



International Atomic Energy Agency

GENERAL Distr.
ENGLISH

GENERAL CONFERENCE

Forty-fifth regular session
Item 22 of the agenda
(GC(45)/28)

IMPLEMENTATION OF UNITED NATIONS SECURITY COUNCIL RESOLUTIONS RELATING TO IRAQ

Resolution adopted on 21 September 2001 during the tenth plenary meeting

The General Conference.

- (a) Recalling United Nations Security Council resolutions 687, 707, 715 and 1051 and resolution 1284, which reaffirms the Agency's mandate in Iraq and provides the framework for the resumption of the Agency's activities in Iraq,
- (b) Recalling further the resolutions of the thirty-fifth (1991), thirty-sixth (1992), thirty-seventh (1993), thirty-eighth (1994), thirty-ninth (1995), fortieth (1996), forty-first (1997), forty-second (1998) forty-third (1999) and forty-fourth (2000) General Conferences (GC(XXXV)/RES/568, GC(XXXVI)/RES/579, GC(XXXVII)/RES/626, GC(XXXVIII)/RES/19, GC(39)/RES/5, GC(40)/RES/21, GC(41)/RES/23, GC(42)/RES/3, GC(43)/RES/22 and GC(44)RES/27,
- (c) Taking note of the Director General's report contained in document GC(45)/18, his introductory statement to the forty-fifth General Conference, his tenth and eleventh consolidated six-monthly reports to the Security Council (GOV/INF/2000/23 and GOV/INF/2001/35) and the Director General's report to the Board of Governors (GOV/2001/35),
- (d) Noting with concern that since 16 December 1998 the Agency has not been in a position to implement its mandate in Iraq under the relevant Security Council resolutions, and has thus been unable to provide any measure of assurance with regard to Iraq's compliance with its obligations under those resolutions,
- (e) Noting that the IAEA's physical inventory verification (PIV) took place in January 2001 and that the Director General stated in his report to the 45th session of the General Conference that "Iraq provided the necessary co-operation for the inspection team to perform its activities effectively and efficiently", pursuant to Iraq's safeguards agreement with the Agency in accordance with the Treaty on the Non-Proliferation of Nuclear Weapons, noting, however, that this PIV had the limited objective of verifying nuclear material under safeguards in Iraq and cannot serve as a substitute for the Agency's activities under the relevant Security Council resolutions, and that the resumption by the Agency of these activities is essential for the Agency to fulfil its mandate and to provide the necessary assurances sought by the Security Council,

(f) Noting that the Agency's technically coherent picture of Iraq's past clandestine nuclear programme and nuclear capabilities has not changed, and that, provided the Agency can satisfy itself that Iraq's nuclear activities have not changed since December 1998, remaining questions and concerns about Iraq's past nuclear programme would not prevent full implementation of the Agency's ongoing monitoring and verification plan, and

(g) Noting however with concern the assessment in the report (GC(45)/18) that continued suspension of resolution-related inspections in Iraq will make it more difficult for the Agency to regain a level of knowledge of the status of Iraq's nuclear-related assets comparable to that achieved in 1998, and that the longer the suspension of inspections lasts, the more time the Agency will need to re-establish such a level of knowledge,

1. Commends the Director General and the Agency's Action Team for their strenuous efforts to implement Security Council resolutions 687, 707, 715, 1051 and 1284 relating to Iraq;
2. Calls upon Iraq to implement in full all relevant Security Council resolutions, including resolution 1284, and in this regard to co-operate fully with the IAEA and to provide the necessary access to enable the Agency to carry out its mandate;
3. Notes the Agency's work to revise the list of items and technology to which the export/import mechanism applies, and calls upon Member States to apply this list without delay;
4. Requests the Agency, on return to Iraq, and in light of the 32-month break since it was last able to implement its mandate under the relevant Security Council resolutions, to place highest priority on regaining a level of knowledge of the status of Iraq's nuclear-related assets required for the full implementation of the Agency's system of ongoing monitoring and verification, and also requests the Agency to continue to identify and investigate remaining questions and concerns mentioned in preambular paragraph (f), along with any other aspect of Iraq's clandestine nuclear programme that may come to its knowledge;
5. Welcomes the fact that the Agency remains prepared to resume implementation of its ongoing monitoring and verification plan at short notice;
6. Welcomes the integration of commercially available satellite imagery into the Agency's Iraq related information system, and endorses the Agency's continuing efforts to develop its technical, monitoring and analytical capabilities to detect clandestine nuclear activities, and its continuing co-ordination with UNMOVIC in these areas; and
7. Requests the Director General to report the views of the General Conference to the Secretary-General of the United Nations and to report to the Board of Governors and to the forty-sixth regular session of the General Conference on his efforts to implement Security Council resolutions 687, 707, 715, 1051 and 1284 and decides to remain seized of this issue.