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COMMITTEE OF THE WHOLE

RECORD OF THE FIRST MEETING

Held at the Austria Center Vienna
on Tuesday, 19 September 2000, at 10.45 a.m.

Chairman: Mr. GREGORIC (Slovenia)

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[*] GC(44)/21.

The composition of delegations attending the session is given in document GC(44)/INF/18/Rev.2.

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ELECTION OF VICE-CHAIRMEN AND ORGANIZATION OF WORK

1. The CHAIRMAN, having expressed appreciation for the confidence which the General Conference had placed in him, said that, as provided for in Rule 46 of the Rules of Procedure, and following group consultations, it had been proposed that Mr. Di Sapia (Italy) and Mr. Paulinich (Peru) serve as the two Vice-Chairmen of the Committee. He took it that the Committee wished to endorse those nominations.
2. It was so agreed.

ARRANGEMENTS FOR THE CONFERENCE

(c) RESTORATION OF VOTING RIGHTS
(GC(44)/INF/11 and Add.1, GC(44)/INF/13)

3. The CHAIRMAN recalled that in September 1998 the General Conference had adopted criteria and guidelines for the consideration of future requests by Member States in arrears in the payment of their financial contributions to the Agency for the restoration of their voting rights. In November 1998, the Board of Governors had approved specific measures relating to the payment of financial contributions by such Member States, which were to be reviewed after an initial three-year period of application. Documents GC(44)/INF/11 and 13 provided information on how the criteria, guidelines and measures had been applied thus far.
4. At its session immediately prior to the present session of the General Conference, the Board of Governors had considered the criteria and guidelines in the light of the report contained in document GC(44)/INF/11. Its conclusion, set forth in document GC(44)/INF/11/Add.1, was that, while the criteria and guidelines appeared to be useful and pertinent, the experience of applying them had so far been insufficient for a proper assessment to be made of their usefulness and pertinence.
5. He took it that the Committee wished to recommend that the General Conference request the Board to review after November 2001 the criteria, guidelines and measures being applied in connection with requests for the restoration of voting rights and to report its findings to the General Conference in 2002, at its forty-sixth regular session.
6. It was so agreed.

THE AGENCY'S ACCOUNTS FOR 1999
(GC(44)/5)

7. The CHAIRMAN took it that the Committee wished to recommend to the General Conference the adoption of the draft resolution on page II of document GC(44)/5.
8. It was so agreed.

THE AGENCY'S PROGRAMME AND BUDGET FOR 2001
(GC(44)/6 and Mod.1; GC(44)/INF/16)

9. The representative of JAPAN said that his delegation's position with regard to the budget for 2001 as stated in the Board of Governors remained unchanged.

10. The representative of GERMANY said that, while not wishing to stand in the way of a consensus, his delegation still had its reservations about the budget for 2001.

11. The CHAIRMAN said he took it that the Committee wished to recommend to the General Conference the adoption of draft resolutions A and C in Annex I to document GC(44)/6 and of draft resolution B in document GC(44)/6/Mod.1.

12. It was so agreed.

THE FINANCING OF TECHNICAL CO-OPERATION
(GC(44)/COM.5/L.1)

THE FINANCING OF SAFEGUARDS
(GC(44)/COM.5/L.2)

13. The CHAIRMAN, introducing the draft resolution contained in document GC(44)/COM.5/L.1, drew attention to preambular paragraph (b), where reference was made to a resolution without a number entitled "Technical Co-operation Fund allocation for 2001". The draft resolution in question was draft resolution B contained in document GC(44)/6/Mod.1. The resolution number would be added later.

14. He recalled that at its recent meetings the Board of Governors had reached agreement on the draft resolution on the financing of technical co-operation contained in document GC(44)/COM.5/L.1 after lengthy deliberations which had been skillfully guided by its Chairman, Ambassador de Queiroz Duarte of Brazil, who had also presided over lengthy deliberations relating to the draft resolution on the financing of safeguards contained in document GC(44)/COM.5/L.2. In view of the delicate nature of the consensus arrived at in the Board, he proposed that the Committee consider the two draft resolutions together. Furthermore, in line with the procedure followed by the Board of Governors, he proposed that before Member States' representatives made statements the Committee decide whether it wished to recommend the draft resolutions for adoption by the General Conference.

15. Noting that those proposals appeared to be acceptable, he took it that the Committee wished to recommend the draft resolutions contained in documents GC(44)/COM.5/L.1 and L.2 for adoption by the General Conference.

16. It was so agreed.

17. The representative of ARGENTINA said that the envisaged new arrangements for the financing of safeguards would entail greater financial contributions by many Member States, including Argentina, and his delegation had therefore had great difficulty in joining the

consensus on the draft resolution contained in document GC(44)/COM.5/L.2. If the draft resolution was adopted by the General Conference, there should be periodic reviews of the costs of safeguards and the envisaged new arrangements should be adjusted in the light of economic developments in Member States.

18. His delegation, which continued to favour strict adherence to the policy of zero real budgetary growth, believed that the Secretariat should step up its efforts to make more efficient use of the funds allocated to safeguards - for example, through the introduction of new methods and techniques.

19. In his delegation's view, the implementation of Additional Protocols should be "cost-neutral".

20. The representative of CUBA said that his delegation, while not wishing to block the consensus arrived at in the Board of Governors, had serious reservations about the envisaged new arrangements for the financing of technical co-operation and the financing of safeguards, as had been made clear in the general debate statement of the delegate of Cuba.

21. The representative of CHINA said that the resources of the Technical Co-operation Fund (TCF) should be increased in order that the Agency might meet the technical co-operation needs of Member States.

22. His delegation had joined in the consensus in favour of adoption by the General Conference of the draft resolution on the financing of technical co-operation despite the fact that it had reservations about parts of that draft resolution.

23. The representative of TURKEY said that his delegation, although not happy about the idea of a 2002 TCF target no higher than the target for 2001, had decided to go along with the consensus arrived at in the Board of Governors.

24. With regard to the draft resolution on the financing of safeguards, he said that, since greater financial resources were likely to be required for safeguards in the future, his delegation had supported the efforts of the Chairman of the Board and was satisfied with the results.

25. The representative of MOROCCO said, with regard to the draft resolution on the financing of technical co-operation, that in his delegation's view the introduction of the "Rate of Attainment" concept was likely to result in a lower level of contributions to the TCF and that, contrary to what the Board had been urged to do in resolution GC(43)/RES/14, regrettably no agreement had been reached on Indicative Planning Figures for 2003 and 2004.

26. Since one way of strengthening the Agency's technical co-operation activities was to improve their financing, his delegation would have preferred the question of the financing of technical co-operation to be discussed within the framework of the question of strengthening the Agency's technical co-operation activities.

27. The representative of FRANCE, speaking on behalf of the European Union, expressed appreciation of the efforts of the Chairman of the Board in bringing about consensus on the draft resolutions contained in documents GC(44)/COM.5/L.1 and L.2. The European Union was satisfied with both draft resolutions.

28. The representative of PAKISTAN said, with regard to the draft resolution on the financing of technical co-operation, that his delegation hoped the envisaged new mechanism, based on a "Rate of Attainment", would produce the desired result, particularly as so many developing countries would be making a major concession by renouncing "shielding" in respect of contributions towards the safeguards component of the Agency's Regular Budget.

29. The representative of the ISLAMIC REPUBLIC OF IRAN said that the two draft resolutions were not on an equal footing: one provided for only a possible increase in resources for technical co-operation, whereas the other provided for a definite end to "shielding" - a major concession by many developing countries.

30. His delegation feared that dividing the "shielded" Member States into four categories and then freezing those categories would lead to problems, since countries now assigned to a particular category might be in a very different economic situation in a few years' time. There should be periodic reviews of the categorization system.

31. The representative of INDIA said that the agreement to end "shielding" within a definite time frame represented a major concession by the developing world, particularly as the gap between rich and poor countries had been widening.

32. His delegation looked forward to technological and other improvements in safeguards which would reduce safeguards costs in the long run, and it had therefore supported the idea of an adjustment period. It hoped that in the course of the three-year adjustment period there would be sufficient improvements to mitigate the hardships for developing countries which would result from increases in their contributions towards the safeguards component of the Regular Budget.

33. The representative of CANADA said that in his delegation's view there was no substantive connection between the financing of safeguards and the financing of technical co-operation: the two subjects were being considered simultaneously merely because of an accident of timing.

34. His delegation had difficulties with both draft resolutions, especially the one on the financing of technical co-operation, but had not wished to block the consensus on them.

35. The representative of EGYPT said that his delegation's position as outlined at the previous week's session of the Board remained unchanged.

36. The representative of THAILAND, speaking on behalf of the countries belonging to the Association of Southeast Asian Nations (ASEAN), said that freezing of the "shielded list" was unrealistic. A mechanism for reviewing the operation of the system for phasing out "shielding" should be established.

37. The representative of ALGERIA said that his delegation had joined in the consensus although it was not completely satisfied with the results obtained, especially as regards the financing of technical co-operation.

38. The representative of the RUSSIAN FEDERATION said that, whether Member States liked it or not, there was in fact a substantive connection between the two items under discussion, and the balance achieved with regard to the financing of two of the Agency's major activities was important. His delegation, in a spirit of compromise, was ready to support the measures envisaged in the two draft resolutions, especially the freezing of the "shielded list" with effect from 2000.

39. The CHAIRMAN said the statements made would be duly reflected in the summary record of the meeting.

SCALE OF ASSESSMENT OF MEMBERS' CONTRIBUTIONS TOWARDS THE
REGULAR BUDGET
(GC(44)/18)

40. The CHAIRMAN took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution on page 3 of document GC(44)/18.

41. It was so agreed.

MEASURES TO STRENGTHEN INTERNATIONAL CO-OPERATION IN NUCLEAR,
RADIATION AND WASTE SAFETY

- DRAFT RESOLUTION ON EDUCATION AND TRAINING IN RADIATION
PROTECTION AND NUCLEAR SAFETY AND WASTE MANAGEMENT
(GC(44)/COM.5/L.14)

42. The representative of MOROCCO, introducing the draft resolution, said the subject dealt with in it was of great importance, particularly in the light of the Agency's statutory role in encouraging the exchange and training of scientists and experts and establishing standards of safety for the protection of health. Whatever regulations were in place in individual countries, they could be no substitute for a real safety culture, and for that education and training were essential.

43. The CHAIRMAN requested the Secretariat to indicate what the financial implications of adoption of the draft resolution would be.

44. The DEPUTY DIRECTOR GENERAL FOR MANAGEMENT suggested that concerns as to financial implications could be met by the addition of wording along the lines of "subject to the availability of resources".

45. The representative of TURKEY, expressing support for the draft resolution, said that for the past five years his country had, with the assistance of the Agency, been organizing near-surface waste disposal demonstrations for purposes of training on a regional basis.

46. The representative of ITALY, also expressing support for the draft resolution, suggested that the words “within available financial resources” be added in operative paragraph 3.

47. The representative of JAPAN said that his delegation supported the general thrust of the draft resolution but reserved the right to revert to it at a later stage, after receiving instructions from his Government.

48. The representative of ETHIOPIA requested the insertion of the words “and sub-regional” after “regional” in operative paragraph 3 of the draft resolution.

49. The representative of CHINA said his delegation hoped that adoption of the draft resolution would lead to improvements in safety culture and hence to improvements in safety management.

50. The representative of FRANCE said that his delegation would join in a consensus in favour of adoption of the draft resolution if a phrase along the lines of “within available financial resources” was added.

51. The representative of the UNITED KINGDOM, having endorsed the statement made by the representative of France, asked whether the “regional resource units” referred to in operative paragraph 3 of the draft resolution were the same as the “regional training centres” referred to in Attachment 6 (“Education and training”) to document GOV/2000/34-GC(44)/7 (on the Action Plan for the Safety of Radiation Sources and the Security of Radioactive Materials”). If they were the same, he proposed that the term “regional training centres” be used in the draft resolution.

52. The representative of MOROCCO said that his delegation could go along with the insertion of the phrase “within available financial resources” after “strengthen” and with the replacement of “regional resource units” by “regional training centres” in operative paragraph 3 of the draft resolution.

53. The CHAIRMAN suggested - following interventions by the representative of the ISLAMIC REPUBLIC OF IRAN, the representative of the UNITED KINGDOM, the representative of MOROCCO and the DEPUTY DIRECTOR GENERAL FOR MANAGEMENT - that operative paragraph 3 be amended to read:

“3. Urges the Secretariat to strengthen, within available financial resources, its current efforts in this area, and in particular to assist Member States at regional and national training centres that would arrange for such education and training to be conducted in the relevant official languages of the Agency”.

54. The representative of JAPAN said that his delegation could accept the Chairman’s suggestion but still reserved the right to revert to the draft resolution at a later stage.

55. The CHAIRMAN said he took it that, subject to the position of the delegation of Japan, the Committee wished to recommend to the General Conference that it adopt the draft

resolution contained in GC(44)/COM.5/L.14 with the amendments which he had just suggested.

56. It was so agreed.

- DRAFT RESOLUTION ON THE SAFETY OF RADIOACTIVE WASTE
MANAGEMENT
(GC(44)/COM.5/L.7)

57. The representative of FRANCE, introducing the draft resolution, said that, in view of the important recommendations made by the Córdoba Conference, the European Union had considered that a draft resolution specifically on the safety of radioactive waste management should be submitted to the General Conference.

58. The representative of AUSTRALIA asked whether the sponsors of the draft resolutions envisaged that the report referred to in operative paragraph 3 would be a one-off or a periodic report.

59. The representative of FRANCE replied that the sponsors had in mind a one-off report. It would be for the Board of Governors to decide whether follow-up reports were necessary.

60. The representative of UKRAINE said that his country had recently ratified the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (the Joint Convention).

61. The representative of the UNITED STATES OF AMERICA said that the President of the United States had recently approved the Joint Convention and was currently seeking the consent of the Senate.

62. The representative of the RUSSIAN FEDERATION, having announced that her country was likely to ratify the Joint Convention in the near future, urged that the phrase “to take the political decisions ...” in operative paragraph 1 of the draft resolution be replaced by the words “to consider the possibility of taking decisions ...”

63. The representative of CHINA suggested that the words “political decisions” be replaced by the word “steps”.

64. The representatives of FRANCE and GREECE said that the word “political” had no hidden meaning and urged that it be retained.

65. The representative of SPAIN said that the words “the political decisions necessary for the implementation of national radioactive waste management policy” had been taken from the Summary of Observations, Conclusions and Recommendations of the Córdoba Conference. However, in his delegation’s view deletion of the word “political” would not significantly affect the message of operative paragraph 1.

66. The CHAIRMAN took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution contained in document GC(44)/COM.5/L.7 without the word “political” in operative paragraph 1.

67. It was so agreed.

The meeting rose at 12.55 p.m.