

# General Conference

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## **Fifty-second regular session**

Item 13 of the agenda  
(GC(52)/21)

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

**Resolution adopted on 3 October 2008 during the seventh plenary meeting**

## **A.**

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

#### The General Conference

- (a) Recalling resolution GC(51)/RES/11 and previous General Conference resolutions on measures to strengthen international cooperation in nuclear, radiation, transport and waste safety,
- (b) Recognizing that a global nuclear, radiation, transport and waste safety culture is a key element of the peaceful uses of nuclear energy, ionizing radiation and radioactive substances, 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) Emphasizing the important role of the Agency in enhancing nuclear, radiation, transport and waste safety through its safety programmes and initiatives and in promoting international cooperation in this regard,
- (d) Recognizing the importance of Member States establishing and maintaining effective and sustainable regulatory infrastructures for the promotion of nuclear, radiation and waste safety,
- (e) Noting with appreciation the Director General's report in document GC(52)/2 on measures to strengthen international cooperation in nuclear, radiation and transport safety and waste management,
- (f) Emphasizing the vital need for sustainable, appropriate and predictable resourcing, as well as efficient management, of the Secretariat's work in the field of nuclear, radiation, transport and waste safety,
- (g) 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, to establish and maintain effective defences in nuclear installations against potential radiological hazards in order to protect individuals, society and the environment from harmful effects of ionizing radiation from such installations, and to prevent accidents with radiological consequences and to mitigate such consequences should they occur,

(h) Recalling the objective of the non-legally-binding Code of Conduct on the Safety of Research Reactors, to achieve and maintain a high level of safety in research reactors worldwide,

(i) Underscoring that medical uses of ionizing radiation constitute by far the largest source of exposure to the public and medical personnel, and emphasizing the need for enhanced efforts to optimize radiation protection for patients in view of the increase in annual doses from medical exposures, as documented in GC(52)/INF/2 (Nuclear Safety Review for the Year 2007), including through the sharing of experience at the international level,

(j) Underscoring the relevance to all Member States of the objective of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (the Joint Convention), to achieve and maintain a high level of safety worldwide in the management of spent nuclear fuel and radioactive waste through the enhancement of national measures and international cooperation, including, where appropriate, safety-related technical cooperation,

(k) Emphasizing the importance of the Secretariat's continued collaboration with the contracting parties of international and regional instruments aimed at protecting the marine environment from radioactive wastes, such as the London Convention on the Prevention of Marine Pollution by Dumping of Wastes and other Matter, and at the progressive reduction or elimination of radioactive discharges to the sea,

(l) Recognizing the need to strengthen national capacities to ensure safety in uranium mining and processing, particularly in Member States entering or re-entering the uranium mining industry, and to address the remediation of contaminated sites,

(m) Re-emphasizing the importance of education and training in establishing and maintaining an adequate nuclear, radiation, transport and waste safety infrastructure, and noting the Secretariat's actions in developing strategies for sustainable education and training in nuclear, radiation and waste safety, including the safety and security of radioactive sources,

(n) Recalling the objectives and principles of the non-legally-binding Code of Conduct on the Safety and Security of Radioactive Sources, recognizing the value of promoting widespread information exchange on national approaches to controlling radioactive sources, and emphasizing the continuing need to protect individuals, society and the environment from the harmful effects of incidents and emergencies, and malicious acts, involving radioactive sources,

(o) Recognizing that potential nuclear and radiological incidents and emergencies, including malicious acts associated with nuclear and radiological terrorism, may lead to significant radiological and other serious consequences over wide geographical areas, thereby requiring an international response,

(p) Recalling the obligation of States 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) to notify the Agency of nuclear accidents and, within the limits of their capabilities, to identify and notify the Agency of experts, equipment and materials which could be made available for the

provision of assistance to other States Parties in the event of a nuclear accident or radiological emergency, and recalling further the obligation of the Agency under the Assistance Convention to collect that information and disseminate it to States Parties and other Member States,

(q) Noting with satisfaction the progress made by the Secretariat, Member States and other international organizations in the implementation of the International Action Plan for Strengthening the International Preparedness and Response System for Nuclear and Radiological Emergencies, and recognizing the need for the establishment of mechanisms to ensure effective and sustainable implementation of the Early Notification Convention, the Assistance Convention and the Action Plan,

(r) Noting the importance of ensuring the highest level of nuclear, radiation, transport and waste safety, and of effective and coherent nuclear liability regimes at the national and global levels to provide compensation, if necessary, for damage inter alia to people, property and the environment caused by a nuclear accident or incident, taking fully into account legal and technical considerations, and

(s) Recalling the Vienna Convention on Civil Liability for Nuclear Damage, the Paris Convention on Third Party Liability in the Field of Nuclear Energy as well as the Protocols amending these Conventions and noting the intention of the Convention on Supplementary Compensation for Nuclear Damage to establish a worldwide nuclear liability regime based on the principles of nuclear liability law, without prejudice to other liability regimes,

## **1. General**

1. Urges the Secretariat to continue to strengthen its efforts to maintain and improve 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 developing and improving their national infrastructure, including legislative and regulatory frameworks, for nuclear, radiation, transport and waste safety;
3. Requests the Secretariat to continue to establish its safety priorities using an integrated assessment process, and to incorporate the insights of this process into all of its review services, taking into account the advice of the relevant standing bodies, including the Commission on Safety Standards (CSS) and the safety standards committees;
4. Encourages the Secretariat and Member States, if they so desire, to make effective use of the Agency's technical cooperation resources for the further enhancement of safety;
5. Acknowledges that safety measures and security measures have in common the aim of protecting human life and health and the environment, calls upon the Secretariat to enhance its efforts to ensure coordination of its nuclear safety and security activities, and encourages Member States to work actively to ensure that neither safety nor security is compromised;
6. Endorses the efforts of the International Nuclear Safety Group (INSAG), the CSS and the safety standards committees in promoting nuclear safety worldwide, welcomes INSAG's report on Improving the International System for Operating Experience Feedback and on Nuclear Safety Infrastructure for a National Nuclear Power Programme based on the IAEA Fundamental Safety Principles, and looks forward to its forthcoming report on the safety-security interface;
7. Recognizes the importance of an effective regulatory body as an essential element of national nuclear infrastructure, urges Member States to continue their efforts to increase regulatory

effectiveness in the field of nuclear, radiation, transport and waste safety, encourages Member States embarking on new nuclear power programmes to take timely and proactive steps, including regulatory self-assessment, to establish and sustain a competent regulatory body with effective independence and the necessary human and financial resources to fulfil its responsibilities, and in this regard underscores the value of the Integrated Regulatory Review Service (IRRS), in particular for Member States embarking on a nuclear power programme;

8. Welcomes the maturing of thematic and regional safety networks, including the work undertaken by the Asian Nuclear Safety Network (ANSN) and the Ibero-American Nuclear and Radiation Safety Network, as well as the establishment of the Asia Region ALARA Network (ARAN);

9. Notes the Agency's efforts in upgrading the Regulatory Authority Information System (RAIS) to assist Member States in improving regulatory control and inventories of radiation sources, and encourages Member States to evaluate the upgraded RAIS for use;

10. Recognizes that the Secretariat has begun developing guidance on the technical and scientific support for regulatory bodies, in accordance with the conclusions of the International Conference on the Challenges faced by Technical and Scientific Support Organizations (TSOs) in Enhancing Nuclear Safety, held in France in April 2007, and encourages the Secretariat to address the other recommendations of that conference;

11. Welcomes the valuable work of the International Expert Group on Nuclear Liability (INLEX) to clarify the application and scope of the international nuclear liability instruments, including its outreach workshop in South Africa in February 2008, encourages relevant Member States to participate in INLEX's workshop in early 2009 for countries having expressed an interest in launching a nuclear power programme, and looks forward to the continuation of INLEX's work, including its examination of ways in which identified gaps in insurance coverage might be addressed and its further outreach efforts to promote adherence to nuclear liability instruments;

12. Encourages Member States, as appropriate, to give due consideration to the possibility of joining international nuclear liability instruments;

13. Takes note of the Secretariat's report on the adequacy and predictability of resources for the Agency's nuclear safety programme, contained in document GOV/INF/2008/1, and requests the Secretariat to undertake in-house coordination in an effort to fulfil the immediate, medium-term and longer-term financing requirements of the IAEA's safety activities, and to consider prioritization, cost savings, and innovative means of financing;

14. Further requests that the actions of the Secretariat called for in this resolution be undertaken subject to the availability of financial resources;

15. Requests the Director General to report in detail to its fifty-third (2009) regular session on implementation of this resolution and relevant developments in the intervening period;

## 2.

### **The Agency's Safety Standards Programme**

16. Welcomes the Board's decision to establish as Agency safety standards, in accordance with Article III.A.6 of the Statute, the Safety Requirements "Predisposal Management of Radioactive Waste" and the revision of the Safety Requirements "Regulations for the Safe Transport of Radioactive Material", and encourages Member States to use these Safety Requirements as a basis for establishing or maintaining their national regulatory programmes;

17. Commends the Commission on Safety Standards (CSS), the safety standards committees and the Secretariat for the establishment and approval of a roadmap for the long-term structure for the safety standards, looks forward to the Director General's report to the Board in this regard, also looks forward to the integration of all thematic areas in a coherent and harmonized set of publications, complemented by a series of facility- and activity-specific safety requirements, and notes that this approach will inter alia promote stability in regulatory approaches;

18. Notes that the Secretariat has developed draft 1.0 of the revised International Basic Safety Standards for Protection against Ionizing Radiation and the Safety of Radiation Sources (BSS) in collaboration with the co-sponsors and potential co-sponsors for initial review by the safety standards committees in the fourth quarter of 2008, notes the recommendation of the technical meeting in July 2007, endorsed by the safety standards committees, for the revised BSS to follow the recommendations of ICRP Publication 103 (2007), underscores that the revised BSS should reflect current challenges in radiation protection, and further notes that the Secretariat has prepared a companion document to track and justify changes to the current BSS, as requested by the safety standards committees, the CSS and in GC(51)/RES/11;

19. Notes resolution A/RES/62/100 of the United Nations General Assembly on the United Nations Scientific Committee on the Effects of Atomic Radiation (UNSCEAR) and encourages the Secretariat to continue to take account of the scientific information provided by UNSCEAR when developing Agency safety standards;

20. Encourages the Secretariat to continue to provide for the application of the Agency safety standards at the request of the Member States, including through the development of supporting guidance;

### 3.

#### **Nuclear Installation Safety**

21. Notes with satisfaction that all States currently operating nuclear power plants are now Contracting Parties to the Convention on Nuclear Safety, and urges all Member States commissioning, constructing or planning nuclear power plants, or considering a nuclear power programme, to become parties to the Convention as part of the establishment and maintenance of the requisite nuclear power infrastructure;

22. Welcomes the findings and outcomes of the fourth Review Meeting of Contracting Parties to the Convention on Nuclear Safety, and acknowledges that the Review Meeting emphasized the importance of ensuring openness and transparency, and noted that the issues of regulatory independence, as well as the potential conflict between nuclear safety and the need for production of goods and services that are essential for public safety or well-being, require further attention;

23. Commends the Secretariat's efforts to develop safety guides to assist countries embarking on a nuclear power programme in developing national safety infrastructure, notes with satisfaction the Secretariat's convening of the July 2008 workshop on the responsibilities of vendors and of countries embarking on nuclear power programmes, and looks forward to a follow-up meeting with the strong participation of countries considering embarking on nuclear power;

24. Calls upon all Member States with nuclear installations to establish effective operational experience feedback programmes and to share their experience, lessons learned and insights freely with all other countries with such installations, recognizes the value of the Agency's operational safety review services in further enhancing nuclear safety, and urges Member States that have not yet done so to avail themselves of these services;

25. Appreciates the Secretariat's efforts to develop safety culture assessment reviews aligned with the current safety standards and review services, urges Member States to avail themselves of such review services, and encourages the Secretariat to facilitate the exchange of information and experience arising from such review services;
26. Notes with satisfaction the results of the Workshop on IAEA Safety Standards on Management Systems held in Vienna in November 2007, recognizes the importance of strong leadership and effective management for the safe and reliable performance of nuclear installations, and encourages the Secretariat to continue providing guidance and services to Member States on integrated management systems with a view to enhancing safety;
27. Commends the Secretariat's efforts in the area of plant life management for the long-term operation of nuclear installations, and invites all Member States with nuclear installations to consider the Agency's guidance and services as an integral part of their operational safety strategies;
28. Acknowledges the assistance that the Secretariat is providing to Member States by carrying out, based on the application of IAEA safety standards, safety reviews of existing reactor designs and generic safety aspects of new reactor designs, and urges the Secretariat to continue its efforts to develop services and tools that support Member States in promoting the safety of existing and new reactor designs;
29. Commends and encourages further strengthening of the Secretariat's efforts in fostering cooperation between Member States on the seismic safety of nuclear installations, commends Japan for continuing to share findings and lessons learned from the earthquake near the Kashiwazaki-Kariwa Nuclear Power Plant on 16 July 2007 through follow-up IAEA expert missions, for hosting the IAEA International Workshop at Kashiwazaki from 19 to 21 June 2008, and for proposing and funding an extrabudgetary project to constitute an International Seismic Safety Centre at the IAEA, and encourages other Member States to exchange relevant experience;
30. Welcomes the approval by the CSS of new Safety Guides on the safety of uranium fuel fabrication facilities, MOX fuel fabrication facilities and conversion and enrichment facilities and looks forward to their publication, encourages the Secretariat to facilitate the exchange of operating experience for such facilities, and further encourages Member States to utilize Agency safety review services for fuel cycle facilities;
31. Continues to endorse the principles and objectives of the non-legally-binding Code of Conduct on the Safety of Research Reactors, encourages Member States constructing, operating or decommissioning research reactors or with research reactors in extended shutdown to apply the guidance in the Code, and looks forward to the outcome of the International Meeting on the Application of the Code to be held in Vienna in October 2008;
32. Welcomes the outcomes of the *International Conference on Research Reactors: Safe Management and Effective Utilization*, hosted by Australia in November 2007, and looks forward to the publication of its proceedings and the implementation of its recommendations;
33. Encourages Member States to promote regional activities to enhance the safe operation, utilization, shutdown and decommissioning of research reactors;
34. Further encourages Member States to exchange regulatory information with regard to new nuclear power plant designs and design certification;

#### 4. Radiation Safety

35. Welcomes the Secretariat's progress in implementing the International Action Plan for the Radiological Protection of Patients, including its continued cooperation with the World Health Organization, the European Commission, the International Commission on Radiological Protection and a number of relevant professional bodies;
36. Reiterates the desirability of an international conference on radiation protection in medicine involving all relevant international bodies and nuclear safety authorities, in the light of the increasing doses arising from the use of newer techniques in imaging and radiotherapy, and encourages the Agency to involve Technical and Scientific Support Organizations (TSOs) in activities aimed at providing support to regulatory authorities in sharing information and lessons learned about incidents and accidents in the medical applications of radiation;
37. Encourages Member States to take advantage of regional technical cooperation projects on medical exposure, welcomes the Secretariat's development of training material for health personnel on the prevention of accidental and unnecessary exposures, and further encourages networking and information-sharing among medical professionals using ionizing radiation;
38. Welcomes the completion of a majority of actions under the joint IAEA-International Labour Organization (ILO) International Action Plan for Occupational Radiation Protection, and encourages the Agency and ILO Secretariats to complete the remaining actions and to continue their productive cooperation;
39. Urges the Secretariat to continue to use the regional approach, with emphasis on the sub-regional country groupings, in its activities to promote the upgrading of radiation safety infrastructure, welcomes the Secretariat's support to the new Asia Region ALARA Network (ARAN), and encourages the Secretariat to establish similar networks in other regions where such networks do not yet exist;
40. Notes resolution 62/100 of 17 December 2007 of the UN General Assembly inviting the provision of relevant data about doses, effects and risks from various sources of radiation to the UN Scientific Committee on the Effects of Atomic Radiation (UNSCEAR), notes the work of the Secretariat to establish an Information System on Occupational Exposure in the Medical, Industrial and Research Areas (ISEMIR) and to update a database on discharges of radionuclides to the atmosphere and the aquatic environment (DIRATA), and urges the Secretariat to cooperate closely with UNSCEAR with a view to avoiding duplication and inconsistencies;
41. Welcomes the Secretariat's efforts to ensure the wide participation of developing countries in the *XIIth Congress of the International Radiation Protection Association: Strengthening Radiation Protection Worldwide* (IRPA 12) to be held in Argentina in October 2008, and urges the Secretariat to take concrete measures to ensure the prompt dissemination of the proceedings of the Congress;

#### 5. The Safety of Radioactive Waste Management

42. Welcomes the increase in the number of Contracting Parties to the Joint Convention from 32 at the first Review Meeting, in 2003, to 46 in 2008, and encourages Member States which have not yet become party to the Joint Convention to do so;
43. Welcomes the continuing efforts of the Contracting Parties to the Joint Convention to enhance the transparency, efficiency and effectiveness of the review process, including the creation of a website to facilitate the sharing of information between Review Meetings, and encourages them to continue to pursue these efforts in preparation for the third Review Meeting to be held in May 2009;

44. Welcomes the results of the Safety Assessment Driven Radioactive Waste Management Solutions (SADRWMS) project, in particular the development of the Safety Assessment Framework software tool (SAFRAN) to assist with safety assessments and the development of safety cases in the predisposal management of radioactive waste;
45. Welcomes the establishment of the Safety of Geological Disposal (GEOSAF) project to explore the development of a common international approach to demonstrate the safe geological disposal of high-level radioactive waste based on the Agency's Safety Requirements No. WS-R-4: *Geological Disposal of Radioactive Waste*, and encourages Member States to participate in this project;
46. Welcomes the Secretariat's design of an integrated package of documents on the borehole disposal concept for the management of small volumes of disused sealed radioactive sources, and invites relevant Member States to consider making use of the concept;
47. Encourages Member States to participate actively in the Agency's database on discharges of radionuclides to the atmosphere and the aquatic environment (DIRATA) and in the Net-Enabled Waste Management Database (NEWMDB) on annual radioactive waste management data from Member States;

## 6.

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

48. Encourages Member States to ensure that plans for the decommissioning of facilities are developed and mechanisms are put in place for establishment and maintenance of the necessary resources for the implementation of decommissioning activities;
49. Takes note of the first year of implementation of the International Decommissioning Network (IDN), with the organization of workshops in Spain and Belgium in 2008, and encourages the Secretariat to continue its support to the IDN activities, including through technical cooperation;
50. Encourages the Secretariat to continue its support for planning for the decommissioning of research reactors, specifically through the Research Reactor Decommissioning Demonstration Project, and welcomes the inclusion in the project of the Australian HIFAR research reactor and the Philippine Research Reactor;
51. Welcomes the launch of the new Agency safety service for the review of the activities associated with the planning and implementation of decommissioning, which was performed for the first time at the Bradwell site (Magnox NPP) in the United Kingdom in June 2008, and encourages relevant Member States to avail themselves of this service;
52. Encourages the Secretariat to continue its efforts to develop safety guidance for management of Naturally Occurring Radioactive Materials (NORM), welcomes the Secretariat's efforts in relation to the management of NORM residues from the phosphate industry, and encourages the Secretariat to consider the need for such efforts in relation to other industries;
53. Welcomes and encourages Member States' continuing support for the decommissioning and remediation of former nuclear sites in Iraq, and encourages the Secretariat to continue its technical support to that project;
54. Requests the Secretariat to report to the General Conference on its contribution to the implementation of the *UN Action Plan for Chernobyl to 2016*;



**7.**

**Safety in Uranium Mining and Processing and Remediation of Contaminated Mining Sites**

55. Encourages Member States, where necessary, to strengthen the development and implementation of appropriate safety standards in the uranium production cycle, and requests the Secretariat to assist Member States in using such safety standards;
56. Emphasizes the need to address shortfalls in the availability of experienced and trained human resources in order to ensure safety in the projected expansion of uranium production worldwide, and encourages the Secretariat to respond to requests for assistance from, in particular, Member States entering or re-entering the uranium mining industry;
57. Encourages relevant Member States to participate in multilateral efforts to remediate the uranium mining legacy sites in Central Asia, including the *International Conference on Remediation of Land Contaminated by Radioactive Material/Residues* in Kazakhstan in May 2009;
58. Commends the Secretariat's efforts to bring together regulators and operators from the major uranium mining countries to produce a code of practice in radiation, environmental and occupational safety designed to assist new partners in the uranium resource development industry;

**8.**

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

59. Underlines the fundamental importance of sustainable programmes for education and training in nuclear, radiation, transport and waste safety, remaining convinced that such education and training is a key component of safety infrastructure;
60. Emphasizes the need to address shortfalls in the availability of trained and experienced human resources in order to ensure safety in the projected expansion of nuclear power generation worldwide, and encourages the Secretariat to assist Member States in this context, where possible and appropriate, upon their request;
61. Encourages Member States to promote knowledge management, including higher education programmes, to enhance nuclear, radiation, transport and waste safety, and to provide for the transfer of knowledge from experts leaving the field to younger generations of professionals;
62. Welcomes the ongoing commitment of the Secretariat and Member States to the implementation of the Strategy for Education and Training in Nuclear, Radiation, Transport and Waste Safety, and calls upon the Secretariat to strengthen and expand its programme of training and education activities, while focusing on building institutional capacity and technical and managerial capabilities in Member States;
63. Supports the Secretariat's continued focus on developing sustainable educational training programmes in nuclear, radiation, transport and waste safety, including by identifying training needs through Education and Training Appraisal (EduTA) missions, drawing up programmes to meet training requirements, continuing the development of up-to-date training materials including e-learning and multimedia materials, establishing national and regional training centres and networks, and further developing a network of trainers, regional training centres and 'train-the-trainer' workshops and encourages the Secretariat to implement the relevant technical support;
64. Welcomes the Secretariat's progress toward a long-term agreement on education and training with Argentina, and looks forward to the early conclusion of this and further long-term agreements with other regional centres hosting Agency postgraduate educational and specialized training courses;

65. Welcomes the establishment of an inter-departmental Education and Training Support Group within the Secretariat, with the objective of optimizing the use of resources and continuously improving the effectiveness and coordination of the Agency's education and training activities;

## 9.

### **Safety and Security of Radioactive Sources**

66. Commends the many national and multinational efforts to recover and maintain control of vulnerable and orphan sources, and encourages the Secretariat to continue supporting the efforts of Member States to strengthen control over radioactive sources;

67. Continues to endorse the principles and objectives of the non-legally-binding Code of Conduct on the Safety and Security of Radioactive Sources, welcomes the high level of global support for the Code, noting that, as at 4 July 2008, 92 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;

68. 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 4 July 2008, 46 States had notified the Director General, pursuant to resolution GC(48)/RES/10.D, 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, 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, and further encourages the Secretariat to make available relevant information that will facilitate States' implementation of the Guidance, subject to the consent of the States concerned;

69. Welcomes the progress made by many Member States in working towards implementing the non-legally-binding Code of Conduct on the Safety and Security of Radioactive Sources and the supplementary Guidance on the Import and Export of Radioactive Sources, and encourages other States to do the same to ensure the sustainable control of radioactive sources;

70. Takes note of the report of the Chairman of the open-ended meeting of technical and legal experts for sharing information on lessons learned from States' implementation of the Guidance on Import and Export Controls supplementary to the non-legally-binding Code of Conduct on the Safety and Security of Radioactive Sources held in Vienna in May 2008, contained in document 2008/Note 26, calls for the report to be made available in all official languages of the Agency, notes the conclusions of the meeting, particularly those relating to the use of networks to discuss the implementation of the Guidance, and requests the Secretariat to take the conclusions of the meeting into account in developing its future programmes in this area;

71. 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;

## 10.

### **Nuclear and Radiological Incident and Emergency Preparedness and Response**

72. Urges all Member States to become 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), thereby contributing to a broader and stronger international emergency response capability, to the benefit of all Member States;

73. Continues to encourage all Member States to enhance, where necessary, their own preparedness and response capabilities for nuclear and radiological incidents and emergencies, by improving capabilities to prevent accidents, to respond to emergencies and to mitigate any harmful consequences and, where necessary, to request support from the Secretariat or from other Member States in developing national capabilities consistent with international standards;
74. Welcomes the Secretariat's activities to assist Member States in developing and improving preparedness and response capabilities for nuclear and radiological incidents and emergencies and encourages greater involvement of Member States in these activities, and requests the Secretariat to identify available resources for international assistance in the event of radiological incidents and emergencies;
75. Welcomes the Secretariat's implementation of the Response Assistance Network (RANET), and in particular the registration by 13 Member States of assistance capabilities in case of radiation incidents and emergencies, and strongly urges States parties to the Assistance Convention and other Member States to support the Agency's fulfilment of its obligations under the Convention by registering their response capabilities under RANET;
76. Requests the Secretariat, in collaboration with Member States, relevant international organizations and the National Competent Authorities Coordinating Group, to continue the implementation of the International Action Plan for Strengthening the International Preparedness and Response System for Nuclear and Radiological Emergencies and urges Member States to enhance international emergency preparedness by contributing to the implementation of the Action Plan;
77. Encourages the Secretariat to continue its efforts to develop a global and unified system for reporting and sharing information on accidents, incidents and operational anomalies, and encourages Member States to support this development and incorporate the solutions into national procedures;
78. Welcomes the endorsement of the new *International Nuclear and Radiological Event Scale (INES) User's Manual* by the INES Advisory Committee and the INES national officers representing INES Member States as a tool to communicate the safety significance of events to technical communities and the public, and urges Member States to designate INES national officers and utilize the scale;
79. Acknowledges the participation of 75 Member States and ten international organizations in the ConvEx-3 (2008) full scale exercise hosted by Mexico in July 2008, and encourages Member States to engage actively in national, regional and international exercises and to consider hosting future ConvEx exercises;
80. Requests the Secretariat to continue improving the capability of the IAEA Incident and Emergency Centre to better enable it to fulfil its role as coordinator and facilitator of cooperation among Member States in the area of emergency preparedness and response; and
81. Welcomes the Secretariat's decision to institutionalize the Meeting of Representatives of Competent Authorities identified under the Early Notification and Assistance Conventions, and requests that the Secretariat develop and propose, in cooperation with Member States, a mandate for this Meeting that is consistent with the responsibilities stated in the Conventions for Competent Authorities prior to the fifty-third (2009) regular session of the General Conference.

## **B.** **Transport safety**

### The General Conference,

- (a) Noting the report on transport safety contained in document GC (52)/2,
- (b) Noting concerns about a potential accident or incident during the transport of radioactive materials 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) Recalling that in June 2005 the Board approved 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,
- (i) Emphasizing that the General Conference has encouraged Member States to make use of the IAEA appraisal service for transportation,
- (j) Recalling resolution GC(51)/RES/11, 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 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,
- (k) Recognizing concerns about the potential for damage to arise in the event of an accident or incident during the transport of radioactive materials, including pollution of the 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,
- (l) Noting the changing global weather patterns and, in this regard, recognizing the important role of the Agency in continuing to ensure that such changes are addressed,
- (m) Noting the importance of security for the safe 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, and

(n) Noting that the timely shipment of radioactive materials, particularly those having important uses in the medical, academic and industrial sectors, is being affected by incidents of denial of shipment in circumstances where the shipment complies with the Agency's Transport Regulations,

1. Notes further progress on implementation of the Action Plan on the Safety of Transport of Radioactive Materials, 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 examination of the application and scope of the Agency's nuclear liability regime and the consideration and identification of further specific actions to address any gaps in scope and coverage of the regime, looks forward to the continuation of INLEX's work, in particular its further outreach activities, notes the workshop held in South Africa in February 2008 for African countries, and requests the Secretariat to report at appropriate times on the continuing 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 held in July 2005, September 2006, September 2007 and October 2008 between relevant shipping States and coastal States, with Agency involvement, notes the intention of those States to hold further discussions with Agency involvement, looks forward to further progress towards addressing and understanding concerns of coastal and shipping States, welcomes the discussions at bilateral level between relevant shipping and coastal States on issues of mutual concern, and expresses the hope that further enhancements to mutual confidence, particularly through voluntary communication practices, with due regard to particular circumstances, will result;
5. Welcomes the implementation so far of the Action Plan for Strengthening the International Preparedness and Response System for Nuclear and Radiological Emergencies 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, and encourages the Secretariat to discuss with interested Member States how appropriate information can be made available to authorities responding to an emergency which has occurred during the transport of radioactive material, taking fully into account the requirements of physical protection and safety;
6. Commends those Member States that have already made use of the IAEA appraisal service 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 IAEA appraisal missions and to improve transport practices based on recommendations and suggestions of such missions;

7. Urges Member States that do not have national regulatory documents governing the transport of radioactive materials to adopt such documents expeditiously, and further urges all Member States to ensure that such regulatory documents are in conformity with the current edition of the Agency's Transport Regulations;
8. Notes the Secretariat's work on the security of transport of radioactive materials, welcomes the development of training courses on transport security and looks forward to the publication of the Nuclear Security Series document on Security of Radioactive Material during Transport;
9. Welcomes the forthcoming XIIth Congress of the International Radiation Protection Association, "Strengthening Radiation Protection Worldwide" (IRPA12) to be held in Argentina from 19 to 24 October 2008, which will include a special technical session on Radiation Protection in Transport of Radioactive Materials (SessionTSIII.5.1.), encourages Member States' specialists, particularly those from developing countries, to participate in such technical sessions and urges the Secretariat to ensure the prompt dissemination of the information produced at the event;
10. Requests Member States to cooperate with the Secretariat in using the procedures for rating radiological incidents during transport and providing information required for the effective operation of the Database on Events in the Transport of Radioactive Material (EVTRAM) and the International Nuclear and Radiological Event Scale (INES), and requests that the Secretariat and Members States work to review and streamline ways to provide information more efficiently to EVTRAM and INES;
11. Calls upon the Agency to continue to take into account scientific evidence of changing global weather patterns, changes to infrastructure and changes to industry operations in the ongoing review of the relevant Agency safety standards, and encourages the Secretariat to develop new fissile-excepted material requirements for the transport of radioactive materials;
12. Welcomes networks of competent authorities whose goal is to support the harmonized implementation of the Agency's transport safety standards, and calls upon Member States to use these networks to build capacity in the effective regulation of the safe transport of radioactive material;
13. Welcomes the establishment of a process in which language differences between IAEA and UN Model Regulations may be reconciled and acknowledges differences between the IAEA text and the UN text as an issue to be considered in the future editions of these texts;
14. Notes the development by the International Steering Committee on Denials of Shipment of Radioactive Material of an action plan, urges the Secretariat to actively facilitate implementation of the action plan and calls upon Member States to each nominate a national focal point for denials of shipment of radioactive material to assist the Steering Committee in its work, welcomes the creation of regional action plans and networks to address key issues that resulted from the recent workshops on denials of shipments held in Uruguay, Italy, Tanzania, Madagascar and China, encourages further regional workshops, 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), looks forward to a satisfactory resolution of this issue, and in this context further calls upon Member States to facilitate the transport of such radioactive materials when they are carried in compliance with the Agency's Transport Regulations;
15. 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, welcomes the training course held in Argentina in June 2008 and the 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, in particular to ensure synergy between regional training courses and the Agency work related to refusals of shipment (by including

information on the uses of radioactive material as a module in the training), involving to the extent possible experts from the concerned regions, subject to the availability of resources; and

16. Requests the Director General to report at the fifty-third (2009) regular session of the General Conference on the implementation of this resolution.