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FOURTH REGULAR SESSION

OFFICIAL RECORD OF THE FORTY-FOURTH PLENARY MEETING

Held at the Neue Hofburg, Vienna,
on Friday, 30 September 1960, at 10.30 a.m.

President: Mr. NALJAKOV (Bulgaria)

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* GC(IV)/130.

The composition of delegations attending the session is given in document GC(IV)/INF/31/Rev.3.

RIGHT OF CUBA TO VOTE AT THE FOURTH REGULAR SESSION OF THE GENERAL CONFERENCE

1. Mr. LUJAN (Venezuela), speaking on a point of order, moved that the delegation of Cuba be permitted to vote at the fourth regular session although, as indicated in a note by the Director General^{1/}, the Cuban Government was in arrears with its payments to the Agency.

2. The PRESIDENT recalled that, in accordance with Rule 56 of the Rules of Procedure, the point of order had to be decided immediately.

3. As explained in the Director General's note, Cuba was in arrears with its financial contributions to the Agency and was therefore debarred under Article XIX.A of the Statute from voting in the Agency. The situation had not changed since the note was issued. However, the second sentence of that article provided that "The General Conference may, nevertheless, permit such a member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the member."

4. He would, therefore, put to the vote the Venezuelan motion that Cuba be authorized to vote at the fourth regular session of the General Conference.

5. The proposal was adopted by 27 votes to none, with 27 abstentions.

THE AGENCY'S RELATIONS WITH INTER-GOVERNMENTAL ORGANIZATIONS (GC(IV)/120, 121, 134, 135, 136/Rev.1, 141)

6. The PRESIDENT put to the vote the draft resolution on the proposed agreement for co-operation between the Agency and the European Nuclear Energy Agency of the Organisation for European Economic Co-operation (ENEA), submitted by the Administrative and Legal Committee (GC(IV)/135).

7. The draft resolution was adopted unanimously.

8. Mr. WEINSTEIN (Observer for the European Nuclear Energy Agency of the Organisation for European Economic Co-operation), speaking at the invitation of the President, thanked the General Conference on behalf of his organization for adopting the co-operation agreement. The fundamental aim of ENEA was the production and peaceful use of nuclear energy and it was therefore appropriate that it should collaborate with the Agency. Its members belonged to a geographic region which contained many countries highly advanced in atomic technology, and

^{1/} GC(IV)/126, Annex A.

it had accordingly to deal with special regional aspects of technical co-operation, health and safety, third-party liability and other problems. The two organizations had already developed informal relations to their mutual benefit. The co-operation agreement would help them to carry that co-operation still further.

9. The PRESIDENT put to the vote the draft resolution on the proposed agreement for co-operation between the Agency and the Inter-American Nuclear Energy Commission of the Organization of American States (IANEC), submitted by the Administrative and Legal Committee (GC(IV)/141).

10. The draft resolution was adopted unanimously.

11. Mr. CUNHA (Observer for the Inter-American Nuclear Energy Commission of the Organization of American States), speaking at the invitation of the President, expressed IANEC's appreciation of the action just taken by the Conference. IANEC had been established to foster co-operation among its own members, and its work could now be greatly extended.

12. The PRESIDENT invited the General Conference to vote on the draft resolution on the representation of inter-governmental organizations at the fifth regular session, submitted by the Administrative and Legal Committee (GC(IV)/136/Rev.1).

13. The draft resolution was adopted unanimously.

AGENCY SAFEGUARDS (GC(IV)/108/Rev.1, 142)

14. The PRESIDENT invited the General Conference to consider the Administrative and Legal Committee's report (GC(IV)/142), which included a draft resolution on Agency safeguards.

15. Mr. BHABHA (India) said the draft resolution was unsatisfactory in many ways. The introductory part and paragraph 1 of the operative part merely "took note" without deciding anything. On paragraph 2, a 5-Power draft resolution^{2/} had been submitted but not voted upon; in terms of numbers, however, the countries which had supported it represented a substantial proportion of the population of the world.

16. The proposed system of safeguards was non-discriminatory in form but would be very discriminatory in practice. His delegation wished particularly to underline the view that safeguards should be applied to source and fissionable materials only, not to equipment.

^{2/} GC(IV)/COM.2/27.

17. The safeguards problem must be viewed as a whole. To adopt the proposed principles and procedures (GC(IV)/108/Rev.1) at the present time would have the effect of widening the gap between the developed and the less-developed countries. If the Conference decided to refer the safeguards system to the Board for the latter's guidance, it would be only logical to ask the Board to take account also of the 5-Power draft resolution to which he had referred.

18. Mr. EMELYANOV (Union of Soviet Socialist Republics) said that the 15-Power draft resolution^{3/} submitted by the United States and its allies in various military-political blocs had been approved by a majority of the Administrative and Legal Committee^{4/}.

19. As the United Arab Republic delegate had pointed out in the Committee, the sponsors of the draft resolution had been unwilling to make any compromise on safeguards with the countries of Asia and Africa which had submitted the 5-Power draft resolution. By using procedural machinery they had even prevented the Afro-Asian draft resolution from being voted upon, although it would seem important to know how many countries were in favor of it. That attitude reflected the position of those States which, disposing of a majority of votes, thought they need take no account of the opinion of the minority, even though that minority in fact represented most of mankind.

20. His delegation considered, as a matter of principle, that it was improper for the Conference to invite the Board to give effect to the proposed safeguards system, even with the reservation that in so doing the Board should take due account of the points of view expressed during the Conference. Rules relating to control and inspection - since their application affected the sovereign rights of States - should first be approved by the Conference, as were other important documents.

21. It was particularly worthy of note that the countries which had voted in favor of the 15-Power draft resolution were mainly countries which had bilateral agreements with the United States. Did not that show that those countries desired to free themselves as speedily as possible from the American control provided for in such agreements, despite the praise they had lavished on them? The Soviet Union also had bilateral agreements, and not with socialist countries only. It was not by chance that not a single one of those countries

^{3/} GC(IV)/COM.2/22.

^{4/} GC(IV)/COM.2/OR.22, paragraph 50.

had expressed the intention of transferring its agreement with the Soviet Union to Agency control: it was because the Soviet Union did not impose the burden of control on countries which co-operated with it. Countries which had agreements with the United States, on the other hand, were seeking ways to throw off one yoke and to assume another which they thought would be easier to bear.

22. Under one of the Soviet bilateral agreements, an atomic reactor for research and radioisotope production was being built in the United Arab Republic. There were similar agreements with Iraq and Indonesia. No one who had any acquaintance with such reactors could suggest they represented a danger to peace. Why then was it necessary to place them under control? Only the day before another reactor, using highly-enriched uranium, had gone into operation in neutral Austria. If the proposed control system were put into effect, Agency inspectors would have to be dispatched to that reactor every two months to check whether the uranium was in the reactor or whether it was being used for the manufacture of nuclear weapons. By the very fact of being subjected to control, a neutral country was thus placed in a humiliating position - placed under controls established by States which were producers of atomic weapons. A more absurd situation would be difficult to imagine.

23. Scientists always welcomed new possibilities for scientific research, and when the scientists at the European Organization for Nuclear Research (CERN) in Geneva had put their new accelerator into operation he had sent them sincere congratulations. But he would not be at all happy if research reactors which were to be constructed came under control. Strict control did not create the conditions for creative scientific work; it placed great and unnecessary obstacles in the way of such work.

24. During the general debate, the United States delegate had stated that his country proposed to place its bilateral agreements under Agency control.^{5/} That was nothing but an attempt to shift the most unpleasant functions - those of control - onto an international organization, or rather to continue to exercise the same control but under the flag of an international organization.

25. That explained why only the military allies of the United States had come forward in defense of control. None of the supporters of the safeguards system proposed by the Board had been able to put forward a single argument in favor of control. They had put forward purely political considerations, defending the proposal as supporters of their ally in the aggressive bloc.

26. It had been asserted that the adoption of Agency safeguards would have a beneficial psychological effect. It would certainly have a psychological effect, but of what kind? The establishment of safeguards, while certain countries were still producing nuclear weapons, would lull the vigilance of the peoples of the world and make them less active in the struggle to have nuclear weapons banned while, for very naive and credulous people, the illusion would be created that the first step had been taken towards disarmament. Much had been said about that "first step". In fact, however, it could be stated with a full sense of responsibility that not even the smallest step had been taken towards solving the problem of disarmament.

27. Who were the opponents of the proposed safeguards system? - the neutral countries of Asia and Africa. Even small European countries such as Austria, Sweden and Switzerland evidently did not fully approve the proposed principles and procedures and had submitted a joint amendment^{6/}. Controls and safeguards applied to the peaceful uses of atomic energy would lead to a division of the world into controlling countries, which would act under the screen of the Agency, and countries subject to control.

28. The Soviet delegation continued to believe it would be premature to establish safeguards in respect of Agency assistance as long as nuclear weapons were not banned, the more so as that assistance constituted no threat to peace either by its extent or the amount of uranium²³⁵ in the fissionable materials supplied.

29. For those reasons, the Soviet delegation could not, and would not, vote for the draft resolution submitted by the Administrative and Legal Committee.

30. Mr. WERSHOF (Canada) made the following statements:^{7/}

- (a) "As the representative of a Government which has firmly and consistently supported the safeguards proposals developed by the Board of Governors and set out in document GC(IV)/108/Rev.1, I do not intend here to repeat at length the arguments which, to the best

^{6/} GC(IV)/COM.2/26.

^{7/} This statement is reproduced verbatim at the speaker's request under Rule 92(b) of the Rules of Procedure.

of my ability, I presented to the Administrative and Legal Committee. I would merely express the earnest hope that the General Conference will endorse the action taken by that Committee and will adopt the draft resolution now set out in document GC(IV)/142. When this resolution is adopted, the Board of Governors will be required to take into account the various views expressed at this Conference before giving effect to the principles and procedures for the attachment and application of safeguards.

- (b) "Some delegations in the Administrative and Legal Committee urged that there was no need for what they chose to call "undue haste" in this matter, that still more months should be devoted to developing a set of principles and procedures by which the plain requirement of the Statute should be carried out. The Canadian delegation does not see the matter in that light, Mr. President. We believe that the proposals prepared by the Board will enable the Agency adequately and efficiently to fulfil the obligation imposed by the Statute to apply safeguards to Agency-assisted projects.
- (c) "We further hope and believe that the implementation of these safeguards proposals by the Agency will encourage Member States to maintain or assume safeguards obligations in their bilateral transactions. As the Conference knows, the Canadian Government has, since the signing of the Agency's Statute, insisted upon the inclusion of a safeguards clause in its bilateral agreements and has looked forward to the time when the Agency would be able to take over the administration of these safeguards. As I pointed out in my speech in the Administrative and Legal Committee, Mr. President, it has not always been easy for Canada to maintain this stand, and it would have to be reconsidered if other suppliers should fail to follow a similar course.
- (d) "As for the speech by the distinguished delegate of India, I would merely say once again that the Canadian Government is convinced that the fears and worries which he has regarding safeguards are simply not correct, although we realize that he holds these opinions sincerely. If we thought for one moment that the application of safeguards would have the bad consequences for any country, and especially for under-developed countries, which he fears, we would not be in favour of them. The Canadian Government is absolutely convinced that in practice nothing is going to happen that will do the slightest harm to any Member of this Agency, and that on the contrary benefits are going to flow to all the countries belonging to this Agency, including, and especially including, the under-developed countries.
- (c) "With regard to the eloquent speech by the distinguished delegate of the Soviet Union, it is a great temptation to me, because I am afraid I like making speeches, to answer all the points he has made, but I will resist that temptation. The distinguished representative of the Soviet Union, in addition to being one of the most eminent atomic scientists in the world and a member of the Board whom all of us have grown to admire, is also a very fine orator. But this particular speech I have now heard, I would say, at least ten times, beginning with the Conference on the

Statute in New York in 1956. The Canadian Government disagrees with each and every point which he has made in all of those ten speeches, including the one we have heard this morning. I would only say again, as I said in the Administrative and Legal Committee, that even though the distinguished delegate of the Soviet Union usually starts by saying the Soviet Union is in favour of safeguards because it signed the Statute, actually every argument that he makes, and that he made this morning, is an argument for not having signed the Statute, and for deleting all the safeguards provisions. The countries represented here, which I think are most of the countries who believe that the Statute should be carried out, cannot in my opinion accept at this stage any of the arguments advanced by the distinguished delegate of the Soviet Union.

- (f) "Mr. President, the Canadian delegation strongly urges that the General Conference should adopt the draft resolution set out in document GC(IV)/142, and by so doing make its contribution to the achievement of the objectives of the Agency, as set out in Article II of the Statute."

31. Mr. MICHAELS (United Kingdom) said he had not intended to repeat his Government's views on safeguards, but felt bound to reply to the tendentious and misleading remarks made by the delegates of India and the Soviet Union. The difficulties encountered in trying to reach a compromise on safeguards during the past two years had not been due to any lack of goodwill on the part of the United Kingdom, which had not sought in any way to impose a system of controls without the agreement of the countries likely to be subject to it. The criticisms put forward by the Soviet Union delegation had been largely met in the Board's proposals, which, representing a compromise solution, were, for good reason, not free of inconsistencies. The Board's proposals represented a synthesis of what was practical and politically feasible and could not be used to establish what had been described as stringent controls.

32. The Indian objections to the form of the draft resolution submitted by the Administrative and Legal Committee were difficult to understand. The wording of paragraphs (d) and (e) of the preamble would ensure the widest possible flexibility. The text used could not bear out the imputation that the real intention was to impose control without the consent of the countries asking for assistance. In any event these countries would be able to express their views in the course of negotiations with the Agency.

33. The most cursory perusal of the principles and procedures would show that there was no justification whatsoever for the assertion that control in regard to research reactors would be onerous for the scientists working there, since in effect they would be required to do nothing more than maintain records - which would be necessary in any case - and to report periodically to the Agency.

34. It was instructive to examine the voting on the draft resolution in the Committee. In the first place, the affirmative votes had been well in excess of a two-thirds majority and had been cast by countries from every region of the world, including the majority of less-developed countries. The five countries which had abstained from the vote all belonged to the less-advanced country group, and might have been expected to vote against the draft resolution had they been convinced by the arguments of its opponents. Of the fourteen countries which had voted against the draft resolution, only five or six might be regarded as less-developed. There was therefore no foundation for the claim that the Board's proposals represented an attempt to impose the views of Member States of the North Atlantic Treaty Organization. The voting in the Committee provided the best answer to the suggestion that the less-developed countries had found the draft resolution unacceptable.

35. He had indicated in the Committee that approval of the Board's proposals was only a step on the road to controlled disarmament.^{8/} Without wishing to exaggerate the importance of that step, he emphasized that it would be only consistent for delegations genuinely interested in securing peace and controlled disarmament to support the draft resolution which, he hoped, would obtain an even greater majority in the plenary meeting.

36. Mr. PETRZELKA (Czechoslovakia) regretted that, owing to the intervention of the United States, the 5-Power draft resolution submitted in the Committee had not even been put to the vote. That seemed to indicate that the Board would be subjected to strong pressure to resist any changes in the principles and procedures it had proposed. Had the invitation in paragraph 2 of the draft resolution contained in the Committee's report been sincerely meant, the United States would not have opposed a vote being taken on the 5-Power draft resolution, which expressed a different point of view to its own. In fact paragraph 1 of the Committee's draft resolution seemed to imply that the General Conference should not discuss the principles and procedures at all.

37. The less-developed countries would never be able to accept a "system" of safeguards: a concept which did not appear in the Statute. The Board was furthering the interests of the atomically more advanced countries, and for the first time decisions on a major issue were to be taken by the Board without reference to the Conference. That was particularly dangerous when the

^{8/} GC(IV)/COM.2/OR.20, paragraph 26.

Board's proposals offered no complete solution of the problem of inspection and left the whole matter to the discretion of the Director General. The exercise of such discretion would be wholly incompatible with the principle of State sovereignty. By adopting the Committee's draft resolution, the Conference would be assuming a heavy responsibility, with grave consequences for less-developed countries which might not be fully aware of the implications of the Board's proposals as far as inspection was concerned.

38. The assurance that there was nothing to fear, because under paragraph 5 of the draft resolution the Board was required to report on its review of the principles and procedures after two years, carried little weight, seeing that the review was to be carried out by the Board itself. It was more usual to entrust that type of review to some other, independent body. Clearly no real revision of the principles and procedures was likely to be made - which meant that the Conference was now being asked to approve principles and procedures that were likely to become definitive. The Conference would thus be relinquishing its right to examine the whole matter in the future without even having had an opportunity of doing so at the present stage. That was likely to lead to discrimination against less-advanced countries which would be subjected to stricter control, more extensive inspection and greater interference in their internal affairs than the more advanced countries: a gross abuse of the Agency's functions and one inspired by purely political considerations.

39. His delegation would have been willing to support the 5-Power draft resolution had it been given an opportunity of doing so, and would vote against the resolution submitted by the Committee.

40. Mr. FOSTER (United States of America) whole-heartedly associated himself with the remarks made by the delegates of Canada and the United Kingdom. He did not propose to discuss the arguments put forward by the opponents of the Committee's draft resolution which had been repeated on many occasions. The Conference could be confident, however, that the Board was receptive to new ideas and would give the most careful consideration to all the views expressed during the present discussion. He felt certain that he spoke also for the other delegations which had joined his own in submitting the draft resolution. A start must be made to develop safeguards and he warmly commended the Committee's draft resolution for adoption.

41. Mr. BORISEVICH (Byelorussian Soviet Socialist Republic) recalled his delegation's attitude in the Committee to the safeguards document^{9/}. The proposed system of safeguards was not in accordance with the spirit and letter of the Statute, and tended to affront the dignity and honor of countries receiving assistance from the Agency and to infringe their sovereignty. The proposed principles and procedures were imperfect - as was recognized even by the authors of the draft resolution, paragraph 2 of which invited the Board, before giving effect to the document, to take into account the views expressed in the General Conference. Thus, a vitally important document would in its definitive form be elaborated by the Board without subsequent approval by the Conference, which was a higher organ of the Agency. But the Board, as had been pointed out by a number of delegations, was composed in the main of the providers and not the recipients, the controllers and not the controlled. Such an approach was neither logical nor democratic. For that and other reasons which had been indicated earlier, his delegation rejected the 15-Power draft resolution; a document as important as the safeguards document could and must be approved by the General Conference itself, after all the points of view expressed there had been taken into consideration.

42. The delegates of Canada, the United Kingdom and the United States had endeavored to disguise the wolf in sheep's clothing, but their efforts had been in vain. Many delegations, including those of most of the less-developed countries, had convincingly shown that the proposed safeguards system was discriminatory and that it was directed in the main against the less-developed countries. However, the United States and its partners in military and political blocs had chosen to ignore the opinion of most of the countries which were recipients of Agency assistance, and had not even allowed the Committee to vote on the 5-Power draft resolution. While professing willingness to collaborate by taking into consideration all opinions expressed on a very important Agency activity, they were in fact endeavoring to impose a system which was not acceptable to many countries. For those reasons, the Byelorussian delegation would vote against the draft resolution.

43. The PRESIDENT put to the vote the draft resolution on Agency safeguards set out in the report of the Administrative and Legal Committee (GC(IV)/142):

^{9/} GC(IV)/COM.2/OR.19, paragraphs 72 - 78.

44. At the request of Mr. Michaels (United Kingdom), a roll-call vote was taken. Sudan, having been drawn by lot by the President, was called upon to vote first.

The result of the vote was as follows:

In favor: Sweden, Switzerland, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Viet-Nam, Argentina, Australia, Austria, Belgium, Brazil, Canada, Chile, China, Denmark, El Salvador, Finland, France, Federal Republic of Germany, Greece, Guatemala, Holy See, Honduras, Iceland, Iran, Israel, Italy, Japan, Republic of Korea, Mexico, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Peru, Philippines, Portugal, Spain.

Against: Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Yugoslavia, Afghanistan, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Ceylon, Cuba, Czechoslovak Socialist Republic, Ghana, Hungary, India, Indonesia, Iraq, Morocco, Poland, Romania.

Abstaining: Tunisia, Ethiopia.

45. The draft resolution was adopted by 43 votes to 19, with 2 abstentions.

46. Mr. BAUM (Yugoslavia) said, with reference to the remarks of the United Kingdom delegate, that his delegation had explained quite clearly in the Committee the reasons for which it had abstained during the Committee's vote on the 15-Power draft resolution^{10/}. It had done so in a spirit of conciliation. However, it could not support that draft resolution, although it did contain a number of acceptable elements. His delegation would have voted for the 5-Power draft resolution in the Committee had it been put to the vote.

47. Mr. DIAH (Indonesia) recalled that his delegation had also abstained in the vote on the 15-Power draft resolution in the Committee. It was not opposed to safeguards in principle, but could not support the draft resolution. As there had been some misunderstanding of the Indonesian position, he had now voted against the draft resolution.

48. Mr. HASANI (Iraq) said that, expecting the 5-Power draft resolution to be put to the vote, his delegation had abstained in the vote on the 15-Power draft resolution in the Committee. As the 5-Power draft resolution had not been put to the vote, his delegation had now felt obliged to vote against the Committee's draft resolution.

THE AGENCY'S PROGRAMME, BUDGET AND WORKING CAPITAL FUND FOR 1961 (GC(IV)/143)

49. Mr. NOWACKI (Poland), Rapporteur of the Programme, Technical and Budget Committee, introduced its report (GC(IV)/143). The Committee recommended for adoption the draft resolutions set out in the seven Annexes to the report.

50. Mr. WERSHOF (Canada) said his delegation would abstain if a vote were taken on the draft resolution contained in Annex IV, as it believed the Conference should not prejudge the question of establishing an international center for theoretical physics.

51. The PRESIDENT put to the vote the draft resolutions contained in Annex I of the Committee's report.

52. Part I of draft resolution A was adopted by 46 votes to 7.

53. Part II of draft resolution A was adopted by 52 votes to none.

54. Draft resolution A ("Budgetary appropriations for the financial year 1961") as a whole was adopted by 54 votes to none.

55. Draft resolution B ("Use of the Working Capital Fund in 1961") was adopted by 56 votes to none.

56. Mr. LESZCZYNSKI (Poland) said his affirmative vote did not imply approval of the increases in the regular budget. His delegation believed the Agency's activities could be expanded without increasing administrative expenditure.

57. The draft resolutions set out in Annexes II to VII of the Committee's report (Transport of radioactive materials; The sale of the Agency's scientific publications in the local currencies of Member States; The establishment of an international center for theoretical physics; Consultation of the Scientific Advisory Committee by the Board of Governors; Exchange of scientific abstracts; Preparation and distribution of radiation and neutron standards) were adopted.

VOLUNTARY CONTRIBUTIONS TO THE GENERAL FUND IN 1961 (GC(IV)/140)

58. The PRESIDENT announced that he had been informed that the delegate of Venezuela had been authorized by his Government to pledge a voluntary contribution of \$8 200 to the General Fund for 1961. That would bring the total pledges to date to \$999 704.

59. He invited the Conference to vote on the draft resolution set out in the report of the Committee for Pledges of Voluntary Contributions to the General Fund (GC(IV)/140).

60. The draft resolution on voluntary contributions to the General Fund in 1961 was unanimously adopted.

THE USE OF FUNDS PROVIDED TO DEFRAY THE AGENCY'S ADMINISTRATIVE AND OPERATIONAL SERVICES COSTS IN 1960 UNDER THE UNITED NATIONS EXPANDED PROGRAMME OF TECHNICAL ASSISTANCE (GC(IV)/132)

61. The PRESIDENT invited the Conference to vote on the draft resolution set out in the report of the Programme, Technical and Budget Committee (GC(IV)/132).

62. The draft resolution on administrative and operational services costs under the United Nations Expanded Programme of Technical Assistance was adopted by 40 votes to 4, with 8 abstentions.

SCALE OF MEMBERS' CONTRIBUTIONS FOR 1961 (GC(IV)/124, 145)

63. The PRESIDENT invited the Conference to vote on the draft resolution set out in the report of the Programme, Technical and Budget Committee (GC(IV)/145).

64. The draft resolution on the scale of Members' contributions for 1961 was adopted by 54 votes to none.

The meeting rose at 1 p.m.