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STRENGTHENING THE EFFECTIVENESS AND IMPROVING THE EFFICIENCY OF THE SAFEGUARDS SYSTEM

Report by the Director General to the General Conference

On 9 September 1996, the Board of Governors agreed to transmit the attached report - made to it by its Chairman in his capacity as Chairman of the Committee on Strengthening the Effectiveness and Improving the Efficiency of the Safeguards System - as an Addendum to the report by the Director General contained in document GC(40)/17, which will be before the General Conference in accordance with the request made by it in paragraph 7 of resolution GC(39)/RES/17.

**STRENGTHENING THE EFFECTIVENESS AND IMPROVING
THE EFFICIENCY OF THE SAFEGUARDS SYSTEM**

**Report to the Board of Governors by the Chairman of the
Committee on Strengthening the Effectiveness and Improving
the Efficiency of the Safeguards System**

1. The first session of the Committee was held from 2 to 4 July 1996. Representatives of 69 Member States of the Agency and of two intergovernmental organisations participated. There was no participation, at this first session, by non-members of the Agency who had concluded or were obliged to conclude comprehensive safeguards agreements.
2. After dealing with some organisational matters and a general exchange of views, the Committee concentrated on a first reading of the Draft Protocol contained in Annex III to document GOV/2863.
3. During the discussion which was frank, some written and oral proposals for changes to the Protocol were made.

The issues which generated most discussion among participants were:

- (i) confidentiality of information obtained by the Agency;
 - (ii) the widest possible application of the proposed measures;
 - (iii) the relationship between national constitutions and possibly also national legislation and the Protocol;
 - (iv) reporting on imports; and
 - (v) the Preamble.
4. Some expressed their satisfaction with the draft Protocol and stated their readiness to accept it as it stands.

5. The exercise was useful because it enabled participants both from Member States and the Secretariat to engage in a discussion of the principal issues involved in the context of the specific legal language of the draft Protocol. This was indeed the first occasion on which the draft Protocol was considered.

6. At the end of the discussion, the Committee invited participants to submit, not later than 1 August 1996, proposals for changes to the draft Protocol. Also, it requested the Secretariat to prepare and circulate, by 2 September 1996, a compendium of all proposals received. I am pleased to say that the Secretariat has already complied with this request and has, on 2 September, circulated the compendium containing both proposals made orally and in writing during the Committee's July session and proposals submitted subsequently in writing.

7. The Secretariat was commended for its work over many months in the preparation of the draft Protocol.

8. The next session of the Committee has been fixed to begin on 1 October when, under the chairmanship of my successor, a second reading of the draft Protocol will be undertaken. The basic working document for that session will of course be the compendium (GOV/COM.24/3).