



International Atomic Energy Agency

GENERAL CONFERENCE

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TWENTIETH REGULAR SESSION: 21–28 SEPTEMBER 1976

GENERAL COMMITTEE

RECORD OF THE TWENTY-SIXTH MEETING

Held at the Conference Centre, Hotel Nacional-Rio, Rio de Janeiro
on Thursday, 23 September 1976, at 5.35 p. m.

Agenda item**	Subject	Paragraphs
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* A provisional version of this document was issued on 29 October 1976.

** GC(XX)/573.

ATTENDANCE AT THE MEETING*

Chairman

Mr. de CARVALHO (Brazil), President of the General Conference

Members

Mr. BEESLEY (Canada), Vice-President of the General Conference
Mr. GOLDSCHMIDT representing Mr. GIRAUD (France),
Vice-President of the General Conference
Mr. MEHTA, representing Mr. SETHNA (India), Vice-President
of the General Conference
Mr. KATORI (Japan), Vice-President of the General Conference
Mr. NAVARRETE, representing Mr. VELEZ OCON (Mexico),
Vice-President of the General Conference
Mr. ADENJI (Nigeria), Vice-President of the General Conference
Mr. GHENEA (Romania), Vice-President of the General Conference
Mr. EROFEEV, representing Mr. MOROKHOV (Union of Soviet
Socialist Republics), Vice-President of the General Conference
Mr. MALU wa KALENGA (Zaire), Chairman of the Committee of
the Whole
Mr. THOMAS, representing Mr. SITZLACK (German Democratic
Republic), Additional Member
Mr. HOFFMANN, representing Mr. HAUNSCHILD (Federal Republic
of Germany), Additional Member
Mr. ABU-EID (Kuwait), Additional Member
Mr. SLATER, representing Mr. ALLEN (United Kingdom of Great
Britain and Northern Ireland), Additional Member
Mr. TAPE, representing Mr. SEAMANS (United States of America),
Additional Member

Also present

Mr. CASTRO MADERO (Argentina), Chairman of the Board of Governors

Secretariat

Mr. EKLUND, Director General
Mr. GARRETT, Secretary of the Committee

* The composition of the General Committee at the twentieth regular session will be found in document GC(XX)/INF/163/Rev. 3.

THE RECORD

ADOPTION OF THE AGENDA FOR THE MEETING (GC(XX)/GEN/49)

- 1. The agenda proposed for the meeting (GC(XX)/GEN/49) was adopted.

EXAMINATION OF DELEGATES' CREDENTIALS

2. The CHAIRMAN informed the General Committee that, according to information furnished by the Secretariat, the Director General had received credentials which, in his opinion, complied with the provisions of Rule 27 of the Rules of Procedure for the delegates of 71 Member States. In addition, the Secretariat had received a number of official communications - letters, telegrams, etc. - relating to the status of the delegates of nine Member States, none of which, however, constituted credentials complying with the provisions of Rule 27.

3. Mr. ADENIJI (Nigeria) asked that the Chairman should read out by name the Member States in respect of which the Director General had not received credentials complying with the provisions of Rule 27.

4. The CHAIRMAN said that the official communications failing to constitute credentials complying with the provisions of Rule 27 had been submitted by the delegates of the following countries: Bolivia, Indonesia, Iran, Italy, Paraguay, Peru, Romania, Sri Lanka and Turkey.

5. Mr. ADENIJI (Nigeria), speaking on behalf of a large number of countries, called upon the General Committee not to confine itself to determining the validity of delegates' credentials purely from the standpoint of form, but rather to consider, under Rule 28 of the General Conference's Rules of Procedure, whether the State was fulfilling its obligations as laid down in Article IV, B of the Statute. The Agency should not recognize as valid the credentials of a country such as South Africa, which was persistently failing to fulfil its obligations as a Member State. The General Committee should recommend that the General Conference accept the credentials of the other Member States, but should refuse those of South Africa.

6. Mr. MALU wa KALENGA (Zaire) (Chairman of the Committee of the Whole) recalled that his membership of the General Committee was ex officio as Chairman of the Committee of the Whole and not as representative of his country. Nevertheless, as an African, he felt bound to state that he shared the view taken by the Nigerian delegate.

7. Mr. TAPE (United States of America) considered that, in its report to the General Conference, the General Committee should state that it had found the credentials submitted to it

satisfactory. In so doing, it should, as in the past, adhere closely to the application of Rules 27 and 28 of the General Conference's Rules of Procedure.

8. Mr. EROFEEV (Union of Soviet Socialist Republics) endorsed the proposal made by the Nigerian delegate. The Soviet Union had always been opposed to apartheid and, moreover, a number of resolutions adopted by the General Assembly of the United Nations had condemned South Africa. The Soviet Union likewise objected to acceptance of delegates' credentials emanating from South Korea and the Chilean junta.

9. Mr. MEHTA (India) endorsed the proposal made by the Nigerian delegate.

10. Mr. KATORI (Japan) considered that it was the duty of the General Committee to examine credentials solely from the standpoint of form and that it was no part of its attributes to pass judgement on the representative character of a Government.

11. Mr. HOFFMANN (Federal Republic of Germany) associated himself with the statements made by the United States and Japanese delegates. Competence to express an opinion on the nature of the Government in South Africa was vested in other bodies.

12. Mr. GHENEA (Romania) said that apartheid had been consistently condemned by his country; he accordingly supported the Nigerian proposal. He also disputed the validity of the credentials of the South Korean delegate who, owing to the partition of the country, could not claim to represent the Korean people.

13. Mr. SLATER (United Kingdom) recalled that his country had been consistently opposed to the policy adopted by South Africa. In his opinion, however, the General Committee was not competent to judge of the representative character of a Government; all it was in a position to do was to examine delegates' credentials.

14. Mr. GOLDSCHMIDT (France) considered that the matter of examining credentials ought not to be exploited for political purposes. The credentials of the South African delegate were in order and that country was recognized by his own.

15. Mr. ABU-EID (Kuwait) stated that in principle his delegation supported the Nigerian delegate's proposal; on the other hand he wondered whether the General Committee itself was entitled to take the decision.

16. Mr. THOMAS (German Democratic Republic) endorsed the Nigerian proposal. He also was against acceptance by the General Committee of the delegates' credentials emanating from South Korea and Chile.

17. Mr. CASTRO MADERO (Argentina) (Chairman of the Board of Governors) said he found the present situation most disturbing in that

the General Conference might be thereby induced not to keep to the purely formal aspect of credentials; it should not take up political matters of concern to other bodies.

18. Mr. BEESLEY (Canada) observed that, although in his opinion the situation in South Africa was extremely serious, the General Committee was called upon to consider the validity of credentials solely from the formal standpoint.

19. Mr. NAVARRETE (Mexico) said that the policy followed by South Africa was condemned by his country. It was a moot point, however, whether the General Committee had the power to pass judgement on a political situation.

20. Mr. EROFEEV (Union of Soviet Socialist Republics) pointed out that there was nothing in the Rules of Procedure specifying that the General Committee was obliged to keep solely to the formal aspect of credentials. Moreover, the General Assembly of the United Nations had repeatedly uttered condemnations of South Africa and it was the General Conference's duty to take that into consideration. He requested that an account of the present discussion be included in the General Committee's report to the General Conference.

21. Mr. ADENIJI (Nigeria) stated that, if it wished to claim that it served humanity as a whole, the Agency could not at the same time entrench itself behind purely technical considerations. It had to be clear in its own mind whether it wanted to serve only 13% of the South African population, i. e. the privileged minority, or the country as a whole. Moreover, the delegates of Member States to the General Conference were more often political specialists than pure technicians. Accordingly, the Agency could not remain a strictly technical body, and it was noteworthy that the Committee of the United Nations General Assembly responsible for examining credentials, under terms of reference identical in that respect with those of the General Committee, had refused to accept credentials issued by South Africa.

22. The CHAIRMAN suggested that the report should note that a consensus had emerged in favour of acceptance of the credentials, bearing

in mind the reservations put forward by certain delegates.

23. Mr. TAPE (United States of America) said that the conclusion he had reached was different from that of the Chairman. His Government was likewise concerned about the situation in South Africa, and was in process of indicating how, in its opinion, the problems at issue should be solved. Furthermore, the United Nations was dealing with the matter, and in any case it was not for the Agency to do so. Instead of mentioning a consensus, he would propose that the report should note that the General Committee was satisfied with the credentials submitted to it, but that certain delegates had expressed reservations.

24. Mr. ADENIJI (Nigeria) said that it was not a matter simply of reservations. Contrary to the United States delegate's suggestion, he would propose that it be indicated in the report that the General Committee rejected the credentials of South Africa, bearing in mind the reservations expressed by certain delegates.

25. Mr. HOFFMANN (Federal Republic of Germany) said he was aware of the seriousness of the situation which the Nigerian delegate had described. His Government, like the other European Governments, condemned the policy of apartheid practised by South Africa. In the present case, however, there would seem to be a conflict between the political considerations involved and the provisions of the Rules of Procedure. Perhaps it would be useful to have legal advice on the point from the Secretariat.

26. The CHAIRMAN pointed out that it was not a legal point that was in question.

27. He suggested that the General Committee should submit a report to the General Conference, to be drawn up by himself with the help of the Secretariat, which would be similar in form and structure to that of the previous year. As requested by the Soviet delegate, the views expressed during the discussion would be summarized in the report.

● 28. The Chairman's suggestion was approved.

● The meeting rose at 6.25 p. m.