



**Permanent Mission of the Republic of
Poland
to the United Nations Office and
the International Organizations in Vienna**

Poland Statement
Board of Governors IAEA, 02.03.2022

**Agenda item 1: The safety, security and safeguards implications of the situation
in Ukraine**

Mr. Chair, Colleagues,

Russia, a permanent member of the United Nations Security Council, a member who should help ensure security, openly, unprovoked and unjustifiably invades its neighboring country, a sovereign and independent state, Ukraine, who has dared to have a right to decide upon itself.

For the last six days missiles have been launched, bombs have been falling, shelling continues. Aggression is malicious, aggression knows no limits, war knows no differentiation. Civilians, housing, schools, hospitals, infrastructure, critical infrastructure, nuclear sites. We witness all.

Russian president's decision to wage war and to put Russian strategic forces on high alert creates a security situation the world has not seen for decades.

Russian aggression against Ukraine violates the norms of international law, violates the UN Charter, the Helsinki Final Act, the Charter of Paris, the Budapest Memorandum, the NATO-Russia Founding Act and the Minsk Agreements.

This aggression contravenes also specific international nuclear safety and security law such as Protocol Additional I to Geneva Conventions, the Treaty on the Non-proliferation of Nuclear Weapons (NPT), and other relevant nuclear conventions (such as Convention on Nuclear Safety, Joint Convention on Safety in Spent Fuel Management and Safety in Radioactive Waste Management, Convention on the Physical Protection of Nuclear Material and its Amendment).

Russia attacked and seized control of the Chernobyl Nuclear Power Plant.

This attack, also from the territory of Belarus, is a violation of the Art. 56 of Protocol Additional I to the Geneva Conventions of 1977, which provisions prohibit any attack against nuclear power plant and other targets located on or near them.

The movement of the Russian heavy military equipment in the area of ChNPP, caused a multiple increase in the radiation dose rate in this area. People, Soldiers are staying there.

The seized control over the ChNPP prevents Ukraine from fulfilling its obligations regarding the safety of nuclear energy:

a)in the field of nuclear safety of nuclear power plants as defined in the Convention on Nuclear Safety of 1994.

b)in the field of the safety of radioactive waste and spent nuclear fuel as defined in the Joint Convention on Safety in Spent Fuel Management and Safety in Radioactive Waste Management, 1997.

c)in the field of physical protection of nuclear facilities and materials as defined in the Convention on Physical Protection of 1979 as amended by the 2005 Amendment.

d)in the scope of safeguards for nuclear materials as specified in the NPT, the Additional Protocol and in the agreement between Ukraine and the IAEA of 1998/2000.

Control takeover of the ChNPP by Russian forces calls into question the exercise of IAEA's powers, inter alia, as regards to nuclear material non-proliferation and safeguards for this facility.

Russia conducts military operations in the vicinity of other nuclear power plants operated in Ukraine (Khmelnytsky, Rivne, South Ukraine and Zaporizhzhia), which also violates Art. 56 of the Protocol Additional I to the Geneva Conventions.

We recall the IAEA General Conference decision, adopted in 2009, which states that “any armed attack on and threat against nuclear facilities devoted to peaceful purposes constitutes a violation of the principles of the United Nations Charter, international law and the Statute of the Agency”.

The situation is changing every day. Let me quote some reports of the Ukrainian services of yesterday:

Situation at Chernobyl NPP: There has been no change of operating personnel. The online resource of the Automated Radiation Monitoring System in the Exclusion Zone of the Chernobyl NPP is not yet available. Military vehicles of the Russian Federation are on the industrial site of the Chernobyl nuclear power plant. Physically, the personnel of the ChNPP Radiation Safety Department in the minimum shift composition, are not able to exercise radiation monitoring in full scope in accordance with the regulatory requirements at the: Chernobyl NPP units 1-3; Shelter; Interim Spent Nuclear Fuel Storage Facilities No. 1 and No. 2 (ISF-1 & ISF-2); Liquid and Solid Radwaste Storage Facilities. Moreover, failure/defect have been detected in the system important to safety - IARMS (the Integrated Automated Radiation Monitoring System of the Shelter, and due to seizures and isolation of the Chernobyl Nuclear Power Plant cannot be eliminated. The decontamination of the Shelter premises has not been performed in accordance with the regulations, which may lead to the spread of radioactive contamination outside the facility and into the environment.

According to the information from the State Specialized Enterprise "Radon", a transformer at the radioactive waste disposal site of the Kharkiv branch of the Radon Association was damaged as a result of artillery shelling. The power supply elements of the physical protection system and the automated radiation monitoring system are out of operation.

The repair work has been complicated due to active military operations in the surroundings of Kharkiv. In the Kyiv branch of the Radon Production Association, located within the city of Kyiv, it is possible to see and hear rockets and missiles exploding in the immediate vicinity of the radioactive waste storage facility. Operational personnel of the facility are taking shelter.

The Russian military forces operate currently in the direct vicinity of the Zaporozhe Nuclear Power Plant, and the Khmel'nitsky Nuclear Power Plant, with possible radiological implication for people and the environment not only in the region and in the vicinity but also in the region and in the world, if hit.

Mr. Chair, Colleagues,

There is no possibility to understand, just condemn.

And we condemn in the strongest possible terms this brutal act of aggression which directly undermines European and global security and stability.

There is no possibility to understand, just to call for the restoration of the situation.

It is important to ensure safety and security of all nuclear installations in Ukraine, and for Agency to implement its mandate in full in Ukraine in its internationally recognized borders.

This is the context of our request, submitted together with Canada for convening this special session.