

General Conference

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Committee of the Whole

Record of the First Meeting

Held at Headquarters, Vienna, on Wednesday, 23 September 2020, at 5 p.m.¹

Chair: Mr ALNASSAR (Saudi Arabia)

Later: Ms RUNNEL (Estonia)

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¹ In view of the COVID-19 pandemic, some members of the Committee of the Whole attended in a virtual manner using the Interprefy IT platform.

² GC(64)/19.

Abbreviations used in this record

COVID-19	coronavirus disease 2019
EU	European Union
FORO	Ibero-American Forum of Radiological and Nuclear Regulatory Agencies
USA	United States of America

– **Election of Vice-Chairs and organization of work** (GC(64)/COM.5/1)

1. The CHAIR said that he had been informed that, following group consultations, the Group of Western European and Other States had nominated Mr D’hoop of Belgium and the Eastern Europe Group had nominated Ms Runnel of Estonia to serve as Vice-Chairs of the Committee of the Whole.
2. He took it that the Committee, pursuant to Rule 46 of the Rules of Procedure of the General Conference, wished to elect Mr D’hoop and Ms Runnel as Vice-Chairs of the Committee.
3. It was so agreed.
4. Having drawn attention to document GC(64)/COM.5/1, which listed the agenda items referred to the Committee of the Whole by the General Conference, he proposed that the Committee take up those items, as far as possible, in the order in which they were listed. He also proposed that, in line with past practice, the Chair report orally on the Committee’s deliberations at a plenary meeting of the General Conference. In addition, he took it that the Committee wished to continue, to the extent practicable, the practice of clustering the draft resolutions to be recommended to the General Conference for adoption.
5. It was so agreed.

10. The Agency’s Financial Statements for 2019 (GC(64)/4)

6. The CHAIR, noting that no Committee members wished to take the floor, said he took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution on page i of document GC(64)/4.
7. It was so decided.

11. The Agency’s Budget Update for 2021 (GC(64)/2)

8. The CHAIR drew attention to draft resolutions “A. Regular Budget Appropriations for 2021”, “B. Technical Cooperation Fund Allocation for 2021” and “C. Working Capital Fund for 2021” contained in document GC(64)/2.
9. With regard to the draft resolution on Regular Budget appropriations for 2021, he recalled that the Agency’s programme for the biennium 2020–2021 had been adopted by the Board of Governors and presented to the sixty-third session of the General Conference, which had approved the 2020 portion of the budget. The document before the Committee reflected the adjustments for 2021. A draft budget update, issued on 28 January 2020, had been considered in an informal meeting of the Programme and

Budget Committee in February 2020. The budget figures had been recommended by the Programme and Budget Committee at a formal meeting in May and accepted by the Board in June. Accordingly, the Board had recommended to the General Conference a total Regular Budget for 2021 of €389.7 million for operational and capital requirements combined, when reimbursable work was taken into account, which represented a zero real growth budget compared to 2020.

10. Noting that no Committee members wished to take the floor, he took it that the Committee wished to recommend to the General Conference that it approve a total Regular Budget figure for 2021 of €386 652 113 for the operational portion and €6 199 632 for the capital portion, on the basis of an exchange rate of \$1.00 to €1.00, and, accordingly, that it adopt draft resolution A in document GC(64)/2, entitled “Regular Budget Appropriations for 2021”.

11. It was so decided.

12. The CHAIR also took it that the Committee wished to recommend to the General Conference that it approve a target for voluntary contributions to the Technical Cooperation Fund for 2021 of €89 558 000 and, accordingly, that it adopt draft resolution B in document GC(64)/2, entitled “Technical Cooperation Fund Allocation for 2021”.

13. It was so decided.

14. The CHAIR further took it that the Committee wished to recommend to the General Conference that it approve the level of the Working Capital Fund in 2021 at €15 210 000 and, accordingly, that it adopt draft resolution C in document GC(64)/2, entitled “Working Capital Fund for 2021”.

15. It was so decided.

12. Amendment to Article XIV.A of the Statute (GC(64)/10; GC(64)/COM.5/L.11)

16. The CHAIR, having drawn attention to document GC(64)/10, said that document GC(64)/COM.5/L.11 contained the text of the decision adopted by the Conference on the subject in 2019, updated for the current year. The Committee might wish to recommend the updated text as a decision to be adopted by the General Conference at its sixty-fourth regular session.

17. Noting that no Committee members wished to take the floor, he took it that the Committee wished to recommend that the General Conference adopt the draft decision set out in document GC(64)/COM.5/L.11.

18. It was so decided.

13. Scale of assessment of Member States' contributions towards the Regular Budget for 2021

(GC(64)/8)

19. The CHAIR, noting that no Committee members wished to take the floor, said he took it that the Committee wished to recommend that the General Conference adopt the draft resolution on page 3 of document GC(64)/8.

20. It was so decided.

14. Nuclear and radiation safety

(GC(64)/7; GC(64)/INF/3 and 11; GC(64)/COM.5/L.1 and Add.1 to 4)

21. The representative of AUSTRALIA, introducing the draft resolution contained in document GC(64)/COM.5/L.1, expressed appreciation for the restraint exercised during the informal consultations to prepare a draft resolution on nuclear and radiation safety for submission to the sixty-fourth regular session of the General Conference and emphasized that the abbreviated negotiation process in no way reflected a reduction in the effort being put into that critical area of the Agency's work: it was merely a result of the restrictions imposed by the COVID-19 pandemic. He was confident that the draft text before the Committee enjoyed wide support.

22. The representative of the UNITED STATES OF AMERICA said that, despite the restrictions imposed by the COVID-19 pandemic, the Agency's activities over the previous year had resulted in positive developments in nuclear, radiation, transport and waste safety. The Agency was to be commended for finding innovative ways to continue to carry out its mission, such as by holding virtual meetings and training webinars. At the same time, the USA noted that some nuclear safety related activities had had to be postponed or deferred, and it looked forward to seeing the Agency complete those activities in the year to come.

23. With regard to the text of the draft resolution, her Government did not concur with the references to the World Health Organization in preambular paragraph (oo) and operative paragraphs 47, 69, 72 and 73.

24. The representative of ARGENTINA said that his country supported a mechanism for exchange of information among Member States on the implementation of the Code of Conduct on the Safety and Security of Radioactive Sources and its supplementary guidance. During the period covered by the Nuclear Safety Review 2019, many of the Agency's activities relating to nuclear safety had been postponed or deferred owing to the COVID-19 pandemic. The Secretariat's efforts under the circumstances were commendable, but solutions should be developed to enable activities to take place remotely in order to address some of the urgent needs identified by the General Conference. In particular, international rules on radioactivity in products for public use or consumption should be harmonized, and a technical meeting should be held as soon as possible to consider the options for addressing denials of and delays in the safe transport of radioactive material, including a code of conduct on facilitation. The Secretariat's prompt actions to seek a solution to the former issue were much appreciated; attention should also be given to the latter.

25. Certain paragraphs of the draft resolution on nuclear and radiation safety, which his country was sponsoring, were particularly welcome: preambular paragraph (hh), recognizing the transparent cross

peer reviews among the members of FORO; operative paragraph 9, requesting the Secretariat to strengthen its cooperation with that organization; operative paragraph 36, requesting the Agency to continue to support the work of the Commission on Safety Standards and the Safety Standards Committees; and operative paragraph 39, requesting the Agency to strengthen education and training programmes aimed at increasing awareness of IAEA Safety Standards.

26. The CHAIR took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution as contained in document GC(64)/COM.5/L.1.

27. It was so decided.

15. Nuclear security

(GC(64)/6 and Mod.1; GC(64)/INF/7; GC(64)/COM.5/L.3 and Add.1 to 4)

28. The representative of SPAIN, speaking on behalf of the EU, introduced the draft resolution on nuclear security set out in document GC(64)/COM.5/L.3 and noted that, in view of the difficulty of holding face-to-face negotiations during the COVID-19 pandemic, it had been prepared on the understanding that Member States would focus solely on technical updates to the previous year's General Conference resolution on the same issue. Accordingly, proposals made during the drafting process on which no consensus was near had not been included in the text before the Committee. He thanked the many Member States that had refrained from putting forward substantive proposals.

29. The representative of ARMENIA said that General Conference resolutions on nuclear security served an important purpose by supporting the Agency's work on international nuclear security and reaffirming Member States' commitment to effective national, regional and international nuclear security regimes.

30. The international nuclear security regime had faced an unprecedented challenge recently when a certain State had threatened to launch a missile attack on an operating nuclear power plant in another State, with the declared intention of causing a major disaster. The threat to commit what would be an act of nuclear terrorism had been made by an official from the Ministry of Defence of the first State during offensive military operations against the second, implying that the threat was real and credible.

31. In Armenia's view, such an occurrence would undermine the international nuclear security regime and the right of States to develop the peaceful uses of nuclear energy, science and technology. In addition, it seriously called into question the international community's assumptions concerning likely sources of threats to nuclear security and thus had the potential to undermine the efforts of the Agency and Member States to maintain existing nuclear security regimes.

32. With those implications in mind, the Armenian delegation had proposed new paragraphs for inclusion in the draft resolution during preparatory negotiations; however, after careful consideration of the current situation, it had decided not to pursue those proposals. Despite having strong reservations concerning the draft resolution in its current form, Armenia attached great importance to the Agency's role in nuclear security and was therefore prepared to join consensus on the draft text.

33. His Government believed that the issue it had raised required urgent consideration, and it reserved the right to pursue that issue in negotiations on future General Conference resolutions on nuclear security and in other relevant forums.

Ms Runnel (Estonia), Vice-Chair, took the Chair.

34. The representative of the ISLAMIC REPUBLIC OF IRAN, noting that his country also faced sabotage and threats directed at its nuclear facilities, expressed the view that the draft resolution as it stood did not respond adequately to the situation. He suggested that a new paragraph should be inserted between paragraphs 42 and 43, to read: “Expresses strong concerns and rejects any armed attack, sabotage or threat against nuclear facilities dedicated to peaceful purposes that are under Agency safeguards, and considers such acts gross violations of international law, the Charter of the United Nations and the Statute of the IAEA”.

35. The representative of GERMANY, speaking on behalf of the EU and as a sponsor of the draft resolution, said that, as a result of the COVID-19 pandemic, agreement had been reached during the informal negotiations to draft resolutions for submission to the General Conference that the texts used would be those adopted at its sixty-third session, with only technical updates. The EU recognized that the issue raised by the representative of Armenia was of serious international concern, but the current session of the General Conference was not the right place to address it.

36. In July 2020, the High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the European Commission had held a telephone conversation with the foreign ministers of Armenia and Azerbaijan, during which he had urged both sides to stop the armed confrontation and to refrain from action and rhetoric that provoked tension, in particular any further threats against critical infrastructure in the region.

37. The EU called on the Committee to hold to the understanding that only technical updates would be included in draft resolutions, with substantive discussions deferred until the sixty-fifth session of the General Conference.

38. The representative of the ISLAMIC REPUBLIC OF IRAN expressed the view that, as the spirit of his proposal should be uncontroversial, the additional paragraph ought to be included in the draft resolution.

39. The representative of CANADA, welcoming the flexibility shown by the delegation of Armenia in agreeing not to pursue its proposals to include new elements in the draft resolution, appealed to the representative of Iran to agree to postpone discussion of what he acknowledged was an important issue, in view of the agreement referred to by the representative of Germany.

40. The representatives of SLOVENIA, UKRAINE, the UNITED STATES OF AMERICA, the UNITED KINGDOM, JAPAN, FRANCE, AUSTRALIA, MALTA and BULGARIA emphasized the importance of upholding that agreement.

41. The representatives of SPAIN, DENMARK, SWEDEN, SWITZERLAND, NORWAY, LUXEMBOURG, FINLAND, IRELAND, the NETHERLANDS, GREECE and PORTUGAL echoed that view, along with the thanks expressed to the delegation of Armenia for its flexibility.

42. The representative of the ISLAMIC REPUBLIC OF IRAN requested time for informal consultations, given the importance his country attached to the inclusion in the draft resolution of the additional paragraph he had proposed.

43. The representative of GUATEMALA, emphasizing the need to strive for consensus, said that negotiating substantive proposals, whatever their merits, would be unfair to delegations not present. Any updates to the draft resolution should be purely technical, as previously agreed.

44. The representative of TURKEY welcomed the essence of the proposal made by the representative of Iran but echoed the need to respect the agreement to focus on technical updates.

The meeting rose at 6 p.m.