



International Atomic Energy Agency

GENERAL CONFERENCEGENERAL Distr.
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Item 20 of the provisional agenda
(GC(45)/1)

AMENDMENT TO ARTICLE VI OF THE STATUTE

1. On 1 October 1999, in resolution GC(43)/RES/19, the General Conference approved an amendment to Article VI of the Agency's Statute. The General Conference, in the same resolution, urged "all Member States of the Agency to accept this amendment as soon as possible in accordance with their respective constitutional processes, as provided for in Article XVIII"(operative paragraph 3) and requested "the Director General to report to the General Conference, at its 45th regular session on the progress made towards the entry into force of this amendment."(operative paragraph 4) The text of the amendment is attached as Annex 1. The purpose of this document is to report to Members on the progress made towards the entry into force of the amendment.

Progress Made towards Entry Into Force

2. On 3 November 1999, the Director General sent a circular note verbale to the Ministers of Foreign Affairs of Member States transmitting a certified copy of the text of the amendment of Article VI of the Agency's Statute, as approved by the General Conference on 1 October 1999 by Resolution GC(43)/RES/19. It was indicated in the note that acceptance of the amendment is to be effected by the deposit of an instrument of acceptance with the Depository Government, namely the Government of the United States of America.

3. On 10 November 2000, the Director General sent another circular note verbale to the Ministers of Foreign Affairs of Member States, referring to the above-mentioned circular note verbale of 3 November 1999. It drew attention to paragraph 3 of Resolution GC(43)/RES/19 of 1 October 1999, by which the General Conference "urge[d] all Member States of the Agency to accept this amendment as soon as possible in accordance with their respective constitutional processes, as provided for in Article XVIII.C.(ii) of the Statute" as well as to paragraph 4, by which the General Conference "request[ed] the Director General to report to the General Conference, at its 45th regular session on the progress made towards the entry into force of this amendment." Accordingly, the Director General requested Ministers of Foreign Affairs to address the issue of their Governments' acceptance of the amendment to Article VI of the Statute at their earliest convenience.

4. As of 16 July 2001, the Director General had been informed by the depository Government that 21 Member States have accepted the amendment to Article VI in accordance with their respective constitutional processes. It may be recalled that pursuant to Article

XVIII C.(ii) and paragraph II of the amendment itself, the following is required for its entry into force:

a) Acceptance by two-thirds of all Member States in accordance with their respective constitutional processes. Acceptance by a Member State shall be effected by the deposit of an instrument of acceptance with the depositary Government. (Article XVIII C.(ii))

b) Confirmation by the General Conference of a list of all Member States adopted by the Board, in both cases by a majority vote of 90 percent of all those present and voting, whereby each Member State is allocated to one of the geographic areas referred to in Article VI. (Paragraph II of the amendment)

5. Attached to this document as Annex 2 is a list of those States whose acceptance of the amendment has been notified by the depositary Government to the Agency as of 16 July 2001.

**AN AMENDMENT OF ARTICLE VI OF THE STATUTE OF THE
INTERNATIONAL ATOMIC ENERGY AGENCY**

I. Replace paragraph A of Article VI of the Agency's Statute by the following:

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

1. The outgoing Board of Governors shall designate for membership on the Board the eighteen members most advanced in the technology of atomic energy including the production of source materials, the designated seats to be distributed among the areas mentioned below as follows:

| | |
|---------------------------------|---|
| North America | 2 |
| Latin America | 2 |
| Western Europe | 4 |
| Eastern Europe | 2 |
| Africa | 2 |
| Middle East and South Asia | 2 |
| South East Asia and the Pacific | 1 |
| Far East | 3 |

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

(a) Twenty-two members, with due regard to equitable representation on the Board as a whole of the members in the areas listed in subparagraph A.1 of this article, so that the Board shall at all times include in this category:

four representatives of the area of Latin America,
four representatives of the area of Western Europe,
three representatives of the area of Eastern Europe,
five representatives of the area of Africa,
three representatives of the area of the Middle East and South Asia,
two representatives of the area of South East Asia and the Pacific, and
one representative of the area of Far East.

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

Western Europe
Eastern Europe
Middle East and South Asia

(c) One further member from among the members in the following areas:

Latin America
Eastern Europe"

and

II. Add at the end of Article VI the following new paragraph:

"K. The provisions of paragraph A of this Article, as approved by the General Conference on 1 October 1999, shall enter into force when the requirements of Article XVIII.C are met and the General Conference confirms a list of all Member States of the Agency which has been adopted by the Board, in both cases by ninety per cent of those present and voting, whereby each Member State is allocated to one of the areas referred to in sub-paragraph 1 of paragraph A of this Article. Any change to the list thereafter may be made by the Board with the confirmation of the General Conference, in both cases by ninety per cent of those present and voting and only after a consensus on the proposed change is reached within any area affected by the change".

**ACCEPTANCE OF AMENDMENT TO ARTICLE VI
OF THE IAEA STATUTE
(As informed by the depositary Government)**

Status as of 16 July 2001

| Member State | Date of Acceptance |
|------------------------|---------------------------|
| 1. Algeria | 13 June 2001 |
| 2. Belarus | 16 March 2001 |
| 3. Canada | 15 September 2000 |
| 4. Croatia | 3 November 2000 |
| 5. France | 2 May 2001 |
| 6. Greece | 15 June 2001 |
| 7. Holy See | 2 February 2001 |
| 8. Ireland | 29 November 2000 |
| 9. Japan | 31 May 2000 |
| 10. Korea, Republic of | 11 February 2000 |
| 11. Liechtenstein | 30 October 2000 |
| 12. Malta | 30 December 1999 |
| 13. Monaco | 11 April 2001 |
| 14. Morocco | 7 March 2000 |
| 15. Myanmar | 7 May 2001 |
| 16. Pakistan | 20 June 2000 |
| 17. Romania | 26 June 2001 |
| 18. Slovenia | 3 April 2000 |
| 19. Sweden | 13 July 2001 |
| 20. Switzerland | 24 August 2000 |
| 21. United Kingdom | 2 January 2001 |