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Committee of the Whole

Record of the Fifth Meeting

Held at Headquarters, Vienna, on Wednesday, 16 September 2015, at 3.10 p.m.

Chair: Mr BENHOUCINE (Algeria)

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¹ GC(59)/25.

Abbreviations used in this record:

AU-PATTEC	African Union's Pan African Tsetse and Trypanosomosis Eradication Campaign
ReNuAL	Renovation of the Nuclear Applications Laboratories
SLC	State-level concept

17. Strengthening the Agency's activities related to nuclear science, technology and applications (resumed) (GC(59)/COM.5/L.8; GC(59)/COM.5/L.11)

1. The CHAIR invited the Committee to take up consideration of the draft resolution set out in document GC(59)/COM.5/L.8, entitled "Renovation of the Agency's Nuclear Applications Laboratories at Seibersdorf".

2. The representative of SOUTH AFRICA, introducing the draft resolution, said that resolution GC(58)/RES/13.A.6 had been updated to reflect the developments of the past year in the ReNuAL project and contained a renewed call on Member States to make financial contributions. She was pleased that a number of countries, including Kuwait, China and her own country, had announced their intention to make a contribution during the current session of the Conference.

3. The representative of AUSTRALIA said that his country strongly supported the ReNuAL project and was one of the largest donors. With regard to paragraph 6 of the draft resolution, he proposed that "to develop resource mobilization packages" be amended to read "to continue to develop targeted resource mobilization packages", since the process was already under way and was targeted to the interests of particular donors. He then proposed that paragraph 7 be amended to read as follows: "Requests the Secretariat to provide information on the financial resources required for upcoming implementation and indicate where resources are needed to match implementation schedules." If those amendments were acceptable, Australia would wish to join the co-sponsors of the draft resolution.

4. The representative of SOUTH AFRICA said that she had no objection to the proposed changes, provided that none of the other co-sponsors objected.

5. The CHAIR took it that the Committee wished to recommend that the General Conference adopt the draft resolution set out in document GC(59)/COM.5/L.8, as amended.

6. It was so decided.

7. The CHAIR invited the Committee to take up consideration of the draft resolution set out in document GC(59)/COM.5/L.11, entitled "Support to the African Union's Pan African Tsetse and Trypanosomosis Eradication Campaign (AU-PATTEC)".

8. The representative of CHILE, introducing the draft resolution, said that AU-PATTEC had a profound impact on public health and the quality of life in a large region that included members of the Group of 77. He therefore hoped that the draft resolution would be supported by all Member States and swiftly adopted.

9. The CHAIR took it that the Committee wished to recommend that the General Conference adopt the draft resolution set out in document GC(59)/COM.5/L.11.

10. It was so decided.

22. Promotion of efficiency and effectiveness of the IAEA decision making process (GC(59)/1/Add.2)

11. The representative of the ISLAMIC REPUBLIC OF IRAN said that the Agency's decision-making process had remained unchanged for more than 50 years and should be brought into line with current global realities.

12. Article IV.C of the Agency's Statute guaranteed the rights and benefits of membership of all sovereign Member States, and there had been fundamental structural changes in international relations in recent decades, particularly within the global community engaged in the peaceful use of nuclear energy.

13. All Member States should participate directly in the taking of decisions on all fundamental issues relating to the Agency's work or having an impact on States' sovereign rights.

14. Although the General Conference represented all Member States, it was not the main policy-making body of the Agency, as was the corresponding body in other international organizations, for most of the issues that it discussed were agreed in advance by the Board of Governors.

15. The balance of power between the two bodies should be reviewed, and the composition of the Board should be reconsidered with a view to putting an end to the self-perpetuating, quasi-permanent membership of certain States with advanced levels of nuclear technology.

16. All Member States should have an opportunity to be elected to the Board on a regional basis. The amendment to Article VI of the Statute adopted in 1999 had been a positive step but, owing to various political and regional issues, had not yet entered into force. An open-ended working group should be established to consider the issue and make recommendations to the General Conference.

17. His delegation proposed that the system of voting in the General Conference be improved by introducing a new method that was more efficient in terms of time and cost. Electronic voting was widely used by international organizations, including the United Nations General Assembly and Committees in New York, and other bodies in Geneva, such as the Human Rights Council.

18. By adjusting Rule 72 of the Rules of Procedure, on the lines followed by the General Assembly, Member States could reduce costs and make more time available for substantive issues. The proposed amendment would not change the substance of the Rules of Procedure of the General Conference and would merely facilitate use of electronic devices for voting. His country therefore encouraged all delegations to support its proposal and looked forward to hearing their views and comments.

19. Lastly, he noted that the Secretariat had been requested at the previous session to report on the financial implications of his delegation's proposal but had not yet done so.

20. The CHAIR said that, as some aspects of the proposal made by the Islamic Republic of Iran had substantial implications, the Committee was probably not in a position to take decisions on them at the current meeting. He agreed, however, that it was high time that the General Conference adopted an electronic voting system. The Committee could, perhaps, make a recommendation to the Conference in that regard.

21. The representative of CUBA said that the role of the United Nations, in its seventieth anniversary year, was more important than ever in a complex world, and it was ever more urgent to bolster the United Nations system. Such an effort should include the efficiency and effectiveness of

the Agency's decision-making process, starting with the operation of its governing bodies. A proper balance should be struck among the Agency's various statutory activities and, to that end, the General Conference, which was the supreme and most democratic body since all Member States participated in its work, should be strengthened. The composition and functions of the Board of Governors under Article VI of the Statute also should be reviewed by the General Conference in an open-ended and inclusive process, in which the opinions of all States were respected and no State or group of States imposed its will on others.

22. The representative of ALGERIA, supported by the representative of FRANCE, said that his country welcomed the Iranian proposal because it attached particular importance to democratization, transparency and the principles of equality and non-discrimination, which required a process of reform not only at the Agency but at all international organizations and throughout the United Nations system, including the Security Council. He agreed that priority should be given at the Agency to reforming the Board of Governors in order to make it more representative. In that connection, Algeria had been one of the first States to ratify the amendment to Article VI of the Statute, and he urged others to follow suit so that it could enter into force as soon as possible.

23. Transparency in the Agency's decision-making process was more important than ever before and should be applied to all of the Agency's statutory activities — the current debate on safeguards implementation, including the state-level concept, being a case in point. An open-ended working group should discuss the issue with a view to making specific and relevant proposals to the General Conference.

24. The representative of FRANCE, thanking the delegation of the Islamic Republic of Iran for proposing the supplementary agenda item, said that his country supported increasing democratic representation, transparency and non-discrimination in the Agency and other multilateral bodies. Opportunities for improving the Agency's processes in those respects should be identified but, in comparison with other multilateral organizations and bodies, the Agency was far from being at the bottom of the class. Scope for improvement in its efficiency and effectiveness could be set against the example that it could set for other international organizations.

25. The founders of the Agency had established instruments regulating the balance of power between the Board of Governors and the General Conference, but nothing was set in stone and there was certainly ample room for improvement. With regard to instruments that could enhance transparency and democracy, non-Board Members might, under Rule 50 of the Provisional Rules of Procedure of the Board of Governors, make statements. The existing practices, while imperfect, were not so egregious as to necessitate an immediate overhaul.

26. He stressed that the introduction of an electronic voting system, while technically possible, would not save time. Although current procedural practices seemed lengthy while they were being conducted, roll-call votes were the exception and the time spent on them was infinitesimal in proportion to the remainder of the Agency's work throughout the year. Any gains from changing to a system under which the results of the vote were known after a few seconds instead of minutes might be offset by the more complex technical requirements. France was interested in the options and the possible costs of introducing a new system, but it was too early to conclude that that would necessarily constitute progress.

27. The representative of GERMANY considered that, before giving thought to further improvements, those previously agreed must be implemented. His country had ratified the 1999 amendment to Article VI of the Statute many years previously and supported the Director General's efforts to encourage other Member States to do likewise.

28. The SECRETARY OF THE COMMITTEE OF THE WHOLE said that during last year's discussion in the Committee, a wide range of views had been expressed on the various advantages and disadvantages of introducing electronic voting systems. Those UN bodies which had adopted electronic voting had each developed custom-made systems. No one technology met the requirements of all United Nations organizations. The Secretariat's examination of the existing Agency infrastructure had revealed that installation of an electronic voting system would raise issues relating to delegate authentication and the display of results. Existing practices would have to be altered to some extent as a result. The preliminary cost estimate for addressing those two specific issues was around €250 000.

29. The CHAIR, summing up, said that the importance of maintaining and promoting the efficiency and effectiveness of the Agency's decision-making process and strengthening the Agency and its governing bodies had been highlighted. Some Members had underlined the issue of improving efficiency and effectiveness by expanding Board membership and enhancing the role and authority of the General Conference, and the importance of maintaining an appropriate balance between the two bodies. Some Members had emphasized the importance of the direct engagement and participation of all Member States in the decision-making process on issues related to the Agency's work. The relevance and importance of the process currently under way for the early ratification of the amendment to Article VI of the Statute had been referred to in that context. The need for the continuation of common efforts by all Member States together with the Secretariat to strengthen the Agency, promote transparency and achieve mutual benefits had also been emphasized. Some members had also mentioned the need for the Agency to promote the efficiency of its working methods and adapt the application of procedures for its bodies to take advantage of advanced technologies, especially with regard to the use of electronic voting, and the Secretariat had been requested to continue examining that matter. Some members had expressed their desire to continue consideration of that issue and to maintain the item on the General Conference agenda. The Committee had noted the information provided by the Secretariat on that matter.

30. He took it that his summing-up was acceptable to the Committee.

31. It was so agreed.

23. Amendment to Article VI of the Statute

(GC(59)/10; GC(59)/COM.5/L.10)

32. The CHAIR, having drawn attention to document GC(59)/10, said that document GC(59)/COM.5/L.10 contained the text of the decision adopted by the Conference on the subject in 2012, updated for the current year. The Committee might wish to recommend that text as a decision to be adopted by the General Conference at its 59th regular session.

33. Noting that no Member wished to take the floor, he took it that the Committee wished to recommend that the Conference adopt the draft decision set out in document GC(59)/COM.5/L.10.

34. It was so agreed.

24. Elections to the Agency's Staff Pension Committee

35. The CHAIR recalled that the General Conference was represented on the Agency's Staff Pension Committee by two members and two alternates. Vacancies existed for one member position and the two alternate positions. Following consultations, it had been proposed that Mr Van Haastrecht of the delegation of Canada be elected as member and that Mr Akindele of the delegation of Nigeria and Mr Ahmed of the delegation of Pakistan be elected as alternate members.

36. He took it that the Committee wished to recommend to the General Conference that Mr Van Haastrecht be elected as a member and that Mr Akindele and Mr Ahmed be elected as alternate members to represent the General Conference on the Agency's Staff Pension Committee.

37. It was so agreed.

The meeting rose at 4.10 p.m.