



International Atomic Energy Agency

GENERAL CONFERENCE

GC(XXXVII)/GEN/OR.65

15 October 1993

GENERAL Distr.

ENGLISH

Original: FRENCH

THIRTY-SEVENTH (1993) REGULAR SESSION

GENERAL COMMITTEE

RECORD OF THE SIXTY-FIFTH MEETING

Held at the Austria Center Vienna
on Thursday, 27 September 1993, at 2.40 p.m.

CONTENTS

<u>Item of the agenda*</u>	<u>Paragraphs</u>
- Adoption of the Committee's agenda	1 - 3
5 Arrangements for the Conference	
(a) Adoption of the agenda and allocation of items for initial discussion	4 - 17
(b) Closing date of the session and opening date of the next session	18 - 21
- Restoration of voting rights	22 - 40

[*] GC(XXXVII)/1052, Corr.1 and Add.1.

93-03783 (III)

ATTENDANCE AT THE MEETING

Chairman

Mr. AL-ATHEL (Saudi Arabia), President of the General Conference

Members

Mr. WALKER (Canada), Vice-President of the General Conference

Mr. GUTIERREZ LEYTON (Chile), Vice-President of the General Conference

Mr. YIMER (Ethiopia), Vice-President of the General Conference

Mr. PAVLINOV, representing Mr. MIKHAILOV (Russian Federation),
Vice-President of the General Conference

Mr. ARCILLA (Philippines), Vice-President of the General Conference

Mr. JAMAL (Qatar), Vice-President of the General Conference

Mr. KIENER (Switzerland), Vice-President of the General Conference

Mr. SANGIAMBUT (Thailand), Vice-President of the General Conference

Mr. POSTA (Hungary), Chairman of the Committee of the Whole

Mr. GEORGIEV, representing Mr. YANEV (Bulgaria), Additional Member

Ms. VALLADARES MARTINEZ, representing Mr. ORJUELA BERMEO (Colombia),
Additional Member

Mr. LABROSSE, representing Mr. ROUVILLOIS (France), Additional Member

Mr. ADEKANYE, representing Mr. UMAR (Nigeria), Additional Member

Mr. LAWRENCE, representing Ms. O'LEARY (United States of America),
Additional Member

Secretariat

Mr. SANMUGANATHAN, Secretary of the Committee

Abbreviations used in this record

DPRK	Democratic People's Republic of Korea
NPT	Treaty on the Non-Proliferation of Nuclear Weapons

and it would be best if the item could be considered as late as possible. In view of what the Secretary had said, he had no objection to the item becoming agenda item 23.

14. The CHAIRMAN suggested that the Committee should recommend to the General Conference that it adopt the order proposed in document GC(XXXVII)/1052 and Corr.1, on the understanding that circumstances or the efficient conduct of business might call for changes to be made in the plenary meeting or in the Committee of the Whole. The additional item proposed in document GC(XXXVII)/1052/Add.1 would be added as agenda item 23 and the subsequent items renumbered accordingly.

15. It was so decided.

16. The CHAIRMAN suggested that the General Committee should recommend to the General Conference that item 7, "Approval of the appointment of the Director General", be taken up at the beginning of the afternoon meeting the following day.

17. It was so decided.

(b) CLOSING DATE OF THE SESSION AND OPENING DATE OF THE NEXT SESSION

18. The CHAIRMAN said that one of the main factors in estimating the length of the Conference session was the probable duration of the general debate. Many delegations had already asked to speak in the general debate. Assuming it could be concluded by the end of Thursday afternoon, 30 September, the session could be closed on Friday, 1 October 1993. That presupposed, of course, that the work of the Committee of the Whole, which had a very heavy agenda, could also be finished by 30 September. It might perhaps be necessary to hold evening meetings or even to extend the session to Saturday, 2 October. However, he suggested that the Committee recommend to the General Conference Friday, 1 October 1993 as the closing date of the present session.

19. It was so decided.

20. The CHAIRMAN reminded members of the Committee that a tentative schedule of meetings of the General Conference until the year 2000, worked out in consultation with the Austrian authorities, had been circulated to Member States in

December 1989. He suggested that the Committee, taking into account the availability of conference facilities for the 1994 session, should recommend that the thirty-eighth regular session of the General Conference start on Monday, 19 September 1994.

21. It was so decided.

RESTORATION OF VOTING RIGHTS (GC(XXXVII)/INF/326 and 329)

22. The CHAIRMAN said that the General Conference had before it two requests for the restoration of voting rights (GC(XXXVII)/INF/326 and 329) and that the Committee's task was simply to make a recommendation to the General Conference on whether or not it should accede to those requests. He reminded members of the Committee that under Article XIX.A of the Statute, the General Conference could authorize a Member State whose voting rights had been suspended to vote if it was satisfied that the failure to pay was due to conditions beyond the control of the member. He also drew attention to document GC(XXXVII)/INF/327/Rev.1 entitled "Statement of financial contributions to the Agency", which listed the members to which Article XIX.A of the Statute applied on 27 September 1993.

Request by Iraq (GC(XXXVII)/INF/326)

23. Mr. LAWRENCE (United States of America) said that Iraq stated in its communication reproduced in document GC(XXXVII)/INF/326 that it had been unable to pay its contributions because of the sanctions imposed on it by the United Nations, which had created "force major conditions". Iraq could remedy that situation and have the sanctions lifted: it had merely to implement the Security Council resolutions. It would seem, therefore, that if the General Conference restored Iraq's right to vote it would be going against the Security Council decisions.

24. Mr. LABROSSE (France) shared the view expressed by the representative of the United States. It would be paradoxical to grant facilities to a country in one of the United Nations specialized agencies when the United Nations itself was imposing sanctions on that State.

25. Mr. WALKER (Canada) also supported the comments of the United States representative.

26. Mr. ADEKANYE (Nigeria) also considered that, in view of the United Nations decision, it would be difficult to restore Iraq's right to vote.

27. The CHAIRMAN said he took it that the Committee did not wish to recommend that Iraq be permitted to vote pursuant to the second sentence of Article XIX.A of the Statute.

28. It was so decided.

Request by Afghanistan

29. Mr. POSTA (Chairman of the Committee of the Whole), noting that in its latest communication, reproduced in document GC(XXXVII)/INF/329, the Government of Afghanistan stated that it was ready to pay its contribution, wondered whether that payment had in fact been made.

30. Mr. SANMUGANATHAN (Secretary of the Committee) said that so far the Agency had not received Afghanistan's contribution.

31. Mr. LAWRENCE (United States of America) and Mr. ARCILLA (Philippines) asked whether the information requested in the communication from Afghanistan, namely the account number and the address of the bank to which the money should be paid, had been transmitted to the Government of Afghanistan.

32. The CHAIRMAN said that the Agency had sent the information to Afghanistan by fax on 14 September 1993.

33. Mr. GUTIERREZ LEYTON (Chile), noting that in accordance with Article XIX.A of the Statute it was for the General Conference to decide on a request for restoration of voting rights, asked on what basis the matter had come before the General Committee.

34. Mr. STURMS (Director, Legal Division), replying to the representative of Chile, said that the matter had been placed before the General Committee in accordance with

Rule 42(b) of the Rules of Procedure of the General Conference. In reply to a question raised by the United States representative, he pointed out that voting rights were automatically restored when a State in arrears made the necessary payments.

35. Mr. LAWRENCE (United States of America) said that, under those conditions, in order to restore Afghanistan's right to vote, the General Conference would have to be satisfied that the State's failure to pay was due to circumstances beyond its control. The Government of Afghanistan had not invoked any exceptional circumstance: it had remained silent since receiving the Agency's latest communication. Consequently, there was no reason to depart from the provisions of Article XIX.A, since if the Government of Afghanistan made the necessary payment its right to vote would in any case be automatically restored.

36. Mr. JAMAL (Qatar) drew the attention of the members of the Committee to the state of war existing in Afghanistan, which might well be the reason for the delay in payment. Perhaps Afghanistan had communication difficulties. He believed that the question could be settled by restoring Afghanistan's right to vote.

37. Mr. WALKER (Canada) supported by Mr. ARCILLA (Philippines), said that the Secretariat could ask the delegation of Afghanistan for an explanation, but meanwhile it did not seem possible to recommend to the General Conference that Afghanistan's right to vote be restored.

38. Mr. POSTA (Chairman of the Committee of the Whole) held the same view: the absence of any explanation since 14 September 1993, the date of the Agency's latest communication, would seem to preclude the Committee from recommending the restoration of Afghanistan's right to vote.

39. The CHAIRMAN said that he took it that the Committee did not wish to recommend that Afghanistan be permitted to vote pursuant to the second sentence of Article XIX.A of the Statute.

40. It was so decided.

The meeting rose at 3.45 p.m.

