



GC

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TWENTY-SECOND REGULAR SESSION: 18-22 SEPTEMBER 1978

GENERAL COMMITTEE

RECORD OF THE THIRTIETH MEETING

Held at the Neue Hofburg, Vienna,
on Thursday, 21 September 1978, at 5.5 p.m.

CONTENTS

<u>Item of the agenda**</u>		<u>Paragraphs</u>
-	Adoption of the agenda for the meeting	1
10	Examination of delegates' credentials	2 - 18

*/ A provisional version of this document was issued on 27 September 1978.

**/ GC(XXII)/605.

ATTENDANCE AT THE MEETING*

Chairman

Mr. MALU wa KALENGA (Zaire), President of the General Conference

Members

Mr. BENNINI (Algeria), Vice-President of the General Conference
Mr. GEORGE (Australia), Vice-President of the General Conference
Mr. GOOCH, representing Mr. CARTER (Canada), Vice-President of the General Conference
Mr. OTÁLORA RAMOS (Colombia), Vice-President of the General Conference
Mr. AL-KITAL, representing Mr. AL-MASHAT (Iraq), Vice-President of the General Conference
Mr. NAKAMURA, representing Mr. KATORI (Japan), Vice-President of the General Conference
Mr. FELICKI (Poland), Vice-President of the General Conference
Mr. CROMARTIE, representing Sir John HILL (United Kingdom of Great Britain and Northern Ireland), Vice-President of the General Conference
Mr. GILLON (Belgium), Chairman of the Committee of the Whole
Mr. ZELLE, representing Mr. HAUNSCHILD (Federal Republic of Germany), Additional Member
Mr. RÖHNSCH, representing Mr. SITZLACK (German Democratic Republic), Additional Member
Mr. RATHORE, representing Mr. SETHNA (India), Additional Member
Mr. MCGILCHRIST (Jamaica), Additional Member
Mr. EROFEEV, representing Mr. MOROZOV (Union of Soviet Socialist Republics), Additional Member
Miss JILLSON, representing Mr. MYERS (United States of America), Additional Member

Secretariat

Mr. EDWARDS, Director, Legal Division
Mr. LE GUELTE, Secretary of the Committee

*/ The composition of the General Committee at the twenty-second regular session will be found in document GC(XXII)/INF/179/Rev.2.

ADOPTION OF THE AGENDA FOR THE MEETING (GC(XXII)/GEN/53)

1. The agenda proposed for the meeting (GC(XXII)/GEN/53) was adopted.

EXAMINATION OF DELEGATES' CREDENTIALS

2. The CHAIRMAN informed the Committee that, according to information provided by the Secretariat, the Director General had received for the delegates of 80 Member States credentials which, in his opinion, complied with the provisions of Rule 27 of the Rules of Procedure of the General Conference. The Secretariat had also received a number of official communications - letters, telegrams and so on - relating to the status of the delegates of 10 Member States; none of those communications, however, constituted credentials complying with the provisions of Rule 27.

3. Mr. BENNINI (Algeria), speaking on behalf of the African Group, said that the policy of South Africa had been repeatedly condemned by the General Conference at its various sessions. Since the situation had not changed, the Algerian delegation could not accept the South African delegation's credentials and urged the Committee not to recognize them. The question was not simply a technical one; it was timely and appropriate to record the extent to which Member States upheld the principles set forth in the Agency's Statute. South Africa's policy contravened the provisions of Article IV.B of the Statute, which stated inter alia that States must act in accordance with the purposes and principles of the Charter of the United Nations. The Algerian delegation likewise refused to recognize the credentials of the delegates of Chile and South Korea.

4. Mr. MCGILCHRIST (Jamaica) associated himself with the African Group countries in condemning South Africa's policy of apartheid and refusing to recognize the credentials of that country's delegation. Jamaica had constantly denounced South Africa's policy, which constituted a crime against humanity.

5. Mr. AL-KITAL (Iraq) said that he wholeheartedly supported the Algerian and Jamaican delegates' observations regarding South Africa and he urged the Committee to reject the credentials of the South African delegation.

6. Mr. RATHORE (India) associated himself with the observations of the representatives of Algeria, Jamaica and Iraq concerning the credentials of the South African delegation.

7. Mr. RÖHNSCH (German Democratic Republic), Mr. EROFEEV (Union of Soviet Socialist Republics) and Mr. FELICKI (Poland) said that they too could not accept the South African delegation's credentials, nor those of the Chilean and South Korean delegations.

8. Miss JILLSON (United States of America) recalled that her Government had on many occasions condemned the practice of apartheid, and shared the view of those delegations which reproved that policy. However, she considered that it was not up to the General Committee to pass judgement on the political systems of the Agency's Member States; the Committee's task was simply to report to the General Conference on whether the credentials submitted by the Governments of Member States complied with the provisions of Rule 27 of the Rules of Procedure.

9. Mr. CROMARTIE (United Kingdom), Mr. ZELLE (Federal Republic of Germany), Mr. GEORGE (Australia), Mr. GOOCH (Canada), Mr. NAKAMURA (Japan) and Mr. OTALORA RAMOS (Colombia) fully endorsed the view expressed by the United States delegation.

10. The CHAIRMAN said that the Committee would understand what views he, as the representative of an African country, held in the matter of apartheid, but he felt that his office prevented him from expressing them. He suggested that the Committee follow established practice and submit to the General Conference a report similar in form and substance to those of previous years. The report would state that the General Committee had met in order to examine delegates' credentials pursuant to Rule 27 of the Rules of Procedure, would record the views expressed during the discussions and would contain a list of Member States which had submitted credentials complying with the requirements of Rule 27 as well as a list of those whose credentials had failed to do so.

11. Mr. EROFEEV (Union of Soviet Socialist Republics) noted that seven delegations had spoken in favour of accepting South Africa's credentials and seven others against doing so; he thought that the Chairman should voice his views on the matter, so as to provide a majority on one side or the other and enable a report to be prepared accordingly.

12. Mr. GILLON (Chairman of the Committee of the Whole) said that objectively there was no doubt that the credentials submitted by South Africa were acceptable, since they complied with the provisions of the Rules of Procedure.

13. The CHAIRMAN considered that the Rules of Procedure expressly ruled out his participation in the substance of any discussion.

14. Mr. EROFEEV (Union of Soviet Socialist Republics) wished to know on what Rule the Chairman based his view.

15. Mr. EDWARDS (Director, Legal Division) referred the delegate of the Soviet Union to Rule 51 of the Rules of Procedure, according to which "the presiding officer shall not vote", and to Rule 82, which provided that, as far as was appropriate, the Rules governing the conduct of business at plenary meetings of the General Conference should likewise govern the conduct of business in committees and other subsidiary bodies of the Conference. Thus, Rule 51 applied in that way to the business of the General Committee. Throughout the Agency's existence, the question whether the Chairman could adopt a position of substance on any matter had arisen only in 1961; and on the occasion in question the Chairman had not taken part in the vote.

16. Mr. EROFEEV (Union of Soviet Socialist Republics) noted that Rule 82 was fairly flexible in that it used the wording "as far as is appropriate". However, the Soviet delegation would accept the Chairman's decision.

17. The CHAIRMAN deemed it in the interests of the General Committee's work not to prolong discussion on a procedural matter. He thought it better for him to abstain from speaking on the substance of the question. That being so, he took it that the Board would accept his earlier suggestion concerning the preparation of the Committee's report to the General Conference.

18. It was so decided.

The meeting rose at 5.45 p.m.

