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# GENERAL CONFERENCE

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## REVISION OF ARTICLE VI OF THE STATUTE AS A WHOLE

### Note by the Secretariat

1. On 25 June 1985 the Director General communicated to all Members of the Agency, pursuant to Article XVIII.A of the Statute, certified copies of the text of an amendment to Article VI of the Statute proposed by Spain.
2. The proposed amendment is reproduced in Annex I of this document. Annex II contains an explanatory memorandum submitted by Spain.
3. An item entitled "Revision of Article VI of the Statute as a whole" is being placed on the agenda for the meetings of the Board of Governors starting on 19 September 1985. Any observations that may result from discussions in the Board will be transmitted to the General Conference, pursuant to Article XVIII.C. (i) of the Statute, in an addendum to the present document.

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A N N E X I

AMENDMENT TO ARTICLE VI OF THE STATUTE  
PROPOSED BY SPAIN

Replace paragraph A of Article VI by the following:

"A. The Board of Governors shall be composed as follows:

1. The outgoing Board of Governors shall designate for membership on the Board twenty members from among the most advanced in the technology of atomic energy including the production of source materials, so that the Board shall at all times include in this category two representatives of the area of North America, two representatives of the area of Latin America, seven representatives of the area of Western Europe, two representatives of the area of Eastern Europe, two representatives of the area of Africa, two representatives of the area of the Middle East and South Asia, one representative of the area of South East Asia and the Pacific, and two representatives of the area of the Far East.

2. The General Conference shall elect to membership of the Board of Governors:

(a) Twenty-three members, with due regard to equitable representation on the Board as a whole of the members in the areas mentioned in sub-paragraph A.1 of this article, so that the Board shall at all times include in this category five representatives of the area of Latin America, four representatives of the area of Western Europe, three representatives of the area of Eastern Europe, six representatives of the area of Africa, three

representatives of the area of the Middle East and South Asia, one representative of the area of South East Asia and the Pacific, and one representative of the area of the Far East. No member in this category in any one term of office will be eligible for re-election in the same category for the following term of office; and

- (b) One further member from among the members of the areas of South East Asia and the Pacific and the Far East, two consecutive terms of office served by members of the area of South East Asia and the Pacific alternating with one term of office served by a member of the area of the Far East.

A N N E X II

Explanatory memorandum submitted by Spain

1. Article VI of the Statute aims to ensure the efficiency of the Board by means of:

- (a) A membership which is representative of the state of advancement in the technology of atomic energy, including the production of source materials; and
- (b) An equitable opportunity to participate as members of the Board for those States not designated for it on the basis of the advancement in the technology of atomic energy, including the production of source materials.

2. Spain has repeatedly stated that, in order that Article VI continue to meet its original objectives, it is necessary to adapt it:

- (a) To the current state of advancement of the technology of atomic energy, including the production of source materials; and
- (b) To the increased membership of the Agency.

3. Spain recognizes the well-founded claims of the areas of Africa and the Middle East and South Asia for a more frequent participation of their members in the Board, and it regrets that since 1978 the Board has been unable to reach consensus on a proposal to the General Conference for amending Article VI, so that those claims would be satisfied.

4. Spain has repeatedly stated that a solution to the problem of the areas of Africa and the Middle East and South Asia could be better found

if it were to be dealt with in the context of finding also adequate representation in the Board of the actual advancement in the technology of atomic energy, including the production of source materials. This can only be done by revising Article VI as a whole.

5. On 1 October 1984, Spain requested the Board to include an item entitled "Revision of Article VI as a whole" in the agenda for its meetings in the period following the 28th regular session of the General Conference. The explanatory memorandum submitted by Spain, as required under Rule 17 of the Board's Provisional Rules of Procedure, was published in document GOV/2187 of 10 January 1985, and the item was included in the agendas for the Board meetings of February and June 1985.

6. At the February Board meetings Spain stated that the item was introduced in order to provide a formal framework for consultations on the matter. The consultations in which Spain participated since last February led it to consider introducing, at the 29th regular session of the General Conference, a proposal for the amendment of Article VI of the Statute which consists of an increase of nine seats to the present Board membership, distributed as follows:

| B o a r d   s e a t s          |            |         |       |
|--------------------------------|------------|---------|-------|
|                                | Designated | Elected | Total |
| 1) North America               | 2          | 0       | 2     |
| 2) Latin America               | 2          | 5       | 7     |
| 3) Western Europe              | 7          | 4       | 11    |
| 4) Eastern Europe              | 2          | 3       | 5     |
| 5) Africa                      | 2          | 6       | 8     |
| 6) Middle East and South Asia  | 2          | 3       | 5     |
| 7) South East Asia and Pacific | 1          | 1 2/3   | 2 2/3 |
| 8) Far East                    | 2          | 1 1/3   | 3 1/3 |
| All                            | 20         | 24      | 44    |

7. The Chairman of the Board of Governors was informed, on 7 June 1985, of Spain's intention to make a concrete proposal to amend Article VI. The members of the Board were informed by the Chairman of this communication. The subsequent discussion in the Board reaffirmed Spain's intention to request the Director General of the Agency to take the necessary steps towards enabling the General Conference at its forthcoming session to consider the proposal which is contained in the Resident Representative's letter of 19 June 1985 to the Director General.

