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## Forty-Seventh (2003) Regular Session

# Committee of the Whole

## Record of the Fourth Meeting

*Held at the Austria Center Vienna on Wednesday, 17 September 2003, at 3.15 p.m.*

**Chairman:** Ms. STOKES (Australia)

**Later:** Mr. GARCIA (Philippines)

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[\*] GC(47)/21.

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The composition of delegations attending the session is given in document GC(47)/INF/14/Rev.2.

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**Abbreviations used in this record:**

APCs      Assessed programme costs

NPT      Treaty on the Non-Proliferation of Nuclear Weapons

TCF      Technical Co-operation Fund

## **15. Strengthening of the Agency's technical co-operation activities**

(GC(47)/INF/7; GC(47)/INF/8; GC(47)/COM.5/L.12/Rev.1)

1. The representative of BRAZIL, introducing the draft resolution contained in document GC(47)/COM.5/L.12/Rev.1 on behalf of the Group of 77 and China, said that developing countries attached great importance to the Agency's technical co-operation activities as a means of accelerating and enlarging "the contribution of atomic energy to peace, health and prosperity throughout the world" (as envisaged in Article II of the Agency's Statute) and of achieving the objectives reflected in Article IV of the NPT.
2. Having noted that the draft resolution was structured in the same way as resolution GC(46)/RES/10 adopted in 2002, he drew particular attention to preambular paragraph (f), which contained a reference to footnote-a/ projects, to the last part of preambular paragraph (j), which was along the lines of paragraph 8 of the budget package proposal approved by the Board in July, to preambular paragraph (k), which reflected the Board's decision regarding suspension of the payment of APCs in 2004, to the first part of preambular paragraph (m), which related to the Rate of Attainment mechanism and differed markedly from the middle part of preambular paragraph (j) of resolution GC(46)/RES/10, to preambular paragraph (p), which included the words "fellowships, training courses", to operative paragraph 5, which was in line with paragraph 16 of the budget package proposal, and to operative paragraph 7, which reflected paragraph 13 of the budget package proposal.
3. The representative of GERMANY said that his Government, which attached great importance to the Agency's technical co-operation activities, had misgivings about the Board's decision to suspend the payment of APCs in 2004.
4. His delegation had difficulties with the phrase "Expressing grave concern about the subsequent results of the Rate of Attainment mechanism" in preambular paragraph (m), since the Director General had, in his statement to the Conference, said that pledges and payments to the TCF so far in 2003 showed an encouraging upward trend. In his delegation's view, at least the word "grave" should be deleted.
5. The phrase "and to ensure that all future viable projects are implemented" at the end of operative paragraph 7 should, in his delegation's view, be deleted as it might create difficulties for the Secretariat.
6. The representative of the NETHERLANDS said that his delegation saw no contradiction between technical co-operation activities in general and activities aimed at enhancing nuclear security in Member States, and it would therefore like the words "and security" to be inserted after "the internationally recognized standards of safety" in preambular paragraph (h).
7. In his delegation's view, the phrase "according to the needs of Member States" in preambular paragraph (r) was too passive; the initiative in Agency technical co-operation came from developing countries telling the Secretariat where their priorities lay and submitting requests.
8. In preambular paragraph (m), cause and effect seemed to have been reversed. The text should be turned around to read "Expressing concern that some Member States do not contribute their full TCF target shares or do not contribute to the TCF at all, and expressing concern about the subsequent results of the Rate of Attainment mechanism as established by resolution GC(44)/RES/8".

9. With regard to preambular paragraph (n), the Netherlands had difficulties with the “appropriate balance between the promotional activities and other statutory activities of the Agency” as it was understood by many Member States. In his country’s view, the important thing was that the Agency’s technical co-operation activities should be adequately funded, and the Netherlands had already pledged its full 2004 TCF target share - which it would, in accordance with its usual practice, pay in January 2004. His delegation would therefore like to see preambular paragraph (n) reworded to read something like “Emphasizing the need to maintain adequate financing of technical co-operation activities”.

10. The representative of FRANCE said that the phrase “and to ensure that all future viable projects are implemented” in operative paragraph 7 seemed to suggest that there was an obligation to fund footnote-a/ projects. He believed that the phrase should be deleted.

11. The representative of JAPAN noted that resolution GC(46)/RES/10 had not contained a paragraph similar to preambular paragraph (f), for which his delegation could see no need.

12. Preambular paragraph (k) should be reworded to read “Recalling the obligation of recipient Member States to pay Assessed Programme Costs (APCs)”, so as to bring it into line with paragraph 5 of resolution GC(46)/RES/10.

13. He proposed adding “, requests those Member States which are in arrears in APCs to meet this obligation and requests the Secretariat to apply the due account principle strictly” at the end of operative paragraph 4.

14. The representative of UKRAINE said that the draft resolution was not very well balanced from the point of view of the countries of central and eastern Europe, since it focused primarily on the needs of developing Member States.

15. He endorsed the remarks made by the representatives of Germany and France concerning the last phrase in operative paragraph 7.

16. With regard to preambular paragraph (k), his delegation agreed with the remark made by the representative of Japan; recipient Member States had an obligation to pay APCs - not just APC arrears.

17. Regarding preambular paragraph (q), he said that his delegation would welcome a reference in it to safety assessment and physical protection assessment missions, which were of great importance to countries in central and eastern Europe.

18. Regarding preambular paragraph (s), he said that it should speak not only of developing countries and least developed countries, but also of other Member States receiving technical assistance through the Agency.

19. Regarding operative paragraphs 4, he said that in many countries - including Ukraine - it was very difficult to convince finance ministries of the need to pay voluntary contributions in support of activities of international organizations.

20. The representative of SWITZERLAND said that her delegation supported the proposal to delete the last part of operative paragraph 7.

21. The representative of FRANCE said that, while the comment made by the representative of Ukraine regarding preambular paragraph (q) was well taken, his delegation had difficulties with the idea - put forward by the representative of the Netherlands - of inserting “and security” after “the internationally recognized standards of safety” in preambular paragraph (h). There were no

internationally recognized standards of security, since security was the responsibility of individual States. Perhaps the phrase “and also appropriate security measures” might be inserted instead.

22. The representative of CANADA said that, although his delegation had joined in the consensus on the budget package proposal, it feared that in the long run some of the proposed measures would be detrimental to the Agency. In particular, it was also concerned about the proposed suspension of APC payments in 2004 and hoped that they would be reinstated in 2005.

23. He expressed support for the comment made by the representative of Ukraine regarding preambular paragraph (s), for the proposal made by the representative of Japan regarding operative paragraph 4 and for the comment made by the representative of Germany regarding operative paragraph 7.

24. The REPRESENTATIVE OF THE OFFICE OF LEGAL AFFAIRS, commenting on operative paragraph 5, suggested that the phrase “Suspends the payment of Assessed Programme Costs (APCs) in 2004” be reformulated to read something like “Takes note of the Board’s decision to suspend the payment of ...”.

25. The representative of the UNITED KINGDOM, noting that operative paragraph 11 was identical with operative paragraph 10 of resolution GC(46)/RES/10, proposed that it be updated - in the light of developments since September 2002 - to read “Requests the Director General to make every effort to ensure, where relevant, that the Agency’s TC Programme contributes to the promotion of key areas identified in the Johannesburg Plan of Action<sup>1</sup> and to the attainment of the Millennium Development Goals, and further requests the Director General to keep Member States informed of the Agency’s activities in this regard”.

26. The representative of the UNITED STATES OF AMERICA expressed support for the suggestion made by the representative of France regarding preambular paragraph (h) and for the proposed deletion of the words “and to ensure that all future viable projects are implemented” in operative paragraph 7.

27. He proposed that in operative paragraph 6 the words “to continue to continuously review the Technical Co-operation Strategy 2000 Review” be replaced by “to continue to further refine the ... Review” - the wording in operative paragraph 6 of resolution GC(46)/RES/10.

28. The representative of UKRAINE suggested adding at the end of operative paragraph 8 a phrase on the lines of “, and at maintaining and enhancing the safety and security of nuclear installations”, the aim being to make the draft resolution more balanced.

29. The representative of AUSTRALIA said that her delegation supported the suggestion made by the representative of France with regard to preambular paragraph (h) and also the proposed deletion of the final phrase in operative paragraph 7.

30. Regarding operative paragraph 10, she said that it was not clear whether the “potential technical co-operation projects” mentioned at the end of it were to be prepared by Member States or by the Director General. Some redrafting was probably necessary.

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<sup>1</sup> In the draft resolution adopted by the General Conference, “the Johannesburg Plan of Action” was corrected to read “the Johannesburg Plan of Implementation”.

31. The representative of FRANCE said that the last part of operative paragraph 10 should reflect the fact that proposals for technical co-operation projects were prepared by Member States, with the guidance of the Secretariat.
32. The representative of BRAZIL expressed appreciation for the comments, suggestions and proposals that had been made.
33. Preambular paragraph (f), referring to footnote-a/ projects, was intended to be merely a statement of fact, and he hoped that the representative of Japan would agree to its retention.
34. Regarding preambular paragraph (h), he believed that the inclusion of a reference to security would not meet with the approval of the Group of 77 and China, which felt strongly that resources intended for technical co-operation with developing countries should not be used to promote nuclear security, especially since the Nuclear Security Fund had been established specifically for that purpose.
35. In his view, the amendment to preambular paragraph (k) called for by the representative of Japan was inadvisable, since the payment of APCs was to be suspended in 2004. He hoped that the representative of Japan would not insist on his amendment.
36. He hoped that preambular paragraph (n), which was identical with preambular paragraph (k) of resolution GC(46)/RES/10, could be left as it stood.
37. He would also refer the comments regarding preambular paragraphs (m), (q), (r) and (s) to his colleagues in the Group of 77 and China.
38. Operative paragraph 4 was identical with operative paragraph 4 of resolution GC(46)/RES/10, and he had misgivings about the proposal regarding it that the representative of Japan had made. In particular, the Group of 77 and China would not be in favour of calling for strict application of the due account principle.
39. Regarding operative paragraph 5, he said that it could perhaps be amended to read “Endorses the Board’s decision to suspend the payment of Assessed Programme Costs (APCs) in 2004 ...”.
40. He had no problem with the proposal made by the representative of the United States of America regarding operative paragraph 6.
41. With regard to operative paragraph 7, he hoped that the Group of 77 and China would not have difficulties with the proposed deletion of the final phrase.
42. He understood the final phrase in operative paragraph 10 to mean that the Director General would be requested to assist interested Member States in the preparation of technical co-operation projects.
43. He thanked the representative of the United Kingdom for the updated version of operative paragraph 11 which he had proposed.
44. The CHAIRMAN suggested that the Group of 77 and China prepare a revised version of the draft resolution for the Committee to consider at a later meeting.
45. It was so agreed.

## **14. Nuclear security - measures to protect against nuclear terrorism**

(GC(47)/17; GC(47)/COM.5/L.14)

46. The representative of FRANCE, speaking on behalf of the European Union, introduced the draft resolution contained in document GC(47)/COM.5/L.14 and entitled “Nuclear and radiological security - progress on measures to protect against nuclear and radiological terrorism”. The draft resolution covered - in addition to nuclear security and protection against nuclear terrorism - radiological security and protection against radiological terrorism, regarding which there had been major developments since the previous session of the General Conference.

47. The representative of CANADA said that his country, the second-largest contributor to the Nuclear Security Fund, was concerned about the Fund’s long-term future. His delegation therefore proposed the insertion in the draft resolution, after operative paragraph 3, of an additional operative paragraph reading “Encourages Member States to consider the desirability of improving the sustainability of the Agency’s core activities related to nuclear and radiological security and protection against nuclear terrorism that are unfunded in the regular programme”.

48. The representative of UKRAINE, referring to preambular paragraph (n) said that it was important that the Convention on the Physical Protection of Nuclear Material be amended soon. In that connection, he expressed strong support for operative paragraph 6, noting that the physical protection objectives and fundamental principles which had been endorsed by the Board of Governors could be applied by States before the agreed amendments to the Convention entered into force.

49. Referring to preambular paragraph (q) and operative paragraph 10, he commended the Secretariat for having held bilateral consultations with interested Member States on confidentiality issues.

50. The representative of the LIBYAN ARAB JAMAHIRIYA proposed the addition of an operative paragraph reading something like “Calls upon Member States to prohibit the use of and threats to use nuclear weapons against other States”. Such a paragraph was, in his opinion, justified by the reference in preambular paragraph (h) to the threat of nuclear and radiological terrorism; the threat posed by nuclear weapons in the hands of States was equally real.

51. The representative of INDIA proposed that in operative paragraph 7 “urges” be replaced by “encourages” and that in operative paragraph 9 “with appreciation” be inserted after “Notes”.

52. The representative of MALAYSIA, noting that preambular paragraph (g) spoke of keeping peaceful nuclear programmes safe and secure, said that all nuclear programmes - peaceful or otherwise - should be kept safe and secure.

53. The representative of AUSTRALIA said that, in her delegation’s view, “urges” should be retained in operative paragraph 7.

54. The representative of JAPAN said that, in his delegation’s view, the additional paragraph proposed by the representative of Canada was not consistent with the budget package proposal approved by the Board of Governors in July.

55. The representative of GERMANY expressed support for the comments made by the representative of Japan and doubts about the proposal made by the representative of the Libyan Arab Jamahiriya.

56. The representative of FRANCE, responding to the proposals for amendment which had been made, said that the General Conference was not the right forum in which to consider the issue raised in the additional operative paragraph proposed by the representative of the Libyan Arab Jamahiriya.

57. Regarding the proposal for an additional operative paragraph made by the representative of Canada, he - like the representative of Germany - agreed with the representative of Japan that the paragraph in question was not consistent with the budget package proposal approved by the Board.

58. Regarding the proposal, made by the representative of India, that "urges" be replaced by "encourages" in operative paragraph 7, he felt that the change would unduly weaken the paragraph in question.

59. He welcomed the proposal, made by the representative of India, for the insertion of "with appreciation" after "Notes" in operative paragraph 9.

60. The representative of the NETHERLANDS said that he appreciated the reasoning which had prompted the proposal of the Canadian delegation for an additional operative paragraph. As the issue covered in that paragraph was going to be taken up again by the Secretariat in 2004, however, he did not think that the paragraph was necessary in the draft resolution under consideration.

61. The representative of CANADA suggested changing "Encourages" to "Encouraging" in the proposed additional paragraph, so that it would become a preambular paragraph.

62. The representatives of JAPAN and FRANCE requested the representative of Canada not to insist on the addition of a paragraph - either operative or preambular.

63. The representative of CANADA said that, given the importance of the draft resolution both to Canada and in general, he would not insist.

64. The representative of the LIBYAN ARAB JAMAHIRIYA said that he would not insist on the addition of a paragraph along the lines which he had proposed. In his country's view, however, the use of and threats to use nuclear weapons were a form of terrorism.

65. The CHAIRMAN took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution contained in document GC(47)/COM.5/L.14 with operative paragraph 9 amended to read "Notes with appreciation ...".

66. It was so agreed.

### **13. Measures to strengthen international co-operation in nuclear, radiation and transport safety and waste management (resumed)** (GC(47)/COM.5/L.11)

67. The representative of the UNITED STATES OF AMERICA, introducing the draft resolution contained in document GC(47)/COM.5/L.11, said that, although the Code of Conduct on the Safety and Security of Radioactive Sources was not legally binding, the sponsors of the draft resolution would like the General Conference to endorse the objectives and principles set out in it.

68. Referring to operative paragraph 4, he said that the phrase “is working toward following the guidance contained in the IAEA Code of Conduct ...” had been chosen in order to allow each State to proceed in a manner appropriate to its own circumstances.

69. Regarding operative paragraph 7, he said that perhaps a few words should be added in order to make it clear that the Model Project referred to there was the Model Project referred to also in operative paragraph 6.

70. The representative of the UNITED KINGDOM, welcoming the decision of the Board to approve the revised Code of Conduct, expressed the hope that implementation of the Code would significantly enhance the safety and security of radioactive sources and international co-operation in dealing with them.

71. The representative of NORWAY, welcoming the draft resolution, said that his country was concerned about the risks to society and the environment posed by inadequately protected radioactive sources, which could be used for malicious acts.

72. The representative of UKRAINE said that his country would do its best to implement the revised Code of Conduct and would act as urged in operative paragraph 4 of the draft resolution.

73. The representative of the NETHERLANDS said his country intended to implement the revised Code of Conduct to the extent that European Union rules would not be infringed.

74. The representative of BELGIUM said that, although the revised Code of Conduct was an excellent document, her delegation had doubts about the “political commitment” provided for in operative paragraph 4 of the draft resolution and about the need for the list provided for in operative paragraph 5. Also, her delegation was concerned about the implications of the revised Code of Conduct for the export and import of radioactive waste.

75. The DIRECTOR OF THE DIVISION OF BUDGET AND FINANCE suggested that “within available resources” in operative paragraph 5 of the draft resolution be replaced by “subject to the availability of resources”.

76. The representative of MALAYSIA requested clarification from the Secretariat regarding the legal status of a letter written to the Director General pursuant to operative paragraph 4.

77. The REPRESENTATIVE OF THE OFFICE OF LEGAL AFFAIRS, having suggested that clarification be sought from the sponsors of the draft resolution, said that Member States often sent letters to the Director General stating their policies on different issues, and, if so requested, such letters were circulated in an Agency document for the information of other Member States. The policy statement made by one Member State did not bind other Member States.

78. The representative of NAMIBIA questioned the usefulness of operative paragraph 4 and the need for operative paragraph 5. His delegation would have liked to see in the draft resolution an operative paragraph in which States were called upon to incorporate the revised Code of Conduct into their national legislation.

79. The representative of ARGENTINA, having commended the manner in which Mr. S. McIntosh of Australia had presided over the open-ended group of technical and legal experts that had elaborated the revised Code of Conduct, said that the International Conference of National Regulatory Authorities with Competence in the Safety of Radiation Sources and the Security of Radioactive Materials held in Buenos Aires in 2000 (not - as stated in preambular paragraph (h) - in 2001) had sounded an early warning of the need to address the issue of potential malicious uses of radioactive sources. Argentina

had for a long time been pressing for recognition of the fact that the safety and the security of radioactive sources were closely interlinked.

80. With regard to operative paragraph 4 of the draft resolution, she said that it was important to make clear the exceptional nature of the procedure envisaged there, and, with regard to operative paragraph 5, she said that it was important to indicate that the envisaged list would be for information only. Her delegation, which assumed that there was no intention to create a precedent applicable to other codes of conduct of the Agency or to codes of conduct of other bodies belonging to the United Nations system, was preparing an additional paragraph for insertion after operative paragraph 5.

81. The representative of the UNITED STATES OF AMERICA, responding to a question put by the representative of INDIA regarding operative paragraph 4, said that each State might use - for example - political contacts as a means of encouraging other countries "to do the same".

82. Responding to the comments made by the representative of Belgium, he said that the words "a political commitment" in operative paragraph 5 should not be taken to mean that the revised Code of Conduct was legally binding. The purpose of the list envisaged in that paragraph would simply be to indicate the extent of the support enjoyed by the revised Code of Conduct.

83. The CHAIRMAN announced that the Argentine delegation had provided her with the text of an additional paragraph for insertion after operative paragraph 5. The text read as follows:

"Recognizes also that the procedure established in paragraphs 4 and 5 is an exceptional one, and therefore will not constitute a precedent applicable to other Codes of Conduct of the Agency or of other bodies belonging to the United Nations system".

84. The representative of the UNITED STATES OF AMERICA proposed that "will" be replaced by "should" in the text just read out.

85. The representative of MALAYSIA proposed that "having no legal force and only intended for information," be inserted before "and therefore should not constitute a precedent ...".

86. The representative of BELGIUM, having welcomed the proposal made by the representative of Malaysia, proposed that "should" be replaced by "does".

87. The DIRECTOR OF THE DIVISION OF RADIATION AND WASTE SAFETY proposed that in operative paragraph 6 the comma after "Infrastructures" be deleted and a comma be inserted after "assistance missions".

88. He also proposed that in operative paragraph 7 the phrase "regarding the Code of Conduct and the Model Project" be modified to read "regarding the Code of Conduct, including activities undertaken under the Model Project referred to in operative paragraph 6".

89. The representative of CHINA, having expressed support for the draft resolution and for the proposed amendments, asked whether the letters to the Director General envisaged in operative paragraph 4 would have to conform to some model.

90. The representative of the UNITED STATES said that, in his delegation's view, such letters would not have to be uniform; each State would be able to formulate its communication to the Director General on the basis of its particular circumstances.

91. The representative of NAMIBIA said that the draft resolution with the proposed amendment was acceptable to his delegation even though there was no call in the draft resolution for incorporation of the Code of Conduct into the national legislation of States.

92. The CHAIRMAN assumed - after interventions by the representative of YEMEN, the REPRESENTATIVE OF THE OFFICE OF LEGAL AFFAIRS, and the representatives of ARGENTINA and AUSTRALIA - that the Committee wished to recommend to the General Conference that it adopt the draft resolution contained in document GC(47)/COM.5/L.11 with: “(2001)” amended to “(2000)” in preambular paragraph (h); “within available resources” amended to “subject to the availability of resources” in operative paragraph 5; the insertion, after operative paragraph 5, of a paragraph reading “Recognizes also that the procedure established in paragraphs 4 and 5 is an exceptional one, having no legal force and only intended for information, and therefore does not constitute a precedent applicable to other Codes of Conduct of the Agency or of other bodies belonging to the United Nations system”; the deletion of the comma after “Infrastructures” and the insertion of a comma after “assistance missions” in operative paragraph 6; and the replacement of “regarding the Code of Conduct and the Model Project” by “regarding the Code of Conduct, including activities undertaken under the Model Project referred to in operative paragraph 6” in operative paragraph 7.

93. It was so agreed.

**Mr. Garcia (Philippines) took the Chair.**

## **15. Strengthening of the Agency’s technical co-operation activities (resumed)** (GC(47)/COM.5/L.12/Rev.1)

94. The representative of BRAZIL said that he had undertaken consultations within the Group of 77 and China regarding the comments, suggestions and proposals made earlier in the meeting but had not yet had an opportunity to consult delegations of countries not belonging to the Group of 77 and China. The reactions of the delegations which he had consulted were as follows:

- preambular paragraph (f) should be retained;
- no reference to security should be made in preambular paragraph (h), but an amendment to operative paragraph 8 designed to accommodate security-related concerns might be acceptable;
- the proposed deletion of “their arrears of” in preambular paragraph (k) was unacceptable;
- the proposed deletion of “grave” in preambular paragraph (m) was acceptable, but the proposed reversal of the order of the two elements constituting that paragraph was unacceptable;
- with regard to the suggestion that the words “an appropriate balance between the promotional activities and other statutory activities of the Agency” in preambular paragraph (n) be replaced by “adequate financing of technical co-operation activities”, the latter wording might be acceptable as an addition to the text but not as a replacement of wording accepted in previous years, and in any case such an addition appeared to be unnecessary given the ideas expressed in preambular paragraphs (i) and (o);
- preambular paragraph (q) should remain unchanged;

- the phrase “according to the needs of Member States” in preambular paragraph (r) could be expanded to read “according to the requests and needs of Member States”;
- in preambular paragraph (s), the phrase “sustainable development in developing countries, and particularly in the least developed countries” could be expanded to read “sustainable development in TC-recipient Member States, particularly in developing countries and the least developed ones”;
- operative paragraph 4 should remain unchanged;
- the beginning of operative paragraph 5 could be amended to read “Endorses the Board’s decision to suspend”;
- in operative paragraph 6, “to continue to continuously review” could be replaced by “to continue to further refine”;
- the proposal to delete the concluding phrase of operative paragraph 7 (“and to ensure that all future viable projects are implemented”) had been accepted, with some regret, since it was not covered by the budget package proposal that the Board had approved in July;
- in operative paragraph 8, concerns about the safety and security of nuclear installations were adequately addressed by the phrase “assist them in their peaceful, safe, secure and regulated applications ...”, so that the paragraph should remain unchanged except for the replacement of “developing countries” by “TC-recipient Member States”;
- with regard to operative paragraph 10, the final phrase (“and to prepare potential technical co-operation projects”) would have to be redrafted in the interests of greater clarity; and
- the proposed updated version of operative paragraph 11 was acceptable.

95. The representative of the NETHERLANDS, referring to preambular paragraph (h), said that, while it was true that security was the responsibility of individual States, he did not share the view expressed earlier by the representative of France that there were no internationally recognized standards of security. However, if the Group of 77 and China could not agree to the addition of “and security” after “the internationally recognized standards of safety”, perhaps it would reconsider the proposal made by the representative of France that “and also appropriate security measures” be added. He did not think that concerns about security were adequately addressed by the phrase “assist them in their peaceful, safe, secure and regulated applications ...” in operative paragraph 8.

96. In that connection, he said that his country still did not accept the \$1.5 million ceiling on the financing of security-related technical co-operation projects from the TCF. If Member States requesting technical assistance from the Agency gave very high priority to security, they should not be prevented from receiving TCF-financed security-related technical assistance.

97. He continued to believe that the two elements constituting preambular paragraph (m) should be reversed.

98. He was still opposed to the reference to “an appropriate balance between the promotional activities and other statutory activities of the Agency” in preambular paragraph (n). If the rewording suggested by him was unacceptable or unnecessary, he would like preambular paragraph (n) simply to be deleted.

99. The representative of AUSTRALIA expressed support for the proposed addition of “and also appropriate security measures” in preambular paragraph (h). In her view, the addition of that phrase would have no implications regarding the use of TCF resources.

100. The representative of JAPAN, noting that the sponsors of the draft resolution wished to retain preambular paragraph (f), said that he would consult his authorities on the matter.

101. Regarding preambular paragraph (k) and operative paragraph 4, he had strict instructions and wished to maintain his proposals for amending them.

102. The CHAIRMAN said - following interventions by the representative of MALAYSIA, the REPRESENTATIVE OF THE OFFICE OF LEGAL AFFAIRS and the representatives of BRAZIL, GERMANY, INDIA, FRANCE and the UNITED STATES OF AMERICA - that he trusted that further consultations would result in a compromise text acceptable to all.

**The meeting rose at 6.55 p.m.**