



International Atomic Energy Agency

# GENERAL CONFERENCE

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Thirty-fifth regular session  
Item 19 of the provisional agenda  
(GC(XXXV)/952)

## REVISION OF ARTICLE VI OF THE STATUTE AS A WHOLE

1. On 13 September 1991, the Board of Governors agreed to the transmission to the General Conference of the appended report of the informal working group to examine different proposals on the revision of Article VI of the Statute as a whole re-established by the Board on 24 September 1990 pursuant to resolution GC(XXXIV)/RES/543.
2. The summary record of the Board discussion relating to this item will be circulated in an Addendum to this document.
3. Pursuant to the suggestion made in paragraph 10 of the working group's report, the Board recommends that the General Conference request it to establish a successor working group with the mandate set out in General Conference resolution GC(XXXIV)/RES/543.



REVISION OF ARTICLE VI OF THE STATUTE AS A WHOLE

INFORMAL WORKING GROUP TO EXAMINE DIFFERENT PROPOSALS  
ON THE REVISION OF ARTICLE VI OF THE STATUTE AS A WHOLE

Report of the working group

1. In September 1990 the General Conference, in resolution GC(XXXIV)/RES/543, requested the Board of Governors "to re-establish, with no financial implications, an informal working group open to all Member States in order to continue to examine different proposals on the revision of Article VI of the Statute as a whole with a view to preparing a report to be submitted through the Board to the General Conference at its next regular session."
2. On 24 September 1990 the Board re-established the informal working group and on 28 February 1991 agreed that Ambassador Gleissner of Austria should serve as its Chairman.
3. Following a series of bilateral consultations held by Ambassador Gleissner, the informal working group met on 28 May 1991. Representatives of over 40 Member States participated in the meeting.

4. At this meeting, the Chairman of the working group reported on his bilateral consultations, which had concentrated on the present mode of implementing Article VI.A.1, which deals with the question of designations: the consultations had shown that opinions remained divided between those wanting a change in the present mode of implementing Article VI.A.1 and those preferring the status quo; any change would require negotiations among Member States and the area groups; as most Member States were -- like the Chairman -- of the opinion that this issue should be solved by consensus, he called upon members of the working group to meet with like-minded delegations and try to come up with suggestions that would command a consensus; he himself was ready to meet with any delegation in order to work out -- in co-operation with the Secretariat -- a formulation that might obtain general support.

5. In the ensuing discussion, which was brief and in which only a few working group members participated, the view was expressed that consideration of the question of revising Article VI should continue in the hope that with time a consensus would emerge; the brevity of the discussion at the meeting should not be interpreted as a lack of interest, but rather as political wisdom on the part of delegations awaiting the outcome of current changes in the world political situation.

6. The view was expressed that, given the political changes which were taking place in the world, a discussion of the political balance in the Board should be avoided at the present time.

7. Referring to the "Italian proposal" (see Attachment to the Appendix to GC(XXXIV)/930), one participant stated that it was a rather conservative proposal and that, if it failed to gain general support, the General Conference might one day even be asked to expand the mandate of the working group -- for instance, the group might be requested to review the entire

Statute on the grounds that for a number of countries nuclear power no longer represented a viable energy production option and advancement in the technology of atomic energy was therefore no longer relevant in the designation of Board members.

8. The historical background to the wording of Article VI.A.1 and to the present mode of implementing it was noted, and the view was expressed that any change in the wording would have to be preceded by a thorough discussion of technical criteria, which would almost certainly prove to be an extremely difficult exercise.

9. The Chairman of the working group considered that bilateral consultations should continue (on an extended basis, if necessary), together with area group discussions; revision of Article VI was a long-term project with which one should proceed cautiously, with a view to achieving consensus in due time.

#### **SUGGESTED ACTION BY THE BOARD**

10. The working group suggests that the Board recommend to the General Conference that it request the Board to establish a successor working group with the mandate set out in General Conference resolution GC(XXXIV)/RES/543.

