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FORTIETH (1996) REGULAR SESSION

COMMITTEE OF THE WHOLE

RECORD OF THE SIXTH MEETING

Held at the Austria Center Vienna
on Thursday, 19 September 1996, at 5.45 p.m.

Chairman: Mr. AYATOLLAHI (Islamic Republic of Iran)

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[*] GC(40)/22.

The composition of delegations attending the session is given in document GC(40)/INF/13/Rev.2.

96-03425 (XXI)

ARTICLE VI OF THE STATUTE (continued)

(a) AMENDMENT OF ARTICLE VI (GC(40)/20 and Add.1, GC(40)/COM.5/12/Rev.1, GC(40)/COM.5/16 and Rev.1, GC(40)/COM.5/17) (continued)

1. The CHAIRMAN said that since the Committee's previous meeting there had been intensive informal consultations and that the Committee now had before it a compromise text with the symbol "GC(40)/COM.5/res.mor^{*}".¹ Many of those who had participated in the consultations did not endorse the text, but he hoped that it would help the Committee to arrive at a consensus on the sub-item under discussion.

2. Mr. HAMADA (Tunisia) said that his and several other delegations did not believe that it would be possible to arrive at a consensus on the basis of the text now before the Committee.

3. Mr. BENMOUSSA (Morocco) asked whether the text was being proposed by the Chairman. If it was, it should be respected as such and not subjected to lengthy scrutiny.

4. The CHAIRMAN said that the text was being proposed by him.

5. Mr. MEADWAY (United Kingdom) said it had not been his impression that those participating in the informal consultations had been aiming to produce a text which could be disposed of quickly in the Committee. For their part, his delegation and the other sponsors of the draft resolution contained in document GC(40)/COM.5/16 reserved the right to submit a revised version of their draft.

6. The CHAIRMAN said - after a procedural discussion involving Ms. OK (Turkey), Mr. OKONKWO (Nigeria), Mr. LABROSSE (France), Mr. WALKER (Australia), Mr. BENMOUSSA (Morocco), Ms. BATACLAN (Philippines) and Mr. RUIZ (Spain) - that he would give the floor to those representatives on his list of speakers from the previous meeting who still wished to make statements on the substance of the Article VI amendment issue.

¹ See the Attachment to this document.

7. Mr. RITCH (United States of America) said his country continued to be concerned about the possibility that a significant expansion of the Board would impair the Board's efficiency. In view of the substantial progress made during the past year, however, his delegation, which did not wish to be regarded as obstructionist, was looking forward to productive discussions in the coming year.

8. A proposal on an issue of such importance should be adopted by consensus, but no consensus had yet been reached. The ideas put forward in the report of the Chairman of the Open-ended Consultative Group should therefore be pursued in the coming year, as envisaged in the observations made by the Board after consideration of the report.²

9. Mr. YAMANAKA (Japan) said that the objective should be to increase the size of the Board slightly while maintaining the Board's efficiency; a little more time was needed in order to achieve that objective.

10. With all due respect for the text proposed by the Chairman, as already stated by the United Kingdom representative the sponsors of the draft resolution contained in document GC(40)/COM.5/16 reserved the right to submit a revised version of their draft.

11. Mr. Chan-Ho HA (Republic of Korea) said that the appeals now being made for "a little more time" were reminiscent of appeals made in previous years. His delegation believed that the text proposed by the Chairman adequately reflected the general feeling in the Committee and that the Committee should focus on that text.

12. Mr. ELYSEU FILHO (Brazil) said he did not think that the text proposed by the Chairman should be the only basis for further discussion in the Committee.

13. Mr. BENMOUSSA (Morocco), commenting on the text "GC(40)/COM.5/res.mor*", said that the proposed new paragraphs were to a great extent inspired by the draft resolution contained in document GC(40)/COM.5/16 and by the report of the Chairman of the Open-ended Consultative Group. It was not based

² See para. 45 of GOV/OR.901.

on the draft resolution contained in document GC(40)/COM.5/12/Rev.1, and he had therefore been surprised to hear that the sponsors of the draft resolution contained in document GC(40)/COM.5/16 were contemplating the submission of a revised draft.

14. Mr. NASSER (Egypt), supported by Mr. TWAL (Jordan), Mr. EL FADHEL KHALIL (Tunisia), Mr. JAMEEL (Pakistan) and Mr. AMIRKHIZI (Islamic Republic of Iran), urged that the Committee base its further discussion on the text proposed by the Chairman.

15. Mr. KEMPEL (Austria), pointing out that a revised version of the draft resolution contained in document GC(40)/COM.5/16 had just been distributed in document GC(40)/COM.5/16/Rev.1, said that the sponsors appreciated the text proposed by the Chairman but did not think that it should serve as the sole basis for further discussion in the Committee.

16. Mr. BENMOUSSA (Morocco) said that he considered the draft resolution contained in document GC(40)/COM.5/16/Rev.1 to be unacceptable. For example, he was quite sure that the "momentum" referred to in operative paragraph 1 would peter out with the end of the General Conference's present session, and the draft resolution did not provide for any timetable for completion of the envisaged consultations.

17. Mr. TWAL (Jordan) said that he failed to understand why some of the delegations which had participated in the informal consultations leading to the text proposed by the Chairman were now putting forward an alternative text. He appealed to the sponsors of the draft resolution contained in document GC(40)/COM.5/16/Rev.1 to withdraw it as a token of good will.

18. Mr. BENATTALLAH (Algeria) said it was obvious that neither the text proposed by the Chairman nor the draft resolution contained in document GC(40)/COM.5/16/Rev.1 could command a consensus.

19. Perhaps a consensus could be arrived at on the basis of a clear statement that the need for an expansion of the Board was generally recognized and that the Open-ended Consultative Group should thenceforth function as a negotiating body.

20. Mr. WALKER (Australia) said that, in his view, a consensus could usefully be sought along the lines envisaged by the representative of Algeria.

21. Mr. BENMOUSSA (Morocco), welcoming the suggestion made by the representative of Algeria, said that he would like the envisaged clear statement to include reference to a negotiating timetable.

22. The CHAIRMAN suggested that the Committee adjourn so that further informal consultations might be held.

The meeting rose at 7.30 p.m.