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COMMITTEE OF THE WHOLE

RECORD OF THE FOURTH MEETING

Held at the Austria Center Vienna
on Wednesday, 18 September 2002, at 3.30 p.m.

Chairman: Mr. MOLTENI (Argentina)

CONTENTS

<u>Item of the agenda*</u>		<u>Paragraphs</u>
15	Strengthening the Agency's activities related to nuclear science, technology and applications (<i>continued</i>)	1 - 34
17	Nuclear security - progress on measures to protect against nuclear terrorism	35 - 49
15	Strengthening the Agency's activities related to nuclear science, technology and applications (<i>resumed</i>)	50

[*] GC(46)/19.

The composition of delegations attending the session is given in document GC(46)/INF/8/Rev.1.

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.

Abbreviations used in this record

INPRO International Project on Innovative Nuclear Reactors and Fuel Cycles

STRENGTHENING THE AGENCY'S ACTIVITIES RELATED TO NUCLEAR SCIENCE,
TECHNOLOGY AND APPLICATIONS (continued)
(GC(46)/COM.5/L.8 and L.10)

1. The representative of CANADA, responding to the suggestion regarding preambular paragraph (c) of the draft resolution contained in document GC(46)/COM.5/L.8 made by the representative of India during the previous meeting, proposed that the paragraph be amended through the insertion of the words “or growth” between “the preservation” and “of existing knowledge”.
2. In response to the suggestion made by the representative of India regarding preambular paragraph (d), she suggested the wording “Noting that the need to preserve, enhance or strengthen nuclear knowledge arises irrespectively of future expansion ...”.
3. In response to the proposal, made by the Director of the Division of Budget and Finance, that the words “within available resources” in operative paragraph 2 be replaced by “subject to the availability of resources”, she said that the sponsors of the draft resolution would prefer the text to be left as it was. They believed that the Secretariat would not need additional resources in order to do what was requested of it in operative paragraph 2.
4. In response to a comment made by the representative of the Russian Federation regarding operative paragraph 6, she proposed that the words “the priority given by Member States to the range of issues” be replaced by “the high level of interest of Member States in the range of issues”.
5. In response to the comments made by the representatives of France, Germany and Ukraine on operative paragraph 7 regarding when the Director General should report to the General Conference, she said that the sponsors would like the General Conference to receive an initial report already in 2003. She proposed that operative paragraph 7 be amended to read “at its forty-seventh (2003) session under an appropriate agenda item and thereafter to update the report as deemed appropriate by the General Conference.”
6. In response to the suggestion made by the representative of India that a paragraph reading “Recognizing the need for the promotion of nuclear knowledge for sustainable development” be inserted between preambular paragraphs (e) and (f), she said that the sponsors of the draft resolution, while agreeing that the promotion of nuclear knowledge for sustainable development was an important issue, felt that the suggested additional paragraph was not appropriate in a draft resolution of the kind under consideration.
7. The representative of the RUSSIAN FEDERATION said that, if the words “within available resources” were retained in operative paragraph 2, perhaps the words “and budget” in operative paragraph 6 should be deleted.
8. The representative of CANADA said that, in her view, all the sponsors of the draft resolution could go along with the deletion of the words “and budget” in operative paragraph 6.

9. The representative of INDIA, having thanked the sponsors of the draft resolution for meeting some of his delegation's concerns, said that he did not understand why they preferred "or growth" to "and growth" for insertion in preambular paragraph (c). However, his delegation could go along with the sponsors' preference.

10. As to his delegation's suggestion for the addition of a paragraph reading "Recognizing the need for the promotion of nuclear knowledge for sustainable development", his delegation was surprised that the sponsors of the draft resolution felt that such a preambular paragraph would not be appropriate in the draft resolution.

11. That having been said, his delegation, which attached great importance to the preservation and growth of nuclear knowledge and felt that any knowledge which contributed to sustainable development should be welcome to everyone, considered the draft resolution to be a useful one.

12. The representative of SWEDEN welcomed the constructive attitude displayed by the representative of India.

13. The CHAIRMAN took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution contained in document GC(46)/COM.5/L.8 with the amendments accepted by the sponsors.

14. It was so agreed.

15. The representative of the RUSSIAN FEDERATION, introducing the draft resolution on "Agency activities in the development of innovative nuclear technology" contained in document GC(46)/COM.5/L10, said that the sponsors were convinced that supporting the development of innovative nuclear technology should be one of the Agency's main activities.

16. INPRO was progressing well, and its first phase was already nearing completion. The draft resolution also referred to other initiatives relating to the development of innovative nuclear technology, including the Generation IV International Forum, and the sponsors would like to see close co-ordination among all the initiatives. In their view, the Agency would be an appropriate organization for ensuring such co-ordination.

17. Referring to operative paragraph 4 of the draft resolution, which envisaged that INPRO would continue to be funded from extrabudgetary resources, he said that the sponsors would actually like INPRO to be funded from the Regular Budget. However, they appreciated that some Member States did not share their preference.

18. The representative of the UNITED STATES OF AMERICA said that the draft resolution was largely acceptable to his delegation, which would also like to see - in the interests of avoiding duplication of effort - close co-operation between INPRO and the Generation IV International Forum.

19. Referring to operative paragraph 4, he suggested that the phrase "the need to ensure" be replaced by "the need for".

20. The representative of INDIA said that his delegation would prefer the phrase “the need to ensure” to be retained.
21. The representative of TURKEY, expressing support for INPRO, said his delegation hoped that during its further implementation due consideration would be given to the particular needs of developing countries wishing to embark on nuclear power programmes.
22. The representative of AUSTRIA, supported by the representative of DENMARK, said that preambular paragraph (c) of the draft resolution was virtually identical with preambular paragraph (c) of resolution GC(45)/RES/12.F and recalled that in 2001 his country - together with Denmark, Ireland, Luxembourg and New Zealand - had expressed strong reservations regarding that paragraph.¹ His country still did not consider nuclear energy to be an acceptable source of energy.
23. Referring to operative paragraph 4, he expressed support for the suggestion made by the representative of the United States of America.
24. The representative of the NETHERLANDS said that INPRO was an important project for his country, which was supporting it through extrabudgetary financial contributions and the provision of cost-free expertise. However, his delegation could go along with the suggested replacement of “the need to ensure” by “the need for” in operative paragraph 4 of the draft resolution.
25. The representative of IRELAND, having endorsed the comments made by the representative of Austria regarding preambular paragraph (c) and having expressed support for the suggested change in operative paragraph 4, said that in his view the words “Welcomes” and “looks forward to” in operative paragraph 5 indicated an exaggeratedly high level of enthusiasm about the international conference mentioned in that paragraph.
26. The representative of UKRAINE, expressing support for INPRO, said that his country hoped to start participating in it soon.
27. The representative of CANADA, referring to operative paragraph 4, said that INPRO was a forward-looking project and a valuable forum for the exchange of ideas and that her country would continue to provide funds and cost-free expertise in support of it.
28. She suggested that those delegations which had reservations about preambular paragraph (c) focus on the word “examining”; no one was jumping to over-optimistic conclusions about the envisaged technology, and it was surely incumbent on an international technical organization like the Agency to involve itself in the examination of such nuclear technology.
29. The representative of CHINA, commending the draft resolution to the Committee, said that it took the interests of many countries besides the sponsors into account.

¹ See document GC(45)/OR.10, para. 71.

30. The representative of the DEPARTMENT OF NUCLEAR ENERGY pointed out that the title of the international conference referred to in operative paragraph 5 should read “Innovative technologies for nuclear fuel cycles and nuclear power”.
31. The representative of the RUSSIAN FEDERATION suggested that those delegations which had strong reservations about preambular paragraph (c) express their reservations in Plenary - as they had done in 2001.
32. The representative of AUSTRIA said that, if the procedure followed by Austria, Denmark, Ireland, Luxembourg and New Zealand in 2001 were to be followed every time a country had strong reservations about a draft resolution being considered in the Committee, the idea of arriving at consensus in the Committee would be seriously undermined. The Committee should make a real effort to amend the draft resolution under consideration in such a way that the resulting text could be recommended by consensus to the General Conference for adoption - without any reservations having to be expressed.
33. The CHAIRMAN said that a minority should not be allowed to impose its point of view on a majority any more than a majority on a minority. In his view, the Committee should recommend the draft resolution - with “the need to ensure” replaced by “the need for” in operative paragraph 4 and “reactors” replaced by “power” in operative paragraph 5 - to the General Conference for adoption, it being understood that he would inform the Conference that four countries had expressed reservations with regard to one of the paragraphs.
34. It was so agreed.

NUCLEAR SECURITY - PROGRESS ON MEASURES TO PROTECT AGAINST
NUCLEAR TERRORISM
(GC(46)/14 and Mod.1; GC(46)/COM.5/L.11)

35. The representative of FRANCE, introducing the draft resolution contained in document GC(46)/COM.5/L.11, said the spirit of the draft resolution was similar to that of resolution GC(45)/RES/14, in response to which the Director General had launched a comprehensive programme for improving nuclear security and combating the threat of nuclear terrorism.
36. The representative of INDIA suggested the addition of a preambular paragraph on the lines of “Noting that the existence of orphan sources in some countries poses a danger to human lives and the environment” and of an operative paragraph on the lines of “Commends the Secretariat for the action it has taken in the Republic of Georgia in co-operation with a number of Member States to detect and remove orphan sources”.
37. He also suggested deleting “and of associated international co-operation” from preambular paragraph (j) and inserting the phrase “including in-kind contributions” in operative paragraph 4 after “financial”.
38. The representative of CANADA suggested inserting the words “and security” in preambular paragraph (d) after “the importance of physical protection”. With regard to preambular paragraph (f), he suggested amending the phrase “the risks resulting from sources

that are out of regulatory control” to read “the risks ... sources that may be out of regulatory control”. With regard to preambular paragraph (g), he suggested deleting the word “peaceful”.

39. Commenting on preambular paragraph (k), he expressed doubts about the inclusion of “safeguards agreements and additional protocols” as they were not international agreements in the same sense as the conventions mentioned in that paragraph. A separate paragraph relating to safeguards agreements and additional protocols would perhaps be preferable.

40. Commenting on operative paragraph 9, he questioned whether it was appropriate for the General Conference to invite the Director General to make proposals to the Advisory Group on Security, and, commenting on operative paragraph 12, he suggested that the type of information in question be specified.

41. The representative of BULGARIA, commending the draft resolution to the Committee, said that her country had already contributed US \$15 000 to the Nuclear Security Fund.

42. The representative of the RUSSIAN FEDERATION, having welcomed the draft resolution, said that his delegation had problems with the suggestion made by the representative of India regarding an additional operative paragraph in which reference would be made to orphan sources in the Republic of Georgia. Also, it would not like the word “peaceful” to be deleted from preambular paragraph (g).

43. Commenting on operative paragraph 11, he suggested inserting the word “agreed” so that the text read “... to prepare an agreed well-defined amendment”; it would be preferable for the amendment to be agreed upon in the open-ended group which the Director General had convened before it was submitted to a diplomatic conference.

44. The representative of the LIBYAN ARAB JAMAHIRIYA suggested an additional paragraph on the lines of “Calls upon all States to refrain from using nuclear weapons and from threatening to use such weapons against other States”.

45. The representative of BRAZIL said that her delegation would also like to see the word “peaceful” deleted from preambular paragraph (g) and that it shared the doubts of the representative of Canada regarding the reference to safeguards agreements and additional protocols in preambular paragraph (k).

46. She suggested that in preambular paragraph (f) the words “as elements of terror” be replaced by “in acts of terrorism”, that in preambular paragraph (g) the word “but” be replaced by “and”, and that in preambular paragraph (h) the phrase “every Member State faces” be replaced by “every Member State might face”.

47. In addition, she suggested that in operative paragraph 3 the phrase “in accordance with the relevant decision taken by the Board of Governors in March 2002” be added at the end, that in operative paragraph 5 the words “as part of the programme” be deleted, and that in operative paragraph 13 the words “within available resources” be amended to read “within the available resources of the Nuclear Security Fund”.

48. The CHAIRMAN proposed that the Committee postpone further consideration of the draft resolution until the sponsors had had time to reflect on the comments made on it and the suggestions made for amending it.

49. It was so agreed.

STRENGTHENING THE AGENCY'S ACTIVITIES RELATED TO NUCLEAR SCIENCE,
TECHNOLOGY AND APPLICATIONS (resumed)
(GC(46)/COM.5/L.12/Rev.1)

50. The representative of the RUSSIAN FEDERATION, introducing the draft resolution contained in document GC(46)/COM.5/L.12/Rev.1, said that it followed on from resolution GC(44)/RES/21 adopted by the General Conference in the year 2000. It was an "umbrella" resolution, covering - inter alia - topics which had given rise to draft resolutions of their own, such as innovative technology and the preservation of nuclear knowledge. His delegation hoped that it would not prove controversial.

The meeting rose at 5.40 p.m.