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Chairperson: Ms. FEROUKHI (Algeria)

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¹ GC(51)/COM.5/1.

Abbreviations used in this record:

GTRI	Global Threat Reduction Initiative
LEU	low-enriched uranium
NPCs	national participation costs
NPT Review Conference	Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
TC	technical cooperation
TCF	Technical Cooperation Fund
WNU	World Nuclear University

17. Strengthening of the Agency's technical cooperation activities (resumed) (GC(51)/COM.5/L.1/Rev.1)

1. The representative of MALAYSIA, introducing the revised draft resolution contained in document GC(51)/COM.5/L.1/Rev.1, said that since the introduction of the draft resolution contained in document GC(51)/COM.5/L.1 there had been informal consultations among interested delegations and agreement had been reached regarding some concerns. The changes as between the two draft resolutions were highlighted in bold, with the exception of the deletion of the word “negative” before “impact” in paragraph (aa).
2. The representative of PORTUGAL recalled that in November 2006 the Board of Governors had approved a technical cooperation project for the conversion of the 1-MW Portuguese Research Reactor to LEU fuel — a project financially supported by Portugal and the United States of America. The conversion had been successfully completed the previous week, and with it Portugal had demonstrated its commitment to the goals of the Global Threat Reduction Initiative (GTRI). His country was grateful to the Agency and the United States of America, whose support had been essential to the achievement of an important milestone.
3. The representative of the UNITED STATES OF AMERICA said that his Government had greatly appreciated collaborating with the Government of Portugal in the context of the GTRI and looked forward to collaborating with many other governments in that context.
4. The representative of the UNITED KINGDOM questioned the envisaged addition of the words “the concerns of several Member States as recorded in” in paragraphs (m) and (t). In July 2007, in his conclusion, the Board's Chairman had referred not just to the fact that several Member States were concerned that “any increase in the Regular Budget must have a corresponding increase in the resources of the TCF”.
5. The representative of PAKISTAN said that, during the negotiations on the Regular Budget for 2008, it had been agreed that the Group of 77 and China would join in a consensus only if several of its concerns were at least recorded in the conclusion of the Board's Chairman.
6. The addition of the words “the concerns of several Member States as recorded in” had been agreed upon in informal consultations involving the delegations of several Member States not belonging to the Group of 77 and China.
7. The representative of CANADA, expressing support for the comments made by the representative of the United Kingdom, called for the deletion of the words “the concerns of several Member States as recorded in” in paragraphs (m) and (t).
8. The representative of the UNITED STATES OF AMERICA, having expressed support for the comments made by the representatives of the United Kingdom and Canada, suggested that: in paragraph (k), the phrase “the number of countries and territories requiring technical support” be changed to read “the number of countries and territories requesting technical support”; in paragraph (n), the word “some” be inserted between “the obligation of” and “Member States in regard to National Participation Costs (NPCs)”; in paragraph (r), the phrase “the necessity for the Secretariat to ensure the effectiveness of the due account mechanism” be amended to something along the lines of “the desirability of the Secretariat's promoting the effectiveness of the due account mechanism”; in

paragraph (u), the phrase “the financing of which should be guaranteed by” be amended to read “the financing of which should be supported through”; in paragraph (aa), the phrase “while emphasizing that the Agency is an autonomous international organization” be amended to read “while noting that the Agency is an autonomous international organization”; in operative paragraph 6, “Urges” be changed to “Encourages” or “encourages” be changed to “urges” so as to give equal weight to the payment of TCF contributions in full and on time and to the payment of NPCs on time; in paragraph 12, the words “when appropriate” be inserted between “ensuring” and “that the components of TC projects ... are readily available to Member States” and “requesting them” be replaced by “in need of them”; in paragraph 16, the phrase “whilst aiming at assuring” be amended to read “whilst aiming at achieving”; and in paragraph 24, the phrase “in increasing numbers” be deleted.

9. The representative of PAKISTAN said that his delegation had no difficulty with the suggestions made by the representative of the United States of America regarding paragraphs (k), (n) and 16.

10. As to the suggestion regarding paragraph (u), he said that the paragraph was effectively identical with paragraph (v) of resolution GC(50)/RES/12. He would like the word “guaranteed” to be retained.

11. As to the suggestion regarding the replacement of “requesting them” by “in need of them” in paragraph 12, he said that the Agency’s technical cooperation programmes were based on the needs of Member States, but Member States had to submit requests to the Secretariat. Thus, he saw no point in replacing “requesting them” by “in need of them”.

12. As regards paragraph 24, the point of the words “in increasing numbers” was to stress that more attention should be paid to programmes like the WNU Summer Institute, with an increase in the number of fellowships for participation in such programmes.

13. The representative of FRANCE, referring to paragraphs (m) and (t), said that, besides the concerns of several Member States that “any increase in the Regular Budget must have a corresponding increase in the resources of the TCF”, the Board’s Chairman had in July 2007 spoken of — inter alia — “the importance of making maximum efforts in savings, efficiency and transparency”. For simplicity’s sake, it would in his view be best to delete the phrase “the concerns of several Member States as recorded in” in both paragraphs.

14. Although paragraph (u) was effectively identical with paragraph (v) of resolution GC(50)/RES/12, the substitution of “the financing of which should be supported through” for “the financing of which should be guaranteed by” would in his view be a technically logical improvement.

15. As regards paragraph (aa), his delegation would like the phrase “while emphasizing that the Agency is an autonomous international organization related to the United Nations system” to be deleted. It had no objection to the General Conference’s emphasizing the nature, character and specificity of the Agency’s technical cooperation programmes, but, as the impact which a “Delivering as One” approach within the United Nations system might have on those programmes was as yet unclear, his delegation did not consider that there was a need to emphasize that the Agency was “an autonomous international organization related to the United Nations system”.

16. As to paragraph 2, the Secretariat could hardly be requested to continue doing something which it had not yet started doing. It would be preferable to draw on the language of resolution GC(50)/RES/12 and say “Requests the Secretariat to continue its work, in consultation with Member States, to explore means to ensure that resources for the TC programme are sufficient, assured and predictable (SAP)”.

17. His delegation supported the suggestion made by the representative of the United States of America regarding paragraph 6.

18. The representative of CANADA, expressing support for the statements made by the representatives of the United States of America and France, said that his delegation attached particular importance to the suggestions for amending paragraphs 2 and 6.

19. The reference to “burden-sharing” in paragraph (o) related only to the Rate of Attainment mechanism — not to, for example, the due account mechanism or the NPC mechanism. His delegation therefore felt that the phrase “as achieving such improved burden-sharing” should be replaced simply by the word “which”.

20. The representative of MALAYSIA suggested that the Committee consider the draft resolution paragraph by paragraph.

21. The CHAIRPERSON noted that no Committee members wished to take the floor on paragraphs (a) to (l).

22. The representative of PAKISTAN, referring to paragraph (m), said that he would have no objection to the addition of references to other Member States’ concerns relating to technical cooperation. However, given what had been agreed during the negotiations on the Regular Budget for 2008, his delegation would like the phrase “the concerns of several Member States as recorded in the conclusion of the Board’s Chairman in July 2007 that any increase in the Regular Budget must have a corresponding increase in the resources of the TCF” to be retained.

23. The CHAIRPERSON said that it might be useful for interested delegations to consult informally on paragraphs (m) and (t).

24. The representative of the UNITED KINGDOM suggested replacing the words “reflecting further the strong commitment of developing Member States to the TC programme” in paragraph (n) with the words “such payments demonstrating the commitment of Member States to the TC programme”.

25. The representative of PAKISTAN said that he could go along with that suggestion, with the insertion of the word “strongly” before “demonstrating”.

26. The representative of MALAYSIA suggested replacing “to ensure the effectiveness of the due account mechanism” in paragraph (r) with “to assess the effectiveness of the due account mechanism”.

27. The representative of the UNITED KINGDOM suggested that paragraph (r) be amended to read: “Recognizing the necessity for the Secretariat to apply the due account mechanism strictly to all Member States, ...”.

28. The representative of PAKISTAN said that in his delegation’s view the words “ensure” and “assess” were equally acceptable.

29. The representative of FRANCE said that in his view the wording suggested by the representative of the United Kingdom was the most satisfactory.

30. The CHAIRPERSON said that the due account mechanism was already being applied. The emphasis should therefore now be on assessing its effectiveness.

31. The representatives of the PHILIPPINES and the ISLAMIC REPUBLIC OF IRAN expressed support for the replacement of “ensure” by “assess”.

32. The representative of the UNITED KINGDOM said that in her view the question of assessing the effectiveness of the due account mechanism should be addressed in the operative part of the draft resolution.

33. The CHAIRPERSON, following comments by the representatives of the UNITED STATES OF AMERICA and MALAYSIA, suggested that interested delegations consult informally on paragraph (r).

34. The representative of the UNITED STATES OF AMERICA suggested replacing the word “developing” in paragraph (y) by “all”, so that the paragraph would read “... and enhance the ownership of TC projects by all Member States”.

35. The representative of EGYPT said that he would prefer the word “developing” to be retained. Alternatively, he could go along with its being replaced by “recipient”.

36. The representative of the UNITED STATES OF AMERICA said that his delegation could go along with the word “recipient”.

37. The representative of the UNITED KINGDOM expressed support for the deletion of “while emphasizing that the Agency is an autonomous international organization related to the United Nations system” in paragraph (aa).

38. The representative of PAKISTAN, supported by the representatives of the ISLAMIC REPUBLIC OF IRAN and MALAYSIA, expressed agreement with the suggestion made by the representative of the United States of America that the word “emphasizing” in paragraph (aa) be replaced by “noting”. However, the phrase regarding the Agency’s autonomy vis-à-vis the United Nations system should be retained.

39. The representative of FRANCE said that, although the phrase reflected a factual situation, his delegation considered it inappropriate to emphasize, or even note, that situation in the draft resolution under consideration.

40. The CHAIRPERSON suggested replacing “an impact” with “a possible impact”.

41. The representative of PAKISTAN said that the word “negative” before “impact” had been deleted in order to accommodate concerns voiced by the representative of France.

42. With the replacement of “emphasizing” by “noting”, he could see nothing objectionable in paragraph (aa).

43. The representative of EGYPT appealed to the representative of France to accept paragraph (aa) with the replacement of “emphasizing” by “noting”.

44. The representative of the PHILIPPINES said that it was premature to make assumptions about the impact of the “Delivering as One” approach and that he therefore favoured the replacement of “an impact” by “a possible impact”. Otherwise however, he would like paragraph (aa) to remain unchanged.

45. The representative of the UNITED STATES OF AMERICA said that, since much of what the Secretariat did in areas such as management was determined by decisions taken within the context of the United Nations system as a whole, his delegation believed — on reflection — that it was inappropriate even to note the Agency’s autonomy in the draft resolution under consideration.

46. The representative of the NETHERLANDS, calling for deletion of the phrase “and emphasizing that the Agency is an autonomous international organization related to the United Nations system”, said that it conveyed a defensive message vis-à-vis the “Delivering as One” approach.

47. The representative of the ISLAMIC REPUBLIC OF IRAN said that, in his view, deletion of the phrase would send the wrong message to developing Member States.

48. The representative of EGYPT said that the key words in paragraph (aa) were “specificity of the TC programme”. The programme was funded voluntarily, not from the Agency’s Regular Budget, and it was important to point out the Agency’s indisputable autonomy in that context.
49. The representative of COLOMBIA said that, in her view, the phrase “and emphasizing that the Agency in an autonomous international organization related to the United Nations system” should be retained.
50. The CHAIRPERSON — following comments by the representatives of FRANCE and INDIA — suggested that interested delegations consult informally on paragraph (aa).
51. She urged the representatives of France, the United Kingdom, the United States of America and the Netherlands not to ignore the strong wish of the Group of 77 and China that the paragraph remain unchanged.
52. The representative of the UNITED KINGDOM, referring to paragraph 2, supported the proposal made by the representative of France that it be amended to read “... to explore means to ensure that resources for the TC programme are sufficient, assured and predictable (SAP)”.
53. Also, she proposed the addition of a reference to the “20/20 review”.
54. The representatives of CANADA and the UNITED STATES OF AMERICA expressed support for that proposal.
55. The representative of the ISLAMIC REPUBLIC OF IRAN said that the Secretariat had taken action in response to the request made in paragraph 2 of resolution GC(50)/RES/12. Thus, the situation had changed since September 2006, and in his view it was therefore appropriate to use language in paragraph 2 of the draft resolution under consideration that went beyond the language in paragraph 2 of resolution GC(50)/RES/12.
56. The representative of the PHILIPPINES said that he saw no reason why the language of paragraph 2 of the draft resolution should be changed.
57. If the “20/20 review” was to be mentioned in that paragraph, reference should also be made to the importance of sufficient, assured and predictable funding for technical cooperation.
58. The representative of AUSTRALIA said that in the Technical Cooperation Report for 2006 there was no reference to the establishment of new mechanisms. In his view, the emphasis should be on the strengthening of existing mechanisms.
59. The representative of FRANCE said that references to the establishment of new mechanisms would preempt ongoing efforts of the Secretariat.
60. The representative of the UNITED KINGDOM emphasized that her country was in favour of making the resources for technical cooperation sufficient, assured and predictable. In her delegation’s view, however, it was not clear that establishing new mechanisms was the best way to achieve that goal.
61. The representative of EGYPT said that, since paragraph 2 contained the phrase “in consultation with Member States”, no Member State should perceive it as a threat.
62. He considered that a reference to the “20/20 review” would be useful, but in a separate paragraph.
63. The representative of the PHILIPPINES said that his delegation had no objection to the addition of a paragraph referring to the “20/20 review”.

64. The representative of CANADA said that, in his view, the most appropriate place for a reference to the “20/20 review” was paragraph 2.

65. The representative of MALAYSIA said that her delegation also had no objection to the addition of a reference to the “20/20 review” provided that the reference was made in a separate paragraph.

66. She suggested altering the wording of paragraph 2 from “... to establish mechanisms ...” to “... towards establishing mechanisms ...”.

67. The representative of FRANCE said that, if a reference to the possibility of new mechanisms being established was considered essential by some Member States, perhaps paragraph 2 could be amended to read “... to explore ways and means, including mechanisms, to ensure that resources for the TC programme are sufficient, assured and predictable (SAP)”.

68. The CHAIRPERSON, referring to paragraph 12 of the draft resolution, reminded the Committee that the representative of the United States of America had suggested the insertion of “when appropriate” after “ensuring” and the replacement of “requesting them” by “in need of them”.

69. The representative of the ISLAMIC REPUBLIC OF IRAN said that he did not understand the need for the insertion of “when appropriate” — once a technical cooperation project had been approved by the Board of Governors, it was important that the project components be readily available.

70. Moreover, the wording of paragraph 12 was the same as that of paragraph 12 of resolution GC (5)/RES/12.

71. The representative of the UNITED STATES OF AMERICA said that technical cooperation projects were implemented over a long span of time and it was usually not necessary that all project components be available at the very start of implementation.

72. The CHAIRPERSON recalled that the representative of the United States of America had suggested the replacement of “assuring” by “achieving” in paragraph 16.

73. The representative of MALAYSIA requested the addition of the word “assured” after “sufficient” in that paragraph.

74. The CHAIRPERSON recalled that the representative of the United States of America had suggested that the phrase “in increasing numbers” be deleted in paragraph 24.

75. The representative of the ISLAMIC REPUBLIC OF IRAN pointed out that the request being made of the Secretariat in that paragraph was qualified by the phrase “subject to the availability of resources”.

76. The representative of CANADA said that it was beyond the mandate of the General Conference to require an organization such as the World Nuclear University to accept ever greater numbers of WNU Summer Institute participants.

77. The representative of the ISLAMIC REPUBLIC OF IRAN noted that the purpose of paragraph 24 was to increase the number of participants in programmes like the WNU Summer Institute receiving financial support.

78. The CHAIRPERSON, noting that the Committee was divided on the wording of several paragraphs of the draft resolution contained in document GC(51)/COM.5/L.1/Rev.1, urged delegations to consult informally in a spirit of compromise.

79. She proposed that further consideration of the draft resolution be deferred pending the outcome of informal consultations.

80. It was so agreed.

16. Nuclear security — measures to protect against nuclear terrorism (resumed) (GC(51)/COM.5/L.14/Rev.1)

81. The representative of FRANCE, introducing the revised draft resolution contained in document GC(51)/COM.5/L.14/Rev.1, said that the new wording agreed upon in informal consultations was highlighted in bold type.

82. He pointed out that the new paragraph (g) was identical with paragraph (g) of resolution GC/(50)/RES/11 and that in paragraph 5 (formerly paragraph 4) the words “within the framework of the Agency’s Nuclear Security Series” had been deleted.

83. Referring to paragraph 9, he said that the phrase “subject to the availability of resources” should be deleted as the idea was conveyed in the new paragraph 2.

84. He pointed out that paragraph 13 was identical with paragraph 9 of resolution GC(50)/RES/11.

85. The representative of BRAZIL, supported by the representative of EGYPT, said that in the informal consultations it had been agreed that paragraph (e) should read “... in accordance with international obligations ...” — without the word “their” before “international obligations”.

86. The CHAIRPERSON took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution contained in document GC(51)/COM.5/L.14/Rev.1 with the deletion of “their” in paragraph (e) and of “subject to the availability of resources” in paragraph 9.

87. It was so agreed.

The meeting was suspended at 5.35 p.m. and resumed at 6.25 p.m.

19. Strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Additional Protocol (resumed) (GC(51)/COM.5/L.12/Rev.1)

88. Mr. LUNDBY (Norway) said that, after intensive negotiations in the working group chaired by him, it appeared that there was a near-consensus on the draft resolution in document GC(51)/COM.5/L.12/Rev.1 without the words “and universally” in paragraph 4.

89. Changes to the draft resolution submitted in document GC(51)/COM.5/L.12 proposed by the representative of Egypt had given rise to lengthy discussions in the working group about — inter alia — the relevance of safeguards in the context of nuclear-weapon-free zones and nuclear disarmament

and the possible inclusion of the language of the “13 practical steps towards nuclear disarmament” laid out in the Final Document of the 2000 NPT Review Conference (NPT/CONF.2000/28). However, the working group had not reached agreement on any of those proposed changes.

90. The representative of INDIA said that there was no consensus on paragraph 3 of the draft resolution under consideration.

91. The CHAIRPERSON took it that the Committee wished her to report to the General Conference that consensus had been reached on the draft resolution contained in document GC(51)/COM.5/L.12, without the words “and universally” in paragraph 4, with the exception of paragraph 3.

92. It was so agreed.

93. The representative of EGYPT said that his delegation had participated in the negotiations in the working group with a view to improving the draft resolution submitted in document GC(51)/COM.5/L.12 and giving any eventual consensus greater credibility. Unfortunately, however, its efforts had been met by concerted resistance. He felt, therefore, that the result of the negotiations failed to reflect the views of all working group members.

94. The representative of CANADA thanked Mr. Lundby for his untiring efforts to bring about a consensus in the working group.

17. Strengthening the Agency’s technical cooperation activities (resumed) (GC(51)/COM.5/L.1/Rev.1)

95. The representative of the UNITED STATES OF AMERICA said that, in his view, a consensus on the draft resolution contained in document GC(51)/COM.5/L.1/Rev.1 was close.

96. The representative of CANADA suggested the addition of the following phrase at the end of paragraph (m): “... and taking into account that an appropriate balance shall be maintained between promotional and other statutory activities of the Agency, as well as across all major programmes”. That wording was based on section B.1 of the “package proposal” adopted by the Board of Governors in 2003 (reproduced in document GC(47)/INF/7).

97. The representative of MALAYSIA suggested the addition to that phrase of wording along the lines of “and that, from 2005 onwards, TCF targets shall be negotiated on the basis of the changes in the Regular Budget and the price adjustment factor in the corresponding years” — wording derived from section B.2 of the “package proposal”.

98. The CHAIRPERSON, noting that no consensus had been reached in the Committee on the draft resolution, said that she would report to the General Conference that there was no consensus, unless one was reached outside the Committee by the time she was called upon to report.

The meeting rose at 6.40 p.m.