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General Conference

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Agenda item 18
(GC(XIII)/418)

REVIEW OF ARTICLE VI OF THE STATUTE

Report of the Administrative and Legal Committee

Rapporteur: Mr. P. TAÇAR (Turkey)

1. At its forty-ninth and fiftieth meetings on 26 September 1969 the Committee considered item 18 of the agenda - Review of Article VI of the Statute. It had before it draft resolutions submitted by the United States of America and by the Democratic republic of the Congo^{1/}, and an amendment by Nigeria^{2/} to the United States draft resolution.
2. In the course of the discussion the Democratic Republic of the Congo withdrew its draft resolution, replacing it by an amendment^{3/} to the United States draft resolution; amendments to that draft were also submitted by the Philippines^{4/} and Spain^{5/}.
3. Numerous delegations stressed the urgency of action by the Board of Governors, so as to enable the General Conference to approve an amendment to Article VI of the Statute at its next regular session. It was also recognized that a certain element of flexibility was desirable in formulating the request to that effect that the Conference might make to the Board. After a thorough exchange of views which established that there was no essential difference in the substance of any of the proposals before the Committee, all the amendments were withdrawn by their sponsors in order to enable the Committee to reach a consensus.

^{1/} GC(XIII)/COM.2/43 and GC(XIII)/COM.2/44 respectively.

^{2/} GC(XIII)/COM.2/45.

^{3/} GC(XIII)/COM.2/46.

^{4/} GC(XIII)/COM.2/47.

^{5/} GC(XIII)/COM.2/48.

4. At the conclusion of its deliberations the Committee agreed to recommend the United States draft resolution for adoption by the Conference. The text is accordingly reproduced in the Annex hereto. It was the Committee's understanding that the "relevant records and documents of the Conference" referred to in paragraph 2 of the draft resolution would include the relevant parts of statements made in the course of the general debate.

A N N E X

REVIEW OF ARTICLE VI OF THE STATUTE

The General Conference,

(a) Recalling Resolution GC(XII)/RES/241 whereby it requested the Board of Governors to undertake a review of Article VI of the Statute, which lays down the Board's composition,

(b) Having received and examined the Board's reports on the efforts it has undertaken thus far to carry out that review^{1/},

(c) Noting that the Board has established an Ad Hoc Committee to assist in the review and that all Members of the Agency are afforded an opportunity to be represented at the Committee's meetings, and

(d) Noting also that the Committee has so far met from 15 to 17 April, on 3 and 4 June and on 19 September 1969, that over 50 Members of the Agency have participated in its discussions, that several proposals have been discussed, and that certain areas of consensus have emerged^{2/},

1. Commends the intention of the Board of Governors to continue the study of Article VI of the Statute as an urgent matter;
2. Requests the Board to take into account the views expressed at the thirteenth regular session of the General Conference, and, for this purpose, transmits to the Board the relevant records and documents of the Conference; and
3. Requests the Board to make every effort to present a draft amendment in sufficient time to permit its consideration by the General Conference at its fourteenth regular session, in pursuance of Article XVIII.C(i) of the Statute.

^{1/} GC(XIII)/408 and GC(XIII)/415.

^{2/} GOV/COM.20/2; 3 and Add.1; 4; 5; 7; 8 and 10.
GOV/COM.20/OR.1-7.

