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## AMENDMENT OF ARTICLE VI.A.2 OF THE STATUTE

### Note by the Director General

The summary of the Board's discussion on the item "Amendment of Article VI.A.2 of the Statute" at its meeting held on 18 September 1980 is hereby made available to the Conference.

## AMENDMENT OF ARTICLE VI.A.2 OF THE STATUTE

The CHAIRMAN recalled that the question of amendment of Article VI.A.2 of the Statute had been discussed at length by the Board in June. Since then he had had further informal talks on the question, but there still appeared to be no consensus.

Mr. KHAN (Pakistan) observed with regret that, in spite of the genuine efforts made by the Chairman, it had not been possible to reconcile the divergent views on the subject. The matter had been before the Board for four years and the time had come to take a positive and constructive step to resolve it.

The question of amendment of Article VI.A.2 had arisen because the regions of Africa and of the Middle East and South Asia were grossly under-represented on the Board. Resolutions calling for a speedy settlement of the problem, and emphasizing that it concerned primarily the two regions he had mentioned and should be confined to them, had been adopted at three sessions of the General Conference. The Conference had in fact agreed that any increase in the membership of the Board should be modest. In order to reach a compromise, Pakistan, together with a large number of other countries, had submitted a resolution which, while striving to accord just and fair treatment to the two regions in

question, which after all accounted for 40 Member States, nevertheless took into account the views and concerns expressed by the representatives of the various regions, namely that the expansion of the Board should not be excessive and that the existing delicate balance should not be upset.

It might be useful to recall that the region of Africa was represented on the Board to the extent of only 21% and the Middle East and South Asia to the extent of only 23%; the average for the Agency's membership as a whole was 31%, the representation of all the other regions being above the average. Such an injustice could not be allowed to persist, for it affected States' confidence in the effectiveness of the Board.

No consensus had yet been reached because certain Members felt that any increase in the membership of the Board would be undesirable. They believed that they could maintain the status quo and stop the process of change and evolution in the Board's composition. The countries of the two regions concerned could not accept that position, as it was being maintained at their expense. Pakistan emphasized that those regions deserved full representation. However, it was prepared to accept a compromise which would mark a step in the right direction. With that end in view a modest increase of two Members, one for Africa and one for the Middle East and South Asia, had been suggested. If that modest increase was not approved, there was reason to fear that the situation would worsen to the extent that the Board would be confronted with a demand for a much larger increase in the near future. If a solution to the problem was postponed, pressures would build up not only for a larger membership of the Board but also for redefinition of the existing regions, creation of new regions, and so on. He urged, therefore, that serious and earnest consideration be given to a reasonable proposal while there was still time.

The question had continued to appear on the Board's agendas for several years, and it was highly desirable that there should now be convergence towards a solution. The matter should again be considered by the General Conference, and the views expressed by Governors should be transmitted to the Conference, as had been done previously.

Mr. KABBANI (Saudi Arabia) considered that the long-standing problem of increasing the representation of the regions of Africa and of the Middle East and South Asia should be solved without delay. Those regions were indeed under-represented, and the proposed compromise would remedy the situation to some extent. If a solution was postponed, the Board would later be faced with a demand for a much greater increase in its membership.

Mr. OSMAN (Egypt) also felt that the region of Africa was under-represented: that was why his country had originally suggested three seats for that region and still maintained that proposal.

Mr. DALAL (India), agreeing with the views of the Governors from Pakistan, Saudi Arabia and Egypt, felt that a strong case had been made for increasing the representation of the regions concerned. The present state of affairs was not in conformity with the Statute, which called for an equitable geographical distribution of the Board's membership. He hoped that the Chairman's efforts to arrive at an agreed solution would bear fruit.

Mr. NIMPUNO (Indonesia) said that the matter had dragged on too long and that a more balanced representation of the various regions on the Board was called for.

Mr. MESSAN (Niger) said he was deeply appreciative of the Chairman's efforts to reconcile the various points of view. It was desirable that some sort of compromise should be submitted to the General Conference. Although the original request had been for three and two additional seats for the regions of Africa and of the Middle East and South Asia, respectively, the present suggestion was for only one additional seat for each of the two regions.

Mr. PRIBIĆEVIĆ (Yugoslavia) observed that the situation did not yet seem to be ripe for an optimum solution; for that reason the countries concerned had agreed on a compromise, which they would be willing to accept even though it was far from reflecting an equitable geographical distribution. It was high time that some agreement should be reached: otherwise the item would become a legendary part of the Board's agenda.

The CHAIRMAN took it that the Board would wish to have the record of its debate on the item transmitted to the General Conference, as had been done in the past.

It was so decided.

