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RECORD OF THE FIFTY-SECOND MEETING

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on Tuesday, 22 September 1987, at 4.15 p.m.

Chairman: Mr. GUYER (Argentina)

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[*] A provisional version of this document was issued on 25 September 1987.

[**] GC(XXXI)/799.

The composition of delegations attending the session is given in document GC(XXXI)/INF/246/Rev.3.

THE FINANCING OF TECHNICAL ASSISTANCE (GC(XXXI)/804 and GC(XXXI)/COM.5/52)
(continued)

1. The CHAIRMAN drew attention to document GC(XXXI)/COM.5/52, containing a draft resolution submitted by Egypt following the discussion at the preceding meeting.
2. Mr. GOMAA (Egypt) said that his delegation had explained its attitude to the financing of technical assistance at the preceding meeting and had decided to submit the draft resolution in document GC(XXXI)/COM.5/52. He appealed to all members of the Committee to recommend adoption of what was a simple and concise resolution, on the same lines as the one adopted unanimously in 1986.
3. Mr. MORALES PEDRAZA (Cuba) pointed out that paragraph 2 of the draft resolution, in requesting the Board of Governors to report annually to the General Conference, merely repeated resolution GC(XXX)/RES/464 adopted in 1986. While he had no objection to the draft resolution in itself, he questioned the need for it.
4. Mr. GOMAA (Egypt) said that he appreciated the Cuban representative's point, but the issue was a very important one and the adoption of a resolution at every session - as had happened since the twenty-fifth session, with the concurrence and support of Cuba - kept attention focused on it. It was a symbolic resolution which reaffirmed the interest and attention of the General Conference.
5. The CHAIRMAN, having been assured that the representative of Cuba did not wish to press the point, said he took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution set forth in document GC(XXXI)/COM.5/52.
6. It was so agreed.

STAFFING OF THE AGENCY'S SECRETARIAT (GC(XXXI)/814 and GC(XXXI)/COM.5/51)

7. The CHAIRMAN drew attention to document GC(XXXI)/814, containing statistical data presented by the Director General pursuant to resolution GC(XXX)/RES/465 adopted by the General Conference in 1986, and to a draft resolution submitted by Egypt in document GC(XXXI)/COM.5/51.

8. Mr. GOMAA (Egypt), introducing the draft resolution in document GC(XXXI)/COM.5/51, said that in the view of his delegation and others he had consulted, the slight improvement indicated in the Director General's report on the implementation of resolution GC(XXV)/RES/386 was not satisfactory to the developing countries. The purpose of the draft resolution he was introducing was to reiterate their interest in the issue and, while commending the Director General on the steps he had already taken to rectify the imbalance in the representation of developing countries in the Secretariat, to urge him to make further efforts to ensure that such representation was commensurate with their membership of the Agency. It was unfair that people from developing countries, which represented nearly two thirds of the Agency's membership, should account for only 14% or 15% of the Agency's Professional staff, and for an even smaller percentage of the staff at the policy-making level.

9. Noting that the draft resolution was similar to the corresponding one adopted in 1986, but with the figures brought up to date, he said that he wished to impress on the Director General and his staff the need to continue their good work, which his delegation appreciated and commended.

10. Ms. HOEDEMAKERS (Netherlands) said that her delegation entirely agreed with the Director General that it was essential to ensure the highest quality of staff and a well balanced geographical distribution. Reasonable representation of women on the staff was also important. Judging from the composition of delegations present, the atomic scene was dominated by men. She welcomed the fact that the proportion of Professional posts occupied by women had increased, but it remained very small. Her delegation therefore urged the Director General to continue to recruit more women to Professional posts. The Agency, which was currently the focus of international attention, was well placed to set an example of how women could be employed in important and responsible Professional posts.

11. She had heard with interest the Director General's expressions of concern about the common system and the level of take-home pay of staff. Her delegation had every sympathy with the Director General and would raise the matter in the Fifth Committee of the United Nations General Assembly, the

Committee in which decisions regarding the common system were made. Her delegation firmly believed that the common system, despite its problems and imperfections, was the best guarantee of just and equal treatment for all United Nations staff throughout the world. She assumed that the Agency would remain in the common system, along with the other United Nations organizations in Vienna.

12. Mr. BARTELL (United States of America) said that his delegation welcomed the Director General's efforts to increase the number of staff from developing regions in implementation of General Conference resolution GC(XXV)/RES/386. In the opinion of his delegation, the steps taken by the Director General and his colleagues had largely eliminated the problem of imbalance.

13. In September 1981, 547 of the 607 authorized Professional posts had been subject to geographical distribution, whereas he understood that 669 of the 727 Professional posts authorized under the 1987 budget were subject to geographical distribution. Since 1981, therefore, there had been an increase of 122 posts subject to geographical distribution. He noted from document GC(XXXI)/814 that there had been 587 Professional staff members in posts subject to geographical distribution as at 1 September 1987, compared with 481 on 1 September 1981, which meant that the number of Professional staff had increased by 106 - i.e. by 22%.

14. As to the distribution of the increase, it was significant that the number of staff members from the areas where most developing countries were found had increased dramatically - for example, by 125% for Africa, 122% for Latin America, 115% for South East Asia and the Pacific and 48% for the Middle East and South Asia. The increase had been less for other areas - for example, 18% for the Far East and 21% for Western Europe; and for North America there had been a decrease of 2%. It was clear from those figures that the Secretariat had made a substantial effort to rectify any imbalance.

15. In connection with document GC(XXXI)/814 and the statistics pointing to the Director General's success in increasing the numbers of developing country nationals in the Secretariat, he emphasized that the criterion of recruiting

staff "on as wide a geographical basis as possible" was not the principal standard laid down in the Statute: on the contrary, the Statute provided that the "paramount" consideration was "to secure employees of the highest standards of efficiency, technical competence and integrity". Maintaining quality, efficiency and effectiveness must continue as the main goal, and his delegation appreciated that the Director General was ever-mindful of that goal. Lastly, it was strongly in favour of the appointment of well-qualified women to positions of responsibility in the Secretariat.

16. Mr. CHAUDRHI (Pakistan) said he shared the views of the representative of Egypt. Referring to the statistical data in document GC(XXXI)/814, he said that, in commenting on similar data presented in 1986, his delegation had expressed its sincere appreciation of the Director General's efforts to improve the level of representation of staff from developing countries, which had risen from 22% of the total Professional staff in posts subject to geographical distribution in 1985 to 23% in 1986. Since the aggregate increase in the number of Professional staff during the year past had been only two, from 585 to 587, his delegation realized that the scope for adjustments had been limited and fully understood the situation; even so, it remained convinced that there was room for further improvement. It was obvious that an adequate balance had not yet been achieved, since the developing countries represented about two thirds of the membership of the Agency and it had been indicated in earlier discussions that a target of one third representation on the Secretariat staff would not be unduly ambitious.

17. Reference had been made to certain percentages and to impressive gains made by the developing countries. As he saw it, however, percentages might be impressive, but it was the figures in the manning tables that counted. For example, an increase of 1 in a membership of 10 would be 10%, but an increase of 1 in a membership of 100 would be only 1%.

18. His delegation therefore hoped that the Director General would continue to look into the matter with a view to further improving the representation of staff from developing countries. It fully subscribed to the view that the criterion of efficiency should be kept in mind, but one should not assume that applicants from developing countries were less qualified than those from other countries.

19. His delegation fully supported adoption of the draft resolution, which was on the same lines as the one adopted in 1986 and would keep the matter under review in the hope that the situation would further improve.

20. Mr. MORALES PEDRAZA (Cuba) noted that between 1 September 1986 and 1 September 1987 the number of staff members in posts subject to geographical distribution had increased by only two. Of the 75 new staff members appointed in that period, only 20 had come from developing countries - less than in 1986; and only 6 or 30% of those appointed to posts at the P-4 level and above had come from developing countries, compared with 42% in 1986. Clearly there had been a retrograde development compared with the achievements of the previous year, and the aspirations that the Group of 77 had maintained since 1981 remained valid aspirations.

21. The situation was particularly noticeable in the Department of Safeguards, where, as could be seen from Annex X to document GC(XXXI)/814, only 67 of the 265 staff came from developing countries, the proportion being practically unchanged since 1986, when his delegation had pointed out that it was insufficient for representation of the Group of 77. As far as grading was concerned, only 29 - or 16.7% - of the 174 posts at the P-4 level or above were held by staff from developing countries; even though this represented an increase over the 14.2% of 1986, it was still low.

22. Document GC(XXXI)/814 showed that in 1987 there had been a definite retrograde development in the situation regarding staff from developing countries, and the Secretariat must give the matter proper attention, with a view to finding a satisfactory and appropriate answer to the legitimate demands of the Member States belonging to the Group of 77.

23. Lastly, his delegation wished to make it clear that, as a matter of principle, it could not accept a situation in which certain States failed to pay their contributions simply in order to exert unacceptable pressure on the organization and still managed to maintain levels of representation in the Secretariat which were among the highest for individual States. If the Secretariat's administrative expenses were to be reduced, a start could be made by removing that contradiction.

24. Mr. MAHMOUD (Iraq) said that there had been some change in the distribution of Secretariat posts to the benefit of the developing countries, but that, despite all efforts, the developing countries' representation - about 24%, compared with 18% or 19% in 1981 - was still inadequate. The Agency should take further steps to increase the number of staff from developing countries, bearing in mind the criterion of equitable geographical distribution - although clearly the criteria of efficiency and competence also had to be applied. His delegation supported the draft resolution in document GC(XXXI)/COM.5/51.

25. Mr. LOPEZ-LIRA NAVA (Mexico) thanked the Director General for his efforts to increase the number of Secretariat staff from developing countries. There was, nevertheless, still an imbalance. He supported the Netherlands proposal that more women should be recruited to the Secretariat.

26. Mr. MSHEILA (Nigeria) agreed with the views of the representative of Egypt. He had noted with appreciation the Director General's efforts to increase the representation of developing countries in the Secretariat. Developing countries could now boast of highly qualified, competent personnel. In view of the need to continue improving the balance of geographical representation, his delegation hoped that the Director General would continue his efforts to increase the representation of developing countries, especially at the senior and policy-making level. The region of Africa was particularly under-represented.

27. His delegation fully supported the draft resolution submitted by Egypt.

28. Mr. TITKOV (Union of Soviet Socialist Republics) proposed that the Committee take note of the Director General's report on the staffing of the Agency's Secretariat contained in document GC(XXXI)/814. According to that report, the number of Secretariat staff in posts subject to geographical distribution who came from developing countries had continued to increase in the period 2 September 1986 to 1 September 1987. As in previous years, there had been a positive trend in the implementation of resolution GC(XXV)/RES/386.

29. He felt bound, however, to draw attention to a negative factor - namely, that in the same period the number of staff from his own country holding posts subject to geographical distribution had declined by two (one

from the Ukrainian SSR and one from the Byelorussian SSR). The total number of Professional staff members from East European countries had also declined by two. His delegation was therefore impelled to criticize the Agency's staffing policy and to urge that all necessary steps be taken to improve the situation and to achieve more equitable representation for all geographical regions. It was important that the representation in the Secretariat of one group of countries not impinge on the interests of other groups of countries.

30. With regard to the draft resolution in document GC(XXXI)/COM.5/51, he proposed that in preambular paragraph (e) the word "does" be replaced by "should". If the draft resolution were thus amended his delegation could support it.

31. Mr. GOMAA (Egypt), replying to points raised during the discussion, said that nothing in the draft resolution suggested that the Agency should overlook its statutory responsibilities: in fact, paragraph 2 provided that any adjustment measures should be implemented "in keeping with the Statute". Paragraph (e) of the preamble represented a compromise solution which had been found acceptable at the twenty-ninth and thirtieth sessions of the General Conference; it had been incorporated on those occasions after lengthy negotiations involving the Soviet delegation. He therefore hoped that the Soviet delegation would accept the draft resolution as it stood and not press for an amendment.

32. Mr. TITKOV (Union of Soviet Socialist Republics) said that the situation had changed since the thirtieth session of the General Conference: the number of Professional staff members from East European countries had declined by two. That was why his delegation could not withdraw its proposal for amendment.

33. Mr. GOMAA (Egypt) said that the facts clearly showed that two areas were grossly under-represented in the Agency's Secretariat, and it was unrealistic to expect that such an imbalance could be rectified without modifying the number of staff members from other areas. He would not dispute the contention that the East European countries were under-represented, but the problem was comparatively less critical for them than for countries in other areas; accordingly, he could not accept the Soviet proposal. He suggested that the matter might be resolved through informal consultations.

34. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to defer further discussion of the draft resolution until informal consultations had taken place.

35. It was so decided.

AMENDMENT OF ARTICLE VI.A.2 OF THE STATUTE (GC(XXXI)/805 and GC(XXXI)/COM.5/53)

36. The CHAIRMAN drew attention to document GC(XXXI)/805, which contained a report to the General Conference by the Board of Governors pursuant to resolution GC(XXX)/RES/466 and the summary records of the Board's discussions on the matter since the thirtieth session of the General Conference. He invited the Egyptian delegation to introduce the draft resolution it had submitted.

37. Mr. GOMAA (Egypt), introducing the draft resolution contained in document GC(XXXI)/COM.5/53, said that the subject had been before the General Conference and the Board of Governors for 11 years. The legitimate demand of Africa and the Middle East and South Asia for an increase in their representation on the Board, so as to rectify the existing imbalance, had already been amply explained and there was clear-cut statistical evidence to prove that the two areas were grossly under-represented. Countries in those areas felt strongly that the existing situation was unjust, and that it was now time for the General Conference to take action.

38. The report by the Board of Governors (GC(XXXI)/805) showed that a consensus had not been reached on the matter despite the commendable efforts of the Chairman of the Board. Africa and the Middle East and South Asia had nevertheless not lost hope, and would continue to press their demand.

39. The draft resolution followed similar ones adopted in previous years and simply referred the matter to the Board for further consideration. It was to be hoped that it would be adopted by consensus, and that Member States would recognize that the proposal to amend Article VI.A.2. was fully justified and take appropriate action.

40. Mr. CHAUDHRI (Pakistan) said he fully endorsed the comments made by the representative of Egypt. The issue of amending Article VI.A.2. had been pending for 11 years and the arguments, both pro and contra, had been repeated many times. It was important to remember that the proposal was aimed

at rectifying a particular problem, that of under-representation of the areas of Africa and the Middle East and South Asia, and should not be linked with other issues. He hoped that Member States would proceed in a spirit of accommodation and, by facilitating the adoption of the draft resolution by consensus, help solve a problem which only created friction.

41. Mr. MAHMOUD (Iraq) said that the problem to which the draft resolution related was a serious one, but no solution had been reached in 11 years of negotiation despite the fact that a number of resolutions had proclaimed the legitimacy of the demand for an amendment of Article VI.A.2. Statistics clearly showed that two areas were under-represented on the Board, whose current composition thus did not reflect the principle of equitable geographic distribution. Further discussion of the issue would merely create additional complications and generate ill will. It was now time to pass from discussion to action, to rectify the injustice and thereby guarantee the smooth running of the Agency. His delegation consequently supported the draft resolution.

42. Mr. ZANNAD (Tunisia) said he fully endorsed the comments made by the representatives of Egypt, Pakistan and Iraq. It was time to break free of the inertia established over the past 11 years, to achieve consensus and thereby to institute more equitable geographical distribution in the Board's membership. Problems of nuclear safety now affected all countries, not just those belonging to the "Nuclear Club", and there was a growing interest throughout the world in the prospects of nuclear power generation. That was why it was important that all countries be represented equitably on the Board. Consultations to achieve that end should be pursued energetically, and countries that had traditionally been reluctant to support proposals to amend Article VI.A.2. should take a more conciliatory stance.

43. Mr. MORALES PEDRAZA (Cuba) said that the demand for an amendment of Article VI.A.2 was well founded but that it was unrealistic to suppose that proposals to that end would win enough support to be adopted. The negotiations on the subject had revealed that many Member States were not prepared to accept an amendment of part of Article VI unless the interests of their own regions were fully taken into account; some other Member States

would accept no amendment of Article VI at all. Under the circumstances, it would be better to search for broader solutions, taking into account the interests of all regions, and to abandon the fruitless and counterproductive struggle to resolve individual problems relating to Article VI.

44. Cuba would be prepared to consider any proposal which did not jeopardize the interests of the Latin Member American States, and, despite the points he had raised, was prepared to endorse the draft resolution.

45. Mr. HUANG (China), noting that the negotiations on the question of amending Article VI.A.2 had been going on for more than a decade, said that, to his delegation's deep regret, they had failed to produce a solution. Over the past 11 years, there had been a substantial increase in the number of Member States from the areas of Africa and the Middle East and South Asia, but there had been no corresponding increase in their representation on the Board. In conformity with the practice widely followed in other organizations of the United Nations system, priority should be given to adjusting the number of elected representatives from the two areas in question by amending Article VI.A.2 of the Statute so as to reflect the principle of equitable geographic distribution. His delegation believed that the draft resolution should be adopted by consensus.

46. Mr. PENNAROLA (Italy) said he fully endorsed the principle underlying the draft resolution: his own delegation had also put forward a proposal designed to include more countries in the Board's membership. However, the position expressed by the Cuban delegation was an extremely realistic one: advocating an amendment of Article VI which would benefit only two areas was an approach unlikely to win broad support. At all events, the Italian delegation could not join a consensus on the draft resolution before the broader subject of the revision of Article VI of the Statute as a whole, had been examined by the Committee.

47. Mr. PROENCA ROSA (Brazil) said that for historical reasons, and because of a coincidence of interests, Brazil had traditionally supported the position taken by the Agency's African Member States, but it could not accept any proposal which might work against the interests of the Latin American Member States. He would not oppose a consensus on the draft resolution, but could not join one.

48. Mr. CUMPS (Belgium) said he agreed with the Italian and Cuban delegations that the solution to the problem of under-representation should be sought in a broader framework than that outlined in the draft resolution.

49. Mr. YBAÑEZ (Spain) said the fact that the present item had been under discussion for so many years showed, first, that a problem did exist, and secondly, that that problem was not an easy one to solve. In seeking a solution, the aim should not be to defend the interests of any one country or region, but rather to defend the interests of all countries and regions, with a view to ensuring the more effective operation of the Agency. In fact, as had been acknowledged on repeated occasions by all delegations, the Agency did work well. Nevertheless, certain countries should be given a greater share in decision making, as they were playing a major role in the development of nuclear energy. The difficulty was to strike a balance - to ensure that, on the one hand, the Agency continued to work well and that, on the other hand, its membership was properly represented on the Board of Governors. It did not seem likely that a solution would ever be found if the matter were viewed simply in terms of fairness or of equitable geographical representation.

50. A draft resolution which envisaged simply the amendment of Article VI.A.2 of the Statute would not obtain consensus support. Whatever method was used to deal with the question, whether a working group or informal consultations, Article VI should be considered as a whole.

51. Mr. MSHEILA (Nigeria) said that although his delegation's position on the question of amending Article VI.A.2 was already well known, he wished to reiterate that concrete action should be taken by the General Conference so as to find a solution that was long overdue.

52. As had already been pointed out, the proposed increase was a modest one and would not alter substantially the present composition of the Board of Governors. He fully supported those who had spoken in favour of increased representation for the regions in question.

53. Ms. FERNANDEZ (Portugal) said that, as Portugal was co-sponsor of the proposal to amend Article VI as a whole, she could not express any opinion on proposals to amend Article VI.A.2 until Article VI as a whole had been discussed.

54. Mr. GOMAA (Egypt) said he was amazed at the turn the discussion had taken. He found the suggestion made by the last speaker, that proposals to amend Article VI.A.2 could not be discussed until Article VI as a whole had been dealt with, a strange idea. It would be a violation of the rules of procedure of any international organization to depart from the order in which items on the agenda were to be considered.

55. His delegation had never been opposed to satisfying the legitimate claims of any region of the world to fair representation on the Board of Governors. It was now advocating fair representation of Africa and the Middle East and South Asia because it was a matter of fact, not of hypothesis, that at present those areas were the most seriously under-represented on the Board. It was true that, if agreement were to be reached on an amendment of Article VI as a whole, the problem of amending Article VI.A.2 would no longer exist; but in the meantime, the Conference should continue its efforts to solve that problem. The draft resolution in document GC(XXXI)/COM.5/53 merely requested the Board of Governors to continue consultations with Member States, and he could not understand why it should have given rise to any objections.

56. Mr. CHAUDHRI (Pakistan) said his delegation had never been opposed to considering the problem in its wider context: that was not a point of contention. The Committee was not being called upon to judge which of two proposals submitted in regard to Article VI should take precedence. The item now under discussion was item 16, under which a draft resolution had been put forward which simply requested that a question which had first been brought to the notice of the General Conference some 11 years before should be kept under review through a process of consultation.

57. Mr. PENNAROLA (Italy) said it had not been his intention to do violence to the Conference's Rules of Procedure. He had merely wished to point out that, even though items 16 and 17 were separate items on the agenda, they were very closely related in substance. It would be difficult for the Committee to consider the question of the balance of membership of the Board of Governors in one context, under the first item, and then go on to consider the same question in a different context, under the second item. Since it appeared that there was still a lack of consensus on the issue, he proposed that further consideration of the item be deferred so as to allow time for consultations.

58. Mr. CUMPS (Belgium) and Mr. KRONHOLM (Sweden) supported that proposal.

59. Mr. YBAÑEZ (Spain) said that he too had not intended to violate any rules of procedure, but rather to contribute to the solution of a problem that the Conference had not succeeded in solving for the past 10 years - namely, the need for increased representation for the two areas concerned. However, the subject was not a simple one, and needed to be dealt with in the context of Article VI as a whole. He therefore supported the proposal made by the representative of Italy.

60. Mr. GOMAA (Egypt) said that the Italian representative's proposal was unacceptable to his delegation. As the author of the draft resolution under discussion, he proposed that, since no consensus had been reached, the matter be put to the vote in a plenary meeting.

61. Mr. RAMTANI (Algeria) said that the issue of amending Article VI.A.2 had been under discussion for 11 years; he found it difficult to accept the argument that that issue should simply be removed from the Conference's agenda, on the grounds that it was linked with the issue of the revising of Article VI as a whole. As he saw it, adoption of the draft resolution would in no way prejudice the outcome of discussions on Article VI as a whole under item 17 of the agenda. The draft resolution simply sought to keep the discussion open on a matter which had been under consideration for over a decade.

62. Mr. DAJO (Nigeria) shared that view. He supported the Egyptian proposal that the matter be put to the vote in plenary.

63. Mr. MORALES PEDRAZA (Cuba) said he was sorry to note that the debate was becoming rather too emotional in tone. He appealed to representatives not to decide to recommend a vote on an issue which was essentially a simple one, and could be solved by further consultations. He suggested that pending the outcome of such consultations, consideration of the draft resolution be deferred until the following day.

64. Mr. GOMAA (Egypt) said that that course of action would be acceptable to his delegation.

65. It was so decided.

The meeting rose at 6 p.m.