

UNITED NATIONS



ECONOMIC  
AND  
SOCIAL COUNCIL



GENERAL  
E/CN.12/447  
20 April 1957  
ORIGINAL: ENGLISH

ECONOMIC COMMISSION FOR LATIN AMERICA  
Seventh session  
15 May 1957  
La Paz, BOLIVIA

UNITED NATIONS ACTIVITIES IN CONNEXION  
WITH NUCLEAR ENERGY

Note by the secretariat

1. The secretariat submits to the Commission, for its information, the attached Note, prepared by the secretariat of the Preparatory Commission of the International Atomic Energy Agency, which describes the basic features of the IAEA, as well as developments since the approval of the Agency's Statute.
2. At the same time, the Executive Secretary wishes to draw the attention of the Commission to resolution 597 B (XXI) adopted by the Economic and Social Council at its twenty-first session, which, inter-alia,
  1. Requests the Secretary-General, in co-operation with the specialized agencies concerned, to prepare for submission to the twenty-fourth session of the Council a report on possible applications of atomic energy, especially in the fields of power, industry and agriculture.
3. This report is at present being prepared at United Nations Headquarters. Following an exchange of views during the meeting of an advisory panel of experts on economic applications of nuclear energy, which opened on 25 February and completed its work on 8 March 1957, it was decided that the report would comprise two parts: the first, exclusively concerned with the economics and application of atomic energy in the field of power, industry and agriculture; the second containing supporting material, namely, the replies of the Governments of Brazil, Canada, France, Union of Soviet Socialist Republics, United Kingdom, and United States of America to the questionnaire addressed to them; material relating to the technical, administrative, training and safety aspects of atomic energy; and relevant tables and charts.

#### THE INTERNATIONAL ATOMIC ENERGY AGENCY

1. The Statute of the International Atomic Energy Agency is the product of almost three years of negotiations which began after the address by the President of the United States to the General Assembly on 8 December 1953.

/These negotiations

These negotiations were initially conducted in Washington by the United States and a group of other countries, and culminated in the final Conference on the Statute at United Nations Headquarters from 20 September to 26 October 1956.

2. The Agency will be under the auspices of the United Nations and the latter has taken an active interest in the evolution of the Agency.
3. The objectives of the Agency as set forth in the Statute are to accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world, and to ensure, so far as it is able, that assistance provided by it or at its request or under its supervision is not used in such a way as to further any military purpose.
4. The Agency will be the body primarily responsible for the international peaceful uses of atomic energy in the fields covered by its Statute. The scope of its authority includes activities to encourage and assist the development and the practical application of atomic energy throughout the world. It may act as an intermediary in securing services, materials, equipment or facilities from one member for another; and it may perform operations or services useful in the development or practical application of atomic energy for peaceful purposes.
5. Within this framework, the Agency is authorized to supply materials, services or equipment to members, with due consideration for the needs of the under-developed areas of the world; to foster the exchange of scientific and technical information; to encourage the exchange and training of scientists and experts, and in certain circumstances to acquire or establish any facilities, plant or equipment useful in carrying out its functions.
6. The Agency is also required by its Statute to establish and administer safeguards to ensure that its activities are not used in such a way as to further any military purpose and to apply these safeguards, at the request of the parties, to bilateral and multilateral arrangements. These safeguards are spelled out in considerable detail in the Statute. The

/Agency's rights

Agency's rights and responsibilities with respect to safeguards will be prescribed in each agreement, and will be limited to the extent relevant to the project or arrangement concerned. They will accordingly vary considerably in each case. They are to be applied only to ensure that the project or arrangement in question will not further any military purpose, that it complies with applicable health and safety standards and that it will permit effective application of safeguards.

7. The Statute also authorises the Agency to establish or adopt, in consultation with other international organizations concerned, appropriate standards for the preservation of health and safety, and to apply these standards to its own operations as well as to those brought under its supervision.

8. In carrying out its functions, the Agency is required to conduct its activities in accordance with the purposes and principles of the United Nations and in conformity with the disarmament policies of the United Nations. It is also required to submit annual or other reports to the organs of the United Nations and in particular to inform the Security Council and the General Assembly if there is non-compliance with the safeguards incorporated in an agreement.

9. Initial membership of the Agency is open to the eighty States which signed the Statute. These States may become members by depositing an instrument of ratification with the Government of the United States. Subsequent membership is open to all States whose membership has been approved by the Agency upon a determination that the State concerned is able and willing to carry out obligations of membership and after due consideration if its ability and willingness to act in accordance with the purposes and principles of the Charter of the United Nations. The Agency is based on the principle of the sovereign equality of all Members.

10. The governing bodies of the Agency will be a General Conference consisting of all members and a Board of Governors. The authority of the General Conference includes the approval of new members, consideration

/of the

of the annual reports of the Board of Governors, approval of the budget, and approval of various reports to the United Nations and of agreements between the Agency and the United Nations and other organizations. The General Conference is empowered to discuss any questions within the scope of the Statute and it may make recommendations to the membership of the Agency or to the Board of Governors on any such questions.

11. The Board of Governors will be composed of: (a) approximately 13 members designated by the outgoing Board of Governors on the basis of functional and geographical criteria, including advancement in the technology of atomic energy, production of source materials and supply of technical assistance; and (b) 10 members elected by the General Conference also with due regard for world-wide geographical representation.

12. The Board of Governors has authority to carry out the functions of the Agency, subject to its responsibilities to the General Conference, and it is required to submit to the latter annual reports on the operations of the Agency and certain categories of reports which the Agency will send to the United Nations and may send to other international organizations.

13. The Director General of the Agency is to be appointed for four years by the Board of Governors, with the approval of the General Conference. He will carry out his functions subject to the general direction of the Board of Governors. The Statute contains provisions to ensure the independence of the staff and to prevent the disclosure of industrial secrets or other confidential information.

14. The Statute makes special provision for the supply by members of information, materials and services, equipment and facilities to the Agency. Members are, for instance, required to make available all scientific information developed as a result of Agency assistance, and may also make available fissionable materials, source materials and other materials.

15. Any member or group of members desiring to set up a peaceful atomic energy project may request the assistance of the Agency to procure special

/fissionable and

fissionable and other materials, services, equipment and facilities necessary for their purpose. While the Agency will not be required to provide guarantees or to assume any financial responsibility for the project, it may assist in making arrangements to secure finances from outside sources.

16. The Agency's expenditures will be classified in two categories. The first category consists of administrative expenses and the cost of implementing safeguards and storing and handling fissionable materials. In general these expenses will be apportioned amongst all members on a scale for which the United Nations scale of assessments shall serve as a guide. The second category relates to those expenses incurred in assisting individual members or groups of members. These are to be covered by payment according to a uniform scale of charges by the members concerned. Provision is also made for the receipt of voluntary contributions by the Agency.

17. Provision is made in the Statute for relationship with the United Nations and other organizations. The Statute also provides for the recognition of the legal capacity of the Agency and for the grant of privileges and immunities to the Agency, to delegations and the governing Board, and to the Director General and staff. It makes provision for the reference of certain legal questions to the International Court of Justice.

18. The Agency will come into being when eighteen signatory States, including at least three of a group of five States<sup>1/</sup>, have deposited instruments of ratification.

19. To make all necessary advance preparations for the first session of the General Conference and the first meeting of the Board of Governors, the Statute establishes an eighteen-nation Preparatory Commission which was constituted on 26 October 1956. The Preparatory Commission is to designate the non-elected members of the first Board of Governors and to make studies, reports and recommendations on subjects requiring immediate

---

<sup>1/</sup> Canada, France, the USSR, the United Kingdom, and the United States of America.

/attention. These

attention. These include such matters as the financing of the Agency, programmes and budget for the first year, the establishment of a permanent Agency staff and the location of the headquarters of the Agency. The Preparatory Commission is required to prepare a draft agreement between the Agency and the United Nations and to make recommendations concerning the relationship of the Agency to other international organizations.

20. In 1956 the Austrian Government offered to make facilities available for the headquarters of the Agency. The Conference on the Statute noted this offer with satisfaction and expressed the opinion that Vienna would be a suitable site for the Agency.

21. The Preparatory Commission has been in session at the United Nations Headquarters in New York since its inception on 26 October 1956. It has entered into preliminary negotiations with the United Nations on the question of the relationship agreement and has begun studies of the tasks conferred upon it by the Statute, including the preparation of recommendations regarding the programmes and budget for the first year of the Agency. These studies are still in a preliminary phase. Among the subjects which have been considered by the first meeting of an expert Working Group of the Commission are research in the peaceful uses of atomic energy, reactor programmes and other practical applications of atomic energy, the exchange of information, the training of scientists and experts, and questions relating to health and safety and safeguards.

22. The Preparatory Commission has decided in principle to hold the first session of the General Conference and the first meeting of the Board of Governors in Vienna and it has undertaken preliminary consultations with the Austrian Government. It has also set 19 August 1957 as a target date for the opening of the first session of the General Conference. It will of course be possible to meet this target date only if sufficient ratifications are received in time.