

General Conference

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

Issued: December 2005

General Distribution

Original: English

Forty-Ninth (2005) Regular Session

Committee of the Whole

Record of the Fifth Meeting

Held at the Austria Center Vienna on Thursday, 29 September 2005, at 11.10 a.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.

¹ GC(49)/20.

Abbreviations used in this record:

CPPNM	Convention on the Physical Protection of Nuclear Material
INLEX	International Export Group on Nuclear Liability
PACT	Programme of Action for Cancer Therapy

18. Strengthening the Agency's activities related to nuclear science, technology and applications (continued)
(GC(49)/COM.5/L.7)

1. The representative of JAPAN said that his delegation could accept the draft resolution on PACT contained in document GC(49)/COM.5/L.7 with the amendments which had been suggested.
2. The CHAIRMAN said that the representative of Thailand had informed him that he wished to withdraw his suggestion that a reference to radiation safety be included in preambular paragraph (g).
3. He took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution contained in document GC(49)/COM.5/L.7 with the suggested amendments.
4. It was so agreed.

17. Strengthening of the Agency's technical cooperation activities (resumed)
(GC(49)/COM.5/L.1)

5. The CHAIRMAN proposed that the Committee postpone further consideration of the draft resolution contained in document GC(49)/COM.5/L.1 until the informal consultations on it currently under way in a working group chaired by Mr. Poptchev of Bulgaria, one of the Committee's Vice-Chairmen, had been concluded.
6. It was so agreed.

15. Measures to strengthen international cooperation in nuclear, radiation and transport safety and waste management (resumed)
(GC(49)/COM.5/L.15)

7. The representative of NEW ZEALAND, introducing the draft resolution contained in document GC(49)/COM.5/L.15 and entitled "Transport Safety", said that it had been agreed upon by coastal and shipping States. It was based on resolution GC(48)/RES/10, which had been updated to reflect recent developments.
8. Her delegation welcomed the cooperative atmosphere that had prevailed in the informal discussions between coastal and shipping States that had led to the draft resolution now before the Committee.

9. The representative of GERMANY, having welcomed the draft resolution, said that she would like to see the word “excellent” in preambular paragraph (c) replaced by another word. In her view, the word “excellent” implied that there was no room for improvement, which she did not believe to be true of the maritime transport of nuclear materials.

10. The CHAIRMAN noted that the word “excellent” had been employed to describe the safety record of the maritime transport of nuclear materials in the resolutions on transport safety adopted in 2003 and 2004 and that the draft resolution now under consideration had been submitted by coastal States. He asked the representative of Germany to concede the point.

11. The representative of GERMANY agreed.

12. The CHAIRMAN proposed, in response to a suggestion made by the representative of the ISLAMIC REPUBLIC OF IRAN, adding the words “and requests the Secretariat to report at appropriate times on the planning and work of INLEX” at the end of operative paragraph 2.

13. He said — following comments made by the representatives of the ISLAMIC REPUBLIC OF IRAN, CANADA and MALAYSIA regarding operative paragraph 12 — that he took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution with the addition at the end of operative paragraph 2 of the words: “and requests the Secretariat to report at appropriate times on the planning and work of INLEX”.

14. It was so agreed.

16. Nuclear security — measures to protect against nuclear terrorism

(GC(49)/17; GC(49)/INF/6; GC(49)COM.5/L.13 and 14)

15. The representative of FRANCE, introducing the draft resolution contained in document GC(49)/COM.5/L.13 and entitled “Progress on measures to protect against nuclear and radiological terrorism”, said that it was the result of extensive consultations and aimed to help ensure a coherent approach to the various aspects of nuclear and radiological security.

16. The draft resolution highlighted — inter alia — the efforts made by the international community in the area of nuclear security during the past year, the progress made in implementing the Agency’s three-year Plan of Activities to combat nuclear terrorism, the adoption by the Board of Governors of a Nuclear Security Plan for 2006–2009, and the recent adoption of an important amendment to the CPPNM.

17. Also, it contained — inter alia — an appeal to all Member States to help improve nuclear and radiological security and prevent nuclear and radiological terrorism by contributing to the Nuclear Security Fund, and providing other forms of support.

18. The representative of MOROCCO, having expressed support for the draft resolution, suggested replacing the word “Noting” in preambular paragraph (f) by “Recalling”.

19. The representatives of the NETHERLANDS, having expressed strong support for the draft resolution, said that his delegation had problems with the words “on a voluntary basis” in operative paragraph 3.

20. The representative of CANADA, while welcoming the draft resolution, endorsed the comment made by the representative of the Netherlands with regard to operative paragraph 3.
21. The representative of BRAZIL said that the words “on a voluntary basis” in operative paragraph 3 reflected faithfully the relevant decision taken by the Board of Governors.
22. The representative of the ISLAMIC REPUBLIC OF IRAN requested clarification regarding preambular paragraph (b).
23. In his view, the word “valuable” in preambular paragraph (g) was superfluous and should be deleted. Security Council resolution 1540 was sufficiently well known
24. The representative of MALAYSIA said that his delegation welcomed the draft resolution as its implementation would strengthen efforts to protect against nuclear and radiological terrorism and other malicious acts, including the use of depleted uranium in conventional munitions.
25. For the sake of clarity, the year — 2005 — should be inserted after “September” in operational paragraph 2.
26. He suggested amending operative paragraph 9 in order to take account of the fact that many developing Member States lacked the capabilities necessary in order to support the Agency activities referred to in that paragraph.
27. The representative of FRANCE said that preambular paragraph (b) was the same as preambular paragraph (c) of resolution GC(48)/RES/11 with the addition of a reference to the tragic terrorist attacks that had taken place in various parts of the world in recent years. The threat of nuclear and radiological terrorism had by no means subsided, and the paragraph was therefore highly relevant.
28. He had no objections to the amendment suggestions made by the representatives of Morocco and Malaysia.
29. Given the importance of Security Council resolution 1540, he believed that the word “valuable” in preambular paragraph (g) should be retained.
30. The inclusion of the words “on a voluntary basis” in operative paragraph 3 was the result of extensive consultations, and he therefore believed that those words should also be retained.

The meeting was suspended at 12.15 p.m. and resumed at 1.35 p.m.

31. The representative of the UNITED KINGDOM, introducing the draft resolution contained in document GC(49)/COM.5/L.14 and entitled “Amendment to the Convention on the Physical Protection of Nuclear Material”, said that its purpose was to expedite the entry into force of the amendment to the CPPNM which had been adopted by States party to that convention in July 2005. Also, in the draft resolution all States party were encouraged to act in accordance with the object and purpose of the amendment pending its entry into force and all States that had not yet adhered to the CPPNM were encouraged to adhere to it and to the amendment as soon as possible.
32. For the sake of consistency with the draft resolution contained in document GC(49)/COM.5/L.13, he proposed that the word “legally” be inserted in preambular paragraph (e) after the word “multilateral”.
33. The representative of PAKISTAN suggested, in the light of what had just been said by the representative of the United Kingdom, that “Calls on” and “Also calls on” in operative paragraphs 2 and 3 respectively be replaced by “Encourages” and “Also encourages”.

34. The CHAIRMAN took it that the Committee wished to recommend to the General Conference the adoption of the draft resolution contained in document GC(49)/COM.5/L.14 with the amendments to preambular paragraph (e) and operative paragraphs 2 and 3 which had been suggested.

35. It was so agreed.

25. Elections to the Agency's Staff Pension Committee

36. The CHAIRMAN recalled that the General Conference was represented in the Committee by two members and two alternates. At present, those were Mr. Raja Adnan of Malaysia and Mr. Thema of South Africa as members and Ms. Roberts of the United Kingdom and Mr. Peláez of Argentina as alternates.

37. As Mr. Thema and Mr. Peláez would no longer be available to serve on the Committee, in accordance with the Committee's Rules of Procedure Ms. Roberts would assume Mr. Thema's function as member and two alternates would have to be elected. Following consultations, he had been asked to propose that Mr. Claros of Bolivia and Mr. Wright of South Africa be elected as alternate members, thus filling the vacancies.

38. He took it that the Committee wished to recommend to the General Conference that Mr. Claros and Mr. Wright be elected as alternate members to represent it in the Agency's Staff Pension Committee.

39. It was so agreed.

The meeting rose at 1.50 p.m.