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Committee of the Whole

Record of the Fifth Meeting

Held at the Austria Center Vienna on Thursday, 18 September 2003, at 10.20 a.m.

Chairman: Mr. GARCIA (Philippines)

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[*] GC(47)/21

The composition of delegations attending the session is given in document GC(47)/INF/14/Rev.2.

03-05305 (LXIII)

16. Strengthening the Agency's activities related to nuclear science, technology and applications (resumed) (GC(47)/COM.5/L.8, L.10/Rev.2 and L.15)

1. The representative of the RUSSIAN FEDERATION said that, following the earlier discussions of the draft resolution contained in document GC(47)/COM.5/L.8, he had received two proposals that could provide the basis for a consensus on the two outstanding contentious paragraphs. The first proposal was to insert the words "conscious of the need for sustainable development" in the second line of preambular paragraph (c) and delete "for sustainable development" at the end of the paragraph. The second was to insert the phrase "Recognizing that the funding of INPRO comes partly from the Regular Budget and in large part from extrabudgetary resources," at the beginning of operative paragraph 4.
2. The representative of IRELAND thanked the representative of the Russian Federation for his flexibility and said that the proposed amendment to preambular paragraph (c) was acceptable to his country.
3. The representative of JAPAN thanked the representative of the Russian Federation for accommodating his country's position through the proposed amendment to operative paragraph 4.
4. The CHAIRMAN took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution contained in document GC(47)/COM.5/L.8 as amended.
5. It was so agreed.
6. The representative of INDIA, introducing the draft resolution contained in document GC(47)/COM.5/L.10/Rev.2, which had been submitted by Brazil on behalf of the Group of 77 and China, said that it addressed various activities of paramount importance to the Group and was based on the similar resolution adopted the preceding year. The sponsors wished to introduce two minor amendments, namely the replacement of the words "for enhancing" by "with due regard to" in the penultimate line of operative paragraph 5, and the deletion of the word "sequestration" at the end of operative paragraph 6. He expressed the hope that the Committee would recommend the adoption of the draft resolution by the General Conference.
7. The CHAIRMAN took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution contained in document GC(47)/COM.5/L.10/Rev.2 as amended.
8. It was so agreed.
9. The representative of CANADA, introducing the draft resolution contained in document GC(47)/COM.5/L.15, said it built on resolution GC(46)/RES/11.B, which had received wide support. The Agency had done much to respond to that earlier resolution and the sponsors wished to maintain the momentum.
10. The representative of GERMANY suggested replacing the phrase "within available resources" in preambular paragraph (b) and operative paragraph 1 with the phrase "subject to the availability of resources".
11. The DIRECTOR OF THE DIVISION OF BUDGET AND FINANCE said that, though the phrase "subject to the availability of resources" might be used in paragraph 1, the words "within

available resources” should be retained in preambular paragraph (b) which directly quoted resolution GC(46)/RES/11.B.

12. The CHAIRMAN took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution contained in document GC(47)/COM.5/L.15 with the proposed amendment to operative paragraph 1.

13. It was so agreed.

22. Personnel

(a) Staffing of the Agency’s Secretariat (GC(47)/13; GC(47)/COM.5/L.13)

14. The representative of the PHILIPPINES, introducing the draft resolution contained in document GC(47)/COM.5/L.13 on behalf of the Group of 77 and China, said that the Group appreciated the continued efforts of the Agency’s senior management to recruit staff members from developing countries, and in particular from under-represented and unrepresented countries. Those efforts should continue in earnest and the Group was committed to drawing to the Secretariat’s attention qualified candidates in its member countries.

15. The draft resolution submitted contained three major improvements over the preceding resolution GC(45)/RES/15.A, namely the addition of preambular paragraph (c) referring to the Agency’s use of modern technology in the recruitment process, of preambular paragraph (d) concerning forecasts of vacancies in the Professional category, and operative paragraph 3 requesting the Director General to address the issue of under-representation and non-representation and report to the forty-ninth session of the General Conference. The Group was further proposing that the words “and progress” be inserted after the word “efforts” in the second line of preambular paragraph (b), and that the phrase “taking into account Article VII.D of the Statute and the relevant General Conference resolutions” be inserted in the first line of operative paragraph 3.

16. The representative of JAPAN expressed appreciation for the new operative paragraph 3. The topic of under-representation was not only of interest to the developing countries. His own country was also under-represented in view of the fact that it contributed 20% of the Regular Budget. Article VII.D of the Statute stated that, subject to the paramount consideration of securing employees of the highest standards of efficiency, technical competence and integrity, due regard should be paid to the contributions of members to the Agency and to the importance of recruiting the staff on as wide a geographical basis as possible. He suggested that the words “to prepare an action plan” should be inserted after the words “Director General” in the first line of operative paragraph 3.

17. The representative of the PHILIPPINES, supported by the representative of INDIA, and responding to the suggestion made by the representative of Japan, expressed the view that the Secretariat should be left to decide on the most appropriate course of action following full consultations.

18. The representative of the UNITED STATES OF AMERICA noted that no definition of under-represented countries was provided in document GC(47)/13 and asked if the Secretariat had an accepted definition thereof.

19. The DIRECTOR OF THE DIVISION OF PERSONNEL said that, in recruiting staff, the Secretariat adhered fully to the principles laid down in Article VII.D of the Statute. However, it did not apply any system of desirable ranges or quotas, particularly since the strict application of one of the principles set forth in Article VII.D - that the contributions of Member States should be taken into account in recruiting staff - would exclude many applicants from countries with a low scale of assessment, conflicting both with the principle that staff should be recruited on as wide a geographical basis as possible and with repeated resolutions calling for an increase in staff from developing countries.
20. The representative of the UNITED STATES OF AMERICA pointed out that paragraph 20 of document GC(47)/13 indicated that the Secretariat must have a definition of what constituted an under-represented country and, since the draft resolution requested the Director General to take action on that issue, it would be useful to know what that definition was.
21. The DIRECTOR OF THE DIVISION OF PERSONNEL said that the definition of an under-represented country was based on a set of indicative staffing figures derived from the scale of assessment for Regular Budget contributions. If the representation of a country was lower than 50% of the indicative figure, that country was considered to be under-represented.
22. The representative of INDIA expressed concern that the Secretariat's indicative figures were based solely on the scale of assessment for Regular Budget contributions.
23. The representative of ITALY requested more information from the Secretariat regarding its definition of under-representation, in particular a chart indicating adequate levels of representation for each country based on the scale of assessment for Regular Budget contributions. He also asked whether the seniority of employees was taken into consideration in the calculations.
24. The DEPUTY DIRECTOR GENERAL FOR MANAGEMENT said that releasing a list of indicative figures for each country was not something that had been done in the past, partly because it might raise false expectations. Such a list existed, but it was used only as an internal tool for calculating which countries were under-represented. The Director General had specifically requested that the figures not be included in documents referred to him relating to employment decisions.
25. The representative of ITALY replied that, if Member States did not have access to the figures they could not know whether they were under-represented, which did not promote transparency. It would be useful if at least those countries which specifically requested such information could be provided with it.
26. The representative of INDIA endorsed the notion that such a list should not be used as a basis for employment decisions. Many other important factors needed to be taken into consideration, such as General Conference and General Assembly resolutions
27. The representative of GERMANY noted that the Director General was being requested to organize recruitment and/or information events in developing countries in both operative paragraphs 2 and 3. He asked whether that apparent repetition might not be deleted from operative paragraph 3, and whether those activities had been budgeted for or whether they could be accomplished from existing resources.
28. The representative of the PHILIPPINES said that, in operative paragraph 2, the phrase in question was used as an example, whereas in operative paragraph 3 it was a specific request. If either was to be deleted, it should be the occurrence in operative paragraph 3.
29. The representative of JAPAN pointed out that operative paragraph 2 requested the Director General to strengthen recruitment efforts in Member States, whereas operative paragraph 3 requested

him to address the issue of under-representation and non-representation. Thus there was a difference and both paragraphs should be retained.

30. The representative of the UNITED STATES OF AMERICA suggested that the phrase “within available resources” in operative paragraph 2 should be replaced by the phrase “subject to the availability of resources”, which seemed to be the language preferred by the Secretariat.

31. The representative of GERMANY endorsed that proposal and suggested that the same phrase be included in operative paragraph 3.

32. The DIRECTOR OF THE DIVISION OF BUDGET AND FINANCE expressed support for the suggested change of language in operative paragraph 2. Whether or not the same phrase should be inserted in operative paragraph 3 would depend on the exact nature of the Director General’s proposed involvement: if the Director General was simply being asked to address the issues and report on them, the extra language was perhaps not necessary; however, if he was being asked to be involved in organizing events in developing countries, the extra language should be inserted after “Also requests the Director General”.

33. The representative of the PHILIPPINES noted that the phrase “within available resources” was consensus language agreed upon at the forty-fifth regular session of the General Conference.

34. The representative of the UNITED STATES OF AMERICA said it was his understanding that the Secretariat preferred the language “subject to the availability of resources” to “within available resources”, but that the difference in language did not affect what happened in the real world.

35. The CHAIRMAN took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution contained in document GC(47)/COM.5/L.13, incorporating the two amendments proposed by the representative of the Philippines in his statement introducing the draft resolution, changing the phrase “within available resources” in operative paragraph 2 to “subject to the availability of resources”, and incorporating the latter phrase also in operative paragraph 3.

36. It was so agreed.

(b) Women in the Secretariat
(GC(47)/14; GC(47)/COM.5/L.7)

37. The representative of PERU, introducing the draft resolution contained in document GC(47)/COM.5/L.7 on behalf of the Group of 77, said that it was based on the language of resolution GC(45)/RES/15.B. She appealed to members not to re-open the debate on the language of preambular paragraphs (a), (b), (d) and (f) and operative paragraphs 1, 6, 8 and 9, except with the aim of improving the situation of women in the Secretariat. The main changes from the preceding resolution were in preambular paragraphs (c), (d) and (e), which had been based on the summary, paragraph 4 and paragraph 3 respectively of document GC(47)/14; in operative paragraph 2, which had been based on paragraph 10 of that document; and in operative paragraphs 3 and 4, which had been based on paragraph 11 of the document. Operative paragraph 5 was also new and encouraged the Agency to remain part of the Inter-Agency Network on Women and Gender Equality. The draft resolution had been prepared in consultation with Member States, the Focal Point for Gender Concerns in the Secretariat, and the Division of Personnel.

38. The DEPUTY DIRECTOR GENERAL FOR MANAGEMENT suggested adding the words “subject to the availability of resources” in operative paragraph 8 after the phrase “from the Regular Budget of the Agency”.

39. The CHAIRMAN took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution contained in document GC(47)/COM.5/L.7 as amended by the Deputy Director General for Management.

40. It was so decided.

The meeting rose at 11.45 a.m.