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STUDY OF THE QUESTION OF THE RELATIONSHIP OF THE INTERNATIONAL
ATOMIC ENERGY AGENCY TO THE UNITED NATIONS, PREPARED BY THE
SECRETARY-GENERAL IN CONSULTATION WITH THE ADVISORY COMMITTEE
ON THE PEACEFUL USES OF ATOMIC ENERGY AT ITS MEETINGS FROM
27 MARCH TO 2 APRIL 1956

Introduction

1. This study has been prepared and is circulated in response to the request made by the General Assembly in its resolution on Peaceful Uses of Atomic Energy (912 (X)) adopted at its 550th plenary meeting on 3 December 1955. In part II of that resolution, concerning an international atomic energy agency, the Secretary-General, in consultation with the Advisory Committee on Peaceful Uses of Atomic Energy, was requested:

"to study the question of the relationship of the International Atomic Energy Agency to the United Nations"

The resolution provided that the results of this study by the Secretary-General and the Advisory Committee are to be transmitted to the "Governments concerned" prior to the conference on the final text of the statute of the Agency to be convened by the Governments sponsoring it.

2. The study is presented in the form of those basic principles which should be included in the agreement to be entered into between the United Nations and the International Atomic Energy Agency. These principles are fully consistent with the provisions of the Charter of the United Nations and of the proposed Statute of the Agency. They also take into account certain unusual features which are involved in the relationship between the United Nations and the Agency.

Principles

3. The Agreement bringing the Agency into relationship with the United Nations which will be entered into by the General Assembly on behalf of the United Nations

and the General Conference on behalf of the Agency, should be based on the Charter of the United Nations and the relevant articles of the Statute of the IAEA, and should contain provisions covering the following points.

4. Recognition by the United Nations of the IAEA as the agency, under the aegis of the United Nations as specified in the following paragraphs, responsible for taking action under its Statute for the accomplishment of the objectives set forth therein, and recognition that by virtue of its inter-governmental character and international responsibilities, the IAEA should function as an autonomous international organization under its statute, and in the working relationship with the United Nations and the specialized agencies set out in the Agreement.
5. Recognition by the Agency of the responsibilities of the United Nations in the fields of international peace and security and economic and social development, and accordingly, assumption by the Agency of the obligation to keep the United Nations informed of its activities. The Agency should be required to submit reports on its activities to the General Assembly at its regular sessions, to the Security Council when appropriate; and to the Economic and Social Council and to other organs of the United Nations on matters within the competence of these organs.
6. The Secretary-General of the United Nations should report to the United Nations as appropriate on the development of the relations and on the common activities of the United Nations and the Agency.
7. The Agency should be required to consider resolutions relating to the Agency adopted by the General Assembly or any of the Councils of the United Nations and, when requested, to submit reports on action taken by the Agency or by its Members, in accordance with the Statute, as a result of such consideration.
8. The Agency should co-operate with the Security Council in furnishing to it such information and assistance as may be required for the maintenance and restoration of international peace and security.
9. The Agency should undertake to co-operate, in accordance with its Statute, in whatever measures may be recommended by the United Nations in order to ensure effective co-ordination of its activities with those of the United Nations and of the specialized agencies. Co-ordination should aim at avoiding overlapping and duplication of activities. The Agency furthermore should participate in such bodies as the Administrative Committee on Co-ordination and should maintain close working relationships with the secretariats of the United Nations and of the specialized agencies.

10. The Secretary-General of the United Nations or his representative should be entitled to attend and to participate without vote on matters of common interest in sessions of the General Conference of the Agency and of the Board of Governors. He also should be invited as appropriate to such other meetings as the Agency may convene at which matters of interest to the United Nations are under consideration. Representatives of the Agency should be entitled to attend and participate without vote in meetings of the General Assembly and its committees, meetings of the Economic and Social Council and Trusteeship Council, and of their respective subsidiary bodies. At the invitation of the Security Council, representatives of the Agency may attend its meetings to supply it with information or give it other assistance with regard to matters within the competence of the Agency.

11. The Agency should include in the agendas of the General Conference or the Board of Governors items proposed by the United Nations. The Agency should have the right to bring questions before the United Nations in the following manner: the Secretary-General, in accordance with his authority, should bring to the attention of the General Assembly, the Security Council, the Economic and Social Council or the Trusteeship Council, as appropriate, questions proposed for their consideration by the Agency.

12. The United Nations and the Agency should arrange for the fullest and promptest exchange of appropriate information and documents between the Agency and the United Nations.

13. The Agency should undertake to consult from time to time with the United Nations concerning administrative matters of mutual interest, particularly the most efficient use of facilities, staff and services, and with a view to securing, within the limits of the pertinent provisions of the statutes of the two organizations, as much uniformity in these matters as shall be found practicable. These consultations shall cover the most equitable manner in which special services furnished by one organization to the other should be financed.

14. The General Assembly, the Economic and Social Council or the Secretary-General, as may be appropriate, should take action as necessary to extend to the Agency the various administrative rights and facilities enjoyed by other organizations within the United Nations system.

15. The General Assembly should take action in each case to enable a legal question arising within the scope of the activities of the Agency to be submitted at the request of the Board of Governors of the Agency in accordance with its Statute, to the International Court for an advisory opinion.