

GC(49)/RES/DEC(2005)

Resolutions and Other Decisions of the General Conference

**Forty-ninth Regular Session
26-30 September 2005**



IAEA

International Atomic Energy Agency

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GC(49)/RES/DEC(2005)

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International Atomic Energy Agency

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Introductory Note

1. The seventeen resolutions adopted and the fourteen other decisions taken by the General Conference at its forty-ninth (2005) regular session are reproduced in this booklet.
2. The resolutions are, for ease of reference, preceded by the agenda for the session. Before the title of each resolution a serial number is given by which it may be cited. Any footnotes to a resolution appear immediately after the text on the left side of the page; on the right side are given the date of adoption of the resolution, the relevant agenda item and a reference to the record of the meeting at which the resolution was adopted. The other decisions taken by the Conference are presented similarly.
3. This booklet should be read in conjunction with the summary records of the General Conference, where details of the proceedings are contained (GC(49)/OR.1-10).

Agenda for the Forty-ninth (2005) Regular Session*

<u>Item Number</u>	<u>Title</u>	<u>Allocation for initial discussion</u>
1	Election of officers and appointment of the General Committee	<i>Plenary</i>
2	Applications for membership of the Agency (GC(49)/23)	<i>Plenary</i>
3	Message from the Secretary-General of the United Nations	<i>Plenary</i>
4	Statement by the Director General	<i>Plenary</i>
5	Arrangements for the Conference (GC(49)/INF/13)	<i>General Committee</i>
	(a) Adoption of the agenda and allocation of items for initial discussion	
	(b) Closing date of the session and opening date of the next session	
6	Approval of the appointment of the Director General (GC(49)/4)	<i>Plenary</i>
7	Contributions to the Technical Cooperation Fund for 2006	<i>Plenary</i>
8	General debate and Annual Report for 2004 (GC(49)/5)	<i>Plenary</i>
9	Election of Members to the Board of Governors (GC(49)/6, GC(49)/22)	<i>Plenary</i>
10	The Agency's Accounts for 2004 (GC(49)/7)	<i>Committee of the Whole</i>
11	The Agency's Budget for 2005 – supplementary appropriation (GC(49)/8)	<i>Committee of the Whole</i>
12	The Agency's Programme and Budget for 2006-2007 (GC(49)/2, GC(49)/INF/8)	<i>Committee of the Whole</i>
13	Appointment of the External Auditor (GC(49)/11)	<i>Plenary</i>
14	Scale of assessment of Members' contributions towards the Regular Budget (GC(49)/16, GC(49)/16/Corr.1)	<i>Committee of the Whole</i>
15	Measures to strengthen international cooperation in nuclear, radiation and transport safety and waste management (GC(49)/INF/5, GC(49)/INF/7, GC(49)/INF/9)	<i>Committee of the Whole</i>

* Reproduced from document GC(49)/20.

16	Nuclear security – measures to protect against nuclear terrorism (<i>GC(49)/17, GC(49)/INF/6</i>)	<i>Committee of the Whole</i>
17	Strengthening of the Agency's technical cooperation activities (<i>GC(49)/INF/2 and Supplement</i>)	<i>Committee of the Whole</i>
18	Strengthening the Agency's activities related to nuclear science, technology and applications (<i>GC(49)/12 plus Corr.1 and Corr.2, GC(49)/INF/3</i>)	<i>Committee of the Whole</i>
19	Strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Additional Protocol (<i>GC(49)/9</i>)	<i>Committee of the Whole</i>
20	Implementation of the NPT safeguards agreement between the Agency and the Democratic People's Republic of Korea (<i>GC(49)/13</i>)	<i>Plenary</i>
21	Application of IAEA safeguards in the Middle East (<i>GC(49)/18</i>)	<i>Plenary</i>
22	Israeli nuclear capabilities and threat (<i>GC(49)/10, GC(49)/21</i>)	<i>Plenary</i>
23	Personnel (a) Staffing of the Agency's Secretariat (<i>GC(49)/14</i>) (b) Women in the Secretariat (<i>GC(49)/15</i>)	<i>Committee of the Whole</i>
24	Amendment to Article VI of the Statute (<i>GC(49)/3</i>)	<i>Committee of the Whole</i>
25	Elections to the Agency's Staff Pension Committee	<i>Committee of the Whole</i>
26	Examination of delegates' credentials	<i>General Committee</i>
27	Report on contributions pledged to the Technical Cooperation Fund for 2006 (<i>GC(49)/19 and Rev.1</i>)	<i>Plenary</i>

Information documents

GC(49)/INF/1	Inscription in the List of speakers in the General Debate
GC(49)/INF/2 and supplement	Technical Cooperation Report for 2004
GC(49)/INF/3	Nuclear Technology Review - Update 2005
GC(49)/INF/4	Advance information for delegations
GC(49)/INF/5	Measures to Strengthen International Cooperation in Nuclear, Radiation and Transport Safety and Waste Management
GC(49)/INF/6	Nuclear Security - Measures to Protect Against Nuclear Terrorism - Amendment to the Convention on the Physical Protection of Nuclear Material
GC(49)/INF/7 and Add.1	Measures to Strengthen International Cooperation in Nuclear, Radiation and Transport Safety and Waste Management - Nuclear Safety Review for the Year 2004
GC(49)/INF/8	Amendment to Article XIV.A of the Statute
GC(49)/INF/9	Letter from the Chairman of the International Nuclear Safety Group
GC(49)/INF/10 and Rev.1 and Add.1	List of Participants
GC(49)/INF/11 and Rev.1	Statement of Financial Contributions to the Agency as at 23 September 2005
GC(49)/INF/12	Report on Measures Taken to Facilitate Payment of Contributions and Status Report on Member States Participating in a Payment Plan
GC(49)/INF/13	Text of Communication dated 12 September 2005 received from the Permanent Mission of Iraq to the Agency Concerning Restoration of Voting Rights

Resolutions

GC(49)/RES/1

Applications for Membership of the Agency

The General Conference,

- (a) Having received the recommendation of the Board of Governors that Belize should be approved for membership of the Agency¹, and
 - (b) Having considered the application of Belize for membership - in the light of Article IV.B of the Statute,
1. Approves Belize for membership of the Agency; and
 2. Determines, pursuant to Financial Regulation 5.09², that in the event of Belize becoming a Member of the Agency during the remainder of 2005 or in 2006, it shall be assessed as appropriate:
 - (a) For an advance or advances to the Working Capital Fund, in accordance with Financial Regulation 7.04²; and
 - (b) For a contribution or contributions towards the Agency's Regular Budget, in accordance with the principles and arrangements the Conference has established for the assessment of Members for such contributions.³

¹ GC(49)/23, para. 2.

² INFCIRC/8/Rev.2.

³ Resolutions GC(III)RES/50, GC(XXI)RES/351, GC (39)RES/11, GC(44)RES/9 and GC(47)RES/5.

*26 September 2005
Agenda item 2
GC(49)/OR.1, paras 21-23*

GC(49)/RES/2

Approval of the Appointment of the Director General

The General Conference,

- (a) Having considered the question of the appointment of the Director General,
- (b) Having further considered the recommendation of the Board of Governors on this matter contained in document GC(49)/4,

Approves, in accordance with Article VII.A of the Statute, the appointment of Dr. Mohamed ElBaradei as the Director General from 1 December 2005 to 30 November 2009.

*26 September 2005
Agenda item 6
GC(49)/OR.1, paras 72-73*

GC(49)/RES/3

The Agency's Accounts for 2004

The General Conference,

Having regard to Financial Regulation 11.03(b),

Takes note of the report of the External Auditor on the Agency's accounts for the year 2004 and of the report of the Board of Governors thereon¹.

¹ GC(49)/7.

*30 September 2005
Agenda item 10
GC(49)/OR.9, para. 15*

GC(49)/RES/4

**Regular Budget appropriations for 2005 –
supplementary appropriation**

The General Conference,

Accepting the recommendation of the Board of Governors as to the necessity of increasing the Regular Budget appropriation for 2005 for the Agency's share of security enhancements at the Vienna International Centre and corresponding requirements for the Agency's offices and laboratories outside Vienna,

Accepting also that the funding requirement should be partly met by use of available regular budget funds totalling \$1.5 million in the salary provisions of all major programmes and partly by use of the cash surplus for 2003 in the amount of \$2 936 969, and recognizing the need for a supplementary appropriation of \$2 653 031,

1. Appropriates to the 2005 Regular Budget for Major Programme 7 — Policy and General Management — as a supplement to the total appropriations of \$281 430 000 made by Resolution GC(48)/RES/6, an amount of \$2 653 031 at the rate of exchange of €0.9229 = \$1.00 for security enhancements;
2. Decides that this supplementary appropriation shall be financed by additional contributions from Member States amounting, at an exchange rate of €0.9229 = \$1.00, to \$2 653 031 (€2 448 000) in accordance with the base rates for 2005 as approved by the General Conference in its resolution GC(48)/RES/9; and
3. Appropriates to the 2005 Regular Budget for Major Programme 7 — Policy and General Management — as a further supplement to the appropriations referred to in paragraph 1 an additional amount of \$2 936 969, representing the cash surplus for 2003, for security enhancements.

the amounts in the Appropriation Sections to be adjusted in accordance with the adjustment formula presented in the Attachment in order to take into account the exchange rate variations during the year.

2. Decides that the foregoing appropriation shall be financed, after the deduction of
 - revenues deriving from Reimbursable Work for Others (Section 9); and
 - Other Miscellaneous Income of €3 002 000 (representing €1 023 000 plus \$1 979 000);from contributions by Member States amounting, for an exchange rate of \$1.00 to €1.00, to €67 798 000 (€11 089 000 plus \$56 709 000), in accordance with the scale of assessment fixed by the General Conference in resolution GC(49)/RES/8; and
3. Authorizes the Director General:
 - (a) To incur expenditures additional to those for which provision is made in the Regular Budget for 2006, provided that the relevant emoluments of any staff involved and all other costs are entirely financed from revenues arising out of sales, work performed for Member States or international organizations, research grants, special contributions or other sources extraneous to the Regular Budget for 2006; and
 - (b) With the prior approval of the Board of Governors, to make transfers between any of the Sections listed in paragraph 1 above.

ATTACHMENT

ADJUSTMENT FORMULA IN EURO

1.	Nuclear Power, Fuel Cycle and Nuclear Science	18 416 000	+	(8 263 000 /R)
2.	Nuclear Techniques for Development and Environmental Protection	20 657 000	+	(9 779 000 /R)
3.	Nuclear Safety and Security	17 200 000	+	(5 072 000 /R)
4.	Nuclear Verification	83 008 000	+	(23 328 000 /R)
5.	Information Support Services	13 506 000	+	(2 486 000 /R)
6.	Management of Technical Cooperation for Development	12 843 000	+	(2 553 000 /R)
7.	Policy and General Management	44 052 000	+	(7 207 000 /R)
	Subtotal	209 682 000	+	(58 688 000 /R)
8.	Special Appropriation for Security Enhancements	2 430 000	+	-
	Subtotal Agency Programmes	212 112 000	+	(58 688 000 /R)
9.	Reimbursable Work for Others	2 239 000	+	(580 000 /R)
	TOTAL	214 351 000	+	(59 268 000 /R)

Note: R is the average United Nations dollar-to-euro exchange rate which will be experienced during 2006

*30 September 2005
Agenda item 12
GC(49)/OR.9, para. 17*

GC(49)/RES/6

Technical Cooperation Fund Allocation for 2006

The General Conference,

Accepting the recommendation of the Board of Governors, which was noted by the General Conference in GC(48)/RES/7, that the target for voluntary contributions to the Agency's Technical Cooperation Fund for 2006 shall be \$77 500 000,

1. Decides that for 2006 the target for voluntary contributions to the Technical Cooperation Fund shall be \$77 500 000;
2. Notes that funds from other sources, estimated at \$1 000 000, are expected to be available for that programme;
3. Allocates the amount of \$78 500 000 for the Agency's Technical Cooperation programme for 2006; and
4. Urges all Member States to make voluntary contributions for 2006 in accordance with Article XIV.F of the Statute, with paragraph 2 of its Resolution GC(V)/RES/100 as amended by Resolution GC(XV)/RES/286 or with paragraph 3 of the former Resolution, as appropriate.

*30 September 2005
Agenda item 12
GC(49)/OR.9, para. 17*

GC(49)/RES/7

The Working Capital Fund in 2006

The General Conference,

Accepting the recommendations of the Board of Governors relating to the Agency's Working Capital Fund in 2006,

1. Approves a level in euro equivalent to \$18 000 000¹ to be determined at the UN rate of exchange prevailing on 1 January 2006 for the Agency's Working Capital Fund in 2006;
2. Decides that the Fund shall be financed, administered and used in 2006 in accordance with the relevant provisions of the Agency's Financial Regulations²;
3. Authorizes the Director General to make advances from the Fund not exceeding €500 000 at any time to finance temporarily projects or activities which have been approved by the Board of Governors for which no funds have been provided under the Regular Budget; and
4. Requests the Director General to submit to the Board statements of advances made from the Fund under the authority given in paragraph 3 above.

¹ Please see document GC(49)/2 paragraph 119 of the Overview.

² INFCIRC/8/Rev.2.

*30 September 2005
Agenda item 12
GC(49)/OR.9, para. 17*

GC(49)/RES/8

Scale of assessment of members' contributions for 2006

The General Conference,

Applying the principles it has established for the assessment of Members' contributions towards the Agency's Regular Budget¹,

1. Decides that the individual base rates and the resulting scale of assessment of Members' contributions to the Agency's Regular Budget for 2006 shall be as set forth in Annex 1 hereto; and
2. Determines, pursuant to Financial Regulation 5.09², that in the event of a State becoming a Member of the Agency during the remainder of 2005 or in 2006 it shall be assessed as appropriate:
 - (a) for an advance or advances to the Working Capital Fund, in accordance with Financial Regulation 7.04²; and
 - (b) for a contribution or contributions towards the Agency's Regular Budget, in accordance with the principles and arrangements the Conference has established for the assessment of Members for such contributions.

¹ By resolution GC(III)/RES/50 as amended by resolution GC(XXI)/RES/351, resolution GC(39)RES/11 as amended by resolution GC(44)/RES/9 and resolution GC(47)/RES/5.

² INFCIRC/8/Rev.2.

ANNEX 1
2006 SCALE OF ASSESSMENT

Member	Base rate %	Scale %	Regular Budget assessment		
			€	+	\$
Afghanistan	0.002	0.001	3 201		851
Albania	0.005	0.004	8 004		2 129
Algeria	0.073	0.055	116 853		31 084
Angola	0.001	0.001	1 601		426
Argentina	0.922	0.698	1 475 870		392 593
Armenia	0.002	0.001	3 201		851
Australia	1.536	1.595	3 365 299		905 088
Austria	0.829	0.861	1 816 295		488 487
Azerbaijan	0.005	0.004	8 004		2 129
Bangladesh	0.010	0.007	16 007		4 258
Belarus	0.017	0.013	27 213		7 238
Belgium	1.031	1.070	2 258 869		607 517
Benin	0.002	0.001	3 201		851
Bolivia	0.009	0.007	14 407		3 832
Bosnia and Herzegovina	0.003	0.002	4 803		1 278
Botswana	0.012	0.009	19 209		5 109
Brazil	1.469	1.112	2 351 467		625 509
Bulgaria	0.016	0.012	25 612		6 813
Burkina Faso	0.002	0.001	3 201		851
Cameroon	0.008	0.006	12 806		3 407
Canada	2.714	2.818	5 946 239		1 599 224
Central African Republic	0.001	0.001	1 601		426
Chile	0.215	0.163	344 156		91 548
China	1.981	1.499	3 171 039		843 520
Colombia	0.149	0.113	238 508		63 445
Costa Rica	0.029	0.022	46 422		12 348
Côte d'Ivoire	0.010	0.007	16 007		4 258
Croatia	0.036	0.027	57 626		15 329
Cuba	0.041	0.031	65 630		17 458
Cyprus	0.038	0.039	83 260		22 392
Czech Republic	0.176	0.133	281 727		74 941
Democratic Republic of the Congo	0.003	0.002	4 803		1 278
Denmark	0.693	0.719	1 518 330		408 350
Dominican Republic	0.034	0.026	54 425		14 477
Ecuador	0.018	0.014	28 813		7 665
Egypt	0.116	0.088	185 684		49 393
El Salvador	0.021	0.016	33 616		8 942
Eritrea	0.001	0.001	1 601		426
Estonia	0.012	0.009	19 209		5 109
Ethiopia	0.004	0.003	6 403		1 703
Finland	0.514	0.534	1 126 146		302 874
France	5.817	6.039	12 744 764		3 427 668
Gabon	0.009	0.007	14 407		3 832
Georgia	0.003	0.002	4 803		1 278
Germany	8.357	8.676	18 309 778		4 924 364

ANNEX 1 (continued)
2006 SCALE OF ASSESSMENT

Member	Base rate %	Scale %	Regular Budget assessment	
			€	\$
Ghana	0.004	0.003	6 403	1 703
Greece	0.511	0.418	884 007	236 070
Guatemala	0.029	0.022	46 422	12 348
Haiti	0.003	0.002	4 803	1 278
Holy See	0.001	0.001	2 195	591
Honduras	0.005	0.004	8 004	2 129
Hungary	0.121	0.092	193 688	51 522
Iceland	0.033	0.034	72 300	19 445
India	0.406	0.307	649 895	172 877
Indonesia	0.137	0.104	219 300	58 335
Iran, Islamic Republic of	0.151	0.114	241 710	64 296
Iraq	0.015	0.011	24 011	6 387
Ireland	0.338	0.351	740 539	199 165
Israel	0.450	0.467	985 928	265 162
Italy	4.713	4.893	10 325 953	2 777 136
Jamaica	0.008	0.006	12 806	3 407
Japan	18.782	19.499	41 150 439	11 067 296
Jordan	0.011	0.008	17 608	4 684
Kazakhstan	0.024	0.018	38 417	10 219
Kenya	0.009	0.007	14 407	3 832
Korea, Republic of	1.733	1.418	2 998 011	800 605
Kuwait	0.156	0.162	341 786	91 922
Kyrgyz Republic	0.001	0.001	1 601	426
Latvia	0.014	0.011	22 410	5 961
Lebanon	0.023	0.017	36 817	9 794
Liberia	0.001	0.001	1 601	426
Libyan Arab Jamahiriya	0.127	0.096	203 292	54 077
Liechtenstein	0.005	0.005	10 951	2 945
Lithuania	0.023	0.017	36 817	9 794
Luxembourg	0.074	0.077	162 129	43 604
Madagascar	0.003	0.002	4 803	1 278
Malaysia	0.196	0.148	313 742	83 458
Mali	0.002	0.001	3 201	851
Malta	0.013	0.010	20 810	5 536
Marshall Islands	0.001	0.001	1 601	426
Mauritania	0.001	0.001	1 601	426
Mauritius	0.011	0.008	17 608	4 684
Mexico	1.817	1.375	2 908 520	773 688
Monaco	0.003	0.003	6 569	1 767
Mongolia	0.001	0.001	1 601	426
Morocco	0.045	0.034	72 033	19 161
Myanmar	0.010	0.007	16 007	4 258
Namibia	0.006	0.005	9 604	2 555
Netherlands	1.630	1.692	3 571 249	960 477
New Zealand	0.213	0.221	466 672	125 510

ANNEX 1 (continued)
2006 SCALE OF ASSESSMENT

Member	Base rate %	Scale %	Regular Budget assessment	
			€	\$
Nicaragua	0.001	0.001	1 601	426
Niger	0.001	0.001	1 601	426
Nigeria	0.040	0.030	64 029	17 032
Norway	0.655	0.680	1 435 071	385 958
Pakistan	0.053	0.040	84 839	22 568
Panama	0.018	0.014	28 813	7 665
Paraguay	0.012	0.009	19 209	5 109
Peru	0.089	0.067	142 465	37 897
Philippines	0.092	0.070	147 267	39 174
Poland	0.445	0.337	712 324	189 483
Portugal	0.453	0.371	783 670	209 275
Qatar	0.062	0.064	135 837	36 532
Republic of Moldova	0.001	0.001	1 601	426
Romania	0.058	0.044	92 842	24 697
Russian Federation	1.061	1.102	2 324 600	625 195
Saudi Arabia	0.688	0.521	1 101 300	292 954
Senegal	0.005	0.004	8 004	2 129
Serbia and Montenegro	0.018	0.014	28 813	7 665
Seychelles	0.002	0.001	3 201	851
Sierra Leone	0.001	0.001	1 601	426
Singapore	0.374	0.388	819 417	220 380
Slovakia	0.049	0.037	78 436	20 865
Slovenia	0.079	0.082	173 088	46 552
South Africa	0.282	0.213	451 405	120 078
Spain	2.431	2.524	5 326 203	1 432 468
Sri Lanka	0.016	0.012	25 612	6 813
Sudan	0.008	0.006	12 806	3 407
Sweden	0.963	1.000	2 109 886	567 448
Switzerland	1.155	1.199	2 530 550	680 585
Syrian Arab Republic	0.037	0.028	59 227	15 754
Tajikistan	0.001	0.001	1 601	426
Thailand	0.201	0.152	321 746	85 587
The former Yugoslav Republic of Macedonia	0.006	0.005	9 604	2 555
Tunisia	0.031	0.023	49 623	13 200
Turkey	0.359	0.272	574 660	152 864
Uganda	0.006	0.005	9 604	2 555
Ukraine	0.038	0.029	60 828	16 181
United Arab Emirates	0.227	0.236	497 346	133 759
United Kingdom of Great Britain and Northern Ireland	5.911	6.137	12 950 713	3 483 058
United Republic of Tanzania	0.006	0.005	9 604	2 555
United States of America	25.000	25.954	54 773 773	14 731 253
Uruguay	0.046	0.035	73 633	19 587
Uzbekistan	0.013	0.010	20 810	5 536
Venezuela	0.165	0.125	264 120	70 258
Vietnam	0.020	0.015	32 015	8 516
Yemen	0.006	0.005	9 604	2 555
Zambia	0.002	0.001	3 201	851
Zimbabwe	0.007	0.005	11 206	2 980
TOTAL	100.000	100.000	211 089 000	56 709 000

[a]

[a] See document GC(49)/2, "The Agency's Programme and Budget 2006-2007", Annex, draft resolution A.

30 September 2005

Agenda item 14

GC(49)/OR.9, para. 19

GC(49)/RES/9

Measures to strengthen international cooperation in nuclear, radiation and transport safety and waste management

A.

Measures to strengthen international cooperation in nuclear, radiation and transport safety and waste management

The General Conference,

- (a) Recalling resolution GC(48)/RES/10 on measures to strengthen international cooperation in nuclear, radiation and transport and waste safety,
- (b) Recognizing that a global nuclear, radiation and waste 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) Recalling the request from the Board of Governors in June 1995 to develop a single Safety Fundamentals document presenting a common, coherent philosophy across radiation protection, nuclear safety and waste safety,
- (d) Stressing the important role of the Agency in enhancing nuclear, radiation and waste safety through its various safety programmes and initiatives and in promoting international cooperation in this regard,
- (e) Reiterating the importance of Member States establishing effective and sustainable regulatory infrastructures for the promotion of radiation safety,
- (f) Noting with appreciation document GC(49)/INF/5 containing the Secretariat's responses to nuclear, radiation, transport and waste safety issues of concern,
- (g) Recalling the findings of the *International Conference "Chernobyl: Looking Back to Go Forwards"* held in Vienna, 6–7 September 2005,
- (h) Recalling the objective of the Convention on Nuclear Safety to achieve and maintain a high level of nuclear safety worldwide through the enhancement of national measures and international cooperation, including, where appropriate, safety-related technical cooperation,
- (i) Noting with satisfaction the report of the Third Review Meeting of the Contracting Parties to the Convention on Nuclear Safety, particularly the conclusion that significant progress had been made since the Second Review Meeting in the improvement of Contracting Parties' overall safety regimes,
- (j) Noting with satisfaction that, with India's ratification of the Convention on Nuclear Safety in March 2005, all States currently operating nuclear power plants are now parties to the Convention,
- (k) Recalling the findings of the *International Conference on Topical Issues in Nuclear Installation Safety: Continuous Improvement of Nuclear Safety in a Changing World* held in Beijing, 18–22 October 2004,
- (l) Recalling the relevance to Member States of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (the Joint Convention),

- (m) Welcoming Euratom's decision to accede to the Joint Convention,
- (n) Recalling the endorsement by the General Conference in resolution GC(47)RES/7 of the revised Action Plan on the Safety of Radioactive Waste Management, and the findings of the *International Symposium on Disposal of Low Activity Radioactive Waste* held in Spain in December 2004,
- (o) Recalling the approval by the Board of Governors in June 2004 of the International Action Plan on the Decommissioning of Nuclear Facilities, and looking forward to the *International Conference on Lessons Learned from the Decommissioning of Nuclear Facilities and the Safe Termination of Nuclear Activities* to be held in Greece in October 2006,
- (p) Re-emphasizing the importance of education and training in establishing and maintaining an adequate radiation protection and nuclear safety infrastructure, and noting the actions of the Secretariat directed towards developing strategies for sustainable education and training in nuclear, radiation and waste safety,
- (q) Taking note of the long-term regional postgraduate courses organized in the appropriate official languages and conducted in Argentina, Belarus, Greece, Malaysia, Morocco and the Syrian Arab Republic,
- (r) Noting with concern the nuclear and radiological incidents and emergencies that have occurred in different parts of the world in recent years, and recognizing that such incidents and emergencies, and possible acts with malicious intent, may lead to significant radiological consequences over wide geographical areas, thereby requiring an international response,
- (s) Recalling the Convention on Early Notification of a Nuclear Accident (the Early Notification Convention) and the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency (the Assistance Convention),
- (t) Recalling its previous resolutions relevant to the safety and security of radioactive sources,
- (u) Recalling the ongoing need to protect individuals, society and the environment from the harmful effects of possible incidents and emergencies, and malicious acts, involving radioactive sources,
- (v) Mindful that every Member State might face the threat of nuclear and radiological terrorism and would bear serious consequences if any were attacked,
- (w) Recognizing that effective and comprehensive regulatory infrastructures are an essential component in ensuring the continuous regulatory control of radioactive sources throughout their life cycle,
- (x) Recalling the findings of the *International Conference on the Safety and Security of Radioactive Sources: Towards a Global System for the Continuous Control of Sources throughout their Life Cycle* held in Bordeaux in June-July 2005,
- (y) Noting the statement of the 2005 Gleneagles G-8 Summit, which encouraged all States to adopt the Code of Conduct on the Safety and Security of Radioactive Sources and welcomed Agency's endorsement of the Code's supplementary Guidance on the Import and Export of Radioactive Sources, and
- (z) Noting the entry into force in December 2005 of European Union legislation on the regulatory control of high-activity sealed radiation sources and orphan sources as an initial

step for the implementation of the Code of Conduct on the Safety and Security of Radioactive Sources,

1.

General

1. Urges the Secretariat to continue and strengthen, subject to availability of financial resources, its efforts relating to nuclear, radiation, transport and waste safety, focusing particularly on mandatory activities and on technical areas and regions where the need for improvement is greatest;
2. Requests the Director General to continue the current programme to assist Member States in improving their national infrastructures for nuclear installation, radiation, transport and waste safety;
3. Encourages Member States to continue requesting Agency safety review services in order to enhance nuclear, radiation, transport and waste safety, and integrated regulatory review missions in order to continuously improve regulatory effectiveness;
4. Encourages the Secretariat to implement a more integrated assessment process in the establishment of its safety priorities, and to incorporate the insights of this process into all of its review strategies;
5. Encourages Member States to continue to promote technical cooperation for the further enhancement of safety;
6. Welcomes the valuable work that the International Expert Group on Nuclear Liability (INLEX) has done over the past year to clarify the application and scope of the Agency's nuclear liability regime, including the identification of any possible gaps, and looks forward to the continuation of INLEX's work, in particular its outreach workshops in Australia in November 2005 and in Peru during early 2006.
7. Requests the Director General to report, as appropriate, to it at its fiftieth (2006) regular session on developments relevant to this resolution in the intervening period.

2.

The Agency's Safety Standards Programme

8. Welcomes the Board's decision to establish as Agency safety standards, in accordance with Article III.A.6 of the Statute, the Safety Requirements on "*Regulations for the Safe Transport of Radioactive Material, 2005 edition*", (GOV/2004/88), the Safety Requirements on "*Safety of Research Reactors*" (GOV/2005/4) and the Safety Requirements on "*Geological Disposal of Radioactive Waste*" (GOV/2005/48), and encourages Member States to incorporate these Safety Requirements into their national regulatory programmes to the fullest extent possible;
9. Welcomes the development of a single Safety Fundamentals publication and looks forward to its submission to the Board of Governors in 2006 for approval and publication;
10. Notes that the *International Basic Safety Standards for Protection against Ionizing Radiation and the Safety of Radiation Sources* were approved by the Board of Governors more than ten years ago, and encourages the Secretariat to undertake a review of them, taking account of developments in radiation protection, knowledge and guidance, including, to the extent possible, the advice and information provided by the International Commission on Radiological Protection (ICRP) and the reports of the United Nations Scientific Committee on the Effects of Atomic Radiation;

11. Encourages the Secretariat to continue assisting Member States to apply the safety standards, including the development of supporting guidance on their application;

3.

Nuclear Installation Safety

12. Acknowledges the interactions between nuclear safety and related issues including nuclear security, calls upon the Agency to ensure that interrelated nuclear safety and security activities including the development of guidance are mutually supportive, and encourages Member States to work actively to maintain an appropriate balance between them so as to ensure that the safety of workers, the public and the environment is not compromised;

13. Endorses the conclusions and recommendations of the Third Review Meeting of Contracting Parties to the Convention on Nuclear Safety, and calls on the Contracting Parties to take steps to further improve the implementation of their obligations and to further enhance nuclear safety, particularly in those areas identified as warranting further attention;

14. Encourages the Contracting Parties to the Convention on Nuclear Safety to continue to reform the structure of the review process at forthcoming meetings so that it is more open and transparent as well as more effective and efficient;

15. Appeals to all Member States, particularly those constructing or planning nuclear power reactors, which have not yet taken the steps necessary to become party to the Convention on Nuclear Safety to do so;

16. Re-emphasizes the need for all operating organizations and regulatory bodies to retain nuclear safety as the foundation upon which development, construction and operational decisions are based, and encourages these parties to freely share the details of and lessons learned from incidents, occurrences and events to help preclude their recurrence;

17. Acknowledges the benefits of incorporating both deterministic and probabilistic considerations into operational and regulatory decision-making, urges the Agency to continue in its efforts to develop guidance and services that integrate both approaches and encourages Member States to avail themselves of these services;

18. Appreciates the efforts of the Secretariat in the development of safety standards and safety review services for fuel cycle facilities, and urges relevant Member States to avail themselves of its capabilities;

19. Recognizes the support of Member States for the development by the Agency of guidance concerning the life cycle management and the long-term operation of nuclear installations; looks forward to the publication of the guidance, and calls upon Member States to continue to support the Agency's efforts to consistently apply the guidance;

20. Looks forward to the outcomes of the *International Conference on Operational Safety Performance in Nuclear Installations*, to be held in Vienna from 30 November to 2 December 2005, and of the *International Conference on Effective Nuclear Regulatory Systems*, to be held in Moscow from 26 February to 2 March 2006, and expresses its appreciation to Russia for hosting this conference;

21. Recognizes the benefits that the development and implementation of the Asian Nuclear Safety Network (ANSN) have brought for the safety of nuclear installations and the effectiveness of regulatory bodies in the Southeast Asia, Pacific and Far East countries, encourages those countries in this geographic area not yet participating in this extrabudgetary programme to do so, and also

encourages Member States in other geographic areas to work with the Secretariat in the development and implementation of similar initiatives;

22. Continues to endorse the principles and objectives of the Code of Conduct on the Safety of Research Reactors, welcomes the resolution of the Contracting Parties to the Convention on Nuclear Safety concerning the need to conduct international meetings on the application of the Code of Conduct, and looks forward to further progress towards implementation of the Code of Conduct and further development of the International Plan for Enhancing Research Reactor Safety;

23. Supports the continuing assistance provided by the Secretariat to monitoring and improving the safety and security of all research reactors, especially those subject to IAEA Project and Supply Agreements, and encourages relevant Member States to collaborate closely with the Secretariat in facilitating such assistance;

4.

Radiation Safety

24. Welcomes the progress in implementing the International Action Plan for the Radiological Protection of Patients, including the widespread use by health professionals of the Agency's training and educational materials, and the ongoing efforts of the Secretariat to develop a dedicated website to facilitate information exchange, welcomes also the continued cooperation with WHO, PAHO, the EU and relevant professional bodies, encourages Member States to continue supporting these activities, and to take advantage of the regional technical cooperation projects on medical exposure, and requests the Secretariat to continue to keep it informed about the implementation of the Action Plan;

25. Welcomes the good progress made in implementing, jointly with ILO, the International Action Plan for Occupational Radiation Protection, encourages the Agency and ILO Secretariats to continue their productive cooperation, and requests the Director General to keep it informed of developments in this area;

26. Welcomes the Secretariat's continued efforts to implement the Agency's policy and actions for promoting *Effective and Sustainable National Regulatory Infrastructures for the Control of Radiation Sources*, including through the development of national action plans based on coordinated appraisal missions and the training of national regulators, encourages the Secretariat to continue its proactive approach to assisting Member States in the improvement of their regulatory infrastructures, urges Member States to play a more active role in the implementation of strategies that will help to enhance the regulatory control of radiation sources, and requests the Secretariat to continue to keep it informed about the implementation of these activities;

27. Welcomes the contributions of the Ibero-American Radiation Safety Network (IARSN), the Asian Nuclear Safety Network (ANSN) and the Radiation Safety Regulators Network (RaSaReN) to the promotion of effective and sustainable nuclear and radiation safety regimes in Member States;

28. Urges the Secretariat to continue to use the regional and sub-regional country groupings in its activities to upgrade radiation protection infrastructure;

29. Welcomes the adoption by the Board in September 2005 of the Plan of Activities on the Radiation Protection of the Environment, paying special attention to scientific developments in the field, including methodological approaches which are already developed for the protection of the environment, and requests the Secretariat to keep it informed about the implementation of the Plan of Activities;

5.

The Safety of Radioactive Waste Management

30. Reminds Member States of the relevance of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, appeals to all Member States which have not yet taken the steps necessary to become Contracting Parties to the Joint Convention to do so, and encourages active participation by Contracting Parties in the second Review Meeting of the Contracting Parties to the Joint Convention, to be held in Vienna in May 2006;

31. Welcomes progress in implementing the Action Plan on the Safety of Radioactive Waste Management, in particular the further development of coherent safety standards for waste classification, storage and disposal, and requests the Secretariat to keep it informed about further progress in the implementation of the Action Plan;

32. Welcomes the significant contribution of the *International Symposium on Disposal of Low Activity Radioactive Waste*, held in Spain in December 2004, to the development of solutions for managing radioactive waste, urges Member States to participate actively in the *International Conference on the Safety of Radioactive Waste Disposal* taking place in Japan in October 2005, expresses its appreciation to Japan for hosting this conference, and requests the Director General to report to the Board and the General Conference on its findings;

33. Urges Member States to participate actively in the *International Conference on the Management of Spent Fuel from Nuclear Power Reactors*, to be held in Vienna from 19 to 23 June 2006, and requests the Director General to report to the Board and the General Conference on the outcomes of that conference;

6.

The Safe Decommissioning of Nuclear Facilities and Other Facilities Using Radioactive Material

34. Welcomes progress in implementing the International Action Plan on the Decommissioning of Nuclear Facilities, including the preparation of a Safety Requirements document for the *Decommissioning of Facilities Using Radioactive Material* and the commencement, in October 2004, of a three-year international project on *Evaluation and Demonstration of Safety during Decommissioning of Nuclear Facilities*, and requests the Director General to keep it informed of further developments in its implementation;

35. Welcomes the progress made towards establishing a demonstration project on research reactor decommissioning, and urges Member States to support this project;

36. Welcomes the agreement of Greece to host, in October 2006, the *International Conference on Lessons Learned from the Decommissioning of Nuclear Facilities and the Safe Termination of Nuclear Activities*, aimed at improving the exchange of information and experience to facilitate decommissioning, and urges Member States to support this conference;

7.

Education and Training in Nuclear, Radiation, Transport and Waste Safety

37. Underlines the fundamental importance of sustainable programmes for education and training in nuclear, radiation, transport safety and waste management, remaining convinced that such education and training is a key component of any adequate safety infrastructure;

38. Welcomes the ongoing commitment of the Secretariat and Member States to the implementation of the Strategy for Education and Training in Radiation, Transport and Waste Safety for a long-term and sustainable programme of education and training;
39. Supports the Secretariat's continued focus on developing sustainable educational and training programmes, including through Education and Training Appraisal missions to identify training needs and draw up programmes to meet training requirements, and the further development of a network of training centres and 'train-the-trainer' workshops, and urges the Secretariat to continue to strengthen, subject to the availability of financial resources, the activities in these areas;
40. Urges the Secretariat to work towards maintaining the sustainability of postgraduate courses;
41. Encourages the Secretariat to employ electronic networking and outreach (ENO) projects to implement e-learning;
42. Requests the Secretariat to take into consideration the recommendation of the Steering Committee on Education and Training that the Secretariat give high priority to the assessment of training needs in Member States;
43. Encourages the Secretariat to maintain its support for regional postgraduate training courses and to consider concluding long-term agreements with the regional centres organizing such courses;

8.

International Nuclear and Radiological Emergency Preparedness and Response

44. Urges all Member States to become Contracting Parties to the Convention on Early Notification of a Nuclear Accident (the Early Notification Convention) and the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency (the Assistance Convention);
45. Continues to encourage Member States to improve, where necessary, their own preparedness and response capabilities for nuclear and radiological incidents and emergencies, including their arrangements for responding to acts involving the malicious use of nuclear or radioactive material and to threats of such acts, and to adopt the relevant Agency standards, procedures and practical tools;
46. Welcomes the report of the Third Meeting of the Representatives of Competent Authorities identified under the Early Notification Convention and the Assistance Convention held in Vienna 12-15 July 2005;
47. Welcomes the progress made by the Secretariat and by Member States and their competent authorities in implementing the International Action Plan for Strengthening the International Preparedness and Response System for Nuclear and Radiological Emergencies;
48. Notes with concern, however, that the Secretariat, in its implementation of the Action Plan, has been largely dependent on extrabudgetary contributions, and encourages Member States to provide adequate resources;
49. Requests Member States and the Secretariat to take into account the long-term objectives of the Action Plan in the future development of the Agency's programme and budget, especially bearing in mind the need for adequate resources for the long-term sustainability of the Agency's Incident and Emergency Response System and for the building of capacity in Member States;

50. Requests the Director General to continue evaluating and, as necessary, to enhance the capability of the Agency's Incident and Emergency Response System to fulfil its role as coordinator and facilitator of international preparedness and response;

51. Requests the Secretariat to continue to review and, as necessary, streamline its mechanisms for reporting and for sharing information, and encourages Member States to do the same;

52. Expresses appreciation to Romania for hosting the ConvEx-3 2005 exercise to test and evaluate international emergency response arrangements, and urges the Secretariat and all competent authorities to take prompt and relevant actions on the key lessons identified;

9.

Safety and Security of Radioactive Sources

53. Takes note of the progress report submitted by the Director General in document GC(49)/INF/5 (Annex 8) on the safety and security of radioactive sources, and commends the Secretariat for the work it has undertaken;

54. Welcomes the progress made by Member States in strengthening, as necessary, their regulatory infrastructures to ensure the sustainability of the control of radioactive sources, and requests the Secretariat to continue providing support for the efforts of Member States to strengthen those infrastructures;

55. Commends the many national and multinational efforts, including the IAEA/Russian Federation/USA "Tripartite" Initiative and other regional partnerships, to recover and maintain control of vulnerable and orphan sources;

56. Welcomes the findings of the President of the *International Conference on the Safety and Security of Radioactive Sources: Towards a Global System for the Continuous Control of Sources throughout their Life Cycle*, and requests the Secretariat to review the Action Plan for the Safety and Security of Radioactive Sources in the light of those findings;

57. Continues to endorse the principles and objectives of the Code of Conduct on the Safety and Security of Radioactive Sources while recognizing that the Code is not a legally binding instrument, welcomes the high level of global support for the Code, noting that, as at 8 September 2005, 76 States had made a political commitment to it in line with resolutions GC(47)/RES/7.B and GC(48)/RES/10.D, and urges other States to make such a commitment;

58. Underlines the important role of the Guidance on the Import and Export of Radioactive Sources for the establishment of continuous, global control of radioactive sources, notes that, as at 15 September 2005, only nine States had notified the Director General, pursuant to resolution GC(48)/RES/10, of their intention to act in accordance with the Guidance on a harmonized basis, reiterates the need for States to implement the Guidance in a cooperative, harmonized and consistent fashion, noting that the Guidance is supplementary to the Code, and encourages those States which have not already notified the Director General to do so, recalling operative paragraph 6 of resolution GC(47)/RES/7.B;

59. Recognizes the value of information exchange on national approaches to controlling radioactive sources, and requests the Secretariat to undertake consultations with Member States with a view to establishing a formalized process for a periodic exchange of information and lessons learned and for the evaluation of progress made by States towards implementing the provisions of the Code of Conduct on the Safety and Security of Radioactive Sources;

60. Encourages the Secretariat to take account of the Code of Conduct on the Safety and Security of Radioactive Sources, and of feedback from States on how they are implementing the Code, in the planned review of the International Basic Safety Standards (BSS);
61. Recognizes the growing need to strengthen the inherent safety and security of radioactive sources, encourages the Secretariat to explore with designers and manufacturers the use of less dispersible radioactive materials in sealed radioactive sources and the development of more inherently safe devices, and urges Member States to promote the application of such materials and devices as they become available;
62. Recognizes the critical role of emergency response and management in national strategies for the safety and security of radioactive sources, underlines the need for first responders to have appropriate training for dealing with ionizing radiation during nuclear and radiological emergencies, encourages the Secretariat to facilitate information exchange among first responder organizations in different countries, and requests the Secretariat to develop a plan to assist Member States in ensuring, to the maximum extent feasible, that first responders in Member States are prepared to respond to incidents involving radioactive sources;
63. Welcomes the establishment of the International Source Suppliers and Producers Association (ISSPA) and its intention to contribute to the safety and security of radioactive sources; and
64. Welcomes the progress in developing the International Catalogue of Sealed Radioactive Sources and Devices, and encourages Member States to nominate national coordinators for the dissemination of the information contained in it.

B. Transport Safety

The General Conference,

- (a) Noting the report on transport safety contained in document GC(49)/INF/5,
- (b) Noting concerns about a potential accident or incident during the transport of radioactive materials by sea and about the importance of the protection of people, human health and the environment as well as protection from actual economic loss, as defined in relevant international instruments, due to an accident or incident,
- (c) Recognizing that, historically, the safety record of maritime transport of nuclear materials has been excellent,
- (d) Recalling that States have under international law the obligation to protect and preserve the maritime environment,
- (e) Reaffirming the competence of the Agency in relation to the safety of transport of radioactive materials,
- (f) Reaffirming maritime and air navigation rights and freedoms, as provided for in international law and as reflected in relevant international instruments,
- (g) Stressing the importance of international cooperation to enhance the safety of international navigation,
- (h) Emphasizing that the General Conference has encouraged Member states to make use of the Transport Safety Appraisal Service (TranSAS),

- (i) Recalling resolutions GC(48)/RES/10, GC(47)/RES/7 and GC(46)/RES/9, and the previous resolutions which invited Member States shipping radioactive materials to provide, as appropriate, assurances to potentially affected States, upon their request, that their national regulations take into account the Agency's recently amended 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 protection and safety,
- (j) Recognizing concerns about the potential for damage to arise in the event of an accident or incident during the maritime transport of radioactive materials, including pollution of the marine environment, recognizing also the importance of having in place effective liability mechanisms, and believing that the principle of strict liability should apply in the event of nuclear damage arising from an accident or incident during the transport of radioactive materials, and
- (k) Noting the importance of security for the safe maritime transport of radioactive materials and the strong concern of some States in this regard, and stressing the need to take adequate measures to deter or defeat terrorist and other hostile or criminal actions directed against carriers of radioactive materials, in accordance with international law,
1. Notes the progress on implementation of the Action Plan on the Safety of Transport of Radioactive Materials, approved by the Board in March 2004 and based on the results of the International Conference on the Safety of Transport of Radioactive Material held in July 2003 and the request at the 2003 General Conference for the Agency to develop this Action Plan, and encourages the Secretariat to pursue implementation of all areas of the Action Plan and Member States to cooperate fully with the Secretariat to that end;
 2. 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 or incident during the maritime transport of radioactive materials, welcomes the continuing valuable work of the International Expert Group on Nuclear Liability (INLEX), including the development of an explanatory text on the various nuclear liability instruments and the examination of the application and scope of the Agency's nuclear liability regime, including the examination of any serious gaps, looks forward to the continuation of INLEX's work, in particular its outreach activities, including workshops in Australia in November 2005 and in Peru in early 2006 and requests the Secretariat to report at appropriate times on the planning and work of INLEX;
 3. Welcomes the practice of some shipping States and operators of providing in a timely manner information and responses to relevant coastal States in advance of shipments for the purpose of addressing concerns regarding safety and security, including emergency preparedness, and invites others to do so in order to improve mutual understanding and confidence regarding shipments of radioactive materials. The information and responses provided should in no case be contradictory to measures of physical protection and safety;
 4. Emphasizes the importance of maintaining dialogue and consultation aimed at improving mutual understanding, confidence-building and enhanced communication in relation to the safe maritime transport of radioactive materials, and in this context welcomes the informal discussions on communication which took place in July 2005 between shipping States and relevant coastal States, with Agency involvement, as recommended by the President of the 2003 International Conference and included in the Action Plan, notes the intention of those States to hold further discussions, and expresses the hope that further enhancements to mutual confidence, particularly through voluntary communication practices, with due regard to particular circumstances, will result;

5. Looks forward to the seminar to be arranged by the Agency in January 2006 on communication of the complex technical issues related to the safety of transport, and encourages all concerned States to participate in this event;
6. Welcomes the implementation so far of the Action Plan for Strengthening the International Preparedness and Response System for Nuclear and Radiological Emergencies, approved by the Board in June 2004, and looks forward to its further implementation and to further measures to improve the overall international emergency response capability especially with respect to potential maritime incidents;
7. Welcomes the publication of the report on the TranSAS mission to France in 2004, looks forward to the report on the TranSAS mission to Japan in December 2005, commends those Member States that have already made use of TranSAS and encourages them to put into effect the resulting recommendations and suggestions, as well as to share their good practices with other Member States, and encourages other Member States to avail themselves of TranSAS and to improve transport practices based on recommendations and suggestions of TranSAS missions;
8. Urges Member States that do not have national regulatory documents governing the transport of radioactive materials to adopt such documents expeditiously, and urges all Member States to ensure that such regulatory documents are in conformity with the current, recently amended, edition of the Agency's Transport Regulations;
9. Notes the Secretariat's work on the security of transport of radioactive materials, and that a meeting will be convened on this issue in January 2006, and encourages a wider participation by concerned Member States in this process;
10. Requests Member States to cooperate with the Agency in using the new procedures for rating radiological incidents during transport and providing information required both for the effective operation of EVTRAM and INES and for an up-to-date safety webpage;
11. Notes that the Board approved in June 2005 a policy for reviewing and revising the Agency's Transport Regulations whereby the Regulations will be reviewed every two years (the current review cycle of the relevant international bodies), with the decision on revision and publication based on the assessments of the Transport Safety Standards Committee (TRANSSC) and the Commission on Safety Standards (CSS) as to whether a proposal for change is sufficiently important for safety, and encourages a wider participation by concerned Member States in this process;
12. Welcomes the progress made in conjunction with the International Federation of Air Line Pilots' Associations (IFALPA) on the problems related to refusals of air shipments of radioactive materials (in particular for medical applications) and looks forward to a satisfactory resolution of this issue, and encourages the Secretariat to continue addressing the denial of shipping issue, including by establishing a steering committee to oversee the resolution of the problem, as recommended by TRANSSC;
13. Acknowledges the progress made in relation to education and training for the safe transport of radioactive materials, including the preparation and translation of training materials into official languages, the course held in Peru this year, and plans to hold other regional training courses every two or three years, and requests the Director General to continue to strengthen and widen the Agency's efforts in this area, involving to the extent possible experts from the concerned regions, subject to the availability of resources; and

14. Requests the Director General to report at the fiftieth (2006) regular session of the General Conference on the implementation of this resolution.

*30 September 2005
Agenda item 15
GC(49)/OR.9, paras 20-21*

GC(49)/RES/10 Nuclear security – Measures to protect against nuclear terrorism

A.

Progress on measures to protect against nuclear and radiological terrorism

The General Conference,

- (a) Recalling its previous resolutions on measures to improve the security of nuclear materials and other radioactive materials, and on measures against illicit trafficking in nuclear materials and other radioactive materials,
- (b) Considering, in view of the tragic terrorist attacks worldwide that have taken place in recent years, the need to continue to devote attention to the potential implications of terrorist acts for the security of nuclear materials and other radioactive materials in use, storage and transport involving associated facilities, and emphasizing the importance of physical protection and other measures against illicit trafficking and national control systems for ensuring protection against nuclear terrorism and other malicious acts, including the use of radioactive material in a radiological dispersion device
- (c) Noting that the Agency's three-year Plan of Activities to combat nuclear terrorism will come to completion in 2005 and a renewed four-year Nuclear Security Plan has just been adopted by the Board of Governors,
- (d) Recognizing that threat-based risk assessment methodology is relevant for nuclear and other radioactive materials,
- (e) Mindful of the obligations of every Member State to keep its peaceful nuclear programmes safe and secure, asserting that responsibility for nuclear security within a State rests entirely with that State, and noting the important contribution of international cooperation in supporting the efforts of States to fulfil their responsibilities,
- (f) Recalling United Nations Security Council resolution 1373, which called on all States to work, particularly through bilateral and multilateral arrangements, to prevent acts of terrorism,
- (g) Noting also that actions of the international community to combat the proliferation of weapons of mass destruction and prevent the access by non-State actors to weapons of mass destruction and related material, notably United Nations Security Council resolution 1540, constitute contributions to the protection against nuclear and radiological terrorism,
- (h) Noting also in this context the contributions of the G-8 global partnership against the spread of weapons and materials of mass destruction adopted at the Kananaskis summit in June 2002, the G8 Action Plan on Non-proliferation adopted at the Sea Island Summit in June

2004 and the subsequent G8 Statement on Non Proliferation adopted at the Gleneagles Summit in July 2005,

(i) Recalling that international conferences expressed their appreciation for international assistance and support for national programmes to secure and control unsecured nuclear and other radioactive materials, consistent with national laws and regulations and looking forward to continued efforts, and noting in this context that International Conferences were held in March 2005 in London on Nuclear Security and in Bordeaux in June 2005 on the Safety and Security of Radioactive Sources,

(j) Reaffirming the importance of the Convention on the Physical Protection of Nuclear Material, as the only multilateral legally binding instrument dealing with the physical protection of nuclear material,

(k) Noting United Nations General Assembly Resolution 59/290 of April 2005 by which it has adopted the International Convention for the Suppression of Acts of Nuclear Terrorism and noting that it is open for signature from 14 September 2005 to 31 December 2006,

(l) Recalling that other international agreements negotiated under the auspices of the Agency are also relevant to nuclear security and the physical protection of nuclear material and other radioactive materials against the threat of nuclear and radiological terrorism, those agreements including the Convention on Early Notification of a Nuclear Accident, the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, the Convention on Nuclear Safety and the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management,

(m) Reaffirming the importance of the Code of Conduct on the Safety and Security of Radioactive Sources as a valuable instrument for enhancement of safety and security of radioactive sources while recognizing that the code is not a legally binding instrument,

(n) Noting the central contribution of Agency safeguards agreements and additional protocols, and also of States' Systems of Accounting for and Control of Nuclear Materials, to preventing illicit trafficking and to deterring and detecting diversion of nuclear materials, and

(o) Stressing the essential importance of ensuring the confidentiality of information relevant to nuclear and radiological security, in particular information that might be of interest to terrorists,

1. Takes note of the progress report submitted by the Director General in document GOV/2005/50 on measures to improve nuclear security and protection against nuclear and radiological terrorism, and commends the Director General and the Secretariat for the implementation of the 2002-2005 Plan of Activities and looks forward to their continued efforts to improve nuclear and radiological security and prevent nuclear and radiological terrorism;

2. Welcomes the adoption, by the Board of Governors at its September 2005 meetings, of a Nuclear Security Plan for 2006-2009;

3. Calls upon all Member States to provide political, financial and technical support, including in-kind contributions, to improve nuclear and radiological security and prevent nuclear and radiological terrorism, and to provide to the Nuclear Security Fund the political and, on a voluntary basis, financial support it needs;

4. Welcomes the adoption by consensus, at the Conference held in July 2005 in Vienna of an important amendment to the Convention on the Physical Protection of Nuclear Material (CPPNM)

which substantially strengthens the convention, extending its scope to cover the physical protection of nuclear facilities and the domestic transport, storage and use of nuclear material, thereby strengthening the global nuclear security;

5. Expresses its deep satisfaction at the adoption by the United Nations General Assembly of the International Convention for the Suppression of Acts of Nuclear Terrorism as the 13th multilateral legal instrument dealing with terrorism, and calls upon all states to act for its early entry into force;

6. Welcomes the contribution of the International Conference on Nuclear Security held in March 2005 in London, United Kingdom, and the International Conference on the Safety and Security of Radioactive Sources held in June in Bordeaux, France, to the IAEA's activities on these issues;

7. Welcomes the activities in the physical protection of nuclear materials and facilities and the prevention and detection of and response to illicit activities involving nuclear material and other radioactive materials undertaken by the Agency to improve nuclear and radiological security and prevent nuclear and radiological terrorism;

8. Welcomes also the activities undertaken to provide for an exchange of information with Member States, including continued maintenance of the Illicit Trafficking Database programme, invites all States to participate in the Illicit Trafficking Database programme on a voluntary basis, and further invites all States to consider the potential danger of illicit trafficking across their borders and within their countries;

9. Welcomes the Agency's work in the field of nuclear forensic tests and analysis and urges Member States to provide, according to their capabilities, continued support as appropriate to the Agency's activities in connection with the detection of the origin of illicitly trafficked nuclear or radioactive material;

10. Notes with appreciation the work of the Advisory Group on Security in providing advice from Member States' experts on the orientations and the implementation of Agency activities relevant to nuclear and radiological security, and to review associated documents and services;

11. Takes note of the steps taken by the Secretariat to ensure confidentiality of information relevant to nuclear and radiological security, and requests the Secretariat to continue its efforts to implement appropriate confidentiality measures and to report as appropriate to the Board of Governors on the status of the implementation of the new confidentiality measures;

12. Invites the Director General to continue to implement, in consultation and coordination with Member States, pursuant to the newly adopted Nuclear Security Plan for 2006-2009, and subject to the availability of resources, Agency activities relevant to nuclear and radiological security and protection against nuclear and radiological terrorism;

13. Welcomes the Agency's initiative to assist States, as appropriate, in planning their future nuclear security activities in particular through Integrated Nuclear Security Support Plans (INSSP) and encourages the Agency to prepare an annual report, highlighting significant accomplishments of the prior year and establishing goals and priorities for the year to come; and

14. Requests the Director General to submit a report to the General Conference at its fiftieth session on activities regarding these issues undertaken by the Agency.

B.

Amendment to the Convention on the Physical Protection of Nuclear Material

The General Conference,

- (a) Recalling resolution GC(48)/RES/11: Nuclear security – Measures to protect against nuclear terrorism: Progress on measure to protect against nuclear and radiological terrorism,
 - (b) Re-emphasizing the importance of physical protection of nuclear material and nuclear facilities, and national control systems, for preventing illicit trafficking and ensuring protection against nuclear terrorism and other malicious acts,
 - (c) Recognizing the importance of promoting an effective security culture in the field of physical protection of nuclear materials and nuclear facilities,
 - (d) Asserting that the responsibility for physical protection within a State rests entirely with that State, and noting the important contribution of international cooperation in supporting the efforts of States to fulfil their responsibilities, and
 - (e) Reaffirming the importance of the Convention on the Physical Protection of Nuclear Material as the only multilateral legally binding instrument dealing with the physical protection of nuclear material,
1. Welcomes the adoption by consensus, at the conference held in July 2005 in Vienna, of an important amendment to the Convention on the Physical Protection of Nuclear Material (CPPNM) which substantially strengthens the convention, extending its scope to cover the physical protection of nuclear facilities and the domestic transport, storage and use of nuclear material, thereby strengthening global nuclear security;
 2. Encourages all States party to the Convention to ratify the amendment as soon as possible and to deposit instruments of ratification, acceptance or approval with the depositary to enable the early entry into force of the amendment;
 3. Also encourages all States party to the Convention to act in accordance with the object and purpose of the amendment until such time as the amendment enters into force; and
 4. Appeals to all States that have not yet done so to adhere to the Convention on the Physical Protection of Nuclear Material and the amendment as soon as possible.

*30 September 2005
Agenda item 16
GC(49)/OR.9, paras 22-23*

GC(49)/RES/11

Strengthening of the Agency's technical cooperation activities

The General Conference,

- (a) Recalling resolution GC(48)/RES/12 on "Strengthening of the Agency's technical cooperation activities",
- (b) Bearing in mind that the objectives of the Agency as stated in Article II of the Statute are "to accelerate and enlarge the contribution of atomic energy to peace, health and prosperity

throughout the world" and to ensure that the assistance provided by it is not used "to further any military purpose",

(c) Recalling that one of the statutory functions of the Agency is to "encourage and assist research on, and development and practical application of, atomic energy for peaceful uses throughout the world",

(d) Considering that the strengthening of technical cooperation activities relating to the peaceful uses of atomic energy and its practical applications will substantially contribute to the well-being and help enrich the quality of life of the peoples of the world, and particularly those of developing Member States of the Agency,

(e) Stressing the importance of the transfer of nuclear technology to the developing countries for sustaining and further enhancing their scientific and technological capabilities and thereby contributing to socio-economic development,

(f) Aware of the significant number of approved projects without financing (including footnote-a/ projects) in the technical cooperation programme,

(g) Conscious of the great potential of nuclear power for meeting increasing energy requirements in a number of countries, and of the need for sustainable development, including climate protection,

(h) Also conscious of the need for the internationally recognized standards of safety to be applied in all uses of nuclear technology in order to protect mankind and the environment,

(i) Recalling previous resolutions favouring innovative educational partnerships like the World Nuclear University involving academia, government, and industry; and confident that such initiatives can, with Agency support, play a valuable role in promoting strong educational standards and building leadership for an expanding global nuclear profession, and also recalling the successful first World Nuclear University Summer Institute in Idaho Falls in July 2005;

(j) Desiring that the Agency's resources for technical cooperation activities be assured, predictable and sufficient to meet the objectives mandated in Article II of the Statute,

(k) Recalling the decision of the Board of Governors in July 2003, which was endorsed by the 47th General Conference, that from 2005 onwards the Technical Cooperation Fund (TCF) targets shall be negotiated taking into account the voluntary nature of the contributions to the TCF, based on the changes in the Regular Budget and the price adjustment factor in the corresponding years,

(l) Recognizing that the TCF target should be set at an adequate and realistic level,

(m) Noting the decision of the Board of Governors to recommend that for 2006 the target for voluntary contributions to the TCF shall be set at US\$ 77 500 000 and that the Indicative Planning Figures (IPFs) for 2007 and 2008 shall be no less than US\$ 78 500 000,

(n) Endorsing the Board's decision, contained in GOV/2004/46, to replace Assessed Programme Costs (APCs) by National Participation Costs (NPCs) which will be assessed at 5% of the core funding of the national technical cooperation projects, with effect from the 2005-2006 technical cooperation programme, as well as its decision to review the functioning of the NPC mechanism in June 2006 on the basis of an analytical study to be prepared by the Secretariat in consultation with Member States,

- (o) Recalling the obligation of Member States in regard to NPCs,
- (p) Taking note of the subsequent results of the Rate of Attainment mechanism as established by resolution GC(44)/RES/8,
- (q) Recalling that the financing of technical cooperation should be in line with the concept of “shared responsibility” and all members share a common responsibility towards financing and enhancing the technical cooperation activities of the Agency,
- (r) Expressing appreciation to those Member States which have contributed to the TCF their full TCF target shares in a timely manner,
- (s) Recognizing in this context the necessity for the Secretariat strictly to apply the due account mechanism to Member States,
- (t) Expressing concern that some Member States do not contribute their full TCF target shares or do not contribute to the TCF at all,
- (u) Emphasizing the continuing need to provide adequate financing for the Technical Cooperation Programme and at the same time to ensure an appropriate balance between the promotional activities and other statutory activities of the Agency,
- (v) Emphasizing the importance of the technical cooperation activities of the Agency, the financing of which should be guaranteed by, inter alia, results-based budgeting and the appropriate use of the Regular Budget in supporting and implementing those activities,
- (w) Recognizing that human resources development, expert services, fellowships, training courses and appropriate equipment supply continue to be important components of technical cooperation activities to ensure impact and sustainability,
- (x) Taking note with appreciation of the different activities carried out by the Secretariat in implementing the Technical Cooperation Strategy, including holding regional meetings for planning purposes, carrying out Country Programme Frameworks and Thematic Planning, efforts to ensure that projects meet the national priorities of Member States, and encouraging technical cooperation activities, particularly through technical cooperation among developing countries (TCDC) and regional resource centres, partnerships in development, greater outreach, and in-house coordination, in line with the Technical Cooperation Management Principles (SEC/NOT/1790: Annex 1),
- (y) Stressing that Country Programme Frameworks (CPFs) are non-legally binding documents and recalling that they are developed by the Member States in cooperation with the Secretariat with the objective of facilitating an understanding of the real needs of developing Member States and of promoting TCDC,
- (z) Reiterating the need to strengthen technical cooperation activities and to continuously enhance the effectiveness and efficiency of the Technical Cooperation Programme according to the requests and needs of Member States,
- (aa) Appreciating that these programmes contribute to the achievement of national goals for sustainable development in TC-recipient Member States, particularly in developing countries and the least developed ones,
- (bb) Also recognizing that national nuclear and other entities are important partners in the implementation of technical cooperation programmes in Member States and promote the use of nuclear and related technologies for achieving national development objectives,

- (cc) Taking note also with appreciation of the activities being developed by the Agency in the field of nuclear knowledge management, and particularly of the initiatives being emphasized by the Technical Cooperation Programme in assisting national nuclear and other entities to enhance the basic infrastructure in this field, including safety aspects, and to further improve their capacity for self-reliance and sustainability,
- (dd) Taking note of the efforts, through the Technical Cooperation Programme, towards the voluntary reduction and return of Highly Enriched Uranium (HEU) fuels of nuclear research facilities, and
- (ee) Noting the restructuring efforts in the Technical Cooperation Department and project cycle management improvement initiatives;
1. Requests the Director General to resume and to further develop and facilitate cost-sharing and other forms of partnership in development by reviewing and amending or simplifying, as appropriate, relevant financial and legal procedures and by developing a model arrangement and agreement for these partnerships, to assure that their objectives are Specific, Measurable, Achievable, Realistic & Timely (SMART);
 2. Requests the Secretariat to continue working with Member States, within relevant regional groups, in identifying regional resource centres, and formulating guidelines for the use of such centres and in developing and refining SMART partnership mechanisms in the context of enhancing TCDC;
 3. Further requests the Director General to continue to take account of the views of the General Conference when requesting Member States to pledge and pay their respective shares of the TCF targets and to make timely payments to the TCF;
 4. Urges Member States to pay in full and on time their voluntary contributions to the TCF, and requests those recipient Member States which are in arrears in APCs to meet this obligation;
 5. Stresses the need to strengthen technical cooperation activities and to continuously enhance the effectiveness and efficiency of the Technical Cooperation Programme according to the requests and needs of Member States in all areas of concern;
 6. Requests the Secretariat to ensure that commencement of projects within the national programme will take place upon the receipt of at least the minimum payment of the NPCs and, in this regard, that preparatory activities will not be affected before this occurs and that, in the event of a failure to pay any second instalment falling due during a biennium, funding for a core project in the next biennium would be suspended until full payment is received;
 7. Endorses the decision of the Board to request the Secretariat to inform it about the application of the due account mechanism to Member States;
 8. Stresses the need to strengthen technical cooperation activities, including the provision of sufficient resources, and to continually enhance the effectiveness and efficiency of the programmes, and requests the Secretariat to continue to further refine the Technical Cooperation Strategy 2002 Review (GOV/INF/2002/8) in consultation with all Member States;
 9. Requests the Secretariat to continue its efforts to improve the effectiveness and efficiency of technical cooperation management.,
 10. Requests the Secretariat to play a more proactive role in seeking resources to implement footnote-a/ projects;

11. Also requests the Director General to pursue, in consultation with Member States, efforts to strengthen the technical cooperation activities of the Agency through the development of effective programmes aimed at promoting and improving the scientific, technological, research and regulatory capabilities of TC-recipient Member States, account being taken of the infrastructure and the level of technology of the countries concerned, by continuing to assist them in their peaceful, safe, secure and regulated applications of atomic energy and nuclear techniques in the fields of – inter-alia – (a) food and agriculture, human health, industry, water resource management, environment, knowledge management and biotechnology, and (b) nuclear energy planning and production for those States. pursuing nuclear power as a component of their sustainable energy mix in the 21st century, through relevant areas of importance as identified by Member States;
12. Requests the Director General to continue consultations and interactions with interested States, the competent organizations of the United Nations system, multilateral financial institutions, regional development bodies and other relevant intergovernmental and non-governmental bodies to ensure the coordination and optimisation of complementary activities;
13. Requests the Director General to help interested Member States to obtain relevant information on (a) the role of nuclear power in mitigating GHG emissions, guided by the objective of sustainable development, and (b) the role of radiation and nuclear technology in mitigating polluting gases (FGs and GHGs), in managing agricultural and industrial wastes and effluents, and in improving water security, with particular emphasis on the use of electron beams and isotopes, and, where appropriate and requested by Member States, to assist in the preparation of potential technical cooperation projects;
14. Requests the Director General to make every effort to ensure, where relevant, that the Agency's Technical Cooperation Programme contributes to the promotion of key areas identified in the Johannesburg Plan of Implementation and to the attainment of the Millennium Development Goals, and further requests the Director General to keep Member States informed of the Agency's activities in this regard;
15. Emphasizes the need to understand the marketplace for nuclear technology and to further develop mechanisms and best practices for working with the private and the public sector;
16. Requests the Director General to promote, within the framework of the Technical Cooperation Programme, activities supporting the self-reliance, sustainability and further relevance of national nuclear and other entities in Member States, particularly in developing countries, including encouraging regional and interregional cooperation on this issue, and, in this context, notes the timely holding of the “Regional Meeting of Policy Makers on Overcoming Barriers to Sustainability of National Institutions” held in Malaysia from 25 to 29 July 2005;
17. Underlines the importance of consultations between the Secretariat and Member States on restructuring of the Technical Cooperation Department from the point of view of its impact, *inter alia*, on the support for and implementation of activities under regional cooperation agreements or other regional cooperation arrangements;
18. Encourages the Secretariat to continue to implement in phases the Programme Cycle Management Framework (PCMF) and to assess its effectiveness, particularly in terms of programme delivery quality, and requests it to report on the lessons learned during its first year of operation;
19. Requests the Secretariat to consider, within available resources, supporting Member State requests for assistance to participate in programmes like the WNU Summer Institute; and

20. Requests the Director General and the Board of Governors to remain seized of this matter and further requests the Director General to report to the Board of Governors periodically and to the General Conference at its fiftieth (2006) session on the implementation of this resolution under an agenda item entitled "Strengthening of the Agency's technical cooperation activities".

*30 September 2005
Agenda item 17
GC(49)/OR.9, para. 24*

GC(49)/RES/12

Strengthening of the Agency's activities related to nuclear science, technology and applications

A.

Strengthening the Agency's activities related to nuclear science, technology and applications

The General Conference,

- (a) Noting that the Agency's objectives as outlined in Article II of the Statute include "to accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world",
- (b) Noting also that the statutory functions of the Agency as outlined in Article III of the Statute, paragraphs A.1 to A.4, include encouraging research and development and fostering the exchange of scientific and technical information and the training of scientists and experts in the field of peaceful uses of atomic energy, including the production of electric power, with due consideration for the needs of developing countries,
- (c) Noting the Medium Term Strategy as guidance and input in this respect,
- (d) Noting further that in the final statement of the Paris International Ministerial Conference on "Nuclear Power for the 21st Century", organized by the Agency in March 2005 and attended by ministers, high-ranking officials and experts from 74 States and ten international organizations, a vast majority of participants affirmed that nuclear power can make a major contribution to meeting energy needs and sustaining the world's development in the 21st century, for a large number of both developed and developing countries,
- (e) Aware of the present role of nuclear power in meeting 16% of the electricity needs of mankind, and that a number of countries consider that applications of nuclear science are making a crucial input to development strategies in Member States,
- (f) Stating that nuclear science, technology and applications address and contribute to a wide variety of basic socio-economic human development needs of Member States, in such areas as energy, materials, industry, food, nutrition and agriculture, human health and water resources management,
- (g) Recognizing the success of the sterile insect technique (SIT) in the suppression or eradication of the screw-worm, the tsetse fly, and various fruit flies and moths that can cause large economic impacts,

- (h) Noting the perpetual serious problem of locusts in Africa, especially in areas highly prone to environmental degradation and desertification, that has been responsible for severe famine in certain countries,
- (i) Confirming the important role of science, technology and engineering in enhancing nuclear safety and security,
- (j) Acknowledging the need to resolve the issues of managing in a sustainable manner the waste from the nuclear fuel cycle,
- (k) Taking note of the “Nuclear Technology Review - 2005 Update” (GC(49)/INF/3) prepared by the Secretariat,
- (l) Aware that the six-party International Thermonuclear Experimental Reactor (ITER) project registered an important milestone, a transition of the project to the engineering demonstration phase, on 28 June 2005 in Moscow announcing the agreement on Cadarache as the site for the ITER facility,
- (m) Acknowledging that the peaceful use of fusion energy can be advanced through increased international efforts and with the active collaboration of interested Member States and organizations in fusion-related projects, and
- (n) Welcoming the 21st IAEA Fusion Energy Conference to be held at Cheng Du, People’s Republic of China, from 16 to 21 October 2006 and the 22nd IAEA Fusion Energy Conference “Fifty Years of Fusion” to be held in October 2008 in Geneva, Switzerland, and encouraging Member States to participate in these significant events,
1. Stresses the need, in conformity with the Statute, to continue to pursue activities of the Agency in the areas of nuclear science, technology and applications for meeting basic sustainable development needs of Member States;
 2. Underlines the importance of facilitating effective programmes in the areas of nuclear science, technology and applications aimed at pooling and further improving the scientific and technological capabilities of Member States through coordinated research and development within the Agency and between the Agency and Member States and through direct assistances;
 3. Recognizes the importance of and endorses the Agency activities which meet the objective of fostering sustainable development and protecting the environment;
 4. Suggests that the Secretariat continue to implement efforts which contribute to a greater understanding and a well-balanced picture of the role of nuclear science and technology in a global, sustainable development perspective, including the Kyoto commitments;
 5. Requests the Director General to continue to pursue, in consultation with Member States, the Agency’s activities in the areas of nuclear science, technology and applications, with special emphasis on supporting the development of power and non-power applications in Member States with a view to strengthening infrastructures and fostering science, technology and engineering with due regard to nuclear safety and nuclear security;
 6. Calls upon the Secretariat to address specific needs and requirements of Member States, including those which do not have nuclear power facilities, in the areas of nuclear science, technology and applications, including the use of the SIT for creating tsetse-free zones and for combating malaria-transmitting mosquitoes and the Mediterranean fruit fly, the use of isotopes and radiation in applications relating to agriculture, medicine including additional concerted efforts

through the PACT initiative, novel materials development, industry and the environment, and the treatment of greenhouse gases (GHGs) and flue gases resulting from fossil fuel burning;

7. Requests the Agency to consider, in collaboration with FAO and Member States, initiating R&D that could lead to the possible use of the SIT or of other nuclear-related technologies in combating locusts;
8. Requests that the actions of the Secretariat called for above be undertaken subject to the availability of resources; and
9. Recommends that the Secretariat report to the Board of Governors and to the General Conference at its fiftieth session on the progress made in the areas of nuclear science, technology and applications.

B.

Use of isotope hydrology for water resources management

The General Conference,

- (a) Appreciating the work of the Agency in the area of isotope hydrology in response to resolution GC(47)/RES/10.D,
 - (b) Noting that the United Nations proclaimed the period 2005-2015 as an International Decade for Action, “Water for Life”, to bring about a greater focus on the critical linkage between water and human development at all levels, and to improve the sustainable management of freshwater resources,
 - (c) Conscious of the recent human suffering caused by water-related disasters, including tsunamis and floods,
 - (d) Recognizing that the Agency has continuously demonstrated the importance of isotope techniques for water resources development and management, particularly for groundwater management in arid and semi-arid regions and for improved understanding of the water cycle,
 - (e) Noting that the initiatives of the Agency, as mentioned in document GC(49)/12, Annex 1, are addressing national priorities and have resulted in a wider use of isotope techniques for water resources and environmental management,
 - (f) Appreciating the fact that the initiatives taken by the Agency have increased cooperation with other relevant international organizations active in water resources management and development, and have led to joint projects with UNESCO and the Global Environmental Facility (GEF) of UNDP for increased capacity-building and the management of transboundary aquifers, and
 - (g) Recognizing the work done by the Agency in improving the management of fossil groundwater systems, developing human resource and improving the global use of isotope data by its rapid and efficient dissemination through the internet,
1. Requests the Director General, subject to the availability of resources:
 - (a) to continue to further strengthen the efforts directed towards the fuller utilization of isotope and nuclear techniques for water resources development and management in the

interested countries through appropriate programmes, by increased collaboration with national and other international organizations dealing directly with water resources management,

(b) to continue to help Member States to obtain easy access to isotopic analysis facilities by upgrading selected laboratories and by assisting Member States in adapting new and less expensive analytical techniques based on recent advances in relevant technologies, including laser-based ones,

(c) to continue its work on groundwater management, particularly the management of fossil groundwater resources in arid and semi-arid areas, and on dam leakage detection, safety and sustainability, in collaboration with other international organizations and with regional organizations, and

(d) to strengthen activities which contribute to the understanding of the climate and its impact on the water cycle and are aimed at the better prediction and the mitigation of water-related natural calamities and to contribute to the success of the International Decade for Action, "Water for Life";

2. Requests the Agency to continue, along with other relevant United Nations agencies and with relevant regional agencies, to develop human resources in isotope hydrology through appropriate courses, at universities and institutes in Member States, through the use of advanced communication techniques and educational tools and at regional training centres, designed to provide practicing hydrologists with the ability to use isotope techniques; and

3. Further requests the Director General to report on achievements in implementing this resolution to the Board of Governors and to the General Conference at its fifty-first session under an appropriate agenda item.

C.

Programme of Action for Cancer Therapy

The General Conference,

(a) Recalling its resolution GC(48)/RES/13.D on the Programme of Action for Cancer Therapy (PACT),

(b) Concerned about the suffering of cancer patients and their families, the extent to which cancer threatens development and the increase in the number of new cases of cancer, cancer morbidity and mortality worldwide, particularly in developing countries,

(c) Mindful of the request made by the Board of Governors on 16 June 2004 that the Director General pursue, further develop and implement, subject to the availability of resources, the elements of PACT,

(d) Aware that one of the main objectives stated in the Agency's Medium Term Strategy 2006-2011 is to enhance the impact of the Agency's work through strengthened relationships with Member States, development and funding organizations, scientific and technical institutions and the private sector,

(e) Expressing its appreciation for the financial and other contributions made by Member States and others to PACT and encouraging others to contribute,

- (f) Welcoming the establishment by the Director General of the position of PACT Programme Manager and the identification of resources needed to establish a PACT Programme Office,
- (g) Recognizing the value of a multidisciplinary approach to the treatment of cancer and the expertise of the Agency concerning radiotherapy, which is essential to treat more than half of all cancer patients for cure or for palliation,
- (h) Emphasizing the significance of collaboration with WHO and other relevant United Nations bodies and other stakeholders, including scientific and professional organizations, and of the implementation of this important programme in synergy and partnership with governmental, national, non-governmental and private-sector organizations, and
- (i) Noting that in May 2005 the World Health Assembly welcomed the initiative of the Agency in establishing PACT and requested the Director General of WHO to “to explore the feasibility of initiating the development of a joint programme between WHO and IAEA for cancer prevention, control, treatment and research”,
1. Requests the Director General to continue to advocate, build support, and allocate and mobilize resources for the implementation of PACT as one of the priorities of the Agency;
 2. Urges the Director General to seek and strengthen the Agency’s involvement in international partnerships with non-traditional donors to further pursue, develop and implement PACT;
 3. Encourages the Director General to explore, together with the Director General of WHO, the feasibility of a joint programme of the Agency and WHO for cancer prevention, control, treatment and research as well as the best means to partner in the implementation of PACT;
 4. Stresses the importance of developing an Agency-wide strategy for the implementation of PACT, making use – inter alia – of available Agency information, identified resources, and of synergies and interactions across all relevant departments, as well as raising funds from extrabudgetary sources;
 5. Recommends that, at an early stage, the PACT Programme Office, in consultation with relevant Agency departments and WHO, as appropriate, develop tools to assist developing Member States in establishing national plans and strengthening their capabilities to enhance the benefits to be achieved as the implementation of PACT proceeds;
 6. Invites Member States, interested organizations and other non-traditional donors to contribute to the implementation of PACT; and
 7. Requests the Director General to report on the implementation of this resolution at its fiftieth regular session.

D.

Support to the African Union's Pan African Tsetse and Trypanosomosis Eradication Campaign (AU-PATTEC)

The General Conference,

- (a) Recalling its resolution GC(47)/RES/9 on “Strengthening of the Agency’s technical cooperation activities” and its resolutions GC(45)/RES/12.D, GC(46)/RES/11.D and

GC(48)/RES/13.B on support to the Organization of African Unity's (now African Union's) Pan African Tsetse and Trypanosomosis Eradication Campaign (PATTEC),

- (b) Recognizing that tsetse flies and the trypanosomosis disease which they transmit are a major transboundary African problem and are one of the greatest constraints on the African continent's socio-economic development, affecting the health of humans and livestock, limiting land use and causing increased poverty,
 - (c) Recognizing that this disease still claims tens of thousands of human lives and millions of livestock every year and threatens over 60 million people in 37 countries, most of which are Agency Member States, and the situation is getting worse,
 - (d) Recognizing the need for a significant contribution by the Agency's programmes in addressing the objectives of the African Union's New Partnership for Africa's Development (NEPAD),
 - (e) Recalling decisions AHG/Dec.156(XXXVI) and AHG/Dec.169(XXXVII) of the Heads of State and Government of the then Organization of African Unity (now the African Union) to free Africa of tsetse flies and on a plan of action for implementing PATTEC,
 - (f) Noting the steps taken by the Commission of the African Union to establish at its headquarters in Addis Ababa, Ethiopia, an office to act as the focal point for AU-PATTEC and to coordinate the implementation of the AU-PATTEC Plan of Action,
 - (g) Noting the progress being made by the Commission of the African Union in building partnerships for AU-PATTEC, including with the Africa Development Bank (ADB) and other funding organizations and partners,
 - (h) Aware that the sterile insect technique (SIT) is a proven technique for the creation of tsetse-free zones when applied within an area-wide integrated pest management (AW-IPM) approach, and
 - (i) Acknowledging the continued support given to AU-PATTEC by the Agency as outlined in the report submitted by the Director General in document GC(49)/12, Annex 5, to the 2005 session of the General Conference,
1. Appreciates the continued support of the Agency to Member States in their efforts to build capacity and further develop the techniques for applying the SIT in creating tsetse-free zones in Africa, and also appreciates the contributions provided by some Member States and United Nations specialized agencies in support of these efforts;
 2. Calls upon Member States to continue to provide technical, financial and material support to African States in their efforts to create tsetse free-zones within available resources;
 3. Requests the Secretariat, in cooperation with Member States and international organizations, to continue to support R&D and technology transfer to African Member States in order to complement their efforts to create and subsequently expand tsetse-free zones;
 4. Stresses the need for continued cooperation with the Commission of the African Union and other regional and international partners with the aim of harmonizing efforts in line with the AU-PATTEC Plan of Action; and
 5. Requests the Director General to report on the progress made in the implementation of this resolution to the Board of Governors and to the General Conference at its fiftieth (2006) regular session.

E.

Plan for producing potable water economically using small and medium-sized nuclear reactors

The General Conference,

- (a) Recalling its resolutions GC(43)/RES/15, GC(44)/RES/22, GC(45)/RES/12.A and GC(47)/RES/10.E,
- (b) Recognizing that sufficient and clean potable water supplies for all mankind are of vital importance, as emphasized in Agenda 21 of the Rio Summit on Development and Environment and subsequently recalled at the 19th special session of the United Nations General Assembly,
- (c) Taking note with great concern of the fact that a great portion of the world's population will, over the next years, face the ever-growing problems of potable water shortages,
- (d) Noting that seawater desalination using nuclear energy is technically feasible and in general cost-effective,
- (e) Noting also the interest of a number of Member States in activities relating to seawater desalination using nuclear energy,
- (f) Underlining the urgent need for regional and international cooperation in helping to solve the serious problem of potable water shortages, particularly through the desalination of seawater,
- (g) Taking note with appreciation of the different activities carried out by the Secretariat in cooperation with interested Member States and international organizations, as outlined in the report of the Director General contained in document GC(49)/12,
- (h) Taking note of the results of the seventh meeting of the International Nuclear Desalination Advisory Group (INDAG), held in July 2004, and expressing its appreciation for INDAG's continued efforts,
- (i) Recalling that the Agency has initiated a programme to assist developing countries interested in small and medium-sized reactors (SMRs) to address economics, safety, reliability and technical measures for proliferation resistance,
- (j) Acknowledging that innovative SMRs are of particular interest also for non-electrical energy, particularly in the desalination of seawater,
- (k) Noting with appreciation the activities carried out in coordination with other organizations,
- (l) Commending the efforts of the Secretariat in coordinating the development of nuclear reactor simulators for use on personal computers, and
- (m) Welcoming the progress achieved in coordinated research and noting with appreciation that some research projects have been completed successfully, in the framework of the interregional technical cooperation project on "Integrated nuclear power and desalination system design",

1. Requests the Director General to continue consultations and interactions with interested Member States, the competent organizations of the United Nations system, multilateral financial institutions, regional development bodies and other relevant intergovernmental and non-governmental organizations in activities relating to seawater desalination using nuclear energy;
2. Invites the Director General to:
 - (a) continue to take the appropriate measures to assist Member States, particularly developing countries, engaged in the process of preparatory actions with regard to demonstration projects, and
 - (b) carry out, subject to the availability of resources, further work on safety-related aspects in connection with the desalination of seawater;
3. Invites INDAG to continue its functions as a forum for advice and review on nuclear desalination activities;
4. Stresses the need for international cooperation in the planning and implementation of nuclear desalination demonstration programmes through national and regional projects open for the participation of any interested country;
5. Requests the Director General and interested Member States to include in the feasibility studies, besides the technical aspects, the social and economic impacts of this technology;
6. Further invites the Director General to raise seed funds and other appropriate funding from extrabudgetary resources in order to catalyze and contribute to the implementation of all Agency activities relating to nuclear desalination and the development of innovative SMRs;
7. Requests the Director General to note the high priority given by interested Member States to the nuclear desalination of seawater and SMR development in the process of preparing the Agency's Programme and Budget and to promote effective international information exchange and cooperation in this area; and
8. Further requests the Director General to report on the progress made in the implementation of this resolution to the Board of Governors and to the General Conference at its fifty-first session under an appropriate agenda item.

F.

Agency Activities in the Development of Innovative Nuclear Technology

The General Conference,

- (a) Recalling the Agency's statutory functions "to encourage and assist research on, and development and practical application of, atomic energy for peaceful uses... and ... to foster the exchange of scientific and technical information",
- (b) Recalling also its resolutions GC(44)/RES/21, GC(45)/RES/12.F, GC(46)/RES/11.C, GC(47)/RES/10.C and GC(48)/RES/13.F on the Agency's activities in the development of innovative nuclear technology,
- (c) Conscious of the need for sustainable development and of the potential contribution of nuclear energy to meeting the growing energy needs in the 21st century,

- (d) Taking note of the International Ministerial Conference “Nuclear Power for the 21st Century” held in Paris on 21 and 22 March 2005, where, while recognizing that each State is free to define its national energy policy in accordance with its needs and international obligations, a vast majority of participants affirmed that nuclear power can make a major contribution to meeting energy needs and sustaining the world’s development in the 21st century, for a large number of both developed and developing countries,
- (e) Noting the progress achieved in a number of Member States in the development of innovative nuclear technology and the high technical and economic potential of international collaboration in the development of such technology,
- (f) Recognizing the unique role which the Agency plays, and in particular the current role it is playing through the International Project on Innovative Nuclear Reactors and Fuel Cycles (INPRO), by bringing together all interested Member States to consider jointly innovations in nuclear reactors and fuel cycle systems,
- (g) Noting that 22 Member States and the European Union are now members of INPRO, with Armenia, Morocco and Ukraine having joined since the 2004 session of the General Conference, and that the United States of America has announced its intention to join INPRO at this session of the General Conference;
- (h) Noting the progress of other bilateral and international initiatives, such as the Generation IV International Forum, and their contribution to developing innovative approaches to nuclear power, and
- (i) Noting with appreciation the Director General’s report on the development of innovative nuclear technology contained in document GC(49)/12,
1. Commends the Director General and the Secretariat for their work in response to the relevant General Conference resolutions, in particular the results achieved to date within INPRO;
 2. Emphasizes the important role that the Agency can play in assisting Member States with the planning and development of their nuclear infrastructures through the application of the INPRO methodology for the assessment of safety, proliferation resistance, sustainability, environmental, infrastructural and economic aspects of innovative reactors and fuel cycles, and with the selection and implementation of efficient strategies for dealing, in line with their development needs, with the 21st century energy challenges in ways that meet national objectives while contributing to the balanced development of the global energy system;
 3. Invites all interested Member States to combine their efforts under the aegis of the Agency in considering the issues of nuclear reactors and fuel cycles, in particular by examining innovative, safe, proliferation-resistant and economically competitive nuclear technology and by identifying options for innovative nuclear energy systems collaboration;
 4. Recognizing that the funding of INPRO comes partly from the Regular Budget and in large part from extrabudgetary resources, requests the Director General to strengthen the Agency’s efforts related to the development of innovative technology, subject to available resources;
 5. Stresses the need for international collaboration for the development of innovative nuclear technology and the high potential and added value achieved through such collaborative efforts, as well as the importance of taking advantage of synergies between international activities on innovative nuclear technology development;

6. Invites all interested Member States to contribute to innovative nuclear technology activities in terms of scientific and technical information, financial support or technical and other relevant experts and by performing joint innovative nuclear energy systems assessments; and
7. Requests the Director General to report on the progress made in the implementation of this resolution to the Board of Governors and to the General Conference at its fiftieth session under an appropriate agenda item.

G.

Approaches to supporting nuclear power infrastructure development

The General Conference,

- (a) Taking note of the International Ministerial Conference “Nuclear Power for the 21st Century” held in Paris on 21 and 22 March 2005, where, while recognizing that each State is free to define its national energy policy in accordance with its needs and international obligations, a vast majority of participants affirmed that nuclear power can make a major contribution to meeting energy needs and sustaining the world’s development in the 21st century, for a large number of both developed and developing countries,
 - (b) Recognizing that the development and implementation of an appropriate infrastructure to support the successful introduction of nuclear power and its safe and efficient use is an issue of central concern, especially for countries that are considering and planning for the introduction of nuclear power,
 - (c) Acknowledging the Agency’s role in assisting Member States that are considering and planning for the introduction of nuclear power with assessments of infrastructure needs, taking into account relevant economic, social and policy considerations, to support the safe and efficient use of nuclear power,
 - (d) Acknowledging that the development of innovative nuclear energy technologies offers promising possibilities for lessening the infrastructure requirements through innovative approaches to infrastructure needs, which may be possible thanks to the innovative aspects of future nuclear energy technologies, and acknowledging that such innovative approaches to infrastructure needs may also apply to supporting the safe and efficient use of existing nuclear power technologies, and
 - (e) Recognizing that the issue of infrastructure requirements for innovative nuclear energy technologies is an important topic within the Agency’s Project on Innovative Nuclear Reactors and Fuel Cycles (INPRO),
1. Encourages the Agency, within the framework of its existing programmes and drawing on its work on innovative nuclear technologies and its existing programmes for promoting effective and sustainable national regulatory infrastructures, to undertake generic assessments on approaches and options for addressing infrastructure requirements so as to support the introduction of nuclear energy technologies and their safe and efficient use, for those countries that are considering or planning for the introduction of nuclear energy technologies in the 21st century;
 2. Invites all Member States that are interested in developing and applying current and innovative nuclear energy systems, and especially developing Member States that are interested in considering or planning for the introduction of nuclear energy technologies, to contribute, as

- (h) Welcoming the fact that, as of 30 September 2005, 105 States and other Parties to safeguards agreements have signed additional protocols, that additional protocols are in force for 70 of those States and other Parties and are being otherwise applied for two States,
- (i) Welcoming the fact that all nuclear-weapon States have signed protocols additional to their voluntary offer safeguards agreements incorporating those measures provided for in the Model Additional Protocol that each nuclear-weapon State has identified as capable of contributing to the non-proliferation and efficiency aims of the Protocol, when implemented with regard to that State, and as consistent with that State's obligations under article I of the NPT, and noting with satisfaction that protocols additional to the voluntary offer safeguards agreements are in force for three of these States,
- (j) Noting the call by the United Nations Secretary-General in his report "In Larger Freedom: Towards Development, Security and Human Rights for All" of March 2005, inter alia, to strengthen the verification authority of the Agency through universal adoption of the Model Additional Protocol,
- (k) Noting that additional protocols constitute one of the important instruments in enhancing the Agency's ability to derive safeguards conclusions regarding the absence of undeclared nuclear material and activities,
- (l) Noting the high priority the Agency attaches, in the context of furthering the development of the strengthened safeguards system, to integrating traditional nuclear material verification activities with the new strengthening measures,
- (m) Taking note of the Agency's Safeguards Statement for 2004,
- (n) Stressing the continuing need for the Agency's safeguards system to be equipped to respond to new challenges within its mandate,
- (o) Noting the considerable increase in the Agency's safeguards responsibilities since the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and in particular since the approval of the Model Additional Protocol by the Board of Governors in May 1997,
- (p) Recalling that the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons - inter alia - (1) reaffirmed that the IAEA is the competent authority responsible for verifying and assuring, in accordance with the Agency's Statute and the Agency's safeguards system, compliance with its safeguards agreements, and (2) recommended that the Director General of the IAEA and the IAEA's Member States consider ways and means, which could include a possible plan of action, to promote and facilitate the conclusion and entry into force of safeguards agreements and additional protocols, including, for example, specific measures to assist States with less experience in nuclear activities to implement legal requirements,
- (q) Noting that the 2005 Review Conference of the States Party to the Treaty on the Non-Proliferation of Nuclear Weapons was unable to adopt a final consensus on substantive matters, including on the strengthening of Agency safeguards.
- (r) Stressing that the strengthening of the safeguards system should not entail any decrease in the resources available for technical assistance and cooperation and that it should be compatible with the Agency's function of encouraging and assisting the development and

practical application of atomic energy for peaceful uses and with adequate technology transfer, and

(s) Welcoming the holding of an interregional seminar in Vienna entitled “Multilateral Verification of Nuclear Non-Proliferation Undertakings: Interregional Seminar on the Agency’s Safeguards System” (November/December 2004), a regional seminar in Sydney entitled “IAEA Seminar for the South Pacific Region on the Conclusion and Implementation of Safeguards Agreements and Additional Protocols” (November 2004), the National Information Day on the Additional Protocol held in Algeria (April 2005) and the National Seminars on the Additional Protocol held in the Philippines (November 2004) and Vietnam (August 2005), and sharing the hope for the continuation of these efforts in order to broaden adherence to the Agency’s strengthened safeguards system,

Consistent with the respective safeguards undertakings of Member States:

1. Calls on all Member States to give their full and continuing support to the Agency in order to ensure that the Agency is able to meet its safeguards responsibilities;
2. Stresses the need for effective safeguards in order to prevent the use of nuclear material for prohibited purposes in contravention of safeguards agreements, and underlines the vital importance of effective safeguards for facilitating cooperation in the field of peaceful uses of nuclear energy;
3. Bearing in mind the importance of achieving the universal application of the Agency’s safeguards system, urges all States which have yet to bring into force comprehensive safeguards agreements to do so as soon as possible¹;
4. Affirms that measures to strengthen the effectiveness and improve the efficiency of the safeguards system with a view to detecting undeclared nuclear material and activities must be implemented rapidly and universally by all concerned States and other Parties in compliance with their respective international commitments;
5. Welcomes the completion of the reviews of the Agency’s safeguards programme pursuant to documents GOV/2003/48 and GC(47)/INF/7 and their positive assessment of the Agency’s safeguards programme, and requests the Director General to keep the Board informed as appropriate on the implementation of the findings contained in the report;
6. Stresses the importance of the Agency’s safeguards system, including comprehensive safeguards agreements and additional protocols, which are among the essential elements of the system, and with respect to the safeguards strengthening measures contained in document GOV/2807 and taken note of by the Board of Governors in 1995, requests the Secretariat to pursue the implementation of these measures as broadly as possible and without delay as far as available resources permit, and recalls the need for all concerned States and other Parties to safeguards agreements with the Agency to supply the Agency with all the information required, including the early provision of design information;
7. Encourages States with SQPs to conclude, as soon as possible, exchanges of letters with the Agency consistent with the Board decision of 20 September 2005 with regard to SQPs, and requests the Secretariat to assist States with SQPs, including non-members of the Agency, through available

¹ Operative paragraph 3 was voted on separately and was approved (79 in favour, 2 against, one abstention). The entire resolution was thereupon adopted without a vote.

resources, in the establishment and maintenance of their State Systems of Accounting for and Control of Nuclear Material;

8. Bearing in mind the Director General's view that for the Agency, within its mandate, to fulfil its verification responsibilities in a credible manner, the verification system has to be further developed, underlines the need to take into full account advances in verification techniques;

9. Welcomes the Board's decision, taken in June this year, to create an advisory committee of the Board, in whose work other Member States may participate, within the framework of the Agency's Statute, on safeguards and verification, to consider ways and means to strengthen the safeguards system, and to report thereon, with recommendations, to the Board;

10. Attaches great importance to the committee's making every effort to take any decisions or make any recommendations by consensus within the Agency's statutory responsibilities;

11. Reiterates its support for the Board's decision to request the Director General to use the Model Additional Protocol as the standard for additional protocols which are to be concluded by States and other Parties to comprehensive safeguards agreements with the Agency and which should contain all of the measures in the Model Additional Protocol;

12. Reiterates its support for the Board's decision to request the Director General to negotiate additional protocols with other States that are prepared to accept measures provided for in the Model Additional Protocol in pursuance of safeguards effectiveness and efficiency objectives;

13. Requests all concerned States and other Parties to safeguards agreements, including nuclear-weapon States, that have not yet done so to promptly sign additional protocols and to bring them into force as soon as possible, in conformity with their national legislation;

14. Notes in this regard that, for States with both a comprehensive safeguards agreement and an additional protocol in force, or being otherwise applied, Agency safeguards can provide increased assurances regarding both the non-diversion of nuclear material placed under safeguards and the absence of undeclared nuclear material and activities for a State as a whole;

15. Notes that, in the case of a State with a comprehensive safeguards agreement supplemented by an additional protocol in force, these measures represent the enhanced verification standard for that State;

16. Further invites the nuclear-weapon States to keep the scope of their additional protocols under review;

17. Recalls the development of elements of the conceptual framework for integrated safeguards described in document GOV/2002/8, recognizes that such elements are continuing to be developed in the light of experience, further evaluation and technological development, and requests the Secretariat to continue to extend the implementation of integrated safeguards on a priority basis in an effective and cost-efficient manner;

18. Urges the Secretariat to continue to study, in the context of implementation of integrated safeguards, the extent to which the credible assurance of the absence of undeclared nuclear material and activities, including those related to enrichment and reprocessing, for a State as a whole could lead to a corresponding reduction in the current level of verification efforts with respect to declared nuclear material in that State and a corresponding reduction in the costs associated with such efforts;

19. Notes the commendable efforts of some Member States, notably Japan, and the IAEA Secretariat in implementing elements of the plan of action outlined in resolution GC(44)/RES/19 and

the Agency's updated plan of action (February 2005), and encourages them to continue these efforts, as appropriate and subject to the availability of resources, and review the progress in this regard, and recommends that the other Member States consider implementing elements of that plan of action, as appropriate, with the aim of facilitating the entry into force of comprehensive safeguards agreements and additional protocols;

20. Requests the Secretariat to examine, subject to the availability of resources, innovative technological solutions to strengthen the effectiveness and to improve the efficiency of safeguards;

21. Welcomes efforts to strengthen safeguards, including the Secretariat's activities in verifying and analysing information provided by Member States on nuclear supply and procurement, taking into account the need for efficiency, and invites all States to cooperate with the Agency in this regard;

22. Requests Member States to cooperate among themselves to provide appropriate assistance to facilitate exchange of equipment, material and scientific and technological information for the implementation of additional protocols; and

23. Requests that any new or expanded actions in this resolution be subject to the availability of resources, without detriment to the Agency's other statutory activities;

24. Requests the Director General to report on the implementation of this resolution to the General Conference at its fiftieth regular session.

*30 September 2005
Agenda item 19
GC(49)/OR.9, paras 32-41*

GC(49)/RES/14

**Implementation of the NPT Safeguards Agreement
between the Agency and the Democratic People's
Republic of Korea**

The General Conference,

(a) Recalling the Board of Governors' resolutions GOV/2636, GOV/2639, GOV/2645, GOV/2692, GOV/2711, GOV/2742, GOV/2002/60, and GOV/2003/3, as well as General Conference resolutions GC(XXXVII)/RES/624, GC(XXXVIII)/RES/16, GC(39)/RES/3, GC(40)/RES/4, GC(41)/RES/22, GC(42)/RES/2, GC(43)/RES/3, GC(44)/RES/26, GC(45)RES/16, GC(46)RES/14, GC(47)RES/12, and GC(48)RES/15,

(b) Noting in particular the resolution of the Board of Governors in document GOV/2003/14 of 12 February 2003, in which the Board declared that the Democratic People's Republic of Korea (DPRK) was in further non-compliance with its safeguards agreement, and decided to report the DPRK's non-compliance to the United Nations Security Council,

(c) Welcoming the positive result of the fourth round of the Six-Party Talks, in which the parties agreed to the goal and basic principles, laying a good foundation for future discussions to realise concrete steps,

(d) Noting statements by a wide range of high-level multilateral bodies regarding the DPRK's nuclear programmes, which make clear that this is an issue of concern to the international community,

- (e) Recalling with grave concern the steps taken by the DPRK which led to the Board decision of 12 February 2003 to find the DPRK in further non-compliance with its NPT safeguards agreement,
- (f) Noting with serious concern the official DPRK statement dated 10 February 2005 in which it announced that it had manufactured nuclear weapons, as well as its announcement of 2 October 2003 that it had completed the reprocessing of over 8000 spent fuel rods and its statement of 11 May 2005 that it had unloaded further spent fuel rods from the Yongbyon plant, while noting also its statements in support of a nuclear-weapon-free Peninsula,
- (g) Conscious that a Korean Peninsula free of nuclear weapons would contribute positively to regional and global peace and security, and that the DPRK's abandonment of all nuclear weapons and existing nuclear programmes would serve that objective, and
- (h) Having considered the Director General's report contained in document GC(49)/13, which describes the DPRK's unilateral actions which render the Agency unable to verify that nuclear material has not been diverted,
1. Strongly endorses the actions taken by the Board of Governors and commends the impartial efforts of the Director General and the Secretariat to apply comprehensive safeguards in the DPRK;
 2. Strongly welcomes the Joint Statement issued on 19 September 2005 at the conclusion of the fourth round of the Six-Party Talks in Beijing, which accomplished positive progress by taking a first step toward the goal of the verifiable denuclearisation of the Korean Peninsula in a peaceful manner, and looks forward to the results of the fifth round of these talks in early November;
 3. Calls upon the DPRK to cooperate with the Agency in the full and effective implementation of comprehensive IAEA safeguards;
 4. Stresses its desire for a peaceful resolution through dialogue to the DPRK nuclear issue, leading to a nuclear-weapon-free Korean Peninsula, with a view to maintaining peace and security in the region;
 5. Supports the international community's peaceful efforts in all available and appropriate forums to resolve the DPRK nuclear issue; and
 6. Decides to remain seized of the matter and to include the item in the agenda for its fiftieth regular session.

*30 September 2005
Agenda item 20
GC(49)/OR.10, paras 4-18*

GC(49)/RES/15

Application of IAEA Safeguards in the Middle East

The General Conference,

- (a) Recognizing the importance of the non-proliferation of nuclear weapons – both globally and regionally – in enhancing international peace and security,
- (b) Mindful of the usefulness of the Agency's safeguards system as a reliable means of verification of the peaceful uses of nuclear energy,

- (c) Concerned by the grave consequences, endangering peace and security, of the presence in the Middle East region of nuclear activities not wholly devoted to peaceful purposes,
 - (d) Welcoming the initiatives regarding the establishment of a zone free of all weapons of mass destruction, including nuclear weapons, in the Middle East and recent initiatives regarding arms control in the region,
 - (e) Recognizing that full realization of these objectives would be promoted by the participation of all States of the region,
 - (f) Commending the efforts of the Agency concerning the application of safeguards in the Middle East and the positive response of some States in concluding a full-scope safeguards agreement, and
 - (g) Recalling its resolution GC(48)/RES/16,
1. Takes note of the Director General's report in document GC(49)/18;
 2. Affirms the urgent need for all States in the Middle East to forthwith accept the application of full-scope Agency safeguards to all their nuclear activities as an important confidence-building measure among all States in the region and as a step in enhancing peace and security in the context of the establishment of a nuclear-weapon-free zone (NWFZ);
 3. Calls upon all parties directly concerned to consider seriously taking the practical and appropriate steps required for the implementation of the proposal to establish a mutually and effectively verifiable NWFZ in the region, and invites the countries concerned to adhere to international non-proliferation regimes, including the Treaty on the Non-Proliferation of Nuclear Weapons, as a means of complementing participation in a zone free of all weapons of mass destruction in the Middle East and of strengthening peace and security in the region;
 4. Takes note of the importance of the ongoing bilateral Middle East peace negotiations and the activities of the multilateral working group on Arms Control and Regional Security in promoting mutual confidence and security in the Middle East, including the establishment of a NWFZ, and calls on the Director General, as requested by the participants, to render all necessary assistance to the working group in promoting that objective;
 5. Requests the Director General to continue consultations with the States of the Middle East to facilitate the early application of full-scope Agency safeguards to all nuclear activities in the region as relevant to the preparation of model agreements, as a necessary step towards the establishment of a NWFZ in the region, referred to in resolution GC(XXXVII)/RES/627;
 6. Calls upon all States in the region to extend their fullest cooperation to the Director General in the fulfilment of the tasks entrusted to him in the preceding paragraph;
 7. Further calls upon all States in the region to take measures, including confidence-building and verification measures, aimed at establishing a NWFZ in the Middle East;
 8. Calls upon all other States, especially those with a special responsibility for the maintenance of international peace and security, to render all assistance to the Director General by facilitating the implementation of this resolution; and

9. Requests the Director General to submit to the Board of Governors and the General Conference at its fiftieth regular session a report on the implementation of this resolution and to include in the provisional agenda for that session an item entitled “Application of IAEA safeguards in the Middle East”.

30 September 2005
Agenda item 21
GC(49)/OR.10, paras 19-43

GC(49)/RES/16

Personnel

A.

Staffing of the Agency's Secretariat

The General Conference,

- (a) Recalling resolution GC(47)/RES/14.A adopted by it at its forty-seventh regular session,
 - (b) Taking note of the report submitted by the Director General in document GC(49)/14 and of the continuing efforts made, in response to relevant resolutions adopted by the General Conference since 1981, to increase the recruitment of staff members from developing countries and those other Member States which are unrepresented or under-represented in the Agency's Secretariat,
 - (c) Noting with appreciation document N6.75 Circ dated 9 June 2005, which contains the forecast of vacancies in the Professional category for the next two years,
 - (d) Noting the Secretariat's recent initiative to take advantage of the opportunities presented by Agency-sponsored meetings, to undertake recruitment efforts in parallel to these meetings, and to establish a voluntary network of former staff members for recruitment purposes,
 - (e) Concerned that the representation of developing countries and certain other Member States in the Agency's Secretariat, particularly at the senior and policy-making levels, continues to be inadequate, and has registered a decline during the last two years,
 - (f) Reaffirming that there exist in these countries many candidates who could be considered and selected for different positions at the Professional and executive levels,
 - (g) Convinced that the implementation of measures taken in response to previous resolutions on this subject should be continued and enhanced, and
 - (h) Further convinced that joint efforts and close cooperation between Member States and the Secretariat can assist the Agency in attracting applicants of the highest standards of technical competence, efficiency and integrity,
1. Requests the Director General, pursuant to Article VII of the Statute, to continue to secure employees of the highest standards of efficiency, technical competence, and integrity and to intensify his efforts to increase accordingly, particularly at the senior and policy-making levels and for Professional posts requiring specific skills, the number of staff members from developing countries and from those other Member States which are unrepresented or under-represented in the Agency's Secretariat;

2. Calls on Member States to continue encouraging well-qualified candidates to apply for vacant posts in the Agency's Secretariat, including identifying relevant experts and increasing the number of well-qualified candidates, and requests the Director General to strengthen, within available resources, the recruitment efforts in Member States by, for example, (1) providing them regularly with information about employment opportunities and projections of expected vacancies in the Secretariat and outlining clearly the required and desired criteria for each vacancy, (2) facilitating the circulation of vacancy notices in collaboration with competent national recruitment authorities, universities and professional associations and, as appropriate, (3) making presentations at suitable regional conventions, meetings and other gatherings attended by a large number of specialists in fields of work of interest to the Agency, and (4) organizing recruitment and/or information events in developing countries and other Member States that are unrepresented or under-represented in the Agency's Secretariat;

3. Also requests the Director General to address the issue of under-representation and non-representation, and the organization of recruitment and/or informational events in developing countries and other Member States that are unrepresented or under-represented in the Agency's Secretariat, and subsequently to report at the fifty-first regular session of the General Conference on this issue;

4. Requests the Director General to establish a list of liaison officers who will serve as points of contact in all Member States, particularly those which are unrepresented and under-represented in the Agency's Secretariat, and who are to actively support and coordinate with the Secretariat in its recruitment efforts; and

5. Further requests the Director General to continue submitting biennially a report to the Board of Governors and the General Conference on the implementation of this resolution and of similar resolutions adopted in the past, and requests that future reports identify those geographic regions that are under-represented and the number of positions by which each region is short of achieving the pro forma guidelines.

B. Women in the Secretariat

The General Conference,

- (a) Recalling its resolution GC (47)/RES/14.B on "Women in the Secretariat",
- (b) Commending the wide range of important measures implemented by the Secretariat in order to make progress in rectifying the gender imbalance and improve the representation of women in the Professional and higher categories, as reported in document GC(49)/15,
- (c) Welcoming the actions undertaken by the Agency's Focal Point for Gender Concerns and the points of contact nominated by Member States to support the Agency's efforts to respond to the request made in the above-mentioned resolution,
- (d) Concerned that the 2004 report by the United Nations Secretary-General on "Improvement of the situation of women in the United Nations System" shows that within the Professional and higher categories the Agency has the lowest representation of women,
- (e) Aware of the lower rate of participation of women in the nuclear field,
- (f) Recognizing that in 2005 there was a small improvement in the percentage of applications received by the Agency from "well-qualified" female candidates and also that the percentage of female staff in the Professional and higher categories increased slightly, and

(g) Asserting the principle of equal gender representation throughout the Secretariat as an ultimate goal,

1. Continues to request the Director General, pursuant to Article VII of the Statute, to secure employees of the highest standards of efficiency, technical competence, and integrity, particularly drawing upon developing countries and upon those Member States which are unrepresented or under-represented, and to pursue a target of equal representation of women across all occupational groups and categories in the Agency, including in senior policy-level and decision-making posts;
2. Urges the Secretariat to further develop and implement a comprehensive gender policy, in order – inter alia – to achieve a higher representation of women in the Agency’s Professional and higher categories, and to implement gender mainstreaming in its programmes;
3. Requests the Secretariat to improve its female staff recruitment processes and to facilitate access by qualified female candidates from developing Member States to training opportunities, as well as their participation in the fellowships programme, the Job Opportunities for Young Professionals Programme and the Experts Participating in Technical Cooperation programme, in order to gain experience in the various fields of work within the Agency;
4. Calls upon the Secretariat to intensify the implementation of its Action Plan on Gender Concerns, including measures to improve the status of female staff and to enhance promotional and placement processes, within the framework of the Agency’s programmatic needs and regulations;
5. Stresses that the work relating to the achievement of the objectives stated above should be financed primarily from the Regular Budget of the Agency, within available resources, but also invites Member States to provide voluntary contributions in order to assist with their achievement;
6. Encourages Member States that have not yet done so to nominate contact points to actively support the Agency’s efforts to meet the terms of this resolution; and
7. Further requests the Director General to report biennially on the implementation of this resolution to the Board of Governors and the General Conference

*30 September 2005
Agenda item 23
GC(49)/OR.9, para. 26*

GC(49)/RES/17

Examination of Delegates’ Credentials

The General Conference,

Accepts the report by the General Committee on its examination of the credentials of delegates to the Conference’s forty-ninth regular session, which is set forth in document GC(49)/27.

*29 September 2005
Agenda item 26
GC(49)/OR.7, paras 114-118*

Other Decisions

GC(49)/DEC/1 Election of the President

The General Conference elected H.E. Mr. Horacio Bazoberry (Bolivia) President of the General Conference, to hold office until the close of the forty-ninth regular session.

*26 September 2005
Agenda item 1
GC(49)/OR.1, paras 11-12*

GC(49)/DEC/2 Election of Vice-Presidents

The General Conference elected the delegates of Canada, China, Chile, Ethiopia, the Russian Federation, Sri Lanka, Thailand and the United Kingdom, Vice-Presidents of the General Conference, to hold office until the close of the forty-ninth regular session.

*26 September 2005
Agenda item 1
GC(49)/OR.1, para. 17*

GC(49)/DEC/3 Election of the Chairman of the Committee of the Whole

The General Conference elected Mr. Richard J.K. Stratford III (United States of America) Chairman of the Committee of the Whole, to hold office until the close of the forty-ninth regular session of the General Conference.

*26 September 2005
Agenda item 1
GC(49)/OR.1, para. 17*

GC(49)/DEC/4 Election of additional members of the General Committee¹

The General Conference elected the delegates of Austria, Ghana, Poland, Slovakia and Syrian Arab Republic as additional members of the General Committee, to hold office until the close of the forty-ninth regular session.

*26 September 2005
Agenda item 1
GC(49)/OR.1, para. 17*

GC(49)/DEC/5 Adoption of the agenda and allocation of items for initial discussion

The General Conference adopted the agenda for its forty-ninth regular session and allocated the items for initial discussion (GC(49)/20)

*27 September 2005
Agenda item 5(a)
GC(49)/OR.3, paras 1-2*

GC(49)/DEC/6 Closing date of the session

The General Conference fixed Friday, 30 September 2005, as the closing date for the forty-ninth regular session.

*27 September 2005
Agenda item 5(b)
GC(49)/OR.3, para. 3-4*

GC(49)/DEC/7 Opening date of the fiftieth regular session of the General Conference

The General Conference fixed Monday, 18 September 2006 as the opening date of the fiftieth regular session of the General Conference.

*27 September 2005
Agenda item 5(b)
GC(49)/OR.3, paras 3-4*

¹ As a result of the decisions taken under GC(49)/DEC/1, 2, 3 and 4, the General Committee appointed for the forty-ninth (2005) regular session was composed as follows:

H.E. Mr. Horacio Bazoberry (Bolivia) as President; the delegates of Canada, China, Chile, Ethiopia, the Russian Federation, Sri Lanka, Thailand and the United Kingdom as Vice-Presidents;

Mr. Richard J.K. Stratford III (United States of America) as Chairman of the Committee of the Whole; and the delegates of Austria, Ghana, Poland, Slovakia and the Syrian Arab Republic as additional elected members.

GC(49)/DEC/8

Request for the restoration of voting rights

The General Conference acceded to the request by Iraq that its right to vote be restored during the current session of the Conference for a period of one year ending prior to the commencement of the next session of the General Conference because it was of the view that Iraq's failure to pay the amount necessary was due to conditions beyond its control.

*29 September 2005
GC(49)/OR.7, paras 111-113*

GC(49)/DEC/9

Election of members to the Board of Governors

The General Conference elected the following eleven Members of the Agency to serve on the Board until the end of the fifty-first (2007) regular session:²

Colombia and Cuba	for Latin America
Greece and Norway	for Western Europe
Belarus and Slovenia	for Eastern Europe
Egypt and Libyan Arab Jamahiriya	for Africa
Syrian Arab Republic	for the Middle East and South Asia
Republic of Korea	for the Far East
Indonesia	for Africa, Middle East and South Asia, or South East Asia and the Pacific

*29 September 2005
Agenda item 9
GC(49)/OR.7, paras 119-136*

GC(49)/DEC/10

Appointment of the External Auditor

The General Conference appointed the Vice-President of the German Supreme Audit Institution as the External Auditor to audit the Agency's accounts for the financial years 2006-2007.

*29 September 2005
Agenda item 13
GC(49)/OR.7, paras 108-110*

² As a result, the composition of the Board of Governors in 2005-2006 at the conclusion of the forty-ninth (2005) regular session of the General Conference was as follows:

Algeria, Argentina, Australia, Belarus, Belgium, Brazil, Canada, China, Colombia, Cuba, Ecuador, Egypt, France, Germany, Ghana, Greece, India, Indonesia, Japan, Republic of Korea, Libyan Arab Jamahiriya, Norway, Portugal, Russian Federation, Singapore, Slovakia, Slovenia, South Africa, Sri Lanka, Sweden, Syrian Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Vietnam, Yemen.

GC(49)/DEC/11

Israeli nuclear capabilities and threat

On 30 September 2005, during the tenth plenary meeting, the General Conference endorsed the following statement made by the President:

“The General Conference recalls the statement by the President of the 36th session in 1992 concerning the agenda item “Israeli Nuclear Capabilities and Threat”. That statement considered it desirable not to consider that agenda item at the 37th session. The General Conference also recalls the statement by the President of the 43rd session in 1999 concerning the same agenda item. At the 44th, 45th, 46th, 47th, 48th and 49th sessions, this item was, at the request of certain Member States, re-inscribed on the agenda. The item was discussed.

“Several Member States requested that, this item be included in the provisional agenda of the 50th regular session of the General Conference.”

*30 September 2005
Agenda item 22
GC(49)/OR.10, paras 44-72*

GC(49)/DEC/12

Amendment to Article VI of the Statute

The General Conference recalls its resolution GC(43)/RES/19 of October 1999, by which the Conference approved an amendment to Article VI of the Agency’s Statute, and its decision GC(47)/DEC/14 of September 2003.

The General Conference takes note of the report by the Director General contained in document GC(49)/3 dated 15 September 2005, which underlines, inter alia, that the earliest possible entry into force of the amendment will be an important contribution to enhancing the effectiveness and efficiency of the Agency.

The General Conference encourages all Member States which have not done so to accept the amendment as soon as possible in accordance with their respective constitutional processes.

The General Conference requests the Director General to draw the attention of the governments of Member States to this issue, to submit to the Conference at its fiftieth regular session a report on the progress made towards the entry into force of this amendment and to include in the provisional agenda for that session an item entitled “Amendment to Article VI of the Statute”.

*30 September 2005
Agenda item 24
GC(49)/OR.9, paras 27-30*

GC(49)/DEC/13

Amendment to Article XIV.A of the Statute

The General Conference recalls its resolution GC(43)/RES/8, which approved an amendment to Article XIV.A of the Agency’s Statute permitting the establishment of biennial budgeting.

The General Conference notes that, in accordance with Article XVIII.C (ii) of the Statute, two-thirds of all the members of the Agency will have to accept the amendment in order for it to enter into force, but also notes that as of 15 September 2005 only 38 Member States had deposited instruments of acceptance with the depositary Government. For this reason, the General Conference encourages

and urges Member States that have not yet deposited instruments of acceptance of this amendment to do so as soon as feasible in order to allow the benefits of biennial budgeting to be attained. This would permit the Agency to come into line with the virtually universal practice among UN organizations of biennial budgeting.

*30 September 2005
Agenda item 12
GC(49)/OR.9, para. 18*

GC(49)/DEC/14

Elections to the Agency's Staff Pension Committee

The General Conference elected Mr. Julio Mollinedo Claros and Mr. Allan Wright as alternate members on the Staff Pension Committee.

*30 September 2005
Agenda item 25
GC(49)/OR.9, para. 31*