

# General Conference

**GC(54)/COM.5/OR.5**

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**Fifty-fourth regular session**

## Committee of the Whole

### Record of the Fifth Meeting

*Held at the Austria Center Vienna on Thursday, 23 September 2010, at 10.30 a.m.*

**Chairman:** Mr GARCÍA REVILLA (Peru)

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<sup>1</sup> GC(54)/COM.5/1.

**Abbreviations used in this record:**

NPT Review Conference

Review Conference of the Parties to the Treaty on the  
Non-Proliferation of Nuclear Weapons

## **14. Nuclear security, including measures to protect against nuclear and radiological terrorism (continued)** (GC(54)/COM.5/L.12)

1. The CHAIRMAN proposed that the Committee consider the draft resolution contained in document GC(54)/COM.5/L.12 paragraph by paragraph.
2. The representative of the ISLAMIC REPUBLIC OF IRAN said that paragraph (d) should be deleted because of its reference to resolutions adopted by a body in which the representation of States was highly selective.
3. The representative of CUBA said that the Committee should consider whether all the resolutions referred to in paragraph (d) were relevant to the topic of the draft resolution.
4. The representative of CANADA, calling for the retention of paragraph (d) as it stood, pointed out that it was identical with paragraph (g) of resolution GC(54)/RES/11, adopted by consensus in 2009, except that it had been updated through the addition of a reference to Security Council resolution 1887.
5. The representatives of the ISLAMIC REPUBLIC OF IRAN and the BOLIVARIAN REPUBLIC OF VENEZUELA endorsed the comment made by the representative of Cuba.
6. The representative of the UNITED STATES OF AMERICA, also calling for the retention of paragraph (d) as it stood, said that in 2009 the Committee had concluded that Security Council resolutions were indeed relevant to the Agency's nuclear security-related activities.
7. The representative of UNITED KINGDOM said that her delegation would have great difficulty in accepting the deletion of the references to Security Council resolutions in paragraph (d).
8. The representative of FRANCE, calling for the retention of paragraph (d) as it stood, said that the Security Council acted on behalf of the members of the United Nations as a whole.
9. The representative of GERMANY, calling for the retention of paragraph (d) as it stood, said that the reopening of old debates would merely waste valuable time.
10. The representatives of CUBA and the ISLAMIC REPUBLIC OF IRAN said that their countries, which had in 2009 gone along with the consensus in favour of the adoption of resolution GC(53)/RES/11, had not been involved in the adoption of Security Council resolution 1887.
11. The representative of the RUSSIAN FEDERATION, calling for the retention of paragraph (d) as it stood, said that the draft resolution under consideration was very well balanced.
12. The CHAIRMAN proposed that the Committee move on to subsequent paragraphs.
13. The representative of CUBA, referring to paragraph (e), asked why it did not contain the words "as the only multilateral legally binding instrument dealing specifically with the physical protection of nuclear material", which had appeared in paragraph (h) of resolution GC(53)/RES/11.
14. The representative of GERMANY said that the authors of the draft resolution had omitted those words for the sake of brevity.

15. The representative of EGYPT said that her delegation preferred the language in paragraph (h) of GC(53)/RES/11.
16. The representative of CUBA, referring to preambular paragraph (g), said that, for the reasons given by it the previous day, his delegation was in favour of its deletion.
17. The representative of the ISLAMIC REPUBLIC OF IRAN, endorsing the comment made by the representative of Cuba, said that nuclear security was an issue of global concern and therefore required an inclusive — rather than a selective — approach. Participation in the 2010 Nuclear Security Summit had been on a highly selective basis.
18. The representatives of NICARAGUA and the BOLIVARIAN REPUBLIC OF VENEZUELA, calling for the deletion of paragraph (g), said that the 2010 Nuclear Security Summit had not been a truly international meeting.
19. The representative of the UNITED STATES OF AMERICA, urging strongly that paragraph (g) be retained, said that the work plan agreed upon at the 2010 Nuclear Security Summit was very relevant to the Agency's nuclear security-related activities and that any Agency Member State was welcome to participate in its implementation.
20. The representative of GERMANY, calling for the retention of paragraph (g), said that it closely mirrored paragraph 65 in the Final Document of the 2010 NPT Review Conference, which read "The Conference notes the Nuclear Security Summit held in Washington, D.C., in April 2010."
21. The representative of CANADA, recalling that the Director General had represented the Agency at the 2010 Nuclear Security Summit, said that the work plan agreed upon there was of direct relevance to the Agency's nuclear security-related activities.
22. The representative of CUBA queried the appropriateness of including in the draft resolution under consideration a paragraph that referred to an event with restricted participation. The 2010 Nuclear Security Summit had been such an event, and paragraph (g) should therefore be deleted.
23. The representative of the RUSSIAN FEDERATION, calling for the retention of paragraph (g) said that the 2010 Nuclear Security Summit had a direct bearing on the Agency's work in the area of nuclear security.
24. The representative of FRANCE, calling for the retention of paragraph (g), drew attention to the phrase "asserting that the responsibility for nuclear security within a State rests entirely with that State" in paragraph (c).
25. The representative of AUSTRALIA, also calling for the retention of paragraph (g), said that the wording was, in his view, entirely appropriate.
26. The representative of the ISLAMIC REPUBLIC OF IRAN said that his delegation's opposition to paragraph (g) was based not on the 2010 Nuclear Security Summit's relevance or non-relevance to the Agency's nuclear security-related activities but on the selective nature of the event.
27. The representative of NIGERIA said that he was in favour of retaining paragraph (g) as it drew attention to the substantive outcome of an important meeting on nuclear security.
28. The representative of the LIBYAN ARAB JAMAHIRIYA said that his country had not been represented at the 2010 Nuclear Security Summit and was in no way bound by the work plan agreed upon at that event. His delegation was therefore in favour of deletion of paragraph (g).

29. The representative of KAZAKHSTAN said that the 2010 Nuclear Security Summit had been a very important international event of relevance to the Agency and that paragraph (g) should therefore be retained.
30. The CHAIRMAN proposed that the Committee move on to subsequent paragraphs.
31. The representative of EGYPT proposed the insertion, after paragraph (h), of paragraph (o) of resolution GC(53)/RES/11, which read “Recalling UN General Assembly Resolution 60/78, which states that progress is urgently needed in the area of disarmament and non-proliferation in order to help to maintain international peace and security and to contribute to global efforts against terrorism, and acknowledging the need to make further progress towards achieving nuclear disarmament”.
32. The representatives of SWITZERLAND, BRAZIL and ALGERIA endorsed the proposal.
33. The representative of the UNITED KINGDOM said that the authors of the draft resolution had endeavoured to produce a succinct resolution that focused on the nuclear security-related activities to be undertaken by the Secretariat during the next 12 months. In their view, paragraph (o) of resolution GC (53)/RES/11 did not fit into such a resolution.
34. The representative of LEBANON, expressing support for the inclusion of paragraph (o) of resolution GC(53)/RES/11, said that succinctness should be only a secondary consideration. There was a close link between nuclear disarmament and nuclear security.
35. The representative of the SYRIAN ARAB REPUBLIC, also expressing support for the inclusion of paragraph (o) of resolution GC(53)/RES/11, said that a draft resolution on nuclear security that did not address the issue of nuclear disarmament would not secure a consensus.
36. The representative of CUBA said that his delegation would like to see the inclusion of paragraph (o) of resolution GC(53)/RES/11 updated in the light of positive events that had occurred since the 2009 session of the General Conference, in particular the declaration of a universal resolve to achieve a world free of nuclear weapons. He proposed the insertion in paragraph (o), after the words “against terrorism”, of the phrase “and emphasizing the need for immediate multilateral negotiations to achieve the elimination of nuclear weapons and their total prohibition”.
37. The representative of BRAZIL, calling for the insertion of paragraph (o) of resolution GC(53)/RES/11, said that the paragraph was more relevant to nuclear security than was Security Council resolution 1887. In spite of that, some authors of the draft resolution under consideration had spoken in favour of the retention of its paragraph (d) and against the inclusion of paragraph (o) of resolution GC(53)/RES/11.
38. The representative of the ISLAMIC REPUBLIC OF IRAN, expressing support for the inclusion of paragraph (o) with the addition proposed by the representative of Cuba, said that a prerequisite for the achievement of nuclear security was the elimination of all nuclear weapons.
39. The representative of INDONESIA said that his delegation was in favour of the inclusion of paragraph (o), with or without the addition proposed by the representative of Cuba. The prospects for nuclear disarmament were better now than they had been at the time of the General Conference’s previous session, as a result of a series of events at which the relationship between nuclear security, nuclear disarmament and nuclear non-proliferation had been recognized.
40. The representative of GERMANY said that his delegation could go along with the inclusion of paragraph (o) of resolution GC(53)/RES/11, updated through a change of the General Assembly resolution number from 60/78 to 64/38, but not with the addition proposed by the representative of Cuba.

41. The representative of the LIBYAN ARAB JAMAHIRIYA, expressing support for the inclusion of paragraph (o), said that actions taken in the area of nuclear security that ignored the need for nuclear disarmament would be inadequate.

42. The representative of CANADA said that, while willing to discuss the merits of paragraph (o), his delegation could not go along with the addition to that paragraph proposed by the representative of Cuba.

43. The representative of the UNITED STATES OF AMERICA said that the focus of the Agency's nuclear security-related activities was confined to nuclear material and radioactive sources in the civilian sector. His delegation was reluctant, as it had been in 2009, to accept a reference to nuclear disarmament in a resolution concerning nuclear security.

44. The representative of COSTA RICA, supported by the representative of the BOLIVARIAN REPUBLIC OF VENEZUELA, said that the issues of nuclear non-proliferation and nuclear disarmament should not be excluded from a resolution on nuclear security.

45. The representative of EGYPT said that paragraph (o) of resolution GC(53)/RES/11 had been included in that resolution following prolonged negotiations. Its inclusion in the draft resolution under consideration would obviate arduous discussions on a range of related issues. Should some of the draft resolution's authors persist in resisting its inclusion, her delegation would support the proposal made by the representative of Cuba.

46. The representative of the UNITED KINGDOM suggested that the Committee revert to the issue of paragraph (o) of resolution GC(53)/RES/11 after it had completed its paragraph-by-paragraph consideration of the draft resolution as a whole and further informal consultations had taken place.

47. The representative of EGYPT, opposing that suggestion, said that her delegation wished to know the position of the authors of the draft resolution with regard to the issue of nuclear disarmament in order to decide on its own position with regard to a number of issues addressed later in the draft resolution.

48. The representative of CUBA said that he was somewhat surprised about the current discussion in the Committee. Over the years, during sessions of the General Conference and meetings of the Board of Governors, many Member State representatives had referred to the important contribution that the Agency could make to nuclear disarmament, and he took it that all Member States were committed to the elimination of all nuclear weapons. He would like to see all delegations adopting a position that furthered the Committee's work.

49. The CHAIRMAN proposed that the Committee move on to subsequent paragraphs.

50. The representative of EGYPT, supported by the representative of BRAZIL, proposed the insertion, after paragraph (m), of paragraph (t) of resolution GC(53)/RES/11 (“Stressing the essential importance of ensuring the confidentiality of information relevant to nuclear security,”).

51. The representative of CUBA, having expressed support for that proposal, enquired why paragraph (r) of resolution GC(53)/RES/11 (“Recognizing the work done by the Agency in providing support, technical assistance and expert advice to countries in their efforts to secure vulnerable nuclear and other radioactive materials,”) had not been included in the draft resolution under consideration.

52. The representative of GERMANY said that paragraph (k) of the draft resolution, which had been included at the request of a member of the Group of 77 and China, addressed issues similar to those addressed in paragraph (r) of resolution GC(53)/RES/11. The authors of the draft resolution had therefore felt that paragraph (r) of that resolution could — in the interest of brevity — be omitted.

53. The representative of CANADA, recalling that the representative of Nigeria had proposed adding the words “and strategic information” at the end of paragraph 2, said that his delegation would prefer the word “relevant” to the word “strategic”.
54. The representative of BRAZIL said that a reference to “relevant information” in paragraph 2 would broaden the scope of applicability of the draft resolution to an unacceptable extent.
55. The representative of AUSTRALIA, supporting that view, drew attention to paragraph 18 of the draft resolution (“Supports the steps taken by the Secretariat to ensure confidentiality of information relevant to nuclear security;”).
56. The representatives of the UNITED STATES OF AMERICA and the ISLAMIC REPUBLIC OF IRAN considered that paragraph 2 should be left unchanged.
57. The representative of CUBA, supported by the representative of the LIBYAN ARAB JAMAHIRIYA, proposed the addition of an operative paragraph referring to the General Conference’s commitment to “the total elimination of nuclear weapons as a fundamental contribution to the work of the Agency in respect of nuclear security”.
58. The representative of the UNITED STATES OF AMERICA said that his delegation was firmly opposed to the addition of an operative paragraph on the topic of nuclear disarmament. The issue had been the subject of lengthy consultations during the fifty-third regular session of the General Conference, and they had resulted in a satisfactory compromise. Also, it was questionable whether the total elimination of nuclear weapons, to which his country was committed, would in itself be “a fundamental contribution to the work of the Agency in respect of nuclear security”, which was concerned with nuclear materials and facilities in non-military applications.
59. The representative of EGYPT, supporting the proposal made by the representative of CUBA, said that since no agreement had been reached on including paragraph (o) of resolution GC(53)/RES/11 in the preambular part of the draft resolution under consideration, although its wording had been accepted by consensus by the General Conference in 2009, her delegation was thinking of proposing that the substance of paragraph (o) be included in the operative part of the draft resolution.
60. The representative of the RUSSIAN FEDERATION said that his delegation was not in favour of the inclusion of an operative paragraph on the topic of nuclear disarmament.
61. The representative of GERMANY said that, in the light of the statements just made by the representatives of Cuba and Egypt, his delegation was having second thoughts about its previously declared openness to the inclusion of paragraph (o) of resolution GC(53)/RES/11 in the draft resolution under consideration.
62. The representative of CANADA said that, in his delegation’s view, an operative paragraph such as that envisaged by the representative of Cuba would distort the focus of the draft resolution, whose authors intended it to be a document providing guidance to the Agency’s Office of Nuclear Security.
63. The representative of the BOLIVARIAN REPUBLIC OF VENEZUELA expressed support for the inclusion of paragraph (o) of resolution GC(53)/RES/11 and the addition of an operative paragraph along the lines envisaged by the representative of Cuba.
64. The representative of FRANCE said that his delegation would not be able to accept such a paragraph.
65. The representative of CUBA drew attention to Article III.B.1 of the Agency’s Statute, which stated that, in carrying out its functions, the Agency should conduct its activities “in accordance with

the purposes and principles of the United Nations to promote peace and international cooperation, and in conformity with policies of the United Nations furthering the establishment of safeguarded worldwide disarmament and in conformity with any international agreements entered into pursuant to such policies”. There was clearly a link between nuclear security and nuclear disarmament.

66. The representatives of MEXICO and COSTA RICA proposed that paragraph (o) of resolution GC(53)/RES/11 be included, without change, in the draft resolution under consideration.

67. The representative of BRAZIL, supporting that proposal, said that the discussion of the issue in the Committee had clearly shown the dangers of tinkering with the carefully balanced language of previous years.

68. He proposed that in paragraph 4 “provide” be replaced by “consider providing” — the words used in paragraph 2 of resolution GC(53)/REV/11.

69. Referring to paragraph 6, he recalled that he had proposed the replacement of “apply” by “take into account”.

70. The representative of the ISLAMIC REPUBLIC OF IRAN proposed that in paragraph 7 “to become party” be replaced by “to consider becoming party”.

71. The representative of the UNITED STATES OF AMERICA, opposing the proposal, said that such a change would water down the moral force of paragraph 7.

72. The representative of CUBA asked for more time in which to consider paragraph 10 in the light of paragraph (d).

73. The representative of INDIA proposed that in paragraph 12 “to take measures” be replaced by “to consider taking measures”.

74. The representative of the SYRIAN ARAB REPUBLIC expressed a preference for expanding paragraph 18 so that it would be identical with paragraph 18 of resolution GC(53)/RES/11.

75. The CHAIRMAN, noting that no Committee members wished to comment on paragraphs 19 and 20, suggested that delegations engage in informal consultations on the draft resolution under the guidance of Mr Hutchings of the delegation of Australia.

76. It was so agreed.

**The meeting rose at 12.30 p.m.**