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President: Mr FORMICA (Italy)

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¹ GC(59)/25.

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Abbreviations used in this record:

DPRK	Democratic People's Republic of Korea
GRULAC	Latin American and Caribbean Group
HEU	high enriched uranium
NAM	Non-Aligned Movement
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
UN	United Nations
UNGA	United Nations General Assembly
UNSC	United Nations Security Council
WMDs	weapons of mass destruction

19. Implementation of the NPT safeguards agreement between the Agency and the Democratic People's Republic of Korea (GC(59)/22; GC(59)/L.9 and Add.1)

1. Mr BAILEY (Canada) said that the draft resolution set out in document GC(59)/L.9, co-sponsored by 61 Member States altogether, was based on resolution GC(58)/RES/15 and reiterated concerns about the DPRK's actions that posed serious challenges to the nuclear non-proliferation and disarmament regime and to peace and security. In view of the support expressed by the five Agency Member States involved in the Six-Party Talks and the wide co-sponsorship, he hoped that the draft resolution could be adopted by consensus.

2. Mr SANTANA (Cuba) said that his country was firmly committed to universal and complete disarmament, including nuclear disarmament as a matter of the utmost priority, and all aspects of non-proliferation, both vertical and horizontal. Nuclear disarmament was a priority for achieving worldwide peace and security, and the existence of nuclear weapons and the possible use or threat of use thereof constituted the greatest threat to humankind. Cuba was deeply concerned about the lack of progress in achieving nuclear disarmament, owing primarily to the lack of political will on the part of nuclear-weapon States.

3. Cuba was opposed to all nuclear weapon tests, including those carried out using super-computers, subcritical tests and other sophisticated non-explosive methods. It was also opposed to innovative technological activities that camouflaged true intentions to strengthen nuclear capabilities for non-peaceful purposes and urged all Member States to eliminate such practices and to promote the peaceful use of nuclear energy for development. Cuba condemned the upgrading of existing nuclear weapons and the development of new types of such weapons, which was inconsistent with obligations to achieve complete nuclear disarmament.

4. Cuba supported the total denuclearization of the Korean Peninsula and welcomed all meaningful steps taken to that end. Dialogue and negotiation were the only means of achieving a satisfactory result. It therefore supported the continuation of the Six-Party Talks and hoped that they would have successful outcomes. Cuba supported the peaceful reunification of the Korean Peninsula, without foreign interference, in circumstances ensuring respect for sovereign integrity and in strict compliance with the principle of the non-use and non-threat of the use of force.

5. The PRESIDENT took it that the General Conference wished to adopt the draft resolution set out in document GC(59)/L.9 without a vote.

6. It was so decided.

7. Mr SONG Young-wan (Republic of Korea) said that his country welcomed the unanimous adoption of the resolution set out in document GC(59)/L.9 and hoped that the DPRK would take heed of that unified message from the international community, demanding the denuclearization of the DPRK.

8. The DPRK's continued defiance of its international obligation to abandon all nuclear weapons and existing nuclear programmes completely, verifiably and irreversibly and immediately cease all related activities was a matter of serious concern, especially in the light of ongoing provocations and a pattern of public statements boasting about and vowing to pursue further development of nuclear weapons.

9. The DPRK's negative response to past diplomatic efforts underlined the need to reiterate the strong and unified message that working towards peace, stability and prosperity depended on its willingness to engage in meaningful dialogue and honour its denuclearization commitments.

10. The unanimity of Member States further underlined the seriousness of the international community's call on the DPRK to comply fully with all of its obligations under relevant UNSC resolutions and to cooperate promptly with the Agency in order to implement comprehensive safeguards fully and effectively.

11. The resolution highlighted the Secretariat's essential role in verifying the DPRK's nuclear programme and the need to maintain readiness. The Republic of Korea would continue to work with the Secretariat and other partners in maintaining vigilance and in coordinating the international community's constructive response to the North Korean nuclear issue with a view to its peaceful resolution.

12. Mr KITANO (Japan) said that his country welcomed the unanimous adoption of the resolution and thanked Canada for its efforts.

13. The DPRK's ongoing nuclear and missile-related activities posed a serious threat to peace and security, not only in North-East Asia but also worldwide. Japan reiterated the importance of unity within the international community in urging the DPRK to cease all such activities immediately. The resolution was thus an important achievement.

14. Despite repeated calls and firm opposition by the international community, the DPRK had continued to state its intention to possess nuclear weapons and to build up its nuclear forces and had not taken any steps to honour its denuclearization commitment. The DPRK had sought to enhance its capabilities to deliver WMDs through a series of ballistic missile launches — all in clear violation of UNSC resolutions and the September 2005 Joint Statement, thus giving cause for grave concern.

15. Japan urged the DPRK to take specific steps to fulfil its commitment to abandoning all nuclear weapons and existing nuclear programmes, and to refrain from further nuclear weapon testing and other provocations, in accordance with the relevant UNSC resolutions.

16. Japan appreciated the Agency's continued readiness to resume its activities in the DPRK and hoped that the Agency would continue to play an important role in resolving the DPRK nuclear issue.

17. Mr ENSHER (United States of America) said that his country welcomed the unanimous adoption of the resolution and thanked Canada for its efforts in drawing it up. The resolution sent a strong and clear message to the DPRK that it should abandon any illusions that its illicit pursuit of nuclear weapons would ever achieve legitimacy in the eyes of the international community, which was the flawed policy followed by the DPRK in consistently rejecting meaningful dialogue on denuclearization.

18. Adoption of the resolution did not, however, suffice. That strong yearly message must be matched by concerted action to address the very real and growing threat posed by the DPRK's nuclear programme to common peace and security and to shared non-proliferation objectives. As long as the DPRK did not reaffirm serious commitment to denuclearization, enhanced pressure remained essential to compel the DPRK to correct its course. All bore a collective responsibility to deny the DPRK the financial and technical means of sustaining and advancing its pursuit of nuclear weapons and their means of delivery.

- Oral report by the Chair of the Committee of the Whole

19. Mr BENHOCINE (Algeria), Chair of the Committee of the Whole, reported on the Committee's deliberations on agenda items 15, 17 and 18.

20. Under item 15, "Nuclear security", although there had been broad agreement on most of the draft resolution contained in document GC(59)/COM.5/L.4/Rev.3, there had been one paragraph on which one delegation had expressed concerns and which had prevented consensus from being achieved.

21. Under item 17, "Strengthening the Agency's activities related to nuclear science, technology and applications", the Committee recommended that the Conference adopt the draft resolutions set out in document GC(59)/L.8 as follows: "A. Non-power nuclear applications: 1. General; 2. Support to the African Union's Pan African Tsetse and Trypanosomosis Eradication Campaign (AU-PATTEC); 3. Use of isotope hydrology for water resources management; 4. Renovation of the Agency's Nuclear Applications Laboratories at Seibersdorf"; and "B. Nuclear power applications: 1. General; 2. Communication and IAEA cooperation with other agencies; 3. Operation of existing nuclear power plants; 4. Agency activities in the development of innovative nuclear technology; 5. Approaches to supporting nuclear power infrastructure development; 6. Small and medium-sized nuclear reactors: Development and deployment".

22. Under item 18, "Strengthening the effectiveness and improving the efficiency of Agency safeguards", although there had been broad agreement on most of the draft resolution contained in document GC(59)/COM.5/L.1/Rev.1, there had been one paragraph and one proposed paragraph on which some delegations had expressed concerns and which had prevented consensus from being achieved.

23. He thanked the General Conference for the confidence that it had placed in him by electing him to undertake the important task of chairing the Committee of the Whole. He thanked the Vice-Chairs — Ms Angell-Hansen of Norway and Mr Ilioski of the former Yugoslav Republic of Macedonia, the members of the Committee, the staff of the Secretariat and all others who had assisted the Committee in its work.

Nuclear security (agenda item 15)

24. Mr HENNIS (Netherlands) proposed that the General Conference consider the draft resolution set out in document GC(59)/COM.5/L.4/Rev.3. Although it had not been the subject of consensus in the Committee of the Whole and one delegation had reservations about one paragraph of the text, broad agreement had been reached, and he believed that the current text was the best basis for achieving consensus. The draft resolution would provide input to the Agency's work in an important area, and he urged all Member States to support it.

25. Mr BERDENNIKOV (Russian Federation) regretted that the co-sponsors had not taken his country's views into account and had included in the draft resolution the second part of paragraph (c) which linked progress in nuclear disarmament to nuclear security. As stated in the Russian Federation's reservation on the Ministerial Declaration adopted at the International Conference on Nuclear Security in 2013, the connection of nuclear security and international cooperation in that regard with activity in the area of nuclear disarmament was unjustified and counterproductive. It led to the emergence of artificial hurdles to strengthening nuclear security. Moreover, nuclear disarmament was not mentioned either among the objectives or the functions of the Agency set out in the Statute. Matters of the nuclear security of nuclear material and facilities used for military purposes were outside the scope of the Agency.

26. The Russian Federation therefore did not support the second part of paragraph (c) of the draft resolution and requested that a separate vote be taken on that part of that paragraph.

27. The PRESIDENT put to the vote the second part of paragraph (c) of the preamble to the draft resolution set out in document GC(59)/COM.5/L.4/Rev.3, which read “and stressing that further progress is urgently needed in nuclear disarmament, consistent with relevant international nuclear disarmament and non-proliferation obligations and commitments”.

28. There were 113 votes in favour of the second part of paragraph (c) of the preamble and 3 votes against, with 6 abstentions. The paragraph, including the words “and stressing that further progress is urgently needed in nuclear disarmament, consistent with relevant international nuclear disarmament and non-proliferation obligations and commitments”, was adopted.

29. Ms PARADAS (France), speaking in explanation of vote and on behalf of the United Kingdom and the United States of America, said that those three States had chosen to maintain their support for the draft resolution that they had co-sponsored. They were fully committed to nuclear security and regretted the inclusion of wording irrelevant to the Agency’s nuclear security work and the resultant loss of consensus on a section of the text. They would spare no efforts to rebuild consensus on the nuclear security resolution at the following session of the General Conference.

30. Mr MISRA (India) said that, although India, as a sponsor of the draft resolution, had voted in favour of retaining the part of paragraph (c) on which the vote had been taken, it regretted the loss of consensus over elements that were not germane to the issue of nuclear security.

31. Mr ELDARS (Egypt) said that his country was among the large number that had advocated the inclusion of the wording in paragraph (c) as adopted. Some States had tried to isolate the Agency’s work from the broader perspective of international peace and security. Others had sought to address nuclear security without any reference to military nuclear material and technology. Egypt could not support that approach. An overwhelming majority of States had voted to maintain paragraph (c) as tabled, thereby upholding the universal principle of nuclear disarmament and emphasizing the commitments that nuclear-weapon States had made in that regard and on which they must deliver.

32. He thanked all States that had supported wording of paragraph (c) as adopted, which built on the language on disarmament used in the previous year’s resolution. It was a mistake to believe that consensus on the draft resolution would have been greater if that crucial element had been excluded. His delegation and others would continue to support the Agency’s work in all fields which were integral to international peace and security.

33. The PRESIDENT took it that the General Conference wished to adopt the draft resolution set out in document GC(59)/COM.5/L.4/Rev.3 as a whole without a vote.

34. It was so decided.

35. Mr VINHAS (Brazil), speaking in explanation of vote, thanked the sponsors for their efforts to produce a consensus resolution on nuclear security. Owing to extensive consultations, flexibility and a spirit of compromise, a text had been agreed for the resolution that enjoyed the broadest possible support, with the exception of some delegations.

36. The agreement on a preambular paragraph that put the Agency’s technical work in its proper political context was a significant achievement, for the Agency did not exist in a vacuum but was influenced by, and had a bearing on, other international organizations, conferences and initiatives in all areas relevant to its work, which included all areas covered by its Statute, including international peace and security.

37. Article III.B.1 of the Statute required the Agency to conduct its activities in accordance with the purposes and principles of the UN to promote peace and international cooperation, and in conformity with policies of the UN furthering the establishment of safeguarded worldwide disarmament and in conformity with any international agreements entered into pursuant to such policies, which clearly meant that the Agency must be guided by all relevant UNGA and UNSC resolutions. The Agency's founding fathers had rightly established such provisions because the Agency could not work in isolation from lofty UN aspirations and goals relating to the strengthening of international peace and security by achieving a world without the deadliest weapons ever designed, which had been the subject of the very first UNGA resolution. That had been their intention, and they had thus displayed responsibility and long-term vision.

38. It was clear that the Agency could implement the interrelated NPT goals comprehensively and effectively only by addressing its three pillars in an inseparable and mutually reinforcing manner. The implementation of safeguards, the promotion of the peaceful uses of nuclear energy and verification tasks pursuant to disarmament agreements were tasks that the Agency was expected to perform when so requested, as recognized in the preambular and operative paragraphs of the safeguards resolution, the security resolution, other Agency documents and important declarations, such as the Ministerial Declaration of the 2013 International Conference on Nuclear Security, held under the auspices of the Agency.

39. Brazil had continuously supported the Agency's efforts to enhance nuclear security, which was a major concern of the international community that should be addressed comprehensively, taking into account all relevant international developments in the promotion of nuclear non-proliferation and nuclear disarmament. Nuclear disarmament was particularly relevant to nuclear security. A world with fewer or no nuclear weapons would be a world with fewer nuclear security vulnerabilities. It would not be a world free of nuclear security risks, owing to subsisting knowledge and associated materials and capabilities. Besides, the more weapons-grade materials, in particular HEU, were placed under safeguards and properly secured, the fewer the risks of diversion to other States or non-State actors. The nuclear security–non-proliferation tandem gave further political impetus to nuclear disarmament, as nuclear-weapon States and their allies had fewer excuses for continuing to rely on such weapons and for advocating obsolete nuclear deterrence doctrines and policies, which contradicted their nuclear disarmament obligations under the NPT. There was a “virtuous circle” connecting security, non-proliferation and disarmament, as reflected in paragraph (c) of the resolution.

40. That paragraph stressed the urgent need for further progress in nuclear disarmament, which was perfectly in line with Member States' obligations and commitments under the NPT, other treaties, many UNGA resolutions, ministerial declarations, the final communiqués of summits and resolutions adopted by the General Conference at previous sessions.

41. The resolution rightly incorporated changes and improvements to the one adopted at the previous session, in areas such as the promotion of international peace and security, drawing on synergy between nuclear security, nuclear non-proliferation and disarmament endeavours.

42. The Agency could not ignore momentous recent developments, the failed 2015 NPT Review Conference or the Humanitarian Pledge for the prohibition and elimination of nuclear weapons that had been supported by more than 115 States. Nor could it forget that 2015 marked the seventieth anniversary of the nuclear bombings of Hiroshima and Nagasaki and that there were still nuclear weapons in the world, with no prospect of being eliminated in the foreseeable future.

43. Brazil and other like-minded States had supported the proposals made by Switzerland in an attempt to reflect those important developments, albeit indirectly. Brazil had engaged in negotiations in order to reach a consensus and, although it was not completely satisfied with the outcome, the final

text of paragraph (c) was the best possible compromise, placing the Agency's technical work in nuclear security in its proper political context and plainly reflecting the call for urgent progress in nuclear disarmament as a necessary step towards a more peaceful world with fewer nuclear security risks.

44. Mr HOVHANNISSIAN (Armenia), referring to paragraph (k) of the resolution, said that international cooperation fostered the capacity of States to build and sustain a strong nuclear security culture and effectively combat nuclear terrorism and other criminal threats. Armenia reaffirmed the fundamental national responsibility to maintain effective security of all nuclear and other radioactive materials under stringent control at all times.

45. While joining the consensus on the adoption of the nuclear security resolution, the Republic of Armenia, for the sake of clarity and current and future avoidance of any misinterpretation, manipulations and speculation, understood the term "non-State actors" to mean "non-State actors, such as terrorists and other criminal groups".

46. He requested the Secretariat to attach his statement to the resolution.

47. Mr HUSEYN ZADA (Azerbaijan) thanked the Chair of the Committee of the Whole for his efforts to accommodate the comments of every State and the coordinator and sponsors of the nuclear security resolution.

48. Turning to the point made above on paragraph (k), he said that the resolution was not an initiative to combat nuclear terrorism. Rather, its aim was to strengthen nuclear security and to prevent groups and regimes from gaining access to WMDs. As terrorism was the work of groups and regimes, "non-State actors" fully covered all qualifiers.

Strengthening the Agency's activities related to nuclear science, technology and applications
(agenda item 17)

49. As recommended by the Committee of the Whole, the draft resolution set out in document GC(59)/L.8 was adopted.

Strengthening the effectiveness and improving the efficiency of Agency safeguards (agenda item 18)

50. Mr POESTINGER (Austria), introducing the draft resolution set out in document GC(59)/COM.5/L.1/Rev.1, said that, as the text had been broadly supported, he hoped that it would be adopted by consensus.

51. Mr AHMED (Pakistan) requested that paragraph 7 of the draft resolution be put to the vote.

52. The PRESIDENT invited the Conference to vote on paragraph 7 of the draft resolution by show of hands.

53. There were 122 votes in favour and 1 against, with 3 abstentions. The paragraph was adopted.

54. Mr AHMED (Pakistan), speaking in explanation of vote, said that his country supported the Agency's activities in all areas, in accordance with the provisions of the Statute. Pakistan's support for Agency safeguards was evident from its implementation of all of its safeguards obligations and its cooperation with the Agency. Pakistan believed that the role of safeguards was to provide a framework for cooperation in the peaceful applications of nuclear energy without discrimination and unaffected by strategic or political considerations.

55. His country had been constrained to vote for the deletion of paragraph 7 of the draft resolution set out in document GC(59)/COM.5/L.1/Rev.1 because the sponsors had failed to keep the text

consistent with the Agency's Statute, which took Member States' differentiated safeguards obligations into account and did not accord universality to comprehensive safeguards agreements. Paragraph 7, on the contrary, urged all States to enter into comprehensive safeguards agreements, an obligation that flowed only from the NPT, to which his country was not party.

56. With regard to the current year's draft resolution, an effort had been made to rectify that anomaly and achieve consensus on the text in line with the Statute and the respective legal obligations of Member States. In line with its sincere desire to engage constructively with the sponsors and other Member States, Pakistan had expressed willingness to agree to the new proposal put forward by the drafters in the Committee of the Whole, but a lack of flexibility from the other side had prevented consensus. His delegation regretted that the sponsors had chosen to reinstate the previous year's non-consensus wording and had therefore voted against paragraph 7.

57. Pakistan's vote reflected its commitment to upholding the Statute in letter and spirit. His country would continue to support the Agency's verification activities, consistent with the framework provided for in the Statute.

58. Mr MISRA (India), speaking in explanation of vote, said that, as a founding Member of the Agency, India had consistently supported all of the Agency's activities within the framework of its Statute. It attached great importance to the Agency's safeguards work in particular and had contributed to improving safeguards effectiveness and efficiency. Accordingly, India would have liked the draft resolution on the strengthening of safeguards to have been adopted by consensus. Although the sponsors had made a welcome effort to that end, paragraph 7 had ultimately remained unchanged from earlier years and still failed to recognize Member States' differentiated safeguards obligations. India had therefore been left with no option but to abstain in the vote on that paragraph.

59. India would remain supportive of constructive engagement by the sponsors to achieve consensus on the safeguards resolution in the future.

60. The PRESIDENT said that consideration of paragraph 7 of the draft resolution set out in document GC(59)/COM.5/L.1/Rev.1 had been concluded. He took it that the Conference wished to adopt the draft resolution as a whole.

61. It was so decided.

62. The PRESIDENT said that the General Conference had dealt with all items referred to the Committee of the Whole. He expressed his sincere appreciation to the Chair of the Committee of the Whole for his skilful guidance of the Committee's deliberations, and to the Vice-Chairs.

27. Report on contributions pledged to the Technical Cooperation Fund for 2016

(GC(59)/20/Rev.1)

63. The PRESIDENT said that document GC(59)/20/Rev.1 contained details of the pledges of contributions to the Technical Cooperation Fund for 2016 which Member States had made to the Director General by 6.30 p.m. on 17 September 2015. By that time, Member States had pledged a total of €11 773 672, or 13.9% of the target for 2016, a decline of 7.6% from the previous year. Since that document had been sent for printing, other Member States had communicated pledges to the Director General, as follows (in euro equivalent): China — €4 184 794; Honduras — €6 756; Kenya — €10 135; Malawi — €1 689; Sri Lanka — €10 000, which raised the total amount pledged

by 86 Member States to €5 987 046, or 18.9% of the target. The 86 pledging Member States accounted for more than 50% of the total number of Member States and constituted a record number. That record, combined with the fact that 18 Member States had pledged that had not done so the previous year, demonstrated the continued commitment of Member States to the Agency's technical cooperation activities.

64. As the percentage of the target pledged was 7.9% lower than that pledged at the previous session, he urged all delegations that had not yet made pledges for 2016 to do so and to pay their full target shares at the earliest opportunity, so that the Secretariat could submit to the Technical Assistance and Cooperation Committee, meeting in November, a proposed technical cooperation programme and budget for 2016, based on the level of pledges received, and thereafter implement the programme without hindrance or uncertainty.

– Closing of the session

65. The PRESIDENT said that the 59th session of the General Conference had been well attended by high-level representatives of Member States, including one vice-president and 31 ministers. During the general debate, 130 speakers had taken the floor.

66. Ms WENINGER (Sri Lanka) congratulated the President on his stewardship of the General Conference and on continuing the good work begun in previous years with respect to time management, which had become an entrenched tenet of the deliberative proceedings and a best practice to be followed during future sessions.

67. The PRESIDENT said that it had been an honour and a privilege for him to serve as President of the General Conference at the 59th session. The proceedings had been inspired by a clear sense of responsibility and solidarity stemming from general acknowledgement of the Agency's central role, not only in building a safer and more secure world, but also in contributing to the achievement of the post-2015 sustainable development goals.

68. He thanked all delegates for their cooperation, which had led to the solution of a number of problems.

69. On behalf of the General Conference, he thanked the Director General and his staff — including the interpreters, the translators, the précis-writers, the members of the Conference Services Section, the members of the Secretariat of the Policy-Making Organs, the officers in charge of the speakers' list, the printers and the officers in charge of documents control and distribution.

70. On behalf of the General Conference, he thanked the Austrian authorities and the city of Vienna for their traditional hospitality during the week.

71. In accordance with Rule 48 of the Rules of Procedure of the General Conference, he invited the Conference to observe one minute of silence dedicated to prayer or meditation.

All present rose and stood in silence for one minute.

72. Mr WURTH (Luxembourg), speaking on behalf of the European Union, congratulated the President on having steered the 59th session of the General Conference so successfully.

73. Mr ESHRAGH JAHROMI (Islamic Republic of Iran), speaking on behalf of NAM, thanked the President for his diplomatic skills and professional leadership, which had guided the 59th session of the General Conference to a successful conclusion.

74. Mr LAGOS KOLLER (Chile), speaking on behalf of the Group of 77 and China, thanked the President for his excellent leadership, which had enabled the General Conference to conclude its proceedings in a successful and timely manner.

75. Mr SEOKOLO (South Africa), speaking on behalf of the African Group, commended the efficient manner in which the President had fulfilled his role and concluded the proceedings in record time.

76. Mr PÉREZ ALVÁN (Peru), speaking on behalf of GRULAC, congratulated the President on his excellent management of the proceedings and his efficient time management.

77. The PRESIDENT declared the 59th regular session of the General Conference closed.

The meeting rose at 5.30 p.m.