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AMENDMENT OF ARTICLE VI OF THE STATUTE

The summary record of the discussion in the Board of Governors on 11 September 1995 under the agenda sub-item "Amendment of Article VI of the Statute" is reproduced in the Attachment.

EXCERPT FROM THE RECORD OF THE BOARD'S 877th MEETING

(d) AMENDMENT OF ARTICLE VI OF THE STATUTE (GOV/2814/Rev.1)

The CHAIRMAN recalled that in resolution GC(XXXVIII)/RES/14 the General Conference had requested the Board to continue consultations with Member States through an effective mechanism and to submit its recommendations on proposed amendments to Article VI for approval by the General Conference at its thirty-ninth regular session.

Pursuant to that request, at its December 1994 meetings the Board had established an "Open-ended Consultative Group" under the chairmanship of Ambassador Ok of Turkey.

At its June 1995 meetings, the Board had had before it the report by Ambassador Ok contained in the Attachment to document GOV/2814 together with a Corrigendum relating to paragraph 12 of the report. In addition, it had had before it document GOV/2814/Add.2, replacing document GOV/2814/Add.1 - withdrawn at the request of the Governor from Morocco.

After some discussion at its June meetings, the Board had agreed that Ambassador Ok should hold further consultations - in which she would have the benefit of the discussion in the Board and of various suggestions which had been made - and report to the Board in September. Also, the Board had requested the Open-ended Consultative Group to focus on the formal proposal which had been submitted by the Governor from Morocco. In addition, the Board had decided to revert to the issue in September.

Following informal consultations and a further meeting of the Open-ended Consultative Group, the Board now had before it, in document GOV/2814/Rev.1, a revised report by the Chairperson of the Group. It had to decide at its current session on the form of its report to the General Conference.

Also, in accordance with the requirements of Article XVIII (C) of the Statute, the Board was required to submit to the General Conference its observations on the formal proposal for amending the Statute which had been made by Morocco.

Ms. OK (Turkey), speaking as Chairperson of the Open-ended Consultative Group, said that after the Group's establishment she had conducted numerous private consultations with individual representatives of Member States and with groups of representatives in order to gain an initial overall impression of how the majority of Member States wished Article VI to be changed and in order to elicit specific proposals.

On 24 February 1995, at the first meeting of the Open-ended Consultative Group, a proposal had been submitted by a group of Member States known as the Sherry Group.

On 3 May, at its second meeting, the Open-ended Consultative Group had discussed - inter alia - the issue of criteria for the designation of Board members and, in connection with the Sherry Group's proposal, the idea of reducing the number of area groups in the Board from eight to five. Discussion of the criterion issue had been inconclusive owing to its complexity, and no majority view had emerged about the number of area groups.

On 29 May, at the Open-ended Consultative Group's third meeting, the Sherry Group had called for broad negotiations on the basis of its proposal. In the meantime, however, the Ambassador of Morocco had submitted a further proposal as a way of resolving the issues involved.

On 30 August, at its final meeting, the Open-ended Consultative Group had concentrated on the Moroccan proposal. Although the discussion had revealed a degree of support for it, a number of delegations had expressed reservations about the envisaged size of the Board and distribution of seats. Moreover, certain delegations had reiterated their opposition to any increase in the size of the Board on the grounds that its efficiency would be reduced. There was no convergence of views on the Moroccan proposal, but she understood that its author was prepared to conduct negotiations on the text and amend it in order to meet the concerns of interested delegations.

She believed that any amendment to Article VI should be made on the basis of a consensus. Accordingly, she had recommended in her report that the Board retain the existing consultation mechanism after the forthcoming General Conference session (if a consensus had not been reached by then), with the aim of arriving at a solution in time for the 1996 Conference session.

With regard to the issue of designation criteria, it seemed clear from the proposal submitted by the Philippine Nuclear Research Institute (Annex 3 to the Attachment to document GOV/2814/Rev.1) and from a non-paper circulated by the Belgian delegation at the Open-ended Consultative Group's second meeting that the Group was not the right forum for attempting to reach agreement. The issue had been discussed by experts in the past, and it could be discussed further by experts if the Board so wished. The Secretariat did not have the expertise necessary for identifying designation criteria and, in her view, should not be entrusted with what was a highly political task.

Moreover, the concern of the Member States which had raised the issue related more to the manner in which the existing criteria were being implemented by the Board. In that regard, she was pleased that at its June meetings the Board had agreed to establish a working group to draft a reasonable set of designation criteria.

With regard to the idea of reducing the number of area groups from eight to five, she did not foresee any convergence of views and expected that the present eight-area arrangement would continue until there emerged a majority in favour of change.

She considered that the Open-ended Consultative Group had fulfilled its task from the point of view of establishing a framework for negotiations. However, it had not been able to recommend a specific proposal for transmission to the General Conference. Nevertheless, given the large number of alternatives still being discussed she hoped that a convergence of views would emerge.

In conclusion, she expressed her appreciation to all those colleagues who had participated in the Group's meetings for having expressed their governments' views frankly and in a friendly and professional manner. Also, she thanked the Secretariat, and particularly Messrs. Sanmuganathan and Bashua, for its efficient support.

Mr. BENMOUSSA (Morocco), having commended Ambassador Ok on the manner in which she had guided the Consultative Open-ended Group, said that his delegation continued to stand by the proposal which it had submitted in June.

The proposal, which had been made in good faith, took into account the interests of all regional groups. Also, it was the only formal proposal which had been submitted.

The proposal tackled a problem which had been burdening the Agency for almost two decades, and Member States should now endeavour to put aside negativism and stop filibustering in an effort to resolve that problem.

His delegation was convinced that the larger Board which it envisaged would not prove inefficient. On the contrary, strengthening the Board's representativeness would help the Board to adapt better to a rapidly changing world.

Ultimately, amending Article VI in line with the Moroccan proposal would improve the atmosphere in the Board and facilitate the efforts of the Agency to fulfil its mandate.

His delegation's proposal reconciled all the relevant criteria, met all the concerns expressed by regional groups and took into account all the options for change suggested hitherto in a manner suited to the nature of the Agency. It constituted the basis for an equitable long-term solution.

Regardless of the outcome of the discussions at the forthcoming General Conference session, his delegation would continue to do its best to help the Open-ended Consultative Group fulfil its mandate.

Mr. NASSER (Egypt), speaking on behalf of the African Group, said that the composition of the Board of Governors should take into account present-day realities and the fundamental changes which had taken place in the world over the past twenty years. There should be an increase in the number both of designated and of elective seats, which together should be equal to at least one third of the number of Agency Member States. There should be five area groups, as elsewhere in the United Nations system, instead of eight and immediate re-election to area seats should be allowed (with a two-term limit).

As Africa accounted for a significant number of Agency Member States and for most of the world's least developed countries, the African Group believed that the Board should be expanded so as to ensure that the current under-representation of African countries was rectified and the interests of least developed countries were taken adequately into account.

Speaking on behalf of the Egyptian delegation, he said that an expansion of the Board was justified on the grounds that the membership of the Agency had increased. It would

serve the objectives of the Agency and lead to greater democracy within the Agency's principal organ. Egypt, as a member of both the African Group and the Arab Group, considered that Africa and the Middle East were under-represented in the Board and that the situation should be corrected.

His delegation supported efforts aimed at achieving consensus and would continue to be flexible, but progress could be achieved only through clear decisions. It therefore hoped that the Board and the General Conference would take a clear decision on the amendment proposed by Morocco and thereby put an end to the current deadlock.

Mr. BAER (Switzerland), having commended the efforts of Ambassador Ok, said that his delegation's view continued to be that no increase in the number of Board members was necessary. That did not, however, mean that his delegation was opposed to Article VI being amended at all. The efficiency of a body like the Board was inversely proportional to its size; a larger Board would perforce be less efficient. Parkinson (of Parkinson's Law fame) had long before stated that the fewer ministers a country had the more likely it was to be run well, and in private industry the trend was towards reducing the size of boards of directors.

His delegation therefore believed that the size of the Board should be reduced to some 15-20 members, with as few designated members as possible. The Board should concern itself exclusively with policy matters, many of its current activities being delegated to open-ended standing committees so as to allow more Member States to participate in the decision-making process. The advantages of a smaller Board would be greater effectiveness and - with shorter sessions - greater efficiency.

Mr. HAMADA (Tunisia), having thanked Ambassador OK for her efforts and expressed support for the Moroccan proposal, said that enlargement of the Board of Governors was the only possible and rational way of meeting the long-standing legitimate wish of Africa and the Middle East and South Asia to participate more actively in the Board's decision-making. An enlargement would upset neither the present political balance in the Board nor the balance between technological advancement in the nuclear field and

geographical representation; rather, it would strengthen the universal character of the Agency.

Mr. PAVLINOV (Russian Federation) said that the Agency was considered by many to be one of the most authoritative and effective organizations within the United Nations system. Much of the credit for that was due to the Board of Governors, which had proved to be a highly effective and flexible organ capable of acting and reacting swiftly and whose success was largely attributable to the statutory principles underlying its composition.

His country, whose position with regard to the question of amending Article VI of the Statute was familiar to the members of the Board, feared that changes might have negative consequences both for the work of the Board and for the Agency as a whole.

In the opinion of his delegation, the discussions in the Open-ended Consultative Group had again shown that it would be extremely difficult at present to achieve general agreement in a matter on which the views of different countries diverged so widely. Considerable additional efforts would be needed in order to overcome the present lack of agreement.

His delegation, which - like a number of others - was in favour of a continuation of discussions within the framework of the Open-ended Consultative Group, hoped that the Member States wishing to see Article VI amended would be guided by the interests of the Agency as a whole and would bear in mind the importance of maintaining the effectiveness and efficiency of the Board.

Ms. HASAN (Pakistan), drawing attention to the substantial increase in the membership of the Agency which had taken place since the previous amendment of Article VI, said that there should be a roughly proportionate increase in the number of Board members. Such an increase would not entail any loss of efficiency; rather, it would raise the level of debate and make for better decision-making.

Not only had there been a numerical increase in the membership of the Agency - also, several Member States had undergone significant technological advancement, and it could be argued that several countries besides those currently being designated could now make a valid claim for global or regional designation. Furthermore, the long-recognized problem of the

under-representation of Africa and the Middle East and South Asia on the Board could be resolved only through an appropriate expansion of the Board.

As regards the Moroccan proposal for amending Article VI, she hoped it would generate serious discussion among Member States at the forthcoming General Conference session.

Mr. ZAIDE (Philippines), having commended the efforts of Ambassador Ok and welcomed the Moroccan proposal, said that the Board should strive to achieve consensus on amendments to Article VI which were sorely needed after 18 years of negotiation.

The report attached to document GOV/2814/Rev.1 failed to take into account the decision taken by the Board in June that "an open-ended expert group should look into the subject of criteria to be followed in designating Member States for Board membership". He would like a reference to that decision to be made in the report to be submitted to the General Conference. Also, he would like the Board to convene such a group and request it to present proposals for Board approval before the June 1996 designation exercise.

Mr. BENATALLAH (Algeria), having commended Ambassador Ok for the manner in which she presided over the Open-ended Consultative Group, emphasized his country's support for the position expressed by the representative of Egypt on behalf of the African Group and commended the efforts made by members of the African Group - and particularly Ambassador Benmoussa of Morocco - to break the present deadlock.

The detailed discussion which had taken place had highlighted certain issues, such as designation criteria and area groups, which had not been sufficiently understood in the past. Despite the lack of consensus at the present stage, the General Conference should be informed of the achievements of the Open-ended Consultative Group, which should be allowed to continue its work.

The idea - reflected in paragraph 22 of Ambassador Ok's report - of establishing an open-ended group of experts to consider the designation criteria issue had one disadvantage: it implied the creation of yet another group concerned with the question of amending Article VI. It would be preferable to continue examining the issue within the framework of the Open-ended Consultative Group or under the authority of its Chairperson. The last

sentence of paragraph 22 should be revised accordingly before transmission of the report to the General Conference.

Mr. HUANG (China) said he understood the wish of some Member States to amend Article VI of the Statute in order to rectify cases of under-representation on the Board. Provided a consensus could be reached, China would have no difficulty in agreeing to a small increase in the number of Board members. If no consensus could be reached, however, his country would be in favour of continuing discussions within the framework of the Open-ended Consultative Group.

His delegation believed that the Moroccan proposal constituted a good basis for amending Article VI, but it recognized that the issue of area groups was a very complex one needing thorough consideration.

There were still widely diverging views regarding the extent of any increase in Board membership, regional representation and the ratio of designated to elective Board members. On all those issues there should be further consultations.

Mr. MIŠÁK (Slovakia) said his delegation was against changing the size and composition of the Board, which had a proven record of effective work despite differences among the various groups of Board members.

With regard to the issue of designation criteria, determining the countries most advanced in the technology of atomic energy was a complex matter when one was trying to take into account all aspects of relevance to membership of the Board.

Nevertheless, his delegation was prepared to participate in further consultations aimed at achieving a solution satisfactory to the majority of Member States.

Mr. MEADWAY (United Kingdom) said that the commendable efforts of Ambassador Ok over the past year had injected some vitality into the discussion of the Article VI issue, but no solution was yet in sight. As regards the proposal put forward by the Governor from Morocco, his delegation could not go along with it but considered it useful as a means of bringing the issue into sharper focus.

While not endorsing everything that had just been said by the Governor from Switzerland, his delegation felt that serious consideration should be given to the balance between the work of the Board and that of its committees. It was perhaps outmoded to think that Member States could be properly represented only if the number of seats on the Board was about one third of the number of Member States, and other mechanisms needed to be devised for permitting adequate involvement of the Agency's total membership in the decision-making process throughout the year.

It was clear from the consultations which had taken place that a substantial number of Member States - including the United Kingdom - saw no need to amend Article VI. They considered that a larger Board would inevitably hold longer sessions and be less efficient, which would be detrimental to the work of the Agency. There was, in fact, a fairly even split between those Member States which wanted change and those which did not, and that needed to be taken into account. The General Conference should be informed that opinion regarding Article VI of the Statute was divided and that a substantial number of Board members did not think that Article VI ought to be amended.

While agreeing that consultations should continue, his delegation could not go along with the idea - expressed in paragraph 23 of Ambassador Ok's report - that the ultimate objective should be to reach "a consensus on the formal Moroccan proposal in its current or amended form". Acceptance of that idea would prejudge the outcome of future consultations.

Mr. AKAO (Japan) commended the efforts of Ambassador Ok and expressed support for the suggestion - made in paragraph 23 of her report - that the Open-ended Consultative Group mechanism be retained. At the same time, while appreciating the Moroccan proposal, his delegation felt that the Open-ended Consultative Group should not confine itself to considering that proposal.

His delegation's position was that the Board of Governors should represent the Agency's membership in a fair and balanced manner and carry out its functions effectively and efficiently. To that end, a continuous effort should be made to adapt the Board to the changing conditions in and needs of Member States. At present, the Board reflected the different interests of Member States fairly well and was functioning satisfactorily, and any

attempt to improve matters should be embarked on with great care in order to avoid negative consequences. Experience had shown that decision-making bodies became less effective and efficient as they grew in size.

That having been said, his delegation was prepared to continue participating in the work of the Open-ended Consultative Group.

Mr. de YTURRIAGA (Spain), having commended the efforts of Ambassador Ok, said that her report showed clearly that there was no consensus on the Moroccan proposal, which was the only proposal on which the Board was required to submit observations to the General Conference.

While sharing the Governor from Switzerland's concern for the efficiency of the Board, he believed that efficiency was not necessarily related to the number of Board members. The quality of the Board members - not their number - was the important factor.

Besides being efficient, the Board should be representative, and his delegation did not consider that the Board at present adequately reflected the situation within the Agency.

The Board should transmit Ambassador Ok's report to the General Conference together with the summary record of the current discussion, which should contain the observations made on the Moroccan proposal. It would then be for the General Conference to debate and approve or reject that proposal.

As regards the question of further consultation on the Article VI issue, the Board should not take a decision without knowing the outcome of the General Conference's deliberations.

Mr. HOBEICA (Lebanon), having commended Ambassador Ok on the way in which she had conducted the meetings of the Open-ended Consultative Group, said that, although no agreement had been reached, most Member States clearly wished to see an increase in the number of Board seats and a better representation of the Agency's membership within the Board. The Moroccan proposal should provide a sound basis for further work on the issue.

Mr. DOSHI (India), having thanked the Ambassador of Turkey for her work in chairing the Open-ended Consultative Group, said it was a pity that the Group had not reached a consensus. The Article VI issue was, however, one on which consensus was difficult to reach. The difficulties were twofold: firstly, there was a general tendency in the United Nations family not to alter the status quo; secondly, the Board was a more democratic and representative body than the governing bodies of many other United Nations organizations. For instance, the Security Council did not contain a single permanent member from the Group of 77.

However, the present composition of the Board had been determined a long time before and many changes had taken place in the world since then. Those changes needed to be taken into account in the structures of the United Nations organizations, including the Agency, whose Board of Governors should be made somewhat more representative.

Mr. BORCHARD (Germany), having commended the efforts of the Ambassador of Turkey and thanked her for her report, said that his delegation considered the present size and composition of the Board to be appropriate and was not convinced by the arguments in favour of change. It also considered the present area group arrangements to be satisfactory.

In considering the Article VI issue, the Board should perhaps take account of resolution A/RES/48/162 of the United Nations General Assembly, by which the Assembly had instituted moves to reduce the size of the governing bodies of certain United Nations organizations.

His delegation had no objection to a continuation of consultations on the Article VI issue, as long as they were not limited to a discussion of the Moroccan proposal.

Mr. MAZILU (Romania)* said that, if his country were convinced that an increase in the number of Board members would improve the Board's efficiency, it would accept an amendment of Article VI to that end.

* Member States not members of the Board of Governors are indicated by an asterisk.

However, none of the proposals put forward during the past 18 years had met the interests of all Member States. Certainly none of them had met the interests of Romania, which was a member of the East European group - whose membership had grown substantially in recent years - and would like to see an increase in the number of elective Board seats rather than in the number of designated seats. However, the prime consideration for his delegation was the efficiency of the Board rather than its size.

Mr. LEE (Republic of Korea)* thanked the Ambassador of Turkey for the patience she had shown in her attempts to find a formula for an amendment of Article VI which would be acceptable to all. Although no agreement was in sight as yet, there had - for the first time - been discussions on specific proposals. The key issues and the interests involved were now clear, and a clearer idea had been gained of how Member States might proceed in seeking a formula which most of them could accept. Those Member States which were in favour of amending Article VI had shown in varying degrees a readiness to accept an expansion of the Board more modest than what they had been demanding previously, while many of those which had been insisting on maintenance of the status quo had begun to show greater flexibility. He welcomed those developments.

The arguments put forward by Member States in presenting their views had centered around the question of efficiency versus representativeness. The Member States not in favour of amending Article VI had emphasized the importance of efficiency, while those in favour of amending it had emphasized the importance of representativeness. The Republic of Korea attached great importance to both. Representativeness without efficiency was bad, but efficiency without representativeness was worse, particularly in a decision-making body.

However, it was wrong to argue that greater representativeness could be achieved only at the cost of less efficiency. Efficiency and representativeness could be complementary. The Board could become more efficient, its decisions becoming more relevant, if its representativeness were enhanced and its composition reflected the fundamental changes which had taken place within the nuclear power community.

There were only two ways of adjusting the Board's composition in accordance with the dynamic features of the present international situation. One could rely on the Board to

exercise self-discipline and reorganize itself in response to those dynamic features, or one could increase the size of the Board so as to accommodate the newcomers to the nuclear power community. So far, however, the Board had not proved capable of adjusting its composition to reflect the structural changes which had taken place in the nuclear power community, the designation process being subject to vested interests, and the only alternative was therefore to increase the size of the Board.

That having been said, his delegation agreed that consultations should continue within the framework of the existing mechanism and would like all interested Member States - and particularly those which were opposed to any reform of the Board - to come forward with constructive ideas. His delegation would play its due role in working out a compromise formula acceptable to most Member States, and if necessary it would submit its own proposal for amending Article VI.

On the question of designation criteria, his delegation believed that the representativeness of the Board would be enhanced if designations were guided by objective criteria and the designation process was more transparent and in full compliance with the relevant provisions of the Statute. It looked forward to the early establishment of an expert group to consider the criteria for designation, as had been agreed during the June meetings of the Board.

Mr. ALTER (Israel)*, having commended the Ambassador of Turkey for the way in which she had handled a difficult task, noted that the report submitted to the Board in the Attachment to document GOV/2814/Rev.1 was her report - it was not a report of the Open-ended Consultative Group and the Group had not approved it. Also, it failed to reflect fully the discussions which had taken place and the views which had been expressed by certain Member States.

Moreover, Annex 2 to the original version of the report contained in the Attachment to document GOV/2814, which provided an unofficial list of Member States grouped by area, had not been included in the revised version of the report. However, the information contained in that Annex was fundamental to any consideration of a change in the number of areas listed in Article VI of the Statute. Member States should know which Member States

were regarded as belonging to which of the present eight areas, and without such a list the Moroccan proposal - or any other proposal - was no more than a theoretical exercise.

Mr. ADEKANYE (Nigeria)*, having commended the Ambassador of Turkey on her untiring efforts, said it was regrettable that in spite of them so little progress had been made.

The primary objective of any amendment to Article VI should be not just effectiveness but also inclusiveness. The Board's effectiveness had not been undermined when the Board had been expanded to its present size, and any new changes which respected the principles of inclusiveness would probably not undermine it either. The Board should not entrench itself against the developments which had taken place in the nuclear industry since the last amendment had been made to Article VI. The changes which were being proposed went beyond the question of numbers and aimed at increasing the representativeness of the Board. If the Agency was to earn the confidence of Member States, particularly with regard to the additional responsibilities that were being placed on it, some increase in Board membership was essential.

His delegation believed that the number of seats on the Board should be equal to about one third of the number of Member States. Also, it would prefer Article VI to be based on a division of the Agency's membership into five area groups instead of eight and would like Article VI.A.2 to permit immediate re-election to area seats.

With regard to the Moroccan proposal, his delegation believed that it would provide a good basis for further consultations.

Mr. AYATOLLAHI (Islamic Republic of Iran)*, having thanked Ambassador Ok for the work she had done in chairing the Open-ended Consultative Group and the Governor from Morocco for the proposal which he had submitted, said that the Annex to the first version of Ambassador Ok's report which had been excluded from the revised version had been the subject of hot debate during the Board's meetings in June. In his opinion, the decision to exclude it had been a wise one. The people who had drawn up the Statute had wisely refrained from indicating which States, in their opinion, belonged to

which of the areas listed in Article VI as they had been aware that such an exercise was a purely theoretical one if the necessary political understanding did not exist.

If it was generally accepted that the composition of the Board should be balanced and that Africa and the Middle East and South Asia were under-represented, without an increase in the number of Board seats the only way of achieving a balanced Board composition would be for some Member States to forgo seats on the Board in favour of Member States located in the under-represented areas. As that was unlikely to be widely acceptable, an increase in the number of Board seats would have to be envisaged after all. For its part, his delegation believed that a number of Board seats roughly equal to one third of the number of Agency Member States should be acceptable as regards both efficiency and representiveness.

Mr. BENMOUSSA (Morocco) said that, since most Governors had probably been expecting to discuss "Amendment of Article VI of the Statute" only on the following day, it might be a good idea to postpone further discussion until then so as to give those Governors who had not yet spoken time to prepare their statements.

The Moroccan proposal had not been put forward in a spirit of caprice but in response to numerous resolutions adopted by the General Conference, which had long before recognized the fact that some areas - particularly Africa and the Middle East and South Asia - were under-represented in the Board and had in 1994 expressed regret at the continuing lack of progress in resolving the Article VI issue.

From the resolutions on that issue adopted by the General Conference it was clear that there should be at least two additional Board seats, and the point had also been made that account should be taken of the technological developments which had taken place in the Far East and Eastern Europe.

The Governor from Spain had correctly pointed out that the efficiency of the Board did not necessarily depend on its size, and the representative of the Republic of Korea had stated that efficiency and representiveness could go hand in hand. He himself believed that the efficiency of the Board depended primarily on the availability of a good Secretariat and a good Chairman, on the timely presentation of documents and on the existence of a good voting system for when the Board could not reach a consensus. All of those features were

in evidence. The only aspect of the Board which was not satisfactory was its representativeness.

Given the new responsibilities which were being placed upon the Agency, it was particularly important that the composition of the Board reflect the growing role which was being played in the organization by developing countries, which also attached great importance to the efficiency of the Board.

The CHAIRMAN said that a large number of Governors had already spoken on the Article VI issue and appealed to the Governor from Morocco not to insist that further discussions be postponed to the following day.

Mr. BENMOUSSA (Morocco) said that he would not insist.

The CHAIRMAN, summing up after an intervention by Mr. YIMER (Ethiopia), said that the discussion had revealed yet again a divergence of views regarding the Board's composition. The Moroccan proposal had been noted. While some members had considered the proposal to be a good basis for further negotiations on the number and distribution of Board seats, an issue which had been on the agenda for many years, others were either opposed to the proposal or had reservations about it.

With regard to the future, many members favoured a continuing of informal consultations through the mechanism of an open-ended consultative group, although it was recognized that that would depend on what the General Conference decided. Also, it was felt by some members that, in the event of a continuation of consultations after the General Conference's forthcoming session, they should not be limited to the Moroccan proposal.

Having said that, he assumed that the Board wished to transmit the report of the Chairperson of the Open-ended Consultative Group on Article VI of the Statute - contained in the Attachment to document GOV/2814/Rev.1 - to the General Conference together with the summary record of the present discussion.

Two further issues had been raised: that of designation criteria and that of area groups.

With regard to the designation criterion issue, Governors would recall that in June the Board had decided that the subject of criteria to be followed in designating Member States for Board membership should be looked into by an open-ended expert group. No mention, however, had been made of how to set up such a group or of whom it would report to. Perhaps the issue should be considered by the new Board after the General Conference had pronounced itself on the appropriate mechanism for dealing with all the issues associated with Article VI.

With regard to the area groups issue, the comments made about the composition of area groups would be reflected in the summary record of the discussion.

The Chairman's summing-up was accepted.

The CHAIRMAN, speaking on behalf of the Board, expressed appreciation of the tactful and efficient manner in which Ambassador Ok had guided the Open-ended Consultative Group in its difficult task.

