



GC

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FORTY-FIFTH (2001) REGULAR SESSION

GENERAL COMMITTEE

RECORD OF THE FIRST MEETING

Held at the Austria Center Vienna
on Monday, 17 September 2001, at 2.15 p.m.

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[*] GC(45)/1.

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Delegates are kindly requested to bring their own copies of documents to meetings.

ATTENDANCE AT THE MEETING

Chairman

Mr. GRÖNBERG (Finland), President of the General Conference

Members

Mr. GONG Chunsen, representing Mr. ZHANG Huazhu (China), Vice-President of the General Conference

Mr. PALACIOS (Ecuador), Vice-President of the General Conference

Mr. BORCHARD, representing Ms. MÖLLER (Germany), Vice-President of the General Conference

Mr. HANIFF, representing Mr. HASHIM (Malaysia), Vice-President of the General Conference

Mr. DEDUSHKIN, representing Mr. RUMYANTSEV (Russian Federation), Vice-President of the General Conference

Mr. MOONESINGHE (Sri Lanka), Vice-President of the General Conference

Mr. AUGUSTINE, representing Mr. ABRAHAM (United States of America), Vice-President of the General Conference

Mr. KANGAI (Zimbabwe) Vice-President of the General Conference

Ms. HERNES (Norway), Chairperson of the Committee of the Whole

Mr. FIGUEROA (Argentina), Additional Member

Mr. HOGBE NLEND (Cameroon), Additional Member

Mr. KLUCKÝ, representing Ms. DRÁBOVÁ (Czech Republic), Additional Member

Ms. AL-MULLA (Kuwait), Additional Member

Mr. KUTAS, representing Mr. DAINIUS (Lithuania), Additional Member

Secretariat

Mr. WALLER, Deputy Director General for Management

Mr. ANING, Secretary of the Committee

ADOPTION OF THE COMMITTEE'S AGENDA
(GC(45)/GEN/1)

1. The CHAIRMAN said that, in conducting the Committee's business, he intended to follow the established practice whereby its meetings were private but representatives of Member States that had requested the inclusion of an item in the agenda were entitled, pursuant to Rule 43 of the Rules of Procedure, to attend relevant meetings and to participate, without a vote, in the discussion of their request. Representatives of other Member States could also attend the Committee's meetings and participate in discussions as decided by the Committee.

2. In addition to the two traditional sub-items under the item "Arrangements for the Conference", namely "Adoption of the agenda and allocation of items for initial discussion" and "Closing date of the session and opening date of the next session", the provisional agenda for the meeting (GC(45)/GEN/1) contained an item dealing with requests for restoration of voting rights. So far, the Secretariat had received two requests set forth in documents GC(45)/INF/9 and GC(45)/INF/12.

3. If there were no objections, he would take it that the Committee wished to adopt the agenda proposed in document GC(45)/GEN/1.

4. It was so decided.

ARRANGEMENTS FOR THE CONFERENCE

(a) ADOPTION OF THE AGENDA AND ALLOCATION OF ITEMS FOR INITIAL
DISCUSSION
(GC(45)/1)

5. The CHAIRMAN drew the Committee's attention to the provisional agenda for the Conference contained in document GC(45)/1.

6. He suggested that the Committee recommend to the General Conference that the agenda for the current session consist of all the items listed in document GC(45)/1.

7. It was so agreed.

8. The CHAIRMAN said that, if there were no objections, he would take it that the Committee wished to recommend to the General Conference the allocation of items and order of discussion set out in document GC(45)/1.

9. It was so decided.

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

10. The CHAIRMAN proposed that the Committee recommend to the General Conference that the closing date of the session be Friday, 21 September 2001.

11. It was so decided.

12. The CHAIRMAN proposed that the Committee recommend to the General Conference that the opening date of the next regular session be Monday, 16 September 2002.

13. It was so decided.

RESTORATION OF VOTING RIGHTS

(GC(45)/INF/9 and GC(45)/INF/12)

14. The CHAIRMAN said that requests for restoration of voting rights had been submitted by Iraq and Kazakhstan in documents GC(45)/INF/9 and GC(45)/INF/12 respectively.

15. Under Article XIX.A of the Statute, a Member State which was in arrears with the payment of its financial contributions to the Agency had no vote in the Agency if the amount of its arrears equalled or exceeded the amount of the contributions due from it for the preceding two years. The General Conference could nevertheless permit such a member to vote if it was satisfied that the failure to pay was due to conditions beyond the control of the member. It was on that basis that Iraq and Kazakhstan had applied to have their votes restored.

16. In 1998, the General Conference had adopted, in resolution GC(42)/RES/4, criteria and guidelines for consideration by the Conference of future requests for the restoration of voting rights. In November 1998, at the request of the General Conference, the Board of Governors had adopted measures, set out in document GOV/1998/54/Rev.2, to facilitate the payment and settlement of contributions by Member States in arrears. Compliance by affected Member States with agreed arrangements for settling arrears in accordance with measures adopted by the Board was intended to be one of the criteria that would guide the Conference in its consideration of requests for the restoration of voting rights.

17. Mr. AUGUSTINE (United States of America) said that any difficulties encountered by Iraq in paying its contributions to the Agency were directly attributable to its failure to comply with United Nations Security Council resolutions. The Director General had reported to the Board of Governors that the Agency was unable to provide any measure of assurance with regard to Iraq's compliance with its obligations under relevant Security Council resolutions. The request for restoration of its voting rights should therefore be rejected.

18. Mr. DEDUSHKIN (Russian Federation) said that Iraq's arguments in support of its request for the restoration of its voting rights were based on the criteria adopted by the General Conference at its forty-second session. Although Iraq was prepared, in principle, to settle all its arrears of contributions due to international organizations, it was unable to do so on account of financial circumstances beyond its control, including economic sanctions. To break the deadlock and ensure the implementation of all relevant Security Council resolutions, the Russian Federation had proposed that the restoration of international monitoring in Iraq should be coupled with a relaxation of the sanctions regime. His country supported Iraq's request for restoration of its voting rights at the General Conference.

19. Ms. AL-MULLA (Kuwait) said that the criteria adopted by the General Conference at its forty-second session were not, in her view, applicable to Iraq, which had not been prevented from settling its arrears by circumstances beyond its control. On the contrary, its current policies and its relations with many countries inside and outside the region implied that it could easily afford to pay its assessed contributions if it so wished. She suggested that the representative of the Russian Federation record a reservation regarding the Committee's recommendation to the General Conference that Iraq's voting rights not be restored.

20. Mr. DEDUSHKIN (Russian Federation) said that he was not willing to record a reservation but was prepared to vote on the matter if necessary.

21. The CHAIRMAN suggested that a decision on the matter be deferred pending consultations.

22. Mr. GONG Chunsen (China), Mr. DEDUSHKIN (Russian Federation) and Mr. PALACIOS (Ecuador) endorsed the Chairman's proposal.

23. It was so decided.

24. The CHAIRMAN, turning to Kazakhstan's request for the restoration of its voting rights, noted that a payment plan along the lines envisaged in the Board's decision of November 1998 had been agreed with the Secretariat and that Kazakhstan had paid the agreed instalment to the Agency as well as its contribution for 2001.

25. Mr. BORCHARD (Germany), commending Kazakhstan's constructive attitude to the settlement of its arrears, proposed that the Committee should support its request for the restoration of its voting rights.

26. Mr. DEDUSHKIN (Russian Federation) said that his country was confident that Kazakhstan would settle all its arrears over the next five years and strongly supported its request for the restoration of its voting rights at the current session.

27. The CHAIRMAN said that he took it, in view of Kazakhstan's adherence to its payment plan agreement with the Agency, that the Committee recommended that Kazakhstan be permitted to vote during the current session of the Conference and that its voting rights be

restored until the end of its payment plan, on the understanding that the Secretariat would report annually on the status of that plan.

28. It was so decided.

The meeting rose at 2.50 p.m.