



GENERAL CONFERENCE

Forty-fifth regular session
Item 15 of the agenda
(GC(45)/28)

MEASURES TO STRENGTHEN INTERNATIONAL CO-OPERATION IN NUCLEAR, RADIATION, TRANSPORT AND WASTE SAFETY

Resolution adopted on 21 September 2001 during the tenth plenary meeting

A.

MEASURES TO STRENGTHEN INTERNATIONAL CO-OPERATION IN NUCLEAR, RADIATION AND WASTE SAFETY

The General Conference,

- (a) Recalling resolutions GC(44)/RES/11, GC(44)/RES/12, GC(44)/RES/13, GC(44)/RES/14, GC(44)/RES/15 and GC(44)/RES/16 on measures to strengthen international co-operation in nuclear, radiation and waste safety,
- (b) Recognizing that a comprehensive and global nuclear safety culture is a key element of the peaceful uses of nuclear energy and that continuous efforts are required in order to ensure that the technical and human elements of safety are maintained at the optimal level,
- (c) Stressing the important role of the IAEA in enhancing nuclear, radiation and waste safety through its various safety programmes and initiatives and in promoting international co-operation in this regard,
- (d) Noting with appreciation documents GC(45)/11, GC(45)/12, GC(45)/14, GC(45)/INF/3 and GC(45)/INF/6 containing the Secretariat's responses to nuclear, radiation and waste safety issues of concern to Member States,
- (e) Looking forward to the Second Review Meeting of the Contracting Parties to the Convention on Nuclear Safety, due to take place in April 2002, and expecting safety improvements in all areas, particularly where the First Review Meeting found that there was room for improvement,
- (f) Welcoming the report of the International Conference on the Radiological Protection of Patients in Diagnostic and Interventional Radiology, Nuclear Medicine

and Radiotherapy, held in Torremolinos, Malaga, Spain, from 26 to 30 March 2001, and noting the findings, conclusions and recommendations of the Conference,

(g) Noting with satisfaction that the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management entered into force on 18 June 2001, and noting that the Secretariat has convened a preparatory meeting of the Contracting Parties for 10-14 December 2001 in order to prepare for the First Review Meeting of the Contracting Parties,

(h) Emphasizing the importance of education and training in establishing and maintaining an adequate radiation protection and nuclear safety infrastructure, and noting the actions taken by the Secretariat towards developing strategies for education and training in nuclear, radiation and waste safety, and

(i) Noting that the demand from Member States for IAEA legislative assistance in developing and improving their national nuclear, radiation and waste safety legal infrastructures continues to increase,

1.

General

1. Encourages the Secretariat to focus its efforts relating to nuclear, radiation and waste safety on mandatory activities and on technical areas and regions where the need for improvement is greatest;
2. Urges the Secretariat to complete the corpus of IAEA safety standards and requests the Director General to report to the Board of Governors on their development and application;
3. Welcomes the Secretariat's decision to implement the recommendations of the advisory groups on education and training in nuclear safety and on education and training in radiation and waste safety summarized in document GC(45)/INF/6;
4. Requests the Director General to continue the current programme of legislative assistance to Member States to assist them in improving their national infrastructures for nuclear installation, radiation and waste safety; and
5. Encourages Member States to continue requesting IAEA safety review services in order to enhance nuclear, radiation and waste safety, including newly-developed Integrated Safety Evaluations;

2.

Nuclear installation safety

6. Appeals to all Member States, particularly those operating, constructing or planning nuclear power reactors, which have not yet taken the necessary steps to become party to the Convention on Nuclear Safety to do so;
7. Urges Contracting Parties to the Convention on Nuclear Safety to submit their national reports on measures taken by them to implement their obligations under the Convention by 15

October 2001, and to focus their reports on areas in which the First Review Meeting of the Contracting Parties found there was room for improvement;

8. Endorses the decision of the Board of Governors to request the Secretariat to develop and implement, in conjunction with Member States, an international research reactor safety enhancement plan;

9. Requests the Secretariat to continue monitoring closely research reactors subject to IAEA Project and Supply Agreements, and to assist Member States with such reactors in fulfilling all relevant safety obligations;

10. Welcomes the Secretariat's decision to commence work on developing safety standards for fuel cycle facilities during 2002 and 2003; and

11. Welcomes the fact that, as the Director General informed the Board of Governors in June 2001, the Secretariat is continuing to assist relevant Member States in ensuring the safe decommissioning of nuclear facilities;

3.

Radiation safety

12. Endorses the decision of the Board of Governors to request the Secretariat to convene a group of experts to formulate an action plan for future international work relating to the radiological protection of patients, on the basis of the findings, conclusions and recommendations of the International Conference on the Radiological Protection of Patients in Diagnostic and Interventional Radiology, Nuclear Medicine and Radiotherapy;

13. Commends the Secretariat for its timely response to the request from the Government of Panama in May 2001 for IAEA assistance under the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency;

14. Encourages the Secretariat and Member States to follow up on the recommendations by the First Meeting of the Competent Authorities under the Convention on Early Notification of a Nuclear Accident and the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency;

15. Takes note with appreciation of the results of the International Conference of National Regulatory Authorities with competence in the Safety of Radiation Sources and the Security of Radioactive Materials that took place in Buenos Aires, Argentina, in December 2000, and commends the organizers, hosts and participants on its success;

16. Endorses the decision of the Board of Governors to request the Secretariat to implement the Revised Action Plan for the Safety and Security of Radiation Sources contained in the Attachment to document GC(45)/12;

17. Calls upon all Member States to implement the Code of Conduct on the Safety and Security of Radioactive Sources;

18. Invites the Secretariat to examine the idea of creating a forum for African countries to consider the Code of Conduct on the Safety and Security of Radioactive Sources after

consultations on the effectiveness of the Code of Conduct, envisaged in the Revised Action Plan, have taken place;

19. Takes note of the difficulties encountered in responding to resolution GC(44)/RES/15 on radiological criteria for long-lived radionuclides, and endorses the decision of the Board of Governors to request the Secretariat to continue working towards meeting the request made of it in that resolution; and

20. Invites Member States to join in the current co-operative efforts directed towards the organization of international intercomparisons of radiation dose measurements for the control of exposures pursuant to paragraph 10 of resolution GC(43)/RES/13;

4.

Waste safety

21. Appeals to all Member States which have not yet taken the necessary steps to become party to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management to do so in time to attend the First Review Meeting of the Contracting Parties;

22. Endorses the decision of the Board of Governors to implement the actions proposed in the Report on the Safety of Radioactive Waste Management contained in Attachment 1 to GC(45)/14, subject to the availability of resources; and

23. Invites all Member States to take the decisions necessary for the implementation of a national radioactive waste management policy, bearing in mind, *inter alia*, the Report on the Safety of Radioactive Waste Management;

5.

24. Requests the Director General to report, as appropriate, to it at its forty-sixth (2002) regular session on developments relevant to this resolution in the intervening period.

B.

TRANSPORT SAFETY

The General Conference,

(a) Noting with appreciation the report on Transport Safety contained in document GC(45)/13,

(b) Noting with satisfaction that during 2001 the international modal organizations have incorporated into their respective regulatory documents the requirements of the 1996 edition of the Agency's Regulations for the Safe Transport of Radioactive Material (the Agency's Transport Regulations), with a view to their becoming mandatory by 1 January 2002,

(c) Recalling that in resolution GC(44)/RES/17 the Secretariat was requested to continue its work of reviewing and revising the Agency's Transport Regulations, on the basis of a schedule consistent with the schedules of the international modal

organizations, with a view to issuing a revised edition every two years, as necessary, beginning in 2003,

(d) Noting with interest the publication of IAEA-TECDOC-1231, which finds, inter alia, that six INF 3 ships have been operated during the past 20 years without any significant accident leading to release of radioactive material and which contains, inter alia, the technical conclusion that since the probabilities of severe ship collisions and severe ship fires are small, and the individual radioactive doses that might result should such a collision or fire occur are smaller than normal background doses, the risks of maritime transport in Type B packages of highly radioactive material are very small,

(e) Noting the concerns of the small island developing States and other coastal States about a potential accident during the transport of radioactive material by sea and about the importance of the protection of their populations and their environment from harm to human health and the environment as well as protection from actual economic loss, as defined in relevant international instruments, due to an accident,

(f) Recalling maritime, river and air navigation rights and freedoms, as provided for in international law, and as reflected in relevant international instruments,

(g) Recalling that States have under international law the obligation to protect and preserve the marine environment,

(h) Noting the material circulated to Member States in document GC(45)/INF/18, entitled “Declarations by Member States and regional groups regarding safety in the maritime transport of radioactive material”,

(i) Recalling that in resolutions GC(43)/RES/11 and GC(44)/RES/17 Member States were encouraged to avail themselves of the Transport Safety Appraisal Service (TranSAS) initiated in response to a request made in resolution GC(42)/RES/13,

(j) Recalling that in 2000, resolution GC(44)/RES/17, inter alia, invited Member States shipping radioactive material to take into account its invitations (contained in resolutions GC(42)/RES/13 and GC(43)/RES/11) to provide, as appropriate, assurances to potentially affected States upon their request that their national regulations take into account the Agency’s Transport Regulations and to provide them with relevant information relating to shipments of such materials. The information provided should in no case be contradictory to the measures of physical security and safety,

(k) Noting that among the recommendations in a decision taken by the United Nations Commission on Sustainable Development in April 2001, governments, taking into account their national circumstances, were encouraged, recalling resolution GC(44)/RES/17 and taking into account the very serious potential for environment and human health impacts of radioactive wastes, to make efforts to examine and further improve measures and internationally agreed regulations regarding safety, while stressing the importance of having effective liability mechanisms in place, relevant to international maritime transport and other transboundary movements of radioactive material, radioactive waste and spent fuel, including, inter alia, arrangements for prior notifications and consultations done in accordance with relevant international instruments,

(l) Recognizing concerns about the potential for damage to arise from an accident during the transport of radioactive materials, including the pollution of the marine environment and recognizing also that States which are concerned about the effectiveness of liability mechanisms believe strongly that the principle of strict liability applies in the event of an accident during the transport of radioactive materials, and

(m) Noting that the Secretariat will convene in 2003 a Conference on the Safety of Transport of Radioactive Material,

1. Urges Member States which do not have national regulatory documents governing the transport of radioactive material to adopt such documents expeditiously, ensuring that they are in conformity with the 1996 edition of the Agency's Transport Regulations, and urges Member States whose national regulatory documents governing the transport of radioactive material are not in conformity with the 1996 edition of the Agency's Transport Regulations to bring them into conformity with the 1996 edition with a view to completing this action during 2002;

2. Requests the Secretariat to continue to seek regularly from each Member State data needed in order to ensure that the information on how it regulates the transport of radioactive materials which is published on the Agency transport safety web page is complete and up-to-date;

3. Expresses satisfaction with the progress made in revising the Agency's Transport Regulations with a view to issuing a revised edition in 2003 as necessary for incorporation into the transport of dangerous goods regulations of the international modal organizations in 2005;

4. Calls for further efforts, at the international, regional, sub-regional and bilateral levels, to examine and further improve measures and international regulations relevant to the international maritime transport of radioactive materials and spent fuel, consistent with international law, stresses the importance of having effective liability mechanisms in place to insure against harm to human health and the environment as well as actual economic loss due to an accident, and furthermore stresses the need expressed by States concerned about liability for consultations among the relevant Member States to discuss the liability arrangements that are applicable in the event of an accident;

5. Notes the relevant conventions on liability and the ongoing work relating to the revision of the Paris Convention on Third Party Liability in the Field of Nuclear Energy, which is aimed at providing for a better system of indemnification in the event of a nuclear accident;

6. Commends those Member States which have already made use of TranSAS and the Secretariat for its actions in responding to requests for TranSAS missions, encourages other Member States to avail themselves of TranSAS with a view to achieving the highest levels of safety during the transport of radioactive material, requests the Secretariat to ascertain whether there are available spare resources to satisfy further requests for TranSAS missions from developing Member States and invites Member States availing themselves of TranSAS to consider offering to one or more representatives of concerned States the opportunity to accompany TranSAS missions as observers, with the consent of the recipient Member State, as well as other confidence-building measures;

7. Urges Member States shipping radioactive materials and spent fuel, consistent with resolution GC(44)/RES/17, to provide, as appropriate, assurances to potentially affected States that their national regulations accord with the Agency's Transport Regulations, welcomes the practice of some shipping States and operators of undertaking timely consultations with relevant coastal States in advance of shipments and invites others to do so. The information provided should in no case be contradictory to the measures of physical security and safety;
8. Welcomes the convening by the Secretariat of a Conference on the Safety of Transport of Radioactive Material early in 2003 to discuss the safety of the international transport of radioactive material; and
9. Requests the Director General to report to it at its forty-sixth regular session on the implementation of this resolution.

C.

EDUCATION AND TRAINING

The General Conference,

- (a) Recalling its resolution GC(44)/RES/13 on Education and Training in Radiation Protection and Nuclear Safety and Waste Management,
 - (b) Emphasizing the important role of education and training in establishing and maintaining an adequate radiation and waste safety infrastructure, including regulatory aspects as stipulated in the Preamble to the International Basic Safety Standards for Protection against Ionizing Radiation and for the Safety of Radiation Sources,
 - (c) Aware of the importance of the regional and sub-regional approach in the field of training and education in nuclear, radiation, transport and waste safety, open to all interested participants,
 - (d) Taking note with appreciation of the development of a strategic plan for a long-term and sustainable education and training programme, and
 - (e) Welcoming the publication of the Safety Guide "Building Competence in Radiation Protection and the Safe Use of Radiation Sources",
1. Stresses the special importance of education and training in nuclear, radiation, transport and waste safety, as well as in other areas of nuclear science and technology;
 2. Urges the Secretariat to implement the Strategic Plan as mentioned in the Note by the Secretariat "2001/Note 20" and conclude long-term formal agreements with regional centres for education and training activities;
 3. Urges the Secretariat to continue to strengthen, subject to the availability of resources, its current efforts in this area, and in particular to assist Member States at regional and national training centres and collaborating institutions that would arrange for such education and training to be conducted in the relevant official languages of the Agency; and

4. Requests the Director General to report on the implementation of this resolution to the General Conference at its forty-sixth session.