

General Conference

GC(63)/GEN/OR.2

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Sixty-third regular session

General Committee

Record of the Second Meeting

Held at Headquarters, Vienna, on Thursday, 19 September 2019, at 9.20 a.m.

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¹ GC(63)/22.

Attendance

Chair

Ms BUENROSTRO MASSIEU (Mexico), President of the General Conference

Members

Mr SOLANO ORTIZ (Costa Rica), Vice-President of the General Conference

Mr GHAEBI, representing Mr SALEHI (Islamic Republic of Iran), Vice-President of the General Conference

Mr SIVAGURUNATHAN, representing Mr YUSOF (Malaysia), Vice-President of the General Conference

Mr FARHANE (Morocco), Vice-President of the General Conference

Mr GIERVELD (Netherlands), Vice-President of the General Conference

Mr OSIPOV, representing Mr APOSTOL (Republic of Moldova), Vice-President of the General Conference

Ms WOLCOTT (United States of America), Vice-President of the General Conference

Ms RAYOS NATIVIDAD (Philippines), Chair of the Committee of the Whole

Mr PACHECHO, representing Mr BORGES (Angola), Additional Member

Mr KLUČAR, representing Mr ŠRÁMEK (Czech Republic), Additional Member

Mr DINESEN (Denmark), Additional Member

Mr STEINMETZ, representing Mr UNGEHEUER (Luxembourg), Additional Member

Mr BULYCHEV, representing Mr FERAPONTOV (Russian Federation), Additional Member

Mr ALNUAIMI, representing Mr ALKAABI (United Arab Emirates), Additional Member

Chair of the Board of Governors

Ms AL-HADID (Jordan)

Secretariat

Ms HAYWARD, Deputy Director General, Department of Management

Ms WIJEWARDANE, Secretary of the Committee

– **Adoption of the agenda for the meeting**
(GC(63)/GEN/2)

1. The CHAIR asked whether the Committee wished to adopt the provisional agenda contained in document GC(63)/GEN/2.
2. The agenda was adopted.

– **Restoration of voting rights**
(GC(63)/INF/7 and 10)

3. The CHAIR said that there was one request for the restoration of voting rights before the Committee, from Libya. Under Article XIX.A of the Statute, a member of the Agency which was in arrears in 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 that member. Document GC(42)/10, adopted via resolution GC(42)/RES/4, set out a number of criteria for consideration of requests for restoration of voting rights.
4. Ms HAYWARD (Deputy Director General for Management) said that, in a letter contained in document GC(63)/INF/10, the Libyan Embassy and Permanent Mission to the International Organizations in Vienna had requested the restoration of Libya's voting rights on the basis of its commitment to paying its remaining arrears for the years 2015–2019 once the situation permitted. Libya's arrears for 2015–2019 totalled €2 092 744 and US \$116 516.
5. Libya had lost its right to vote in January 2017. In January 2018, Libya had made a payment to the Regular Budget of approximately €436 000. Libya remained without voting rights, however, as it had outstanding arrears related to its 2015 Regular Budget contribution. In September 2018, the General Committee had considered and accepted Libya's request, restoring Libya's voting rights for a period of one year, ending prior to the commencement of the 2019 session of the Conference.
6. To restore its voting rights, Libya was required to pay, as a minimum, the sum of its arrears for 2015–2016, plus one euro towards its arrears for 2017. The Secretariat had been informed that payment of the minimum amount had been initiated by the Government but it was unclear when it would reach the Agency as no further information had been provided.
7. The CHAIR said that a report on measures taken to facilitate payment of contributions and a status report on Member States participating in a payment plan had been issued as document GC(63)/INF/7.
8. She took it that it was the opinion of the Committee that the failure by Libya to pay the amount necessary to avoid the application of Article XIX.A of the Statute was due to conditions beyond its control and that, accordingly, its right to vote in the Agency should be restored during the current session of the General Conference for a period of one year, ending prior to the commencement of the next session of the Conference.

9. It was so decided.

25. Examination of delegates' credentials

10. The CHAIR proposed that the General Committee meet as a credentials committee and take up the examination of delegates' credentials.

11. Recalling Rule 27 of the Rules of Procedure of the General Conference, she said that credentials designated the delegate of a Member State to a given session of the General Conference, that credentials were submitted to the Director General and that they were issued by the Head of State or Government or by the Minister of Foreign Affairs of the Member State concerned. The Committee's task was limited to ascertaining whether the requirements of Rule 27 had been satisfied.

12. Credentials for 127 delegates had been received in due form. In addition, the Secretariat had received communications in respect of 25 delegates that did not constitute formal credentials meeting the requirements of Rule 27. Nineteen Member States were not participating and had not submitted any credentials.

13. Document GC(63)/23 contained a statement submitted by Arab States members of the Agency participating in the sixty-third session of the General Conference, expressing their reservations concerning the credentials of the Israeli delegate.

14. Document GC(63)/24 contained a communication from Israel setting out its position with regard to those reservations.

15. Mr GHAEBI (Islamic Republic of Iran) said that the Committee's acceptance of the report on its examination of delegates' credentials must not be construed as constituting in any way recognition of the Israeli regime by his Government.

16. The CHAIR suggested that the Committee submit to the General Conference a report stating that it had met to examine the credentials of delegates in accordance with Rule 28 of the Rules of Procedure, and containing a list of Member States whose delegates had, in the Committee's opinion, submitted credentials satisfying the requirements of Rule 27 of the Rules of Procedure, and another list indicating the Member States for whose delegates the Director General had received communications that did not comply with that rule.

17. In accordance with past practice, the report could indicate that the Committee considered that delegates in the latter category should nevertheless be allowed to participate in the work of the Conference on the understanding that they would submit credentials in due form as soon as possible, preferably before the end of the current session.

18. The report should further state that the Committee had had before it, in document GC(63)/23, a statement submitted by a number of Arab States members of the Agency participating in the current session, as listed in that document, regarding their reservations about the credentials of the Israeli delegate and that the Committee had also had before it, in document GC(63)/24, a communication setting out Israel's position with regard to those reservations. In addition, the report should reflect the reservations regarding the Israeli delegate's credentials expressed by the representative of the Islamic Republic of Iran.

19. Lastly, the report should state that the Committee had agreed, with the aforementioned reservations and position, to recommend that the Conference adopt the following draft resolution:

“Examination of delegates’ credentials:

“The General Conference

“Accepts the report by the General Committee on its examination of the credentials of delegates to the Conference’s sixty-third regular session, which is set forth in document GC(63)/25.”

20. She asked whether the General Committee wished a report on the lines she had described to be prepared and submitted to the General Conference.

21. It was so decided.

The meeting rose at 9.35 a.m.