

General Conference

GC(65)/GEN/OR.2

Issued: October 2021

General Distribution

Original: English

Sixty-fifth regular session

General Committee

Record of the Second Meeting

Held at Headquarters, Vienna on Thursday, 23 September 2021, at 9.15 a.m.

Contents

Item of the agenda ¹	Paragraphs
– Adoption of the Agenda	1–2
– Restoration of voting rights	3–8
28 Examination of delegates' credentials	9–21

¹ GC(65)/25

Attendance

Chair

Mr MARAFI (Kuwait), President of the General Conference

Members

Mr DINESEN (Denmark), Vice-President of the General Conference

Mr JOHNSON, representing Mr AFRIYIE (Ghana), Vice-President of the General Conference

Mr HUSSEN (Iraq), Vice-President of the General Conference

Mr FACETTI (Paraguay), Vice-President of the General Conference

Ms KROIS, representing Mr KURTYKA (Poland), Vice-President of the General Conference

Ms SRISWASDI (Thailand), Vice-President of the General Conference

Mr BONO, representing Ms GRANHOLM (United States of America), Vice-President of the
General Conference

Mr NGUYEN (Viet Nam), Vice-President of the General Conference

Mr BILODEAU (Canada), Chair of the Committee of the Whole

Mr SILVA, representing Ms RODRIGUES COELHO (Angola), Additional Member

Ms MOUCHART, representing Mr VERLINDEN (Belgium), Additional Member

Ms KRALEVA, representing Mr BACHIYSKI (Bulgaria), Additional Member

Ms MELI DAUDEY, representing Mr BARTOLO (Malta), Additional Member

Mr CHIRÚ OCHOA (Panama), Additional Member

Secretariat

Mr BAUSWEIN, Acting Deputy Director General, Department of Management

Ms JOHNSON, Director, Office of Legal Affairs

Mr GIOIA, Credentials Officer

Ms RAYOS NATIVIDAD, Secretary of the Committee

– **Adoption of the agenda for the meeting**
(GC(65)/GEN/2)

1. The CHAIR asked whether the Committee wished to adopt the provisional agenda contained in document GC(65)/GEN/2.
2. The agenda was adopted.

– **Restoration of voting rights**
(GC(65)/INF/16)

3. The CHAIR said that there was one request for the restoration of voting rights before the Committee, from Libya. Under Article XIX.A of the Statute, a member of the Agency which was in arrears in the payment of its financial contributions to the Agency had no vote in the Agency if the amount of its arrears equalled or exceeded the amount of the contributions due from it for the preceding two years. The General Conference could nevertheless permit such a member to vote if it was satisfied that the failure to pay was due to conditions beyond the control of that member. Document GC(42)/10, adopted via resolution GC(42)/RES/4, set out a number of criteria and guidelines for the consideration of requests for the restoration of voting rights.
4. Mr BAUSWEIN (Acting Deputy Director General for Management) said that, in a letter contained in document GC(65)/INF/15, the Libyan Embassy and Permanent Mission to the International Organizations in Vienna had requested the restoration of Libya's voting rights on the basis of its commitment to paying its part of its arrears, once the Government of Libya's budget for 2021 had been approved. The remaining arrears for 2018-2020 totalled €964 958 and \$15 506.
5. Libya had lost its right to vote at the beginning of 2021, when its arrears had equalled or exceeded the amount due for the two preceding years. In 2020, Libya had made the minimum payment required to restore its right to vote that year. No payment had since been received, however, and Libya therefore remained without voting rights, as it still had outstanding arrears relating to the 2018 Regular Budget. In 2018 and 2019, the General Committee had considered and accepted Libya's request for the restoration of voting rights and its right to vote had been restored until the commencement of the subsequent session of the General Conference. To restore its voting rights in 2021, Libya was required to pay, as a minimum, €430 854, representing its arrears for the 2018 Regular Budget, plus one euro for 2019.
6. The CHAIR said that a report on measures taken to facilitate payment of contributions and a status report on Member States participating in a payment plan had been issued as document GC(65)/INF/13.
7. He took it that it was the opinion of the Committee that the failure by Libya to pay the amount necessary to avoid the application of Article XIX.A of the Statute was due to conditions beyond its control and that, accordingly, its right to vote in the Agency be restored during the current session of the General Conference for a period of one year, ending before the commencement of the following session of the General Conference.

8. It was so decided.

28. Examination of delegates' credentials (GC(65)/26 to 28)

9. The CHAIR proposed that the General Committee meet as a credentials committee and take up the examination of delegates' credentials.

10. Recalling Rule 27 of the Rules of Procedure of the General Conference, he said that credentials designated the delegate of a Member State to a given session of the General Conference, that credentials were submitted to the Director General and that they were issued by the Head of State or Government or by the Minister of Foreign Affairs of the Member State concerned. The Committee's task was limited to ascertaining whether the requirements of Rule 27 had been satisfied.

11. Credentials for 127 delegates had been received in due form. In addition, the Secretariat had received communications in respect of 88 delegates that did not constitute formal credentials meeting the requirements of Rule 27. Sixty-one Member States were not participating and had not submitted any credentials.

Document GC(65)/27 contained a statement submitted by Arab States members of the Agency participating in the sixty-fifth regular session of the General Conference, expressing their reservations concerning the credentials of the Israeli delegate.

12. Document GC(65)/28 contained a communication from Israel setting out its position with regard to those reservations.

13. Document GC(65)/26 contained a communication from the Islamic Republic of Iran setting out its position regarding consideration of the credentials of the Israeli delegate.

14. The CHAIR suggested that the Committee submit to the General Conference meeting in plenary a report stating that it had met to examine the credentials of delegates in accordance with Rule 28 of the Rules of Procedure, and containing a list of Member States whose delegates had, in the Committee's opinion, submitted credentials satisfying the requirements of Rule 27 of the Rules of Procedure, and another list indicating the Member States for whose delegates the Director General had received communications that did not comply with that rule.

15. In accordance with past practice, the report could indicate that the Committee considered that delegates in the latter category should nevertheless be allowed to participate in the work of the Conference on the understanding that they would submit credentials in due form as soon as possible, preferably before the end of the current session.

16. The report should further state that the Committee had had before it, in document GC(65)/27, a statement submitted by a number of Arab States members of the Agency participating in the current session, as listed in that document, regarding their reservations about the credentials of the Israeli delegate; in document GC(65)/28, a communication setting out Israel's position with regard to those reservations; and in document GC(65)/26, a communication from Iran setting out its position regarding the credentials of the Israeli delegate.

17. Mr FACETTI (Paraguay) drew attention to the fact that, whereas the English version of document GC(65)/27 listed 13 Arab Member States with such reservations, the Spanish version of that document listed 14, including Morocco.

18. The CHAIR said that the English version of the document was correct and that the Spanish version would be corrected accordingly.

19. He said that the report should state that the Committee had agreed, with the aforementioned reservations and position, to recommend that the General Conference adopt the following draft resolution:

“Examination of delegates’ credentials:

“The General Conference

“Accepts the report by the General Committee on its examination of the credentials of delegates to the Conference’s sixty-fifth regular session, which is set forth in document GC(65)/30”.

20. He asked whether the Committee wished a report on the lines he had described to be prepared and submitted to the General Conference meeting in plenary.

21. It was so decided.

The meeting rose at 9.40 a.m.