

General Conference

GC(47)/1/Add.1

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Provisional Agenda

Supplementary item for inclusion in the provisional agenda

- On 14 August 2003, the Director General received a request, submitted by the Republic of Korea, for the inclusion of an item entitled “Amendment to Article VI of the Statute” in the agenda for the 47th regular session of the General Conference.
- Pursuant to the Rules of Procedure of the General Conference¹, this item is hereby included as a supplementary item and an explanatory memorandum is set out overleaf.
- It is suggested that this item follow item 23 of the provisional agenda and be discussed first in the Committee of the Whole.

¹ Rules 13 and 20, GC(XXXI)/INF/245/Rev.1.

Explanatory Memorandum Submitted by the Republic of Korea

1. The 43rd regular session of the General Conference approved the amendment to Article VI of the Statute of the International Atomic Energy Agency (IAEA) by consensus on 1 October 1999 in Resolution GC(43)/RES/19. Upon the entry into force of the amendment, the Board of Governors will be composed of 43 Member States, marking an increase from the current 35 Member States.
2. By operative paragraph 3 of the Resolution GC(43)/RES/19, the General Conference "urge(d) all Member States of the Agency to accept this amendment as soon as possible in accordance with their respective constitutional processes, as provided for in Article XVIII.C.(ii) of the Statute." By operative paragraph 4 of the Resolution, the General Conference also "request(ed) the Director General to report to the General Conference, at its 45th regular session, on the progress made towards the entry into force of this amendment." Accordingly, two years after the adoption of the Resolution, the Director General submitted a report (GC(45)/INF/7), as requested by the Resolution, to the 45th regular session of the General Conference. The General Conference took note of the Director General's report.
3. According to operative paragraph 2 of the amendment, the amendment "shall enter into force when the requirements of Article XVIII.C (Acceptance by two-thirds of all Member States in accordance with their respective constitutional processes) are met and the General Conference confirms a list of all Member States of the Agency which has been adopted by the Board, in both cases by ninety per cent of those present and voting, whereby each Member State is allocated to one of the areas referred to in sub-paragraph 1 of paragraph A of this Article." As of the end of July 2003, both of these conditions for the entry into force have not yet been met.
4. Four years have passed since the General Conference approved by consensus the Resolution, which was the commendable outcome of decades long discussions and hard negotiations between Member States to meet the double challenge of efficiency and more democratic representation faced by the IAEA of today. Now, two years after Member States considered the progress report of the Director General on this issue at the 45th General Conference, it is time again for the Member States to be informed by the Director General of and to review the progress towards the entry into force of the amendment.
5. In view of the above, the inclusion of a supplementary item on "Amendment to Article VI of the Statute" in the provisional agenda of the 47th regular session of the General Conference is requested. In keeping with the spirit of the Resolution GC(43)/RES/19, the Director General is also requested to submit an updated report on the progress made since his last report towards the entry into force of the amendment to the 47th regular session of the General Conference in order to facilitate discussion and proper action, if necessary, by the Member States.