

(Mr. Ekéus, Sweden)

In article VIII the basic structure of the Organization has acquired almost final form. The core issue that remains to be solved is the composition, procedure and decision-making of the executive council. We maintain a flexible attitude on the relevant provisions. Our main concern is to make the executive council both representative and efficient. This leads us to favour a comparatively small body, certainly not bigger than the Board of Governors of IAEA. The composition of the executive council should reflect political balance and equitable geographical distribution. We fully understand the concerns of some States which, because of their level of industrial development, would carry a higher burden of routine inspections, and their wish for special representation. Those concerns could however be met within the framework of political and geographical criteria.

As to decision-making, rules that would be conducive to consensus should be striven for. Efficient and effective powers of decision-making, however, call for the possibility of voting, and the application of qualified majorities would seem appropriate. With respect to the required majority it is difficult to decide whether it should be two thirds or three quarters, as long as the composition and the full extent and nature of the decisions to be taken by the council are not known. Composition and decision-making must be addressed in parallel. It is also doubtful whether a solution can be found until articles VI, IX, X, XIII and XIV have been fully elaborated. At a later stage it might be useful to consider a differentiated approach to decision-making, implying that different kinds of decisions will be taken with different majorities.

The complex and difficult issue of how to initiate a challenge inspection under article IX, and the principles for the conduct of such inspections within the parameter of no right of refusal, has not yet been finally worked out. The material to be found in appendix II constitutes a sound basis for treaty language that would reflect a balanced approach to the interests of reassurance and security on the one hand and national integrity on the other.

Otherwise, it is the view of my delegation that progress in Working Group C under the skilful and energetic chairmanship of Mr. Numata has been a major achievement this summer. The general rules governing inspections under article IX, now included in the addendum to appendix I, constitute a comprehensive outline. It is our hope that the efforts will continue in such a way that the relevant part of the draft convention can be completed early next session.

Another issue addressed in Working Group C is reflected in a new text in appendix II on the procedure to be followed after the submission of the report. Some problems still remain in that text. Basically the question concerns the extent to which the executive council must, or should, or can express itself on the inspection report and what special importance, if any, should be given to the assessment of the requesting State.

For Sweden it seems obvious that the executive council must be given a high degree of freedom of action. We must therefore rule out a provision which would impose on the council the obligation to determine whether or not a violation of the convention has taken place. Sometimes this would simply not