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Item 19 of the agenda
(GC(46)/19)

IMPLEMENTATION OF UNITED NATIONS SECURITY COUNCIL RESOLUTIONS RELATING TO IRAQ

Resolution adopted on 20 September 2002 during the 10th plenary meeting

The General Conference.

- (a) Recalling all United Nations Security Council resolutions relevant to the situation in Iraq and the Agency's role in Iraq,
- (b) Recalling further the resolutions of the thirty-fifth (1991), thirty-sixth (1992), thirty-seventh (1993), thirty-eighth (1994), thirty-ninth (1995), fortieth (1996), forty-first (1997), forty-second (1998), forty-third (1999), forty-fourth (2000) and forty-fifth (2001) General Conferences (GC(XXXV)/RES/568, GC(XXXVI)/RES/579, GC(XXXVII)/RES/626, GC(XXXVIII)/RES/19, GC(39)/RES/5, GC(40)/RES/21, GC(41)/RES/23, GC(42)/RES/3, GC(43)/RES/22, GC(44)RES/27 and GC(45)RES/17,
- (c) Taking note of the Director General's report to the General Conference and Board of Governors contained in document GOV/2002/37-GC(46)/13, his introductory statement to the forty-sixth General Conference, and his twelfth and thirteenth consolidated six-monthly reports to the Security Council (GOV/INF/2001/10 and GOV/INF/2002/4),
- (d) Noting with increasing concern that three and a half years have passed since the Agency has been able to implement its mandate in Iraq under the relevant Security Council resolutions, and that the Agency thus remains unable to provide any assurances regarding Iraq's compliance with its obligations under those resolutions,
- (e) Noting as a new development that Iraq's Foreign Minister in a letter of 16 September to the United Nations Secretary-General announced the decision of the Iraqi Government to let the weapons inspectors return to Iraq without conditions,
- (f) Noting that the Agency's technically coherent picture of Iraq's past clandestine nuclear programme and nuclear capabilities has not changed, and that, provided the Agency can satisfy itself that Iraq's nuclear activities have not changed since December 1998, remaining questions and concerns about Iraq's past nuclear programme would not prevent full implementation of the Agency's ongoing monitoring and verification plan, but,

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(g) Concerned by the assessment in the report in document GOV/INF/2001/10 that the longer the suspension of Security Council resolution-related inspections in Iraq lasts, the more difficult it will be and the more time will be required for the Agency to re-establish a level of knowledge of the status of Iraq's nuclear-related assets comparable to that achieved at the end of 1998,

(h) Noting that the IAEA's physical inventory verification (PIV) took place in January 2002 and that, with the co-operation of the Iraqi authorities, the Agency inspectors were able to verify the presence of the declared nuclear material remaining in Iraq, stressing, however, that such inspections do not serve as a substitute for the Agency's verification activities required by the relevant Security Council resolutions, nor do they provide the assurances that Iraq is in compliance with its obligations under these resolutions,

1. Commends the Director General and the Agency's Action Team for their strenuous efforts to implement all relevant Security Council resolutions relating to Iraq;
2. Calls upon Iraq to implement in full and without further delay all relevant Security Council resolutions, and in this regard to co-operate fully with the IAEA and provide immediate, unconditional and unrestricted access to enable the Agency to carry out its mandate;
3. Appreciates the Agency's work in carrying out the new activities mandated by Security Council resolution 1409, and invites Member States to support the Agency in its efforts to carry out effectively both its new and existing mandates defined by resolutions 1284 and 1409;
4. Welcomes the fact that the Agency remains prepared to resume implementation of its ongoing monitoring and verification plan at short notice;
5. Stresses that the Agency must, on return to Iraq, resolve the key issue of whether Iraq's nuclear activities and capabilities have changed since December 1998,
6. Requests the Agency to continue to identify and investigate remaining questions and concerns mentioned in preambular paragraph (f), along with any other aspect of Iraq's clandestine nuclear programme that may come to its knowledge;
7. Endorses the Agency's continuing efforts to develop and refine its technical, monitoring and analytical capabilities to detect clandestine nuclear activities, and its continuing co-ordination with UNMOVIC and the Office of the Iraq Programme (OIP); and
8. Requests the Director General to report the views of the General Conference to the Secretary-General of the United Nations and to report to the Board of Governors and to the forty-seventh regular session of the General Conference on his efforts to implement all relevant Security Council resolutions relating to Iraq and decides to remain seized of this issue.