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President: Mr. CASTRO DIAZ-BALART (Cuba)

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The composition of delegations attending the session is given in document
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MEASURES TO STRENGTHEN INTERNATIONAL CO-OPERATION IN NUCLEAR SAFETY AND
RADIOLOGICAL PROTECTION (GC(SPL.I)/4, 15/Rev.1) (continued)

1. Mr. AHIMSA (Indonesia) said that 1986 had been a crucial year for the international nuclear community. At stake was the future of the nuclear industry and, for some developing countries, the possibility of having access to a cheap source of energy, namely nuclear power. The Secretariat was to be commended for having succeeded in shedding some light on matters in the short time that had elapsed since the unfortunate accident at Chernobyl, which had dealt a near-fatal blow to nuclear energy. Expert meetings had been convened which had resulted among other things in the preparation of two draft conventions, one on early notification of a nuclear accident and the other on assistance in the case of a nuclear accident or radiological emergency, which had been submitted to the special session of the General Conference for consideration and adoption. His Government had decided to become a party to both conventions. It had thus empowered the Ambassador Extraordinary and Plenipotentiary of Indonesia to Austria and the International Organizations in Vienna to sign the conventions (subject to ratification in accordance with national procedures) as soon as they were opened for signature.

2. On various occasions during the discussions on the draft conventions especially the one relating to early notification, his delegation had said that the scope of application should be as wide as possible and should cover matters other than those mentioned in paragraph 2 of Article 1 of the early notification convention. It noted with satisfaction that certain countries had already given assurances regarding their readiness to notify all nuclear accidents.

3. In accordance with paragraph 3 of Articles 11 and 13 of the draft conventions on early notification and emergency assistance respectively, his delegation, although it was ready to sign both texts, reserved its position regarding the settlement of disputes.

4. The potential risks from transboundary releases of radioactivity were unique for an island country such as Indonesia, located as it was between two oceans and surrounded by crowded sea lanes. Since his country had very few land boundaries, the only transboundary effects of uncontrolled releases to

which it would be exposed were those originating from the high seas. Mention should be made in that context of the new United Nations Convention on the Law of the Sea which, if acceded to by as many States as possible, would substantially reduce the risks associated with nuclear-powered ships. In the coming decades, attention must also be paid to the radiological risks from space. His delegation had always stated in other United Nations bodies that use should be made of nuclear sources for power generation in space vehicles only as a last resort.

5. His delegation welcomed the draft convention on assistance in the case of a nuclear accident or radiological emergency: it deserved the support of all Member States and would undoubtedly help restore the confidence of the international community in nuclear power plant operation.

6. Three points deserved careful attention. First, the convention on emergency assistance should be regarded as an initial step only and should be followed by more practical action, namely the conclusion of bilateral and multilateral agreements between neighbouring States. That would provide a partial solution to the question of the time factor in the provision of assistance. The second point concerned the sensitive question of financial resources. A number of countries which had other economic priorities were not yet in a position to develop nuclear programmes. In the event of a nuclear disaster, many States would not be able to take the prompt action required. That obstacle could be removed by establishing an emergency fund, administered by the Agency, the details of which could be considered later in another forum. The third point was the human factor. The Chernobyl accident, following that at Three Mile Island, had highlighted the importance of specialized manpower training. It had also drawn attention to the importance of installing a control system which could neutralize the effects of human error.

7. In addition to the human factor, the accident had raised a number of important questions. A careful study should be made, for example, of whether the accident could be considered as an isolated case.

8. In addition to the measures to strengthen international co-operation in nuclear safety and radiological protection reflected in the two draft conventions, his delegation attached high priority to the Agency's expanded nuclear safety programme. It supported that programme in principle but felt that more emphasis on the prevention of reactor accidents would provide a better balance.

9. At the start of 1986, only seven developing countries were operating nuclear power plants: a total of 21 units were in operation and a further 18 were under construction. Those figures compared unfavourably with the total number of nuclear reactors (374) in operation throughout the world. His delegation welcomed the proposals made by the Director General the previous day which had provided reassurance about the future of nuclear power.

10. His Government was currently undertaking a detailed study relating to the design and construction of a nuclear power plant. It was extremely interested in co-operating closely with countries advanced in the field of reactor technology and nuclear safety. It hoped that nuclear suppliers throughout the world would strive to increase the safety level of reactors and to draw lessons from the Chernobyl accident.

11. In conclusion, his delegation thanked the experts from the Soviet Union for giving a comprehensive and clear analysis of the unfortunate accident. It expressed its deepest sympathy for the victims of the accident and was convinced that the heroic deeds, especially of the rescue teams, had not been in vain.

12. Mr. LAVINA (Philippines) said the tragic accident at Chernobyl had raised widespread doubts about the safety and reliability of nuclear power. The loss of human life and the considerable harm done to health and the environment had fuelled the controversy in many parts of the world over the future of nuclear power. In the Philippines, concern over the safety of the country's nuclear power plant and controversy over its construction had led his Government to reconsider, even before the Chernobyl accident, the advisability of putting the plant into operation. The accident had finally convinced his Government that its decision was well founded. None the less,

the Philippines respected the right of other States to use nuclear energy for peaceful purposes. His country continued to operate a research and training reactor, which had recently been modernized. The issue of nuclear safety was thus vital to the Philippines and should be a matter of universal concern.

13. On the whole his delegation supported the Agency's plans to expand its nuclear safety programme. It welcomed both OSART (operational safety review team) missions, whose advice was valuable for the operators of nuclear facilities, and RAPAT (radiation protection advisory teams) missions. The latter were of particular interest to the Philippines, which was making increasing use of radioactive materials in medicine, industry and research. His country was ready to take part in Agency activities concerning the preparation of emergency plans in the event of nuclear accidents and radiological emergencies and in the related training programmes. However, in the future the expanded nuclear safety programme should place more emphasis on preventive rather than corrective measures.

14. His delegation recognized that responsibility for the safety of nuclear facilities lay primarily with States. They alone had the authority to enforce discipline in, and to regulate the operation of, their facilities. However, as the Chernobyl experience had clearly illustrated, the effects of a nuclear accident could not be kept within the boundaries of the country in which the accident had taken place. The safety of nuclear facilities could not therefore be considered as a purely national concern. It required the participation and co-operation of the international community. The efforts of individual countries must be complemented and strengthened by international measures. But a certain political will was needed for those measures to succeed, especially when they involved some infringement of national sovereignty and prerogatives. Existing international nuclear safety standards were simply recommendations and were not binding on States. In the wake of the Chernobyl accident it could be seen that there was a need for minimal or basic safety standards to which the international community could subscribe and commit itself. The Agency had a key role to play in co-ordinating and monitoring efforts along those lines.

15. His delegation appreciated the outstanding work done by the experts who had drawn up the two draft conventions on early notification and emergency assistance in the event of a nuclear accident. With regard to the former, his delegation welcomed the fact that the possibility of voluntary notification by nuclear-weapon States of accidents other than those covered by the convention had been allowed for. It concurred with those speakers who had advocated the inclusion of nuclear weapons within the scope of the convention, and also supported the principle of compensation or civil liability for damage resulting from a nuclear accident.

16. His delegation wished to add some additional observations. First, the short period (about a month) in which the two instruments had been drafted and finalized meant that governments had not been able to study them thoroughly or carefully. That seemed unusual and unprecedented in treaty-making practice. Secondly, although the provision whereby the draft conventions would enter into force after only three States had expressed their consent was perhaps not without precedent, it would not necessarily contribute to the immediate realization of the aims of the conventions. Since the Agency alone had 113 Member States, it might have been advisable to set the number of States at a level which represented the international community in a more realistic way. Thirdly, the provision under which international organizations and regional integration organizations were invited to accede and thus become parties to the conventions, although practical and necessary, would effectively deprive those draft instruments of the essential nature of a treaty, as the term was understood under the 1969 Vienna Convention on the Law of Treaties. That fact alone would make the rights and obligations under the draft conventions less well defined and somewhat uncertain. It should be left up to those organizations to adopt separately and independently the principles of the draft conventions within the framework of their internal constitutions. Close co-operation with the Agency would, however, remain imperative. Lastly, it was to be hoped that the proposal to allow provisional application of the draft conventions would not create special problems for States, which would thus have provisional rights and obligations. That having been said, his delegation could join in a consensus on the adoption of the draft conventions and would sign them, subject to ratification.

17. The deliberations of the special session were crucial to the rebuilding of the shaken confidence of many people and governments in the use of nuclear energy. The decisions taken would indicate the extent to which States were prepared to undertake common efforts to strengthen international co-operation in nuclear safety. Consequently, the decisions that the Conference took would either help restore public confidence or would increase scepticism.

18. Mr. KOREF (Panama) said that, in view of the importance of the first special session of the General Conference and of the two conventions submitted for approval, his Government had empowered him to sign both conventions without reservation. Panama was a small, neutral country which did not have any nuclear power plants: some 10 years previously the Agency itself had advised that his country should wait 50 years or so before beginning to consider that option and that it should instead exploit its considerable hydroelectric resources. That gave the lie to the allegations of some that the Agency was trying to promote the sale of nuclear plants. He wished to thank the Agency for having saved his country a great deal of money through its advice.

19. He commended the Secretariat for its recent hard work in arranging meetings where countries could learn about the Chernobyl accident and for its preparation, within a very short period of time, of documents on the accident and its consequences. Lastly, he thanked the Director General for his statement at the start of the session and supported his proposals for improving the safety of nuclear power plants and convincing public opinion that mankind could enjoy better living conditions with such plants, but without them would run into serious difficulties and see its environment deteriorate rapidly because of the increased use of fossil fuel power plants.

20. The information obtained in recent years indicated that all serious accidents at nuclear power plants had been due to human error. Consequently, greater attention should be paid to the training of operators and supervisory staff at all nuclear power plants in operation or in the design phase and to their information display systems. His country also supported recommendations aimed at improving and upgrading instruments and equipment which would automatically correct possible operator errors and counteract plant

malfunctions. Such instruments and equipment must be frequently checked to ensure that they were in good working order. There appeared to be no mention of auxiliary and emergency electricity generating units at power plants. His personal and professional experience had taught him that one had a greater feeling of security if such systems were switched on every day to ensure that they would start up in a few seconds in the event of the failure of the plant's electricity supply system. In the report on the Post-Accident Review Meeting (GC(SPL.I)/3), it was recommended that attention be paid to the man-machine interface so that operator error could be prevented and action taken in the event of an accident. He took that to mean that supervisors with a thorough knowledge of the plant and of the measures to be taken in the event of an accident or malfunction must always be present on the site.

21. The General Conference must not be content with simply adopting and signing the two conventions before it. It was gratifying that many speakers had stressed that it was essential to take steps leading to the establishment in the near future of a binding agreement concerning compensation for countries which had suffered damage as a result of a nuclear accident in another country caused by errors, equipment failure or malfunction or even poor plant design.

22. In conclusion, his Government wished to thank the representatives of the Soviet Union for the detailed information they had supplied on the Chernobyl accident and its consequences in their country and on the measures taken to protect the population, to erect new accommodation and to prepare the land for the resumption of agricultural activities in the not too distant future. He was pleased that the harm suffered by the population although not negligible, would not reach the fantastic proportions predicted by the press.

23. Mr. ABBADI (Sudan) said that, in addition to the human losses it had caused, the Chernobyl disaster offered many lessons. It had shown that radiation ignored national boundaries, that there were a number of basic practical difficulties that had to be resolved in order to achieve complete protection for the population and integrated planning, and that greater co-operation was required in order to solve many technical, practical and scientific problems. His delegation expressed its gratitude to the Agency

and its Director General for their outstanding efforts immediately after the Chernobyl disaster. Following the Director General's visit to the disaster area and his many meetings with the Soviet authorities, a meeting of more than 500 governmental experts had been held in Vienna from 21 July to 15 August 1986. The participants had worked and co-operated with their Soviet counterparts in a positive and responsible exchange of scientific information. Their efforts had resulted in the drafting of two conventions which were now open for signature, one on the early notification of a nuclear accident, and the other on mutual assistance in the event of a nuclear accident or radiological emergency. His delegation was anxious to contribute to the strengthening of international co-operation and had come to Vienna with the intention of signing both conventions, trusting that the Constituent Assembly of Sudan would subsequently take the necessary ratification measures. The expert group had done the least that could be expected in the circumstances and it was to be hoped that the results obtained were only the prelude to the adoption of other steps which would cover all nuclear activities.

24. As a developing country, Sudan believed that the special session of the General Conference should, as a matter of priority, affirm the principle of international protection in the field of nuclear power and civil liability, guarantee the inviolability of nuclear reactors and facilities to any armed attack, expressly condemn such attacks outright and consider in greater depth the question of emergency assistance in the event of a nuclear disaster.

25. With regard to the question of mutual assistance, the current position of the developing countries entitled them to special treatment. A special fund should be established in order to provide assistance to such countries in the event of a nuclear accident. The Agency, together with other international organizations, should undertake a comprehensive study so that the fairest possible solution could be found to that question.

26. With respect to the man-machine interface, the Agency should contribute to efforts to improve training and skills by setting up a training programme for scientific personnel working in the nuclear field, especially those from developing countries, which would then be in a position to cope correctly with emergency situations.

27. Developing countries were recipients of nuclear technology, their equipment in most cases being imported from industrialized countries. Hence the General Conference should obtain a commitment from industrialized countries to provide safety-related information on the technologically advanced equipment they supplied to developing countries.

28. With regard to the future prospects for nuclear power, States, particularly developing ones, were pinning their hopes on the new generation of nuclear reactors for electricity production. Serious consideration should therefore be given to that question.

29. Sudan, which was among the least developed countries, believed that, in view of its central role in that area, the Agency should take the lead - in conjunction with other specialized agencies of the United Nations - in compiling data on radiation and its transfer in the environment and in co-ordinating the exchange of information on that topic with the aim of improving the protection of man and the environment.

30. His delegation agreed with the Director General that energy was the lifeblood of society and that protection of the environment was of the utmost importance. It was therefore important to take responsible decisions which reconciled those two inescapable facts. His country, which was currently suffering from a shortage of energy and was seeking new methods and approaches to remedy the situation, believed that States should make a joint effort to dispel the fears aroused by nuclear power by providing the maximum level of protection and safety, by supplying the public with adequate information, and by further strengthening and widening international co-operation in that area.

31. Mr. ORDUZ (Colombia) said that until now countries such as his had been mere spectators, viewing from a greater or lesser distance the questions and concerns with which scientifically advanced countries were confronted as a result of their very progress. Colombia produced no electricity from nuclear power plants and would not do so in the near future, but it was none the less pleased to see the international community reach agreement on such important questions as early notification of a nuclear accident and assistance to countries, nations and individuals affected by such an accident.

32. It seemed from the debate that a consensus was emerging on the content of the two conventions drafted under the auspices of the Agency. It was a moot point whether those efforts had only been made because of the unfortunate accident at Chernobyl, which had shaken the whole world and brought together countries which had hitherto been far removed both geographically and technologically from nuclear problems. Radioactivity ignored boundaries as it spread through the atmosphere and henceforth no country could disregard the potential threat to the world of nuclear power and the man-machine interface, the failure of which could lead to another accident. That was why the Agency had been requested to concern itself with the training of staff responsible for running nuclear plants. He had listened carefully to the various comments made on the conventions but did not think that they altered the substance. It was with some optimism that he had heard delegations undertake voluntarily to apply the provisions of the conventions pending their ratification.

33. In conclusion, his delegation thanked the Agency, the Director General and his staff for their recent efforts, as a result of which the first special session would be a milestone in the history of the world.

The meeting rose at 9.30 p.m.