



GC

GC(43)/COM.5/OR.1
October 1999
GENERAL Distr.

International Atomic Energy Agency

GENERAL CONFERENCE

Original: ENGLISH

FORTY-THIRD (1999) REGULAR SESSION

COMMITTEE OF THE WHOLE

RECORD OF THE FIRST MEETING

Held at the Austria Center Vienna
on Tuesday, 28 September 1999, at 10.55 a.m.

Chairman: Mr. BENMOUSSA (Morocco)

Later: Mr. STRATFORD (United States of America)

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[*] GC(43)/27.

The composition of delegations attending the session is given in document GC(43)/INF/15/Rev.3.

For reasons of economy, this document has been printed in a limited number. Delegates are kindly requested to bring their own copies of documents to meetings.

ELECTION OF VICE-CHAIRMEN AND ORGANIZATION OF WORK

1. The CHAIRMAN, having expressed appreciation for the confidence which the General Conference had placed in him, said that, as provided for in Rule 46 of the Rules of Procedure and following group consultations, it had been proposed that Mr. Stratford of the United States of America and Mr. Tomaszewski of Poland be the two Vice-Chairmen of the Committee. He took it that the Committee wished to endorse those nominations.

2. It was so agreed.

3. The CHAIRMAN, drawing attention to document GC(43)/COM.5/1, which listed the agenda items referred to the Committee of the Whole by the General Conference, said he proposed, in line with past practice, to report orally to the Conference at a plenary meeting on the Committee's deliberations, which would also be the subject of official records.

4. Appealing to the Committee to display good will and political vision, he said that consultations between the President of the General Conference, himself and representatives of the eight area groups regarding the Article VI issue would be taking place during the day and that he would report to the Committee in due course on the outcome.

THE AGENCY'S ACCOUNTS FOR 1998 (GC(43)/5)

5. Mr. MULTONE (Switzerland) expressed support for what was stated in the report of the External Auditor regarding the sustainability of Model Projects and the expenditures incurred by the Agency in connection with the use of "cost-free" experts.

6. The CHAIRMAN said that he took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution on page I of document GC(43)/5.

7. It was so agreed.

THE AGENCY'S BUDGET FOR 2000 (GC(43)/6, GC(43)/INF/11)

8. Mr. STRATFORD (United States of America) said that his country was now advocating zero nominal budgetary growth in international organizations. His delegation had therefore had difficulties with the Agency's budget estimates for 2000 and had disassociated itself from the Board's decision to submit them to the General Conference. It would not block consensus on the budget for 2000, however, as it continued to believe that the Agency was one of the most important international organizations.

9. Mr. RAGHURAMAN (India) said his delegation feared that, having been subjected for many years to the pressures of implementing high-priority programmes within the constraints of zero real budgetary growth, the Secretariat might now have to cope with zero nominal budgetary growth. The Agency deserved some positive real budgetary growth, particularly in view of the many innovative steps taken by the Director General.

10. Only 5.6% of the proposed Regular Budget for 2000 was intended for the Major Programme “Nuclear Power and Fuel Cycle”, although the Agency was the key international organization for the promotion of nuclear power - the inevitable option in the long run for meeting the energy needs of the world, and especially of developing countries. The Major Programme “Nuclear Power and Fuel Cycle” deserved to have more resources devoted to it.

11. Mr. SUGANUMA (Japan) said that, although his delegation would not hinder adoption of the budget for 2000 by consensus, it would welcome greater efforts in future to achieve zero nominal budgetary growth. At the same time, it hoped that the latest adjustments made to the budget estimates would not adversely affect the implementation of Agency safeguards.

12. Mr. BOURITA (Morocco) said that the time had come to adopt a programme-based approach to budget formulation, with priorities identified in the light of the report of the Senior Expert Group and the discussions on the Medium-Term Strategy.

13. An assessment of the Agency’s human and financial resource requirements in the medium term should be made and brought to the attention of Member States’ financial authorities so that the latter might take it into account in their planning.

14. Mr. TITKOV (Russian Federation) said that his delegation, which was in favour of zero-real-growth budgeting within the Agency, could go along with the budget estimates for the year 2000, At the same time, he endorsed the remarks made by the representative of India regarding the Major Programme “Nuclear Power and Fuel Cycle”.

15. Mr. CASTERTON (Canada) said that his country would like to see zero nominal budgetary growth in all United Nations organizations, but that his delegation would nevertheless not block a consensus in favour of adoption of the Agency’s budget estimates for the year 2000.

16. Mr. SHOAI B (Pakistan) said he found it difficult to reconcile the increasing demands being made of the Secretariat by Member States and the frequent expressions of concern about the Agency’s growing dependence on extrabudgetary resources with the demands for zero nominal budgetary growth being made by certain Member States. Pakistan favoured zero real budgetary growth and programme-based budget formulation.

17. With regard to the Major Programme “Nuclear Power and Fuel Cycle”, his delegation would like to see substantially more resources being proposed for it in the budget estimates for 2001.

18. As a result of the adjustments required in order to arrive at zero real budgetary growth, there was to be a significant decrease in the expenditure on “Travel - non-staff”. His delegation regretted that. Experts from developing countries attending Agency technical committee meetings received considerably less in terms of subsistence allowance than Agency staff members on mission to developing countries - a situation that should be rectified.

19. Mr. AMMAR (Tunisia) expressed support for adoption of the Agency's budget estimates for the year 2000 and opposition to the idea of zero-nominal-growth budgeting within the Agency.

20. The CHAIRMAN said he took it that the Committee wished to recommend to the General Conference the adoption of draft resolutions A, B and C contained in Annex I to document GC(43)/6.

21. It was so agreed.

22. Mr. WALLER (Deputy Director General for Management), responding to the remarks made about the Major Programme "Nuclear Power and Fuel Cycle", said that the balance in the budget estimates between the different programmes was the result of exhaustive consultations during the budget formulation process. In that connection, he reminded delegations that a Scientific Forum on the theme "Sustainable Development - A Role For Nuclear Power?" was being held in parallel with the General Conference's current session.

AMENDMENT TO ARTICLE XIV OF THE STATUTE (GC(43)/24)

23. The CHAIRMAN, introducing the report by the Board of Governors contained in document GC(43)/24, drew attention to the draft resolution set out in Annex 4 thereto. The purpose of the draft resolution was to align the budgetary practice of the Agency with that of the United Nations and other international organizations by providing for biennial rather than annual budgeting.

24. In the absence of any comments, he took it that the Committee wished to recommend to the General Conference the adoption of the draft resolution.

25. It was so agreed.

SCALE OF ASSESSMENT OF MEMBERS' CONTRIBUTIONS TOWARDS THE REGULAR BUDGET (GC(43)/15)

26. The CHAIRMAN took it that the Committee wished to recommend to the General Conference the adoption of the draft resolution on page 3 of document GC(43)/15.

27. It was so agreed.

ELECTION TO THE AGENCY'S STAFF PENSION COMMITTEE

28. The CHAIRMAN said that the General Conference was represented on the Committee by two members and two alternates. One of the members, Mr. Pecsteen (Belgium), had left Vienna and ceased being available to serve on the Committee. One of the alternates, Mr. Raja Adnan (Malaysia), had - in accordance with the applicable Rules of the

Committee - replaced him as a member. It was therefore necessary for the Conference to elect a new alternate, and the proposal had been made that Ms. Cliff (United Kingdom) be elected.

29. He took it that the Committee wished to recommend to the General Conference the election of Ms. Cliff as an alternate to represent the General Conference on the Agency's Staff Pension Committee.

30. It was so agreed.

Mr. Stratford (United States of America), Vice-Chairman, took the chair.

MEASURES TO STRENGTHEN INTERNATIONAL CO-OPERATION IN NUCLEAR, RADIATION AND WASTE SAFETY

(GC(43)/9, 10 and 11; GC(43)/INF/4, 5, 6 and 8)

(b) SAFETY OF TRANSPORT OF RADIOACTIVE MATERIALS

31. Mr. ARAR (Turkey), introducing the draft resolution contained in document GC(43)/COM.5/L.6, said that, in his delegation's view, extensive use of the Transport Safety Appraisal Service (TransSAS) would help in achieving the highest possible levels of safety during the transport of radioactive materials.

32. He congratulated the Director General and the Secretariat on the steps taken in response to resolution GC(42)/RES/13, which were described in document GC(43)/9.

33. Referring to paragraph 9 of document GC(43)/9, he said that the Agency should help to ensure that the regulations of other competent organizations were harmonized with the "Model Regulations" approved by the United Nations Committee of Experts on the Transport of Dangerous Goods by the deadline of 1 January 2001. Referring to paragraph 10, he said that Turkey greatly appreciated the important work being done by the International Maritime Organization in co-operation with the Agency on amending chapter VII of the Convention on the Safety of Life at Sea so as to make the INF Code mandatory.

34. Ms. MOSLEY (New Zealand) said that her country had joined Turkey in submitting the draft resolution under consideration to the General Conference because the safety of transport of radioactive materials was a very important issue for countries located in the South Pacific region, through which shipments of radioactive materials took place.

35. Mr. TITKOV (Russian Federation) proposed that preambular paragraph (c) of the resolution adopted in 1998 on the subject of "Safety of transport of radioactive materials" (resolution GC(42)/RES/13) - reading "Recalling maritime, river and air navigation rights and freedoms, as provided for in international law," - be incorporated into the draft resolution under consideration. His delegation would not be able to support adoption of the draft resolution without that addition.

36. Mr. BALMACEDA (Chile) and Mr. SERVIÁN (Uruguay), expressing support for adoption of the draft resolution, said that it dealt with a matter of particular concern to Latin American countries.
37. Mr. RAGHURAMAN (India), having expressed appreciation of the action taken by the Director General and the Secretariat in response to resolution GC(42)/RES/13, particularly the initiation of a work programme to simplify and rationalize the Agency's Regulations for the Safe Transport of Radioactive Material (the Transport Regulations), said that, although national regulations for the safe transport of radioactive materials were generally based on the Transport Regulations, there were sometimes significant differences, which could result in shipments of radioactive materials being found unacceptable by certain States.
38. India would like to see the adoption of an international convention on the international transport of radioactive materials. The existence of such a convention need not interfere with the prerogative of individual States to draw up national regulations - which might be at variance with the Transport Regulations - for the domestic transport of such materials.
39. His delegation would like the Secretariat to compile a list of the major differences between States' existing national regulations and the Transport Regulations.
40. Mr. DELACROIX (France), Mr. SCHMID (Austria), Mr. SOLBERG (Norway) and Mr. PAPADIMITROPOULOS (Greece) expressed support for the proposal made by the representative of the Russian Federation.
41. Mr. PIGRAM (United Kingdom) proposed that the phrase "... to make extensive use of the Transport Safety Appraisal Service ..." in operative paragraph 2 be modified to read "... to make use, where appropriate, of the Transport Safety Appraisal Service ...".
42. Mr. SUSEMI (Romania) and Ms. AL-HADID (Jordan) expressed support for adoption of the draft resolution.
43. Mr. SHOAI B (Pakistan), expressing support for adoption of the draft resolution, said that his country was greatly concerned about the safety of transboundary movements of radioactive materials.
44. Mr. SUGANUMA (Japan) said that his delegation would like to have more time to study the draft resolution.
45. Mr. ARAR (Turkey) said his delegation would like to have time to study the modification proposals which had been made.
46. The CHAIRMAN said that the Committee would resume consideration of the sub-item at a later stage.

(c) THE SAFETY OF RADIATION SOURCES AND THE SECURITY OF RADIOACTIVE MATERIALS

47. Mr. BENINSON (Argentina), introducing the draft resolution contained in document GC(43)/COM.5/L.10, said that the number of radiation accidents caused by “orphan” sources was increasing; on average, about ten such accidents occurred each year, causing serious injury and even loss of life. The orphan source problem needed to be addressed as a matter of urgency.

48. Mr. ARAR (Turkey), referring to example 4 (“**Turkey - Abandoned teletherapy sources**”) of the Annex (“**EXAMPLES OF RADIATION ACCIDENTS WITH ORPHAN SOURCES**”) to document GC(43)/10, said that, following the accident in question, Turkey had tightened up its relevant regulations and established mechanisms for monitoring compliance.

49. When a radiation source had to be returned to the manufacturer, but the manufacturer was located in another country and the import/export company through which the source had been acquired had ceased to exist, it was often difficult to find records relating to the importation of the source. The proposed action plan seemed to offer a solution to such difficulties, and his delegation therefore hoped that the General Conference would endorse the decision of the Board of Governors to approve the action plan and request the Secretariat to implement it.

50. Mr. BOURITA (Morocco), noting that the proposed action plan envisaged an intensification of post-graduate education in radiation protection, expressed support for its implementation.

51. At the same time, with regard to the financial implications of the action plan, he sought confirmation that it would be implemented in the manner described in paragraph 9 of document GC(43)/10.

52. The CHAIRMAN conveyed the Secretariat’s confirmation that the action plan would be implemented in the manner described in that paragraph.

53. Mr. YU Zhuoping (China), referring to the question of “an international undertaking in the area of the safety and security of radiation sources”, said that in his Government’s view it was too early to think in terms of a convention; his Government would prefer to wait until implementation of the action plan was well under way.

54. His delegation hoped that, in implementing the action plan, the Secretariat would take into account the opinions expressed by China and other countries at the recent meetings of the Board of Governors.

55. The CHAIRMAN conveyed the Secretariat’s assurance that those opinions would be taken into account.

56. Mr. DELACROIX (France), having endorsed the comment of the representative of China regarding opinions expressed at the Board's recent meetings, said that in-depth consideration should be given to the question of how to finance the activities necessitated by the existence of orphan sources - activities ranging from accident prevention to the treatment of accident victims.

57. Mr. PIGRAM (United Kingdom) said that his Government would like the Secretariat, when implementing the action plan, to take into account the comments regarding it which the Governor from the United Kingdom had made the previous week in the Board of Governors. In that connection, he expressed the view that the word "energetically" in operative paragraph 1 of the draft resolution under consideration seemed superfluous.

58. Mr. ZDOROV (Belarus), expressing support for the draft resolution, said that the problem of spent radiation sources was one of great concern to his country.

59. Mr. SUGANUMA (Japan) said his delegation hoped that the word "energetically" in operative paragraph 1 of the draft resolution would not be understood to mean that the Secretariat need not exercise prudence in implementing the action plan. Perhaps the word should be deleted.

60. Ms. SCHROEDER (South Africa) expressed support for the initiatives outlined in the action plan, particularly the training of regulatory staff and of the staff of organizations which used radiation sources or radioactive materials and the strengthening of regulatory control over the utilization of such sources and materials. Her delegation hoped that the Radiation Safety Regional Training Centre recently established in South Africa would make a major contribution to the implementation of the action plan.

61. At the same time, her delegation had misgivings about the indication in paragraph 9 of document GC(43)/10 that implementation of the action plan in the years 2000-2002 would involve expenditures under the Technical Co-operation Programme for those years.

62. Ms. LIEBERMAN (United States of America), commending the action plan, said that her country would be providing the services of a cost-free expert to help implement it. She expressed the hope that other Member States would also support the implementation of the action plan.

63. Mr. RAGHURAMAN (India), having welcomed the Secretariat's assurance that the opinions expressed in the Board at its recent meetings would be taken into account, urged that unsealed sources also be covered by the action plan.

64. A workshop on the safety of radiation sources for customs, coast guard and airport personnel had recently been conducted in India, which would be happy to share its expertise with other Member States through the Agency's Secretariat.

65. Mr. SHOAI B (Pakistan) said that the Secretariat should certainly take into account the opinions expressed during the Board's recent session and that in his view the word "energetically" in operative paragraph 1 of the draft resolution was inappropriate.

66. Mr. SCHMID (Austria) said that his delegation, which was concerned about the budgetary implications of the action plan, felt that the word “energetically” might be misconstrued; perhaps it should be deleted. His delegation was also concerned that work on implementing the action plan should not duplicate the work already being done on the prevention of illicit trafficking in nuclear materials.

67. Mr. DÍAZ-DUQUE (Guatemala), Mr. DJEFFAL (Algeria) and Mr. YU Zhuoping (China) called for deletion of the word “energetically”.

68. Mr. MCINTOSH (Australia) said that the sponsors of the draft resolution could go along with deletion of the word “energetically”.

69. The CHAIRMAN took it that the Committee wished to adopt the draft resolution, with the deletion of the word “energetically” in operative paragraph 1.

70. It was so agreed.

The meeting rose at 1.05 p.m.