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Chairman: Mr STRATFORD (United States of America)

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¹ GC(57)/24.

Abbreviations used in this record:

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

16. Nuclear security (resumed) (GC(57)/COM.5/L.10/Rev.3)

1. The representative of FRANCE, introducing the draft resolution contained in document GC(57)/COM.5/L.10/Rev.3, asked the Committee if there were any objections to paragraph 30 bis, which read “Requests the Secretariat to report on the preparation, in close consultation with Member States, of the next International Conference on Nuclear Security to be held in 2016 according to paragraph 24 of the Ministerial Declaration adopted in July 2013.”
2. The representative of SAUDI ARABIA said paragraph 30 bis would be acceptable to his delegation if “in 2016” were deleted.
3. The representative of INDIA proposed the insertion of the words “of the International Conference on Nuclear Security” between “the Ministerial Declaration” and “adopted in July 2013”.
4. The representative of FRANCE said that the sponsors of the draft resolution could accept that proposal and requested the representative of Saudi Arabia to be flexible.
5. The representative of FRANCE, recalling that paragraph (w) — “Recognizing that any attack on nuclear facilities may result in sabotage or unauthorized removal of nuclear material, thus endangering regional and international peace and security,” — had been proposed by the delegation of the Islamic Republic of Iran, requested Committee members’ views on that paragraph.
6. The representative of ROMANIA said it was not clear whether the word “attack” referred to a military attack or to a terrorist attack. A military attack would be an issue to be dealt with by the United Nations Security Council.
7. The representatives of AUSTRALIA and SPAIN expressed support for the comment made by the representative of Romania.
8. The representative of the ISLAMIC REPUBLIC OF IRAN, having pointed out that cyber attacks were referred to in paragraph 24 of the draft resolution, said that the insertion of the word “terrorist” between “any” and “attack” in paragraph (w) might meet the concerns of some delegations.
9. The CHAIRMAN asked whether the wording “Recognizing that any terrorist attack on nuclear facilities ...” would be acceptable.
10. The representatives of the BOLIVARIAN REPUBLIC OF VENEZUELA and CUBA expressed misgivings about the envisaged insertion of the word “terrorist” and support for paragraph (w) as it stood.
11. The representative of AUSTRALIA, welcoming the comment made by the representative of the Islamic Republic of Iran, said that it was important to differentiate between terrorist attacks and other attacks on nuclear facilities. Other attacks would fall outside the scope of “nuclear security”.
12. The representative of NORWAY expressed support for the comment made by the representative of Australia.
13. The representative of GERMANY said that any attack, including any military attack, on nuclear facilities would clearly endanger regional and international peace and security, so the reference to “sabotage or unauthorized removal of nuclear material” in paragraph (w) seemed to be unnecessary.

14. The representative of POLAND expressed support for the insertion of the word “terrorist” between “any” and “attack”.

15. The representative of the SYRIAN ARAB REPUBLIC said that her delegation preferred the wording “any attack”.

16. The CHAIRMAN requested the sponsors of the draft resolution to consult further with a view to resolving all outstanding issues.

17. The representative of SPAIN said that his delegation could not accept paragraph (w) even with the insertion of the word “terrorist” between “any” and “attack”. It was most unlikely that, after a terrorist attack on, say, a nuclear power plant, someone would enter the plant in order to engage in sabotage or the unauthorized removal of nuclear material.

18. The representative of the SYRIAN ARAB REPUBLIC said that, on reflection, her delegation could go along with the insertion of the word “terrorist” between “any” and “attack”.

19. The CHAIRMAN took it that there were no objections to the insertion of the word “terrorist”.

– Conduct of business

20. The representative of the RUSSIAN FEDERATION said that in past years the Committee had often referred, for initial consideration, draft resolutions on nuclear security, safeguards and technical cooperation to informal working groups which had reported to it only when they had achieved substantial results. In his view, that procedure was preferable to the formal consideration of such draft resolutions from the start in the Committee, which then had to switch frequently between agenda items.

17. Strengthening of the Agency’s technical cooperation activities (resumed) (GC(57)/COM.5/L.13)

21. The representative of EGYPT, referring to the draft resolution contained in document GC(57)/COM.5/L.13, said that there were three paragraphs still under discussion in the informal consultations: paragraph (e) in Section 3, and specifically the words “enhancing within the available resources the capacity of Agency staff to meet the needs of Member States”; paragraph 7 in Section 4, relating to denials of necessary equipment supply; and paragraph 13 in Section 4, and specifically the words “subject to the availability of resources”.

22. She was confident that overall agreement would be reached soon in the informal consultations.

23. The representative of AUSTRALIA requested that any text containing proposed amendments to paragraph 7 in Section 4 be provided to the delegations of Member States not belonging to the Group of 77 and China and to the European Union.

24. The representative of EGYPT said that there was such a text and that it would be provided to those delegations.

19. Strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Additional Protocol (resumed) (GC(57)/COM.5/L.9/Rev.1)

25. The CHAIRMAN said that, in the light of discussions during the Committee's previous meeting, he had expected that the title of the draft resolution contained in document GC(57)/COM.5/L.9/Rev.1 would read "Strengthening the Effectiveness and Improving the Efficiency of Agency Safeguards [and other verification activities]". He had also expected that paragraph (c) would end with the words "and Agency bilateral and multilateral safeguards agreements" — not with the words "and other relevant treaties".

26. The representative of INDIA asked whether there was a difference between "Agency safeguards" and "Agency safeguards and other verification activities".

27. The LEGAL OFFICER FOR THE COMMITTEE OF THE WHOLE said that "Agency safeguards" were taken by some people to mean "comprehensive safeguards" as distinct from "other verification activities", but all of the Agency's safeguards activities were carried out under the authority of Article III A.5 of the Statute.

28. The representative of INDIA said he gathered from that explanation that the difference between "safeguards" and "other verification activities" was more one of perception than a reality. He accordingly did not think that the words "and other verification activities" added any value to the draft resolution.

29. The representative of EGYPT said that he would like to see the words "and other verification activities" in the title.

30. The representative of SPAIN, recalling that the representative of Saudi Arabia had, during the Committee's previous meeting, expressed concern about the words "the existing initiatives" in paragraph (d), said that the representative now agreed that paragraph (d) should be amended to read "Considering also nuclear-weapon-free zones and the positive role ...".

31. The representative of SAUDI ARABIA, having confirmed the comment just made by the representative of Spain, referred to paragraph (g) and said he hoped that it did not imply implementation of the State-level concept.

32. The CHAIRMAN, having pointed out that paragraph (g) was identical with paragraph (g) in resolution GC(56)/RES/13 and paragraph (f) in resolution GC(54)/RES/11, said he would be surprised if it did imply implementation of the State-level concept.

33. The representative of SAUDI ARABIA said that, according to the Secretariat, the Agency had been implementing the State-level concept for the past decade in approximately 50 countries. If that was correct, an explanation should be given by the Secretariat.

34. The CHAIRMAN asked whether the Secretariat viewed anything in paragraph (g) as referring to the State-level concept.

35. The DIRECTOR OF THE DIVISION OF CONCEPTS AND PLANNING, DEPARTMENT OF SAFEGUARDS, said that it did not; the language in paragraph (g) derived from a decision taken by the Board of Governors in 1995, which predated the implementation of the State-level concept.

36. The representative of SAUDI ARABIA said that things had changed since 1995; the implementation of comprehensive safeguards agreements had been followed by integrated safeguards and now by the State-level concept.

37. The representative of the RUSSIAN FEDERATION asked the Secretariat to indicate the specific decisions to which it had referred, and whether they had related to decisions regarding specific countries' dossiers.

38. The LEGAL OFFICER FOR THE COMMITTEE OF THE WHOLE said, following comments by the CHAIRMAN and the representative of the RUSSIAN FEDERATION, that the language in paragraph (g) reflected the language contained in the official records of the 1995 Board discussions on the results of Programme 93+2. Member States had wanted the implementation of comprehensive safeguards agreements to be "designed to provide for verification by the Agency of the correctness and completeness of a State's declarations".

39. It was correct that, prior to 1995, decisions had been taken by the Board with respect to Agency verification of correctness and completeness in connection with specific States — Iraq, the DPRK and South Africa, all of which had involved comprehensive safeguards agreements. Indeed, it was the revelations arising from Agency verification in those States that had triggered Member States' insistence that the Agency provide assurances of correctness and completeness under comprehensive safeguards agreements. In response to questions by Member States as to whether the Secretariat had the authority to verify correctness and completeness under comprehensive safeguards agreements, the Secretariat had explained that, although it had the legal authority, it had limited tools with which to do so.

40. Thus, the idea of the Agency's verifying the correctness and completeness of a State's declarations predated what was commonly referred to now as the "State-level concept" and even the initiation of Programme 93+2. At the request of and with the support of Member States, the Agency had been looking at States as a whole since the very early 1990s.

41. The representative of EGYPT asked whether one of the roles of the Agency was "verification by the Agency of the correctness and completeness of a State's declarations".

42. The LEGAL OFFICER FOR THE COMMITTEE OF THE WHOLE confirmed that that was the case under comprehensive safeguards agreements, though it was not the case under voluntary offer agreements or INFCIRC/66-type agreements.

43. The representative of EGYPT asked whether, if one of the roles of the Agency was to verify something, would that not be considered a "verification activity".

44. The CHAIRMAN said he supposed that it could, but, in his view, that would not solve the problem of the title of the draft resolution.

45. The representative of ITALY said that, in his view, in accordance with paragraph 2 of document INFCIRC/153 ("The structure and content of agreements between the Agency and States required in connection with the Treaty on the Non-Proliferation of Nuclear Weapons"), under comprehensive safeguards agreements the Agency was required to verify the correctness and completeness of a State's declarations. He sought the Secretariat's confirmation of that interpretation.

46. The LEGAL OFFICER FOR THE COMMITTEE OF THE WHOLE confirmed that the representative of Italy was correct.

47. The representative of SAUDI ARABIA said that, if the Agency had the right and obligation to verify the correctness and completeness of a State's declarations under the comprehensive safeguards

agreement with that State, he did not see what purpose was served by the Model Additional Protocol — referred to in paragraph (h).

48. The LEGAL OFFICER FOR THE COMMITTEE OF THE WHOLE said that, pursuant to paragraph 2 of document INFCIRC/153, Member States had invested in the Agency the right and obligation to ensure that all source and special fissionable material was placed under safeguards under a comprehensive safeguards agreement. The purpose of additional protocols based on the Model Additional Protocol, approved by the Board in May 1997, was to provide the Agency with additional tools for doing that more efficiently and effectively on a more routine basis. The fundamental right and obligation of the Agency to verify the correctness and completeness of a State's declarations under a comprehensive safeguards agreement unequivocally derived from paragraph 2 of document INFCIRC/153.

49. The representative of the RUSSIAN FEDERATION said that it was important to distinguish between a formal decision of the Board and broad acceptance of a Chairman's summing-up. In his view, the latter did not constitute a formal decision.

50. The LEGAL OFFICER FOR THE COMMITTEE OF THE WHOLE said that she did not have at hand the 1995 decision referred to by the representative of the Russian Federation, but there had been a decision taken to approve the Chairman's summing-up of what the Board had said in its discussions in connection with Programme 93+2.

51. In any event, the Board had certainly taken decisions for many years through the mechanism of accepting summings-up read out by its Chairmen.

52. The representative of SPAIN said that, in his view, it was not necessary to consider the legal status of the Board decision taken in 1995 because, as had been explained by the Secretariat, the legal basis for the Agency's verifying the correctness and completeness of a State's declarations was Article 2 of the comprehensive safeguards agreement with that State and did not derive from any type of Board decision taken in 1995. An additional protocol simply made it easier for the Agency to achieve its verification objective.

53. The representative of BELARUS said that her delegation also understood that the legal basis was Article 2, and she requested further clarification.

54. The representative of the RUSSIAN FEDERATION said that the problem with the so-called State-level concept stemmed from the fact that the Secretariat, without any consultations with Member States, kept construing texts in a manner favourable to itself, drafting new plans and introducing new mechanisms. The Secretariat should be controlled more strictly by the Agency's policy-making organs, and primarily by the Board.

55. For example, the Secretariat had construed in a manner favourable to itself a Chairman's summing-up, under an agenda item entitled "Strengthening the effectiveness and improving the efficiency of the safeguards system: Programme 93+2", that, in March 1995, had been contested by some Board members during a discussion lasting several hours. During that discussion, the representative of the Philippines had said that "the summing-up just read out by the Chairman seemed to be nothing but the proposed decision of the entire Board that was apparently acceptable to certain delegations which the Chairman had deemed fit to consult initially. How could the Board even begin to talk about making comprehensive safeguards more efficient, transparent and cost-effective, when its own working procedure could not be regarded as such?" In the opinion of the Russian Federation, ultimate acceptance of the Chairman's summing-up on that occasion could certainly not be regarded as a formal decision of the Board.

56. The CHAIRMAN asked the representative of Saudi Arabia if he wished paragraph (g) to be placed in square brackets.

57. The representative of SAUDI ARABIA said that he did not. He had simply been seeking clarification.

58. The representative of the SYRIAN ARAB REPUBLIC asked whether the Secretariat could provide documentary evidence that the State-level concept was an outcome of the Board's acceptance in March 1995 of the Chairman's summing-up just referred to by the representative of the Russian Federation.

59. Her delegation would like to see a document that made it clear when the State-level concept had been introduced. The Board had, the previous week, been told that it had been informed about the concept in 2004 and that State-level approaches were being applied for 50 States.

60. The CHAIRMAN said that he understood the vehemence directed against the State-level concept, but he had been assured by the Secretariat that paragraph (g) did not imply implementation of that concept.

61. He took it that the Committee did not wish to have paragraph (g) placed in square brackets.

62. He proposed, following a comment made by the representative of EGYPT, that in paragraph (h) the words "the safeguards system" be replaced by "Agency safeguards".

63. The representative of EGYPT requested that similar changes be made in paragraphs (l) and (r) and perhaps in other paragraphs.

64. The representative of BRAZIL thanked the sponsors of the draft resolution for the inclusion of paragraph (n), which read "Welcoming the work the Agency has undertaken in verifying nuclear material from dismantled nuclear weapons, and noting that the Agency must remain ready, in accordance with its Statute, to apply safeguards at the request of States party to nuclear disarmament or arms control agreements," and said that a group of delegations, including his own, was proposing a number of related paragraphs for the Committee's consideration. Copies of the proposed paragraphs, one of which he had read out during the Committee's second meeting, had been put into Member States' pigeon holes two days previously.

65. The CHAIRMAN, having ascertained that very few delegations had seen the proposed paragraphs, said that the Committee would consider them once they had been distributed to all desks.

66. The representative of the RUSSIAN FEDERATION, referring to paragraph (n), noted that the first part (ending with "... dismantled nuclear weapons") was identical with paragraph (o) of resolution GC(56)/RES/13 and said that it was acceptable to his delegation because it simply related to something that the Agency had been doing on the basis of a specific mandate.

67. However, his delegation was unhappy about the second part of paragraph (n), which contained the phrases ", in accordance with its Statute," and "at the request of States party to nuclear disarmament ... agreements". The word "nuclear disarmament" did not appear in the Statute. Article III, B.1, to which many people referred, talked about something very different — "safeguarded worldwide disarmament".

68. He proposed the insertion, between paragraphs (m) and (n), of a paragraph reading "Mindful that nuclear disarmament is not mentioned in the Statute, either among the objectives or among the functions of the Agency,".

69. The CHAIRMAN suggested that the proposed paragraph be incorporated, in square brackets, into paragraph (n), being inserted after the words “dismantled nuclear weapons”.

70. The representative of the RUSSIAN FEDERATION agreed to that suggestion.

71. The representatives of NORWAY and NEW ZEALAND said that their delegations were strongly in favour of paragraph (n) being left as it stood.

72. The representative of EGYPT, referring to paragraph (n), said that, if the Agency had been verifying nuclear material from dismantled nuclear weapons, that meant that it had been carrying out a verification activity.

73. With regard to the additional preambular language just proposed by the representative of the Russian Federation, he recalled that in June 1999, during a Board discussion under an agenda sub-item entitled “IAEA verification of weapon-origin fissile material in the Russian Federation and the United States of America”, the representative of the Russian Federation had said that his delegation believed that “the effective verification of nuclear arms control and reduction measures would be in the interest of all States, ...” and the representative of the United States of America had said that “his country regarded the submission of weapon-origin fissile material to Agency verification as an important part of its effort to meet its nuclear disarmament obligations under Article VI of the NPT” and that the activities of the Agency in that connection “were an important part of its statutory mandate to further the establishment of safeguarded worldwide disarmament, ...”.

74. There appeared to have been a considerable appetite at that time for effective verification by the Agency of nuclear arms control and reduction. Certainly the representative of the Russian Federation had not said that the Agency should be mindful “that nuclear disarmament is not mentioned in the Statute, either among the objectives or among the functions of the Agency”.

75. The attitudes of the Russian Federation and the United States of America regarding such matters had apparently changed since 1999.

76. The CHAIRMAN said that he did not wish the Committee to engage in arguments about matters such as the verification of nuclear arms control and reduction measures. The Committee should focus on the paragraphs in the draft resolution now under consideration.

77. The representative of EGYPT said that delegations were entitled to voice objections to other delegations’ comments or proposals. It was important that delegations listen to each other and try to understand each other’s positions.

78. The proposed paragraphs referred to by the delegation of Brazil had been known to the sponsors of the draft resolution now under consideration but had not been incorporated into it — a clear signal that the views of the group of delegations proposing them were not being taken into account. It was therefore important that those views be aired in the Committee, for the record.

79. The representative of SOUTH AFRICA, noting that the proposed paragraphs referred to by the representative of Brazil had now been circulated to all desks, said that his delegation was pleased that the Chairman was affording the Committee an opportunity to consider them.

80. One of the proposed paragraphs — “Notes with appreciation the work the Agency has undertaken in verifying nuclear material from dismantled nuclear weapons pursuant to requests by States parties to nuclear disarmament or arms control agreements;” — would correspond well to paragraph (n).

81. The proposed preambular paragraph read out by the representative of Brazil during the Committee’s second meeting — “Recalling Article III of the IAEA Statute, which calls, inter alia, for

the Agency to conduct its activities in conformity with policies of the United Nations furthering the establishment of safeguarded nuclear disarmament, and in conformity with any international agreements entered into pursuant to such policies,” — could be inserted into the draft resolution between paragraphs (m) and (n).

82. The representative of FRANCE said that her delegation, as one of the sponsors of the draft resolution, considered it important to note that paragraph (n) had been drafted in the light of the proposed operative paragraph just read out by the representative of South Africa.

83. Her delegation could not accept the paragraph reading “Calls for the wider application of safeguards to peaceful nuclear facilities in the nuclear-weapon States, under the relevant voluntary offer safeguards agreements, in the most economical and practical way possible, taking into account the availability of IAEA resources, and stresses that comprehensive safeguards and additional protocols should be universally applied once the complete elimination of nuclear weapons has been achieved;” proposed as a substitute for paragraph 18, particularly owing to the linkage it created between the complete elimination of nuclear weapons and the application of comprehensive safeguards and additional protocols.

84. The representatives of COLOMBIA, the BOLIVARIAN REPUBLIC OF VENEZUELA and CUBA said that their delegations were in favour of the inclusion of the three paragraphs proposed by the delegations of Brazil, Switzerland, South Africa and Egypt.

85. The representative of SINGAPORE said that her delegation welcomed the proposed paragraphs but was in favour of consultations on the language used in them.

86. The representative of BRAZIL urged the sponsors of the draft resolution to conduct intensive consultations with a view to finding common ground as regards the proposed paragraphs.

87. With regard to the paragraph proposed as a substitute for paragraph 18, it would be appropriate to discuss it when paragraph 18 was discussed.

88. The representative of SWITZERLAND expressed support for the comments made by the representatives of BRAZIL and SOUTH AFRICA and said that he welcomed the inclusion of paragraph (n) in the draft resolution.

89. The representative of INDIA said that the proposed paragraph reading “Recalling Article III ... pursuant to such policies,” was admittedly based on Article III.B.1 of the Statute, but he did not consider it helpful to quote that instrument selectively in order to give different connotations to draft resolutions. The proposed paragraph was unnecessary, and his delegation could not support its inclusion in the draft resolution.

90. The representative of EGYPT, responding to the comment made by the representative of India, said that he had reservations about the word “selectively”.

91. The representative of ARGENTINA said that she agreed with the comment just made by the representative of Egypt.

92. The CHAIRMAN suggested that the Committee move on to paragraph (o).

93. The representative of SAUDI ARABIA said that his delegation wished paragraph (o) to be placed in square brackets.

94. The representative of the RUSSIAN FEDERATION proposed the following paragraph for insertion after paragraph (o): “Being convinced that safeguards should remain non-discriminatory and that only objective factors should be used to determine safeguards implementation, while political

considerations are not appropriate.” That wording was a logical continuation of paragraph (o), and, even if paragraph (o) were not retained, the proposed paragraph could stand on its own. It emphasized a principle that should be emphasized in the light of the discussion that had taken place the previous week in the Board on the Director General’s report entitled “The Conceptualization and Development of Safeguards Implementation at the State Level”.

95. The representative of the ISLAMIC REPUBLIC OF IRAN expressed support for the proposed paragraphs circulated by the delegation of Brazil.

96. He also expressed support for the comment just made by the representative of Egypt. Quoting parts of the Statute that had been overlooked for several years was important as a way of recalling that safeguards could contribute to the cause of disarmament.

97. The representative of the UNITED KINGDOM said that a paragraph along the lines of the first part of paragraph (n) had appeared in several previous General Conference resolutions regarding safeguards, and on several occasions it had been made clear that, unless so requested by the States concerned, the Agency had no role to play in disarmament. However, in a spirit of compromise and in an effort to incorporate language that was important to certain delegations, the sponsors of the draft resolution now before the Committee had produced paragraph (n) in its present form. The expectation had been that the text would be satisfactory and that there would be no need to amend or add to it.

98. The representative of INDIA, referring to the question of selectively quoting from the Statute, said that his delegation did not object to the Statute’s being quoted; it merely objected to attempts to give a different connotation to a draft resolution by quoting selectively.

99. The representative of SAUDI ARABIA said that, if the paragraph proposed by the representative of the Russian Federation were accepted, his delegation could agree to the retention of paragraph (o). Referring to paragraph (r), he proposed that the word “strengthening” be changed to “implementation”.

100. The representative of SPAIN requested clarification from the representative of Saudi Arabia as to the intent behind the proposed amendment.

101. The representative of SAUDI ARABIA said that “strengthening” could imply the application of State-level approaches.

102. The representative of ITALY said that he did not understand the concern of the representative of Saudi Arabia. The paragraph bore no relation to the State-level concept.

103. Furthermore, as indicated in the Safeguards Implementation Report for 2012, fewer resources were required for implementation in States where integrated safeguards were being implemented than in States where they were not.

104. The CHAIRMAN said that both “strengthening” and “implementation” should be placed in square brackets.

105. The representative of EGYPT and the representative of the ISLAMIC REPUBLIC OF IRAN drew attention to the phrase “the safeguards system” in paragraph (r), which should be replaced by “Agency safeguards”, as previously discussed.

106. The representative of AUSTRALIA said that the phrase “safeguards system” occurred twice in the NPT and that the Committee should be cautious about simply replacing it every time it occurred in the draft resolution.

107. The representative of SAUDI ARABIA, referring to the chapeau of the operative part of the draft resolution, requested an assurance that strengthening the effectiveness and improving the efficiency of Agency safeguards did not mean implementing the State-level concept.

108. The CHAIRMAN said, following a comment by the representative of SPAIN, that strengthening the effectiveness and improving the efficiency of Agency safeguards had nothing to do with implementation of the State-level concept. However, that did not mean that the Secretariat would stop implementing the State-level concept.

109. Referring to paragraph 5, he said that “[xx]” would be replaced by “12”.

110. The representative of INDIA recalled that on Tuesday, during the consideration of the draft resolution contained in document GC(57)/COM.5/L.9, his delegation had called for the deletion of paragraph 6. Since that paragraph appeared in the revised version of the draft resolution, he proposed the replacement of the phrase “the universal application of the Agency’s safeguards system” by the phrase “the universal application of Agency safeguards in accordance with the respective legal obligations of each Member State” and the amendment of the phrase “urges all States” to read “urges all relevant States”.

111. The representative of EGYPT, objecting to the proposal made by the representative of India, said that the application of Agency safeguards could not be universal if it were fine-tuned according to different States’ legal obligations.

112. The representatives of the SYRIAN ARAB REPUBLIC, SOUTH AFRICA and COLOMBIA said that their delegations could not go along with the proposal made by the representative of India.

113. The representative of BRAZIL said that, in his view, the phrase “Consistent with the respective safeguards undertakings of Member States” in the chapeau rendered the proposed words “in accordance with the respective legal obligations of each Member State” unnecessary.

114. The representative of the RUSSIAN FEDERATION proposed the addition, after paragraph 7, of a paragraph reading “Stresses that the Secretariat should draw independent objective conclusions using impartial and technically credible evaluation methods and ensure that it does not inadvertently become a conduit for nuclear proliferation;”.

115. The representative of ITALY said that he did not understand how the Secretariat could inadvertently become a conduit for nuclear proliferation.

116. The CHAIRMAN said that the United States Government had for some years had in place a system for vetting Agency technical cooperation projects so as to ensure that they did not have nuclear proliferation implications. Perhaps other countries had such systems in place.

117. The representative of the RUSSIAN FEDERATION, welcoming the comment just made by the Chairman, said that the Secretariat could inadvertently become a conduit for nuclear proliferation if its actions in some way ran counter to Article I of the NPT.

118. The CHAIRMAN said that in paragraph 10 “[xx]” would be replaced by “19” and “[yy]” by “57” and that in paragraph 11 “[xx]” would be replaced by “19”, “[yy]” by “142” and “[zz]” by “121”.

119. The representative of the RUSSIAN FEDERATION, noting that paragraph 13 was identical with paragraph 13 of resolution GC(56)/RES/13, said that paragraph 19, which was new, appeared to overlap with paragraph 13 to some extent. He wondered whether paragraph 19 was necessary.

120. The representative of SPAIN said that, although there was some overlap, it was important to recognize the huge amount of work done by the Secretariat in drawing the broader safeguards conclusion for a large number of States.

121. The representative of the RUSSIAN FEDERATION said that his delegation was satisfied with that explanation.

122. The representative of the ISLAMIC REPUBLIC OF IRAN recalled that on Tuesday his delegation had suggested that the word “voluntarily” be inserted between “additional protocols which are to be concluded” and “by States and other parties to comprehensive safeguards agreements” in paragraph 17.

123. The representatives of the UNITED STATES OF AMERICA and the UNITED KINGDOM requested that the word “voluntarily” be placed in square brackets for the time being.

124. The representative of EGYPT inquired after the rationale behind that request.

125. The representative of the UNITED KINGDOM said that the concept of “voluntariness” was already captured in paragraph 12, which spoke of “the sovereign decision of any State to conclude an additional protocol”.

126. The CHAIRMAN, noting that the word “voluntarily” would be placed in square brackets, said that he had seen it and the word “voluntary” used in connection with additional protocols on numerous occasions.

127. The representative of BRAZIL requested that the proposed paragraph “Calls for the wider application of safeguards to peaceful nuclear facilities in the nuclear-weapon States ... once the complete elimination of nuclear weapons has been achieved;” be taken up in conjunction with paragraph 18. He understood that the sponsors of the draft resolution were exploring the possibility of merging paragraph 18 with the proposed paragraph.

128. The representative of FRANCE recalled that she had said that her delegation could not accept the proposed paragraph.

129. So far, there had been no attempt by the sponsors of the draft resolution to merge paragraph 18 with it.

130. The representative of EGYPT noted that the wording of the proposed paragraph was almost identical with that of Action 30 in the Final Document of the 2010 NPT Review Conference.

131. The representative of FRANCE said that the proposed paragraph linked the application of comprehensive safeguards and additional protocols with the complete elimination of nuclear weapons, which was not appropriate in the context of the draft resolution.

132. The representative of the RUSSIAN FEDERATION, expressing support for the comments made by the representative of France, said that the purpose of NPT Review Conferences was to bolster the nuclear non-proliferation regime, whereas the purpose of General Conference resolutions on Agency safeguards was to give instructions to the Secretariat regarding what it should do in the safeguards area.

133. The DIRECTOR OF THE DIVISION OF CONCEPTS AND PLANNING, DEPARTMENT OF SAFEGUARDS, referring to paragraph 19, said that the words “for 2012” should be inserted after “Notes that” and the number 60 should be inserted before “States that have both a comprehensive safeguards agreement ...”.

134. The CHAIRMAN said, following comments by the representatives of the ISLAMIC REPUBLIC OF IRAN, AUSTRIA and SOUTH AFRICA, that paragraph 20 would be placed in square brackets.

135. The representative of SAUDI ARABIA, referring to paragraph 21, recalled that the Board had, the previous week, merely taken note of the Director General's report on the Conceptualization and Development of Safeguards Implementation at the State Level. He would want the Board to do more than merely take note of the supplementary document to be produced by the Director General before the 2014 session of the General Conference.

136. The representative of INDIA suggested that the words "in September" be inserted in paragraph 21 after "the Director General's report to the Board of Governors" and that the phrase ", after consulting with Member States," be inserted in that paragraph after "the Director General will produce".

137. The representative of the RUSSIAN FEDERATION expressed support for the suggested addition of the phrase ", after consulting with Member States," and suggested the addition of the phrase "and requests that it be presented for consideration and decision by the Board of Governors" at the end of paragraph 21.

138. The representative of CUBA, supported by the representatives of NICARAGUA and COSTA RICA, said that, in the phrase just suggested by the representative of the Russian Federation, the words "for consideration and decision by the Board of Governors" should be amended to read "for consideration and decision by the General Conference". The subject matter in question was one that concerned all Member States.

139. The representative of AUSTRALIA said he had misgivings about the suggested insertion of the phrase "for consideration and decision by the Board of Governors/General Conference" in paragraph 21. Member States should not try to micromanage the activities of the Secretariat

140. The representative of ARGENTINA, supported by the representatives of SAUDI ARABIA, the RUSSIAN FEDERATION, NICARAGUA, INDIA, the ISLAMIC REPUBLIC OF IRAN and COSTA RICA, said that, in her delegation's view, paragraph 22 pre-judged the results of the consideration of the supplementary document referred to in paragraph 21.

141. The representatives of SOUTH AFRICA and SINGAPORE said that their delegations could go along with paragraph 22 as it stood.

142. The representative of COLOMBIA, calling for the deletion of paragraph 22 and expressing support for the suggested insertion in paragraph 21 of the words "for consideration and decision by the General Conference," said that, in her delegation's view, the insertion of those words implied not micromanagement but reassertion by Member States of their authority.

143. The representative of ARGENTINA expressed support for the comments made by the representative of COLOMBIA.

144. The representative of SPAIN, supported by the representative of the UNITED KINGDOM, objected to the idea of making the supplementary document subject to a decision of the Board of Governors or the General Conference.

145. The representative of the BOLIVARIAN REPUBLIC OF VENEZUELA said that there were political and technical implications to the State-level approach that would require a decision by the General Conference and his delegation was therefore in favour of the suggested insertion of the words

“for consideration and decision by the General Conference” in paragraph 21. Also, his delegation was in favour of the deletion of paragraph 22.

146. The CHAIRMAN said that paragraph 22 would clearly have to be removed from the draft resolution.

147. The representative of ITALY, expressing support for the comments made by the representative of Australia, said that paragraph 21 should be left unchanged. Member States should not prejudge the contents of the supplementary document referred to in that paragraph. Quite possibly, the supplementary document would be deemed satisfactory and no decision regarding it would be required.

148. The representative of CUBA said that the General Conference was perfectly entitled to require that the supplementary document be submitted to it for consideration and decision regardless of its prospective contents.

149. The representative of SAUDI ARABIA, referring to the words “information provided by Member States on nuclear supply and procurement” in paragraph 24, asked whether the Secretariat requested such information from the Nuclear Suppliers Group.

150. The DIRECTOR OF THE DIVISION OF CONCEPTS AND PLANNING, DEPARTMENT OF SAFEGUARDS, said that the Secretariat did not request such information from the Nuclear Suppliers Group. Several Member States had individually provided such information on a voluntary basis in response to a general request from the Secretariat.

151. The representative of EGYPT proposed that the words “under an agenda item entitled” be added at the end of paragraph 31, followed by the title of the draft resolution now under consideration once it had been agreed on.

152. The CHAIRMAN said that the Committee had agreed on the replacement of the words “the Agency’s safeguards system” in the title by “Agency safeguards” but not on whether to add the words “and other verification activities”.

153. The representative of the SYRIAN ARAB REPUBLIC requested that the entire title be placed in square brackets until agreement was reached on the wording.

154. The representative of INDIA said that the Director General should be free to decide on the title to be included in the provisional agenda for the General Conference’s 2014 session.

155. The representative of EGYPT said that the title of the item relating to safeguards in the provisional agenda for the 2014 session of the General Conference should be decided by the General Conference at its current session.

156. The representative of EGYPT proposed the title “Strengthening the effectiveness and improving the efficiency of the Agency’s safeguards and other verification activities” — one of the six strategic objectives of the Medium Term Strategy 2012–2017.

157. The LEGAL OFFICER FOR THE COMMITTEE OF THE WHOLE said, following a comment by the CHAIRMAN, that if the General Conference amended the title of a draft resolution considered under a particular agenda item, the title of the corresponding item on the provisional agenda for the General Conference’s subsequent session did not necessarily have to be the same as the amended title of that draft resolution.

158. However, as stated in Rule 12 (a) of the General Conference’s Rules of Procedure, the provisional agenda for each regular session of the General Conference should include all items the

inclusion of which had been decided by the General Conference at a previous session. It followed that any decision taken by the General Conference at its current session regarding an agenda item title would be taken into account when the provisional agenda for the 2014 session was being prepared.

159. The representative of EGYPT urged that his proposal regarding paragraph 31 be accepted.

160. The representative of COSTA RICA said that, if the General Conference accepted that proposal, the agenda item title agreed on should appear in the provisional agenda for the General Conference's 2014 session.

The meeting rose at 10.45 p.m.