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AMENDMENT OF THE RULES OF PROCEDURE

Proposals by the Director General

I. INTRODUCTION

1. The conclusion by the Agency of relationship agreements with certain specialized agencies and the likelihood that similar agreements will also be concluded with certain other inter-governmental organizations make it desirable for the General Conference slightly to amend its present Rules of Procedure [1] to enable full effect to be given to these agreements.
2. In addition, the opportunity thus presented by the General Conference's consideration of its Rules of Procedure has been taken to propose the minor amendment of an administrative character covered by paragraphs 9 and 10 below.
3. The proposed amendments are set out below, preceded in each case by a short explanation of the reasons why the amendment is considered necessary.

II. RULE 2. NOTIFICATIONS OF SESSIONS

RULE 6. NOTIFICATIONS OF SPECIAL SESSIONS

A. Reason for proposed amendments

4. Rules 2 and 6 at present provide, *inter alia*, for the notification of regular and special sessions to all international organizations "enjoying a consultative status with the Agency". As the General Conference has, since these Rules were adopted, approved Rules on the Consultative Status of Non-Governmental Organizations with the Agency [2], and as it is likely that the Agency will in the future enter into relationship agreements with inter-governmental organizations, it would be desirable to replace the general phrase quoted above by specific references to inter-governmental organizations with which relationship agreements have been concluded and to non-governmental organizations enjoying consultative status with the Agency.

B. Proposed amendments

5. It is accordingly proposed that Rules 2 and 6 should be amended to read respectively as follows:

[1] GC(II)/INF/16 and addendum 1.

[2] INF/CIRC/14.

"Rule 2. Notifications of sessions

"The Director General shall notify all Members of the Agency, the United Nations, the specialized agencies, other inter-governmental organizations with which the Agency has concluded a relationship agreement, non-governmental organizations enjoying consultative status with the Agency and such other organizations as the General Conference or the Board of Governors may from time to time decide, at least ninety days in advance of each regular session, of the opening date, place and expected duration thereof."

"Rule 6. Notifications of special sessions

"The Director General shall notify all Members of the Agency, the United Nations, the specialized agencies, other inter-governmental organizations with which the Agency has concluded a relationship agreement, non-governmental organizations enjoying consultative status with the Agency and such other organizations as the General Conference or the Board of Governors may from time to time decide, at least thirty days in advance of each special session, of the opening date, place and expected duration thereof."

6. It should be noted that if the two Rules are amended in the sense proposed, the organizations in question will be sent copies of the provisional agenda for regular and special sessions of the General Conference pursuant to Rules 11 and 16 respectively and of the list of supplementary items pursuant to Rule 13.

III. RULE 12. CONTENTS OF PROVISIONAL AGENDA

A. Reason for proposed amendment

7. There is no provision in Rule 12 to enable specialized agencies to propose items for the provisional agenda for regular sessions. It is consequently desirable for the Rule to be so amended as to enable full effect to be given, as appropriate, to the terms of each relationship agreement.

B. Proposed amendment

8. It is accordingly proposed that the Rule should be amended by inserting after sub-paragraph (d) a new sub-paragraph (e) reading:

"(e) Any item proposed by a specialized agency in accordance with the agreement establishing the relationship between the Agency and that specialized agency;"

and that sub-paragraphs (e) to (l) of the existing text should be re-designated (f) to (m) respectively.

IV. RULE 13. SUPPLEMENTARY ITEMS

A. Reason for proposed amendment

9. Whereas the present sub-paragraph (k) of Rule 12 allows for the placing on the provisional agenda of "All items which the Director General, in agreement with the Board of Governors, deems necessary to put before the General Conference", no similar provision exists in Rule 13 with respect to supplementary items. Experience in the last two years tends to indicate that it would be administratively convenient, both for the Board of Governors and for the Director General, if such provision were made.

B. Proposed amendment

10. It is accordingly proposed that the first sentence of Rule 13 should be amended to read:

"A Member of the Agency, the Board of Governors, the Director General, in agreement with the Board of Governors, or the United Nations may, not later than thirty days before the date set for the opening of any regular session, request the inclusion of supplementary items in the agenda."

V. RULE 31. REPRESENTATIVES OF THE UNITED NATIONS AND OF THE SPECIALIZED AGENCIES

RULE 32. REPRESENTATIVES OF OTHER INTER-GOVERNMENTAL ORGANIZATIONS AND NON-GOVERNMENTAL ORGANIZATIONS

A. Reason for proposed amendments

11. Rule 32 as it now stands implies that the grant of consultative status with the Agency to a non-governmental organization constitutes an agreement under Article XVI of the Statute. However, when framing these Rules on the Consultative Status of Non-Governmental Organizations with the Agency the Board of Governors decided that the grant of such status did not constitute an agreement within the meaning of Article XVI. An amendment of this Rule to reflect that decision is accordingly desirable. It would seem appropriate at the same time to make Rule 31 apply to the United Nations, the specialized agencies, and other inter-governmental organizations with which a relationship agreement has been concluded, leaving Rule 32 to apply only to non-governmental organizations enjoying consultative status with the Agency.

B. Proposed amendments

12. It is accordingly proposed that Rules 31 and 32 should be respectively amended to read:

"Rule 31. Representatives of the United Nations, of the specialized agencies and of other inter-governmental organizations

"Representatives of the United Nations and the specialized agencies, and of other inter-governmental organizations with which an appropriate relationship with the Agency has been established in accordance with Article XVI of the Statute, shall be entitled to attend sessions of the General Conference and to participate without vote on matters of common interest between them and the Agency."

"Rule 32. Representatives of non-governmental organizations

"Representatives of non-governmental organizations enjoying consultative status with the Agency may attend the General Conference in accordance with such rules as the General Conference may from time to time approve."

