

Governing the Atom Brief No. 6

The IAEA General Conference: What You Need to Know

Noah Mayhew



Credit: Dean Calma/IAEA

The General Conference (GC) is one of the two policy-making organs of the International Atomic Energy Agency (IAEA), with the other being the Board of Governors. While the Board of Governors is comprised of 35 Member States at a given time, the General Conference includes all Member States. The GC has specific responsibilities under the IAEA Statute and

its own unique Rules of Procedure. The General Conference can be fast-paced and involve intensive negotiations on resolutions and decisions. The General Conference is also an opportunity for Member States to “check the pulse” on issues affecting the IAEA’s work.

What is the General Conference?

The Statute of the International Atomic Energy Agency (IAEA) was signed by 70 States on 26 October 1956 and entered into force on 29 July 1957 when 18 of those States deposited their instruments of ratification.¹

The IAEA Statute lays out a number of routine responsibilities for the regular, annual meetings of the IAEA GC, as well as for special sessions convened at the discretion of the Director General or at the request of a majority of Member States.

These include, but are not limited to:

- Electing members of the Board of Governors;
- Approving applications for membership in the IAEA;
- Suspending Member States from privileges and rights of membership if a Member State is either more than two years in arrears for its assessed contributions to the IAEA's budget or if a Member State is determined to be in violation of the Statute or any agreement it has entered into pursuant to the Statute (such as a safeguards agreement);

- Approving the budget, as recommended by the Board, or returning it to the Board with recommendations for re-submission to the GC;
- Approving amendments to the Statute; and
- Approving the appointment of the Director General.²

The GC also has the authority to: (1) take decisions on any matter referred to it by the Board, and (2) propose matters for consideration by the Board and request reports on any matter related to the functions of the IAEA.³ The Secretariat, in turn, presents reports to the GC each year with respect to the IAEA's activities, and as requested by Member States in GC resolutions.⁴ The decisions taken and resolutions adopted by the GC occupy the majority of the GC's time during its regular sessions.

How does the GC work and how is it structured?

The GC takes place annually, usually for a one-week period in September. The dates of the GC meeting are determined by the previous year's GC. The Agenda is formulated based on the instructions in the

¹ Conference on the Statute of the International Atomic Energy Agency, Verbatim Record of the Sixteenth Plenary Meeting, IAEA/CS/OR.40, 26 October 1956.

² Statute of the International Atomic Energy Agency, Article V.E.

³ Statute of the International Atomic Energy Agency, Article V.E.

⁴ IAEA General Conference Archives, available at: <https://www.iaea.org/gc-archives>.

Rules of Procedure; while a core set of issues is always included in the provisional agenda, some States and groups of States can request additional agenda items.⁵

Each GC elects a President, who presides over the meeting for its duration. The President proposes eight Vice Presidents as well as a Chairman of the Committee of the Whole (COW).⁶ Consultations take place among Member States prior to the GC with a view to reaching agreement on those officials. During the GC, the President is supported by the Secretariat of the IAEA, particularly by the Office of Legal Affairs

and the Secretariat of Policy-Making Organs.

The GC comprises the Plenary and specialised committees. The Plenary is the main formal session of the GC where Member States adopt resolutions and take decisions as to the overall direction and policies of the IAEA. In addition, the GC has two primary committees: the General Committee and the COW. The General Committee consists of the GC President, the eight Vice Presidents, and five additional members as proposed by the President.



Committee of the Whole (COW) at the 2022 IAEA General Conference. Credit: Dean Calma/IAEA

⁵ Rules of Procedure of the General Conference, Rule 12.

⁶ Rules of Procedure of the General Conference, Rule 34.

The General Committee directs the overall conduct of the meeting (preparation of the agenda, coordination of work, procedural oversight) but does not influence substantive decisions.⁷ The General Committee also examines the credentials of all delegates to the GC, serving as a credentials committee.⁸

The COW is considered the GC's "main committee", which negotiates resolutions based on any item referred to it by the GC.⁹ The COW works to achieve consensus on the texts of resolutions before they are sent to the Plenary for approval. If the COW is unable to achieve consensus, the draft resolution in question can go to the Plenary for a decision.

Member States strive to take decisions and adopt resolutions without a vote. If there is no consensus, most decisions can be taken with a simple majority of Member States present and voting. However, decisions related to the IAEA's finances, amendments to the Statute, and suspension of Member States from exercises and privileges of membership, as well as those related to Rules 15, 19, 66, and 102 of the Rules of Procedure, require a two-thirds majority.¹⁰

How does the GC negotiate resolutions?

One primary task of the GC is the negotiation and adoption of resolutions and decisions that reflect on the work of the IAEA in the previous year and offer direction for the upcoming year.

While any interested Member State can submit a draft resolution for consideration at the GC, resolutions are often pre-negotiated by groups of interested States to promote consensus outcomes. Open-ended working groups are established ahead of the GC to negotiate many resolutions, especially those related to the IAEA's core technical work. The GC agenda items associated with each submitted resolution are considered by the General Committee and then allocated either to the Plenary or to the COW. This decision is usually based on judgements as to whether the given issue requires more extensive discussions in the COW (ideally to achieve consensus), or if the Plenary should address the issue outright.

Normally, a State or a group of States takes the lead in drafting resolutions that typically feature every year. For example:

⁷ Rules of Procedure of the General Conference, Rule 40.

⁸ Rules of Procedure of the General Conference, Rules 27-29.

⁹ Rules of Procedure of the General Conference, Rule 45.

¹⁰ Rules of Procedure of the General Conference, Rule 69. Among the rules referenced in Rule 69 that require a two-thirds majority for voting are the following: addition of items on the GC's provisional agenda earlier than seven days after they are proposed (Rule 15); addition of items on the GC's final agenda earlier than seven days after they are proposed (Rule 19); re-consideration of proposals or amendments in the same session of the GC (Rule 66); and suspension of any of the Rules of Procedure (Rule 102).



Committee of the Whole (COW) at the 2013 IAEA General Conference. Credit: Dean Calma/IAEA

- The **European Union** traditionally sponsors the resolution on strengthening the effectiveness and improving the efficiency of Agency safeguards, as well as the resolution on nuclear security;
- The **Group of 77** traditionally sponsors the resolution on strengthening the Agency's technical cooperation activities; and
- **Australia** traditionally sponsors the resolution on nuclear and radiation safety.

Some of the longer, more technical resolutions, such as the resolution on nuclear applications, are split up between different groups, depending on the subject matter of each section. Other resolutions are regularly tabled, some on an ad-hoc basis. The core group for each resolution negotiates a draft text and circulates it to

interested States for comments, usually in the summer months preceding the GC. The expectation is that these prior negotiations would facilitate consensus decisions by the GC, although that can depend on the political environment in which the resolutions are negotiated.

What does a successful GC look like?

There is no official metric for the success of a GC, though many diplomats consider a GC where resolutions and decisions are adopted by consensus to be a positive outcome, especially with respect to the IAEA's core activities. While voting on resolutions can be viewed negatively, Member States have voted on more contentious issues and the policy-making organs have gone through periods of more contentious debate when voting has been more common.

How individual Member States view the subject of voting can also depend on the resolution itself and how much room there is for compromise based on national priorities.

In principle, the GC lasts for five days from Monday morning to close of business on Friday, as established by the GC President. Depending on the political environment in which a GC takes place, efforts to achieve consensus outcomes can last long into night sessions, including past Friday midnight into Saturday. In such cases, the President will often table a motion in the Plenary to “stop the clock” at midnight on Friday, allowing the deliberations to continue.

The GC President and the Chair of the COW wield considerable influence in how negotiations are conducted. For example, when deliberations become contentious in the COW, the Chairs have in the past directed smaller groups of interested States to negotiate separately and return to the COW with agreement, if possible. If consensus on new or revised language cannot be achieved, the GC may choose to revert to a previously agreed iteration of the resolution or decision in question.

The Rules of Procedure of the General Conference, especially the sections relating to conduct of business at Plenary meetings (Section X) and voting (Section XI), can play a significant role in the final GC sessions.



Plenary at the 2019 IAEA General Conference. Credit: Dean Calma/IAEA



Closing session of the Scientific Forum at the 2023 IAEA General Conference. Credit: Dean Calma/IAEA

What are other activities at the GC?

While the primary diplomatic focus of the GC is to adopt resolutions and take decisions as described above, there are many benefits to attending the GC. One critical benefit of the GC is that it gives Member States the opportunity to discuss the current issues that affect the work of the IAEA and the direction that related debates are going. Both in official sessions and during informal meetings, they discuss their policy positions and learn those of other Member States.

Member States also often take advantage of the large volume of high-ranking officials at the GC to schedule bilateral meetings on

various issues or to make announcements on national policies related to the nuclear field. Member States, the IAEA Secretariat and non-governmental organisations also hold side events, which range in focus from individual activities relevant to the IAEA's work to updates on domestic nuclear activities and ceremonial events, such as the Secretariat and States announcing accession to certain legal instruments.

The GC also offers the opportunity for Member State officials to schedule closed meetings with the Secretariat and other Member States. Member States often send government ministers for the opening days to meet with the Secretariat. The IAEA has used this opportunity to raise awareness

of issues important to it, such as the entry into force of safeguards agreements or additional protocols, or the amendment and rescission of outdated small quantities protocols. The GC also includes a Scientific Forum, highlighting the IAEA's work on peaceful uses of nuclear science and technology, such as for climate change mitigation, cancer care, and other peaceful uses.

Member States can also benefit from attendance at the GC in terms of capacity building.¹¹ The IAEA holds a number of educational events during the GC, including visits to the laboratories in Seibersdorf, Austria, where the IAEA hosts its safeguards analytical laboratories and nuclear applications laboratories.



Vienna Center for Disarmament and Non-Proliferation

The VCDNP is an international non-governmental organisation that conducts research, facilitates dialogue, and builds capacity on nuclear non-proliferation and disarmament.

 vcdnp.org

 info@vcdnp.org

 [@VCDNP](https://twitter.com/VCDNP)

¹¹ The VCDNP usually schedules one of its biannual short courses on nuclear non-proliferation and disarmament for diplomats and practitioners in the nuclear field during the week following the GC, so that developing countries are more likely to be able to attend.