

# General Conference

**GC(49)/COM.5/OR.2**

Issued: December 2005

**General Distribution**

Original: English

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**Forty-Ninth (2005) Regular Session**

## Committee of the Whole

### Record of the Second Meeting

*Held at the Austria Center Vienna on Tuesday, 27 September 2005, at 3.15 p.m.*

**Chairman:** Mr. STRATFORD (United States of America)

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The composition of delegations attending the session is given in document GC(49)/INF/10/Rev.1.

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<sup>1</sup> GC(49)/20.

**Abbreviations used in this record:**

ITER	International Thermonuclear Experimental Reactor
PACT	Programme of Action for Cancer Therapy
R&D	research and development
SIT	sterile insect technique
WHO	World Health Organization

## **18. Strengthening the Agency's activities related to nuclear science, technology and applications**

(GC(49)/12 plus Corr.1 and Corr.2; GC(49)/INF/3; GC(49)/COM.5/L.2, L.3, L.6 and L.7)

1. The representative of INDIA, introducing the draft resolution submitted on behalf of the Group of 77 and China in document GC(49)/COM.5/L.2, recalled that the issue of the use of isotope hydrology for water resources management was considered by the General Conference every two years. Since 2003 the United Nations had proclaimed the period 2005–2015 as the International Decade for Action, “Water for Life”, and great human suffering had been caused by tsunamis, floods and other water-related disasters.
2. The representative of ZIMBABWE, expressing the hope that the Committee would support the draft resolution, said that water was a particularly vital issue in his country and elsewhere in Africa.
3. The representative of ALGERIA, also expressing the hope that the Committee would support the draft resolution, stressed the importance of adequate potable water supplies for his country and for many other countries belonging to the Group of 77.
4. The representative of JAPAN said that, although the draft resolution seemed to pose no problems of substance, her delegation would like to consult on it with the relevant authorities in Tokyo.
5. The CHAIRMAN proposed that the Committee postpone further consideration of the draft resolution contained in document GC(49)/COM.5/L.2.
6. It was so agreed.
7. The representative of INDIA, introducing the draft resolution submitted on behalf of the Group of 77 and China in document GC(49)/COM.5/L.3, highlighted the new points relative to resolution GC(48)/RES/13.A adopted in 2004 — including the reference to the International Ministerial Conference on “Nuclear Power for the 21st Century” held in Paris in March 2005, the reference to materials science in preambular paragraph (f), the reference to the problem of locusts in Africa in preambular paragraph (h), and the reference to the agreement on Cadarache as site for the ITER facility in preambular paragraph (l).
8. The representative of SWITZERLAND, expressing support for the draft resolution, welcomed the fact that it referred to the International Ministerial Conference held in Paris and to the problem of locusts in Africa.
9. The representative of the UNITED STATES OF AMERICA, having welcomed the holding of the International Ministerial Conference, proposed changing preambular paragraph (m) by replacing the phrase “the peaceful use of nuclear fusion can be realized in a timely manner” by “the peaceful use of nuclear fusion can be advanced”.
10. The representative of AUSTRALIA said that the beginning of preambular paragraph (f) required modification in order to accommodate the reference to materials science.

11. He suggested that preambular paragraph (g) be modified to read “Recognizing the success of the sterile insect technique (SIT) in the suppression or eradication of the screw-worm, the tsetse fly and various fruit flies and moths that can cause large economic impacts”.
12. As the last three preambular paragraphs all related to fusion energy, perhaps paragraphs (l) and (m) could be merged.
13. With regard to operative paragraph 7, he suggested replacing “R&D” by “studies” and “the possible use of the SIT or of other nuclear-related technologies” by “the possible use of nuclear-related technologies”.
14. In his delegation’s view, operative paragraph 8 was redundant and should be deleted.
15. The representative of SLOVAKIA, having expressed support for the draft resolution, endorsed the suggestions made by the representative of Australia.
16. The representative of SOUTH AFRICA suggested that the words “and the Mediterranean fruit fly” be added after “mosquitoes” in operative paragraph 6.
17. The representative of JAPAN endorsed the suggestions made by the representative of Australia except for the one relating to operative paragraph 8. Her delegation attached considerable importance to that paragraph and believed it should be retained.
18. The representative of ALGERIA said that, in his view, operative paragraph 7 should remain unchanged.
19. The representative of CANADA, having expressed support for the draft resolution, suggested that the end of operative paragraph 5 be amended to read “with due regard to nuclear safety, nuclear security and non-proliferation”.
20. The representatives of GREECE and the UNITED STATES OF AMERICA expressed support for the suggestion made by the representative of Canada.
21. The representative of AUSTRALIA, in response to a request for clarification regarding operative paragraph 7, said that development was not within the Agency’s remit, which was why his delegation would prefer a reference to “studies” rather than to “R&D” in that paragraph.
22. The representative of ZIMBABWE, recalling the devastation caused by locusts in Niger and other African countries, urged the Committee to leave operative paragraph 7 as it stood.
23. The representative of the ISLAMIC REPUBLIC OF IRAN said that the addition of a reference to non-proliferation in operative paragraph 5 suggested by the representative of Canada would be unacceptable to his delegation as it would politicize the draft resolution.
24. The representative of GREECE said that he agreed with the representative of Japan that operative paragraph 8 should be retained and endorsed the suggestion made by the representative of Canada regarding operative paragraph 5.
25. The representative of NIGERIA, agreeing with the sentiments expressed by the representative of Zimbabwe, urged the representative of Australia to reconsider his suggestions regarding operative paragraph 7. In particular, a reference simply to “studies” might not elicit as effective a response as a reference to “R&D”.
26. The representative of ALGERIA expressed support for the statement made by the representative of Nigeria.

27. The representative of INDIA, speaking on behalf of the sponsors of the draft resolution, suggested that “materials science” in preambular paragraph (f) be replaced by “materials”.
28. The wording of preambular paragraph (g) suggested by the representative of Australia was acceptable, as was the replacement of “realized in a timely manner” by “advanced” in preambular paragraph (m) suggested by the representative of the United States of America. As regards the suggestion of the representative of Canada that the end of operative paragraph 5 be amended to read: “with due regard to nuclear safety, security and non-proliferation”, however, that was not acceptable. Operative paragraph 5 of resolutions GC(47)/RES/10.A and GC(48)/RES/13.A had ended with the words “with due regard to nuclear safety and nuclear security” and there appeared to be no good justification for adding a reference to non-proliferation.
29. In operative paragraph 7, the reference to “R&D” should be retained. The wording would not commit the Agency to initiating R&D, only to considering doing so.
30. The representative of AUSTRALIA said that his delegation could go along with the retention of “R&D” in operative paragraph 7 and with the retention of operative paragraph 8.
31. The representative of MALAYSIA, supported by the representatives of ALGERIA and the SYRIAN ARAB REPUBLIC, urged that the phrase “the possible use of the SIT or of other nuclear-related technologies” be retained in operative paragraph 7.
32. The representative of AUSTRALIA said that, as he understood it, the SIT was unlikely to be useful in combating locusts.
33. The CHAIRMAN, referring to the suggested addition of “non-proliferation” at the end of operative paragraph 5, said that in his view the wording used in previous resolutions should not be changed unless there was evidence of widespread support for the change. There did not appear to be widespread support for the suggested addition.
34. The representative of JAPAN asked for more time in which to consider the draft resolution contained in document GC(49)/COM.5/L.3.
35. The CHAIRMAN proposed that further consideration of the draft resolution be postponed.
36. It was so agreed.
37. The representative of MOROCCO, introducing — on behalf of the Group of 77 and China — the draft resolution entitled “Plan for producing potable water economically using small and medium-sized nuclear reactors” in document GC(49)/COM.5/L.6, said that it was very similar to resolutions GC(45)/RES/10.E and GC(47)/RES/10.E adopted in 2001 and 2003 respectively. Reference was made in preambular paragraph (h) to the seventh meeting of the International Nuclear Desalination Advisory Group (INDAG), held in July 2004.
38. The representative of CANADA suggested that the word “impact” in operative paragraph 5 be changed to “impacts”.
39. The CHAIRMAN took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution contained in document GC(48)/COM.5/L.6 with the amendment suggested by the representative of Canada.
40. It was so agreed.
41. The representative of PERU, introducing — on behalf of the Group of 77 and China — the draft resolution entitled “Programme of Action for Cancer Therapy” in document GC(40)/COM.5/L.7, pointed out that it referred to the Agency’s Medium Term Strategy 2006-2011, to the establishment by

the Director General of the position of PACT Programme Manager and to a decision taken by the World Health Assembly in May 2005 regarding cooperation between WHO and the Agency in cancer prevention, control, treatment and research.

42. She expressed the hope that the draft resolution would be adopted by consensus given the impact of cancer on developing countries in particular.

43. The representative of SLOVAKIA, having expressed support for the draft resolution, noted that operative paragraph 5 referred to “tools to assist developing Member States” and said that in his view the word “developing” should be deleted as other Member States might wish to benefit from the tools in question.

44. The representative of BULGARIA urged that the phrase “tools to assist developing Member States” be left unchanged as assistance in the area of cancer therapy was especially needed in developing countries.

45. The CHAIRMAN suggested amending the phrase to read “tools to assist developing Member States and other Member States as appropriate”.

46. The representative of CANADA said it was important that the Agency reach out to a wide range of organizations and other parties interested in PACT and suggested that in operative paragraph 6 “all other interested organizations” be replaced by “all other interested parties”.

47. The representative of the PHILIPPINES said that one aim of PACT was the establishment of centres of excellence in developing countries and that several candidate institutions had been identified in his part of the world. His delegation would therefore prefer the wording of operative paragraph 5 to remain unchanged.

48. The representative of MOROCCO said that he would prefer the original wording of operative paragraph 5 to be retained. If that could not be agreed upon, an acceptable alternative wording might be “tools to assist — in particular — developing countries”.

49. The HEAD OF THE PROGRAMME AND BUDGET SECTION suggested that the Committee consider adding an operative paragraph along the lines of “Requests that the actions of the Secretariat called for above be undertaken subject to the availability of resources”.

50. The representative of SPAIN said that his delegation, which considered the draft resolution to be of great importance, would like operative paragraph 5 to remain unchanged. On the other hand, it could go along with the change to operative paragraph 6 suggested by the representative of Canada and with the suggestion just made regarding an additional operative paragraph.

51. The representative of GREECE said that the draft resolution spoke of — inter alia — the Director General continuing to mobilize resources for the implementation of PACT and strengthening the Agency’s involvement in international partnerships with non-traditional donors. That being so, he did not think that the suggested additional operative paragraph would be helpful.

52. The representative of ALGERIA expressed a preference for the original wording of operative paragraph 5 and support for the statement made by the representative of Greece.

53. The representative of PAKISTAN, referring to operative paragraph 5, expressed support for the original wording. Alternatively, his delegation could go along with the suggestion made by the representative of Morocco.

54. He too was opposed to the addition of an operative paragraph regarding the availability of resources.

55. The representative of JAPAN said that in her view the suggested additional operative paragraph would not detract from the importance of PACT. Rather, it would give the Secretariat more flexibility in seeking resources for PACT.
56. The representative of SWITZERLAND agreed with the comments made by the representative of Greece and expressed support for retaining the original wording of operative paragraph 5.
57. The representative of the UNITED ARAB EMIRATES suggested amending the end of operative paragraph 7 to read “its fiftieth regular session.”
58. The representative of the LIBYAN ARAB JAMAHIRIYA said that, as cancer therapy was a very important issue in his country and in many other developing countries, his delegation would not welcome the addition of an operative paragraph regarding the availability of resources.
59. The representative of MOROCCO, supported by the representative of ZIMBABWE, said that such an operative paragraph was unnecessary as the phrase “subject to the availability of resources” appeared in preambular paragraph (c).
60. The representative of the SYRIAN ARAB REPUBLIC said that the Secretariat should do its utmost to procure resources for the implementation of PACT and that her delegation would not welcome the addition of an operative paragraph regarding the availability of resources.
61. With regard to operative paragraph 5, her delegation would like the original wording to be retained.
62. The representative of YEMEN, expressing support for the draft resolution, said that radiation therapy had, thanks to assistance provided through the Agency, been introduced in Yemen during the previous year.
63. The representative of CUBA said that in his view the suggested additional operative paragraph was inconsistent with operative paragraph 1.
64. With regard to operative paragraph 5, his delegation would prefer the original wording to be retained.
65. The representative of CANADA said that his country would like the Secretariat to transfer resources to PACT without affecting the implementation of other programmes. That being so, his delegation would be interested in knowing whether the suggested additional operative paragraph would give the Secretariat more flexibility in seeking resources for PACT.
66. The DEPUTY DIRECTOR GENERAL FOR MANAGEMENT said that in recent years the Secretariat had suggested the inclusion of the phrase “subject to the availability of resources” or “within available resources” in many draft General Conference resolutions because they were considered shortly after the approval of Agency programmes and budgets by the General Conference. Problems could arise if the General Conference adopted resolutions which added to the activities making up the approved programme without indicating how the additional activities should be funded.
67. The phrase “making use ... of available Agency ... human and financial resources” in operative paragraph 4 of the draft resolution under consideration was helpful, but the addition of an operative paragraph with the phrase “subject to the availability of resources” would facilitate still more the allocation of unused budgetary resources to PACT.
68. The CHAIRMAN said that the Committee would clearly wish the draft resolution to convey the message that PACT was an important programme for which the Secretariat should make every effort to find the necessary resources.

69. With regard to operative paragraph 5, the suggestion made by the representative of Slovakia did not have widespread support in the Committee — nor did his own suggestion. The suggestion made by the representative of Morocco might gain more support.

70. Clearly, there was not much support for the addition of an operative paragraph with the phrase “subject to the availability of resources”.

71. The representative of FRANCE said that his country attached great importance to PACT but did not wish it to be implemented at the expense of other programmes. Perhaps a phrase stating that the implementation of PACT should not be allowed to reduce the effectiveness of other programmes could be added to the draft resolution.

72. There seemed to be a lack of coherence between operative paragraph 5, which implied that the PACT Programme Office had already been established, and preambular paragraph (f), which implied that it had yet to be established.

73. The representative of PERU said, with regard to operative paragraph 5, that PACT complemented the Agency’s technical cooperation programmes. Accordingly, she would prefer the paragraph not to be amended through the deletion of the word “developing”. The impact of PACT would be diminished if account had to be taken of requests from developed as well as from developing countries.

74. In response to the suggestion made by the representative of Canada that “organizations” be replaced by “parties” in operative paragraph 6, she suggested that the paragraph be amended to read “Invites Member States, interested organizations and other non-traditional donors ...”.

75. As regards the mobilization of resources for PACT, perhaps one could add, at the end of operative paragraph 1, the phrase “as one of the priorities of the Agency” — a phrase which had featured in operative paragraph 1 of resolution GC(48)/RES/13.D.

76. Responding to one of the comments made by the representative of France, she said that the PACT Programme Office was already partly operational.

77. The representative of THAILAND, expressing support for PACT, said that in his country’s view PACT should also cover the radiation safety aspects of cancer radiotherapy. Perhaps a reference to radiation safety could be included in preambular paragraph (g).

78. The representative of GREECE said that he fully appreciated the comments just made by the Deputy Director General for Management. He believed, however, that an operative paragraph with the phrase “subject to the availability of resources” was inappropriate in a draft resolution regarding a programme of which the Agency was not the sole implementer. When seeking resources from other organizations, the Agency should avoid giving those organizations the impression that it was reluctant to provide resources itself.

79. The representative of SLOVAKIA, referring to his suggestion that the word “developing” in operative paragraph 5 be deleted, said he recognized that cancer was a particular problem for developing countries. However, Slovakia, which had substantial cancer therapy expertise on which developing countries were welcome to draw, would not like to be excluded from the benefits of PACT simply because it was not a developing country.

80. That having been said, he could go along with the suggestion made by the representative of Morocco.

81. The representative of JAPAN expressed support for the addition of an operative paragraph with the phrase “subject to the availability of resources”. In her view, the fact that the phrase “subject to the

availability of resources” featured in preambular paragraph (c) was not relevant, since that paragraph related to a request made by the Board of Governors — not the General Conference.

82. With regard to the statement just made by the representative of Greece, in her view the fact that the implementation of PACT involved organizations besides the Agency was not a good reason for not adding an operative paragraph with the phrase “subject to the availability of resources”.

83. The representative of JORDAN expressed support for the suggestion made by the representative of Morocco with regard to operative paragraph 5.

84. The representative of GREECE, responding to the representative of Japan, pointed out that in operative paragraph 1 of the draft resolution the Director General was requested to “mobilize resources for the implementation of PACT”, that in operative paragraph 2 the Director General was urged “to seek and strengthen the Agency’s involvement in international partnerships with non-traditional donors” and that operative paragraph 4 spoke of “raising funds from extrabudgetary sources”. The Agency could not ask others to contribute generously to PACT if it was not prepared to do so itself.

85. The representative of JAPAN said she continued to believe that the involvement of other organizations in the implementation of PACT was not a good reason for not adding an operative paragraph with the phrase “subject to the availability of resources”.

86. The DEPUTY DIRECTOR GENERAL FOR MANAGEMENT said that, as he had indicated earlier, the addition of an operative paragraph with that phrase would reinforce the message conveyed by the phrase “making use ... of available Agency ... human and financial resources” in operative paragraph 4.

87. The question — raised by the representative of Greece — of the impact of that message on other organizations was a separate one, which Member States should undoubtedly consider.

88. The representative of MOROCCO said that in his view the question of the availability of resources was sufficiently covered in preambular paragraph (c) and operative paragraph 4.

89. The representative of ZIMBABWE said that the Agency should be circumspect as regards the message which it sent to other organizations. The phrase “subject to the availability of resources” had been appropriate in the context of the request made by the Board in June 2004, but it would not be in a General Conference resolution which concerned other organizations.

90. The CHAIRMAN said that most speakers had not favoured the addition of an operative paragraph with the phrase “subject to the availability of resources”, and he would therefore recommend that such a paragraph not be added.

91. Regarding the reference to “developing Member States” in operative paragraph 5, all but one speaker had favoured the retention of the word “developing”. It should perhaps be borne in mind in that connection that the General Conference would not be recommending that the PACT Programme Office assist developing Member States, but that it develop “tools to assist” developing Member States. If such tools were developed, it was likely that they would be usable by both developing and developed Member States. He therefore believed that the text should be left unchanged.

92. He proposed that the Committee recommend adoption of the draft resolution with the phrase “including radiation safety aspects of the treatment” added at the end of preambular paragraph (g), with the phrase “as one of the priorities of the Agency” added at the end of operative paragraph 1, with the replacement of “Member States and all other interested organizations” by “Member States,

interested organizations and other non-traditional donors” in operative paragraph 6 and with the insertion of the word “regular” between “fiftieth” and “session” in operative paragraph 7.

93. The representative of JAPAN said she would have to consult her authorities about whether she should agree to the non-inclusion of an operative paragraph with the phrase “subject to the availability of resources”. The issue was one of financial integrity. Japan would continue to be one of PACT’s strongest supporters.

94. The CHAIRMAN proposed that the Committee postpone further consideration of the draft resolution to a later meeting.

95. It was so agreed.

## **12. The Agency’s Programme and Budget for 2006–2007 (resumed)** (GC(49)/2, GC(49)/ INF/8)

96. The CHAIRMAN asked the representative of China, who had requested more time to study the draft decision regarding Article XIV.A of the Statute distributed during the Committee’s previous meeting, whether his delegation could join in a consensus in favour of a recommendation that the General Conference take the decision in question.

97. The representative of CHINA said that his delegation could join in such a consensus.

98. The CHAIRMAN took it that the Committee wished to recommend to the General Conference that it take the decision drafted and circulated by the Secretariat, with the deletion of “non-controversial” in the penultimate sentence.

99. It was so agreed.

**The meeting rose at 6.05 p.m.**