



GC

GC(45)/COM.5/OR.4
October 2001

International Atomic Energy Agency
GENERAL CONFERENCE

GENERAL Distr.
Original: ENGLISH

FORTY-FIFTH (2001) REGULAR SESSION

COMMITTEE OF THE WHOLE

RECORD OF THE FOURTH MEETING

Held at the Austria Center Vienna
on Wednesday, 19 September 2001, at 3.00 p.m.

Chairperson: Ms. HERNES (Norway)

CONTENTS

<u>Item of the agenda*</u>		<u>Paragraphs</u>
17	Strengthening the Agency's activities related to nuclear science, technology and applications (resumed)	1 - 9
	- Draft resolution entitled "Agency activities in the development of innovative nuclear technology" (resumed)	1 - 9
16	Strengthening of the Agency's technical co-operation activities (resumed)	10 - 21
18	Strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Additional Protocol	22 - 36

[*] GC(45)/28.

The composition of delegations attending the session is given in document GC(45)/INF/17/Rev.2.

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.

CONTENTS
(Contd.)

<u>Item of the agenda*</u>		<u>Paragraphs</u>
17	Strengthening the Agency's activities related to nuclear science, technology and applications (resumed)	37 - 79
	(c) Servicing immediate human needs	37 - 67
	- Draft resolution entitled "Drought in Central America"	51 - 67
	(b) Use of isotope hydrology for water resources management	68 - 79
16	Strengthening of the Agency's technical co-operation activities (resumed)	80 - 82
	- Draft resolution entitled "Support to the Organization of African Unity's Pan-African Tsetse Trypanosomiasis Eradication Campaign (PATTEC)" (resumed)	80 - 82

Abbreviations used in this record

INPRO	International Project on Innovative Nuclear Reactors and Fuel Cycles
R&D	Research and development
SIT	Sterile insect technique
TCF	Technical Co-operation Fund

GC(45)/COM.5/OR.4
page 4

STRENGTHENING THE AGENCY'S ACTIVITIES RELATED TO NUCLEAR SCIENCE, TECHNOLOGY AND APPLICATIONS (resumed)

- Draft resolution entitled "AGENCY ACTIVITIES IN THE DEVELOPMENT OF INNOVATIVE NUCLEAR TECHNOLOGY" (resumed)
(GC(45)/COM.5/L.8)

1. The representatives of DENMARK and IRELAND said that, having consulted with their national authorities, they still could not accept the proposed addition of "for sustainable development" to preambular paragraph (c) of the draft resolution in document GC(45)/COM.5/L.8. They would have to express a reservation with regard to that paragraph.

2. The representative of BELARUS, expressing support for the draft resolution, said that his delegation was convinced that success in the implementation of INPRO would prevent disasters like the Chernobyl accident, from the consequences of which his country was still suffering.

3. The CHAIRPERSON said she took it that the Committee could accept the following amendments: the insertion of "a number of" between "in" and "Member States" in preambular paragraph (d); the replacement of "importance" by "progress" in preambular paragraph (e); the replacement of "safeguardability" by "safeguards, safety and environmental" and the insertion of "and their fuel cycles" after "innovative reactors" in operative paragraph 2; and the insertion of "interested" between "all" and "Member States" and the replacement of "technical expertise" by "technical and other relevant experts" in operative paragraph 4.

4. It was so agreed.

5. The representative of the RUSSIAN FEDERATION said that her delegation, which welcomed the version of preambular paragraph (c) proposed by India on behalf of the Group of 77 and China, could not agree to the replacement of "Commends" by "Notes" in operative paragraph 1.

6. The representatives of AUSTRIA, IRELAND and DENMARK said that they might have to express reservations with regard to operative paragraph 1 - as well as preambular paragraph (c).

7. The representative of NEW ZEALAND said that she would have to express a reservation with regard to preambular paragraph (c).

8. The CHAIRPERSON proposed that the Committee recommend adoption of the draft resolution in document GC(45)/COM.5/L.8 with the amendments to preambular paragraphs (d) and (e) and operative paragraphs 2 and 4 which it had just accepted and with preambular paragraph (c) reading as proposed by India on behalf of the Group of 77 and China, it being understood that she would inform the General Conference that Austria,

Denmark, Ireland and New Zealand had expressed a reservation to a specific paragraph of the draft resolution.

9. It was so agreed.¹

STRENGTHENING OF THE AGENCY'S TECHNICAL CO-OPERATION ACTIVITIES
(resumed)

(GC(45)/INF/4, GC(45)/COM.5/L.7)

10. The representative of DENMARK said that, whatever changes were made to preambular paragraph (f) of the draft resolution in document GC(45)/COM.5/L.7, it should be made clear that, although many countries might consider nuclear power to be a viable option, some countries did not.

11. The representatives of IRELAND and GERMANY expressed support for the comment made by the representative of Denmark.

12. The representative of the UNITED STATES said that the following language for preambular paragraph (o) had been worked out during informal consultations among a number of delegations: “Also recognizing that national nuclear entities are important partners in the implementation of technical co-operation programmes in Member States and promote the use of nuclear technologies by relevant institutions for achieving national development objectives”.

13. The representative of MALAYSIA said that in his view the Group of 77 and China would have no problems with that language. That being so, operative paragraph 10, which was related to preambular paragraph (o), could perhaps be amended to read “Requests the Director General to promote, within the framework of the technical co-operation programme, activities supporting self-reliance, sustainability and ...”.

14. The representative of the NETHERLANDS, reiterating his view that the phrase “an appropriate balance between the promotional activities and other statutory activities of the Agency” in preambular paragraph (j) was meaningless, said that his country regularly paid its full TCF target share, whereas many Member States benefiting from Agency technical co-operation contributed nothing to the TCF.

15. The situation was particularly difficult to accept since the “appropriate balance” concept inhibited the Agency's financial management. His delegation would go along with the retention of preambular paragraph (j) if a phrase along the lines of “and taking into account all expenditures on technical co-operation activities under all Major Programmes financed from the Regular Budget” were added to it - and he would withdraw the proposal which he had made during the previous meeting for replacing preambular paragraph (j) altogether.

¹ Subsequently, the representatives of Norway and Sweden informed the Chairperson that their countries wished to express a reservation to a specific paragraph of the draft resolution. The Chairperson added Norway and Sweden to Austria, Denmark, Ireland and New Zealand when reporting to the General Conference.

16. The representative of EGYPT said he was sure that the Group of 77 and China would not be able to accept the proposed addition to preambular paragraph (j) but could go along with the insertion, after preambular paragraph (j), of an additional paragraph containing some elements of the replacement paragraph proposed by the representative of the Netherlands during the previous meeting.

17. The CHAIRPERSON suggested - after a discussion in which the representative of the ISLAMIC REPUBLIC OF IRAN, the DEPUTY DIRECTOR GENERAL FOR MANAGEMENT and the representatives of the NETHERLANDS, EGYPT, GERMANY, MALAYSIA, AUSTRIA, NEW ZEALAND, INDIA, SWEDEN and SWITZERLAND participated - that the Committee recommend adoption of the draft resolution in document GC(45)/COM.5/L.7 with the following amendments: in preambular paragraph (f), the transfer of “in a number of countries” to after “including climate protection” and the deletion of “important” and “and, similarly, electron beam (EB) technology for other pollutant gas emissions”; the insertion, after preambular paragraph (j), of a paragraph reading “Emphasizing the importance of the promotional activities of the Agency, the financing of which should be guaranteed by, inter alia, results-based budgeting and the appropriate use of the Regular Budget in managing and supporting those activities”; in preambular paragraph (m), the deletion of “, including the provision of sufficient resources,”; the rewording of preambular paragraph (o) to read “... entities are important partners in the implementation of technical co-operation programmes in Member States and promote the use of nuclear technologies by relevant institutions for achieving national development objectives”; in operative paragraph 2, the deletion of “, with regard to resolution GC(44)/RES/8,” and the insertion of “in accordance with resolution GC(44)/RES/8” after “to the TCF”; in operative paragraph 2, the deletion of “, especially major donors, to make every effort”; in operative paragraph 5, the replacement of “peaceful and safe applications” by “peaceful, safe and regulated applications” and the transfer of “(a)” to before “food and agriculture”; in operative paragraph 7, the deletion of “and, similarly, EB technology for other pollutant gas emissions” and the replacement of “essential inputs” by “factual input”; and in operative paragraph 10, the replacement of “to establish programmes to support the self-reliance” by “to promote, within the framework of the technical co-operation programme, activities supporting self-reliance”.

18. The representative of MALAYSIA said, after consultations with other members of the Group of 77 regarding the proposed deletion of the references to EB technology, that he could, in a spirit of compromise, go along with the Chairperson’s suggestions.

19. The representative of the NETHERLANDS said that he would reluctantly accept the retention of preambular paragraph (j) if it was to be followed by the suggested additional paragraph, in which he would like “promotional activities” to be replaced by “technical co-operation activities”.

20. The CHAIRPERSON said she assumed that the Committee wished to recommend to the General Conference that it adopt the draft resolution in document GC(45)/COM.5/L.7 with the amendments which she had read out, but with “promotional” replaced by “technical co-operation” in the additional preambular paragraph, and that she would inform the

Conference that Austria, Denmark, Germany, Ireland and New Zealand had made reservations on specific parts of the draft resolution.

21. It was so agreed.²

STRENGTHENING THE EFFECTIVENESS AND IMPROVING THE EFFICIENCY OF THE SAFEGUARDS SYSTEM AND APPLICATION OF THE MODEL ADDITIONAL PROTOCOL
(GC(45)/23 and GC(45)/COM.5/L.10)

22. The representative of AUSTRIA, introducing the draft resolution in document GC(45)/COM.5/L.10 on behalf of the European Union, said that it was largely based on resolution GC(44)/RES/19. Developments during the past year had been taken into account, but no substantive changes had been made.

23. The representative of EGYPT said that his delegation, which attached great importance to strengthening the effectiveness and improving the efficiency of the safeguards system, believed that certain fundamental principles were not reflected in the draft resolution. It would in due course submit amendments designed to correct the draft resolution's deficiencies.

24. The representative of SWITZERLAND, referring to operative paragraph 1 of the draft resolution, said that his delegation preferred the wording of operative paragraph 1 of resolution GC(44)/RES/19.

25. With regard to paragraph 13, he suggested that "recommends that the Director General and Member States continue implementing this plan of action" be replaced by "recommends that the Director General and Member States continue their efforts".

26. The representative of the ISLAMIC REPUBLIC OF IRAN, noting that preambular paragraph (j) of resolution GC(44)/RES/19 had not been included in the draft resolution, said that its inclusion would make for a more balanced text.

27. The representative of INDIA, recalling that his country had a very distinctive position with regard to safeguards, said he welcomed the fact that the draft resolution closely reflected the consensus which had led to the adoption of resolution GC(44)/RES/19.

28. Having endorsed the comments made by the representative of the Islamic Republic of Iran, he said that the inclusion in such draft resolutions of references to the outcomes of conferences in which not all Member States had been able to participate created problems for those Member States which had not participated.

² Subsequently, the representatives of Norway and Sweden informed the Chairperson that their countries wished to make reservations on specific parts of the draft resolution. The Chairperson added Norway and Sweden to Austria, Denmark, Germany, Ireland and New Zealand when reporting to the General Conference.

29. The representative of ISRAEL said that, in the hope of avoiding the controversy of the General Conference's 2000 session, his delegation would like to see the resolution finally adopted by consensus at that session (GC(44)/RES/19) adopted - with just the necessary editing - at the current session.

30. The representative of PAKISTAN endorsed the views expressed by the representatives of the Islamic Republic of Iran and India.

31. The representative of AUSTRIA said that the idea of replacing operative paragraph 1 of the draft resolution by operative paragraph 1 of resolution GC(44)/RES/19 would be considered by the sponsors of the draft resolution.

32. With regard to the omission of preambular paragraph (j) of resolution GC(44)/RES/19, he said that the sponsors of the draft resolution had felt that the paragraph was rather extraneous to the draft resolution's main thrust. However, as he had already indicated, developments during the past year had been taken into account in the preparation of the draft resolution, but resolution GC(44)/RES/44 had been adapted with no substantive changes made.

33. The representative of CHINA expressed support for the remarks made by the representative of the Islamic Republic of Iran.

34. The representative of ISRAEL said that his delegation, which would comment on particular paragraphs of the draft resolution in due course, had great difficulty with the practice of referring to treaties, regimes and conferences not governed by the Agency's Statute or the Agency's decision-making processes.

35. The representative of NIGERIA expressed the hope that delegation's would display the flexibility necessary in order that a resolution might be adopted by consensus under the agenda item now being considered.

36. The CHAIRPERSON said that Mr. Di Sapia of the Italian delegation had kindly agreed to guide informal deliberations relating to the draft resolution. She suggested that interested Member State representatives meet at 10 a.m. the next day in Meeting Room O.

STRENGTHENING THE AGENCY'S ACTIVITIES RELATED TO NUCLEAR SCIENCE, TECHNOLOGY AND APPLICATIONS (resumed)

(c) SERVICING IMMEDIATE HUMAN NEEDS (GC(45)/17 and GC(45)/COM.5/L.12)

37. The representative of NIGERIA, introducing the draft resolution in document GC(45)/COM.5/L.12, said that it was based largely on resolution GC(44)/RES/24.

38. The DIRECTOR OF THE DIVISION OF BUDGET AND FINANCE, recalling that operative paragraph 1 of resolution GC(44)/RES/24 contained the phrase "within available

resources”, recommended the addition of the phrase “subject to the availability of resources” after “Requests the Agency” in operative paragraph 1 of the draft resolution.

39. The representative of the UNITED STATES OF AMERICA, having endorsed the recommendation made by the Director of the Division of Budget and Finance, said that his country was providing substantial support for activities in the areas covered by the draft resolution - both within and outside the Agency.

40. Referring to operative paragraph 2 of the draft resolution, he suggested that the Director General be requested to report to the Board and the General Conference in 2003 as it was unlikely that significant progress would be achieved within one year.

41. The representative of the UNITED KINGDOM, having expressed support for the recommendation made by the Director of the Division of Budget and Finance and the suggestion made by the representative of the United States of America, recalled that the “chapeau” to operative paragraph 1 of resolution GC(44)/RES/24 contained the phrase “in co-operation with Member States and relevant international organizations”. Perhaps that phrase could be added to operative paragraph 1 of the draft resolution.

42. The representative of CANADA proposed the following amendments: deletion of the phrase “a condition mainly affecting the elderly” in preambular paragraph (k); the replacement of “the debilitating disease of solid cancers” by “the life-threatening effects of solid cancers” in operative sub-paragraph 1(b); and the insertion of “, taking into account relevant developments in Member States,” after “to continue to strengthen” in operative sub-paragraph 1(c).

43. The representative of JAPAN, referring to operative sub-paragraph 1(d), expressed concern about the financial implications of the initiation of new activities and programmes. His delegation would not block a consensus, but it hoped that no budgetary increase would become necessary.

44. The representative of JORDAN, referring to preambular paragraph (e), said that the purpose of the SESAME project, which was based in his country and was being supported by Germany, was to establish an international centre of excellence in the Middle East for work with ionizing radiation and to promote peace-building through scientific co-operation in that region. Eleven countries were participating in the project.

45. The representative of the UNITED STATES OF AMERICA, referring to the comments made by the representative of Japan, said that the Agency already had a programme on nutrition R&D. He proposed that the beginning of operative paragraph 1(d) be amended to read “to continue to support research activities”.

46. The representative of ZIMBABWE, referring to the recommended inclusion of the phrase “subject to the availability of resources” in the “chapeau” to operative paragraph 1, expressed the hope that the Secretariat would do all it could to obtain financial support also from donors outside the Agency.

47. The representative of NIGERIA said that he would prefer the phrase “within available resources” to the phrase “subject to the availability of resources”.

48. The DIRECTOR OF THE DIVISION OF BUDGET AND FINANCE said that the Secretariat interpreted “within available resources” as meaning “subject to the availability of resources”.

49. The CHAIRPERSON took it that the Committee wished to recommend to the General Conference the adoption of the draft resolution in document GC(45)/COM.5/L.12 with the following amendments: in preambular paragraph (k), the deletion of “, a condition mainly affecting the elderly,”; in operative paragraph 1, the addition of “, subject to the availability of resources and in co-operation with Member States and relevant international organizations” after “Requests the Agency”; in operative sub-paragraph 1(b), the replacement of “the debilitating disease” by “the life threatening effects”; in operative sub-paragraph 1(c), the insertion of “, taking into account relevant developments in Member States” after “to continue to strengthen”; in operative sub-paragraph 1(d), the replacement of “to initiate and support” by “to continue to support”; and in operative paragraph 2, the replacement of “forty-sixth session” by “forty-seventh session”.

50. It was so agreed.

- Draft resolution entitled “DROUGHT IN CENTRAL AMERICA”
(GC(45)/COM.5/L.11)

51. The representative of GUATEMALA, introducing the draft resolution in document GC(45)/COM.5/L.11, said that the sponsors were not suggesting that the Secretariat should seek additional resources for its implementation; perhaps the phrase “subject to the availability of resources” could be added in operative paragraph 3.

52. He said that “Requests” should be replaced by “Invites” in operative paragraph 2, “Director General” by “Secretariat” and “to prevent and avoid” by “to assist in preventing and avoiding” in operative paragraph 3, and “Asks” by “Requests” in operative paragraph 4.

53. The representatives of SPAIN and the PHILIPPINES expressed strong support for the draft resolution with the amendments proposed by the representative of Guatemala.

54. The HEAD OF THE PROGRAMME CO-ORDINATION SECTION, DEPARTMENT OF TECHNICAL CO-OPERATION, referring to operative paragraph 3, said that there was a technical co-operation project in the field of isotope hydrology already under way in Latin America which could be expanded to include the countries mentioned in that paragraph, so that there was no need to request the preparation of a new project.

55. The representative of FRANCE, expressing support for the draft resolution, asked whether the Secretariat would, in the event of an expansion of the existing technical co-operation project, act alone or in collaboration with other relevant international organizations.

56. The HEAD OF THE ISOTOPE HYDROLOGY SECTION, DIVISION OF PHYSICAL AND CHEMICAL SCIENCES said that the Secretariat intended to collaborate with other relevant organizations.

57. The representative of FRANCE said that, in that case, perhaps the phrase “in co-operation with other relevant international organizations” should be inserted in operative paragraph 3 of the draft resolution.

58. The representative of the UNITED STATES OF AMERICA said that his country, which had provided substantial bilateral assistance to countries affected by Hurricane Mitch, sympathized with the Central American countries referred to in the draft resolution. However, his delegation thought that General Conference resolutions should address general issues of interest to the majority or a substantial number of Member States rather than focusing on specific issues. Moreover, Member States in Central America could submit requests for assistance to be provided through national or regional technical co-operation projects.

59. The representative of MEXICO, expressing support for the draft resolution, proposed that the following phrase be inserted in paragraph 3: “taking into account the applications of these techniques in other areas”.

60. The representative of the UNITED KINGDOM said that, while her delegation understood the concerns of the sponsors of the draft resolution, it queried the need for the submission of a draft resolution given the existence of established mechanisms for requesting Agency technical assistance.

61. Noting that preambular paragraph (c) of the draft resolution closely resembled preambular paragraph (d) of the draft resolution in document GC(45)/COM.5/L.7, she proposed that it be deleted.

62. She proposed amending the first part of operative paragraph 3 to read “Requests the Secretariat to continue to assist the Member States concerned in the Central American region within the framework of the Agency’s technical co-operation programme”.

63. The representative of GUATEMALA said he had no objection to the deletion of preambular paragraph (c).

64. The representative of the UNITED STATES OF AMERICA, referring to operative paragraph 4, asked whether it was necessary for the Secretariat to submit a report both to the General Conference and to the Board of Governors.

65. The representative of GUATEMALA said that the sponsors of the draft resolution would be willing to dispense with a report to the Board but not with one to the General Conference.

66. The CHAIRPERSON, noting that Honduras, which was mentioned in operative paragraph 3, was not yet a Member State of the Agency, said she took it that the Committee

wished to recommend to the General Conference that it adopt the draft resolution with the following amendments: the deletion of preambular paragraph (c); the replacement of “Requests” by “Invites” in operative paragraph 2; the reformulation of operative paragraph 3 to read “Requests the Secretariat to continue to assist, in co-operation with other relevant international organizations and subject to the availability of resources, the Member States concerned in the Central American region, especially the countries affected by the drought and famine (Guatemala, El Salvador and Nicaragua), within the framework of the Agency’s technical co-operation programme on isotope hydrology, taking into account the applications of these techniques in other areas and with a view to promoting better knowledge and use of the water resources in order to assist in preventing and avoiding situations like the present drought and the consequent public health crisis due to the shortage of food”; and the replacement of “Ask” by “Requests” and the deletion of “the Board of Governors and” in operative paragraph 4.

67. It was so agreed.

(b) USE OF ISOTOPE HYDROLOGY FOR WATER RESOURCES MANAGEMENT
(GC(45)/16 and GC(45)/COM.5/L.13)

68. The representative of INDIA, introducing the draft resolution in document GC(45)/COM.5/L.13 on behalf of the Group of 77 and China, said that the Agency had done excellent work in the field of isotope hydrology since the adoption of resolution GC(43)/RES/16 two years previously.

69. The representative of the UNITED STATES OF AMERICA said that his country was a major supporter of the Agency’s isotope hydrology activities and had provided extrabudgetary funding for both national and regional isotope hydrology projects, especially in Africa.

70. Referring to the draft resolution, he said that his delegation had noted that it did not mention important problems such as arsenic contamination.

71. The HEAD OF THE ISOTOPE HYDROLOGY SECTION, DIVISION OF PHYSICAL AND CHEMICAL SCIENCES said that the focus of the draft resolution could perhaps be broadened through a rearrangement of the text.

72. The DIRECTOR OF THE DIVISION OF BUDGET AND FINANCE said that, given the wording of operative sub-paragraph 1(a), the Secretariat recommended that the phrase “subject to the availability of resources” be inserted in the paragraph 1 “chapeau”.

73. The representative of INDIA said that in his view the Group of 77 and China would be able to accept the insertion of that phrase as recommended.

74. The representative of the LIBYAN ARAB JAMAHIRIYA, expressing strong support for the Agency’s isotope hydrology activities relating to water resources management, said that his country had submitted a proposal for a technical co-operation project involving the

use of isotope hydrology for the period 2003-2005 which his delegation hoped would be approved.

75. His delegation also hoped that the regional model project for Africa on the sustainable development of groundwater resources would be extended for a further three years.

76. The representative of ISRAEL, expressing support for the draft resolution, proposed that the words “developing countries” in operative sub-paragraph 1(a) be amended to read “interested countries”.

77. The representative of AUSTRALIA proposed inserting the words “and other nuclear” before “techniques” and replacing “developing countries” by “all Member States” in operative sub-paragraph 1(a).

78. The CHAIRPERSON suggested - after proposals for restructuring the draft resolution had been made by the representatives of MOROCCO, POLAND, the UNITED KINGDOM and FRANCE - that the Committee postpone further consideration of the draft resolution until its next meeting so as to allow interested representatives to consult informally.

79. It was so agreed.

STRENGTHENING OF THE AGENCY'S TECHNICAL CO-OPERATION ACTIVITIES (resumed)

- Draft resolution entitled “SUPPORT TO THE ORGANIZATION OF AFRICAN UNITY'S PAN-AFRICAN TSETSE AND TRYPANOSOMIASIS ERADICATION CAMPAIGN (PATTEC)” (resumed)
(GC(45)/COM.5/L.9)

80. The representative of NIGERIA said that, in the light of informal consultations, he wished to propose the following amendments to the draft resolution in document GC(45)/COM.5/L.9: the addition of “including resolution GC(44)/RES/24,” at the end of preambular paragraph (a); the replacement of “the Agency's technical co-operation programme” by “the Agency's programmes” in preambular paragraph (b); the addition of “the efforts of the Agency on R&D for tsetse SIT over several years and” after “Acknowledging” in preambular paragraph (f); the replacement of “AHG/Dec.2/(XXXVI) and AHG/Dec.10(XXXVII)” by “AHG/Dec.156(XXXVI) and AHG/Dec.169(XXXVII)” in preambular paragraph (h); and the addition of “within available resources” after “SIT” in operative paragraph 5.

81. The CHAIRPERSON suggested that the Committee consider the amended draft resolution at its next meeting.

82. It was so agreed.

The meeting rose at 6.15 p.m.