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ARTICLE VI OF THE STATUTE

The draft summary records of the discussion in the Board of Governors on 21-23 September 1999 under the agenda item "Amendment to Article VI of the Statute" are reproduced in the Attachments. The draft summary records of the discussion on 24 September 1999 will be issued as an Addendum to this document.

**DRAFT RECORD OF THE BOARD'S 988th MEETING
(21 September 1999)**

AMENDMENTS TO THE STATUTE OF THE IAEA

(a) AMENDMENT TO ARTICLE VI OF THE STATUTE
(GOV/1999/43, GOV/1999/52 and Add.1)

1. The CHAIRMAN said that members would no doubt recall the Board's discussions on the Article VI issue in June, which had focused on an informal paper circulated by him on 8 June and containing proposed modifications to paragraph K of the Japanese proposal for amending Article VI. There had been considerable support for his proposals, which had been regarded by many as embodying the best prospects for resolving the Article VI issue. Many Governors had said that, with some fine-tuning, his proposals might attract a consensus in time for their submission to the General Conference for consideration at its forthcoming session, and he had been requested by the Board to continue consulting with interested Member States. He had thus been engaged in detailed and extensive consultations since the conclusion of the Board's June session.
2. Encouraged by the results of his consultations, his Government had on 25 June formally proposed modifications to paragraph K of the Japanese proposal. His Government's proposals had been circulated by the Director General to all Member States on 28 June. Under Article XVIII.C of the Statute, the Board was required to submit its observations on those proposals to the General Conference. Accordingly, he had prepared - for the Board's consideration - a draft report (contained in document GOV/1999/52) from the Board to the General Conference which could be completed through - inter alia - the inclusion of the Board's observations on his Government's proposals.
3. He had recently circulated, in document GOV/1999/52/Add.1, communications he had received which confirmed his belief that broad - but not unanimous - agreement now existed on the question of "the list of all Member States of the Agency ...".
4. That still left open the question of the criteria and indicators to be taken into consideration by the Board when designating members each year and the question of the size of the Board and the distribution of Board seats.
5. The designation criteria and indicators - produced by a working group which had met under the chairmanship of Ambassador Akao and subsequently of Ambassador Ikeda, both of Japan - were contained in Annex 7 to document GOV/1999/52, and it was his understanding that there was no objection to their being used as guidelines even before an amendment to Article VI approved by the General Conference had entered into force. From the composition of the Board over the past 40 years it was clear that not every criterion or indicator would apply to each member designated.

6. As to the size of the Board and the distribution of Board seats, there continued to be some differences of opinion. Many would like the Board to be expanded by more than six seats, as proposed formally first by Canada and later by Japan; they were calling for it to be expanded by seven or even eight seats. Others, however, stated that they could not accept more than six additional seats. Still others, while sympathetic to the idea of an expansion by more than six seats, stated that they could not accept such a larger expansion unless the legitimate interests of their area groups were taken into account.

7. He hoped that, at the end of the discussion about to begin, the Board would accept the designation criteria and indicators and agree to recommend to the General Conference the adoption of the Japanese proposal for amending Article VI contained in circular letter N.5.11.6 Circ. of 22 June 1998 with the Slovene Government's proposed modifications to paragraph K of that proposal contained in document GOV/1999/43. At the same time, he was aware that further consultations might result in additional modifications in respect of the size of the Board and the distribution of Board seats.

8. Mr. TIWARI (India), speaking on behalf of the Group of 77 and China, expressed appreciation of the Chairman's efforts to resolve the Article VI issue.

9. A crucial point had been reached in the discussions and negotiations aimed at elaborating and fine-tuning a "finalized formula" to be adopted by the General Conference at its forth coming session, and he therefore wished to reiterate the position of the Group of 77 and China.

10. It was recognized that, thanks to the joint endeavours of many delegations and the constructive work done by the present Chairman and the previous two Chairmen of the Board, substantial progress had been made. The Board was closer than ever before to a successful conclusion.

11. As to the question of the size and composition of the Board, it should not be forgotten that the purpose of initiating - many years previously - the present discussions on the question of amending Article VI had been to democratize the Board while also preserving its efficiency. It was important to amend Article VI in a manner that would put an end to the under-representation of developing countries in the Board.

12. The Group of 77 and China were ready to support any amendment proposal providing for a Board expansion by at least seven seats as long as it would result in improved representation for developing countries and in a distribution of the additional seats that was acceptable to all area groups.

13. As to the composition of the area groups, the Group of 77 had decided by consensus - with reservations expressed by the Islamic Republic of Iran, Iraq and the Syrian Arab Republic - to support Slovenia's proposed modifications to paragraph K of the Japanese proposal.

14. As to the designation criteria and indicators set out in Annex 7 to document GOV/1999/52, although some of its members still had problems with them the Group of 77 could, in a spirit of compromise, agree to their being attached to the document containing the Board's report to the General Conference, on the understanding that - once agreed upon by the Board - they would serve only as guidelines and would be kept under continuous review and on the further understanding that not every criterion or indicator would have to apply to every Member State being considered for designation - account being taken of the requirements of the Statute. In that connection, the Group of 77 and China were aware of the importance of the rotation of designated seats within area groups.

15. The Group of 77 and China were ready to engage in further discussions, with a view to the adoption of a final decision by consensus during the forthcoming session of the General Conference. Should agreement be reached along the lines just indicated, the Group would be ready to co-sponsor the resulting "finalized formula".

16. Speaking on behalf of the MESA Group, he said that the Group - with reservations expressed by the Islamic Republic of Iran, Iraq and the Syrian Arab Republic - accepted Slovenia's proposed modifications to paragraph K of the Japanese proposal. At the same time, the Group was seeking an assurance that the assignment of Israel to the MESA area would be conditional on a successful conclusion to the Middle East peace process.

17. Having argued persistently that it was under-represented in the Board, the Group strongly favoured a Board expansion that would reflect new realities - an expansion by eight seats.

18. Mr. GRÖNBERG (Finland)* - speaking on behalf of the European Union and the associated countries Bulgaria, the Czech Republic, Hungary, Lithuania, Poland, Romania, Slovakia and Slovenia - commended the Chairman on his efforts.

19. He recalled that, after some 20 years of the Board's failing to achieve a consensus on any of the various proposals which had been put forward, a turning-point had been reached in 1997 with the introduction by the then Chairman of the Board, Ambassador Walker of Canada, of a so-called "package" comprising a proposal for an expansion of the Board by six seats, a proposal regarding the composition of area groups and suggestions regarding criteria for the designation of Board members.

20. The European Union still believed that consensus on the Article VI issue involved the acceptance - as a package - of three interlinked elements: the guaranteed inclusion of every Member State in an appropriate area group, criteria and indicators to be used as guidelines in designating Board members and agreement on the size of an enlarged Board.

21. The European Union also still believed that there was no compelling reason for an enlargement of the Board, but it was sensitive to the concerns of certain Member States and,

* Member States not members of the Board of Governors are indicated by an asterisk.

in the interests of consensus, would be prepared to support such a package if it provided for an enlargement of the Board by six seats.

22. Mr. AL-GHAIS (Kuwait)*, speaking on behalf of the Council of Arab Ambassadors in Vienna, expressed appreciation of the efforts of the current Chairman and of his predecessors, Ambassadors Walker and Ikeda.

23. The position of the Council, made clear in letters addressed to the Chairman in May and September, was that, given a Board expansion by at least seven seats, it could accept the text of paragraph K of the Japanese proposal with the modifications proposed by Slovenia; only two Ambassadors had expressed reservations. That represented hard-won progress and demonstrated the extent of the Arab Member States' desire to help resolve the Article VI issue.

24. Mr. PALACIOS CEVALLOS (Ecuador)*, speaking on behalf of GRULAC, commended the efforts made by the current Chairman and his two predecessors.

25. GRULAC would like to see an expansion of the Board with a fair geographical distribution of the additional seats, agreement on the composition of the area groups and the acceptance of criteria and indicators to be used as guidelines in designating Board members.

26. As regards the Board expansion question, GRULAC was committed to democratization of the United Nations system - a commitment reflected in the constructive position always adopted by it in the discussions on that question. In its view, any proposal for an increase in the number of Board seats should be considered in the light of the envisaged distribution of the additional seats among the various area groups. That position had been made clear in a letter of 25 June addressed by GRULAC's Chairman to the Chairman of the Board (and contained in Annex 3 to document GOV/1999/52), where it was stated that "the regional distribution of any increase in the number of members will need to be the subject of intensive prior negotiations in the light of the commitment of the various regions to the peaceful use of nuclear energy and non-proliferation." Other factors which would have to be taken into account were the nuclear safety levels, the extent of nuclear development and the numbers of Agency Member States in the various regions.

27. At all events, whatever proposal for increasing the size of the Board was finally adopted, it must not entail a reduction in the relative representation of Latin America and the Caribbean.

28. As regards the proposals which had so far been submitted formally, and which provided for an increase of six or seven in the number of Board seats, GRULAC had already made it clear that it expected the additional allocation of two thirds (not one third) of a seat to Latin America and the Caribbean. With proposals for larger increases (for example, an increase of eight - a number that coincided with the number of areas listed in Article VI), the only equitable arrangement for allocating the additional seats would, in GRULAC's opinion, be to allocate not less than one seat to each of the areas except the one to which the allocation of an

additional seat would not be appropriate; the unallocated seat(s) could be shared among areas by means of a fractional method like that underlying subparagraphs (b) and (c) of Article VI.A.2.

29. GRULAC's position regarding the Article VI issue was based on: the unconditional commitment of Latin America and the Caribbean to the peaceful utilization of nuclear energy, to nuclear non-proliferation and to nuclear disarmament; a full programme of nuclear energy applications with a strong socio-economic impact on the countries of the region; the substantial amount of nuclear power generation in the region, taking place in compliance with the highest operational and safety standards; the large number of people with high technical qualifications in the region; and an extensive - and expanding - programme of regional co-operation in support of national development programmes.

30. As regards the composition of the area groups, GRULAC would have no difficulty in accepting Slovenia's proposed modifications to paragraph K of the Japanese proposal.

31. As regards the criteria and indicators to be used as guidelines in designating Member States to serve in the Board, GRULAC agreed that they should not form a part of the text of a formally proposed amendment to the Statute; they should merely constitute a kind of reference. Agreement had not yet been reached on the criteria and indicators, which should be the subject of further study and consultation.

32. At all events, GRULAC felt that subparagraph 11(b) of document GOV/1999/52 did not reflect its viewpoint and that it should be revised in such a way as to make it clear that the criteria and indicators had not been approved by the Board and required further consideration. At the same time, it also felt that awareness of the need to continue studying and consulting on the criteria and indicators should not be allowed to prevent the adoption of an amendment to Article VI by the General Conference at its forthcoming session.

33. Mr. AL-BESBAS (Libyan Arab Jamahiriya)*, speaking on behalf of the African Group, thanked the Chairman for his efforts.

34. The African Group welcomed Slovenia's proposed modifications to paragraph K of the Japanese proposal, but it felt that the question of the extent of a Board expansion was at least as important as that of the composition of area groups. As indicated in a letter of 21 June addressed by the Group's Chairman to the Chairman of the Board (and contained in Annex 2 to document GOV/1999/52), the Group believed that the Board should be expanded by a minimum of seven seats.

35. With regard to the question of designation criteria and indicators, the Group could accept the criteria and indicators set forth in Annex 7 to document GOV/1999/52, including the ones with question marks against them.

36. Mr. PELAEZ (Argentina) said his country would not accept any proposal for expansion of the Board which might result in a reduction in the relative representation of Latin America.

37. The criteria and indicators in Annex 7 to GOV/1999/52 would be difficult to quantify, but they would provide a good framework for the designation process. They should be applied objectively and in the same manner for the different area groups.

38. Mr. TIWARI (India) said that he wished first of all to dispel certain rumours to the effect that his country was likely to prove a stumbling block to the amendment to Article VI. India had for some time favoured an increase - albeit only a small one - in the number of Board seats, and it recognized the right of all Member States - including Israel - to belong to an area group. It was very conscious of the need to be responsive to changes in the international environment. And, like most other members of the MESA Group, it could accept paragraph K of the Japanese proposal with the modifications proposed by Slovenia.

39. Referring to paragraph A of the Japanese proposal, he asked why the phrase "... members most advanced in the technology of atomic energy ..." appearing in Article VI.A of the Statute since the Agency's inception had given way to the phrase "... members on the basis of advancement in the technology of atomic energy ...".

40. Mr. IKEDA (Japan), responding to the question of the Governor from India, said that the phrase "... members on the basis of advancement in the technology of atomic energy ..." had been taken over from the proposal for amending Article VI previously submitted by Canada.

41. Mr. CASTERTON (Canada), also responding to the question of the Governor from India, referred to paragraph 9 of document GOV/2918 and recalled that in 1997 Ambassador Walker of Canada, the then Chairman of the Board, had proposed the abolition of "the category of globally advanced designated Board members". The proposal had been made in the light of consultations which Ambassador Walker had had at that time.

42. Mr. TIWARI (India), thanking the Governor from Japan and the representative of Canada for the explanations which they had provided, said that he would prefer to see the tried and tested phrase "... members most advanced in the technology of atomic energy ..." in the Japanese proposal.

43. Mr. EL-FEKI (Egypt), having thanked the Chairman for his efforts, said that Egypt had consistently taken a constructive attitude towards the Article VI issue and had demonstrated considerable flexibility over the question of the composition of area groups - a question which, not originally part of the Article VI issue, had been forced upon the Board comparatively recently.

44. Sadly, some other countries had not been so flexible, and were still rigidly insisting that any increase in the number of Board seats should be limited to six.

45. As regards the criteria and indicators in Annex 7 to document GOV/1999/52, his country attached great importance to them and could accept them all, including the ones with question marks against them.

46. Mr. RAHMAN HASSAN (Sudan), having expressed appreciation for the Chairman's efforts, said he hoped that the Board would agree on a "finalized formula" during its current session.

47. Sudan, like many other Member States, wished to see an expansion of the Board by at least seven seats.

48. Mr. MCINTOSH (Australia), speaking on behalf of the SEAP Group, said that the views of the Group regarding the Article VI issue had not always been respected by other area groups. For the sake of consensus, the SEAP Group had been prepared to acquiesce in the proposals for a Board expansion by six seats, even though only a minimal increase for the Group had been foreseen in those proposals. However, the Group's acquiescence in proposals for an expansion by more than six seats without due consideration of the needs of the Group should not be taken for granted.

49. During discussions on the Article VI issue, the view had been expressed that, in deciding on the representation of the various area groups in the Board, account should be taken not only of their present membership but also of their potential membership. In response to that view he wished to point out that, although the SEAP Group had only eight members at present, there were eleven States in the SEAP region which were members of the United Nations but not yet members of the Agency.

50. A further consideration of relevance was which Member States had down the years demonstrated a desire to serve in the Board and had participated effectively in the Board's work. In that connection, Finland had carried out an interesting study which revealed the strong commitment of the SEAP Group's members.

51. Mr. QUEIROZ DUARTE (Brazil) said that his country, which was firmly committed to democratization of the United Nations system, hoped that a consensus solution to the Article VI issue would be found.

52. Whatever the number of additional Board seats ultimately agreed upon, the formula for distributing those seats among the various area groups should take into account the impeccable credentials of Latin America and the Caribbean with regard to the peaceful uses of nuclear energy and non-proliferation.

53. It was Brazil's understanding that the designation criteria and indicators would not form part of the amended Article VI, but merely serve as a kind of reference once the amended text had entered into force. Questioning the usefulness of the criterion "financial contribution to the IAEA", he said that further consideration should be given by the Board to the criteria and

indicators, but without prejudice to approval of a consensus solution by the General Conference at its forthcoming session.

54. Ms. AL-HADID (Jordan) said that her country very much hoped for a Board expansion which would result in a more democratic composition of the Board and put an end to the under-representation of the developing world - and especially the Middle East.

55. The MESA Group's support for an expansion of the Board by eight seats was justified, particularly in view of the number of Central Asian countries which had joined the Agency in recent years. The argument that an increase of seven or eight in the number of Board members would be detrimental to the effectiveness of the Board was unacceptable.

56. Ms. PELLICER (Mexico), reiterating her country's support for an expansion of the Board which would reflect the principles of democracy underlying the United Nations system, said that Article VI should be amended in such a way as to provide for the rotation of designated Board seats within area groups in response to the legitimate desire of Member States to occupy a designated seat.

57. With regard to the designation criteria and indicators, she said that in her country's view they should not be part of any formal proposal for amending Article VI. In addition, she expressed concern about the fact that some of them related to the production of materials and the development of processes which could lead to non-peaceful uses of nuclear energy. Mexico would support approval of the entire list contained in Annex 7 to document GOV/1999/52 on the understanding that the list was kept under constant review and updated whenever necessary.

58. Mr. AL-ATHEL (Saudi Arabia) said his country's standpoint with regard to the Article VI issue was based on three considerations: firstly, it was necessary to increase the membership of the Board in order to keep pace with world developments and in the light of the circumstances within the various area groups; secondly, there should be a just distribution of Board seats, commensurate with the size and role of the various area groups; and thirdly, all Member States had the right to belong to an area group. At the same time, in Saudi Arabia's opinion no country should be imposed on an area group.

59. Mr. Ki-Moon BAN (Republic of Korea) expressed the hope that the Japanese proposal, with paragraph K modified in the manner proposed by Slovenia, would be accepted by the Board.

60. His delegation, which believed that the efficiency and effectiveness of the Board depended less on the number of Board seats than on the existence of a spirit of co-operation and compromise within the Board, could go along with an increase of more than six in the number of seats.

61. With regard to the designation criteria and indicators, he recalled that the Chairman had suggested that Member States would not have to meet every single one of them in order to be

designated. If that was to be the case, his delegation hoped that the list contained in Annex 7 to document GOV/1999/52 would be accepted without delay.

62. Mr. RYZHOV (Russian Federation) said that, like the Governor from India, his delegation would prefer the phrase "... members most advanced in the technology of atomic energy ..." to be retained in an amended version of Article VI.

63. Paragraph K of the Japanese proposal with the modifications proposed by Slovenia presented no difficulties to his delegation.

64. His country was in favour of a minimum expansion of the Board - by no more than six seats. The more compact the Board, the more effectively it functioned.

65. Like several other delegations, his delegation believed that the designation criteria and indicators should be used only as reference material, particularly since some of them appeared to run counter to the Statute.

66. Mr. CASTERTON (Canada), having reiterated his country's support for a package approach to the Article VI issue, said that it was still Canada's view that, ideally, there should be an increase of no more than two or three in the number of Board seats - to accommodate the few Member States with significant nuclear power programmes which were not regularly represented in the Board. In order to facilitate acceptance of a package, however, his country was prepared to go along with an increase of six.

67. As regards paragraph K of the Japanese proposal with the modifications proposed by Slovenia, his delegation had no difficulty in supporting that element of the envisaged package.

68. It was his delegation's understanding that the designation criteria and indicators - although part of the envisaged package - would not need to be submitted to the General Conference for approval, that they would not be applied by the Board as a body and that they would not be applied in their entirety to every Member State being considered for designation.

69. Mr. RITCH (United States of America) associated himself with what had been said by the Governors from India and the Russian Federation regarding the phrase "... members most advanced in the technology of atomic energy ...".

70. His country continued to object to the equating of Board expansion with progress as regards democracy and justice. As things now stood, the Board was a paradigm of democracy and justice: it had a diverse composition, it was open, it had a remarkable tradition of consensus and it was representative of the interests of all its members, of the Agency and of the international community.

71. His country's willingness to accept an expansion of the Board was not a reluctant concession to democracy or justice. Rather, it represented a reluctant political compromise motivated by a desire to obtain justice for one particular Member State which had consistently

been denied access to membership of the Board and by a desire to accommodate the wish of certain other Member States to serve in the Board more frequently. The position of his country regarding the right of every Member State to belong to an area group was one of principle; its position regarding an expansion of the Board was one of practicality.

72. Mr. CARRERA DORAL (Cuba)* said that his country's interest in the Article VI issue was based on strictly regional considerations. In Cuba's view, the question of the number of additional Board seats was indivisible from that of how the additional seats should be distributed among the various area groups. Cuba could agree to any proposal for Board expansion provided it did not result in a reduction in the relative representation of Latin America and the Caribbean.

73. In Cuba's opinion, the designation criteria and indicators should be part of the envisaged package, but their relative importance was low. Under no circumstances should they be included in any formal proposal for amending Article VI. Pending the entry into force of an approved amendment to Article VI, they should be subjected to study with a view to ensuring that they were not discriminatory and that they were applied objectively and transparently. The detailed manner of their application, however, should be left to the discretion of each area group.

74. His delegation considered that the criteria "financial contribution to the IAEA" and "Safeguards and Non-Proliferation" in Annex 7 to document GOV/1999/52 should be dropped. The primary designation criterion should be a commitment to total and unconditional nuclear disarmament.

75. Mr. ALLOTEY (Ghana) said that in his delegation's view the Board should be expanded so as to include a minimum of seven additional seats.

76. Ms. KASHLAN (Syrian Arab Republic)*, having reiterated her country's position that responsibility for the composition of each area group rested primarily with the members of that group, said it was unfortunate that the Board had focused so much on the area group composition question. Perhaps further discussions on that question should be deferred pending greater clarity with regard to prospects for peace in the Middle East. Certainly resolution of the Board expansion question should not be held hostage to resolution of the area group composition question.

77. Ms. MXAKATO-DISEKO (South Africa) said that the Article VI issue should be seen against the background of efforts to democratize global institutions generally and in the light of the need for such institutions to be responsive to change.

78. The long-standing Board expansion question had come to be linked, fairly recently, to the question of the composition of area groups. Discussion of the Article VI issue should, in her delegation's opinion, be a process of give and take, and her delegation believed that it was now time to focus on the Board expansion question with a view to arriving at a "finalized

formula". Appealing for flexibility, she urged those the countries which had raised the area group composition question to allow the Board expansion question to be focused on.

79. Mr. AMIR (Israel)* said that, as indicated in a letter of 21 June addressed by him to the Chairman (and contained in Annex 2 to document GOV/1999/52), paragraph K of the Japanese proposal with the modifications proposed by Slovenia was acceptable to his delegation.

80. With regard to the designation criteria and indicators in Annex 7 to document GOV/1999/52, he said that the differences of opinion concerning the criteria "financial contribution to the IAEA" and "Safeguards and Non-Proliferation" had arisen because those criteria were inconsistent with Article VI. A.1 in its present form, which spoke of "... members most advanced in the technology of atomic energy including the production of source materials". In his delegation's view, the designation criteria and indicators should be the subject of further negotiation with a view to the attainment of an agreement by consensus.

The meeting rose at 6.15 p.m.

**DRAFT RECORD OF THE BOARD'S 989th MEETING
(22 September 1999)**

AMENDMENTS TO THE STATUTE OF THE IAEA

(a) AMENDMENT TO ARTICLE VI OF THE STATUTE (continued)
(GOV/1999/43, GOV/1999/52 and Add.1)

1. The CHAIRMAN invited the Board to consider the text - with attached draft resolution - which had been circulated as his proposal for completing the draft Board report contained in document GOV/1999/52.
2. Mr. UMER (Pakistan) said that he could go along with paragraphs 15 to 17 (**bis**) of the text. With regard to paragraph 18, he said that "adoption of the modified paragraph K" of the Japanese proposal by the General Conference would not in itself suffice for amending Article VI. Paragraph 20 did not, in his view, faithfully reflect the discussion in the Board during its previous meeting; there had been no signs of support - in a spirit of compromise - for an increase of only six in the Board's membership.
3. Commenting on the attached draft resolution, he proposed that it be modified so as to provide for the designation of 18 - rather than 17 - members, two of them - rather than one - being African countries, and for the election of 23 - rather than 21 - members, four - rather than three - of them being representatives of Eastern Europe and one - rather than none - being a representative of the Far East. In addition, he proposed the deletion of the provision regarding the election of two further members from among the members in Eastern Europe, Africa and the Far East and a modification to provide for the election of two members - rather than one - from among the members in Latin America, Western Europe and the Middle East and South Asia.
4. Mr. ZHANG Yishan (China) said that in his country's view an enlargement of the Board was inevitable given the increase in the Agency's membership during recent years. The question now was not whether the Board should be enlarged, but how.
5. China's position regarding an expansion of the Board of Governors was essentially as follows: it was necessary to improve the representation of developing countries in the Board, with due regard for the Board's efficiency and for equitable geographical distribution.
6. The Board expansion proposals which had been made provided for six, seven or eight additional seats. China favoured the seven-seat option, with the seven additional seats distributed equitably among the various area groups.
7. As regards the question of the composition of area groups, in China's view all Member States were entitled to belong to an area group but no area group should be forced to accept a particular Member State. Paragraph K of the Japanese proposal with the modifications proposed by Slovenia seemed to represent a reasonable solution.

8. The designation criteria and indicators in Annex 7 to document GOV/1999/52 - the outcome of long negotiations - constituted a good set of reference material, although some of them would be difficult to quantify and apply. In his delegation's view, a principal designation criterion should be a complete commitment to the non-proliferation of nuclear weapons.

9. Considerable progress had been made on the question of the composition of area groups thanks to the spirit of compromise displayed by certain countries. His delegation would now like to see certain other countries displaying a similar spirit of compromise with regard to the question of the number of additional Board seats.

10. Mr. SALEHI (Islamic Republic of Iran)*, after applauding the Chairman's efforts, said that the purpose of enlarging the Board should be to remedy the current under-representation of developing countries in that body.

11. It was unfortunate that a number of marginal questions - including that of the composition of area groups - had been raised in connection with the all-important Board expansion question. It was even more unfortunate that the Board expansion question had gradually become overshadowed by the area group composition question - a question related essentially to the interests of one particular Member State, Israel, which - judging by the fact that one of the issues raised by Israeli Prime Minister Barak during his current visit to Germany was the possibility of Israel's joining the European Union - should easily be able to find an area group where it would be welcome.

12. As regards paragraph K of the Japanese proposal with the modifications proposed by Slovenia (see page 2 of the Attachment to document GOV/1999/43), his delegation - which had expressed reservations about it, as indicated by the Governor from India speaking on behalf of the MESA Group - had, at a meeting of the Group, proposed that the words "... the General Conference confirms a list of all Member States of the Agency which has been adopted by the Board, in both cases by a ninety percent ..." be replaced by the words "... the General Conference confirms the initial list, and any subsequent changes thereto, of all Member States of the Agency which has been adopted by the Board, on the basis of the consensus reached within any of the areas possibly affected by a change and in both fora by ninety percent ..." and that the second sentence ("Any change to the list ... any area affected by the change.") be deleted. The MESA Group had accepted his delegation's proposal, but owing to certain subsequent developments had later decided to support the text appearing on page 2 of the Attachment to document GOV/1999/43 while taking note of the reservations expressed by his delegation.

13. Mr. AL-BERKDAR (Iraq)* said that his country would like to see the Board expanded and greater clarity achieved regarding the composition of area groups. However, it was strongly opposed to the efforts of great Powers such as the United States of America and the United Kingdom to establish double standards in that connection.

* Member States not members of the Board of Governors are indicated by an asterisk.

14. Iraq objected to the manoeuvres taking place with a view to forcing Israel onto the MESA Group. Israel had still not become a party to the NPT, its arrogance and intransigence in dealing with the other countries of the Middle East region remained unchanged, it was holding on to its stockpiles of weapons of mass destruction and it was refusing to place all of its nuclear facilities under Agency safeguards.

15. Iraq also objected to the linkage which some Member States were trying to maintain between expansion of the Board, which should be by at least seven seats, and the envisaged inclusion of Israel in the MESA Group.

16. Mr. REGUIEG (Algeria)*, having expressed appreciation of the efforts deployed by the Chairman and his predecessors, said that, like the Ambassador of Pakistan, his delegation could go along with paragraphs 15 to 17 (bis) of the text circulated shortly before as the Chairman's proposal for completing the draft report contained in document GOV/1999/52. Endorsing what the Ambassador of Pakistan had said about paragraphs 18 and 20, he called for an increase of at least seven in the number of Board seats.

17. Mr. SANTIAGO (Philippines)*, having thanked the Chairman for his efforts, expressed support for the statement made by the Ambassador of Pakistan.

18. The Philippines would like to see the number of Board seats increased by eight, with each area group entitled to at least one elective seat.

19. Ms. KASHLAN (Syrian Arab Republic)*, referring to paragraph 18 of the text circulated shortly before, said that, for several Member States, acceptance of paragraph K of the Japanese proposal with the modifications proposed by Slovenia would depend on significant progress being made in the Middle East peace process. Mention should be made in that paragraph of the fact that three countries, including her own, had expressed reservations about the modified paragraph K.

20. Her delegation, which was in favour of an increase of eight in the number of Board seats, would like due consideration to be given in the Board to the proposal made in the MESA Group regarding the modified paragraph K by the delegation of the Islamic Republic of Iran.

21. Mr. Ki-Moon BAN (Republic of Korea), having thanked the Chairman for his efforts, said that a consensus appeared to be emerging on the area group composition question and the question of designation criteria and indicators.

22. In his delegation's view, with flexibility and a spirit of compromise it should be possible to agree on the number of additional Board seats without too much difficulty. The proposals made by the Ambassador of Pakistan had been of considerable interest in that connection.

23. Mr. BENMOUSSA (Morocco) said that the Board appeared to be close to a "finalized formula" and commended the efforts of the Chairman.

24. Even if eight seats were added to the Board, however, the African Group would remain seriously under-represented. The Group's flexibility and willingness to compromise were therefore all the more noteworthy.

25. Referring to paragraph 18 of the text circulated shortly before, he proposed that a phrase like "as part of an acceptable and comprehensive solution of the Article VI issue" be added at the end of it. Referring to paragraph 19, he proposed that "Several members" be replaced by "Several area groups".

26. Regarding the designation criteria and indicators, he felt that the question marks against certain of them should be regarded as signifying not that "views are divided on the utility of including these items in the list of criteria", but that a few "questioned the legality" of applying those criteria.

27. In his view, whatever decision was ultimately taken regarding the number of additional Board seats no area group or country need feel threatened; the present balance within the Board would be maintained. The important thing was to take the decision by consensus; decisions not based on consensus often led to failure.

28. Mr. TIWARI (India), speaking on behalf of the Group of 77 and China and of the MESA Group, said that an increase of six in the number of Board seats as envisaged in paragraph 20 of the text distributed shortly before would not be sufficient.

29. Mr MCINTOSH (Australia), speaking on behalf of the SEAP Group, recalled the statement he had made during the previous meeting and said that the SEAP Group would reserve its position on any proposal involving an increase of more than six in the number of Board seats.

30. Mr. GRÖNBERG (Finland)*, speaking on behalf of the European Union, expressed support for the text distributed shortly before, which, although it would benefit from some minor amendments, was well-balanced.

31. As far as the designation criteria and indicators were concerned, the European Union did not think that further negotiations on them were necessary.

32. Ms. HOANG THI NINH (Viet Nam), calling for an increase of eight in the Board's membership, expressed the hope that a spirit of compromise would prevail.

33. Mr. IKEDA (Japan) said that a consensus seemed to be emerging on the area group composition question and also on the question of designation criteria and indicators, although reservations had been expressed.

34. Although Japan still favoured an increase of no more than six in the number of Board seats, for the sake of resolving the Article VI issue it was ready to support a consensus in

favour of an additional seven or eight seats. In that connection, he suggested that the proposals made by the Ambassador of Pakistan be circulated in writing.

35. Mr. PALACIOS CEVALLOS (Ecuador)*, speaking on behalf of GRULAC, said that, although GRULAC had already made its position clear, it would be ready to support any consensus solution to the Article VI issue.

36. Mr. NÉMETHY (Slovakia) said that any change in the size and composition of the Board should be made in such a way as not to compromise the Board's efficiency. In his delegation's view, the Board was a well-balanced body, although Eastern Europe was now greatly under-represented.

37. His delegation was not convinced that an increase of six in the Board's membership was insufficient.

38. Mr. AL-GHAIS (Kuwait)*, speaking on behalf of the Arab Group, said that all except two members of the Group could go along with paragraph 18 of the text distributed shortly before. At the same time, the Group agreed with what the Ambassador of Pakistan had said about paragraph 18.

39. Referring to paragraph 20, he said that the Arab Group unanimously favoured an increase of at least seven in the number of Board seats. It was not persuaded by any of the arguments in favour of a maximum increase of six - least of all the efficiency argument.

40. Mr. MULHI (Yemen)* called for an increase of eight in the number of Board seats, with seven as an acceptable minimum in the interests of consensus.

41. The CHAIRMAN said that the text distributed shortly before, having been prepared on the basis of the discussion which had taken place during the Board's previous meeting, would have to be modified in the light of views expressed during the present meeting.

42. Referring to the attached draft resolution, he said that, in the light of legal advice which he had received, he felt that the proposed new paragraph A.1 of Article VI should be modified to read: "... including the production of source materials, the designated seats to be distributed among the areas mentioned below as follows: ...".

43. At the suggestion of Mr. Grönberg (Finland), he proposed that further discussion of the text be postponed to the Board's next meeting in order to allow time for careful study.

The meeting rose at 12.40 p.m.

**DRAFT RECORD OF THE BOARD'S 990th MEETING
(22 September 1999)**

AMENDMENTS TO THE STATUTE OF THE IAEA

(a) AMENDMENT TO ARTICLE VI OF THE STATUTE
(GOV/1999/43, GOV/1999/52 and Add.1)

1. The CHAIRMAN invited the Board to continue its consideration of the text - with the attached draft resolution - which had been circulated at the beginning of the previous meeting as his proposal for completing the draft report contained in document GOV/1999/52.

Paragraph 15¹

2. Mr. TIWARI (India), speaking on behalf of the MESA Group, said that the Chairman had given an assurance that the inclusion of Israel in the Group would be conditional on the successful conclusion of the Middle East peace process. That assurance should be reflected in paragraph 15.

3. The CHAIRMAN suggested that paragraph 15 be left as it stood and that the relevant correspondence be attached.

4. Mr. BENMOUSSA (Morocco), agreeing that the relevant correspondence should be attached, said that the concern expressed by the Governor from India could perhaps be met through the incorporation of additional wording in paragraph 18.

5. Mr. SALEHI (Islamic Republic of Iran)* expressed support for the suggestion made by the Governor from Morocco.

Paragraph 17

6. The CHAIRMAN proposed that the phrase "and the practice of rotation could be applied within areas" be replaced by a sentence reading "The Board noted the practice of rotation within some areas." and that the sentence be placed at the end of the paragraph.

7. Ms. PELLICER (Mexico) suggested that the sentence read something like "The Board recognized the practice of rotation within areas which wished to engage in that practice".

¹ Paragraph 15 read as follows: "Further communications regarding the Slovenian modification to the Japanese proposal were received from Kuwait (on behalf of the Council of Arab Ambassadors) and India (on behalf of the MESA Group) (Annex 8)."

* Member States not members of the Board of Governors are indicated by an asterisk.

8. Mr. BENMOUSSA (Morocco) suggested that the sentence read something like “The Board is mindful of the importance of the rotation practised within some area groups.”
9. Mr. PALACIOS CEVALLOS (Ecuador)* said that he preferred the wording which had been suggested by the Ambassador of Mexico.
10. Mr. LICHAEV (Russian Federation) said he considered the wording which had been proposed by the Chairman to be preferable. The Board should not appear to be prescribing the practice of rotation.
11. Mr. TIWARI (India) said that the point made by the representative of the Russian Federation was a good one.
12. Mr. SALEHI (Islamic Republic of Iran)* said that, although he appreciated the point made by the representative of the Russian Federation, he did not feel that the sentence proposed by the Chairman went far enough.
13. Ms. PELLICER (Mexico) said that, although she too appreciated the point made by the representative of the Russian Federation, she preferred “recognized” to “noted” in the sentence under consideration; it conveyed the idea that the practice in question was regarded as being acceptable.
14. Mr. YAKIS (Turkey)* suggested a wording on the lines of “The Board recognized that the area groups were free to implement the principle of rotation within their groups if they wished to do so.”
15. The CHAIRMAN said that, in the light of the various comments and suggestions just made, the sentence under consideration could perhaps read something like “The Board recognized that the area groups were free to implement the principle of rotation within their areas if they preferred to do so.”
16. Mr. TIWARI (India) said he doubted whether that wording really met the point made by the representative of the Russian Federation. The Board should not be seen as prescribing a practice which was not covered by the Statute.
17. The CHAIRMAN said that the Board seemed to be moving away from consensus on the sentence rather than towards it and urged acceptance of the wording originally proposed by him.
18. Ms. PELLICER (Mexico) said she was prepared to accept that wording.
19. Mr. GRÖNBERG (Finland)* said that the words “**or reference**” in the sentence “The Board approved the criteria and indicators in Annex 7 to document GOV/1999/52 for use as guidelines **or reference** in designating Member States to serve on the Board of Governors, on the understanding ...” was causing problems for some delegations. He suggested the following wording: “The Board approved the criteria and indicators to be used

as guidelines in designating members to the Board of Governors contained in Annex 7 document GOV/1999/52, on the understanding that ...". That wording was based on the title of Annex 7 to document GOV/1999/52.

20. Mr. LICHAEV (Russian Federation), calling for retention of the words "or reference", said that in his view they helped to make it clear that - as stated later in paragraph 17 - "not every criterion and indicator needs to be applied in the case of every Member State which is to be designated".

21. The CHAIRMAN said that the words "or reference" had been included in paragraph 17 in response to a statement made on behalf of GRULAC during the Board's previous meeting.

22. Mr. PALACIOS CEVALLOS (Ecuador)*, speaking on behalf of GRULAC, said that if the words "or reference" were deleted some members of GRULAC might have legitimate problems with the sentence in question.

23. Mr. BENMOUSSA (Morocco) suggested modifying the sentence to read "The Board approved Annex 7 to document GOV/1999/52, entitled "The criteria and indicators to be used as guidelines in designating members to the Board of Governors", on the understanding that, account being taken of statutory requirements, they will serve as a reference in designating Member States and that not every criterion and indicator....".

24. Mr. UMER (Pakistan), Mr. GRÖNBERG (Finland)*, speaking on behalf of the European Union, and Mr. PALACIOS CEVALLOS (Ecuador)*, speaking on behalf of GRULAC, expressed support for the suggestion made by the Governor from Morocco.

25. Mr. RYZHOV (Russian Federation), supported by Mr. KNYAZHNYTSKY (Ukraine)*, said that the Russian translation of the words "to be used" in the title of Annex 7 to document GOV/1999/52 had a prescriptive flavour. Perhaps the words "to be used" had a prescriptive flavour in English also.

26. Mr. TIWARI (India) said that the point being made by the Governor from the Russian Federation and the representative of Ukraine was a valid one.

27. Mr. PRETTRE (France) said that the French translation of the words "to be used" also had a prescriptive flavour.

28. Ms. MXAKATO-DISEKO (South Africa), Mr. UMER (Pakistan) and Ms. PELLICER (Mexico) urged acceptance of the suggestion made by the Governor from Morocco.

29. Mr. MCINTOSH (Australia) said that in his view the words "to be used" had a prescriptive flavour in English. He suggested that, for clarity's sake, a footnote be added in the final, published version of Annex 7 referring to paragraph 17.

30. The CHAIRMAN asked whether the suggestion made by the Governor from Morocco and that made by the representative of Australia were acceptable.
31. Mr. GRÖNBERG (Finland)* said that he wished to reserve the position of the European Union.
32. The CHAIRMAN invited comments on the second and third sentences of paragraph 17.²
33. Mr. GRÖNBERG (Finland)*, speaking on behalf of the European Union, said that several delegations had difficulties with the word “legality” in the first sentence.
34. Mr. TIWARI (India) said that his country had, on the basis of its position regarding the NPT, frequently questioned the legality of applying the criterion “Safeguards and Non-Proliferation”. The Agency’s Statute referred to “safeguarded worldwide disarmament”, not to non-proliferation, and the Agency was not the secretariat of the NPT.
35. Mr. QUEIROZ DUARTE (Brazil) said his delegation, which had questioned the utility of the criterion “financial contribution to the IAEA”, was happy with the wording of the second sentence.
36. Mr. GRÖNBERG (Finland)*, speaking on behalf of the European Union, suggested replacing “legality” by “appropriateness”.
37. The CHAIRMAN proposed that the second sentence be modified to read “A few questioned the applicability of the criteria and indicators ...”.
38. Mr. TIWARI (India) said his delegation could accept that wording.
39. Mr. MCINTOSH (Australia) said that the word “these” in the third sentence of paragraph 17 should be replaced by “the” in order not to give the impression that the criteria and indicators referred to were the ones against which there were question marks.
40. The CHAIRMAN took it that paragraph 17 had been dealt with. He also took it that paragraph 17(bis) was generally acceptable and invited comments on paragraph 18.
41. Mr. SARWAT (Egypt) expressed support for the addition - proposed by the Governor from Morocco during the previous meeting - of a phrase like “as part of an acceptable and comprehensive solution of the Article VI issue” at the end of paragraph 18.

² The second and third sentences of paragraph 17 read as follows: “A few questioned the legality of applying the criteria and indicators against which there were question marks. It was further understood that these criteria and indicators would be applied only after Article VI as amended had entered into force.”

42. Ms. KASHLAN (Syrian Arab Republic)* said that paragraph 18 should refer to the fact that the MESA Group's acceptance of the modified paragraph K was conditional on the situation in the Middle East and suggested that the text after "the Japanese proposal" be replaced by something on the following lines: ", the MESA Group's acceptance of the modified paragraph K being conditional on the successful conclusion of the Middle East peace process. Three countries expressed reservations regarding paragraph K as amended by Slovenia."
43. Mr. AMIR (Israel)* said that the agreement on the modified paragraph K was a fragile one and that, if qualifications were to be introduced, Israel would have to reconsider its position.
44. Mr. MCINTOSH (Australia) questioned the logic of the changes suggested by the representative of the Syrian Arab Republic; if the members of the MESA Group were not satisfied with the state of affairs in the Middle East, the Group should simply refuse to accept the modified paragraph K - then the required 90% majority would not be achieved.
45. Mr. BENMOUSSA (Morocco) suggested the addition, at the end of the paragraph, of a phrase like ", with due regard to the communications contained in Annex 8".
46. Mr. TIWARI (India) and Mr. UMER (Pakistan) expressed support for the suggestion just made by the Governor from Morocco.
47. Mr. AL-BERKDAR (Iraq)* expressed support for the changes suggested by the representative of the Syrian Arab Republic.
48. Mr. SALEHI (Islamic Republic of Iran)* said that in his view the addition just suggested by the Governor from Morocco would suffice.
49. Ms. KASHLAN (Syrian Arab Republic)* said that she could go along with the suggestion made by the Governor from Morocco. However, she would still like to see reference made in the paragraph to the three countries which had expressed reservations.
50. Mr. UMER (Pakistan) said that reference to those three countries would be included in Annex 8.
51. The CHAIRMAN said he took it that the Board could accept paragraph 18 with the addition suggested by the Governor from Morocco.

Paragraph 19³

52. Mr. BENMOUSSA recalled that during the previous meeting he had proposed that “Several members” be replaced by “Several area groups”.

53. Mr. TIWARI (India) said that if qualifying language of the “several ... several ...” kind was to be used in the paragraph, it should be made clear that over half of the Board’s members considered that the number of Board seats should be increased by at least seven.

54. Mr. UMER (Pakistan) expressed support for the replacement of “Several members” by “Several area groups”.

55. Mr. RITCH (United States of America), supported by Mr. CASTERTON (Canada), said that it might be more appropriate to say “Several members, speaking for area groups, ...”.

56. Mr. ZHANG Yishan (China) said that the present wording seemed to indicate that there were equal numbers in favour of a Board expansion by seven or eight seats and a Board expansion by six seats, which was not the case.

57. The CHAIRMAN suggested that the paragraph be modified to read “Many members advocated an expansion ... Several others reiterated that ...”.

58. Mr. ZHANG Yishan (China), expressing support for the Chairman’s suggestion, said that the number of Board members advocating a Board expansion by seven or eight seats was significantly greater than the number prepared to go along with an expansion by six at the most.

59. Mr. MCINTOSH (Australia) said that his delegation was uneasy about the use of that qualifying language, which gave the impression that there had been a head-count in the Board.

60. The CHAIRMAN said that that qualifying language had been used on many occasions in the past.

61. Ms. MXAKATO-DISEKO (South Africa), having expressed support for the Chairman’s suggestion, said that in her view the words “in a spirit of consensus” should be deleted; they implied that such a spirit had existed on one side only, whereas there had been give-and-take on both sides.

³ Paragraph 19 read as follows: “Several members advocated an expansion of the Board slightly in excess of that provided for by the Japanese proposal. Several others reiterated that, in a spirit of consensus, they could go along with an increase of six in the Board’s membership, as provided for in the Japanese proposal, but no more than six.”

62. Mr. PALACIOS CEVALLOS (Ecuador)* and Mr. SARWAT (Egypt) expressed support for the Chairman's suggestion and endorsed the statement made by the Ambassador of South Africa.
63. Mr. HEATHCOTE (United Kingdom) suggested that the paragraph be modified to read "Many members advocated an expansion ... Others reiterated that ...".
64. Mr. TIWARI (India) said that he could accept the Chairman's suggestion if "Several others reiterated that ..." were changed to "Some others reiterated that ..." and the words "in a spirit of consensus" were deleted.
65. Mr. BENMOUSSA (Morocco) said that, if the words "in a spirit of consensus" were to be deleted, he would like the paragraph to conclude with a sentence to the effect that the Board had agreed to resolve its differences in a spirit of consensus. By the same token, he would like to see the phrase "but no more than six" deleted; it added nothing and seemed unnecessarily provocative.
66. Mr. GRÖNBERG (Finland)* said that the European Union had consistently acted in a spirit of consensus.
67. Mr. TIWARI (India) said that the Agency's developing Member States had also consistently acted in a spirit of consensus - for example, in accepting the concept of a linkage between the Board expansion question and the area group composition question. That being so, he felt that either there should be no reference to "a spirit of consensus" in the second sentence or there should be references to it in both sentences.
68. Ms. PELLICER (Mexico) expressed support for deletion of the words "in a spirit of consensus" and for a concluding sentence on the lines suggested by the Governor from Morocco.
69. Mr. BENMOUSSA (Morocco) said that the European Union - represented by the Ambassador of Finland - clearly had a point, which could perhaps be met by modifying the wording suggested by the Chairman so that the beginning of the paragraph read something like "Many members advocated, in a positive spirit aimed at reaching a final decision by consensus, an expansion of the Board ...".
70. Mr. UMER (Pakistan) suggested the wording "Many members advocated an expansion of the Board, in a spirit of consensus, slightly in excess ..." for the first sentence and the wording "Some others reiterated that, in the same spirit, they could go along with ...", for the second sentence.
71. Mr. RITCH (United States of America) suggested modifying the second sentence to read "Some others reiterated that they questioned the value of Board expansion, but could go along with ...".

72. The CHAIRMAN read out the following wording for paragraph 19:

“Many members advocated an expansion of the Board slightly in excess of that provided for by the Japanese proposal. Some others reiterated that they questioned the value of Board expansion, but could go along with an increase of six in the Board’s membership, as provided for in the Japanese proposal, but no more than six.”

73. Paragraph 19, as read out by the Chairman, was adopted.

74. Mr. SALEHI (Islamic Republic of Iran)* said that he would have liked to see the addition of a concluding sentence along the lines suggested by the Governor from Morocco.

The meeting rose at 6.20 p.m.

**DRAFT RECORD OF THE BOARD'S 991st MEETING
(23 September 1999)**

AMENDMENTS TO THE STATUTE OF THE IAEA

(a) AMENDMENT TO ARTICLE VI OF THE STATUTE (continued)
(GOV/1999/43, GOV/1999/52 and Add.1)

1. The CHAIRMAN, recalling that at the beginning of the Board's 989th meeting a text - with attached draft resolution - had been circulated as his proposal for completing the draft report contained in document GOV/1999/52, drew attention to the revised version which had just been circulated. In line with what he had said at the end of the Board's 989th meeting, the proposed new paragraph A.1 of Article VI should read "... including the production of source materials, the designated seats to be distributed among the areas mentioned below as follows: ...".

2. He also drew attention to a version of the draft resolution incorporating changes which had been proposed by the Ambassador of Pakistan during the Board's 989th meeting.

3. Mr. RITCH (United States of America), referring to paragraph 19 of the revised text, proposed that it be modified to read "... and the Board recommended to the General Conference the adoption of the modified paragraph K. Some urged that due regard be paid to the official communications contained in Annex 8".

4. The changes to the draft resolution which had been proposed by the Ambassador of Pakistan would entail a Board expansion greater than that favoured by his country. His delegation, which was prepared to consider them, would be interested to know the underlying rationale.

5. Mr. NÉMETHY (Slovakia) said that his delegation, which had supported the European Union position for the past two years, was at the same time of the opinion that Eastern Europe was greatly under-represented in the Board.

6. Accordingly, he wished to suggest that operative subparagraph 2(b) of the draft resolution incorporating the changes proposed by the Ambassador of Pakistan¹ be modified to read "(b) One further member from among the members in the following areas: Western Europe, Eastern Europe, Middle East and South Asia" and that there be a subparagraph (c)

¹ Operative paragraph (2b) of the draft resolution incorporating those changes read as follows:

- (b) Two further members from among the members in the following areas:

Latin America,
Western Europe,
Middle East and South Asia".

reading “(c) One further member from among the members in the following areas: Latin America, Western Europe, Middle East and South Asia”.

7. Mr. BERTONCELJ (Slovenia) expressed support for the suggestion made by the Ambassador of Slovakia.

8. Mr. UMER (Pakistan), responding to the statement just made by the Resident Representative of the United States, said that the changes to the draft resolution which he had proposed reflected Pakistan’s desire to put an end to the long-standing under-representation of the African Group and the MESA Group while endeavouring to ensure that other area groups would also benefit from an expansion of the Board.

9. Mr. MCINTOSH (Australia), speaking on behalf of the SEAP Group, said that the changes proposed by the Ambassador of Pakistan, which would entail an increase of eight - rather than six - in the number of Board seats would not benefit the SEAP Group. Accordingly, the Group wished to reserve its position regarding them.

10. Mr. HERRERA ANDRADE (Mexico) said that, in GRULAC’s opinion, if the number of Board seats was increased by eight, at least one additional seat should be allocated to each area except North America. The draft resolution as proposed by the Ambassador of Pakistan would give Latin America only two-thirds of an additional seat.

11. Mr. BENMOUSSA (Morocco) said that, although the draft resolution as proposed by the Ambassador of Pakistan would, in his delegation’s view, benefit Western Europe and Eastern Europe more than MESA and Africa, his delegation was prepared to support it.

12. Mr. PALACIOS CEVALLOS (Ecuador)*, speaking on behalf of GRULAC and having reinforced what the representative of Mexico had said about the draft resolution as proposed by the Ambassador of Pakistan, noted that the suggestion made by the Ambassador of Slovakia would result in Latin America’s having only one-third of an additional seat in the context of an overall increase of eight in the number of Board seats; that was unacceptable to GRULAC.

13. Mr. SUSEANU (Romania)* and Mr. ROGATCHEV (Bulgaria)* expressed support for the suggestion made by the Ambassador of Slovakia.

14. Mr. POSTA (Hungary), expressing support for the suggestion made by the Ambassador of Slovakia, said that, when considering whether an area was under-represented, one should take into account not only the number of Member States but also the level of nuclear power generation in that area. The number of Member States in Eastern Europe had increased substantially in recent years, and the level of nuclear power generation in the area was high.

* Member States not members of the Board of Governors are indicated by an asterisk.

15. Mr. PELAEZ (Argentina) and Mr. HOJMAN GUIÑERMAN (Chile) endorsed the statement just made by the Ambassador of Ecuador on behalf of GRULAC.
16. Mr. REGUIEG (Algeria)* said that his delegation could support the draft resolution as proposed by the Ambassador of Pakistan even though its adoption would not put an end to the under-representation of Africa.
17. Mr. SARWAT (Egypt) and Mr. TWAL (Jordan) expressed support for the draft resolution as proposed by the Ambassador of Pakistan.
18. Mr. ABDULAATI MOHAMED (Libyan Arab Jamahiriya)*, speaking on behalf of the African Group, expressed support for the draft resolution as proposed by the Ambassador of Pakistan.

The meeting rose at 1.05 p.m.

**DRAFT RECORD OF THE BOARD'S 992nd MEETING
(23 September 1999)**

AMENDMENTS TO THE STATUTE OF THE IAEA

(a) AMENDMENT TO ARTICLE VI OF THE STATUTE (continued)
(GOV/1999/43, GOV/1999/52 and Add. 1)

1. Mr. KNYAZHNYTSKY (Ukraine)*, expressing support for the suggestion made by the Ambassador of Slovakia during the previous meeting, said that the purpose of amending the Statute was to reflect changes which had taken place in the world. Any expansion of the Board should take adequate account of the interests of Eastern Europe, which had in recent years undergone fundamental changes - particularly in the nuclear sector.
2. Mr. GRÖNBERG (Finland)*, speaking on behalf of the European Union, expressed sympathy for the concerns of the East European Group regarding its under-representation in the Board.
3. Mr. ALI (Kuwait)*, Ms. KASHLAN (Syrian Arab Republic)*, Mr. AMMAR (Tunisia)*, Mr. AL-SULEIMAN (Saudi Arabia), Mr. AHMED HASSAN (Sudan), Ms. ZIADÉ (Lebanon) and Ms. HOANG THI NINH (Viet Nam) expressed support for the draft resolution as proposed earlier by the Ambassador of Pakistan.
4. Mr. TIWARI (India), also expressing support for that draft resolution, said that it appeared to have the backing of a very substantial number of Member States.
5. Mr. GAWLIK (Poland)* expressed support for the suggestion made by the Ambassador of Slovakia.
6. Mr. CARRERA DORAL (Cuba)* endorsed the statement made by the Ambassador of Ecuador on behalf of GRULAC during the previous meeting.
7. Mr. VILOVIĆ (Croatia)*, expressing support for the suggestion made by the Ambassador of Slovakia, said that in his view there would not be a great deal of difference as regards efficiency whether the Board was expanded by six, seven or eight seats.
8. Ms. MXAKATO-DISEKO (South Africa), expressing support for the draft resolution as proposed by the Ambassador of Pakistan, suggested that the Board deal with it first and then move on to consideration of the suggestion made by the Ambassador of Slovakia.
9. Mr. PALACIOS CEVALLOS (Ecuador), speaking on behalf of GRULAC, said that, although the draft resolution as proposed by the Ambassador of Pakistan did not go all

* Member States not members of the Board of Governors are indicated by an asterisk.

the way to meeting GRULAC's expectations, GRULAC could accept it in a spirit of compromise.

10. Mr. ALVAREZ (Peru) and Mr. SERVIÁN (Uruguay) endorsed the statement just made by the Ambassador of Ecuador on behalf of GRULAC.

11. Mr. GRÖNBERG (Finland)*, speaking on behalf of the European Union, said that the European Union remained committed to the draft resolution circulated at the beginning of the Board's 989th meeting, which envisaged a Board expansion by six seats.

12. Mr. BENMOUSSA (Morocco) said that there also existed a proposal for amending Article VI which had been submitted earlier by Morocco, which envisaged an expansion of the Board by ten seats and which would not be withdrawn until the draft resolution envisaging six additional Board seats was withdrawn.

13. Calling for an additional eight Board seats as a minimum, he said that discussion should not become bogged down over differences regarding the allocation of one third of an additional seat to Eastern Europe or to Latin America.

14. The CHAIRMAN, responding to the statement just made by the Ambassador of South Africa, proposed that the meeting be suspended so that he could hold consultations with the Ambassadors of Pakistan and Slovakia.

The meeting was suspended at 3.45 p.m. and resumed at 6.25 p.m.

15. The CHAIRMAN reported that attempts to reconcile the draft resolution as proposed by the Ambassador of Pakistan with the suggestion made by the Ambassador of Slovakia had not met with success.

16. Mr. RAJA ADNAN (Malaysia)* and Mr. SIMBOLON (Indonesia)*, having recalled the SEAP Group's position as stated earlier by the representative of Australia, said that their delegations would support a proposal envisaging an expansion of the Board by seven or eight seats if the interests of the SEAP Group were accommodated.

17. Mr. TIWARI (India), referring to paragraph 19 of the text under consideration and recalling the proposal made regarding it during the previous meeting by the Resident Representative of the United States, said that he would prefer the proposed additional sentence to begin "Many urged ...", rather than "Some urged ...", it being understood that "many" did not mean "a majority".

18. Mr. RITCH (United States of America) said that in his view "Several urged ..." would be more accurate than "Many urged ...".

19. Mr. TIWARI (India) said that he would like to see "Many urged ..." as a counterbalance to the reference to "overwhelming support" at the beginning of the paragraph.

20. Mr. AMIR (Israel)* expressed support for the additional sentence as originally proposed by the Resident Representative of the United States - in other words, with "Some urged ..." at the beginning.
21. Mr. SALEHI (Islamic Republic of Iran)* expressed support for the formulation "Many urged ...".
22. Mr. UMER (Pakistan) suggested that the additional sentence read "Several members urged full regard to the official communications contained in Annex 8".

The meeting rose at 7.10 p.m.