



STATEMENT OF THE G-77 AND CHINA BEFORE THE BOARD OF GOVERNORS MEETING, 17-18 MARCH 2003 DELIVERED BY H.E. AMBASSADOR ROBERTO ABDENUR, PERMANENT REPRESENTATIVE OF BRAZIL

Agenda Item 2(a): Nuclear Safety Review for 2002 (GOV/2003/6)

Madam Chairman,

The Group of 77 and China wishes to thank the Director General for his introductory statement in which he highlighted the main issues of the Agenda.

The Group of 77 and China would like to express its appreciation to the Secretariat for preparing document GOV/2003/6 that reports on worldwide efforts to strengthen nuclear, radiation and transport safety of radioactive waste management. The Group notes that the report includes an analytical overview, in response to requests of Member States.

The task of setting up international safety standards and providing for their application, as required by the Agency's Statute, is a major feature for which the Agency is known worldwide. The Group attaches great importance to this function and welcomes the attempts made by the Agency to broaden the participation of experts from countries which belong to the Group in the process of setting, reviewing and training for the application of safety standards.

On the other hand, the Group notes with concern the view of some States that "the broad consensus required for the establishment of international safety standards might compromise the levels of safety demanded by the standards" and lead to a "weakness" in the standards. This view is harmful to the multilateral nature of the Agency, where wide and equal representation and consensus-based recommendations should be encouraged. For these reasons, the Group requests the Secretariat to leave out the first part of the 4th paragraph, on page 1 of the Draft Safety Review for the Year 2002.

Due to the late issuance of the 3 reports that support this document, the G77 & China will present its comments in due time about the contents of Notes 3, 4 & 5 and the convenience of having four separate reports to have a comprehensive picture of nuclear safety and related activities and of events that occurred during the previous year.

Thank you Madam Chairman.

Agenda Item 2(b): Code of Conduct on the Safety of Research Reactors

Madam Chairman,

The Group of 77 and China wishes to thank the Director General for his introductory statement in which he highlighted the main issues of the Agenda.

With regard to agenda item 2(b), "Code of Conduct on the safety of research reactors", the Group would like to commend the Secretariat for preparing document GOV/2003/7 and wishes to present the following preliminary comments;

The Group recognizes the importance of the Secretariat's efforts to develop and implement, in conjunction with Member States, an international research reactor safety enhancement plan which includes a preparation of a Code of Conduct on the safety of research reactor. The Group is convinced that such efforts could promote an effective nuclear safety culture.

The Group would like to emphasize that the Code of Conduct should be of a non-binding and advisory nature and not a regulatory one. However, the Group has noticed with concern that the present formulation contains many binding obligations and conditions which go beyond its original intention. This may result in a situation where Member States will be reluctant to adopt and implement the Code of Conduct.

The Group wishes to clearly recall its position, which is also shared by other Member States, of concern over the legal context, which would make such codes binding. In this regard, the Group has indicated before the Board of Governors in 2001, that "it noted that the report of the working group itself concluded that after

examining several options, it recognizes that international legally binding agreements on the safety of nuclear research reactors would put an excessive burden on countries without necessarily improving safety."

Madame Chairman,

In relation to article VIII - 42(b), on the role of the IAEA, which stipulates that the Agency will "take into account the application of this Code when planning technical cooperation programs", the Group is of the view that this bullet should be waived, as such association will hamper the right of Member States to benefit from technical cooperation programs in line with INFCIRC/267 and as enshrined in the Agency Statute. The role of the Agency is to find an appropriate way to encourage the Member States to accept such codes and not to impose or propagate the use of a penalty mechanism. This is very similar to the well known "milestones II and I" in the model project for radiation protection, which are used to penalize Member States. The right of Member States to access technical cooperation programs should be preserved. In that context, the Group seeks more clarification on a number of issues, such as the basis for informing a State in the vicinity of a planned research reactor, the process of imports and exports of research reactors, and assessment and verification of safety.

Madam Chairman,

The Secretariat is requested to prepare a Code of Conduct in a manner that corresponds to concerns and demands of the majority of the Member States and based on moral obligations. The process of establishing such codes should be used to assist Member States to promote or propagate an effective nuclear safety culture for the safe design and management of research reactors (and any other nuclear facility for that matter). Otherwise it would be difficult for Member States, particularly developing ones, to implement such a code.

The Group also believes that the time allocated for the preparation of such an important code, with only two meetings, was insufficient to cover all Member States' concerns and expectations. We also think that the survey, which was really a desk review, is insufficient to define a clear picture of the status of research reactors worldwide, and hence makes it difficult for the Secretariat to come up with the expected recommendations. The Group is not in a position, at this stage, to adopt the Code of Conduct. The Group considers that more time is required for Member States to review the text and convey their comments and further suggestions to the Secretariat.

Thank you Madam Chairman.

Agenda item 3(a): Nuclear Technology Review Update 2003

Madam Chairman,

The Group of 77 and China would like to express its thanks to the Secretariat for preparing the report on the updated nuclear technology review of 2003.

The Group is of the view that the Nuclear Technology Review Update will impact on maintaining the pace of information between 2002 and the next review, expected to be released in 2004. The Group is pleased that important topics relevant to the interests of the developing Member States have been commented upon. Such information on the Agency's activities related directly to the socio-economic benefits for developing countries occupies high priority in the policy-making avenues of the Member States.

Madam Chairman,

The Group is pleased to learn about the healthy prospects of nuclear power in Asia, Africa and Latin America as judged by the progress achieved in various related activities during the year 2002, particularly the connection of six new nuclear power plants to the grid and the start of construction on seven other power plants. The positive moves in other parts of the world are also a welcome sign. The Group also draws encouraging inferences from the review's sections dealing with medium term projections as well as sustainable development and climate change, and hopes that with the spirit of partnership and cooperation, Member States and the Agency will be able to achieve higher goals in these areas.

Madam Chairman,

The Group of 77 and China has also learnt with interest about the ongoing activities in the world in certain nuclear technology areas by interested States such as resources and fuel, decommissioning, advanced designs, research reactors, waste from non-power applications and management of nuclear knowledge. The

Group feels that an enhanced consultative role by Member States is needed in the future to achieve solid and cost-effective results.

The two topics extensively covered as annexes in the present update, i.e., the international project on innovative nuclear reactors and fuel cycles (INPRO) and knowledge management have been greatly appreciated by the Group. This not only provides much needed detailed information, but also shows the importance of these topics for developing countries. Progress in these fields during the year 2002 has remained satisfactory. The Group of 77 and China expects that the recommendatory ideas being evolved in these two very important areas get an early chance to be transformed into reality. The Group recommends that future efforts should be focused on the implementation side of the studies, so that developing Member States could start reaping the benefits of these ideas.

Finally, the Group, while going through the contents of the update and noting with satisfaction a continued thrust in the advancement of nuclear science, technology and applications during the year 2003, strongly feels that such efforts have not carried adequately the components of TCDC and tangible transfer of technology. The Group hopes that in view of this inadequacy, as shown by the current update, the Agency and Member States will give a more serious consideration to the aforementioned requirements.

With these comments, Madam Chairman, the Group of 77 and China takes note of the draft Nuclear Technology Review-Update 2003, as contained in document GOV/2003/8.

Thank you Madam Chairman.

Agenda Item 3(b): Plan for producing potable water economically using small and medium sized nuclear reactors

Madam Chairman,

The Group of 77 and China would like to express its appreciation to the Secretariat for the updating report on the plan for producing potable water economically using small and medium sized nuclear reactors. The Group is fully aware of the importance of the topic, which is closely linked to the fundamental human requirement of a large population residing in the developing world. The international conference on nuclear desalination held in Marrakech in October 2002 came out with a conclusion that there was an ever-increasing shortage of fresh water in different corners of the world.

This assertion should be strong enough to redouble our efforts to combat the horrors associated with the scarcity of fresh water. The Group is pleased that the Agency and Member States have emphatically continued their efforts during the year 2002 to promote the programme of nuclear desalination throughout the world. In this regard the work of the International Nuclear Desalination Advisory Group (INDAG) is praiseworthy.

The Group would recommend that INDAG be further strengthened and its expertise utilized on a more frequent basis. The Agency's activities to promote nuclear desalination utilizing CRP's, TC projects and joint studies on technical and economic aspects involving feasibilities, designs and dedicated computer programming will definitely produce desirable outcomes. The Group would recommend that the Agency's software entitled Desalination Economic Evaluation Programme (DEEP) should be upgraded. More workshops and training courses should be arranged by the Agency in order to foster better understanding between the technology holders and the technology users so that nuclear desalination could emerge as a viable means of producing potable water safely and economically, particularly around the coastal zones of the developing countries. Agency's efforts to interact with other international organizations to promote the desalinations programme need to be further enhanced. Member States that are active in desalination programme should be involved more closely in the interactive plans of the Agency with potential international organizations.

Madam Chairman,

The importance of small and medium sized nuclear reactors for the developing countries, due to a variety of reasons given in the present progress report, is an indisputable fact. These reactors are ideally suited for the requirements of a large number of developing countries. As envisaged inter-alia in INPRO, the innovation needed for small and medium sized reactors from technology or economic point of view should engage the priority attention of the Agency.

The Group is pleased to note that the Agency has coordinated the development of nuclear reactor simulators

for use on personal computers which simulate response of a number of reactor types such as BWR's PWR's and Heavy Water reactors at operating and accident conditions. This is a good tool for knowledge enhancement and for training. The Group would recommend that more training be arranged for the scientists and engineers of the developing countries on this type of simulation technique. The Group would also recommend that more opportunities should be created by the Agency for the transfer of technology for coupling the desalination units with small and medium sized nuclear power plants. The Group of 77 and China would encourage the Agency to enhance its efforts to produce more quality publications in this important area. The progress report enlists only three publications during the year 2002.

With these general comments, Madam Chairman, the Group of 77 and China would be pleased to take note of the report of the Director General and request the Board of Governors to submit the report to the General Conference in its 47th session with the updated activities of the Secretariat undertaken in the intervening time.

Thank you Madam Chairman.

Agenda Item 4. Request by the Republic of Poland for assistance in securing enriched uranium for a research reactor.

The Group of 77 and China has carefully examined the request by the Republic of Poland for assistance in securing the transfer, from the Russian Federation, of special fissionable material required for the operation of a light water research reactor, and wishes to applaud this step as a transparency measure. The Group encourages all Member States to deal with these issues in the same spirit. In this regard the Group endorses the project as contained in document GOV/2003/17 and Corr1.

Thank you, Madam Chairman.