

General Conference

GC(66)/GEN/OR.1

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Sixty-sixth regular session

General Committee

Record of the First Meeting

Held at Headquarters, Vienna, on Monday, 26 September 2022, at 2.10 p.m.

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¹ GC(66)/17

Attendance

Chair

Mr CORTESE (Italy), President of the General Conference

Members

Mr STOJANOVSKI, representing Mr SADLEIR (Australia), Vice-President of the General Conference

Mr LULASHNYK (Canada), Vice-President of the General Conference

Mr WANG Qun (China), Vice-President of the General Conference

Mr SANCHO VÍQUEZ, representing Mr SOLANO ORTIZ (Costa Rica), Vice-President of the General Conference

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

Mr STOIAN (Romania), Vice-President of the General Conference

Ms MARKOVIC (Sweden), Vice-President of the General Conference

Mr SHOJA'AADIN (Yemen), Vice-President of the General Conference

Mr BENGU (South Africa), Chair of the Committee of the Whole

Ms VUKOVIĆ-SIMONOVIĆ (Montenegro), Additional Member

Ms MUJICA-CADERONI, representing Mr FACETTI (Paraguay), Additional Member

Mr LAGGNER (Switzerland), Additional Member

Mr ALNUAIMI, representing Mr ALKAABI (United Arab Emirates), Additional Member

Secretariat

Ms DOANE, Deputy Director General, Department of Management

Ms JOHNSON, Director, Office of Legal Affairs

Ms RAYOS NATIVIDAD, Secretary of the Committee

– **Adoption of the agenda for the meeting**
(GC(66)/GEN/1)

1. The CHAIR said that the provisional agenda for the meeting contained two sub-items under the item ‘Arrangements for the Conference’, namely ‘Adoption of the agenda and allocation of items for initial discussion’ and ‘Closing date of the session and opening date of the next session’.
2. The agenda was adopted.

4. Arrangements for the Conference

(a) Adoption of the agenda and allocation of items for initial discussion
(GC(66)/1 and Add.1 to 6)

3. The CHAIR reminded the Committee that it was considering only the question of whether or not to recommend the inclusion of items in the agenda, their allocation for initial discussion and the suggested order of the items. In accordance with Rule 42 of the Rules of Procedure, members of the Committee should not engage in a discussion of the substance of any item, except in so far as it was relevant to the question of whether to recommend that item’s inclusion in the agenda.

4. If there were no objections, he would take it that the Committee wished to recommend to the General Conference that the agenda for the current session should consist of all the items listed in document GC(66)/1 and the supplementary items contained in documents GC(66)/1/Add.1, Add.2, Add.3, Add.4 and Add.5.

5. It was so decided.

6. The CHAIR took it that the Committee wished to recommend to the General Conference the suggested allocation of items for initial discussion as contained in documents GC(66)/1/Add.1, Add.2, Add.3, Add.4 and Add.5.

7. It was so decided.

8. The CHAIR took it that the Committee agreed with the order of items suggested in documents GC(66)/1/Add.1, Add.2, Add.3, Add.4 and Add.5.

9. It was so decided.

(b) Closing date of the session and opening date of the next session

10. The CHAIR suggested that the Committee recommend to the General Conference a closing date for the current session of Friday, 30 September 2022.

11. It was so decided.

12. The CHAIR proposed that the Committee recommend to the General Conference an opening date for the next regular session of Monday, 25 September 2023.

13. It was so decided.

25. Examination of delegates' credentials

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

15. Drawing attention to a draft report prepared by the Secretariat regarding the credentials of the delegation of Myanmar, he requested the Agency's Legal Adviser to present the issue to the Committee.

16. Ms JOHNSON (Director, Office of Legal Affairs) said that the Agency and the United Nations in New York had received conflicting credentials from the Permanent Missions of the Republic of the Union of Myanmar in Vienna and New York respectively.

17. In adopting resolution GC(65)/RES/16, the General Conference had accepted the previous report of the General Committee on its examination of the credentials of Myanmar. According to the report, the Committee had decided not to accredit any delegate for Myanmar at that stage and to recommend that the Conference defer its decision on the credentials of Myanmar, pending guidance from the Credentials Committee of the United Nations General Assembly, thereby leaving Myanmar's seat empty for the Conference.

18. In accordance with UN General Assembly resolution 396(V), it was for the UN General Assembly to consider cases where more than one authority claimed entitlement to represent a Member State in the UN system, and the attitude that it adopted should be taken into account by other UN bodies and the specialized agencies.

19. In December 2021, the UN General Assembly had adopted, without a vote, resolution 76/15 approving the report of the Credentials Committee, which stated that the Committee had deferred its decision on the credentials pertaining to the representatives of Myanmar. The United Nations in New York had informed the Agency that there had been no change regarding Myanmar's credentials at the seventy-seventh session of the UN General Assembly currently taking place.

20. Furthermore, since the adoption of resolution GC(65)/RES/16, the credentials committees of the Review Meeting of the Contracting Parties to the Convention on Nuclear Safety, the Conference of the Parties to the Amendment to the Convention on the Physical Protection of Nuclear Material, the General Assembly of the World Intellectual Property Organization, the United Nations Conference on Trade and Development, the General Conference of the United Nations Educational, Scientific and Cultural Organization, the Conference of the States Parties of the Organisation for the Prohibition of Chemical Weapons, the World Health Assembly, the International Maritime Organization Assembly and the General Assembly of the UN World Tourism Organization had all decided to defer their decisions on the credentials pertaining to the representatives of Myanmar pending guidance from the UN General Assembly, on the understanding that Myanmar's seat would be left empty. She therefore proposed that the Committee recommend that the General Conference meeting in plenary do the same.

21. Responding to a question from the CHAIR, she clarified that the Credentials Committee of the UN General Assembly had not considered the additional credentials received in 2021 and its position had not changed in 2022. Given that the issue of credentials was a political matter, the long-standing practice within the UN system was to defer to New York on the basis of resolution resolution 396(V).

22. Ms MARKOVIC (Sweden) said that it would be wise to adopt the same approach as the previous year to avoid setting a new precedent.

23. Mr WANG Qun (China) said that, given that the Permanent Mission of Myanmar in Vienna had been participating in the work of the Vienna-based organizations, including the Agency, it seemed

logical to consider their request. The approach taken by UNICEF, the FAO and the IMO should also be taken into consideration.

24. The CHAIR suggested that the Committee submit to the General Conference meeting in plenary a report, in document GC(66)/18, stating that it had met to examine the credentials of the delegate of Myanmar in accordance with Rule 28 of the Rules of Procedure, and stating the relevant past practice at the Agency and other UN system organizations regarding the credentials of the delegation of Myanmar, as contained in the statement made by the Legal Adviser concerning those credentials. Lastly, the report should state that the Committee had agreed 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 Myanmar to the Conference’s sixty-sixth regular session, which is set forth in document GC(66)18”.

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

26. It was so decided.

The meeting rose at 2.40 p.m.