sovereignty or territorial integrity, or the withdrawal of military and other personnel. Such issues should be discussed in other forums.

119. The draft resolution would in no way contribute to strengthening nuclear safety. Its adoption would only damage the Agency and its credibility and hamper the work of the Agency and the Director General to promote nuclear safety at Zaporizhzhya NPP.

120. Her country had been calling for global dialogue on nuclear safety for many years. The prompt organization of such a dialogue, in the true spirit of San Francisco, was the key to resolving the current global geopolitical crisis.

121. Member States should refrain from politicizing the issue of Agency safeguards and the Agency's activities as a whole, and the proposed draft resolution should be withdrawn.

122. Ms BERNAS (Philippines) said that her country firmly believed that nuclear facilities devoted to peaceful purposes should never be the subject of attacks or threats of attack. The Philippines fully supported the Agency's efforts, under its mandate, to help Member States ensure that all nuclear facilities, especially those currently most at risk, remained technically safe and secure and had safeguards in place.

123. Ms PEÑA ARAQUE (Bolivarian Republic of Venezuela), reaffirming her country's commitment to international peace and security, said that Venezuela thanked the Agency for its continued efforts to address the challenges related to nuclear safety and security, in particular at Zaporizhzhya NPP. Venezuela appreciated the dedication and engagement of the Director General and the Agency experts on-site at those nuclear facilities and was confident that they would continue to carry out their technical work without submitting to external influences that detracted from the substance of nuclear safety.

124. Venezuela noted that the Russian authorities had indicated that the personnel at Zaporizhzhya NPP were there to ensure the safety and security of those facilities. It was her country's understanding that the Russian authorities had provided the Agency's experts with adequate access to the plant within the necessary security restrictions, in addition to guarantees of protection.

125. Venezuela noted with concern the draft resolution, which contained provisions and introduced elements — including matters unrelated to safety, security or safeguards — that were beyond the Agency's technical mandate and that could lead to the politicization of the issue. It was not within the mandate of the General Conference to discuss or vote on issues such as war and peace.

126. It was essential that all discussions of nuclear safety, security and safeguards issues remained focused on the technical aspects relevant to the Agency's mandate. The drafting of such resolutions should involve the participation of all parties concerned, respect the Agency's mandate and avoid politicization.

127. Venezuela continued to call for the de-escalation of the conflict and hoped that a diplomatic solution could be found that would lead to a just and lasting peace.

128. Ms MURILLO CENTENO (Nicaragua) said that her country appreciated the Agency's commitment and efforts on the topic of nuclear facilities in Ukraine, in particular the continued presence of the IAEA Support and Assistance Mission to Zaporizhzhya and the work of the Director General and his technical team, who had played a key role in monitoring the safety of the facilities and mitigating associated risks.

129. Zaporizhzhya NPP — the largest NPP in Europe — was a piece of critical infrastructure with considerable technological capacity, which, in the context of the continuous shelling of the plant itself and the surrounding area, constituted a considerable risk. It was vital to protect the NPP in order to avoid a nuclear disaster that could have devastating consequences not only for the region, but for the entire continent and the wider world.

130. Nicaragua thanked the Russian Federation for the reports that it had provided on the efforts made to protect infrastructure and ensure the safety of operations at Zaporizhzhya NPP. Her country appreciated the work carried out by the Russian Federation to minimize the risk of a nuclear accident, which represented a significant contribution to world peace.

131. Nicaragua did not support the draft resolution, as there was no consensus among Member States on the text and as it did not contribute to the quest for peace. Any draft resolution discussed at the General Conference must take into account the participation of, and respect for, all the parties involved and avoid politicization.

132. Faithful to the principle of integration, Nicaragua believed that peace could be achieved only through dialogue, diplomacy and a willingness to live in harmony. The text of the draft resolution was worrying: rather than offering a path towards security and stability through peaceful technical solutions, it seemed designed to blame one of the parties involved, which was not conducive to the cooperation and understanding needed in such a sensitive context and which, by politicizing the situation, undermined the principle of neutrality that the Agency should uphold.

133. Nicaragua reaffirmed its commitment to the principles of peace and the peaceful settlement of disputes, as established in its Constitution. It would continue to support the Agency's technical efforts to contribute to the well-being of all humanity.

134. Mr ZABALGOITIA TREJO (Mexico) said that the invasion of Ukraine by the Russian Federation had had significant, wide-ranging consequences. His country was concerned to see armed conflict in Europe once again after a period of peace and progress. For the Agency, the main concern regarding the armed conflict between the Russian Federation and Ukraine was the safety of nuclear facilities in the conflict zone; the Agency's focus, therefore, was on maintaining the operation and safety of all facilities containing nuclear material, both in Ukraine and in neighbouring countries. The Director General had played a key role in that regard since the beginning of the armed conflict, and Mexico supported his Seven Pillars and Five Principles.

135. Mexico expressed its solidarity with the people of Ukraine, who were having to endure the invasion, and thanked the Agency staff deployed at nuclear facilities in the region, in particular those at Zaporizhzhya NPP, for their professionalism in extremely difficult conditions.

136. Mexico rejected any attack or threat of attack on a nuclear facility, deeming it unacceptable whatever the circumstances, and recalled that any accident or event that led to the release of radioactive material or radiation would affect people and the environment, not only in one of the countries involved in the conflict but also in the wider region and, possibly, the whole world.

137. Mr ULYANOV (Russian Federation) said that the draft resolution submitted by Canada and several other countries discredited the Agency. It was a continuation of the rampant politicization of the Agency's work, with its proponents trying to vest the General Conference with the powers of the Security Council, suggesting that the General Conference should take decisions on issues of war and peace, sovereignty, territorial integrity and the withdrawal of military personnel, among other things. Not a single provision of the Agency's Statute provided grounds for such steps, making the draft resolution wrongful and an example of legal nihilism.

138. The same approach taken by Western countries in The Hague had already led to the OPCW being half destroyed, and the Russian Federation did not want to see the same thing happen to the Agency.

139. In essence, the draft resolution increased the threat to nuclear safety. It was well known that Ukraine was carrying out attacks on nuclear facilities, including the constant shelling of Zaporizhzhya NPP between mid-July and mid-November 2022. That had been followed by a short break before Ukraine had resumed the shelling, using drones, in early April 2024. The Russian armed forces were currently recording between 6 and 62 Ukrainian drone flights a day in the vicinity of Zaporizhzhya NPP. In the space of just four months, there had been 2054 such flights. In addition to the attacks on the plant itself, the adjacent industrial zone, where important infrastructure facilities were located, was also subject to attack, with one of the two cooling towers recently having been set on fire. The city of

Enerhodar, where employees of the NPP and their families lived, was also under attack. All the aforementioned attacks were regularly confirmed by Agency staff at Zaporizhzhya NPP. Earlier that very day, two drones had attacked Enerhodar; one had been shot down and the other had damaged city infrastructure. Fortunately, no one had been injured, but the attack was a clear violation by Ukraine of the third of the Director General's Seven Pillars. Personnel at the plant were routinely targets of intimidation through social media, receiving personal messages that included their names and images and told them to leave the plant if they did not want to be killed. The draft resolution introduced by Canada completely ignored all those facts and effectively gave carte blanche for such actions to continue.

140. In August 2024, Ukraine had decided to escalate the situation still further by attempting to seize Kursk NPP for nuclear blackmail. Thanks to the decisive actions of the Russian armed forces, the plans had been thwarted, but the threat of a large scale nuclear catastrophe remained. The Director General had visited Kursk NPP on 27 August 2024 and had seen the remains of the drones that had attacked the plant and the city of Kurchatov, where the plant's workers lived. He had witnessed the consequences of the attacks and had spoken about them during a press conference held at the NPP. He had rightly pointed out that the nuclear reactors at the plant did not have a protective dome or other protective structures and that any hit by a drone, mine or missile on the reactor core would be fraught with colossal negative consequences and would, in fact, constitute a catastrophe for the Russian Federation, Ukraine itself and a large number of neighbouring European countries.

141. The draft resolution completely bypassed such issues, as if they did not exist. His country had therefore concluded that the co-sponsors had been guided solely by political considerations and were not interested in the issue of nuclear safety at all.

142. The representative of Ukraine had said that the remains of drones had been found a few kilometres from two or three NPPs under Ukraine's control. The fact of the matter was that the Russian Federation had never attacked NPPs under Ukraine's control, whereas Ukraine constantly engaged in such actions. Those facts had been recorded by the Agency's representatives and were regularly reflected in the Director General's briefings and reports, but the proponents of the draft resolution were not remotely concerned by them. A nuclear reactor had been struck as recently as April 2024, and Agency staff had asked the Russian Federation for permission to climb onto the roof of the nuclear reactor to document the consequences of the attack. Another strike had then immediately been carried out against them by a Ukrainian drone that the Russian armed forces had managed to shoot down. The drone had landed right at the base of the nuclear reactor, a fact that had also been reflected in the Director General's reports. However, the draft resolution made no mention of that incident and was worded in such a way as to create the impression that all threats to nuclear safety were being created by the Russian Federation and not by Ukraine. It effectively turned the situation on its head in order to divert attention from Ukraine's reckless attacks on nuclear facilities. The previous week, at the Board of Governor's most recent set of meetings, the representative of the UK had said that situations where the guilty party was made out to be the victim were referred to in English and in political language as 'gaslighting'. Gaslighting was indeed occurring, including in the draft resolution under consideration. The adoption of such a resolution would only strengthen the conviction of the Ukrainian authorities that they could continue such ventures with impunity. The draft resolution was therefore not only useless but also harmful and extremely dangerous.

143. The draft resolution was sloppy and unprofessional and contained a number of absurdities. Thirty years previously it would have been unthinkable for States to present such a low-quality text for consideration. The preamble, for example, repeated the now standard phrase calling on the Russian Federation to cease all attacks and actions against and at nuclear facilities. His country had repeatedly, and without success, asked Canada and the associated countries at the Board to clarify what exactly was meant by that expression. When, at the most recent round of Board meetings, he had posed

that question to Latvia, which had also called on the Russian Federation to cease such attacks and actions, the representative had been unable to say anything of substance and had simply parroted various phrases, unaware of what he was saying. The demands for the Russian Federation to cease attacks against nuclear facilities were absurd, as Russian armed forces had never fired at nuclear facilities. None of the NPPs under Ukraine's control had been threatened in the past two and a half years, and there had not been a single attack on them. Meanwhile, such attacks were a favourite pastime of Ukraine. Likewise, the States supporting the draft resolution were, time after time, unable to explain what their call to "cease all actions against and at nuclear facilities" actually meant. The fact was that all the functions carried out by Russian personnel at Zaporizhzhya NPP were in full compliance with Agency standards. There was nothing in any of the reports or briefings about the Russian Federation taking any illegal or dangerous actions at that plant. It had never done so. Needless to say, the Russian Federation would not heed the calls in the Canadian draft resolution to cease all work at Zaporizhzhya NPP. Unlike the proponents of the draft resolution, the Russian Federation was fully aware of its responsibility for ensuring nuclear safety.

144. He recalled that a similar resolution had been adopted at the sixty-seventh regular session of the General Conference by an overwhelming minority of votes. Only 69 States had voted in favour — which constituted just over one third of all Member States — 33 had abstained and 6 had voted against.

145. The Russian Federation urged all delegations to reject the draft resolution, by voting against it or at least abstaining, as it was not worth sharing with the co-sponsors the responsibility for the consequences of its adoption. The draft resolution essentially sent a clear signal to Ukraine that it could continue to attack nuclear facilities with impunity, which was completely irresponsible.

146. The PRESIDENT said that the Russian Federation had requested a vote on the draft resolution set out in document GC(68)/L.2. In accordance with Rule 72 of the Rules of Procedure of the General Conference, the vote would be taken by show of hands and, in accordance with Rule 70, a simple majority of Member States present, and voting was required.

147. There were 65 votes in favour and 8 against, with 43 abstentions. The draft resolution was adopted.

148. Mr MOLEKANE (South Africa), speaking in explanation of vote, said that his country continued to support the Director General and the staff of the IAEA Support and Assistance Mission to Zaporizhzhya in their efforts to secure and maintain nuclear safety, security and safeguards at Ukraine's NPPs in what were extremely challenging circumstances. South Africa had, however, decided to abstain, as some elements of the resolution went beyond the Agency's mandate.

149. He reaffirmed his country's position that, as was the case for other conflicts, a solution needed to be found in the form of a negotiated settlement based on the principles of the UN Charter and involving the relevant international forums, with the UN Security Council playing a facilitating role.

150. Mr OTHMAN (Syrian Arab Republic), speaking in explanation of vote, said that his country had voted against the resolution because it considered the Russian Federation to be a responsible State that understood the importance of ensuring the safety and security of nuclear facilities and infrastructure. Since the start of the special military operation, the Russian Federation had repeatedly put forward practical suggestions, and had exercised the highest level of self-restraint and shouldered its responsibilities in the face of all attempts at escalation. Despite its efforts, however, safety at Zaporizhzhya NPP had deteriorated following a Ukrainian drone strike that had hit a perimeter road used by staff.

151. In addition to its recent incursion into the Kursk region of the Russian Federation, which had been widely reported in the international media, Ukraine had also mounted a drone attack on Kursk NPP with

the intention of blaming the Russian Federation, but the drone had been shot down near a spent nuclear fuel storage facility.

152. Ukraine must cease its deplorable and irresponsible attacks on Kursk NPP and Zaporizhzhya NPP, as such attacks posed a serious threat to nuclear safety and security and to international peace and security. Stressing the importance of resolving regional and international problems through diplomacy and dialogue and of supporting efforts to maintain stability and security in all areas of tension around the world, Syria thanked the Director General for his efforts to ensure the safety of the two plants.

153. Mr O'NEAL PINDER (Bahamas) said that his country reaffirmed its support for the people of Ukraine and condemned the Russian Federation's invasion of that country, which threatened its sovereignty. As neighbours within a global community, Member States should continue to embrace each other and know that success was possible for all if they held fast to the threads that bound them together. No country should invade another or insult its sovereignty, as it was clear that such actions were in violation of all international standards, including the UN Charter. The Bahamas applauded the President of Ukraine for his dignity and steely determination throughout the war.

154. Ms BARCELOS CAVALCANTE VIEIRA (Brazil), speaking in explanation of vote, said that her country highly appreciated and supported the activities carried out by the Agency, as well as the personal efforts of the Director General aimed at ensuring safety, security and safeguards implementation in Ukraine. Brazil remained deeply concerned at the military activity in the area surrounding Zaporizhzhya NPP, which posed serious nuclear safety and security risks with potentially catastrophic consequences for the entire region and beyond.

155. Brazil believed, however, that the resolution contained elements that went beyond the statutory functions of the Agency and that such elements should have been addressed in the appropriate forums, notably the UN General Assembly and Security Council. Her country had therefore decided to abstain in the vote on the resolution.

156. Brazil once again called upon all parties to fully observe the Seven Pillars and Five Principles until a complete cessation of hostilities could be achieved.

157. Ms YUE Ping (China), speaking in explanation of vote, said that the resolution clearly went beyond the Agency's mandate, introducing political considerations and undermining the Agency's independence as a professional international organization. The countries involved had not conducted comprehensive consultations with Member States and had forced through the resolution by putting it to a vote, which was not a constructive way to proceed. China had therefore voted against the resolution.

158. She underlined her country's concerns regarding nuclear safety, security and safeguards at nuclear facilities in Ukraine. China supported the Agency's and the Director General's endeavours to fulfil their safety, security and safeguards responsibilities in strict accordance with their mandates. At the same time, her country called upon the parties concerned to exercise maximum restraint so as to avoid any human-induced nuclear safety or security incident.

159. The issue of nuclear safety was only one aspect of the Ukraine crisis; resolving that issue ultimately depended on the prospects for a political settlement of the crisis. Only by de-escalating the situation and swiftly restoring peace could the risks to nuclear safety be fully eliminated. Calling on all parties to act responsibly to enable a proper resolution of the crisis, China reiterated its willingness to continue playing a constructive role to that end.

160. Mr ULYANOV (Russian Federation) expressed his country's satisfaction with the result of the vote. The number of countries supporting the resolution had decreased significantly compared with the previous year, and the number voting against or abstaining had increased considerably. It was truly

satisfying that the number of those that had voted in favour of the draft resolution was almost equal to the number that had withheld support. That sent a strong signal to Ukraine to stop any further attacks on nuclear facilities, as the international community, namely a significant number of countries, did not support such behaviour.

161. Mr NAZIRI ASL (Islamic Republic of Iran), speaking in explanation of vote, said that the unprofessional and provocative statements and actions of certain Member States were counterproductive. Moreover, the policies and actions of certain co-sponsors of the resolution had raised doubts about their political will and had further polarized the Agency. The provisions of the resolution fell beyond the scope of the Agency, undermining both the Agency's credibility and the efforts of the Director General regarding nuclear safety and security at Zaporizhzhya NPP.

162. Iran's position on the ongoing conflict had not changed: it remained steadfast in its commitment to upholding the principles and purposes enshrined in the UN Charter. Unlike those Member States that were applying double standards by providing ammunition to one party to be used against another, Iran provided its good offices to all for the purpose of constructive engagement with the aim of promoting international peace and security. His country urged all parties to comply fully with their obligations under international humanitarian law, including by consistently taking precautions to protect civilians and critical infrastructure.

163. The PRESIDENT said that, as all delegates who wished to explain their votes had done so, he asked if there were any Member States that wished to take the floor to make general statements under the item.

164. Ms HOLGATE (United States of America) said that her country was proud to have voted in favour of, and co-sponsored, the resolution. The USA was committed to standing with Ukraine and its other supporters to reaffirm the Agency's role in Ukraine. It therefore applauded Member States for their broad and overwhelming support for Ukraine and for that important resolution, which already had 52 co-sponsors.

165. Mr ULYANOV (Russian Federation), rising to a point of order, said that, under Rule 74 of the Rules of Procedure of the General Conference, the presiding officer should not permit the proposers of a proposal or an amendment to explain their vote on their own proposal or amendment. The USA, as a co-sponsor of the resolution just adopted, had no right under the Rules of Procedure to explain its vote. He requested that the delegation of the USA follow the Rules of Procedure.

166. The PRESIDENT said that it was his understanding that the representative of the USA was not speaking in explanation of vote but rather delivering a general statement, which was established practice at the General Conference.

167. Mr ULYANOV (Russian Federation) said that the representative of the USA had begun her statement by explaining her vote. She was therefore not making a general statement but rather a statement in explanation of vote, which was contrary to the Rules of Procedure. According to those rules, the President should deny all co-sponsors of the resolution the right to explain their vote. Rules should be followed. Too often, in matters relating to Ukraine, there had been serious deviations from the established rules. At the outset, a group of States had introduced a resolution that had no right to exist in the Agency and that contradicted the Agency's mandate.

168. His country was not a co-sponsor of the adopted resolution; in accordance with the Rules of Procedure, it therefore had the right to speak on the topic. The USA had no such right. He requested the President to ensure that the Rules of Procedure were observed.

169. The PRESIDENT asked whether the USA wished to deliver a general statement or a statement in explanation of vote.

170. Ms HOLGATE (United States of America) said that, consistent with long-standing practice within the General Conference, she was delivering a general statement.

171. Mr ULYANOV (Russian Federation) said that he wished to remind the President of his responsibilities and the fact that he had no right to violate the Rules of Procedure. The President was, in fact, the person who should enforce the rules. It was time to stop such absurd games. Whether or not the statement was a general one, the fact was that a co-sponsor of the resolution was speaking on the subject of that resolution, which was forbidden under the Rules of Procedure. He requested the President to follow those rules.

172. The PRESIDENT said that, as previously announced, he had closed the floor for any explanations of vote but, as the item remained open, it was still possible for any Member State to make a general statement under the item, as was long-standing practice at the General Conference. He appealed to all Member States to understand and maintain that practice.

173. Mr ULYANOV (Russian Federation), rising again to a point of order, said that the President was acting in flagrant violation of the Rules of Procedure and that he did not understand why. Rule 74 of the Rules of Procedure clearly stated that the President should — indeed, must — prevent co-sponsors from speaking. The session of the General Conference should not be turned into a theatrical performance or a circus show, but rather should be guided by the basic documents of the Agency. The President did not have the authority to distort existing rules that had been approved in the proper manner.

174. Ms HOLGATE (United States of America) said that the President had ruled on the point of order. Moreover, she had clarified that her statement was not an explanation of vote, and the President had confirmed that the agenda item remained open. If the Russian Federation was challenging the President's ruling, it should do so under Rule 56 of the Rules of Procedure.

175. The PRESIDENT invited the representative of the USA to continue with her statement.

176. Ms HOLGATE (United States of America), resuming her statement, said that her country continued to strongly support the Agency's nuclear safety, security and safeguards activities in Ukraine. Since February 2022, the Russian Federation's deplorable actions, which were the antithesis of those of a responsible Member State, had jeopardized the safe operation of Ukraine's nuclear facilities, putting at risk the lives of the brave Ukrainian staff whose livelihoods depended on work at those facilities.

177. The USA condemned the Russian Federation's irresponsible actions against critical infrastructure, including its recent massive attacks on Ukraine's energy grid, which had put Ukraine's operational NPPs at risk. Through his announcement of the Seven Pillars, the Director General had focused international attention on the matter and had mobilized assistance to prevent a potential disaster. Meanwhile, the Russian Federation's hypocrisy remained on full display; although the Russian Federation claimed to support the Seven Pillars, it was that country's dangerous actions that were the sole reason for their creation. It seemed as if the delusional regime based in Moscow believed that the international community would be fooled by its gaslighting and disinformation and would turn a blind eye to the Russian Federation's continued control over an NPP that did not belong to it. The USA had been shocked to see the appalling propaganda of the Russian Federation distributed at the current session of the General Conference reporting its ownership of Ukraine's sovereign NPPs. She reaffirmed that her country did not recognize the Russian Federation's purported annexation of the Donetsk, Kherson, Luhansk and Zaporizhzhya regions of Ukraine or its earlier purported annexation of Crimea. Those were all in Ukrainian territory; consequently, all facilities located there, including Zaporizhzhya NPP, unequivocally belonged to Ukraine.

178. The USA thanked those Member States that had responded to Ukraine's requests for nuclear safety and security assistance, in addition to the Secretariat for helping coordinate that international

assistance. All Member States were encouraged to continue supporting, where possible and appropriate, the Agency's work to monitor nuclear safety, security and safeguards in Ukraine in a way that fully respected Ukraine's sovereignty and territorial integrity.

179. The only solution to the problems created by the Russian Federation's irresponsible actions was for that country to withdraw its unauthorized personnel completely and unconditionally from within Ukraine's internationally recognized borders. Member States must continue to hold the Russian Federation to account for its actions.

180. The PRESIDENT said that the General Conference had completed its consideration of most items on the agenda and was awaiting the report of the Chair of the Committee of the Whole on those items on which the Committee was continuing its deliberations. He thanked the Chair of the Committee of the Whole and his Vice-Chairs, as well as all Member States, for their intensive work to find consensus solutions. He once again appealed to all Member States to demonstrate flexibility and the willingness to compromise, and encouraged them to persevere through difficulties, keep the spirit of Vienna alive and allow the Conference to conclude its work in a timely manner.

The meeting rose at 1.05 p.m.