

J – Resolutions and Decision at the 2009 IAEA General Conference

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

[GC(53)/RES/10, December 2009]

Resolution adopted on 18 September 2009 during the eleventh plenary meeting

The General Conference,

(a) Recalling resolution GC(52)/RES/9 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 to ensure its maintenance 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 and sharing experience in this regard,

(d) Recognizing the importance of Member States establishing and maintaining effective and sustainable regulatory infrastructures for nuclear, radiation, transport and waste safety,

(e) Noting with appreciation the Director General's report in document GC(53)/2 on measures to strengthen international cooperation in nuclear, radiation, transport and waste safety,

(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 objectives of the Convention on Nuclear Safety,

(h) Recalling the objective of the non-legally-binding Code of Conduct on the Safety of Research Reactors,

(i) Recognizing the central role of the Agency's safety standards in providing authoritative guidance to Member States on matters related to nuclear, radiation, transport and waste safety,

(j) Underscoring that medical uses of ionizing radiation constitute by far the largest source of man-made exposure, and emphasizing the need for enhanced efforts to optimize radiation protection for patients in view of the increase in average annual doses from medical exposures, including through the sharing of experience at the international level,

(k) Recalling that States have under international law the obligation to protect and preserve the environment, including the marine environment, and emphasizing the importance of the Secretariat's continued collaboration with the contracting parties of international and regional instruments aimed at protecting the 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 relative progressive reduction or elimination of radioactive discharges to the sea,

(l) Recognizing that, historically, the safety record of civilian transport, including maritime transport, of radioactive materials has been excellent, and stressing the importance of international cooperation to enhance the safety of international transport,

(m) Reaffirming maritime and air navigation rights and freedoms, as provided for in international law and as reflected in relevant international instruments,

(n) Recalling the policy approved by the Board in June 2005 for reviewing the Agency's Transport Regulations, and for revising the Regulations where a proposal is assessed as sufficiently important for safety by the Transport Safety Standards Committee (TRANSSC) and the Commission on Safety Standards (CSS),

(o) Noting the potential impacts of changing global weather patterns on the transport of radioactive materials,

(p) Noting the importance of security for the safe transport of radioactive material and the strong concern of some States in this regard, and stressing the need to take adequate measures to prevent the loss of control of radioactive material during transport, including to deter or defeat terrorist and other hostile or criminal actions directed against carriers of radioactive material, in accordance with international law,

(q) 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 and delay of shipment in circumstances where the shipment complies with the Agency's Transport Regulations,

(r) Recalling resolution GC(52)/RES/9 and the previous resolutions which invited Member States shipping radioactive material 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 material, and noting that the information provided should in no case be contradictory to the measures of physical protection and safety,

(s) Emphasizing that the General Conference has encouraged Member States to make use of the Agency's appraisal service for the safety of the transport of radioactive material,

(t) Recalling the objectives of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (the Joint Convention),

(u) 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,

(v) 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 this regard, including the safety and security of radioactive sources,

(w) Recalling the objectives and principles of 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,

(x) Recognizing that potential nuclear and radiological incidents and emergencies, regardless of their origin, may lead to significant radiological and other serious consequences over wide geographical areas, thereby requiring an international response,

(y) Recalling the obligations 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), and recalling further the functions of the Agency under these conventions,

(z) Noting 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,

(aa) Noting the importance of ensuring the highest level of nuclear, radiation, transport and waste safety for the protection of people, property and the environment, and recognizing concerns about the potential for damage to arise in the event of an accident or incident in a nuclear installation or during the transport of radioactive material, including actual economic loss as defined under international law,

(bb) Recognizing the importance of having in place effective and coherent nuclear liability mechanisms at the national and global levels to provide compensation, if necessary, for damage inter alia

to people, property and the environment due to a nuclear accident or incident, taking fully into account legal and technical considerations, and believing that the principle of strict liability should apply in the event of a nuclear accident or incident, including during the transport of radioactive material, and

(cc) Recalling the Paris Convention on Third Party Liability in the Field of Nuclear Energy, the Vienna Convention on Civil Liability for Nuclear Damage, the Brussels Convention supplementary to the Paris Convention, the Joint Protocol Related to the Application of the Vienna Convention and the Paris Convention and the protocols amending these conventions, and the objectives thereof, and noting also 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 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, taking into account the advice of the relevant standing bodies, and to incorporate the results into the delivery of its review services;
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 safety activities 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, and notes the establishment of a joint AdSec-CSS taskforce to further address issues related to safety and security synergies and interfaces,
7. Recognizes the importance of an effective regulatory body as an essential element of national nuclear infrastructure, urges Member States to continue to increase regulatory effectiveness in the field of nuclear, radiation, transport and waste safety, recognizes the importance of the *International Conference on Effective Nuclear Regulatory Systems* to be held in South Africa in December 2009, invites Member States to continue to share findings and lessons learned in the regulatory area, and in this regard takes note of the outcomes of the *International Workshop on Lessons Learned from Integrated Regulatory Review Service (IRRS)* missions held in November 2008 in Spain and underscores their value;
8. Recognizes that the Agency is developing guidance on *Establishing a Nuclear Safety Infrastructure for a National Nuclear Power Programme*, and encourages Member States embarking on new nuclear power programmes to take timely and proactive steps, based upon gradual and systematic application of Agency safety standards to establish and sustain a strong safety culture and a competent regulatory body with effective independence and the necessary human and financial resources to fulfil its responsibilities;
9. Welcomes the maturing of thematic and regional safety networks, including the work undertaken by the Asian Nuclear Safety Network (ANSN), the European Technical Safety Organisations Network (ETSON), and the Asia Region ALARA Network (ARAN), encourages the Secretariat to establish similar networks in regions where they do not exist, encourages Member States to join relevant networks of this kind, requests the Secretariat and Member States as appropriate to facilitate such efforts, and requests the Secretariat to report on the development of the DISPONET and the ENVIRONET networks;

10. Acknowledges the established role of the Ibero-American Forum of Radiological and Nuclear Regulatory Agencies in promoting a high level of safety, recognizes the launch in South Africa in March 2009 of the Forum for Nuclear Regulatory Bodies in Africa, and requests the Secretariat to continue to support the activities of these for a;

11. 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;

12. Welcomes the valuable work of the International Expert Group on Nuclear Liability (INLEX), encourages relevant Member States to participate in INLEX's workshop in December 2009 for countries having expressed an interest in launching a nuclear power programme, looks forward to the continuation of INLEX's work, and its further outreach efforts to promote adherence to nuclear liability instruments, and requests the Secretariat to report at appropriate times on the continuing work of INLEX;

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

14. Requests the Secretariat to undertake in-house coordination to fulfil the immediate, medium term and longer-term resource requirements, including financing, of the Agency's safety activities, and to consider prioritization, cost savings, and innovative means of financing;

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

16. Requests the Director General to report in detail to its 54th (2010) regular session on implementation of this resolution and relevant developments in the intervening period;

2. The Agency's Safety Standards Programme

17. Welcomes the publication of the Safety Requirements approved by the Board, and encourages Member States to use these requirements in their national regulatory programmes;

18. Requests the Secretariat to follow the priorities decided by the Commission on Safety Standards (CSS) in establishing these safety standards;

19. 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, requests the Director General to report to the Board in this regard, and 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, which will inter alia promote stability in regulatory approaches;

20. Requests the Secretariat to continue to develop, in a timely manner, the revised International Basic Safety Standards for Protection against Ionizing Radiation and for the Safety of Radiation Sources (BSS) in involvement with the co-sponsors, and underscores that the revised BSS should reflect current challenges in radiation protection, and that changes to the current BSS be justified and take account of the relevant International Commission on Radiological Protection (ICRP) recommendations to the extent possible;

21. Notes resolution A/RES/63/89 of the United Nations General Assembly dated 5 December 2008 related to the effects of atomic radiation, encourages the Secretariat to continue to take account of the scientific information provided by the United Nations Scientific Committee on the Effects of Atomic Radiation (UNSCEAR) when developing Agency safety standards, and encourages the Secretariat to make all efforts to ensure the maintenance of a strong relationship with UNSCEAR;

22. Encourages the Secretariat to continue to provide for the application of the Agency safety standards at the request of the Member States;

3. Nuclear Installation Safety

23. Notes with satisfaction that all States currently operating nuclear power plants are 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;

24. Welcomes the outcomes of the *International Conference on Topical Issues in Nuclear Installation Safety: Ensuring Safety for Sustainable Development*, hosted by India in November 2008, and looks forward to the publication of its proceedings;

25. Calls upon all Member States with nuclear installations to establish effective operational experience feedback programmes and to share freely their experience, assessments and lessons learned, including through the submission of incident reports to the Agency's web-based incident reporting systems, recognizes the value of the Agency's operational safety review services in further enhancing nuclear safety, and encourages Member States that have not yet done so to avail themselves of these services;

26. Recognizes the importance of strong leadership and effective management for the safe and reliable performance of nuclear installations, appreciates the Secretariat's efforts in assisting Member States with the establishment of an integrated management system including safety culture oversight and assessment, further recognizes the value of the Agency's safety culture review services, encourages 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;

27. Commends the Secretariat's efforts in the area of plant life management for nuclear installations, looks forward in particular to the Agency technical meeting on *Research Reactor Ageing Management and Modernization and Refurbishment* to be held in October 2009, 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 Agency 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. Welcomes further strengthening of the Secretariat's efforts in fostering cooperation between Member States on the seismic safety of nuclear installations, commends the establishment of the International Seismic Safety Centre (ISSC) within the Agency, encourages the Secretariat's efforts to extend the ISSC's activities towards other external hazards including tsunamis and volcanoes, and further encourages Member States to actively participate in sharing relevant experience;

30. Welcomes the publication of safety standards on the safety of uranium fuel fabrication facilities, encourages the Agency to continue to develop a comprehensive set of fuel cycle safety standards, further encourages the Secretariat to facilitate the exchange of operating experience in such facilities, and invites 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, notes with satisfaction the findings and outcomes of the international meeting on the application of the Code held in Austria in October 2008, and encourages Member States constructing, operating or decommissioning research reactors or with research reactors in extended shutdown to participate in international and regional meetings on the application of the Code and to apply the guidance in the Code;

32. Encourages Member States to promote regional activities to enhance the safety of the operation, utilization, shutdown and decommissioning of research reactors, notes with satisfaction the release of the web-based Fuel Incident Notification and Analysis System (FINAS) in time for the sixth *Meeting of National*

Coordinators for the Incident Reporting System for Research Reactors, to be hosted by the Netherlands in November 2009, and encourages Member States to submit relevant incident reports;

33. Further encourages Member States to exchange regulatory information with regard to new nuclear power plant designs and design certification;

4. Radiation Safety

34. Welcomes the Secretariat's progress in implementing the International Action Plan for the Radiological Protection of Patients, encourages the Secretariat to develop further guidance on justification of medical exposures and optimization of protection, taking into account, inter alia, the outcomes of the September 2009 workshop hosted jointly with the European Commission, and encourages the Secretariat to continue development of a system aimed at addressing the long-term recording of the cumulative exposures of individual patients, and requests the Secretariat to take account of the ICRP recommendations on radiological protection for medical, occupational and public exposure situations;

35. Notes the advances and growing complexity in the medical field, and the need to exchange information, looks forward to the outcomes of the *International Conference on Modern Radiotherapy: challenges and advances in radiation protection of patients* co-sponsored by the Agency, WHO and the European Commission to be held in France in December 2009, encourages Member States to participate in that conference, and requests the Secretariat, when planning its conference schedule, to note the importance of holding a follow-up conference to the *Conference on Radiological Protection of Patients* held in Malaga in 2001;

36. Encourages Member States to take advantage of regional technical cooperation projects on medical exposure, welcomes the first training course in 2009 on the avoidance of accidental exposure in radiotherapy, and further encourages networking and information-sharing among medical professionals using ionizing radiation;

37. Welcomes the achievement of objectives for 80% of actions under the joint IAEA-International Labour Organization (ILO) International Action Plan for Occupational Radiation Protection, encourages the Agency and ILO Secretariats to continue their productive cooperation and evaluate the need for further actions;

38. Notes with pleasure the results of the April 2009 surveillance audit, which confirmed the quality of dosimetry services provided by the Agency to its occupationally-exposed workers and contracted experts, requests the Secretariat to report on the future re-accreditation of the dosimetry services, and encourages Member States to make use of the Occupational Radiation Protection Appraisal Service (ORPAS);

39. Notes resolution 63/89 of 18 December 2008 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;

40. Notes with satisfaction the Secretariat's successful 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), held in Argentina in October 2008, and urges the Secretariat to publish its proceedings;

5. Transport safety

41. 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 a radiological accident or incident during the maritime transport of radioactive material, notes the application of the principles of nuclear liability, including strict liability, in the event of a nuclear accident or incident during the transport of radioactive material, welcomes the continuing valuable work of the International Expert

Group on Nuclear Liability (INLEX), including the examination of the application and scope of the international 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, and requests the Secretariat to report at appropriate times on the continuing work of INLEX;

42. 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 material, and notes that the information and responses provided should in no case be contradictory to measures of physical protection and safety;

43. 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 material, and in this context welcomes the informal discussions on communication held since July 2003, including in September 2009, 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 the 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;

44. 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 international emergency response capabilities, 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 that has occurred during the transport of radioactive material, taking fully into account the requirements of physical protection and safety;

45. Commends those Member States that have already made use of the Agency's Transport Safety Appraisal Service (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 Agency appraisal missions and to improve transport practices based on recommendations and suggestions of such missions;

46. Urges Member States that do not have national regulatory documents governing the transport of radioactive material 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;

47. Notes the Agency's work on the security of radioactive material during transport and welcomes the development and provision of relevant training courses, and encourages Member States to make this training available;

48. 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 facilitate the development of new fissile-excepted material requirements for the transport of radioactive material;

49. 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;

50. 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, 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, encourages further regional workshops, welcomes the efforts to address problems related to denials of air shipments of radioactive material (in particular for medical applications), looks forward to a satisfactory and timely resolution of this issue, and in this context further calls upon Member States to facilitate the transport of such radioactive material when it is carried in compliance with the Agency's Transport Regulations;

51. Acknowledges the progress made in relation to education and training for the safe transport of radioactive material, including the preparation and translation of training materials into official languages, 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's work related to denials 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;

6. The Safety of Spent Fuel and Radioactive Waste Management

52. Welcomes the increase in the number of Contracting Parties to the Joint Convention from 32 at the first Review Meeting to 51 by the time of the 53rd General Conference session, and invites Member States to consider becoming parties to the Joint Convention;

53. Notes the importance of regional conferences for promoting the benefits of the Joint Convention, encourages Member States that are Contracting Parties to continue such efforts through extra-budgetary contributions, and recognizes the valuable role of the Agency in assisting Member States to become Contracting Parties;

54. Welcomes the continuing efforts of the Contracting Parties to the Joint Convention to enhance the transparency, efficiency and effectiveness of the review process, and notes the outcomes of the third Review Meeting, held in May 2009;

55. Welcomes the organization of an *International Workshop on Demonstrating the Safety and Licensing of Radioactive Waste Disposal* to further enhance the development of a common international approach to demonstrate the safe disposal of all types of radioactive waste, and encourages Member States to participate in this workshop;

56. 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;

57. Notes the outcomes from the *International Conference on Control and Management of Inadvertent Radioactive Material in Scrap Metal* held in Spain in February 2009, and requests the Secretariat to take into account the recommendations of this conference;

58. Encourages Member States, particularly those planning to embark upon new nuclear power programmes, to participate actively in the Agency's International Conference on Management of Spent Nuclear Fuel from Nuclear Power Reactors that will be held May-June 2010;

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

59. 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 resources necessary to implement these plans;

60. Takes note of the expanded activities of the International Decommissioning Network (IDN), and encourages the Secretariat to continue its support to the IDN activities, including through technical cooperation;

61. Notes the completion of the Agency's first decommissioning peer review covering both planning and implementation, conducted in the United Kingdom, and invites relevant Member

States to avail themselves of this service;

62. Notes the progress made on the decommissioning and remediation of former nuclear sites in Iraq, welcomes and encourages Member States' continuing support for this work, and encourages the Secretariat to continue its technical support for the project;

8. Safety in Uranium Mining and Processing and Remediation of Contaminated Sites

63. 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;

64. Emphasizes the need to address shortfalls in the availability of experienced and trained personnel in order to ensure safety in uranium production worldwide, and encourages the Secretariat to respond to requests for assistance from Member States, particularly those entering or re-entering the uranium mining industry;

65. Encourages relevant Member States to participate in a multilateral initiative to remediate the uranium mining legacy sites in Central Asia, supports the Agency's involvement in this international initiative as technical coordinator and requests the Secretariat to report on further developments; notes the conclusions of the *International Conference on Remediation of Land Contaminated by Radioactive Material Residues* in Kazakhstan in May 2009, and supports, as recommended by the conference, the development of an international working forum for the regulatory supervision of legacy sites;

66. 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, and encourages interested Member States to use the Uranium Production Site Assessment Team (UPSAT) review service;

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

67. 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, and encourages Member States to develop national strategies for training and education;

68. Emphasizes the need to address, in a timely manner, shortfalls in the availability of trained and experienced personnel 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;

69. 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;

70. 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;

71. 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;

72. Welcomes the Secretariat's progress toward long-term agreements on education and training in radiation protection and nuclear safety, notes with satisfaction the conclusion in September 2008 of the first such agreement with Argentina, and looks forward to the early conclusion of further long-term agreements with other regional centres hosting Agency postgraduate educational and specialized training courses;

73. 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;

10. Safety and Security of Radioactive Sources

74. Commends the many national and multinational efforts to recover and maintain control of vulnerable and orphan sources, and encourages the Secretariat and Member States to strengthen and continue this effort and invites Member States to consider establishing radiation detection systems as appropriate;

75. 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 30 June 2009, 95 States had made a political commitment to it in line with resolution GC(52)/RES/9.A.9 and previous resolutions, and urges other States to make such a commitment;

76. 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 30 June 2009, 53 States had notified the Director General of their intention to act in accordance with the Guidance, pursuant to resolution GC(48)/RES/10.D, encourages other States to make such a commitment, reiterates the need for States to implement the Guidance in a harmonized and consistent fashion, and requests the Secretariat to continue to provide support to facilitate States' implementation of the Guidance;

77. Welcomes the progress made by many Member States in working towards sustainable control of radioactive sources through 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;

78. Takes note of the report of the Chairman of the *Technical Meeting on Implementation of the Code of Conduct on Safety and Security of Radioactive Sources with Regard to Long Term Strategies for the Management of Sealed Sources* held in Austria in June/July 2009, contained in document 2009/Note38, calls for the report to be made available in all official languages of the Agency, notes the conclusions of the meeting, particularly those encouraging States to facilitate the return of disused sources to suppliers, to develop central storage or disposal facilities for disused or orphan sources which cannot be returned to suppliers, and those relating to information sharing between those Member States implementing the Code and contracting parties to the Joint Convention, and requests the Secretariat to take the conclusions of the meeting into account in developing its future programmes;

79. Looks forward to the *Open-ended Meeting of Technical and Legal Experts for Sharing of Information as to States' Implementation of the Code of Conduct on the Safety and Security of Radioactive Sources and its supplementary Guidance on the Import and Export of Radioactive Sources* to be held in Austria in May 2010, and encourages Member States to support the review meetings on the code of conduct to assure its maintenance;

80. Welcomes the progress made by Member States in strengthening, where necessary, their regulatory infrastructures to ensure control of radioactive sources, and requests the Secretariat to continue providing support to Member States;

11. Nuclear and Radiological Incident and Emergency Preparedness and Response

81. 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;

82. Recognizes that implementation of the Assistance and Early Notification Conventions may be further enhanced, and therefore requests the Secretariat to consider consolidating the cooperative arrangements for international nuclear and radiological emergency preparedness and response;

83. 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;

84. Emphasizes the importance of well developed national emergency response capabilities as the foundation of a well functioning international assistance regime, welcomes the efforts made by the Secretariat and Member States in this respect, requests the Secretariat to continue, in collaboration with Member States, the work towards streamlining a system of international assistance, including by considering common and compatible guidelines, and further requests the Secretariat to identify mechanisms for the timely allocation of resources for international assistance in the event of nuclear or radiological incidents and emergencies;

85. Welcomes the support by Member States for the Secretariat's implementation of the Response Assistance Network (RANET), and in particular the registration by 16 Member States of assistance capabilities in the event of radiological incidents and emergencies, and strongly urges States Parties to the Assistance Convention to support the fulfilment by the Agency of its obligations under the Convention by registering their internationally available response capabilities under RANET;

86. Welcomes the progress in implementation of the International Action Plan for Strengthening the International Preparedness and Response System for Nuclear and Radiological Emergencies, and requests the Secretariat, in collaboration with Member States, relevant international organizations and the National Competent Authorities Coordinating Group, to continue the implementation of the Action Plan, but notes with concern that the Secretariat has been largely dependent on extrabudgetary contributions in their implementation of the Action Plan;

87. Requests the Secretariat to continue its efforts to finalize and implement a global and unified system for reporting and sharing information on nuclear and radiological accidents and incidents, and to act upon the feedback provided by Member States on the system's functionality and usability;

88. Recognizes the efforts of the Secretariat and Member States in implementing the International Nuclear and Radiological Events Scale (INES);

89. Requests the Secretariat to continue improving the capabilities of the Agency's Incident and Emergency Centre, to better enable it to fulfil the Agency's functions under the Conventions, including as coordinator and facilitator of cooperation among Member States in the area of emergency preparedness and response;

90. Welcomes the endorsement of the mandate and methods of work of the *Meeting of Representatives of Competent Authorities identified under the Early Notification and Assistance Conventions*, and encourages representatives of competent authorities from Member States to participate and engage actively in future meetings; and

91. Requests the Secretariat to continue improving methods of exchange of knowledge and experience in the area of emergency preparedness and response and strongly encourages Member States to participate actively in this exchange.

Nuclear security, including measures to protect against nuclear and radiological terrorism

[GC(53)/RES/11, September 2009]

Note: the title of the resolution has been corrected.

Resolution adopted on 18 September 2009 during the eleventh plenary meeting

The General Conference.

(a) Recalling its previous resolutions on measures to improve the security of nuclear and other radioactive materials and on measures against the illicit trafficking of these materials,

(b) Considering, in view of the ever growing number of tragic terrorist attacks worldwide, the need to continue to devote specific attention to the potential implications of terrorist acts for the security of nuclear materials, other radioactive materials in production, use, storage and transport, including associated facilities, and emphasizing the importance of physical protection and other measures against illicit trafficking, as well as national control systems for ensuring protection against nuclear terrorism and other malicious acts, including the use of radioactive material in a radiological dispersion device or a radiation exposure device,

(c) Noting the four-year Nuclear Security Plan 2010-2013 approved by the Board of Governors in September 2009,

(d) Recognizing that the threat-based risk assessment methodology is relevant to nuclear security,

(e) Reaffirming that the overall goal of the Agency's nuclear security activities is to assist Member States, upon their request, in improving their nuclear security, as appropriate,

(f) Mindful of the responsibilities of every Member State, in accordance with its international obligations, to maintain effective nuclear security, and asserting that the responsibility for nuclear security within a State rests entirely with that State, and noting the important contribution of the Agency in facilitating international cooperation in supporting the efforts of States to fulfil their responsibilities,

(g) Noting the United Nations Security Council resolutions 1373, 1540, 1673 and 1810, the United Nations General Assembly resolution 63/60, the International Convention for the Suppression of Acts of Nuclear Terrorism, and other international efforts to prevent access by non-State actors to weapons of mass destruction and related materials,

(h) Reaffirming the importance of the Convention on the Physical Protection of Nuclear Material, as the only multilateral legally binding instrument dealing specifically with the physical protection of nuclear material, and the value of its Amendment extending its scope and thereby strengthening global nuclear security,

(i) Noting the various international efforts to enhance nuclear security,

(j) Noting the role of the Agency in the development of the nuclear security series of documents that establish fundamentals, recommendations and guidance to assist States in implementing the legally binding and non-binding international instruments related to nuclear security, and reaffirming that the application of these documents on nuclear security is voluntary in nature,

(k) Recalling the important role that the recommendations contained in "The Physical Protection of Nuclear Material and Nuclear Facilities" (INFCIRC/225) have played in providing guidance to Member States for effective physical protection, and noting that INFCIRC/225, which was last revised in 1999, is currently under revision,

(l) Noting that other international agreements multilaterally negotiated under the auspices of the Agency in the safety area, as well as the activities of the Agency in the safety area, should contribute to an integrated approach to nuclear security,

(m) Reaffirming the importance and the value of the Code of Conduct on the Safety and Security of Radioactive Sources, while recognizing that the Code is not a legally binding instrument,

(n) Noting the central contribution of the Agency's safeguards system, and also of States' Systems of Accounting for and Control

of Nuclear Materials, to preventing loss of control and illicit trafficking and to deterring and detecting the unauthorized removal of nuclear materials, to the extent to which such control procedures are applicable,

(o) Recalling UN General Assembly Resolution 60/78, which states that progress is urgently needed in the area of disarmament and non-proliferation in order to help to maintain international peace and security and to contribute to global efforts against terrorism, and acknowledging the need to make further progress towards achieving nuclear disarmament,

(p) Noting the importance of the Agency's training programmes to assist Member States in ensuring adequate and effective protection of their nuclear and other radioactive materials and associated facilities,

(q) Recognizing the work of the Agency's Nuclear Security Equipment Laboratory in cooperation with Member States to ensure the effectiveness and reliability of equipment used to detect loss of control and illicit movement of nuclear and other radioactive materials,

(r) Recognizing the work done by the Agency in providing support, technical assistance and expert advice to countries in their efforts to secure vulnerable nuclear and other radioactive materials,

(s) Recognizing the work done by the Agency in providing technical assistance and expert advice to countries hosting major public events, and

(t) Stressing the essential importance of ensuring the confidentiality of information relevant to nuclear security,

1. Welcomes the Nuclear Security Report 2009 submitted by the Director General in document GC(53)/16 on measures to improve nuclear security and protect against nuclear terrorism, produced in response to resolution GC(52)/RES/10, commends the Director General and the Secretariat for the implementation of Nuclear Security Plan for 2006-2009, and looks forward to their continued efforts, particularly in implementing the new Nuclear Security Plan for 2010-2013;

2. Calls upon all Member States to consider providing the necessary support to international efforts to enhance nuclear security through various arrangements at the bilateral, regional and international levels, and recalls the decision by the Board of Governors on support for the Nuclear Security Fund;

3. Calls upon States Parties to the Convention on the Physical Protection of Nuclear Material (CPPNM) to work towards its universal adherence and where applicable to accelerate the ratification of the amendment to the Convention and to act for the early entry into force of that amendment, and encourages them to act in accordance with the object and purpose of the amendment until such time as it enters into force, and encourages all States that have not done so to adhere to the Convention and the amendment as soon as possible;

4. Requests the Secretariat to give high priority to facilitating the revision of the recommendations contained in "The Physical Protection of Nuclear Material and Nuclear Facilities" (INFCIRC/225) by Member States as part of its work on the nuclear security series documents;

5. Recalls the functions assigned to the Agency by the International Convention for the Suppression of Acts of Nuclear Terrorism, in force since 7 July 2007, and calls upon all States that have not yet done so to adhere to the Convention as soon as possible;

6. Recalls the General Assembly resolution on the United Nations Global Counter-Terrorism Strategy encouraging the Agency to help States to build capacity to prevent terrorists from accessing nuclear materials, ensure security at related facilities and respond effectively in the event of an attack using such materials;

7. Encourages the Secretariat to continue, in coordination with Member States, within its nuclear security programme, to play a constructive and coordinated role in nuclear security related initiatives, inter alia, the Global Initiative to Combat Nuclear Terrorism and to work jointly, as appropriate, with relevant international organizations and institutions;

8. Encourages the Secretariat to continue its training programme

for Member States on nuclear security as requested, and expand the courses offered, and to adapt them as appropriate to meet the needs of Member States;

9. Invites the Secretariat to provide assistance to Member States upon their request in fulfilling their obligations under United Nations Security Council resolution 1540 and to the 1540 Committee, provided that such requests are within the scope of the Agency's statutory responsibilities;

10. Calls upon all States to ensure that measures to strengthen nuclear security should not hamper international cooperation in the field of peaceful nuclear activities, production, transfer and use of nuclear and other radioactive materials, the exchange of nuclear material for peaceful purposes and the promotion of peaceful use of nuclear energy, and without undermining the established priorities of the technical cooperation programme;

11. Calls upon all States to identify secure storage and disposition pathways for disused radioactive sealed sources so that such sources in their territories remain under regulatory control, unless exempted from regulatory control, and further calls upon States to address obstacles to the return of disused sources to the supplier State;

12. Calls upon all States to recognize the potential danger of illicit trafficking in nuclear and other radioactive materials across their borders and within their countries;

13. Notes that the Illicit Trafficking Database Programme (ITDB) may help in identifying vulnerabilities in security systems, takes notes of the participation of 108 Member States in the ITDB and invites States to participate in such databases on a voluntary basis;

14. Notes the Agency's work in the field of nuclear forensics, aimed at assisting Member States in connection with the detection of and response to, and determination of the origin of, illicitly trafficked nuclear and other radioactive materials, and encourages Member States to provide continued support to the Agency's activities in this field;

15. Encourages Member States which have not yet done so to establish national nuclear material databases;

16. Welcomes the efforts of the Agency to assist countries which, on a voluntary basis, have chosen to convert research reactors from HEU to LEU fuel;

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

18. Supports the steps taken by the Secretariat to ensure confidentiality of information relevant to nuclear security and requests the Secretariat to continue its efforts to implement appropriate confidentiality measures in conformity with the Agency's confidentiality regime and to report as appropriate to the Board of Governors on the status of the implementation of the confidentiality measures;

19. Takes note of the outcomes of the nuclear security symposium held by the Agency in Vienna in March 2009;

20. Invites the Director General to continue, in consultation and coordination with Member States, pursuant to the Nuclear Security Plan for 2010-2013, to implement the Agency's activities relevant to nuclear security;

21. Welcomes the Agency's initiative to assist States, upon their request, as appropriate, in planning their future nuclear security activities, in particular through Integrated Nuclear Security Support Plans (INSSPs);

22. Welcomes the activities of the Agency in support of States' efforts to enhance nuclear security worldwide and encourages States to use the Agency's nuclear security advisory services for exchanges of views and advice on nuclear security measures and its human resource development programme;

23. Requests that the actions of the Secretariat called for in this resolution be undertaken subject to the availability of resources; and

24. Requests the Director General to submit an annual Nuclear Security Report to the General Conference at its fifty-fourth (2010) regular session on activities undertaken by the Agency in the area of nuclear security, highlighting significant accomplishments of the prior year and indicating programmatic goals and priorities for the year to come.

Strengthening of the Agency's technical cooperation activities

[GC(53)/RES/12, September 2009]

Resolution adopted on 18 September 2009 during the eleventh plenary meeting

The General Conference.

(a) Recalling resolution GC(52)/RES/11 on "Strengthening of the Agency's technical cooperation activities",

(b) Recalling the Brussels Declaration on the Least Developed Countries (LDCs) and the 2001-2010 Programme of Action for the LDCs,

(c) 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",

(d) 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", and acknowledging that for developing countries, including LDCs, the technical cooperation programme of the Agency is a major vehicle for executing this function,

(e) Considering that the strengthening of technical cooperation activities in the fields of – inter alia - food and agriculture, human health, water resource management, environment, industry, knowledge management, and nuclear energy planning and production 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, including the least developed ones,

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

(g) 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;

(h) Recalling previous resolutions favouring innovative educational partnerships - like the World Nuclear University - involving academia, government and industry, confident that such initiatives can, with Agency and Member States' support, play a valuable role in promoting strong educational standards and building leadership for an expanding global nuclear profession,

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

(j) Stressing that the Agency's resources for technical cooperation (TC) activities should be sufficient, assured and predictable (SAP) to meet the objectives mandated in Article II of the Statute and noting that the Director General has issued in 2007 a report entitled "TC Programme Resources – Sufficient, Assured and Predictable",

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

(l) Recognizing that the number of countries and territories requiring technical support has reached 122 in 2008, and hence that the Technical Cooperation Fund (TCF) target should be set at an adequate and realistic level taking into account the growing needs of Member States,

(m) Noting the decision of the Board of Governors to set the target for voluntary contributions to the TCF at the level of US \$85 million

in each of the years 2009 and 2010 and \$86 million for the year 2011, and that the Indicative Planning Figures for the years 2012-2013 shall be approximately, but not less than, US \$87 million,

(n) Stressing the importance of maintaining an appropriate balance between the promotional and other statutory activities of the Agency, and taking note of the decision of the Board, which - inter alia - notes that the synchronization of the TC programme cycle with the budget cycle provides a framework beginning in 2012, to consider appropriate increases to the resources for the TC programme, including the TCF target where such adjustments would take into account the changes in the level of the regular operational budget from 2009 onwards, the price adjustment factor and other relevant factors as contained in document GOV/2009/52/Rev.1, and taking note of the decision of the Board on the "split contribution system" as one of the measures to protect the purchasing power of the fund as contained in document GOV/2009/52/Rev.1,

(o) Recalling the obligation of some Member States in regard to National Participation Costs (NPCs), noting with appreciation the good record of an increasing number of Member States in their payments of NPCs, which demonstrates the strong commitment of recipient Member States to the TC programme, and recognizing the need to take into account the fact that Member States' national financial regulations and budgetary and fiscal schedules differ,

(p) Taking note of the subsequent results of the Rate of Attainment mechanism as established by resolution GC(44)/RES/8, noting with appreciation the 94.7% Rate of Attainment level at the end of 2008, and looking forward to reaching the rate of 100%, which is central to reconfirming the commitment of Member States to the Agency's TC programme,

(q) Recalling that the financing of TC should be in line with the concept of shared responsibility and that all members share a common responsibility towards financing and enhancing the TC activities of the Agency and recognizing the increase in the number of recipient Member States contributing through government cost-sharing,

(r) Expressing appreciation to those Member States which have contributed to the TCF their full TCF target shares in a timely manner,

(s) Recognizing that the effectiveness of the due account mechanism depends on its consistent application to all Member States, and taking note of the Director General's report on the application of the mechanism as contained in document GOV/INF/2008/6,

(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 importance of the TC 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 the implementation of those activities,

(v) Recognizing that human capital planning and development of human resources, expert services, fellowships, training courses and appropriate equipment supply continue to be important components of TC activities to ensure impact and sustainability,

(w) 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 (CPFs) and the 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),

(x) Stressing that CPFs are non-legally-binding documents and are subject to revision as Member States' priorities evolve, and recalling that they are developed by Member States in cooperation with the Secretariat with the objective of facilitating an understanding of the real needs of developing Member States and of encouraging technical cooperation among developing countries (TCDC), where applicable,

(y) Reiterating the need to strengthen technical cooperation activities and to continuously enhance the effectiveness and efficiency of the TC programme in accordance with the requests and needs of Member States with a view to strengthening their national programmes, and emphasizing that all measures taken in this regard should also preserve and enhance the ownership of TC projects by recipient Member States,

(z) Appreciating that the TC programme contributes to the achievement of national goals for sustainable development in TC-recipient Member States, particularly developing countries,

(aa) Noting the report of the UN Secretary General's High Level Panel on System Wide Coherence of November 2006, which proposed the establishment of a "Delivering as One" approach for the development, financing and delivery of country programmes by all UN system organizations which may have a possible impact on the TC programme in many areas, including resource mobilization, while noting the relationship between the Agency and the UN system and the nature, character and specificity of the TC programme, and noting that there are pilot countries implementing this exercise on a voluntary basis,

(bb) Recognizing that national nuclear and other entities are important partners in the implementation of TC programmes in Member States and in promoting the use of nuclear and related technologies for achieving national development objectives, and recognizing also in this regard the role of the National Liaison Officers and the Programme Management Officer (PMO),

(cc) Taking note 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 TC programme in assisting national nuclear and other entities to enhance the basic infrastructure in this field, including safety aspects, and to further improve their technical capacity for ensuring sustainability,

(dd) Taking note also of the efforts, through – inter alia – the TC programme, towards the voluntary reduction and return of highly enriched uranium (HEU) fuels of nuclear research facilities, and

(ee) Noting the use of the Programme Cycle Management Framework and emphasizing the need for assessing its impact on, inter alia, enhancing coordination, programme planning and the quality of programme delivery as well as increasing the implementation rate, and also noting the Secretariat's statement that the International Public Sector Accounting Standards (IPSAS) would have no negative impact on the delivery and implementation of the TC programme,

1. Requests the Secretariat to continue to facilitate and to enhance the transfer of nuclear technology and know-how among Member States for peaceful uses as embodied in the Agency's TC programme, taking into account specific needs of developing countries including those of LDCs;

2. Urges Member States to make every effort towards facilitating the process for setting the TCF targets in accordance with the decision of the Board as contained in document GOV/2009/52/Rev.1;

3. Stresses the need for the Secretariat to continue to work, in consultation with Member States, towards establishing means, including mechanisms, that would achieve the goal of making TC resources sufficient, assured and predictable (SAP);

4. Requests the Director General to resume and to further develop and facilitate cost-sharing, outsourcing 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 ensure that their objectives are Specific, Measurable, Achievable, Realistic & Timely (SMART);

5. Requests the Secretariat to continue working with Member States, within relevant regions and regional cooperative agreements, in identifying regional resource centres or other qualified institutes, and formulating guidelines for the use of such centres and in developing and refining SMART partnership mechanisms in the context of enhancing regional and interregional cooperation;

6. 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;

7. Encourages Member States to pay in full and on time their voluntary contributions to the TCF, encourages Member States to pay their NPCs on time, and requests those recipient Member States which are in arrears in Assessed Programme Costs (APCs) to meet this obligation;

8. Stresses the need to strengthen TC activities and to continuously enhance the effectiveness and efficiency of the TC programme in accordance with the requests and needs of Member States in all areas of concern;

9. Requests the Secretariat to ensure that the commencement of projects within a 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 will be suspended until full payment is received;

10. Further requests that the Secretariat continue exploring, in consultation with Member States, the possibility and practicability of paying NPCs in kind and, in this context, that it find efficient ways of accurately valuing in-kind contributions pending the implementation of the International Public Sector Accounting Standards (IPSAS);

11. Requests the Secretariat to make every effort to apply the due account mechanism to all Member States equally and efficiently and to inform the Board about the application of the mechanism to Member States as appropriate;

12. Stresses the need to strengthen TC activities, including the provision of sufficient resources, and to continually enhance the effectiveness, efficiency and sustainability of the programmes and their management, and requests the Secretariat to continue to further refine the Technical Cooperation Strategy 2002 Review (GOV/1NF/2002/8) in consultation with all Member States, taking into consideration the increasing number of Member States requesting TC projects;

13. Requests the Secretariat to continue its efforts to improve the effectiveness and efficiency of TC management by, inter alia, ensuring that the components of TC projects, e.g. training, expertise and equipment, are readily available to Member States requesting them, and requests also that the supply of equipment to Member States meet international quality standards;

14. Requests the Secretariat to explore ways of giving an update on the progress of TC programme implementation in between annual TC reports;

15. Requests the Secretariat to play a more proactive role in seeking resources to implement footnote-a/ projects and encourages Member States to show more flexibility in the use of their extrabudgetary contributions in order to enable the implementation of more footnote-a/ projects;

16. Also requests the Director General to pursue, in consultation with Member States, efforts to strengthen the TC activities of the Agency through the development of effective programmes with well-defined outcomes 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, through relevant areas of importance as identified by Member States;

17. 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 inter-

governmental and non-governmental bodies to ensure the coordination of optimization of complementary activities, and to ensure that they are regularly informed about the developmental impact of the TC programme, while aiming at achieving sufficient, assured and predictable resources for the TC programme;

18. 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 TC projects;

19. Requests the Director General to make every effort to ensure, where relevant, that the Agency's TC programme, taking into account specific needs of each Member States, particularly developing countries and LDCs, 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;

20. Requests the Secretariat to examine in depth the specific characteristics and problems of the developing countries and LDCs with respect to the peaceful applications of nuclear energy in consultation with the Member States;

21. Requests the Director General to promote, within the framework of the TC 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;

22. Underlines the importance of consultations between the Secretariat and Member States on the support for and implementation of activities under regional cooperation agreements or other regional cooperation arrangements, and emphasizes also the need for complementarity between the regional cooperative agreements and regular regional projects, and notes the recommendations of SAGTAC in this regard;

23. Encourages the Secretariat to continue implementing the Programme Cycle Management Framework (PCMF) in phases, and to make it simpler and user-friendly so that Member States may use the tools effectively, and to take into account, in designing and implementing subsequent phases, difficulties experienced and concerns of Member States, including lack of adequate training, equipment and IT infrastructure in developing countries, particularly in LDCs; and

24. 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 fifty-fourth (2010) regular session on the implementation of this resolution highlighting significant accomplishments of the prior year and indicating goals and priorities for the year to come under an agenda item entitled "Strengthening of the Agency's technical cooperation activities".

Strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Additional Protocol

[GC(53)/RES/14, September 2009]

[Editorial note: Footnotes not included]

Resolution adopted on 18 September 2009 during the eleventh plenary meeting

The General Conference.

(a) Recalling resolution GC(52)/RES/13,

(b) Convinced that the Agency's safeguards promote greater confidence among States, inter alia by providing assurance that States are complying with their obligations under relevant safeguards agreements, and thus contribute to strengthening their

collective security,

(c) Convinced also that the ability of Agency safeguards to continue to provide greater confidence among States depends, inter alia, upon the extent to which their implementation is consistent with the Statute,

(d) Considering the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) as well as treaties establishing nuclear weapon free zones, the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, the South Pacific Nuclear Free Zone Treaty, the African Nuclear-Weapon-Free Zone Treaty and the Treaty on the Southeast Asia Nuclear-Weapon-Free Zone and the Agency's essential role in applying safeguards in accordance with the relevant articles of these treaties,

(e) Welcoming the recent entry into force of the African Nuclear Weapon Free Zone Treaty,

(f) Considering also that existing initiatives for the establishment of new nuclear weapon free zones and the positive role that the establishment of such zones, freely arrived at by the States concerned, could play in furthering the application of Agency safeguards in those regions,

(g) Noting that decisions adopted by the Board of Governors aimed at further strengthening the effectiveness and improving the efficiency of Agency safeguards should be supported and implemented and that the Agency's capability to detect undeclared nuclear material and activities should be increased within the context of its statutory responsibilities and safeguards agreements,

(h) Welcoming the Board's decision, in September 2005, that the Small Quantities Protocol (SQP) should remain part of the Agency's safeguards system, subject to the modifications in the standardized text and the change in the criteria for an SQP referred to in paragraph 2 of document GC(50)/2,

(i) Welcoming the fact that, as of 8 September 2009, 40 States have accepted SQPs in accordance with the modified text endorsed by the Board of Governors,

(j) Stressing the importance of the Model Additional Protocol approved on 15 May 1997 by the Board of Governors, aimed at strengthening the effectiveness and improving the efficiency of the safeguards system,

(k) Welcoming the fact that, as of 8 September 2009, 125 States and other parties to safeguards agreements have signed additional protocols, and that additional protocols are in force for 93 of those States and other parties,

(l) Welcoming the fact that all nuclear-weapon States have now brought into force 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,

(m) Noting that safeguards agreements are necessary for the Agency to provide assurances about a State's nuclear activities, and that additional protocols are very important instruments to enhance the Agency's ability to derive safeguards conclusions regarding the absence of undeclared nuclear materials and activities,

(n) 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 strengthening measures,

(o) Taking note of the Agency's Safeguards Statement for 2008,

(p) Stressing the continuing need for the Agency's safeguards system to be equipped to respond to new challenges within its mandate,

(q) Welcoming the work the Agency had undertaken in verifying nuclear material from dismantled nuclear weapons in some States, and noting in particular the Agency's experience in the African region and the contribution this work has made to the entry into force of the African Nuclear Weapon Free Zone Treaty,

(r) 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,

(s) Emphasising that there is a distinction between the legal obligations of States and voluntary measures aimed at facilitating and strengthening the implementation of safeguards and aimed at confidence building, bearing in mind the obligation of States to cooperate with the Agency to facilitate the implementation of safeguards agreements,

(t) Noting that in using information received from open sources the Secretariat carefully considers the reliability of the source and whether or not the information is authenticated prior to reflection with the State concerned,

(u) 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 Agency 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 Agency and the Agency'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,

(v) Stressing the importance of assisting States upon their request to establish and maintain effective systems of accounting for and control of nuclear material,

(w) Noting that the Preparatory Committee for the 2010 Review Conference of the States party to the Treaty on the Non-Proliferation of Nuclear Weapons held three successful meetings in April/May 2007, in April/May 2008, and in May 2009, and encouraging all States parties to continue to work towards a substantive outcome for the 2010 Review Conference,

(x) Stressing that the strengthening of the safeguards system should not entail any decrease in the resources available for technical assistance and co-operation 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,

(y) Stressing the importance of maintaining and observing fully the principle of confidentiality regarding all information related to the implementation of safeguards in accordance with the Agency's Statute and safeguards agreements,

(z) Stressing the importance of the State, other concerned parties and the Agency, party to a safeguards agreement, cooperating in a transparent manner in the context of facilitating the implementation of that safeguards agreement,

(aa) Welcoming the holding of a briefing on Agency safeguards for the delegations that attended the Third Session of the Preparatory Committee for the 2010 Review Conference of the Parties to the NPT in New York in May 2009, as well as related consultations held in the margins of several other meetings in Vienna and elsewhere, and sharing the hope for the continuation of efforts to broaden adherence to the Agency's safeguards system, and

(bb) Noting that the Secretariat ensures that all measures for strengthening the effectiveness and improving the efficiency of the safeguards system remain consistent with the Agency's statutory responsibilities and functions,

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 co-operation 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 possible;

4. Stresses the importance of States to comply fully with their safeguards obligations;

5. 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 by all concerned States and other parties, in compliance with their respective international commitments;

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;

7. Takes note of the revised standardized text for SQPs, and encourages States with SQPs to conclude with the Agency, as soon as possible, exchanges of letters consistent with the Board decision of 20 September 2005 with regard to SQPs, and requests the Secretariat to continue to assist States with SQPs, including non-members of the Agency, through available resources, in the establishment and maintenance of their State Systems of Accounting for and Control of Nuclear Material;

8. 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;

9. Stresses the importance of pursuing efforts to improve both the effectiveness and the efficiency of the safeguards system;

10. Requests the Director General to continue to review and update the established procedure for the protection of safeguards confidential information within the Secretariat and report periodically to the Board about the implementation of the regime for the protection of safeguards confidential information;

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 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. Notes that, as of 8 September 2009, 87 States have comprehensive safeguards agreements supplemented by additional protocols in force, which represents a majority of those

non-nuclear-weapon States parties to the NPT that have concluded comprehensive safeguards agreements, and that, of these, 48 States have significant nuclear activities and 32 States have operative SQPs;

17. Notes with regret that 25 non-nuclear-weapon States parties to the NPT have yet to bring into force a comprehensive safeguards agreement;

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

19. Notes the important contribution that State-level integrated safeguards approaches can make to the efficiency and effectiveness of safeguards implementation, and welcomes the fact that, as of 8 September 2009, the Agency is implementing State-level integrated safeguards approaches for 42 States and has developed a further five such approaches;

20. 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;

21. Urges the Secretariat to continue to ensure that the transition to integrated safeguards is given high priority and that elements of the conceptual framework are continually reviewed in the light of experience and technological developments with a view to maintaining effectiveness and maximizing cost savings for the Agency and for States under integrated safeguards, including the reduction of verification effort;

22. Acknowledges that Agency safeguards can achieve further effectiveness and efficiency when a State-level perspective is used in the planning, implementation and evaluation of safeguards activities taking into account the range of available safeguards measures, in conformity with the relevant safeguards agreement(s) in force for that State;

23. Welcomes Agency and Member State efforts in strengthening the analytical capabilities of the Safeguards Analytical Laboratory (SAL) of the IAEA, encourages the expansion of such analytical capabilities in other laboratories with a view to their qualifications in the Network of Analytical Laboratories, and encourages support for efforts towards the establishment of such capabilities, especially in developing countries. Encourages the Director General to keep the Member States informed on developments and measures taken by the Secretariat in this respect;

24. Welcomes continued cooperation between the Secretariat and State and regional systems of accounting for and control of nuclear material, and encourages them to increase their cooperation, taking into account their respective responsibilities and competencies;

25. Notes the commendable efforts of some Member States, notably Japan, and the Agency Secretariat in implementing elements of the plan of action outlined in resolution GC(44)/RES/19 and the Agency's updated plan of action (September 2009), 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, and the amendment of operative SQPs;

26. Welcomes efforts to strengthen safeguards, and in this context takes note of the Secretariat's activities in verifying and analysing information provided by Member States on nuclear supply and procurement in accordance with the Statute and relevant State safeguards agreements, taking into account the need for efficiency, and invites all States to cooperate with the Agency in this regard;

27. Requests the Director General and the Secretariat to continue to provide objective technically and factually based reports to the Board of Governors and the General Conference on the implementation of safeguards, with appropriate reference to relevant provisions of safeguards agreements;

28. Acknowledges the continued importance of the opportunity for Member States to express their views on the contents of the Safeguards Implementation Report (SIR);

29. Requests Member States to co-operate among themselves as appropriate to provide assistance to facilitate exchange of equipment, material and scientific and technological information for the implementation of additional protocols;

30. 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; and

31. Requests the Director General to report on the implementation of this resolution to the General Conference at its fifty-fourth regular session.

Implementation of the NPT safeguards agreement between the Agency and the Democratic People's Republic of Korea

[GC(53)/RES/15, September 2009]

Resolution adopted on 18 September 2009 during the eleventh plenary meeting

See Section P

Application of IAEA safeguards in the Middle East

[GC(53)/RES/16, September 2009]

[*Editorial note:* Footnotes not included]

Resolution adopted on 17 September 2009 during the eleventh plenary meeting

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 earlier 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 most States in concluding a full-scope safeguards agreement, and

(g) Recalling its resolution GC(52)/RES/15,

1. Takes note of the Director General's report in document GC(53)/12;

2. Calls upon all States in the region to accede to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT);

3. Calls upon all States in the region, to accede to and implement, all relevant nuclear disarmament and non-proliferation conventions; to fulfill in good faith international obligations and commitments relating to safeguards and to cooperate fully with the IAEA within the framework of their respective obligations;

4. 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 an NWFZ;

5. 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 which have not yet done so 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;

6. Further calls upon all States of the region, pending the establishment of the zone, not to pursue actions that would undermine the goal of establishing the zone, including developing, producing, testing or otherwise acquiring nuclear weapons;

7. Further calls upon all States in the region to take measures, including confidence-building and verification measures, aimed at establishing an NWFZ in the Middle East;

8. Urges all States to render assistance in the establishment of the zone and at the same time to refrain from any action that would hinder efforts aiming at its establishment;

9. Mindful of the importance of establishing the Middle East as a nuclear weapons free zone, and in this context, emphasizing the importance of establishing peace therein;

10. Requests the Director General to pursue further 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;

11. 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;

12. 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

13. Requests the Director General to submit to the Board of Governors and the General Conference at its fifty-fourth (2010) 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".

Israeli nuclear capabilities

[GC(53)/RES/17, September 2009]

[*Editorial note:* Footnote not included]

Resolution adopted on 18 September 2009 during the eleventh plenary meeting

The General Conference.

(a) Recalling the relevant resolutions of the General Conference and the Presidential Statements endorsed by the General Conference on this issue,

(b) Recalling also UN Security Council Resolution 487 (1981), which, inter alia, requested Israel to submit all its nuclear facilities to

the Agency's safeguards system,

(c) Bearing in mind the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), in which the Conference noted with concern the continued existence of unsafeguarded nuclear facilities in the Middle East,

(d) Recalling the 2000 NPT Review Conference, which welcomed the fact that all States in the Middle East, with the exception of Israel, are States parties to the NPT and reaffirmed the importance of Israel's accession to the NPT and the placement of all its nuclear facilities under comprehensive IAEA safeguards for realizing the universality of the NPT in the Middle East,

(e) Recognizing that joining the NPT and submitting all nuclear facilities in the region to comprehensive IAEA safeguards is a prerequisite for establishing a nuclear-weapon-free zone (NWFZ) in the Middle East, and

(f) Welcoming the recent international initiatives calling for a "nuclear weapons-free world",

1. Expresses concern about the threat posed by the proliferation of nuclear weapons to the security and stability of the Middle East;

2. Expresses concern about the Israeli nuclear capabilities, and calls upon Israel to accede to the NPT and place all its nuclear facilities under comprehensive IAEA safeguards;

3. Urges the Director General to work with the concerned States towards achieving that end; and

4. Decides to remain seized of this matter and requests the Director General to report on the implementation of this resolution to the Board of Governors and the General Conference at its fifty-fourth regular session under an agenda item entitled "Israeli nuclear capabilities".

Prohibition of armed attack or threat of attack against nuclear installations, during operation or under construction

[GC(53)/DEC/13, September 2009]

[*Editorial note:* Footnote not included]

Decision adopted on 18 September 2009 during the eleventh plenary meeting

The General Conference considered the agenda item 24 entitled "Prohibition of armed attack or threat of attack against nuclear installations, during operation or under construction". The General Conference noted GC(XXIX)/RES/444 and GC(XXXIV)/RES/533, which noted that "any armed attack on and threat against nuclear facilities devoted to peaceful purposes constitutes a violation of the principles of the United Nations Charter, international law and the Statute of the Agency", and a thorough discussion was made on all aspects of the issue. Member States recognized the importance attached to safety, security and physical protection of nuclear material and nuclear facilities and, in that regard, expressed their views on the importance they attached to the protection of nuclear installations. They also noted the need to have the Agency involved in early notification and assistance in cases of radioactive release from nuclear installations.