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President: Mr. ZECH (United States of America)
later: Mr. NAZARKIN (Union of Soviet Socialist
Republics)

CONTENTS

Item of the
provisional
agenda*

Paragraphs

5	Measures to strengthen international co-operation in nuclear safety and radiological protection (continued)	1 - 83
	Statements by the delegates of:	
	Venezuela	1 - 20
	Bulgaria	21 - 25
	Australia	26 - 37
	Czechoslovakia	38 - 49
	Malaysia	50 - 58
	Yugoslavia	59 - 64
	Nigeria	65 - 73
	Statement by the representative of the United Nations Environment Programme	74 - 83

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MEASURES TO STRENGTHEN INTERNATIONAL CO-OPERATION IN NUCLEAR SAFETY AND
RADIOLOGICAL PROTECTION (continued)

1. Mr. SUCRE FIGARELLA (Venezuela), pointed out that although his country had not taken an active part in the meetings held in August to discuss the two draft conventions, which were the main reasons for the present special session and which enjoyed the support of a large number of delegations, it had the utmost interest in the outcome of those deliberations. The drafts under consideration were of vital importance for the Agency's future in view of the level attained by the development of nuclear energy in the world and the need for finding formulae which would ensure its control.
2. Referring to the peaceful uses of atomic energy, he said that the world nuclear situation, as it had evolved since the establishment of the Agency in 1957, concerned everyone. One of the encouraging facts of international relations was that countries which had attained a certain level in the exploitation of nuclear fission had been willing to share their knowledge, technology and peaceful applications with those which were not in the same situation.
3. From the very first moment when governments had begun to be interested in the possible military uses of the vast energy released by the splitting of the atom, the scientific community had been aware of its peaceful aspects, as had been demonstrated by one of the first reports submitted to President Roosevelt in the 1930s. That had been a consolation to many scientists who had been horrified at what would happen if that energy were to be used exclusively for war.
4. Fortunately, the physical discoveries had opened up other prospects, which had brought together countries at the present conference to discuss matters affecting the survival of mankind, in a spirit of co-operation, without regard to their political and strategic differences. It was those which had enabled the Agency to carry out its function of bringing silence to the service of man.
5. In that spirit Venezuela appreciated the efforts made in connection with the topic of the present special session. Never had the ideals of international co-operation been realized with so much responsibility and vision.

6. The tragedy of the Chernobyl accident had stressed the need for a global nuclear safety programme to safeguard the peaceful uses of that important source of energy.
7. He did not support those who were against any use of nuclear energy because nobody could deny the immense positive benefits offered by that energy. There had always been human faults, wrong policies and inadequate technologies, but numerous inventions which had initially seemed to be harmful had eventually been assimilated and put to use.
8. It was the human genius which had discovered the true nature of matter and utilized it to produce vast quantities of energy. The world was purely and simply energy, whether one liked it or not. What was required was not to deny it but to control it and to establish international co-operation. The radiation from Chernobyl had had adverse consequences but it had also made possible a dialogue at the international level, which was one of the achievements of the United Nations system.
9. The question of the peaceful uses of nuclear energy had done more to unite human conscience than any weighty proclamations.
10. He noted with satisfaction the Agency's persistent efforts to establish an efficient system of nuclear safety, as had been outlined by the Director General in his statement at the Board's meeting held on 21 May. While supporting those measures, he considered that the functioning of the various mechanisms concerned with the problem should be studied in greater depth by making greater use of the existing staff. A special meeting of INSAG could be convened to make a more detailed study of the problem and to submit its recommendations. In the light of what had happened at Chernobyl the OSART missions would have a greater role because operational safety reviews could prevent faults leading to serious consequences.
11. The NUSS programme also should acquire greater importance since nuclear safety standards could thereby be established with greater regularity. Document NPT/CONF.III/10 of 28 June 1985 on the Agency's activities under Article IV of NPT mentioned that from the very beginning the need for establishing safety regulations had been recognized; those regulations were

preventative, i.e. the safety requirements were not the result of previous practical experience but the consequence of prior analysis of the operational characteristics of a facility and of conceivable accidents.

12. Two classes of accidents had been mentioned - operational transients and loss of coolant. It had been concluded that the final responsibility in nuclear safety lay with the facility operator but in co-operation with the manufacturer and the regulatory body.

13. The foregoing comments showed that the draft conventions under consideration only dealt with a part of the overall problem. The purpose of those instruments was to avoid the harm after an accident had happened. But prevention was equally important and even more decisive; it was in that light that nuclear safety should be examined further; it was necessary to have technical, control and policy co-ordination mechanisms which could operate efficiently to prevent accidents.

14. Nevertheless, the proposed conventions were necessary and met the challenge posed by the Chernobyl catastrophe. His delegation supported the notification convention, which was simple, efficient, well-balanced and could be very useful in the event of a nuclear accident.

15. He also considered the second draft contained in document GE/9/Rev.3/Corr.1 to be of valuable help in an emergency. There must be co-operation between States, especially when they were at unequal stages of development in the nuclear field and were not prepared for coping with the consequences of a nuclear accident.

16. For those reasons, his delegation would sign both conventions at the appropriate time.

17. He also wished to refer to the question of compensation for damage suffered by third parties as a consequence of a nuclear accident. The existing legislation was insufficient to deal with the matter, and efforts should be intensified with a view to arriving at effective international measures in that regard.

18. Although there was undoubtedly a growing awareness of the need for co-operation between States and for a global concept of nuclear safety, the situation was far from perfect. States which were more developed in the nuclear field had a specific idea about international co-operation corresponding more to their own national interests. In practice, it meant that the more powerful States wished to retain their privileges and did not easily yield to persuasion about international co-operation, whereas those which lagged behind in that field were more willing to accept all the norms that governed the functioning of the Agency.

19. He expressed the fervent hope that the national and international interests would increasingly converge so that the objectives, procedures and philosophy of nuclear safety could be defined with a view to ensuring protection in the event of an emergency, which was decisive for mankind's survival.

20. The two draft conventions constituted a further step towards the establishment of a global nuclear safety policy which would guarantee the free and peaceful exploitation of atomic energy and thus stability and progress in the world.

21. Mr. PANDEV (Bulgaria) said that the world was going through a period of momentous scientific and technical discoveries when the progress made in the lifetime of one person was equivalent to that which it had taken thousands of years to accomplish in the past. In terms of its importance for the development of the planet, no scientific discovery could stand comparison with the unlocking of the secrets of the atom and the liberation of its energy. However, if nuclear energy were to continue to be exploited fully and safely for peaceful and constructive purposes, it was essential to improve control over it. The recent alarming events had compelled the world community, scientists and experts to look afresh at a whole range of problems in the field of nuclear energy which it was thought had been largely resolved. The new thinking was reflected in the proposals made by the Soviet leader, Mr. Gorbachev, on 14 May that year concerning the establishment of an international regime for the safe development of nuclear power and the expansion of international co-operation in that field. The first step in

putting those proposals into effect had been the meeting of governmental experts to draft conventions on the early notification of a nuclear accident and on assistance in the event of a nuclear accident. His Government had decided to sign both conventions in accordance with national constitutional procedures and had empowered his delegation to sign them at the current special session.

22. The Post-Accident Review Meeting was another example of growing international co-operation in nuclear safety. The comprehensive and accurate information provided by the Soviet delegation had enabled hundreds of experts to evaluate what had happened, to exchange experience and to identify ways of preventing similar incidents from occurring in the future. The proposals resulting from that meeting must now be carefully considered to see how they could be incorporated in existing or new nuclear safety programmes and applied in establishing an international nuclear safety regime. The Soviet proposals put forward at the current session should be the cornerstone of such a regime. If implemented, those proposals would contribute to the safe development of nuclear power and the establishment of international legal standards in that field. The Agency would have a special role to play in the creation of such a nuclear safety system.

23. Nuclear energy had become an established feature of human life. However, connected with its use was a problem of the utmost gravity, namely the danger of nuclear war. In recent years the world had seen a sharp deterioration in the international situation and a growing threat of nuclear war. The nuclear arms race had assumed unprecedented proportions. Programmes for the deployment of new types of strategic nuclear weapon were being implemented on a large scale and systems were being developed which would spread nuclear weapons to space. It was the duty of all peace-loving countries to halt that process. His and other Socialist countries had at different international fora repeatedly put forward peaceful initiatives aimed at achieving disarmament and preventing nuclear war. If real progress were to be made, a total and comprehensive ban on nuclear tests was essential. The moratorium on nuclear tests declared unilaterally by the Soviet Union and recently extended until 1 January 1987 provided an objective starting point

from which work could begin immediately on an international agreement in that sphere. The prolongation of the moratorium afforded yet another opportunity to those Governments which continued to conduct intensive nuclear testing to review their policy in the light of the interests of mankind.

24. The Agency played an important role in ensuring the safe use of nuclear energy. As the executing agency for the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) the Agency should further strengthen the Department of Safeguards, its inspectorate and equipment. The entry into force of the Convention on the Physical Protection of Nuclear Materials would be an important part of international efforts to ensure non-proliferation and the peaceful uses of nuclear energy.

25. In October 1985, a law on the use of atomic energy for peaceful purposes had been passed in Bulgaria. The text of the law underlined that in his country nuclear energy would be used only for peaceful purposes and banned its use for the production of nuclear weapons and other nuclear explosive devices as well as for any other weapons of mass destruction. Bulgaria would co-operate with other States in the field of nuclear energy only if the provisions of the NPT were observed. The adoption of that law had laid a stable legal foundation for controlling the use of nuclear energy in his country, for questions of civil liability and so on. As a result, it had been possible to improve State co-ordination and control of the activities of the various ministries and departments concerned with peaceful uses of nuclear energy.

26. Mr. BRENNAN (Australia) recalled that the current special session of the General Conference had been convened at the request of the Board of Governors as one of the actions in response to the accident at the Chernobyl nuclear power plant. The initiative of the Government of the Federal Republic of Germany in promoting the meeting and its generous offer to meet the extra cost of holding it were greatly appreciated.

27. His country extended its sympathy to all those affected by the Chernobyl accident. That accident had revealed serious inadequacies in the arrangements for international co-operation in the event of nuclear accidents with potential transboundary effects. The main defects were the lack of an

effective early warning system and multilateral emergency assistance arrangements, and the absence of international legal obligations in those areas. His country had circulated proposals at the special Board Meeting on 21 May drawing attention to the existing shortcomings and setting out a practical way of improving international arrangements and co-operation in that area. It was very pleased that many of its proposals had been taken up by the Board and had been acted upon so swiftly. Determined effort by the international community had led to the preparation of two new nuclear safety conventions which would remedy the main defects and his country supported their adoption by the present special session of the General Conference.

28. The initiatives taken at the special meeting of the Board and at its meeting in June and the success of the working group in developing the two new conventions had given considerable credit to the Agency and emphasized the Agency's central role in facilitating co-operation in nuclear safety.

29. With regard to the relationship of those conventions to Principle 21 of the Stockholm Declaration of the United Nations Conference on the Human Environment, his country understood that principle to reflect obligations under customary international law that were directly relevant to a nuclear incident resulting in the release of radiation across national boundaries. It was stated in that Principle that:

"States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental policies and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction".

30. Under the Stockholm Declaration, States had obligations to notify and consult those States likely to be affected by release of radioactivity across national boundaries. The convention on early notification of a nuclear accident, was based on existing obligations under customary international law and gave them detailed content. His country did not consider that the omission of any specific reference to applicable principles of customary international law, or to the obligations resulting from them in any way detracted from the convention. That point was of particular relevance to article 3 of the convention.

31. For such conventions to be truly effective they had to fulfil two conditions. Firstly, they had to have the widest possible scope so that they included, as far as possible, all nuclear accidents which were considered to present a risk of transboundary effects. Secondly, it was necessary that the greatest number of States, including all States with major nuclear operations, should adhere to the conventions.

32. His country, together with many other countries, had a strong preference that the convention on early notification of a nuclear accident should explicitly cover all nuclear accidents with transboundary effects, regardless of the source of the accident. The convention on early notification of a nuclear accident provided for wide coverage of both civil and military facilities under article 1. Moreover, as a result of the positive response of nuclear-weapon States to the wishes of all other States, it was possible that notification of nuclear-weapon accidents could be included within the framework of the convention. His delegation welcomed the statements by the nuclear-weapon States that they would notify all nuclear accidents which had, or might have, significant radiological safety effects in another State.

33. The convention on assistance in the case of a nuclear accident or radiological emergency provided a broad framework for facilitating prompt assistance by Member States, the Agency, and other international organizations, following a nuclear accident or radiological emergency. It also allowed for assistance provided to be fully integrated in the requesting State's national emergency plan and existing infrastructures. His country urged all States to sign the conventions at the earliest opportunity and to work towards early ratification. His country expected to be in a position to sign the conventions during the special session.

34. Although the conventions were commendable documents they could only be regarded as palliatives, providing for effective responses to accidents. The prevention of such accidents remained the overriding objective. It was essential to strive to refine and implement the Agency's nuclear safety and radiation protection programme in the same spirit of co-operation which had characterized the negotiation of the conventions.

35. The Soviet Union's presentation at the Post-Accident Review Meeting and the report prepared by the International Nuclear Safety Advisory Group were greatly appreciated. The recommendations of the report offered a clear and practical opportunity to further enhance nuclear safety.

36. Nuclear safety had a priority role in his country's own nuclear activities. The highest standards of reactor safety, waste treatment and disposal, fuel handling, environmental radiation monitoring and occupational health and safety were maintained by the Australian Atomic Energy Commission (AAEC). Its research programme included work on safety features of uranium mining and milling, probabilistic safety analysis, radiation biology, and radiation detection, measurement and standards. Training in safety matters was a key to maintaining high standards. The AAEC's expertise was made available through training courses to organizations from the private and public sectors in Australia and also to overseas participants, particularly from the South-East Asian region.

37. His country was ready to contribute in practical ways to improve nuclear safety and would continue to provide active support for the Agency's nuclear safety programmes.

38. Mr. HAVEL (Czechoslovakia) said that, like all forms of scientific and technical progress, the peaceful utilization of nuclear energy undoubtedly entailed an element of risk, although it was an effective and promising source of energy for the future. Accidents had occurred, and there was constant endeavour to find means to prevent them; not only the Chernobyl accident, but other accidents elsewhere, indicated the need to increase the depth and scope of enquiry into nuclear safety matters.

39. The fact that the special session of the General Conference of the Agency and been called was an expression of the desire and the determination of Member States to do their utmost so that nuclear power stations would continue to be a reliable and safe source of energy. His delegation took the meeting to be an expression of the responsibility of all for the further strengthening of effective international co-operation in that field within the framework of the Agency and for building mutual confidence in the atomic and space age.

40. Czechoslovakia constructed nuclear reactors and operated nuclear power stations which had already become an inseparable part of the energy base needed for the further development of its socialist society. Approximately 20% of Czechoslovakia's electricity needs were produced from nuclear power stations, and that proportion would increase in a few years to 30%, reaching 50% by the year 2000. That plan had not been undertaken lightly, and it was to be noted that the accident at Chernobyl had not had, and would not have, any impact on it; there was no other economically or ecologically acceptable resource which would meet Czechoslovakia's electricity needs. Czechoslovakia, being a small country in central Europe with a high population density and no sparsely settled areas, had paid most particular attention to the nuclear safety question from the very beginning in calculating its needs and planning for them.

41. Chernobyl had been not only an extremely serious and unfortunate event for the Soviet Union, but had been a lesson for all, demonstrating the categorical imperative of placing particular emphasis on further developing international co-operation on nuclear safety through the Agency.

42. The Czechoslovak Government considered that the Soviet Union's efforts and measures to neutralize and limit the effects of the accident and to resolve internationally the problems in the safe operation of nuclear power stations, evinced its sincere desire for co-operation in the peaceful utilization of nuclear energy, for the good of humanity, through the intermediary of international organizations such as the Agency. That that was so was confirmed by the recent meeting of governmental experts to review the Soviet Union's report on the reasons for and consequences of the accident, which meeting had taken place in a good and constructive working atmosphere and whose results and conclusions were a significant contribution to the common endeavour to create an international regime for safe nuclear power development, as proposed by Mr. Gorbachev in his speech of 14 May 1986, an initiative supported in its entirety by Czechoslovakia. The drafting of two international conventions to operate in the event of a nuclear accident was the first measure in that initiative. The fact that a generally acceptable form of words had been found at that meeting in such a short time showed that all countries recognized the necessity and urgency of both conventions for further nuclear power development.

43. Czechoslovakia's attachment to nuclear power safety on the international scale was demonstrated by the treaty it had concluded with Austria on nuclear installations, which had been signed in 1982 and entered into force from 1984. That treaty had been the first of its kind between countries with diametrically differing views on nuclear power. The treaty covered not only accidents, but also general problems of information exchange on the safe operation of nuclear installations, and Czechoslovakia considered that it could serve as an example of further bilateral and multilateral treaties.

44. The adoption of both treaties was to be welcomed, and Czechoslovakia was prepared to ratify them at the earliest possible opportunity. Czechoslovakia would create all the conditions necessary for them to operate if needed, despite the fact that its chief aim was to create conditions in which nuclear power stations would operate safely so that the conventions would never need to be called into play.

45. It had been conveyed at the August meeting of experts that there was no substitute for international co-operation for solving a range of problems; in further developing safe nuclear power, the world's best experts and the experience of the world's finest power stations must be used. His delegation therefore welcomed the Agency's expanded nuclear safety programme, and would support any initiative which would simplify discussion of the draft of that programme and so expedite its adoption and create the conditions for it to be implemented.

46. Czechoslovakia had actively promoted the programme in the drafting stage, and considered, for example, that it was important for a consensus to be reached before the end of the thirtieth regular session of the General Conference on the interface of such a complex system as a nuclear power station and the human factor. The optimum relationship between automatic control and intervention by the operating staff must be defined. On the basis of that consensus, certain NUSS documents would also have to be revised.

47. It was Czechoslovakia's point of view that those individuals who were actually responsible for the operation of nuclear power stations, individuals who sat at the controls and bore formal responsibility for the well-being of

their fellow citizens, should be brought into the sphere of international co-operation. It was to be regretted that that important category of person had been neglected for the time being.

48. Of the long-term questions which arose, his delegation considered important the strengthening of international joint efforts to develop a new type of safe reactor which would definitively eliminate the risk of accident. Czechoslovakia was prepared to participate actively in the work of the Agency in that direction.

49. It was to be hoped that the conclusions of the special session would act to bolster confidence in the necessary energy resource of nuclear power, necessary in that it provided 15% of the world's electricity. There could be no doubt that prolonged safe operation of nuclear power stations throughout the world would be required towards that end, along with a minimization of the effects on health and the environment of those accidents and incidents which might occur. It was therefore to be hoped that the conclusions of the meeting would form the basis of a solution to the problem of confidence and for determining the means with which the Agency might assist all in achieving that solution.

50. Mr. JAMALUDDIN (Malaysia) said that nuclear accidents, wherever they occurred, were of grave concern to all humanity as they could cause irreversible ecological damage or even worse, thereby putting at stake the survival of human civilization. He commended the Soviet authorities for the detailed information they had provided on the Chernobyl accident, which would provide useful lessons for the future, and voiced his country's sympathy to all those affected by it.

51. Malaysia attached considerable importance to the application of nuclear technologies, which it was confident were safe and sufficiently versatile if wisely developed. The utilization of nuclear energy for peaceful purposes, particularly power generation, would undoubtedly be an important consideration for many countries in the future.

52. The Chernobyl accident had served to demonstrate once again the urgency and importance of enhancing nuclear safety and of strengthening international co-operation in that area, and Malaysia welcomed the Agency's efforts to that

end, which involved continued close co-operation with competent international organizations such as WHO, FAO and WMO. Any move toward the development of nuclear power, for whatever purpose, should be carefully studied in view of the ever-present radiation hazards inherent in the increasing numbers of man-made radiation sources.

53. The recent Post-Accident Review Meeting had produced invaluable recommendations which called for careful attention. It was clear that the Chernobyl accident had been the result of human error, and urgent measures were essential in order to minimize the possibility of that type of error being repeated. That could be achieved by ensuring appropriate operator training, stringent safety regulations and improved reactor safety features capable of dealing with severe accidents should they occur.

54. Also important were measures to minimize radiological damage to human health and the environment. The recommendations of the review meeting were of particular importance to developing countries and to those countries with no nuclear energy activities, for whom any radiologically significant release of radioactive materials originating either within their own territories or in those of other States would pose a great danger in view of their lack of expertise and facilities. Agency assistance to such States to enable them to upgrade their preparedness for such events should be considered.

55. Nuclear safety was about human health and life, and it was therefore important that there be international co-operation to maintain a continuous flow of information in that area, particularly between the developed and less-developed countries. That could be pursued through the Agency as well as through bilateral and multilateral arrangements. The conclusion of universal agreements represented a major step in the right direction, and Malaysia noted with satisfaction the consensus achieved by the governmental expert groups on the early notification and assistance conventions.

56. Malaysia supported the widest possible scope of application for the draft convention on early notification, but had, in a spirit of co-operation and compromise, accepted the provisions of the draft convention as it now stood. It welcomed statements made in respect of article 3 by nuclear-weapon States, expressing their readiness to notify the international community of any nuclear accident.

57. Malaysia had certain reservations concerning the text of the two conventions. It was unable to accord privileges and immunities provided for under article 8 of the convention on assistance in view of certain legal constraints. Such privileges and immunities would be considered in accordance with Malaysia's laws and regulations. He also expressed reservations with regard to article 10, concerning claims and compensation, of the draft convention on assistance, as well as the article, common to both conventions, on the settlement of disputes.

58. Subject to those reservations, Malaysia supported the adoption of the two draft conventions, and looked forward to signing them as soon as it had completed the necessary constitutional requirements.

59. Mr. KRSTIC (Yugoslavia) drew attention to the serious adverse transboundary consequences of the accident at Chernobyl and the concern caused by it in many countries, including his own. Doubts had been expressed regarding the use of nuclear power in view of other accidents which might occur and in view of the fact that some questions of final storage and disposal of radioactive waste still remained unresolved.

60. Nuclear energy had many potential advantages but there were also potential dangers associated with its use. Experience had shown that, even within the existing programmes for the peaceful uses of nuclear energy, accidents at nuclear facilities could have unforeseen and dangerous consequences which could go beyond the control of the country in which an accident occurred.

61. His country was one of the twenty-six which had nuclear reactors in operation and was very concerned to promote the protection of the human environment from various forms of air pollution, acid rain, river and marine pollution and against ionizing radiation. For that reason his country continued to support the activities of the Agency in that area.

62. Unlike some countries for which nuclear energy was the only option for meeting their energy needs, his country had been elaborating an energy programme combining all available energy sources including the nuclear option. Following an accident at the very small research nuclear reactor in

Vinča in 1958, his country, with the help of the Agency, had been promoting as many protection and safety measures as possible. It hoped that the Agency, together with other United Nations organizations, would continue to pay due attention to those issues as well as to the promotion of the peaceful uses of nuclear energy in developing countries.

63. The formulation of the two draft international conventions on early notification of a nuclear accident and on assistance in the event of a nuclear accident or radiological emergency demonstrated that a constructive approach could lead to considerable results in a short period of time. It would undoubtedly be necessary to continue to exert intensified efforts on the broadest international level in order to cover all outstanding crucial sensitive issues relating to the peaceful uses of nuclear energy by means of appropriate agreements and conventions. It was probable that the forthcoming United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy (UNCPICPUNE) would give adequate impetus to those multilateral efforts.

64. His country supported, in principle, the provisions of the draft convention on early notification of a nuclear accident and the draft convention on assistance in the case of nuclear accident or radiological emergency, but was not in a position to sign the new draft conventions during the special session owing to a lack of time to complete the procedures involved. Like many other countries, his country would have preferred the scope of the draft convention on early notification of a nuclear accident to be wider and to include all nuclear accidents. However, it welcomed the declaration made by the nuclear-weapon States regarding their readiness to notify other nuclear accidents in addition to those specified in article 1 of that draft convention.

65. Mr. OLUMOKO (Nigeria) said that his delegation fully supported concerted efforts toward international co-operation on nuclear safety and radiological protection. In that connection, the two draft conventions before the Conference represented another milestone in the codification of international humanitarian law.

66. With regard to the convention on early notification, his delegation would have preferred its scope of application to cover all sources of radioactive materials, whether civilian or military, and especially nuclear weapons and nuclear-weapon tests, since the effects of radioactivity, irrespective of source, could be equally devastating. He appreciated, however, that the existing scope of the convention was perhaps as much as could be expected for the time being. Referring to article 3, pursuant to which States parties might notify nuclear accidents other than those specified in article 1, he urged all nuclear-weapon States to make declarations at the present session to the effect that they would notify nuclear accidents caused by nuclear weapons or the testing of such weapons. He noted with satisfaction that certain nuclear-weapon States had indicated their willingness to make such a declaration.

67. Nigeria was deeply concerned over the matter of South Africa's nuclear facilities, which, of course, were not immune from nuclear accidents. South Africa was not a party to the Treaty on the Non-Proliferation of Nuclear Weapons and had refused to submit all its facilities to Agency safeguards. Its nuclear capabilities therefore posed a great threat to the peace and security of all African States. That issue would be properly taken up at the forthcoming regular session of the General Conference, and his delegation would work together with the other African and non-aligned delegations to propose appropriate sanctions to be taken against South Africa in accordance with the provisions of the Agency's Statute and paragraph 14 of resolution 442 of the twenty-ninth session of the General Conference.

68. What guarantee was there that South Africa would undertake obligations under the early notification convention, or that, should a nuclear accident occur on its territory, it would notify the Agency, not to mention its neighbours? South Africa had already disregarded various treaties and held in contempt the provisions of the Agency's Statute and resolutions. The racist régime was therefore unlikely to be a party to that agreement.

69. It was in that connection that Nigeria had, during the meeting of governmental experts, proposed that the Agency provide radiation monitoring equipment to States parties which did not have their own nuclear activities

but bordered on a State not party to the convention which had an active nuclear programme. That amounted to a request that the Agency provide to States bordering on South Africa the necessary equipment for detecting any radioactive releases from South African facilities, thereby enabling them to call promptly for international assistance. Thus, the neighbouring African States, and especially the frontline States, would not have to rely on South Africa's notification.

70. He thanked all those delegations which had appreciated the validity of Nigeria's case, and which, through their support, had made it possible to formulate article 8 of the notification convention.

71. Nigeria also welcomed the convention on emergency assistance, and particularly its article 5, which spelt out the Agency's functions in respect of assistance to States parties and Member States. He also expressed appreciation for the consideration shown toward developing countries and countries without nuclear facilities with regard to reimbursement of costs.

72. The accidents at Three Mile Island and now Chernobyl had once again brought into sharp focus the longstanding debate as to whether the benefit of nuclear power was worth the costs, and once again there was a need to restore public confidence in nuclear power.

73. In conclusion, he advocated stricter safety standards for nuclear reactors and called for more training facilities for developing countries in the field of nuclear safety and radiation protection.

74. Mr. MANSFIELD (United Nations Environment Programme) said that the goal of UNEP (United Nations Environment Programme) was to encourage all measures to ensure a high level of safety in nuclear activities and to prevent accidents or minimize their consequences through national and international action.

75. On behalf of the Executive Director of UNEP, Mr. Mostofa Tolba, he wished to express his support for the measures being taken to strengthen mechanisms for the safe development of nuclear energy. Following the Chernobyl accident, UNEP had called upon the authorities of the Soviet Union to provide the world community with information on the accident so that the

impact of it could be assessed. There had been an exchange of letters with the Soviet Government in which the importance of international co-operation in the event of such incidents in which other States were affected had been expressed and an international regime for the safe development of nuclear energy had been proposed. UNEP was ready to play an active part, along with Governments, the Agency and other relevant bodies, in instituting and implementing the measures required to make nuclear energy safer and to protect human health and the environment. It was encouraging to see that within the Agency action had been taken to draft the conventions on early notification of a nuclear accident and on assistance in the event of nuclear accidents and radiological emergencies. UNEP was prepared to accede to those conventions and was ready to help establish and operate suitable systems for environmental monitoring, such as those already existing within the Global Environment Monitoring System (GEMS), run by UNEP in collaboration with other agencies. A network of that kind could be based, for example, on the WHO radiation network, WHO background monitoring network stations, and the European Monitoring and Evaluation Programme of the ECE, working in close collaboration with the Agency.

76. His organization was also prepared to contribute to the development of improved guidelines for the safe use of peaceful nuclear energy. Through the United Nations Scientific Committee on the Effects of Atomic Radiation (UNSCEAR) it could help with an assessment of the long-term consequences of the Chernobyl accident, and, in a more general sense, study the possible effects of ionizing radiation on environmental systems.

77. UNEP encouraged further action to improve safety not only under accident conditions, but also at each stage of the entire nuclear fuel cycle, as had been suggested already by other countries. It would like to promote what might be called a "nuclear safety culture". It was only through the broadest approach to safety that nuclear operations could be made safer and incidents and accidents reduced to a minimum. In that connection, UNEP encouraged the Agency in its promotion of nuclear safety standards, especially in the development of safety guides and codes of practice. If all the countries which had contributed so much to the development of those guides followed then more closely, significant achievements would be possible in the field of safety.

78. UNEP had proposed that the safe development of nuclear energy could be strengthened by improving safety in each of the main components of the nuclear fuel cycle. At the beginning of the cycle, for example, at the mining, extraction and enrichment stage, the main environmental problem was created by the mine tailings, which covered large areas of territory. Over long periods of time those tailings released large quantities of radon. Monitoring near tailing sites was required to ensure that the tailing management was adequate. As far as safe transport was concerned, because of the efficiency attained in packaging, accidents during transport seldom posed any great danger, though the few accidents which did occur aroused a great deal of public concern.

79. Nuclear reactor sites had to be selected and the reactors operated with a view to maximum public and environmental safety. The Agency's nuclear safety series (NUSS) might need to be updated in the light of experience gained at Chernobyl and the Agency had recommended a wide range of activities to minimize the possibility of future accidents. UNEP encouraged such action and was willing to lend its assistance in any further work along those lines.

80. He considered that the proper training of nuclear power plant operators and the licensing of facilities under an internationally agreed set of standards was a very important way of promoting nuclear safety, and with it, the safety of the environment.

81. A major environmental problem was the decontamination of large areas when they become accidentally contaminated by radioactivity. There was need to formulate guidelines on ways of response to such situations, with a view to long-term as well as short-term measures. In the waste management and disposal area, more forceful action was needed to develop safe disposal methods for high-level wastes and ways of decommissioning nuclear facilities. In transboundary release situations, there was need to explore the problems of civil liability and the payment of damages. It had to be decided how the extent of the damage could be determined and quantified in monetary value, although the solution of such problems was more likely to be political than legal.

82. In dealing with those issues, he believed that the needs of the developing countries should also be borne in mind. Priority should be given to their safety requirements and to providing the technical assistance needed by them in order to participate actively in safety measures.

83. UNEP would like to see a balanced and optimal assignment of functions and responsibilities between the various agencies of the United Nations system so that each one had an appropriate role to play in achieving the best results for nuclear safety. It would then be possible to rebuild the confidence of mankind in a source of energy which, in various forms and in different contexts, had an extremely important role to play both at the present time and in the future.

The meeting rose at 9.40 p.m.



GC

International Atomic Energy Agency

GENERAL CONFERENCE

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RECORD OF THE THIRD PLENARY MEETING

Held at the Neue Hofburg, Vienna,
on Wednesday, 24 September 1986, at 8 p.m.

President: Mr. ZECH (United States of America)
later: Mr. NAZARKIN (Union of Soviet Socialist
Republics)

CONTENTS

<u>Item of the agenda**</u>		<u>Paragraphs</u>
5	Measures to strengthen international co-operation in nuclear safety and radiological protection (continued)	1 - 83
	Statements by the delegates of:	
	Venezuela	1 - 20
	Bulgaria	21 - 25
	Australia	26 - 37
	Czechoslovakia	38 - 49
	Malaysia	50 - 58
	Yugoslavia	59 - 64
	Nigeria	65 - 73
	Statement by the representative of the United Nations Environment Programme	74 - 83

[*] A provisional version of this document was issued on 1 October 1986.

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The composition of delegations attending the session is given in document
GC(SPL.I)/INF/3/Rev.3.

MEASURES TO STRENGTHEN INTERNATIONAL CO-OPERATION IN NUCLEAR SAFETY AND
RADIOLOGICAL PROTECTION (continued)

1. Mr. SUCRE FIGARELLA (Venezuela), pointed out that although his country had not taken an active part in the meetings held in August to discuss the two draft conventions, which were the main reasons for the present special session and which enjoyed the support of a large number of delegations, it had the utmost interest in the outcome of those deliberations. The drafts under consideration were of vital importance for the Agency's future in view of the level attained by the development of nuclear energy in the world and the need for finding formulae which would ensure its control.
2. Referring to the peaceful uses of atomic energy, he said that the world nuclear situation, as it had evolved since the establishment of the Agency in 1957, concerned everyone. One of the encouraging facts of international relations was that countries which had attained a certain level in the exploitation of nuclear fission had been willing to share their knowledge, technology and peaceful applications with those which were not in the same situation.
3. From the very first moment when governments had begun to be interested in the possible military uses of the vast energy released by the splitting of the atom, the scientific community had been aware of its peaceful aspects, as had been demonstrated by one of the first reports submitted to President Roosevelt in the 1930s. That had been a consolation to many scientists who had been horrified at what would happen if that energy were to be used exclusively for war.
4. Fortunately, the physical discoveries had opened up other prospects, which had brought together countries at the present conference to discuss matters affecting the survival of mankind, in a spirit of co-operation, without regard to their political and strategic differences. It was those which had enabled the Agency to carry out its function of bringing silence to the service of man.
5. In that spirit Venezuela appreciated the efforts made in connection with the topic of the present special session. Never had the ideals of international co-operation been realized with so much responsibility and vision.

6. The tragedy of the Chernobyl accident had stressed the need for a global nuclear safety programme to safeguard the peaceful uses of that important source of energy.

7. He did not support those who were against any use of nuclear energy because nobody could deny the immense positive benefits offered by that energy. There had always been human faults, wrong policies and inadequate technologies, but numerous inventions which had initially seemed to be harmful had eventually been assimilated and put to use.

8. It was the human genius which had discovered the true nature of matter and utilized it to produce vast quantities of energy. The world was purely and simply energy, whether one liked it or not. What was required was not to deny it but to control it and to establish international co-operation. The radiation from Chernobyl had had adverse consequences but it had also made possible a dialogue at the international level, which was one of the achievements of the United Nations system.

9. The question of the peaceful uses of nuclear energy had done more to unite human conscience than any weighty proclamations.

10. He noted with satisfaction the Agency's persistent efforts to establish an efficient system of nuclear safety, as had been outlined by the Director General in his statement at the Board's meeting held on 21 May. While supporting those measures, he considered that the functioning of the various mechanisms concerned with the problem should be studied in greater depth by making greater use of the existing staff. A special meeting of INSAG could be convened to make a more detailed study of the problem and to submit its recommendations. In the light of what had happened at Chernobyl the OSART missions would have a greater role because operational safety reviews could prevent faults leading to serious consequences.

11. The NUSS programme also should acquire greater importance since nuclear safety standards could thereby be established with greater regularity. Document NPT/CONF.III/10 of 28 June 1985 on the Agency's activities under Article IV of NPT mentioned that from the very beginning the need for establishing safety regulations had been recognized; those regulations were preventative, i.e. the safety requirements were not the result of previous

practical experience but the consequence of prior analysis of the operational characteristics of a facility and of conceivable accidents.

12. Two classes of accidents had been mentioned - operational transients and loss of coolant. It had been concluded that the final responsibility in nuclear safety lay with the facility operator but in co-operation with the manufacturer and the regulatory body.

13. The foregoing comments showed that the draft conventions under consideration only dealt with a part of the overall problem. The purpose of those instruments was to avoid the harm after an accident had happened. But prevention was equally important and even more decisive; it was in that light that nuclear safety should be examined further; it was necessary to have technical, control and policy co-ordination mechanisms which could operate efficiently to prevent accidents.

14. Nevertheless, the proposed conventions were necessary and met the challenge posed by the Chernobyl catastrophe. His delegation supported the notification convention, which was simple, efficient, well-balanced and could be very useful in the event of a nuclear accident.

15. He also considered the second draft contained in document GE/9/Rev.3/Corr.1 to be of valuable help in an emergency. There must be co-operation between States, especially when they were at unequal stages of development in the nuclear field and were not prepared for coping with the consequences of a nuclear accident.

16. For those reasons, his delegation would sign both conventions at the appropriate time.

17. He also wished to refer to the question of compensation for damage suffered by third parties as a consequence of a nuclear accident. The existing legislation was insufficient to deal with the matter, and efforts should be intensified with a view to arriving at effective international measures in that regard.

18. Although there was undoubtedly a growing awareness of the need for co-operation between States and for a global concept of nuclear safety, the situation was far from perfect. States which were more developed in the nuclear field had a specific idea about international co-operation

corresponding more to their own national interests. In practice, it meant that the more powerful States wished to retain their privileges and did not easily yield to persuasion about international co-operation, whereas those which lagged behind in that field were more willing to accept all the norms that governed the functioning of the Agency.

19. He expressed the fervent hope that the national and international interests would increasingly converge so that the objectives, procedures and philosophy of nuclear safety could be defined with a view to ensuring protection in the event of an emergency, which was decisive for mankind's survival.

20. The two draft conventions constituted a further step towards the establishment of a global nuclear safety policy which would guarantee the free and peaceful exploitation of atomic energy and thus stability and progress in the world.

21. Mr. PANDEV (Bulgaria) said that the world was going through a period of momentous scientific and technical discoveries when the progress made in the lifetime of one person was equivalent to that which it had taken thousands of years to accomplish in the past. In terms of its importance for the development of the planet, no scientific discovery could stand comparison with the unlocking of the secrets of the atom and the liberation of its energy. However, if nuclear energy were to continue to be exploited fully and safely for peaceful and constructive purposes, it was essential to improve control over it. The recent alarming events had compelled the world community, scientists and experts to look afresh at a whole range of problems in the field of nuclear energy which it was thought had been largely resolved. The new thinking was reflected in the proposals made by the Soviet leader, Mr. Gorbachev, on 14 May that year concerning the establishment of an international regime for the safe development of nuclear power and the expansion of international co-operation in that field. The first step in putting those proposals into effect had been the meeting of governmental experts to draft conventions on the early notification of a nuclear accident and on assistance in the event of a nuclear accident. His Government had decided to sign both conventions in accordance with national constitutional

procedures and had empowered his delegation to sign them at the current special session.

22. The Post-Accident Review Meeting was another example of growing international co-operation in nuclear safety. The comprehensive and accurate information provided by the Soviet delegation had enabled hundreds of experts to evaluate what had happened, to exchange experience and to identify ways of preventing similar incidents from occurring in the future. The proposals resulting from that meeting must now be carefully considered to see how they could be incorporated in existing or new nuclear safety programmes and applied in establishing an international nuclear safety regime. The Soviet proposals put forward at the current session should be the cornerstone of such a regime. If implemented, those proposals would contribute to the safe development of nuclear power and the establishment of international legal standards in that field. The Agency would have a special role to play in the creation of such a nuclear safety system.

23. Nuclear energy had become an established feature of human life. However, connected with its use was a problem of the utmost gravity, namely the danger of nuclear war. In recent years the world had seen a sharp deterioration in the international situation and a growing threat of nuclear war. The nuclear arms race had assumed unprecedented proportions. Programmes for the deployment of new types of strategic nuclear weapon were being implemented on a large scale and systems were being developed which would spread nuclear weapons to space. It was the duty of all peace-loving countries to halt that process. His and other Socialist countries had at different international fora repeatedly put forward peaceful initiatives aimed at achieving disarmament and preventing nuclear war. If real progress were to be made, a total and comprehensive ban on nuclear tests was essential. The moratorium on nuclear tests declared unilaterally by the Soviet Union and recently extended until 1 January 1987 provided an objective starting point from which work could begin immediately on an international agreement in that sphere. The prolongation of the moratorium afforded yet another opportunity to those Governments which continued to conduct intensive nuclear testing to review their policy in the light of the interests of mankind.

24. The Agency played an important role in ensuring the safe use of nuclear energy. As the executing agency for the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) the Agency should further strengthen the Department of Safeguards, its inspectorate and equipment. The entry into force of the Convention on the Physical Protection of Nuclear Materials would be an important part of international efforts to ensure non-proliferation and the peaceful uses of nuclear energy.

25. In October 1985, a law on the use of atomic energy for peaceful purposes had been passed in Bulgaria. The text of the law underlined that in his country nuclear energy would be used only for peaceful purposes and banned its use for the production of nuclear weapons and other nuclear explosive devices as well as for any other weapons of mass destruction. Bulgaria would co-operate with other States in the field of nuclear energy only if the provisions of the NPT were observed. The adoption of that law had laid a stable legal foundation for controlling the use of nuclear energy in his country, for questions of civil liability and so on. As a result, it had been possible to improve State co-ordination and control of the activities of the various ministries and departments concerned with peaceful uses of nuclear energy.

26. Mr. BRENNAN (Australia) recalled that the current special session of the General Conference had been convened at the request of the Board of Governors as one of the actions in response to the accident at the Chernobyl nuclear power plant. The initiative of the Government of the Federal Republic of Germany in promoting the meeting and its generous offer to meet the extra cost of holding it were greatly appreciated.

27. His country extended its sympathy to all those affected by the Chernobyl accident. That accident had revealed serious inadequacies in the arrangements for international co-operation in the event of nuclear accidents with potential transboundary effects. The main defect was the lack of an effective early warning system and multilateral emergency assistance arrangements. His country had circulated proposals at the special Board meetings on 21 May drawing attention to the existing shortcomings and setting out a practical way of improving international arrangements and co-operation in that area. It was very pleased that many of its proposals had been taken

up by the Board and had been acted upon so swiftly. Determined effort by the international community had led to the preparation of two new nuclear safety conventions which would remedy the main defect, and his country supported their adoption by the present special session of the General Conference.

28. The initiatives taken at the special meetings of the Board and at its meetings in June and the success of the working group in developing the two new conventions had given considerable credit to the Agency and emphasized the Agency's central role in facilitating co-operation in nuclear safety.

29. With regard to the relationship of those conventions to existing principles of customary international law, and particularly to Principle 21 of the Stockholm Declaration, he said that the obligations of States were encapsulated in the following terms:

"States have, in accordance with ... the principles of international law ... the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction."

30. Australia understood Principle 21 to reflect obligations under customary international law which were directly relevant to a nuclear incident resulting in a release of radioactivity across national boundaries. Arising from the Stockholm Principles, States also had obligations to notify and consult with those States which were likely to be affected by a release of radioactivity across national boundaries. The Convention on Early Notification of a Nuclear Accident, in particular, built on existing obligations under customary international law by giving them detailed content. His country understood that the omission of any specific reference to applicable principles of customary international law and to the obligations, such as the obligations to notify and consult, which flowed from them did not in any way detract from those principles and obligations. That point was of particular relevance to Article 3 of the Convention on Early Notification.

31. For such conventions to be truly effective they had to fulfil two conditions. Firstly, they had to have the widest possible scope so that they included, as far as possible, all nuclear accidents which were considered to present a risk of transboundary effects. Secondly, it was necessary that the

greatest number of States, including all States with major nuclear operations, should adhere to the conventions.

32. His country, together with many other countries, had a strong preference that the Convention on Early Notification of a Nuclear Accident should explicitly cover all nuclear accidents with transboundary effects, regardless of the source of the accident. The Convention on Early Notification of a Nuclear Accident provided for wide coverage of both civil and military facilities under article 1. Moreover, as a result of the positive response of nuclear-weapon States to the wishes of all other States, it was possible that notification of nuclear-weapon accidents could also be notified within the framework of the Convention. At the start of the negotiations on the Conventions, many sceptics had considered such results to be highly unlikely. Their scepticism had been dealt a further blow by the statements of the nuclear-weapon States that they would notify all nuclear accidents which had, or might have, significant radiological safety effects in another State. The Australian delegation welcomed those statements, which would contribute greatly to the achievement of the other main prerequisite for effective conventions: wide - ideally universal - support.

33. The Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency provided a broad framework for facilitating prompt assistance by Member States, the Agency and other international organizations following a nuclear accident or radiological emergency. It also allowed for assistance provided to be fully integrated in the requesting State's national emergency plan and existing infrastructures. His country urged all States to sign the Conventions at the earliest opportunity and to work towards early ratification. His country expected to be in a position to sign the Conventions during the special session.

34. Although the Conventions were commendable documents, they could only be regarded as palliatives, providing for effective responses to accidents. The prevention of such accidents remained the overriding objective. It was essential to strive to refine and implement the Agency's nuclear safety and radiation protection programme in the spirit of co-operation which had characterized the negotiation of the Conventions.

35. The Soviet Union's presentation at the Post-Accident Review Meeting and the report prepared by the International Nuclear Safety Advisory Group (INSAG) were greatly appreciated. The recommendations of the report offered a clear and practical opportunity to further enhance nuclear safety.

36. Nuclear safety had a priority role in his country's own nuclear activities. The highest standards of reactor safety, waste treatment and disposal, fuel handling, environmental radiation monitoring and occupational health and safety were maintained by the Australian Atomic Energy Commission (AAEC). Its research programme included work on safety features of uranium mining and milling, probabilistic safety analysis, radiation biology, and radiation detection, measurement and standards. Training in safety matters was a key to maintaining high standards. The AAEC's expertise was made available through training courses to organizations from the private and public sectors in Australia and also to overseas participants, particularly from the South-East Asian region.

37. His country was ready to contribute in practical ways to improve nuclear safety and would continue to provide active support for the Agency's nuclear safety programmes.

38. Mr. HAVEL (Czechoslovakia) said that, like all forms of scientific and technical progress, the peaceful utilization of nuclear energy undoubtedly entailed an element of risk, although it was an effective and promising source of energy for the future. Accidents had occurred, and there was constant endeavour to find means to prevent them; not only the Chernobyl accident, but other accidents elsewhere, indicated the need to increase the depth and scope of enquiry into nuclear safety matters.

39. The fact that the special session of the General Conference of the Agency had been called was an expression of the desire and the determination of Member States to do their utmost so that nuclear power stations would continue to be a reliable and safe source of energy. His delegation took the meeting to be an expression of the responsibility of all for the further strengthening of effective international co-operation in that field within the framework of the Agency and for building mutual confidence in the atomic and space age.

40. Czechoslovakia constructed nuclear reactors and operated nuclear power stations which had already become an inseparable part of the energy base needed for the further development of its socialist society. Approximately 20% of Czechoslovakia's electricity needs were produced from nuclear power stations, and that proportion would increase in a few years to 30%, reaching 50% by the year 2000. That plan had not been undertaken lightly, and it was to be noted that the accident at Chernobyl had not had, and would not have, any impact on it; there was no other economically or ecologically acceptable resource which would meet Czechoslovakia's electricity needs. Czechoslovakia, being a small country in Central Europe with a high population density and no sparsely settled areas, had paid most particular attention to the nuclear safety question from the very beginning in calculating its needs and planning for them.

41. Chernobyl had been not only an extremely serious and unfortunate event for the Soviet Union, but had been a lesson for all, demonstrating the categorical imperative of placing particular emphasis on further developing international co-operation on nuclear safety through the Agency.

42. The Czechoslovak Government considered that the Soviet Union's efforts and measures to neutralize and limit the effects of the accident and to resolve internationally the problems in the safe operation of nuclear power stations, evinced its sincere desire for co-operation in the peaceful utilization of nuclear energy, for the good of humanity, through the intermediary of international organizations such as the Agency. That that was so was confirmed by the recent meeting of governmental experts to review the Soviet Union's report on the reasons for and consequences of the accident, which meeting had taken place in a good and constructive working atmosphere and whose results and conclusions were a significant contribution to the common endeavour to create an international regime for safe nuclear power development, as proposed by Mr. Gorbachev in his speech of 14 May 1986, an initiative supported in its entirety by Czechoslovakia. The drafting of two international conventions to operate in the event of a nuclear accident was the first measure in that initiative. The fact that a generally acceptable form of words had been found at that meeting in such a short time showed that all countries recognized the necessity and urgency of both conventions for further nuclear power development.

43. Czechoslovakia's attachment to nuclear power safety on the international scale was demonstrated by the treaty it had concluded with Austria on nuclear installations, which had been signed in 1982 and entered into force from 1984. That treaty had been the first of its kind between countries with diametrically differing views on nuclear power. The treaty covered not only accidents, but also general problems of information exchange on the safe operation of nuclear installations, and Czechoslovakia considered that it could serve as an example of further bilateral and multilateral treaties.

44. The adoption of both treaties was to be welcomed, and Czechoslovakia was prepared to ratify them at the earliest possible opportunity. Czechoslovakia would create all the conditions necessary for them to operate if needed, despite the fact that its chief aim was to create conditions in which nuclear power stations would operate safely so that the conventions would never need to be called into play.

45. It had been conveyed at the August meeting of experts that there was no substitute for international co-operation for solving a range of problems; in further developing safe nuclear power, the world's best experts and the experience of the world's finest power stations must be used. His delegation therefore welcomed the Agency's expanded nuclear safety programme, and would support any initiative which would simplify discussion of the draft of that programme and so expedite its adoption and create the conditions for it to be implemented.

46. Czechoslovakia had actively promoted the programme in the drafting stage, and considered, for example, that it was important for a consensus to be reached before the end of the thirtieth regular session of the General Conference on the interface of such a complex system as a nuclear power station and the human factor. The optimum relationship between automatic control and intervention by the operating staff must be defined. On the basis of that consensus, certain NUSS documents would also have to be revised.

47. It was Czechoslovakia's point of view that those individuals who were actually responsible for the operation of nuclear power stations, individuals who sat at the controls and bore formal responsibility for the well-being of

their fellow citizens, should be brought into the sphere of international co-operation. It was to be regretted that that important category of person had been neglected for the time being.

48. Of the long-term questions which arose, his delegation considered important the strengthening of international joint efforts to develop a new type of safe reactor which would definitively eliminate the risk of accident. Czechoslovakia was prepared to participate actively in the work of the Agency in that direction.

49. It was to be hoped that the conclusions of the special session would act to bolster confidence in the necessary energy resource of nuclear power, necessary in that it provided 15% of the world's electricity. There could be no doubt that prolonged safe operation of nuclear power stations throughout the world would be required towards that end, along with a minimization of the effects on health and the environment of those accidents and incidents which might occur. It was therefore to be hoped that the conclusions of the meeting would form the basis of a solution to the problem of confidence and for determining the means with which the Agency might assist all in achieving that solution.

50. Mr. JAMALUDDIN (Malaysia) said that nuclear accidents, wherever they occurred, were of grave concern to all humanity as they could cause irreversible ecological damage or even worse, thereby putting at stake the survival of human civilization. He commended the Soviet authorities for the detailed information they had provided on the Chernobyl accident, which would provide useful lessons for the future, and voiced his country's sympathy to all those affected by it.

51. Malaysia attached considerable importance to the application of nuclear technologies, which it was confident were safe and sufficiently versatile if wisely developed. The utilization of nuclear energy for peaceful purposes, particularly power generation, would undoubtedly be an important consideration for many countries in the future.

52. The Chernobyl accident had served to demonstrate once again the urgency and importance of enhancing nuclear safety and of strengthening international co-operation in that area, and Malaysia welcomed the Agency's efforts to that

end, which involved continued close co-operation with competent international organizations such as WHO, FAO and WMO. Any move toward the development of nuclear power, for whatever purpose, should be carefully studied in view of the ever-present radiation hazards inherent in the increasing numbers of man-made radiation sources.

53. The recent Post-Accident Review Meeting had produced invaluable recommendations which called for careful attention. It was clear that the Chernobyl accident had been the result of human error, and urgent measures were essential in order to minimize the possibility of that type of error being repeated. That could be achieved by ensuring appropriate operator training, stringent safety regulations and improved reactor safety features capable of dealing with severe accidents should they occur.

54. Also important were measures to minimize radiological damage to human health and the environment. The recommendations of the review meeting were of particular importance to developing countries and to those countries with no nuclear energy activities, for whom any radiologically significant release of radioactive materials originating either within their own territories or in those of other States would pose a great danger in view of their lack of expertise and facilities. Agency assistance to such States to enable them to upgrade their preparedness for such events should be considered.

55. Nuclear safety was about human health and life, and it was therefore important that there be international co-operation to maintain a continuous flow of information in that area, particularly between the developed and less-developed countries. That could be pursued through the Agency as well as through bilateral and multilateral arrangements. The conclusion of universal agreements represented a major step in the right direction, and Malaysia noted with satisfaction the consensus achieved by the governmental expert groups on the early notification and assistance conventions.

56. Malaysia supported the widest possible scope of application for the draft convention on early notification, but had, in a spirit of co-operation and compromise, accepted the provisions of the draft convention as it now stood. It welcomed statements made in respect of article 3 by nuclear-weapon States, expressing their readiness to notify the international community of any nuclear accident.

57. Malaysia had certain reservations concerning the text of the two conventions. It was unable to accord privileges and immunities provided for under article 8 of the convention on assistance in view of certain legal constraints. Such privileges and immunities would be considered in accordance with Malaysia's laws and regulations. He also expressed reservations with regard to article 10, concerning claims and compensation, of the draft convention on assistance, as well as the article, common to both conventions, on the settlement of disputes.

58. Subject to those reservations, Malaysia supported the adoption of the two draft conventions, and looked forward to signing them as soon as it had completed the necessary constitutional requirements.

59. Mr. KRSTIC (Yugoslavia) drew attention to the serious adverse transboundary consequences of the accident at Chernobyl and the concern caused by it in many countries, including his own. Doubts had been expressed regarding the use of nuclear power in view of other accidents which might occur and in view of the fact that some questions of final storage and disposal of radioactive waste still remained unresolved.

60. Nuclear energy had many potential advantages but there were also potential dangers associated with its use. Experience had shown that, even within the existing programmes for the peaceful uses of nuclear energy, accidents at nuclear facilities could have unforeseen and dangerous consequences which could go beyond the control of the country in which an accident occurred.

61. His country was one of the twenty-six which had nuclear reactors in operation and was very concerned to promote the protection of the human environment from various forms of air pollution, acid rain, river and marine pollution and against ionizing radiation. For that reason his country continued to support the activities of the Agency in that area.

62. Unlike some countries for which nuclear energy was the only option for meeting their energy needs, his country had been elaborating an energy programme combining all available energy sources including the nuclear option. Following an accident at the very small research nuclear reactor in

Vinča in 1958, his country, with the help of the Agency, had been promoting as many protection and safety measures as possible. It hoped that the Agency, together with other United Nations organizations, would continue to pay due attention to those issues as well as to the promotion of the peaceful uses of nuclear energy in developing countries.

63. The formulation of the two draft international conventions on early notification of a nuclear accident and on assistance in the event of a nuclear accident or radiological emergency demonstrated that a constructive approach could lead to considerable results in a short period of time. It would undoubtedly be necessary to continue to exert intensified efforts on the broadest international level in order to cover all outstanding crucial sensitive issues relating to the peaceful uses of nuclear energy by means of appropriate agreements and conventions. It was probable that the forthcoming United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy (UNCPICPUNE) would give adequate impetus to those multilateral efforts.

64. His country supported, in principle, the provisions of the draft convention on early notification of a nuclear accident and the draft convention on assistance in the case of nuclear accident or radiological emergency, but was not in a position to sign the new draft conventions during the special session owing to a lack of time to complete the procedures involved. Like many other countries, his country would have preferred the scope of the draft convention on early notification of a nuclear accident to be wider and to include all nuclear accidents. However, it welcomed the declaration made by the nuclear-weapon States regarding their readiness to notify other nuclear accidents in addition to those specified in article 1 of that draft convention.

65. Mr. OLUMOKO (Nigeria) said that his delegation fully supported concerted efforts toward international co-operation on nuclear safety and radiological protection. In that connection, the two draft conventions before the Conference represented another milestone in the codification of international humanitarian law.

66. With regard to the convention on early notification, his delegation would have preferred its scope of application to cover all sources of radioactive materials, whether civilian or military, and especially nuclear weapons and nuclear-weapon tests, since the effects of radioactivity, irrespective of source, could be equally devastating. He appreciated, however, that the existing scope of the convention was perhaps as much as could be expected for the time being. Referring to article 3, pursuant to which States parties might notify nuclear accidents other than those specified in article 1, he urged all nuclear-weapon States to make declarations at the present session to the effect that they would notify nuclear accidents caused by nuclear weapons or the testing of such weapons. He noted with satisfaction that certain nuclear-weapon States had indicated their willingness to make such a declaration.

67. Nigeria was deeply concerned over the matter of South Africa's nuclear facilities, which, of course, were not immune from nuclear accidents. South Africa was not a party to the Treaty on the Non-Proliferation of Nuclear Weapons and had refused to submit all its facilities to Agency safeguards. Its nuclear capabilities therefore posed a great threat to the peace and security of all African States. That issue would be properly taken up at the forthcoming regular session of the General Conference, and his delegation would work together with the other African and non-aligned delegations to propose appropriate sanctions to be taken against South Africa in accordance with the provisions of the Agency's Statute and paragraph 14 of resolution 442 of the twenty-ninth session of the General Conference.

68. What guarantee was there that South Africa would undertake obligations under the early notification convention, or that, should a nuclear accident occur on its territory, it would notify the Agency, not to mention its neighbours? South Africa had already disregarded various treaties and held in contempt the provisions of the Agency's Statute and resolutions. The racist régime was therefore unlikely to be a party to that agreement.

69. It was in that connection that Nigeria had, during the meeting of governmental experts, proposed that the Agency provide radiation monitoring equipment to States parties which did not have their own nuclear activities

but bordered on a State not party to the convention which had an active nuclear programme. That amounted to a request that the Agency provide to States bordering on South Africa the necessary equipment for detecting any radioactive releases from South African facilities, thereby enabling them to call promptly for international assistance. Thus, the neighbouring African States, and especially the frontline States, would not have to rely on South Africa's notification.

70. He thanked all those delegations which had appreciated the validity of Nigeria's case, and which, through their support, had made it possible to formulate article 8 of the notification convention.

71. Nigeria also welcomed the convention on emergency assistance, and particularly its article 5, which spelt out the Agency's functions in respect of assistance to States parties and Member States. He also expressed appreciation for the consideration shown toward developing countries and countries without nuclear facilities with regard to reimbursement of costs.

72. The accidents at Three Mile Island and now Chernobyl had once again brought into sharp focus the longstanding debate as to whether the benefit of nuclear power was worth the costs, and once again there was a need to restore public confidence in nuclear power.

73. In conclusion, he advocated stricter safety standards for nuclear reactors and called for more training facilities for developing countries in the field of nuclear safety and radiation protection.

74. Mr. MANSFIELD (United Nations Environment Programme) said that the goal of UNEP (United Nations Environment Programme) was to encourage all measures to ensure a high level of safety in nuclear activities and to prevent accidents or minimize their consequences through national and international action.

75. On behalf of the Executive Director of UNEP, Mr. Mostofa Tolba, he wished to express his support for the measures being taken to strengthen mechanisms for the safe development of nuclear energy. Following the Chernobyl accident, UNEP had called upon the authorities of the Soviet Union to provide the world community with information on the accident so that the

impact of it could be assessed. There had been an exchange of letters with the Soviet Government in which the importance of international co-operation in the event of such incidents in which other States were affected had been expressed and an international regime for the safe development of nuclear energy had been proposed. UNEP was ready to play an active part, along with Governments, the Agency and other relevant bodies, in instituting and implementing the measures required to make nuclear energy safer and to protect human health and the environment. It was encouraging to see that within the Agency action had been taken to draft the conventions on early notification of a nuclear accident and on assistance in the event of nuclear accidents and radiological emergencies. UNEP was prepared to accede to those conventions and was ready to help establish and operate suitable systems for environmental monitoring, such as those already existing within the Global Environment Monitoring System (GEMS), run by UNEP in collaboration with other agencies. A network of that kind could be based, for example, on the WHO radiation network, WMO background monitoring network stations, and the European Monitoring and Evaluation Programme of the ECE, working in close collaboration with the Agency.

76. His organization was also prepared to contribute to the development of improved guidelines for the safe use of peaceful nuclear energy. Through the United Nations Scientific Committee on the Effects of Atomic Radiation (UNSCEAR) it could help with an assessment of the long-term consequences of the Chernobyl accident, and, in a more general sense, study the possible effects of ionizing radiation on environmental systems.

77. UNEP encouraged further action to improve safety not only under accident conditions, but also at each stage of the entire nuclear fuel cycle, as had been suggested already by other countries. It would like to promote what might be called a "nuclear safety culture". It was only through the broadest approach to safety that nuclear operations could be made safer and incidents and accidents reduced to a minimum. In that connection, UNEP encouraged the Agency in its promotion of nuclear safety standards, especially in the development of safety guides and codes of practice. If all the countries which had contributed so much to the development of those guides followed then more closely, significant achievements would be possible in the field of safety.

78. UNEP had proposed that the safe development of nuclear energy could be strengthened by improving safety in each of the main components of the nuclear fuel cycle. At the beginning of the cycle, for example, at the mining, extraction and enrichment stage, the main environmental problem was created by the mine tailings, which covered large areas of territory. Over long periods of time those tailings released large quantities of radon. Monitoring near tailing sites was required to ensure that the tailing management was adequate. As far as safe transport was concerned, because of the efficiency attained in packaging, accidents during transport seldom posed any great danger, though the few accidents which did occur aroused a great deal of public concern.

79. Nuclear reactor sites had to be selected and the reactors operated with a view to maximum public and environmental safety. The Agency's nuclear safety series (NUSS) might need to be updated in the light of experience gained at Chernobyl and the Agency had recommended a wide range of activities to minimize the possibility of future accidents. UNEP encouraged such action and was willing to lend its assistance in any further work along those lines.

80. He considered that the proper training of nuclear power plant operators and the licensing of facilities under an internationally agreed set of standards was a very important way of promoting nuclear safety, and with it, the safety of the environment.

81. A major environmental problem was the decontamination of large areas when they become accidentally contaminated by radioactivity. There was need to formulate guidelines on ways of response to such situations, with a view to long-term as well as short-term measures. In the waste management and disposal area, more forceful action was needed to develop safe disposal methods for high-level wastes and ways of decommissioning nuclear facilities. In transboundary release situations, there was need to explore the problems of civil liability and the payment of damages. It had to be decided how the extent of the damage could be determined and quantified in monetary value, although the solution of such problems was more likely to be political than legal.

82. In dealing with those issues, he believed that the needs of the developing countries should also be borne in mind. Priority should be given to their safety requirements and to providing the technical assistance needed by them in order to participate actively in safety measures.

83. UNEP would like to see a balanced and optimal assignment of functions and responsibilities between the various agencies of the United Nations system so that each one had an appropriate role to play in achieving the best results for nuclear safety. It would then be possible to rebuild the confidence of mankind in a source of energy which, in various forms and in different contexts, had an extremely important role to play both at the present time and in the future.

The meeting rose at 9.40 p.m.