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International Atomic Energy Agency

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## FORTY-FOURTH (2000) REGULAR SESSION

### RECORD OF THE NINTH PLENARY MEETING

Held at the Austria Center Vienna  
on Friday, 22 September 2000, at 11.10 a.m.

President: Mr. OTHMAN (Syrian Arab Republic)

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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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Delegates are kindly requested to bring their own copies of documents to meetings.

Abbreviations used in this record

Agreed Framework	Agreed Framework between the United States of America and the Democratic People's Republic of Korea
DPRK	Democratic People's Republic of Korea
LWR	Light-water reactor
OMV	Ongoing Monitoring and Verification
UNMOVIC	United Nations Monitoring, Verification and Inspection Commission

## REPORT OF THE SCIENTIFIC FORUM

1. The PRESIDENT invited the Rapporteur, Mr. Williams, to present the report of the Scientific Forum.
2. Mr. Williams presented the report which is reproduced in the Annex.
3. The PRESIDENT thanked Mr. Williams for his most interesting report and the Secretariat for their excellent preparation of the Scientific Forum.
4. Mr. BALU (India) commended the Director General for continuing to hold the Scientific Forum alongside the General Conference. Such events restored the scientific character of the Agency and were reminiscent of former years when scientific gatherings had been a regular event. The theme of the forum had been both timely and topical. If prompt action was not taken to turn existing radioactive waste management options, including innovative fuel cycle concepts, into real solutions, the situation could only become more difficult as time progressed. Technological solutions were available, particularly in closed fuel cycles.

## IMPLEMENTATION OF UNITED NATIONS SECURITY COUNCIL RESOLUTIONS RELATING TO IRAQ (GC(44)/11, GC(44)/L.2 and Add.1)

5. Ms. QUINCY (France), speaking on behalf of the European Union and the additional co-sponsors listed in Addendum 1 to document GC(44)/L.2, said that the draft resolution contained in the latter document took note of developments over the past year and called upon Iraq to implement all relevant Security Council resolutions and to co-operate fully with the Agency.
6. Mr. AL-JANABI (Iraq) objected strongly to the inclusion of item 21 on the agenda of the General Conference. Iraq had discharged all its obligations under paragraphs 12 and 13 of Security Council resolution 687. Paragraph 31 of document GOV/INF/1999/4 stated that the Agency's extensive verification activities had revealed no indication that Iraq possessed nuclear weapons or any meaningful amounts of weapon-usable material, or that it had retained any practical capability for the production of such material. Moreover, in a letter to the Security Council dated 10 April 2000, the Agency had confirmed that Iraq had afforded the necessary co-operation to a team of its inspectors that had visited Iraq from 22-25 January 2000.
7. It was important that the Agency did not allow the issue to become politicized, and that the implementation of Security Council resolutions was not confused with Iraq's implementation of its obligations under its safeguards agreement which it respected. The Agency should therefore make an honest report of its findings to the Security Council and close the nuclear file on Iraq, a step it would have taken in 1998 had it not been placed under pressure by the United States whose motive was to prolong the embargo that had been responsible for the deaths of 1.5 million Iraqi citizens.

8. Iraq had very good reasons for declining to accept Security Council resolution 1284. That resolution was in essence a re-formulation of Security Council Resolution 687 aimed at prolonging the blockade. It ran contrary to resolutions passed by the General Assembly and the Security Council, and to the Universal Declaration of Human Rights. It had also not been approved by three permanent members of the Security Council: China, France and the Russian Federation.

9. The draft resolution which had been submitted by the European Union totally disregarded the Agency's findings in Iraq over the past ten years and its reports on those findings. It was political in intent and, if approved, would turn the Agency into a tool for perpetuating the campaign which was being waged by the United States and the United Kingdom against Iraq. He called upon the General Conference to reject it and to condemn the acts of aggression which had been perpetrated against his country.

10. Mr. RITCH (United States of America) said he strongly supported the draft resolution, in particular its emphasis on the need for the Agency to ascertain whether there had been any developments in Iraq's nuclear activities since 1998. That was a prerequisite for the implementation of a strong and credible system of ongoing monitoring and verification, as required by the relevant Security Council resolutions. Iraq had to comply with its obligations under those resolutions in the interests of international peace and security.

11. Ms. AL-MULLA (Kuwait) said she did not wish to be drawn into a political debate, which would be inappropriate at the Agency's General Conference. Although she had the greatest respect for the people and civilization of Iraq, that country was obliged to comply with its obligations under the relevant Security Council resolutions. The fact that some members of the Security Council had had misgivings about certain resolutions was not a valid argument. All Security Council resolutions were mandatory. She appealed to the greater wisdom of the Iraqi authorities and urged them to face up to the current situation, for which they were largely to blame, and to take heed of the draft resolution under consideration which was based on reports submitted to the General Conference and was in line with the relevant Security Council resolutions.

12. Mr. AL-JANABI (Iraq) said that the United States had no right to speak of the need to comply with Security Council resolutions in the interests of international peace and security when, for almost ten years, it had threatened peace and security in the Middle East through its continuing acts of aggression against Iraq. By failing to respect the sovereignty, territorial integrity and political independence of Iraq, inter alia through air strikes, the United States and its ally, the United Kingdom, had flagrantly violated international law, the Charter of the United Nations and relevant Security Council resolutions.

13. Responding to the remarks of the representative of Kuwait, he said that it was impossible to avoid politicizing what was already a political issue. Iraq viewed the current situation in the light of international law and not, like Kuwait, in the context of an alliance with the United States, the United Kingdom and other countries to which it provided the logistical and financial support they needed to conduct a campaign of aggression against his country. Moreover, hypocritical statements about the regrettable situation of Iraq's civilian

population were not convincing. The only governments currently threatening peace and security in the Middle East were those perpetrating or supporting the continuing unlawful acts of violence against Iraq.

14. Mr. RYZHOV (Russian Federation) said that his country looked forward to the swift completion of the Agency's work pursuant to the United Nations Security Council resolutions relating to Iraq's nuclear activities. Over the years the Agency had succeeded in establishing a technically coherent picture of Iraq's nuclear programme and the remaining uncertainties could be resolved through the OMV plan, which was vital to the implementation of Security Council resolution 1284. Pending implementation of that resolution, it was important not to lose momentum. In January 2000, Agency inspectors had verified Iraq's declared nuclear material, confirming that it had fully complied with its obligations under its safeguards agreement. It was also essential that the new monitoring commission, UNMOVIC, was fully accountable to the Security Council, and that there should be no possibility of its being used to prolong sanctions unnecessarily, which might cause it to suffer the fate of its compromised predecessor.

15. The content of the draft resolution which had been submitted was not entirely clear. It could convey a more positive message than it did, and reversing the order of preambular paragraphs (d) and (e) might help achieve that goal. Moreover, the latter part of preambular paragraph (e), from the words "noting, however", cast a shadow on the positive developments highlighted in the first part of that paragraph and it should perhaps be deleted. Operative paragraph 4 could be interpreted as meaning that the Agency should start its verification activities in Iraq from scratch again, which was clearly not in keeping with the Director General's statement on the subject and the relevant decisions of the NPT Review Conference. He also had serious doubts about paragraph 6, which welcomed the reconstitution of the joint import/export mechanism. The latter already went beyond the guidelines for the export of nuclear material agreed upon by Member States and would impose additional and unjustified obligations on Iraq.

16. The PRESIDENT took it that the General Conference wished to adopt the draft resolution contained in document GC(44)/L.2 without a vote.

17. Mr. AL-JANABI (Iraq) said that the representative of the Russian Federation had proposed amendments which warranted discussion.

18. The PRESIDENT said it was his understanding that the Russian Federation had been merely commenting on the draft resolution and that no formal proposals had been made.

19. Mr. AL-JANABI (Iraq) requested that the draft resolution be put to a roll-call vote.

20. The United Kingdom, having been drawn by lot by the President, was called upon to vote first.

21. The result of the vote was as follows:

In favour: Argentina, Australia, Austria, Belgium, Bulgaria, Canada, Colombia, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Jordan, Republic of Korea, Kuwait, Latvia, Liechtenstein, Luxembourg, Mexico, Monaco, Namibia, Netherlands, New Zealand, Norway, Peru, Poland, Portugal, Romania, Saudi Arabia, Singapore, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, Switzerland, Thailand, Turkey, Ukraine, United Arab Emirates, United Kingdom, United States of America, Uruguay, Venezuela.

Abstaining: Algeria, Angola, Bangladesh, Belarus, Benin, Burkina Faso, China, Cuba, Egypt, Ethiopia, Ghana, India, Indonesia, Islamic Republic of Iran, Libyan Arab Jamahiriya, Malaysia, Morocco, Myanmar, Nigeria, Pakistan, Philippines, Russian Federation, Sudan, Tunisia, United Republic of Tanzania, Uzbekistan, Viet Nam.

22. The draft resolution was adopted by fifty-four votes to zero, with twenty-seven abstentions.

23. Mr. ZHANG Yishan (China) said that the standards governing international relations and the authority of the Security Council clearly had to be respected. However, so did the sovereignty, territorial integrity and independence of Iraq. The sanctions against that country had been in place for ten years and had caused acute suffering to its people, and there had been indiscriminate bombardments. He appealed for an end to the military action and urged that the progress achieved by Iraq be assessed in an objective light. China had abstained from voting on the resolution.

24. Mr. QASHUT (Libyan Arab Jamahiriya) said that his delegation had also abstained from voting. He drew attention to the fact that various paragraphs of Security Council resolution 1284 called on the international community to suspend sanctions in order to guarantee the rights of the Iraqi people to proper health care and nutrition. Those provisions had to be respected too.

25. Mr. AL-JANABI (Iraq) thanked all those who had not voted in favour of the resolution. Resolutions such as the one just adopted had been used before as a pretext for continuing the blockade on his country without justification. On the other hand, other General Conference resolutions had noted that Iraq had complied with international requirements in all except very minor respects. In fact, Iraq had been complying with its obligations for seven years, a detail not mentioned in the resolution.

26. Mr. SHOUKRY (Egypt) said that the fact that Iraq had complied with Security Council resolutions was significant. The resolution just adopted was a moderate one

compared with those of previous years. It was time for the General Conference to move towards consensus on the issue so that the suffering of the Iraqi people could be brought to an end.

IMPLEMENTATION OF THE AGREEMENT BETWEEN THE AGENCY AND THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA FOR THE APPLICATION OF SAFEGUARDS IN CONNECTION WITH THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS  
(GC(44)/16, GC(44)/L.12/Rev.1 and Add.1)

27. Mr. MORGAN (Canada), introducing the draft resolution contained in document GC(44)/L.12/Rev.1, said that the large number of co-sponsors reflected the level of concern over the fact that the Agency had still not been able to verify the accuracy and completeness of the DPRK's initial declaration under its safeguards agreement, even though that country remained a party to the NPT. The resolution urged the DPRK to comply fully with its safeguards agreement.

28. Despite the recent positive developments in north-east Asia, the fundamental problem remained, and those positive developments would only bear fruit if the co-operation sought was forthcoming.

29. Mr. ZHANG Yishan (China) said that the maintenance of peace and security on the Korean Peninsula was in the interests of all peoples of the world. Discussion of the issue did not always take into account the historical background to the problem, and patience and continuous effort were needed to arrive at a solution. Since the North-South summit meeting of the DPRK and the Republic of Korea dialogue between the two countries had increased, and good progress had been made in negotiations between the DPRK and the Agency on technical issues. Those positive developments should be welcomed, whereas further application of pressure could be counter-productive.

30. Mr. RITCH (United States of America) welcomed the progress made at the inter-Korean summit, which he hoped would offer the prospect of lasting peace and stability on the Korean Peninsula. He also welcomed the reinstatement of the normalization talks between Japan and the DPRK. The opening up of relations between the DPRK and such countries as Australia, Canada, Italy and the Philippines could help pave the way for improved relations between the DPRK and the United States. The Agreed Framework would remain an essential element of that process. Since construction of the light-water reactor had already begun, it was important that the DPRK take all steps deemed necessary by the Agency with regard to monitoring and the verification of its initial declarations to the Agency, and he called on it to show renewed co-operation and flexibility with a view to fulfilling its non-proliferation commitments.

31. Mr. RYZHOV (Russian Federation) said that the General Conference had been discussing the implementation of safeguards in the DPRK for many years. Unfortunately, it was difficult to know how far the resolution in question would solve the problem. Though all seemed to agree that the DPRK should comply fully and immediately with its obligations

under its safeguards agreement, the Agreed Framework stated that the DPRK would have to come into full compliance with that agreement only when a significant portion of the LWR project was complete, but before the delivery of key nuclear components. That contradiction was a significant impediment to the solution of the issue, and every effort should be made to resolve the conflict so that the matter could be finally dispatched.

32. Mr. Sang-duk CHOI (Republic of Korea) said that, for a number of years, the General Conference had adopted resolutions expressing concern at the continued non-compliance by the DPRK with its safeguards agreement. Despite strenuous efforts by the Agency, no significant progress had been made. The DPRK's failure to fulfil its obligations constituted a major challenge not only to the Agency's safeguards system, but also to the basic framework of the global nuclear non-proliferation regime. Adopting the draft resolution was the least the General Conference could do to meet the responsibilities placed upon it by the Statute.

33. Nevertheless, while a firm stand had to be taken against any challenge to the global non-proliferation regime, it was important to recognize the new developments that had taken place on the Korean Peninsula. The North-South summit earlier in the year had been a turning point for both inter-Korean relations and global peace and stability.

34. Mr. NAGANUMA (Japan) said that, while he welcomed the recent positive political developments, he felt obliged to point out that no progress had as yet been made with regard to the implementation of the DPRK's safeguards agreement. He hoped that the resolution adopted at the next session of the General Conference would reflect a more positive situation.

35. The PRESIDENT took it that the General Conference wished to adopt the draft resolution contained in document GC(44)/L.12/Rev.1.

36. It was so decided.

The meeting rose at 1:05 p.m.



**Report to the forty-fourth General Conference of the IAEA  
from the third Scientific Forum  
Radioactive Waste Management: Turning Options into Solutions**

1. The development of a publicly acceptable solution to the management of radioactive waste is an issue which is central not only to the future of nuclear energy but also to dealing with the wastes which have arisen from past and current nuclear programmes. The Scientific Forum addressed this important issue from the viewpoint of what has been achieved so far, the current difficulties and what can be learned from experiences to date. The Forum was designed to build on the conclusions of the significant and successful IAEA conference held in Cordoba in March of this year. The Forum was well attended and the stimulating presentations were of high quality.

2. The Scientific Forum heard that much had been done but that much more was needed to address what the Chair of the Forum referred to as the most perplexing topic in nuclear technology today. The Chair described the 'realities' which lay at the core of the issue as essentially being the physical, technological and social realities. The physical reality is simple, radioactive waste exists and volumes, although comparatively low, are increasing. The technological reality is that the technology exists to safely manage radioactive wastes now and in the near future but there are issues about geological disposal. The social reality is characterized by the gap in perception between the scientific community and the public at large.

3. The first session set the scene on the current status of radioactive waste management in the world today, and discussed the strategy needed to develop a national repository for spent nuclear fuel. A major issue to emerge was that relating to the classification of waste, which is different in different countries. 'Waste' was not seen as a scientific term and only a few countries appeared to use the IAEA defined terminology. The use of so many different national definitions makes it difficult to understand and compare the size and scope of the problem and leads to unnecessary public concerns. It is hoped that the introduction of the Joint Convention will provide an opportunity to achieve more consistency in the classification of radioactive wastes.

4. It was clear from the presentations and the discussion that the management of radioactive waste needs to be addressed in a consistent and comprehensive way. The question was raised of how to handle issues relating to radioactive waste management which have solution times longer than terms of office of the political decision makers. The role of the regulatory body is important in addressing this issue as it can provide the continuity of oversight needed. Substantial progress has been made in reducing the waste arisings per kWh and there is now recognition that the best way to manage waste is to minimize arisings so as to reduce the disposal burden. In relation to disposal of high level waste, experience has shown that it is counter-productive for the scientific community to claim that they know all the answers and that the risks well into the future can be calculated with confidence. A more sustainable approach is to recognize that to gain public acceptance it is necessary to take time

and not try to rush to premature decisions, which are likely to be negative. A carefully planned step by step approach, which involves the public and gives time to build trust and confidence, is necessary for success. This approach must be flexible to the extent that it recognizes that there are uncertainties and so making provisions to permit retrievability of waste is now seen as an essential prerequisite for progress on disposal. There is also a need to have a clear understanding of what is meant by retrievability.

5. The second session looked at the 'technological reality of what is being done, with examples of developments in a number of countries including a country with a major nuclear power programme and a country with no nuclear power programme. In each case it was shown that with the exception of the disposal of high level and other long lived wastes, well planned radioactive waste management programmes are possible. The technology exists but it is essential to recognize that the solutions depend upon the waste type and advantage can be gained by classifying waste in relation to, inter alia, radioactive half-life. The session also discussed the use of novel technologies which could be used to design power reactors, which did not produce any actinide or transuranic waste and which transmuted long lived fission products. The technologies proposed prompted some lively discussion with the practicality of turning a theoretical concept into a practical design being a key concern. Nevertheless, it was felt that whilst further research is justified, transmutation on a practical engineering scale is far from certain and the prospect of transmutation should not prevent countries taking positive actions on waste treatment and disposal as soon as possible.

6. The third session included a very comprehensive review of the key issues associated with radioactive waste that were discussed at the Cordoba conference. It is clear that indefinite surface storage of waste is not a sustainable solution and progress must be made to an integrated solution to radioactive waste management that includes disposal. International repositories could offer a means for countries with small nuclear power programmes or without nuclear power programmes to dispose of their high activity and long-lived waste without incurring the very high costs of a national repository programme. However, it was clearly recognized that international repositories are controversial and that the disposal of waste is primarily a national responsibility. The Forum heard a report on the development of controls on international transport of radioactive waste. The comprehensive nature of the report gave reassurance that the issue is being addressed and that an effective regulatory system is in place to ensure transport safety. A significant development has been the introduction of the INF (Irradiated Nuclear Fuel) requirements for the safe carriage of irradiated nuclear fuel, plutonium and high-level radioactive waste on board ships into the mandatory SOLAS (Safety of Life at Sea) convention.

7. The Forum also considered the special problem of disused sealed sources that had been used for medical, research and industrial purposes. The issue of how to deal with sealed sources when they have reached the end of their useful lives was discussed. The view of the Forum was that spent sealed sources should be handled as part of an integrated waste management strategy. There is clearly an issue for countries that do not have nuclear power programmes and may therefore not have a radioactive waste management programme or an effective regulatory body. The issue of the use of boreholes to dispose of sealed sources

prompted a lively discussion. Whilst it was recognized that boreholes provided a relatively simple and inexpensive solution, a borehole used for this purpose was a radioactive waste repository and should therefore have a comprehensive safety case to justify its use.

8. The Forum heard the views of a panel of distinguished experts on the key issues relating to radioactive waste management, but mainly focused on disposal. The Chair posed three questions that were at the heart of the issue. The first asked why there was a problem with radioactive waste. The general consensus of the panel was that the problem existed because the issue was a social as well as a technical one. The second question asked who or what was missing from the deliberations necessary to achieve consensus. The panel generally agreed that the public, politicians, policy makers and the media needed to be engaged in the decision making process. The third question asked where we go from here. The response from the panel was to continue the dialogue, continue to develop and have confidence in the engineering and scientific proposals for effectively managing waste, recognize that resolution will take time and plan to provide solutions to the options that are or will be available to society.

9. The lively panel discussion, which included participation from the floor, can be summarized as follows:

- technological solutions to the safe management of radioactive waste exist, but public acceptance is needed;
- a structured participatory process is needed for decision making;
- consensus of all parties is unlikely and therefore a formal, transparent decision making process with public participation is essential;
- the decision making process needs to be step wise with the ability to reverse decisions at a later stage;
- opinion formers responsible for political decisions have not yet entered the debate;
- progress has to be made on a national level particularly in relation to the siting of repositories;
- it is important to have a stable legal and regulatory framework;
- international co-operation in the development of technology and safety standards can supplement national programmes; and
- clarity is needed on the application of the terms 'retrievability' and 'reversibility'.

10. The panel advised the IAEA that its role included facilitating international exchange of experience on technical and social issues, collaboration on creating opportunities for R&D, and continuing peer reviews of programmes and activities in Member States. It concluded that these exchanges were a supplement to, not a substitute for, national discussions and programmes. Given that the development of such programmes will take considerable time, it was felt that to hold a single global forum involving stakeholders was not appropriate at this time but that the IAEA could play a role in promoting active engagement between the scientific community and society in general.

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11. The Forum provided an excellent opportunity to discuss this important issue and the number of participants and their lively interventions showed the strength of interest in the topic.