

# General Conference

**GC(64)/COM.5/OR.2**

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## Sixty-fourth regular session

# Committee of the Whole

## Record of the Second Meeting

*Held at Headquarters, Vienna, on Thursday, 24 September 2020, at 4.15 p.m.<sup>1</sup>*

**Chair:** Mr D'HOOP (Belgium)

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<sup>1</sup> In view of the COVID-19 pandemic, some members of the Committee of the Whole attended in a virtual manner using the Interprefy IT platform.

<sup>2</sup> GC(64)/19.

**Abbreviations used in this record**

COVID-19 coronavirus disease 2019

## — **Organization of work**

1. The CHAIR said that two important factors had shaped the work of the General Conference during the COVID-19 pandemic: first, arrangements had been agreed by the General Conference to make its proceedings as brief and focused as possible; second, an informal agreement among Member States had guided the drafting of resolutions, as a result of which the draft texts before the Committee were based on resolutions adopted by the General Conference at its sixty-third regular session, with only technical updates. Following informal discussions among delegations, there appeared to be consensus that the various draft resolutions submitted under agenda items 16, 17 and 18, which had yet to be discussed by the Committee of the Whole, could be transmitted directly to the General Conference for consideration. He took it that the Committee agreed to that approach.

2. It was so agreed.

## **15. Nuclear security (resumed)** (GC(64)/COM.5/L.3 and Add.1 to 4)

3. The CHAIR, noting that extensive informal consultations had taken place since the Committee's first meeting, took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution contained in document GC(64)/COM.5/L.3.

4. It was so decided.

## **22. Promotion of efficiency and effectiveness of the IAEA decision making process** (GC(64)/1/Add.2)

5. The representative of the ISLAMIC REPUBLIC OF IRAN, noting that the item had been discussed by the General Conference for eight consecutive years, said that promoting the effectiveness and efficiency of the Agency's decision making process in a fair and balanced manner was of high importance for Member States. It was crucial for the Agency to ensure that it was in step with global realities and with the fundamental changes in international relations of recent decades, especially within the global nuclear community engaged in the peaceful uses of nuclear energy.

6. Under Article IV.C of its Statute, the Agency was based on the principle of the sovereign equality of its Members, necessitating the direct engagement and participation of all Member States in taking decisions on issues fundamental to the work of the Agency, in particular those that affected the sovereign rights of Member States. Some Members, however, still appeared to be more equal than others. Regrettably, the General Conference, while consisting of representatives of all of the Agency's Members, did not seem to be the Agency's highest policy-making body. Given that the General Conference represented all Member States, while membership of the Board of Governors was limited,

the balance of powers and functions between the two bodies was inappropriate: most of the issues that the General Conference was able to discuss and on which it could make recommendations were subject to prior agreement or recommendation by the Board. The efficiency of the General Conference could be improved by reconsidering the balance between the two bodies.

7. There was also a need to increase the size and reconsider the composition of the Board's membership. The 1999 adoption of an amendment to Article VI of the Statute, as set out in resolution GC(43)/RES/19, had been a positive step, but, owing to various political and regional issues, the amendment appeared unlikely to enter into force. Member States needed to innovate and work together closely to find a more workable solution and should consider setting up a mechanism to include those that had been unfairly deprived of Board membership for years or even decades, in contravention of Article IV.C of the Statute. In addition, the composition of certain regional groups referred to in the Statute had for some considerable time restricted their own members' opportunities for Board membership. The Agency and the regional groups needed to establish a fair, logical and efficient arrangement to ensure that no Member States were unjustly deprived of the equal opportunities they should enjoy. An open-ended consultative group of Member States should be set up to discuss proposals and make appropriate recommendations for consideration by the General Conference.

8. The General Conference should consider adopting electronic voting, which was widely used in other forums, including the United Nations General Assembly, by amending Rule 72 of its Rules of Procedure. Doing so would reduce costs and mean less time spent on procedural matters, freeing up time for substantive issues. The example of the United Nations General Assembly should be followed.

9. The representative of the UNITED KINGDOM said that his country attached great importance to ensuring the effectiveness and efficiency of the Agency but firmly believed that the Board already functioned effectively as the Agency's highest policy-making body. Establishing an open-ended consultative group to consider the matter would undermine the Board's work and the Agency's effectiveness and efficiency, and he therefore could not agree to that proposal. At the same time, consideration could be given to increasing the number of Board members to reflect the Agency's growing membership. Recalling that his Government had ratified the amendment to Article VI of the Statute, he encouraged other Member States to follow suit.

10. The CHAIR said that the Chair of the Committee would report to the General Conference that, under item 22 of the agenda, the importance of maintaining and promoting the efficiency and effectiveness of the Agency's decision making processes and strengthening the Agency and its governing bodies had been highlighted.

11. Expansion of the Board's membership, enhancing the role and authority of the General Conference, and the importance of maintaining an appropriate balance between the two bodies had been underlined. The importance of the direct engagement and participation of all Member States in the decision making process on issues related to the Agency's work had been emphasized. The relevance and importance of the process currently under way for the timely ratification of the amendment to Article VI of the Statute had been raised, and some views and suggestions had been expressed in that context. The issue of the use of electronic voting by the General Conference, following the example of the United Nations General Assembly, had also been raised by some members.

## **23. Elections to the Agency's Staff Pension Committee**

12. The CHAIR recalled that the General Conference was represented on the Agency's Staff Pension Committee by two members and two alternates. As a result of the departure of one of the Committee's serving members and both of the alternates, one new member and two alternate members must be elected by the General Conference, in accordance with the Committee's Rules of Procedure. Following consultations, it had been proposed that Mr Rahat Bin Zaman of the delegation of Bangladesh be elected as a member and that Mr Lucas Martín Mobrıcı of the delegation of Argentina and Ms Stella Mokaya Orina of the delegation of Kenya be elected as alternate members.

13. He took it that the Committee wished to recommend to the General Conference that Mr Rahat Bin Zaman be elected as a member and that Mr Lucas Martín Mobrıcı and Ms Stella Mokaya Orina be elected as alternate members of the Agency's Staff Pension Committee.

14. It was so decided.

15. The CHAIR, noting that the Committee's work was complete, expressed appreciation to all those who had facilitated its deliberations, in particular the Chair, his fellow Vice-Chair and the Secretariat, and welcomed the cooperative spirit shown.

**The meeting rose at 6.35 p.m.**