

# General Conference

**GC(58)/COM.5/OR.2**

Issued: March 2015

**General Distribution**

Original: English

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**Fifty-eighth regular session**

## Committee of the Whole

### Record of the Second Meeting

*Held at Headquarters, Vienna, on Tuesday, 23 September 2014, at 3.05 p.m.*

**Chair:** Mr STUART (Australia)

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<sup>1</sup> GC(58)/22.

**Abbreviations used in this record:**

CPPNM	Convention on the Physical Protection of Nuclear Material
EU	European Union
INSServ	International Nuclear Security Advisory Service
INSSP	Integrated Nuclear Security Support Plan
IPPAS	International Physical Protection Advisory Service
ITDB	Incident and Trafficking Database
NPT	Treaty on the Non-Proliferation of Nuclear Weapons

### **13. Measures to strengthen international cooperation in nuclear, radiation, transport and waste safety (continued)**

(GC(58)/19 and Corr.1; GC(58)/INF/3; GC(58)/INF/7; GC(58)/INF/20); GC(58)/COM.5/L.1/Rev.1)

1. The representative of AUSTRALIA, reporting on discussions during which consensus had been reached on amendments to GC(58)/COM.5/L.1/ Rev.1, said that paragraph (ee) should be amended to read: “Recalling the Paris Convention on Third Party Liability in the Field of Nuclear Energy, the Vienna Convention on Civil Liability for Nuclear Damage, the Brussels Convention supplementary to the Paris Convention, the Joint Protocol Related to the Application of the Vienna Convention and the Paris Convention and the protocols amending these conventions and the Convention on Supplementary Compensation for Nuclear Damage, and noting that these Conventions can provide the basis for establishing a worldwide nuclear liability regime based on the principles of nuclear liability law,”.
2. The order of paragraphs (ff) and (gg) should be reversed, so that paragraph (gg) would read: “Recalling the central role of the IAEA in promoting adherence to all international conventions concluded under its auspices and related to nuclear safety and civil nuclear liability,”.
3. He said that paragraph 24 should read: “Encourages the Secretariat, upon request, to assist Member States in their efforts to adhere to any enhanced international nuclear liability instruments concluded under the auspices of the IAEA, taking into account the recommendations of the International Expert Group on Nuclear Liability (INLEX) in response to the IAEA Action Plan on Nuclear Safety;”.
4. The CHAIR took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution contained in document GC(58)/COM.5/L.1/Rev.1 as amended during the discussions.
5. It was so decided.

### **14. Nuclear security**

(GC(58)/14; GC(58)/INF/8; GC(58)/COM.5/L.3)

6. The CHAIR said that, as requested by the General Conference, the Secretariat currently produced an annual report on activities undertaken by the Agency in the area of nuclear security, highlighting significant accomplishments of the preceding year and indicating goals and priorities for the coming year.
7. The representative of the NETHERLANDS, introducing the draft resolution on nuclear security contained in document GC(58)/COM.5/L.3, said that that resolution was traditionally prepared by the EU. The team comprised representatives from Finland, France, Germany, the Netherlands and the United Kingdom.

8. She said that since the beginning of work in June 2014, the team had held three open-ended consultations and more than 40 bilateral consultations. Throughout the process, efforts had been made to maintain a spirit of consensus by pursuing a conservative approach, while at the same time updating and adding elements that were of importance to Member States. The team had tried to accommodate in a transparent manner all comments received; four drafts had been circulated to Member States, each aimed at deepening the common understanding of issues and moving closer to consensus.

9. The EU team had identified the security of nuclear material used for military purposes as an issue that was important to many Member States, and that had been reflected in new language in the preambular section of the draft resolution. From its consultations, the team understood that the proposed language would be difficult for some Member States to accept within the framework of the Agency. Further work would be needed to find a balance that was acceptable to all.

10. Regarding paragraph (c), the representative of the RUSSIAN FEDERATION proposed that the paragraph be deleted because the General Conference had already welcomed the International Conference on Nuclear Security: Enhancing Global Efforts held in 2013 in its 2013 resolution on nuclear security (GC(57)/RES/10).

11. The representative of BRAZIL said that paragraph (c) should be retained, given the importance of the international conference and its outcomes, the Ministerial Declaration and the guidance and inputs from the technical expert discussions. The next such conference was not due to be held until 2016. He noted that the word “recalling” was used in the draft resolution, whereas “welcoming” had been used in 2013.

12. The representative of the UNITED STATES OF AMERICA supported the retention of paragraph (c), noting that the 2013 conference remained relevant in the context of the draft resolution.

13. The representative of the RUSSIAN FEDERATION noted that there was already a reference to previous resolutions on nuclear security in paragraph (a). In addition, his country had expressed reservations with regard to two paragraphs of the Ministerial Declaration in question, and had insisted on the inclusion of footnotes reflecting those reservations in various documents and reports, but that was not possible in the draft resolution under discussion, as footnotes were not normally included in such resolutions. While the reference to the conference had been acceptable in the 2013, it was unnecessary in the current draft resolution.

14. The representative of BRAZIL, supported by the representative of HUNGARY, replied that, by that logic, all references to past conferences and summits that had been acknowledged in an earlier resolution would have to be deleted. He acknowledged the reservations of the Russian Federation with regard to the Ministerial Declaration, but considered that a different issue.

15. The representative of FRANCE, speaking as the coordinator of the EU team that had prepared the draft resolution, said that the issue might come up again in relation to later paragraphs and suggested that the matter be discussed bilaterally with the representative of the Russian Federation.

16. The representative of HUNGARY disagreed that paragraph (c) was unnecessary, as it merely acknowledged the success of the conference. Given the overwhelming support for the conference, it would be inappropriate to delete the paragraph because of the reservations of the Russian Federation about the Ministerial Declaration.

17. The CHAIR said that paragraph (c) would require further discussion.

18. The representative of SWITZERLAND, speaking on behalf of his country, Algeria, Argentina, Brazil, Colombia, Egypt, Japan, Mexico, New Zealand, Peru, Singapore and South Africa, proposed amending paragraph (d) to read: “Asserting that the responsibility for nuclear security within a State

rests entirely with that State, and mindful of the fundamental responsibility of States, consistent with their respective national and international obligations, to maintain effective security of all nuclear and other radioactive material used for military purposes;”.

19. He stressed that only by including nuclear material for military purposes could nuclear security be strengthened worldwide in an effective manner. Given the immense destructive potential of such material, it deserved at least as much attention as low enriched uranium or radioactive sources. The proposed language was modelled on that used in the communiqué of the 2013 conference on nuclear security, which had been adopted within the framework of the Agency at the ministerial level. The sponsors fully recognized that the Agency had no mandate for securing nuclear material for military purposes, and hence were proposing to put the new language in a preambular paragraph. There was no intention to create a new obligation for the Agency and the proposed amendment would have no direct operational consequences. There was full acknowledgement that nuclear security was and remained primarily the national responsibility of each Member State. The purpose of new language in a preambular paragraph was to make a global or political point, to reflect a principle, recognize an important concern or simply state a reality.

20. The representatives of PERU, COLOMBIA, EGYPT and ALGERIA reiterated their support for the amendment proposed by the representative of Switzerland.

21. The representative of INDIA said that his country could accept the first part of the proposed amendment but not the specific reference to nuclear material for military purposes. The 2013 resolution on nuclear security (GC(57)/RES/10), in India’s view at the time, should have included specific reference only to nuclear material for civil purposes, but his country had agreed to the inclusion of a reference to all nuclear material as a compromise. In its view, the reference should not be taken to a new level if some States would be uncomfortable with that.

22. India considered the most important nuclear security instrument to be the CPPNM, and yet many Member States had still not signed it. He also urged Member States to sign and ratify the Amendment to the CPPNM so that the Amendment could enter into force as soon as possible. He noted that some Member States’ concerns were not matched by actions when it came to the ratification of that Amendment.

23. He favoured retaining the compromise language from the 2013 resolution.

24. The representative of MEXICO noted that the language in paragraph (d) had been used in many Agency documents, including the Ministerial Declaration of the International Conference on Nuclear Security.

25. The representative of INDIA said that the logic used by the representative of Mexico was flawed, since, first, the CPPNM referred only to civilian nuclear materials and, second, no ministerial declaration automatically established a mandate for the Agency.

26. The representative of the RUSSIAN FEDERATION agreed with the representative of India that it had been difficult to agree on the compromise reference to ‘all nuclear material’ in the 2013 resolution on nuclear security. He also recalled that the Ministerial Declaration had not been a consensus document, as some delegations had been quick to declare. One of his country’s reservations had concerned the fact that the security of nuclear facilities and material used for military purposes was not within the remit of the Agency. For that reason, the language of the 2013 resolution should be retained.

27. The representative of BRAZIL recalled that, in introducing the proposal, the representative of Switzerland had clearly stated that it gave no mandate to the Agency and that the security of nuclear material for military purposes remained the fundamental responsibility of States. He also noted that

the Ministerial Document had been agreed by consensus, with one reservation, and that the point in question, which was an important one, had been made even more forcefully in other contexts. In Brazil's view, the Ministerial Document went beyond the CPPNM because it stated a principle and had been approved by consensus by the Agency's Member States.

28. The representative of the UNITED STATES OF AMERICA said that it was appropriate to include language from the Ministerial Declaration, and the draft resolution should include a reference to military material. Since it was an important but delicate issue, his delegation wished to discuss the issue informally with the EU and others in order to arrive at a consensus.

29. The representative of JAPAN supported the proposed paragraph (d), as it reflected the position taken at the international conference in 2013 and in a working paper submitted by Japan and 11 other countries to the Preparatory Committee for the 2015 NPT Review Conference at its third meeting, held in April 2014. In Japan's view, paragraph (d) was a reasonable attempt to find consensus on a sensitive but important issue.

30. The representative of PAKISTAN said that his country had objected to the Ministerial Declaration and had made clear its view that the Agency's mandate should not be reinterpreted, expanded or reduced. The proposed paragraph (d) expanded the Agency's mandate, whereas the phrase "all nuclear and other radioactive material" used in the 2013 resolution covered material for all kinds of uses and had addressed the concerns expressed by various delegations.

31. The CHAIR said that paragraph (d) would require further discussion.

32. Regarding paragraph (e), the representative of the RUSSIAN FEDERATION proposed inserting the word "national" before "nuclear industry" to avoid suggesting that government bodies could maintain a dialogue with nuclear industries in other States. That would violate the fundamental principle whereby the government of a given State had sole responsibility for strengthening the security of its nuclear industry.

33. The representative of the UNITED STATES OF AMERICA said that paragraph (e) should be left unchanged, as nuclear industries were not national.

34. The representative of FRANCE suggested adding the phrase "at the national level" at the end of paragraph (e).

35. The representative of the RUSSIAN FEDERATION said that the proposal called for further consideration, since the phrase "at the national level" could be interpreted by governments in different ways.

36. The representative of the UNITED STATES OF AMERICA said that the proposal made by the representative of France was acceptable.

37. The representative of the ISLAMIC REPUBLIC OF IRAN suggested inserting "at the national level" after "nuclear industry".

38. The representative of the RUSSIAN FEDERATION said that that proposal was acceptable.

39. The representative of the UNITED STATES OF AMERICA said that his delegation needed to give further consideration to the proposals made.

40. The CHAIR said that paragraph (e) would require further discussion.

41. Regarding paragraph (f), the representative of BRAZIL said that the clear reference to the Agency's role in ensuring the security of civilian nuclear and other radioactive material lent support to the reasoning behind the proposed amendment to paragraph (d).

42. He said that during informal consultations before the General Conference his delegation had proposed amending paragraph (g) along the lines of the proposed amendment to paragraph (d), inserting the words “both for civilian and military purposes” after “separated plutonium”, to reflect the fact that most high enriched uranium and separated plutonium were used primarily for military purposes. His delegation would wait to see the outcome of discussions on paragraphs (c) and (d), however, before tabling such an amendment.
43. The representative of the RUSSIAN FEDERATION proposed inserting instead the words “like any other nuclear material” after “separated plutonium”, given that, from the point of view of accounting and control, high enriched uranium and separated plutonium were no different from other types of nuclear material, and, in fact, were inherently more secure than many others.
44. The representative of INDIA said that his delegation favoured leaving paragraph (g) unchanged.
45. The CHAIR said that paragraph (g) would require further discussion.
46. Regarding paragraph (j), the representative of INDIA proposed adding to it at the end the phrase “and reaffirming the importance of its entry into force at an early date”.
47. The representative of the RUSSIAN FEDERATION, supported by the representative of INDIA, proposed inserting the words “and universalization” in the amendment proposed by the representative of India after the words “entry into force”.
48. The representative of ALGERIA said that his delegation had no objection to India’s proposal but noted that paragraph 7 already encouraged the promotion of the entry into force of the Amendment to the CPPNM at the earliest possible date.
49. The representative of FRANCE said that the representative of Algeria had made a valid point. His delegation supported the proposal by the representative of the Russian Federation to reflect the notion of universalization in the preamble.
50. The representative of INDIA said that his delegation was prepared to work with others on the proposed language. He disagreed with the suggestion by the representative of Algeria that India’s proposed addition to the preambular paragraph was unnecessary in the light of paragraph 7, noting that it would reinforce the logical progression of the text.
51. The CHAIR said that preambular paragraph (j) would require further discussion.
52. Regarding paragraph (h), the representative of the ISLAMIC REPUBLIC OF IRAN said that his delegation, as in the past, could not agree to any mention of the nuclear security summits since a restricted group of States were invited to them.
53. The representative of the REPUBLIC OF KOREA, recalling that the language of paragraph (n) had been carefully crafted during the informal discussions before the General Conference and in serious negotiations at ambassadorial level, said that the paragraph merely noted the role that the summits could play and it should be kept as it was. It could not be denied that awareness of nuclear security had been enhanced thanks to the nuclear security summits.
54. The representative of CUBA supported deleting the words “including the Nuclear Security Summits”, given that participation in them was restricted, and proposed inserting the words “at different levels” after “initiatives”.
55. The representative of SPAIN said that, like paragraph (m), paragraph (n) reflected what had been adopted in previous years. Although his country, and others, had not taken part in the nuclear

security summits his delegation was not against including an explicit reference to them in the resolution.

56. The representative of CANADA noted that a careful balance had been struck between preambular paragraphs (m) and (n).

57. The representative of POLAND said that the important role nuclear security summits could play could not be denied, regardless of which States took part. Although the language of paragraph (n) had been carefully crafted, it could be further discussed, but, in Poland's view, the reference to the nuclear security summits should not be removed.

58. The representative of the ISLAMIC REPUBLIC OF IRAN said that, since some delegations had argued that there was a balance between paragraphs (m) and (n), his delegation would agree to removing the explicit reference to the summit of the Non-Aligned Movement in paragraph (m) if the explicit reference to the nuclear security summits in paragraph (n) was also removed.

59. The representative of the UNITED STATES OF AMERICA said that his delegation favoured leaving paragraphs (m) and (n) unchanged, to preserve the careful balance between them.

60. The CHAIR said that paragraph (n) would require further discussion.

61. Regarding paragraph (q), the representative of the ISLAMIC REPUBLIC OF IRAN said that he would return to the issue addressed in it with a proposal for an operative paragraph.

62. The representative of the RUSSIAN FEDERATION, supported by the representative of INDIA, said that paragraph (q) went too far in making reference to the site selection, design, construction and decommissioning of nuclear facilities. He proposed reverting to the wording used in 2013: "including during the process of construction and maintenance of nuclear facilities".

63. The representative of SOUTH AFRICA said that the list of processes had been expanded at the suggestion of technical experts.

64. The representative of the UNITED STATES OF AMERICA said that the Nuclear Security Guidance Committee had suggested that the list of processes be expanded. Her delegation was prepared to work on the paragraph.

65. The CHAIR said that paragraph (q) would require further discussion.

66. Regarding paragraph (s), the representative of the RUSSIAN FEDERATION proposed replacing "effective measures" with "necessary measures", since it was not clear how to define "effective".

67. The representative of FRANCE suggested the wording "highly effective", which was used in paragraph 3 and in the Ministerial Declaration.

68. The representative of the RUSSIAN FEDERATION suggested the wording "all necessary measures as effectively as possible".

69. The representative of FRANCE suggested the wording "all necessary measures".

70. The representative of SWEDEN suggested the wording "adequate measures", which had been used in the 2013 resolution (GC(57)/RES/10).

71. The CHAIR said that paragraph (s) would require further discussion.

72. Regarding paragraph (t), the representative of the RUSSIAN FEDERATION, proposed deleting the word "central", since other aspects were also important.

73. The CHAIR said that paragraph (t) would require further discussion.
74. Regarding paragraph (u), the representative of the RUSSIAN FEDERATION said that, in his delegation's view, the physical protection of nuclear material was even more important than nuclear forensics. He proposed deleting the paragraph, or, alternatively, adding a new preambular paragraph (t) bis, or one elsewhere, that read "Recognizing physical protection as the key element of nuclear security".
75. The representative of THE UNITED STATES OF AMERICA said that his delegation would need time to consider that proposal.
76. The representative of PAKISTAN suggested merging paragraphs (t) and (u) and adding the words "recognizing nuclear forensics as an important element of nuclear security in this regard".
77. The DIRECTOR OF THE DIVISION OF NUCLEAR SECURITY said that, in his opinion, the proposal by the representative of Pakistan would not give more prominence to physical protection. He explained that the elements of "nuclear security", as the term was currently used, included not only physical protection and nuclear forensics but also information security, computer security and other functions.
78. The representative of AUSTRALIA said that his delegation would need to discuss further the proposal of the Russian Federation.
79. The representative of the REPUBLIC OF KOREA suggested referring to physical protection as "one of the important elements of nuclear security". Her country would need to study further the proposal to refer to it as "the key element of nuclear security".
80. The representative of FRANCE, supported by the representative of BRAZIL, suggested that, since nuclear forensics was covered thoroughly in paragraph 27, paragraphs (t) bis and (u) could both be deleted.
81. The representative of the UNITED STATES OF AMERICA said that his country wished to study the proposal made by France. He asked whether those proposing to delete paragraphs (t) and (u) were doing so with the understanding that paragraph 27 would remain as it was.

**The meeting was suspended at 5.00 and resumed at 5:15 pm owing to technical difficulties.**

82. The representative of the RUSSIAN FEDERATION said that his delegation had comments to make on paragraph 27 and would make them later.
83. The CHAIR said that paragraph (u) would require further discussion.
84. Regarding paragraph (v), the representative of the RUSSIAN FEDERATION proposed inserting the phrase "based on Nuclear Security Series guidance" after "Agency programmes for education and training".
85. The DIRECTOR OF THE DIVISION OF NUCLEAR SECURITY, replying to a question raised by the representatives of AUSTRALIA and the NETHERLANDS, confirmed that the Agency's education and training programmes and peer reviews in nuclear security were all based on the Agency's nuclear security guidance.
86. The CHAIR said that paragraph (v) would require further discussion.
87. Regarding paragraph (y), the representative of the RUSSIAN FEDERATION said that it should emphasize the importance of physical protection measures themselves rather than legislation and

regulations. In addition, by referring only to nuclear facilities, the paragraph excluded other places where radioactive material might be kept.

88. The representative of the ISLAMIC REPUBLIC OF IRAN said that paragraph (y) did not adequately reflect his delegation's concerns regarding potential terrorist attacks on nuclear facilities and required redrafting.

89. The representative of the NETHERLANDS said that the sponsors had tried to formulate the paragraph in a way that addressed Iran's concerns and offered to discuss it further with interested parties. Including a reference to the Nuclear Terrorism Convention was problematic, as not all Agency Member States were party to it.

90. The CHAIR said that paragraph (y) would require further discussion.

91. Regarding paragraph 2, the representative of the RUSSIAN FEDERATION asked the Secretariat to coordinate more closely with Member States, noting that the only information that had been provided in 2014 about the implementation of the Nuclear Security Plan 2014–2017 had been provided in a few briefings.

92. The representative of the ISLAMIC REPUBLIC OF IRAN suggested changing the wording of paragraph 2 to "in close consultation and coordination with Member States".

93. The representative of AUSTRALIA, supported later by the representatives of CANADA and HUNGARY, favoured leaving paragraph 2 unchanged.

94. The DIRECTOR OF THE DIVISION OF NUCLEAR SECURITY said that the Secretariat was prepared to consult with Member States and provide any clarification they required, but that the activities and the budget to implement the Nuclear Security Plan 2014–2017 had already been approved by the Board of Governors and the General Conference.

95. The representative of the RUSSIAN FEDERATION thanked the Secretariat for its stated willingness to consult more frequently on implementation of the Nuclear Security Plan and said his delegation could accept paragraph 2 as it was.

96. He said that paragraph 3 was less satisfactory than its counterpart in 2013, paragraph 4 of resolution GC(57)/RES/10. In 2013, reference had been made to the "highest possible level of" nuclear security, but in 2014 this had been replaced by "highly effective", which was open to different interpretations. In addition, the phrase "sensitive information" in 2013 had been replaced in 2014 by "computer and information security", which did not fall within the Agency's remit but rather that of the United Nations.

97. The representative of the UNITED STATES OF AMERICA said that he favoured keeping paragraph 3 as it was.

98. The CHAIR said that paragraph 3 would require further discussion.

99. The representative of the RUSSIAN FEDERATION proposed that paragraph 4 be deleted, arguing that nuclear security was a complex matter directly linked to national security and Member States could not be expected to establish and sustain one competent authority in that area.

100. The representative of FRANCE proposed changing the reference to "competent authorities", consistent with the 2005 Amendment to the CPPNM.

101. The CHAIR said that paragraph 4 required further discussion.

102. Regarding paragraph 7, the representative of the RUSSIAN FEDERATION recalled the discussion of paragraph (j) and proposed inserting the words “and universalization” after “entry into force”.

103. The representative of the UNITED STATES OF AMERICA said that paragraphs (j) and 7 required further discussion.

104. The representative of the ISLAMIC REPUBLIC OF IRAN said that his delegation would be willing to participate in that discussion.

105. Regarding paragraph 9, he proposed that it be amended to read “and encourages further efforts of the Secretariat...”.

106. The representative of CANADA said that that proposal would be acceptable, provided that the words “as appropriate” were inserted after “Secretariat”.

107. The representative of the ISLAMIC REPUBLIC OF IRAN said that the addition proposed by the representative of Canada was not acceptable, as it would weaken the essential point of the paragraph.

108. The CHAIR said that paragraph 9 required further discussion.

109. Regarding paragraph 11, the representative of the RUSSIAN FEDERATION said that the meaning of the phrase “to enhance national regulations and other government measures to strengthen nuclear security” was unclear. He proposed using instead the wording of paragraph 11 of the 2013 resolution (GC(57)/RES/10), “Encourages all Member States to take into account, as appropriate, the Nuclear Security Series publications in their efforts to strengthen nuclear security”, which was clearer, balanced and strong enough.

110. The representative of the NETHERLANDS favoured leaving paragraph 11 as it was.

111. The CHAIR said that paragraph 11 required further discussion.

112. Regarding paragraph 12, the representative of the ISLAMIC REPUBLIC OF IRAN proposed deleting the references to specific initiatives after “with their respective mandates and memberships”.

113. The representative of CANADA proposed leaving the paragraph as it was, since Member States had called on the Secretariat in a number of forums to cooperate with relevant international and regional organizations and institutions and had made specific reference to the initiatives in question.

114. The representative of the ISLAMIC REPUBLIC OF IRAN proposed, as a compromise, keeping the wording “and to work jointly, as appropriate, with relevant international and regional organizations and institutions” and deleting the words after that.

115. The CHAIR said that paragraph 12 required further discussion.

116. Regarding paragraph 14, the representative of the RUSSIAN FEDERATION proposed deleting the words “including good practices” to make it consistent with paragraph 14 of the 2013 resolution. In his country’s view, the notion of “good practices” was entirely subjective and therefore not useful.

117. The representatives of AUSTRALIA, SWEDEN and FRANCE favoured keeping the phrase, as did the representative of COLOMBIA, who pointed out that the words “and good practices” were used in paragraph 13.

118. The representative of the RUSSIAN FEDERATION pointed out that paragraph 13 concerned nuclear security culture, whereas paragraph 14 concerned international legal instruments relevant to nuclear security.

119. The CHAIR said that paragraph 14 required further discussion.

120. Regarding paragraph 15, the representative of the RUSSIAN FEDERATION proposed inserting the words “that are based on Nuclear Security Series documents” after “train-the-trainers programmes” and deleting the words “cooperation with the nuclear industry”.

121. The representative of AUSTRALIA said that the first amendment suggested by the representative of the Russian Federation would limit the scope of the paragraph and required further consideration. In Australia’s view, the words “cooperation with the nuclear industry” should be retained.

122. The CHAIR said that paragraph 15 required further discussion.

123. The representative of the RUSSIAN FEDERATION, supported by the representatives of FRANCE and the ISLAMIC REPUBLIC OF IRAN, suggested that the Committee continue the meeting without interpretation in order to complete a first reading of the draft resolution on nuclear security.

124. The CHAIR said that he took it that the Committee wished to continue the meeting without interpretation.

125. It was so agreed.

126. Regarding paragraph 17, the representative of the RUSSIAN FEDERATION said that it implied that the Agency should offer assistance to a Member State in the implementation of Agency nuclear security fundamentals and recommendations only if it had supplied that State with radioactive material. In order to allow for such assistance in other situations, he proposed using instead the wording of the previous year’s resolution “Recognizes and supports the Agency’s continuing work to assist, upon request, States’ efforts to ensure the security of their radioactive material, particularly when radioactive material is supplied by the Agency.”

127. The representative of CANADA said that, in his country’s view, paragraph 17 was acceptable as it stood, but that to accommodate the concerns of the Russian Federation, the words “in particular” could be inserted before “when radioactive material is supplied by the Agency”.

128. The representative of the RUSSIAN FEDERATION said he could accept that suggestion, provided that the words “to offer assistance” were replaced with “including offering assistance”, so as to make it clear that Agency assistance was not limited to the implementation of security fundamentals and recommendations.

129. The representatives of CANADA and the UNITED STATES OF AMERICA requested further time to consider that proposal.

130. The CHAIR said that paragraph 17 would require further discussion.

131. Regarding paragraph 18, the representative of the RUSSIAN FEDERATION proposed deleting the words “further encourages the Secretariat to assist Member States, upon request, in the development of implementation strategies of INSSPs”, since, in his country’s view, they appeared to introduce a new level of bureaucracy.

132. The representative of the NETHERLANDS said that the language in question had been included at the specific request of a recipient State. In her view, no additional bureaucracy was implied.

133. The representative of AUSTRALIA suggested that, if the middle section of the paragraph were deleted, the words “and implementation” could be inserted between “the establishment” and “of Integrated Nuclear Security Support Plans (INSSPs)” in order to reflect the idea of the deleted part while remaining closer to the language used in the previous year’s resolution.

134. The representative of CANADA said that the language proposed by the representative of Australia would not adequately reflect the intended meaning, which was that a State with an INSSP could request additional assistance in coordinating assistance through the Nuclear Security Fund.

135. The representative of the NETHERLANDS agreed, adding that there was a difference between encouraging the Secretariat to provide assistance on request and encouraging Member States to take action.

136. The CHAIR said that paragraph 18 would require further discussion.

137. Regarding paragraph 20, the representative of the RUSSIAN FEDERATION suggested that it would be stronger if the word “effective” were deleted before “security of radioactive sources” as it was unclear who determined whether security was effective.

138. The representative of AUSTRALIA disagreed, saying that deleting “effective” would in fact weaken the text, which aimed to ensure that security mechanisms being put in place would have the desired effect.

139. The representative of FRANCE suggested replacing the words “and to maintain effective security” with “to achieve and maintain security”.

140. The representative of the RUSSIAN FEDERATION said that he could not agree to the suggestion made by the representative of France, because it directly linked the Code of Conduct on the Safety and Security of Radioactive Sources and the revised supplementary Guidance on the Import and Export of Radioactive Sources with the effective security of radioactive sources.

141. The CHAIR said that the paragraph 20 would require further discussion.

142. Regarding paragraph 23, the representative of the RUSSIAN FEDERATION proposed deleting the phrase “through secured electronic access to information contained in the ITDB”, which had not appeared in the 2013 resolution, in order to avoid prescribing how information should be exchanged.

143. The DIRECTOR OF THE DIVISION OF NUCLEAR SECURITY, in response to a request by the Chairman for clarification, said that electronic exchange of information had been requested by numerous participants in the 2012 meeting of designated points of contact for States participating in the ITDB programme. A process had been introduced, tested and validated, and positive feedback had been received.

144. The representative of the RUSSIAN FEDERATION said that his country had not been represented at the points of contact meeting in question and was reluctant to subscribe to something that it had not been involved in recommending. He withdrew his earlier proposal regarding paragraph 23 and proposed instead inserting the word “including” before “through secured electronic access”, so as not to exclude other means of exchanging information.

145. The CHAIR took it that the Committee agreed to that proposal.

146. It was so agreed.

147. Regarding paragraph 24, the representative of the RUSSIAN FEDERATION said that it did not exclude the possibility that States might seek to recover and secure nuclear and other radioactive material that had fallen out of regulatory control outside their territory. There should be restrictions on such actions, and at the very least a request should be made. He proposed inserting the words “on their territory” after “to continue efforts”.

148. The CHAIR took it that the Committee agreed to that proposal.

149. It was so agreed.

150. With regard to paragraph 25, the representative of the RUSSIAN FEDERATION sought clarification as to why the draft resolution placed such emphasis on insider threats, which were not a new problem.

151. The representative of FRANCE said that the drafters had intended to draw attention to the significance of insider threats in general terms in the light of new guidance on the subject issued by the Agency, without including a specific reference to that guidance or going into detail. They had not intended to imply that other threats were unimportant.

152. The representative of the UNITED STATES OF AMERICA shared the view of the representative of France. Her delegation had proposed a much more extensive paragraph that would have called upon Member States not only to take appropriate steps to prevent, detect and protect against insider threats, but also to note the Nuclear Security Series guidance related to nuclear security culture and nuclear material accounting and control at facilities, which were available to Member States to help mitigate insider threats. Over the previous year, the Agency had worked with a number of Member States to approve those publications and to offer international training courses on countering the insider threat in order to raise awareness of the guidance documents. She said her delegation could support the paragraph as drafted, but if there were further discussions on the paragraph it might insist on reference being made to nuclear security culture and nuclear material accounting and control.

153. The representative of the RUSSIAN FEDERATION said that a resolution which highlighted peripheral issues and failed to recognize explicitly that the centrepiece of nuclear security was physical protection would not be balanced.

154. The CHAIR encouraged delegations to make specific proposals. He noted that there had been no opposition to the proposal made earlier by the representative of the Russian Federation to include a reference to physical protection in the preamble.

155. The representative of the RUSSIAN FEDERATION confirmed that his delegation proposed deleting paragraph 25 altogether.

156. The representative of the UNITED STATES OF AMERICA said that the proposal made by the representative of the Russian Federation concerning the preamble would require further consultation. Noting that Nuclear Security Series Fundamentals No. 20, which had been endorsed by the Board of Governors, identified 12 essential elements of a nuclear security regime, she said that it would be wrong to think that physical protection was all there was to nuclear security. It was important to identify other areas, acknowledge the ongoing and evolving work being done by the Agency, and include new areas in the General Conference’s annual resolution on nuclear security as they emerged.

157. The representative of INDIA said that he had no objection to deleting paragraph 25, but that if it were retained, it should be amended to avoid the implication that countries were not currently taking action on the issue of insider threats. To that end, the words “to take appropriate steps” could be

replaced with “to continue to take appropriate steps in accordance with national legal and regulatory frameworks”.

158. The CHAIR said that paragraph 25 would require further discussion.

159. Regarding paragraph 26, the representative of the RUSSIAN FEDERATION said that, in his country’s view, it deviated from the corresponding paragraph of the 2013 resolution in problematic ways. A reference to safety had been added, even though there was an entire draft resolution on that subject. It called on Member States to take effective security measures against cyberattacks, ignoring the fact that information security was not part of the Agency’s remit, but that of the United Nations. It was not appropriate for the Agency to make efforts to improve bilateral and regional cooperation, nor was it appropriate for it to develop further guidance on information security, as sufficient guidance already existed. He proposed that the paragraph be replaced with the text of paragraph 25 of the 2013 resolution (GC(57)/RES/10).

160. The representative of INDIA said that if paragraph 26 were not deleted entirely, the words “and their potential impact on nuclear safety and security” and “bilateral, regional and” should be deleted.

161. The representative of GERMANY said that, while some of the suggested changes to paragraph 26 could be agreed upon quickly, others would require additional consultation.

162. The CHAIR said that paragraph 26 would require further discussion.

163. Regarding paragraph 27, the representative of the RUSSIAN FEDERATION said that the central issue addressed by nuclear forensics was the origin of illicitly trafficked nuclear material, while the central concern of nuclear security was the point at which the material had been illicitly trafficked, which might have nothing to do with the country of origin. For that reason, and because nuclear forensics was a developing field that was very prone to politicization, a measured approach was required. His delegation preferred to qualify nuclear forensics as an emerging field, as had been done in the 2013 resolution, and was reluctant to instruct the Agency to develop further Nuclear Security Series materials, education, training, peer reviews, advisory services and coordinated research projects in an area that was peripheral to nuclear security.

164. His delegation saw nuclear forensic libraries as an additional bureaucratic layer which gave expanded access to very sensitive information without perceptible benefits. It did not object to States’ establishing national nuclear forensic libraries, but it was reluctant to call on all States to do so. In his country’s view, it was sufficient to encourage the creation of national nuclear material databases, which were indispensable basic tools. It would not be wise to create a bureaucratic superstructure that would be costly, prone to leaks and open to legal challenge based on the argument that it would be necessary to compare actual samplings from illicit trafficking with information which had been submitted to the library years earlier. He proposed replacing paragraph 27 with the language contained in paragraph 26 of the 2013 resolution.

165. The representative of the UNITED STATES OF AMERICA said his country favoured leaving paragraph 27 as it stood, since it reflected the progress made on nuclear forensics in the Agency, particularly in the Nuclear Security Guidance Committee, where Member States had requested additional technical and implementation guidance on nuclear forensics.

166. The representative of the NETHERLANDS agreed with the representative of the United States of America and proposed using the wording of paragraph 26 of the 2013 resolution on nuclear security (GC(57)/RES/10) but deleting the word “emerging” in order to recognize all the Agency's work, particularly the important nuclear forensics conference held in July.

167. The representative of the ISLAMIC REPUBLIC OF IRAN proposed that the words “knowledge and experience sharing” be inserted after “training”.

168. The CHAIR said that paragraph 27 would require further discussion.

169. Regarding paragraph 29, the representative of the RUSSIAN FEDERATION proposed replacing the phrase “encouraged the organization by the Agency of regular meetings” with “takes note of the intention of the Secretariat to organize regular meetings”. His country did not object to the Secretariat’s intention to organize such meetings, but it did not think it appropriate to give it a political blessing.

170. The DIRECTOR OF THE DIVISION OF NUCLEAR SECURITY, responding to a request for clarification by the representative of Australia, said that the first international seminar on exchanges of experience and lessons learned on IPPAS had been held in Paris at the end of 2013, with representatives of the Russian Federation in attendance. One of the recommendations made at that meeting had been to hold such events on a regular basis in order to promote the sharing of experience and lessons learned from such peer reviews.

171. The CHAIR suggested replacing the word “encourages” with “takes note of” so as to avoid the question of whether such meetings had been held in the past.

172. The representative of the RUSSIAN FEDERATION said that there had only been one such meeting, whereas the current wording encouraged the organization of regular meetings. Hence his delegation’s proposal for the paragraph to take note of the intention of the Secretariat to organize regular meetings, because that was what the Secretariat intended to do, and his delegation would not oppose it, but it should not look like it was a request by Member States to organize such events. It was for the Secretariat to take the initiative.

173. The representative of FRANCE said that, although it was up to the Secretariat to take the decision to organize such meetings, there was no reason why Member States should not encourage it to do so.

174. He noted that it was quite common to organize meetings in the context of peer review activities and that one would be held soon in Moscow. It had been recognized at the first meeting in Paris that such events were valuable and the Secretariat should continue them.

175. The representative of the NETHERLANDS suggested the wording: “encourages Member States to share experience and lessons learned and to make recommendations for improvements of IPPAS and INSServ missions through meetings to be organized by the Secretariat”.

176. The representative of the RUSSIAN FEDERATION said it would be difficult for his delegation to support the proposal by the representative of the Netherlands, since it contained even stronger language than in the paragraph under consideration. While experience showed that exchanging information in the area of safety was simple, in the area of security it was complicated by issues of confidentiality and called for careful consideration. The proposed language seemed to be establishing some kind of new, light mechanism for information exchange and his delegation did not want to encourage the Secretariat or Member States to do that. If the Secretariat wanted to do it and some Member States were willing to participate his delegation would not object, but it must be initiated by the Secretariat, not Member States.

177. The representative of the UNITED STATES OF AMERICA noted that in the corresponding resolution adopted in 2013 the Member States had encouraged the Agency to organize a meeting to allow Member States to share their experiences and lessons learned. Thus, the meeting held in Paris had in fact been an initiative of the Member States, and paragraph 29 reflected an initiative of the

Member States to encourage that it be regularized. Her country therefore favoured leaving the paragraph as it stood.

178. The CHAIR said that paragraph 29 would require further discussion.

**The meeting rose at 7.45 p.m.**