

RESOLUTIONS AND OTHER DECISIONS OF THE GENERAL CONFERENCE

**FORTY-SIXTH REGULAR SESSION
16-20 SEPTEMBER 2002**

GC(46)/RES/DEC(2002)

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INTERNATIONAL ATOMIC ENERGY AGENCY

CONTENTS

				Page
INTRODUCTORY NOTE				vii
AGENDA FOR THE FORTY-SIXTH REGULAR SESSION				viii
RESOLUTIONS				1
Number	Title	Date adopted (2002)	Agenda item	Page
GC(46)/RES/1	Application by the State of Eritrea for membership of the Agency	16 September	2	1
GC(46)/RES/2	Application by the Kyrgyz Republic for membership of the Agency	16 September	2	2
GC(46)/RES/3	Application by the Republic of Seychelles for membership of the Agency	16 September	2	3
GC(46)/RES/4	The Agency's Accounts for 2001	19 September	9	4
GC(46)/RES/5	Regular Budget appropriations for 2003	19 September	10	4
GC(46)/RES/6	Technical Co-operation Fund Allocation for 2003	19 September	10 & 11	7
GC(46)/RES/7	The Working Capital Fund in 2003	19 September	10	8
GC(46)/RES/8	Scale of Assessment of Members' contributions for 2003	19 September	12	9
GC(46)/RES/9	Measures to strengthen international co-operation in nuclear, radiation, transport and waste safety	20 September	13	13
GC(46)/RES/10	Strengthening of the Agency's Technical Co-operation activities	20 September	14	23

GC(46)/RES/DEC(2002)

Number	Title	Date adopted (2002)	Agenda item	Page
GC(46)/RES/11	Strengthening the Agency's activities related to nuclear science, technology and applications	20 September	15	26
GC(46)/RES/12	Strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Additional Protocol	20 September	16	32
GC(46)/RES/13	Nuclear security – progress on measures to protect against nuclear terrorism	20 September	17	36
GC(46)/RES/14	Implementation of the NPT safeguards agreement between the Agency and the Democratic People's Republic of Korea	20 September	18	39
GC(46)/RES/15	Implementation of United Nations Security Council resolutions relating to Iraq	20 September	19	41
GC(46)/RES/16	Application of IAEA safeguards in the Middle East	20 September	20	43
GC(46)/RES/17	Examination of Delegates' Credentials	19 September	23	44

OTHER DECISIONS

Number	Title	Date adopted (2002)	Agenda item	Page
GC(46)/DEC/1	Election of the President	16 September	1	45
GC(46)/DEC/2	Election of Vice-Presidents	16 September	1	45
GC(46)/DEC/3	Election of the Chairman of the Committee of the Whole	16 September	1	45
GC(46)/DEC/4	Election of additional members of the General Committee	16 September	1	46
GC(46)/DEC/5	Adoption of the agenda and allocation of items for initial discussion	16 September	5(a)	46
GC(46)/DEC/6	Closing date of the session	16 September	5(b)	46
GC(46)/DEC/7	Opening date of the forty- seventh regular session of the General Conference	16 September	5(b)	47
GC(46)/DEC/8	Restoration of voting rights	20 September	5(c)	47
GC(46)/DEC/9	Requests for the restoration of voting rights	16 September and 19 September		47
GC(46)/DEC/10	Election of members to the Board of Governors	19 September	8	48
GC(46)/DEC/11	Israeli nuclear capabilities and threat	20 September	21	49
GC(46)/DEC/12	Elections to the Agency's Staff Pension Committee	20 September	22	49

GC(46)/RES/DEC(2002)

INTRODUCTORY NOTE

1. The seventeen resolutions adopted and the twelve other decisions taken by the General Conference at its forty-sixth (2002) regular session are reproduced in this booklet.

2. The resolutions are, for ease of reference, preceded by the agenda for the session. Before the title of each resolution a serial number is given by which it may be cited. Any footnotes to a resolution appear immediately after the text on the left side of the page; on the right side are given the date of adoption of the resolution, the relevant agenda item and a reference to the record of the meeting at which the resolution was adopted. The other decisions taken by the Conference are presented similarly.

3. This booklet should be read in conjunction with the summary records of the General Conference, where details of the proceedings are contained (GC(46)/OR.1-10).

AGENDA FOR THE FORTY-SIXTH (2002) REGULAR SESSION*

<u>Item Number</u>	<u>Title</u>	<u>Allocation for initial discussion</u>
1.	Election of officers and appointment of the General Committee	<i>Plenary</i>
2.	Applications for membership of the Agency (GC(46)/3, GC(46)/4 and GC(46)/17)	<i>Plenary</i>
3.	Message from the Secretary-General of the United Nations	<i>Plenary</i>
4.	Statement by the Director General	<i>Plenary</i>
5.	Arrangements for the Conference	
(a)	Adoption of the agenda and allocation of items for initial discussion	<i>General Committee</i>
(b)	Closing date of the session and opening date of the next session	<i>General Committee</i>
(c)	Restoration of voting rights (GC(46)/INF/3, GC(46)/INF/7 and GC(46)/INF/10, GC(46)/INF/6 and Add.1, and GC(46)/20)	<i>General Committee</i> <i>Committee of the Whole</i>
6.	Contributions to the Technical Co-operation Fund for 2003 (GC(46)/18)	<i>Plenary</i>
7.	General debate and Annual Report for 2001 (GC(46)/2)	<i>Plenary</i>
8.	Election of Members to the Board of Governors (GC(46)/5, GC(46)/21)	<i>Plenary</i>
9.	The Agency's Accounts for 2001 (GC(46)/6)	<i>Committee of the Whole</i>
10.	The Agency's Budget Update for 2003 (GC(46)/7 and Mod.1)	<i>Committee of the Whole</i>

* Reproduced from document GC(46)/19.

GC(46)/RES/DEC(2002)

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| 11. | The financing of technical co-operation | <i>Committee of the Whole</i> |
| 12. | Scale of assessment of Members' contributions towards the Regular Budget (GC(46)/10) | <i>Committee of the Whole</i> |
| 13. | Measures to strengthen international co-operation in nuclear, radiation, transport and waste safety (GC(46)/11 and Add.1, Add.2 and Corr.1, GC(46)/12) | <i>Committee of the Whole</i> |
| 14. | Strengthening of the Agency's technical co-operation activities (GC(46)/INF/4) | <i>Committee of the Whole</i> |
| 15. | Strengthening the Agency's activities related to nuclear science, technology and applications (GC(46)/15 and GC(46)/INF/5) | <i>Committee of the Whole</i> |
| 16. | Strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Additional Protocol (GC(46)/8) | <i>Committee of the Whole</i> |
| 17. | Nuclear security – progress on measures to protect against nuclear terrorism (GC(46)/14, Mod.1 and Mod.2) | <i>Committee of the Whole</i> |
| 18. | Implementation of the NPT safeguards agreement between the Agency and the Democratic People's Republic of Korea (GC(46)/16) | <i>Plenary</i> |
| 19. | Implementation of United Nations Security Council resolutions relating to Iraq (GC(46)/13 and Corr.1) | <i>Plenary</i> |
| 20. | Application of IAEA safeguards in the Middle East (GC(46)/9, and Add.1 and Corr.1, and Add.2) | <i>Plenary</i> |
| 21. | Israeli nuclear capabilities and threat (GC(46)/1/Add.1) | <i>Plenary</i> |
| 22. | Elections to the Agency's Staff Pension Committee | <i>Committee of the Whole</i> |
| 23. | Examination of delegates' credentials (GC(46)/23, GC(46)/24, GC(46)/25) | <i>General Committee</i> |
| 24. | Report on contributions pledged to the Technical Co-operation Fund for 2003 (GC(46)/22 and Rev.1-3) | <i>Plenary</i> |

GC(46)/RES/DEC(2002)

Information documents

GC(46)/INF/1	Inscription in the List of speakers in the General Debate
GC(46)/INF/2	Advance information for delegations
GC(46)/INF/3	Text of communication of 10 May 2002 received from the Permanent Mission of Iraq to the IAEA concerning restoration of voting rights
GC(46)/INF/4 & Supplement	Technical Co-operation Report for 2002: Report by the Director General
GC(46)/INF/5	The Nuclear Technology Review 2002
GC(46)/INF/6 and Add.1	Restoration of voting rights
GC(46)/INF/7	Text of communication of 30 August 2002 received from the Permanent Mission of the Republic of Mali to the IAEA concerning restoration of voting rights
GC(46)/INF/8 and Rev.1	List of Participants
GC(46)/INF/8/Rev.1/Add.1	List of Individual Participants
GC(46)/INF/9	Specimen draft resolution on the Regular Budget appropriations for 2003 at the September 2002 dollar/euro exchange rate
GC(46)/INF/10	Text of communication of 10 September 2002 received from the Minister of Foreign Affairs of Georgia to the IAEA concerning restoration of voting rights
GC(46)/INF/11	Text of communication of 17 September 2002 received from the Permanent Mission of Iraq to the IAEA concerning restoration of voting rights
GC(46)/INF/13	Statement of financial contributions to the Agency as at 12 September 2002
GC(46)/INF/13/Rev.1	Statement of financial contributions to the Agency as at 19 September 2002

* There was no document GC(46)/INF/12.

RESOLUTIONS

GC(46)/RES/1

APPLICATION BY THE STATE OF ERITREA FOR MEMBERSHIP OF THE AGENCY

The General Conference

- a) Having received the recommendation of the Board of Governors that the State of Eritrea should be approved for membership of the Agency¹, and
 - b) Having considered the application of the State of Eritrea for membership in the light of Article IV.B of the Statute,
1. Approves the State of Eritrea for membership of the Agency; and,
 2. Determines, pursuant to Financial Regulation 5.09², that in the event of the State of Eritrea becoming a Member of the Agency during the remainder of 2002 or in 2003, it shall be assessed as appropriate:
 - a) For an advance or advances to the Working Capital Fund, in accordance with Financial Regulation 7.04²; and
 - b) For a contribution or contributions towards the Agency's Regular Budget, in accordance with the principles and arrangements the Conference has established for the assessment of Members for such contributions.³

¹ GC (46)/3 para.2.

² INFCIRC/8/Rev.2.

³ By resolution GC(III)RES/50, as amended by resolution GC(XXI)RES/351; and resolution GC(39)RES/11, as amended by resolution GC(44)/RES/9.

*16 September 2002
Agenda item 2
GC(46)/OR.1, paras 22-24*

**APPLICATION BY THE KYRGYZ
REPUBLIC FOR MEMBERSHIP OF
THE AGENCY**

The General Conference

- a) Having received the recommendation of the Board of Governors that the Kyrgyz Republic should be approved for membership of the Agency¹, and
 - b) Having considered the application of the Kyrgyz Republic for membership in the light of Article IV.B of the Statute,
1. Approves the Kyrgyz Republic for membership of the Agency; and,
 2. Determines, pursuant to Financial Regulation 5.09², that in the event of the Kyrgyz Republic becoming a Member of the Agency during the remainder of 2002 or in 2003, it shall be assessed as appropriate:
 - a) For an advance or advances to the Working Capital Fund, in accordance with Financial Regulation 7.04²; and
 - b) For a contribution or contributions towards the Agency's Regular Budget, in accordance with the principles and arrangements the Conference has established for the assessment of Members for such contributions.³

¹ GC(46)/4 para.2.

² INFCIRC/8/Rev.2.

³ By resolution GC(III)/RES/50, as amended by resolution GC(XXI)/RES/351; and resolution GC(39)/RES/11, as amended by resolution GC(44)/RES/9.

*16 September 2002
Agenda item 2
GC(46)/OR.1, paras 22-24*

GC(46)/RES/3

**APPLICATION BY THE REPUBLIC OF
SEYCHELLES FOR MEMBERSHIP OF
THE AGENCY**

The General Conference

- a) Having received the recommendation of the Board of Governors that the Republic of Seychelles should be approved for membership of the Agency¹, and
 - b) Having considered the application of the Republic of Seychelles for membership in the light of Article IV.B of the Statute,
3. Approves the Republic of Seychelles for membership of the Agency; and,
4. Determines, pursuant to Financial Regulation 5.09², that in the event of the Republic of Seychelles becoming a Member of the Agency during the remainder of 2002 or in 2003, it shall be assessed as appropriate:
- a) For an advance or advances to the Working Capital Fund, in accordance with Financial Regulation 7.04²; and
 - b) For a contribution or contributions towards the Agency's Regular Budget, in accordance with the principles and arrangements the Conference has established for the assessment of Members for such contributions.³

¹ GC(46)/17 para 2.

² INFCIRC/8/Rev.2.

³ By resolution GC(III)RES/50, as amended by resolution GC(XXI)RES/351, and resolution GC(39)RES/11, as amended by resolution GC(44)/RES/9.

*16 September 2002
Agenda item 2
GC(46)/OR.1, paras 22-24*

GC(46)/RES/DEC(2002)

GC(46)/RES/4

THE AGENCY'S ACCOUNTS FOR 2001

The General Conference,

Having regard to Financial Regulation 11.03(b),

Takes note of the report of the External Auditor on the Agency's accounts for the year 2001 and of the report of the Board of Governors thereon ¹.

¹ GC(46)/6.

*19 September 2002
Agenda item 9
GC(46)/OR.7, para.97*

GC(46)/RES/5

**REGULAR BUDGET
APPROPRIATIONS FOR 2003**

The General Conference,

Accepting the recommendations of the Board of Governors relating to the Regular Budget of the Agency for 2003 ^{1/},

1. Appropriates on the basis of an exchange rate of € 0.9229 to \$1.00, an amount of \$248 875 000 for the Regular Budget expenses of the Agency in 2003 as follows ^{2/}:

	<u>United States dollars</u>
1. Nuclear Power, Fuel Cycle and Nuclear Science	18 895 000
2. Nuclear Techniques for Development and Environmental Protection	27 811 000
3. Nuclear Safety and Protection against Radiation	20 412 000
4. Nuclear Verification and Security of Material	90 212 000
5. Information Support Services	20 121 000
6. Management of Technical Co-operation for Development	15 065 000
7. Policy and General Management	52 521 000
Subtotal Agency Programmes	<u>245 037 000</u>
8. Reimbursable Work for Others	3 838 000
TOTAL	<u><u>248 875 000</u></u>

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

2. Decides that the foregoing appropriation shall be financed, after the deduction of
 - revenues deriving from Reimbursable Work for Others (Section 8); and
 - Other Miscellaneous Income of \$3 241 000 (representing \$2 182 000 plus € 977 000);from contributions by Member States amounting, for an exchange rate of € 0.9229 to \$1.00, to \$241 796 000 (\$42 141 000 plus € 184 262 000), in accordance with the scale of assessment fixed by the General Conference in resolution GC(46)/RES/8; and
3. Authorizes the Director General:
 - (a) To incur expenditures additional to those for which provision is made in the Regular Budget for 2003, provided that the relevant emoluments of any staff involved and all other costs are entirely financed from revenues arising out of sales, work performed for Member States or international organizations, research grants, special contributions or other sources extraneous to the Regular Budget for 2003; and
 - (b) With the prior approval of the Board of Governors, to make transfers between any of the Sections listed in paragraph 1 above.

^{1/} See document GC(46)/7.

^{2/} The Appropriation Sections 1–7 represent the Agency's Major Programmes.

ATTACHMENT

ADJUSTMENT FORMULA IN US DOLLARS

1. Nuclear Power, Fuel Cycle and Nuclear Science	6 103 000	+	(	11 806 000	/R)
2. Nuclear Techniques for Development and Environmental Protection	8 426 000	+	(	17 890 000	/R)
3. Nuclear Safety and Protection against Radiation	4 194 000	+	(	14 968 000	/R)
4. Nuclear Verification and Security of Material	14 154 000	+	(	70 194 000	/R)
5. Information Support Services	2 724 000	+	(	16 056 000	/R)
6. Management of Technical Co-operation for Development	1 903 000	+	(	12 147 000	/R)
7. Policy and General Management	6 819 000	+	(	42 178 000	/R)
	<hr/>			<hr/>	
Subtotal Agency Programmes	44 323 000	+	(	185 239 000	/R)
	<hr/>			<hr/>	
8. Reimbursable Work for Others	658 000	+	(	2 935 000	/R)
	<hr/>			<hr/>	
TOTAL	<u>44 981 000</u>	+	(	<u>188 174 000</u>	/R)

Note: R is the average United Nations euro-to-dollar exchange rate which will be experienced during 2003.

*19 September 2002
Agenda item 10
GC(46)/OR.7, para.98*

GC(46)/RES/6

**TECHNICAL CO-OPERATION FUND
ALLOCATION FOR 2003**

The General Conference,

Noting the decision of the Board of Governors to recommend that for 2003 and 2004 the target for voluntary contributions to the Agency's Technical Co-operation Fund shall be \$74 750 000 in each of these years, that the Indicative Planning Figures for 2005 and 2006 shall be no less than \$75 000 000, and that the actual targets for the latter two years will be set in 2004, taking into account the results of the Board's review of the rate of attainment mechanism which will be then available, as well as other factors relevant to setting Technical Co-operation Fund targets,

Accepting the recommendation of the Board of Governors relating to the target for voluntary contributions to the Agency's Technical Co-operation Fund for 2003¹,

1. Decides that for 2003 the target for voluntary contributions to the Technical Co-operation Fund shall be \$74 750 000;
2. Notes that funds from other sources, estimated at \$1 000 000, are expected to be available for that programme;
3. Allocates the amount of \$75 750 000 for the Agency's Technical Co-operation programme for 2003; and
4. Urges all Member States to make voluntary contributions for 2003 in accordance with Article XIV.F of the Statute, with paragraph 2 of its Resolution GC(V)/RES/100 as amended by Resolution GC(XV)/RES/286 or with paragraph 3 of the former Resolution, as appropriate.

¹ See document GC(46)/7, para 6 of the Explanatory Notes on the Agency's Budget Update for 2003.

*19 September 2002
Agenda item 10 & 11
GC(46)/OR.7, para.98*

The General Conference,

Accepting the recommendations of the Board of Governors relating to the Agency's Working Capital Fund in 2003 ¹,

1. Approves a level of \$18 000 000 for the Agency's Working Capital Fund in 2003;
2. Decides that the Fund shall be financed, administered and used in 2003 in accordance with the relevant provisions of the Agency's Financial Regulations ²;
3. Authorizes the Director General to make advances from the Fund not exceeding \$500 000 at any time to finance temporarily projects or activities which have been approved by the Board of Governors for which no funds have been provided under the Regular Budget; and
4. Requests the Director General to submit to the Board statements of advances made from the Fund under the authority given in paragraph 3 above.

¹ See document GC(46)/7, para 8 of the Explanatory Notes on the Agency's Budget Update for 2003.

² INFCIRC/8/Rev.2.

*19 September 2002
Agenda item 10
GC(46)/OR.7, para.98*

GC(46)/RES/8

**SCALE OF ASSESSMENT OF
MEMBERS' CONTRIBUTIONS FOR 2003**

The General Conference,

Applying the principles it has established for the assessment of Members' contributions towards the Agency's Regular Budget ¹,

1. Decides that the individual base rates and the resulting scale of assessment of Members' contributions to the Agency's Regular Budget for 2003 shall be as set forth in Annex 1 hereto; and
2. Determines, pursuant to Financial Regulation 5.09 ², that in the event of a State becoming a Member of the Agency during the remainder of 2002 or in 2003 it shall be assessed as appropriate:
 - (a) for an advance or advances to the Working Capital Fund, in accordance with Financial Regulation 7.04 ²; and
 - (b) for a contribution or contributions towards the Agency's Regular Budget, in accordance with the principles and arrangements the Conference has established for that purpose.

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

² INFCIRC/8/Rev.2.

ANNEX 1
2003 SCALE OF ASSESSMENT

Member	Base rate %	Scale %	Regular Budget assessment		
			US\$	+	€
Afghanistan	0.007	0.006	2 441		10 293
Albania	0.003	0.002	1 046		4 411
Algeria	0.067	0.054	23 360		98 513
Angola	0.002	0.002	698		2 940
Argentina	1.100	0.883	383 526		1 617 363
Armenia	0.002	0.002	698		2 940
Australia	1.556	1.605	673 703		2 959 176
Austria	0.905	0.933	391 838		1 721 114
Azerbaijan	0.004	0.003	1 394		5 882
Bangladesh	0.009	0.007	3 138		13 233
Belarus	0.018	0.014	6 276		26 466
Belgium	1.080	1.114	467 611		2 053 937
Benin	0.002	0.002	698		2 940
Bolivia	0.008	0.006	2 789		11 762
Bosnia and Herzegovina	0.004	0.003	1 394		5 882
Botswana	0.009	0.007	3 138		13 233
Brazil	1.986	1.595	692 439		2 920 076
Bulgaria	0.012	0.010	4 183		17 644
Burkina Faso	0.002	0.002	698		2 940
Cambodia	0.002	0.002	698		2 940
Cameroon	0.008	0.006	2 789		11 762
Canada	2.447	2.524	1 059 480		4 653 667
Central African Republic	0.001	0.001	349		1 471
Chile	0.177	0.142	61 713		260 248
China	1.466	1.177	511 135		2 155 504
Colombia	0.162	0.130	56 483		238 193
Costa Rica	0.019	0.015	6 625		27 936
Côte d'Ivoire	0.008	0.006	2 789		11 762
Croatia	0.037	0.030	12 900		54 402
Cuba	0.028	0.022	9 762		41 169
Cyprus	0.036	0.034	14 546		63 120
Czech Republic	0.163	0.131	56 832		239 664
Democratic Republic of the Congo	0.004	0.003	1 394		5 882
Denmark	0.716	0.738	310 007		1 361 675
Dominican Republic	0.022	0.018	7 670		32 347
Ecuador	0.024	0.019	8 368		35 288
Egypt	0.077	0.062	26 847		113 215
El Salvador	0.017	0.014	5 927		24 996
Estonia	0.009	0.007	3 138		13 233
Ethiopia	0.004	0.003	1 394		5 882
Finland	0.499	0.515	216 052		948 989
France	6.183	6.376	2 677 058		11 758 733
Gabon	0.013	0.010	4 532		19 114
Georgia	0.005	0.004	1 743		7 351
Germany	9.342	9.634	4 044 815		17 766 476

A N N E X 1 (continued)
2003 SCALE OF ASSESSMENT

Member	Base rate %	Scale %	Regular Budget assessment	
			US\$	€
Ghana	0.005	0.004	1 743	7 351
Greece	0.515	0.414	179 560	757 220
Guatemala	0.026	0.021	9 066	38 229
Haiti	0.002	0.002	698	2 940
Holy See	0.001	0.001	433	1 903
Hungary	0.115	0.092	40 096	169 088
Iceland	0.031	0.032	13 422	58 955
India	0.326	0.262	113 664	479 328
Indonesia	0.191	0.153	66 594	280 833
Iran, Islamic Republic of	0.224	0.180	78 100	329 354
Iraq	0.097	0.078	33 820	142 622
Ireland	0.282	0.291	122 098	536 305
Israel	0.397	0.409	171 889	755 010
Italy	4.843	4.995	2 096 878	9 210 345
Jamaica	0.004	0.003	1 394	5 882
Japan	18.664	19.248	8 080 969	35 494 911
Jordan	0.008	0.006	2 789	11 762
Kazakhstan	0.027	0.022	9 413	39 699
Kenya	0.008	0.006	2 789	11 762
Korea, Republic of	1.771	1.422	617 477	2 603 954
Kuwait	0.140	0.144	60 616	266 249
Latvia	0.009	0.007	3 138	13 233
Lebanon	0.011	0.009	3 836	16 174
Liberia	0.001	0.001	349	1 471
Libyan Arab Jamahiriya	0.064	0.051	22 315	94 102
Liechtenstein	0.006	0.006	2 598	11 412
Lithuania	0.016	0.013	5 579	23 525
Luxembourg	0.076	0.078	32 905	144 533
Madagascar	0.003	0.002	1 046	4 411
Malaysia	0.225	0.181	78 449	330 824
Mali	0.002	0.002	698	2 940
Malta	0.014	0.011	4 881	20 585
Marshall Islands	0.001	0.001	349	1 471
Mauritius	0.010	0.008	3 487	14 704
Mexico	1.039	0.834	362 258	1 527 673
Monaco	0.004	0.004	1 731	7 606
Mongolia	0.001	0.001	349	1 471
Morocco	0.043	0.035	14 992	63 224
Myanmar	0.009	0.007	3 138	13 233
Namibia	0.007	0.006	2 441	10 293
Netherlands	1.662	1.714	719 598	3 160 768
New Zealand	0.231	0.238	100 017	439 315
Nicaragua	0.001	0.001	349	1 471
Niger	0.001	0.001	349	1 471
Nigeria	0.053	0.043	18 479	77 927

A N N E X 1 (continued)
2003 SCALE OF ASSESSMENT

Member	Base rate %	Scale %	Regular Budget assessment	
			US\$	€
Norway	0.619	0.638	268 009	1 177 204
Pakistan	0.058	0.047	20 222	85 280
Panama	0.017	0.014	5 927	24 996
Paraguay	0.015	0.012	5 230	22 055
Peru	0.113	0.091	39 398	166 147
Philippines	0.096	0.077	33 471	141 151
Poland	0.303	0.243	105 644	445 510
Portugal	0.442	0.355	154 108	649 886
Qatar	0.032	0.033	13 855	60 858
Republic of Moldova	0.002	0.002	698	2 940
Romania	0.056	0.045	19 525	82 338
Russian Federation	1.139	1.175	493 154	2 166 132
Saudi Arabia	0.530	0.426	184 790	779 275
Senegal	0.005	0.004	1 743	7 351
Sierra Leone	0.001	0.001	349	1 471
Singapore	0.376	0.358	151 673	657 903
Slovakia	0.041	0.033	14 295	60 284
Slovenia	0.077	0.079	33 338	146 436
South Africa	0.390	0.313	135 977	573 429
Spain	2.409	2.484	1 043 027	4 581 398
Sri Lanka	0.015	0.012	5 230	22 055
Sudan	0.006	0.005	2 092	8 822
Sweden	0.982	1.013	425 177	1 867 550
Switzerland	1.209	1.247	523 462	2 299 259
Syrian Arab Republic	0.077	0.062	26 847	113 215
Tajikistan	0.001	0.001	349	1 471
Thailand	0.241	0.194	84 027	354 350
The former Yugoslav Republic of Macedonia	0.006	0.005	2 092	8 822
Tunisia	0.029	0.023	10 111	42 640
Turkey	0.421	0.338	146 786	619 009
Uganda	0.005	0.004	1 743	7 351
Ukraine	0.050	0.040	17 433	73 517
United Arab Emirates	0.194	0.200	83 997	368 948
United Kingdom of Great Britain and Northern Ireland	5.294	5.460	2 292 148	10 068 048
United Republic of Tanzania	0.004	0.003	1 394	5 882
United States of America	25.000	25.782	10 824 273	47 544 625
Uruguay	0.077	0.062	26 847	113 215
Uzbekistan	0.010	0.008	3 487	14 704
Venezuela	0.199	0.160	69 383	292 595
Viet Nam	0.012	0.010	4 183	17 644
Yemen	0.007	0.006	2 441	10 293
Yugoslavia, Federal Republic of	0.019	0.015	6 625	27 936
Zambia	0.002	0.002	698	2 940
Zimbabwe	0.008	0.006	2 789	11 762
TOTAL	100.000	100.000	42 141 000	184 262 000

[a]

[a] See document GC(46)/7, "The Agency's Budget Update for 2003", Annex, draft resolution A.

19 September 2002
Agenda item 12
GC(46)/OR.7, para.99

GC(46)/RES/9

**MEASURES TO STRENGTHEN
INTERNATIONAL CO-OPERATION IN
NUCLEAR, RADIATION, TRANSPORT
AND WASTE SAFETY**

A.

**MEASURES TO STRENGTHEN INTERNATIONAL CO-OPERATION
IN NUCLEAR, RADIATION AND WASTE SAFETY**

The General Conference,

- (a) Recalling resolution GC(45)/RES/10 on measures to strengthen international co-operation in nuclear, radiation, transport and waste safety,
- (b) Recognizing that a global nuclear, radiation and waste safety culture is a key element of the peaceful uses of nuclear energy and that continuous efforts are required in order to ensure that the technical and human elements of safety are maintained at the optimal level,
- (c) Stressing the important role of the IAEA in enhancing nuclear, radiation and waste safety through its various safety programmes and initiatives and in promoting international co-operation in this regard,
- (d) Noting with appreciation document GC(46)/11 (with its Addenda) and document GC(46)/12, containing the Secretariat's responses to nuclear, radiation, transport and waste safety issues of concern to Member States,
- (e) Noting with satisfaction the report of the Second Review Meeting of the Contracting Parties to the Convention on Nuclear Safety, particularly the conclusion that significant progress had been made since the First Review Meeting in the areas of legislation; regulatory independence; financial resources for regulators and operators; implementation of safety improvements in installations built to earlier safety standards; and emergency preparedness,
- (f) Looking forward to the First Review Meeting of Contracting Parties to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, to be held in Vienna from 3 November 2003,
- (g) Emphasizing the importance of education and training in establishing and maintaining an adequate radiation protection and nuclear safety infrastructure, and noting the actions taken by the Secretariat towards developing strategies for education and training in nuclear, radiation and waste safety, and
- (h) Noting the importance of Member States taking the necessary steps to develop and improve their national nuclear, radiation and waste safety legal infrastructures,

1.

General

1. Encourages the Secretariat to focus its efforts relating to nuclear, radiation, and waste safety on mandatory activities and on technical areas and regions where the need for improvement is greatest;
2. Urges the Secretariat to complete the corpus of IAEA safety standards and requests the Director General to report to the Board of Governors on their development and application;
3. Welcomes the progress made by the Secretariat in helping Member States to put in place sustainable programmes of education and training in nuclear, radiation, transport and waste safety, as outlined in Attachment 7 to document GC(46)/11;
4. Requests the Director General to continue the current programme of legislative assistance to Member States, to assist them in improving their national infrastructures for nuclear installation, radiation and waste safety;
5. Encourages Member States to continue requesting IAEA safety review services in order to enhance nuclear, radiation and waste safety, including Integrated Safety Evaluations;

2.

Nuclear installation safety

6. Appeals to all Member States, particularly those operating, constructing or planning nuclear power reactors, which have not yet taken the necessary steps to become party to the Convention on Nuclear Safety to do so;
7. Calls on the Contracting Parties to the Convention on Nuclear Safety to take steps to further improve the implementation of their obligations and to further enhance nuclear safety, particularly in those areas identified by the Second Review Meeting of Contracting Parties as warranting special attention;
8. Welcomes the progress made in preparing a Code of Conduct on the Safety of Research Reactors and encourages Member States to participate in the next open-ended meeting of technical and legal experts, to take place in Vienna from 16 to 20 December 2002;
9. Urges those Member States with research reactors which have not yet responded to the Secretariat's questionnaire on the safety status of their research reactors to do so as soon as possible;
10. Welcomes the assistance provided by the Secretariat in monitoring and improving the safety of research reactors, particularly those subject to IAEA Project and Supply Agreements, as outlined in Attachment 1 to document GC(46)/11, and encourages relevant Member States to collaborate closely with the Secretariat in facilitating such assistance;
11. Welcomes the Secretariat's continuing work on developing safety standards for fuel cycle facilities;

12. Encourages the Secretariat to continue assisting Member States, subject to the availability of resources, in reviewing the safety implications of the continued operation of nuclear installations beyond the planned operating period, focusing on design, process and technology issues;
13. Encourages participation by relevant high-level experts in the *International Conference on Safety Culture in Nuclear Installations*, being held in Rio de Janeiro from 2 to 6 December 2002;

3.

Radiation safety

14. Welcomes the progress being made by the Secretariat toward implementing, in conjunction with Member States, the Revised Action Plan for the Safety and Security of Radiation Sources, as outlined in Attachment 2 to document GC(46)/11;
15. Welcomes, in the light of increased international concern about the potential misuse of radioactive sources, the work done during 2002 to strengthen the *Code of Conduct on the Safety and Security of Radioactive Sources*, and notes that a draft revised Code is expected to be put to the Board of Governors during 2003;
16. Endorses the decision of the Board of Governors to approve the International Action Plan for the Radiological Protection of Patients, based on the findings, recommendations and conclusions of the 2001 Malaga Conference on the issue, as described in the Attachment to document GC(46)/12, and requests the Secretariat to implement it, subject to the availability of resources;
17. Requests the Director General to look into the possibility of the IAEA co-operating with the International Labour Organization and other relevant bodies in formulating and implementing, subject to the availability of resources, an international action plan for occupational radiation protection in the light of, inter alia, the findings and recommendations of the *International Conference on Occupation Radiation Protection* held in Geneva from 26 to 30 August 2002;
18. Takes note of the steps taken by the Secretariat, pursuant to resolution GC(44)/RES/15, towards developing radiological criteria for long-lived radionuclides in commodities, described in Attachment 3 to document GC(46)/11;
19. Welcomes the steps taken by the Secretariat to assist in developing an international framework for the protection of the environment from ionizing radiation and looks forward to the *International Conference on Protection of the Environment from the effects of Ionizing Radiation*, which is to take place in Stockholm from 6 to 10 October 2003;

4.

Waste safety

20. Appeals to all Member States which have not yet taken the necessary steps to become party to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of

GC(46)/RES/DEC(2002)

Radioactive Waste Management to do so in time to attend the First Review Meeting of the Contracting Parties, to be held in Vienna from 3 November 2003;

21. Encourages all Contracting Parties to the Joint Convention to ensure that national reports for the First Review Meeting are submitted to the Secretariat not later than 5 May 2003;
22. Welcomes the progress being made by the Secretariat in implementing actions relating to the safety of radioactive waste management, as described in Attachment 5 to document GC(46)/11;
23. Welcomes the recent progress made by several Member States towards achieving long-term solutions for the storage of spent fuel and high-level radioactive waste;
24. Encourages participation by relevant high-level experts in the *International Conference on Issues and Trends in Radioactive Waste Management*, which is to take place in Vienna from 9 to 13 December 2002;
25. Encourages participation by relevant high-level experts in the *International Conference on Safe Decommissioning for Nuclear Activities*, which is to take place in Berlin from 14 to 18 October 2002 and urges Member States to nominate representatives as soon as possible; and

5.

26. Requests the Director General to report, as appropriate, to it at its forty-seventh (2003) regular session on developments relevant to this resolution in the intervening period.

B.

TRANSPORT SAFETY

The General Conference,

- (a) Noting with appreciation the report on Transport Safety contained in Attachment 4 to document GC(46)/11,
- (b) Welcoming as opportune the convening by the Secretariat of the 2003 International Conference on the Safety of Transport of Radioactive Material, to be held in Vienna from 7 to 11 July 2003,
- (c) Mindful that the safety of the transport of radioactive materials entails a range of important issues, such as those agreed upon for the programme of the Conference listed in Attachment 4 to document GC(46)/11, welcoming the arrangements in place for the Conference and looking forward to a constructive discussion of the issues,
- (d) Noting with satisfaction the progress that has been made during 2002 in reviewing and revising as necessary the Agency's Transport Regulations,

- (e) Noting the conclusions of the final report on the co-ordinated research project on the severity, probability and risk of accidents during the maritime transport of radioactive materials by experts from the United Kingdom, the United States, France, Sweden, Japan and Germany which was published in July 2001 (TECDOC-1231),
- (f) Noting concerns about a potential accident or incident during the transport of radioactive materials by sea and about the importance of the protection of people, human health and the environment as well as protection from actual economic loss, as defined in relevant international instruments, due to an accident or incident,
- (g) Recalling maritime, river, and air navigation rights and freedoms, as provided for in international law and as reflected in relevant international instruments,
- (h) Recalling that States have under international law the obligation to protect and preserve the marine environment,
- (i) Stressing the importance of international co-operation to enhance the safety of international navigation,
- (j) Recalling that in previous resolutions the General Conference has encouraged Member States to make use of the Transport Safety Appraisal Service (TranSAS),
- (k) Recalling resolution GC(45)/RES10, and the previous resolutions which invited Member States shipping radioactive materials to provide, as appropriate, assurances to potentially affected States, upon their request, that their national regulations take into account the Agency's Transport Regulations and to provide them with relevant information relating to shipments of such materials. The information provided should in no case be contradictory to the measures of physical protection and safety,
- (l) Noting paragraph 33.bis of the World Summit on Sustainable Development's Plan of Implementation, agreed in September 2002,
- (m) Recognizing concerns about the potential for damage to arise in the event of an accident or incident during the maritime transport of radioactive materials, including pollution of the marine environment, recognizing also the importance of having in place effective liability mechanisms, and believing that the principle of strict liability should apply in the event of nuclear damage arising from an accident or incident during the maritime transport of radioactive materials,
- (n) Noting the importance of security for the safe maritime transport of radioactive materials and the strong concern of some States in this regard, and stressing the need to take adequate measures to deter or defeat terrorist and other hostile or criminal actions directed against carriers of radioactive materials, in accordance with international law, and
- (o) Emphasizing the importance of the Agency education and training programmes for increasing the levels of safety in the maritime transport of radioactive materials,

GC(46)/RES/DEC(2002)

1. Urges Member States to participate in the 2003 International Conference on the Safety of Transport of Radioactive Material, with a view to addressing in a comprehensive way and following up as necessary all issues contained in the agreed Conference programme, as listed in Attachment 4 to document GC(46)/11, and requests the Secretariat to report to the 2003 General Conference on its outcomes;
2. Urges Member States that do not have national regulatory documents governing the transport of radioactive materials to adopt such documents expeditiously, ensuring that they are in conformity with the 1996 edition of the Agency's Transport Regulations, and urges Member States whose national regulatory documents governing the transport of radioactive materials are not in conformity with the 1996 edition of the Agency's Transport Regulations to bring them into conformity with the 1996 edition as soon as possible;
3. Welcomes the fact that implementation of the 1996 edition of the Agency's Transport Regulations became mandatory on 1 January 2002 under the International Maritime Organization's International Maritime Dangerous Goods Code, having already become mandatory on 1 July 2001 in respect of air shipments of radioactive materials under the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air;
4. Calls for continued efforts, at the appropriate international and regional levels, to examine and optimize measures and international regulations relevant to the international maritime transport of radioactive materials;
5. Expresses satisfaction with the progress that has been made in establishing a schedule for regular reviews of the Agency's Transport Regulations with a view to issuing a revised or amended edition, as necessary, every two years, beginning in 2003, consistent with the schedules of the United Nations Committee of Experts on the Transport of Dangerous Goods and of the relevant international modal organizations;
6. Commends those Member States which have already made use of TranSAS and the Secretariat for its actions in responding to requests for TranSAS missions, encourages other Member States to avail themselves of TranSAS with a view to achieving the highest levels of safety during the transport of radioactive materials, requests the Secretariat to ascertain whether there are available spare resources to satisfy further requests for TranSAS missions from developing Member States, encourages Member States which have already made use of TranSAS missions to put into effect the resulting recommendations and suggestions, as well as to share their good practices as identified with other Member States, welcomes the fact that in 2002 one Member State, the UK, offered representatives of concerned States the opportunity to accompany TranSAS missions as observers, invites other Member States to adopt this practice and encourages other Member States to improve their transport practices based on recommendations and suggestions from TranSAS missions;
7. Welcomes the TranSAS missions to Brazil in April 2002 and to the United Kingdom in June 2002, looks forward to the publication of the report on the TranSAS mission to Brazil, expresses satisfaction with the outcome of the TranSAS mission to the United Kingdom as set out in the report published by the Agency on 6 September 2002, welcomes the requests of France, Panama and Turkey for TranSAS missions and looks forward to the publication of

the results of those missions, and encourages other Member States to avail themselves of TranSAS;

8. Notes the progress made by the Secretariat toward developing a database on events that have arisen during the transport of radioactive materials (EVTRAM) and invites Member States to provide reports accordingly;

9. Requests the Secretariat to continue to seek regularly from each Member State data needed in order to ensure that the information on how it regulates the transport of radioactive materials which is published on the Agency's transport safety web page is complete and up-to-date and urges those Member States which have not provided such data to do so expeditiously;

10. Urges Member States shipping radioactive materials, consistent with resolution GC(45)/RES/10, to provide, as appropriate, assurances to potentially affected States that their national regulations accord with the Agency's Transport Regulations;

11. 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 purposes of addressing concerns regarding safety and security, including emergency preparedness, and invites others to do so in order to improve mutual understanding and confidence regarding shipments of radioactive materials. The information and responses provided should in no case be contradictory to the measures of physical protection and safety;

12. Emphasizes the importance of maintaining dialogue and consultation aimed at improving mutual understanding, confidence building and enhanced communication in relation to the safe maritime transport of radioactive materials and requests the Director General to examine how the Agency could assist to further this objective and to report to the next General Conference;

13. Stresses the importance of having effective liability mechanisms in place to insure against harm to human health and the environment as well as actual economic loss due to an accident or incident during the maritime transport of radioactive materials, and furthermore stresses the need expressed by certain States for consultations among relevant Member States to discuss the liability arrangements that are applicable in the event of an accident or incident during the maritime transport of radioactive materials;

14. Welcomes the agreement reached in February 2002 on revising the Paris Convention on Third Party Liability in the Field of Nuclear Energy and urges States Parties to ratify the revised text of the Convention at the earliest opportunity, and stresses the importance of wide adherence to the international nuclear liability regime established by the Vienna Convention on Civil Liability for Nuclear Damage, as amended in 1997, and the related treaties adopted under IAEA auspices;

15. Requests the Director General, subject to the availability of resources, to strengthen and widen the Agency's efforts in the area of education and training for the safe transport of radioactive materials; and

GC(46)/RES/DEC(2002)

16. Requests the Director General to report to it at its forty-seventh (2003) regular session on the implementation of this resolution.

**C.
EDUCATION AND TRAINING**

The General Conference.

- (a) Recalling its resolution GC(45)/RES/10.C on Education and Training in Nuclear, Radiation, Transport and Waste Safety,
 - (b) Emphasizing the important role of education and training in establishing and maintaining an adequate radiation and waste safety infrastructure, including regulatory aspects, as stipulated in the Preamble to the International Basic Safety Standards for Protection against Ionizing Radiation and for the Safety of Radiation Sources,
 - (c) Taking note with appreciation of the implementation of a Strategic Plan for a long-term and sustainable education and training programme,
 - (d) Taking note of the recommendations resulting from the evaluation of the Agency's Education and Training Activities for Radiation Protection as contained in Attachment 2 to document GOV/INF/2002/7, and
 - (e) Welcoming the preparation of training modules for practice-specific training and post-graduate training courses and also the adaptation of the existing paper-based distance learning materials for e-learning,
1. Stresses the importance of education and training in nuclear, radiation, transport and waste safety and also in other areas of nuclear science and technology;
 2. Urges the Secretariat to continue to implement the Strategic Plan as mentioned in the Note by the Secretariat "2001/Note 20", including the convening of the Steering Committee that oversees and advises on the implementation of the Strategic Plan for a sustainable education and training programme;
 3. Urges the Secretariat to continue to strengthen, within available financial resources, its current efforts in this area, and in particular to assist Member States at regional and national training centres that would arrange for such education and training to be conducted in the appropriate official languages of the Agency;
 4. Encourages the Secretariat to employ Electronic Networking and Outreach (ENO) Projects to implement e-learning; and
 5. Requests the Director General to report on the implementation of this resolution to the General Conference at its forty-seventh session.

D.
**CONVENTION ON EARLY NOTIFICATION OF A NUCLEAR
ACCIDENT AND CONVENTION ON ASSISTANCE IN THE CASE OF
A NUCLEAR ACCIDENT OR RADIOLOGICAL EMERGENCY**

The General Conference.

- (a) Recalling the Convention on Early Notification of a Nuclear Accident (the Early Notification Convention) and the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency (the Assistance Convention),
- (b) Recalling further a number of bilateral and regional agreements on assistance and early notification,
- (c) Recalling resolution GC(44)/RES/16 on measures to strengthen international co-operation in nuclear and radiological emergency preparedness and response,
- (d) Noting with satisfaction the report submitted by the Director General in Attachment 8 to document GC(46)/11 in response to resolution GC(44)/RES/16,
- (e) Appreciating the work done by the Secretariat in helping Member States to develop arrangements for ensuring safety and for responding to nuclear and radiological incidents and accidents, and also the Secretariat's efforts to ensure prompt response to requests for assistance,
- (f) Noting the Safety Requirements on Preparedness and Response to a Nuclear or Radiological Emergency (GOV/2002/5) recently approved by the Board for publication as a safety standard,
- (g) Recalling the First Meeting of Representatives of National Competent Authorities identified under the Early Notification and Assistance Conventions (Competent Authorities' Meeting), held in June 2001, and the follow-up meeting, held in Oslo in May 2002, and the recognition from these meetings that substantial work both by the Secretariat and by Member States remains to be done before the identified goals are reached,
- (h) Noting with concern nuclear and radiological incidents and accidents that have occurred in different parts of the world in recent years, the number of orphan sources reported and the possibility of radioactive substances being used with malicious intent,
- (i) Aware that such incidents and accidents and possible acts with malicious intent often cause international concern and sometimes require an international response,
- (j) Recognizing that the response capabilities of the States Parties to the Early Notification Convention and the Assistance Convention and Member States could be improved and made more effective and efficient through international co-operation, and

GC(46)/RES/DEC(2002)

(k) Recognizing also the need for enhanced efforts by the Secretariat in co-ordinating and facilitating international preparedness and response and thereby making it more consistent and coherent,

1. Encourages Member States to implement, if necessary, instruments for improving their own preparedness and response capabilities for nuclear and radiological incidents and accidents, including their arrangements for responding to acts involving the malicious use of nuclear or radioactive material and to threats of such acts, and further encourages Member States to implement the Safety Requirements for Preparedness and Response to a Nuclear or Radiological Emergency (GOV/2002/5) and the updated procedures of the Emergency Notification and Assistance Technical Operations Manual and, in particular, adopt the lower threshold for early notification and information exchange;
2. Encourages Member States to contribute to the international efforts to develop a consistent, coherent and sustainable joint programme for improved and more efficient international response to nuclear and radiological emergencies;
3. Encourages Member States to put in place arrangements for effectively responding to requests made under the Assistance Convention and, within their respective capabilities, to make resources available for responding to such requests, and to consider joining the Emergency Response Network (ERNET);
4. Requests the Secretariat to seek ways of facilitating co-operation and co-ordination among Parties to the Early Notification Convention and the Assistance Convention to ensure adequate implementation and consider institutionalizing the Competent Authorities' Meeting;
5. Requests the Director General to continue to evaluate and, if necessary, improve the capability of the IAEA Emergency Response System to fulfil its role as co-ordinator and facilitator of international emergency preparedness and response and to ensure sustainability of the System; and
6. Requests the Director General to report, as appropriate, to it at its forty-eighth (2004) regular session on the implementation of this resolution.

*20 September 2002
Agenda item 13
GC(46)/OR.10, paras 25-27*

GC(46)/RES/10

**STRENGTHENING OF THE AGENCY'S
TECHNICAL CO-OPERATION
ACTIVITIES**

The General Conference,

- (a) Recalling resolution GC(45)/RES/11 on "Strengthening of the Agency's technical co-operation activities",
- (b) Bearing in mind that the objectives of the Agency as stated in Article II of the Statute are "to accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world" and to ensure that the assistance provided by it is not used "to further any military purpose",
- (c) Recalling that one of the statutory functions of the Agency is to "encourage and assist research on, and development and practical application of, atomic energy for peaceful uses throughout the world",
- (d) Considering that the strengthening of technical co-operation activities relating to the peaceful uses of atomic energy and its practical applications will substantially contribute to the well-being and help enrich the quality of life of the peoples of the world, and particularly those of developing Member States of the Agency,
- (e) Stressing the importance of the transfer of nuclear technology to the developing countries for sustaining and further enhancing their scientific and technological capabilities and thereby contributing to socio-economic development,
- (f) Conscious of the great potential of nuclear power for meeting increasing energy requirements in a number of countries, and of the need for sustainable development, including climate protection,
- (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) Desiring that the Agency's resources for technical co-operation activities be assured, predictable and sufficient to meet the objectives mandated in Article II of the Statute,
- (i) Noting the decision of the Board of Governors to recommend that for 2003 and 2004 the target for voluntary contributions to the Agency's Technical Co-operation Fund (TCF) shall be US\$ 74 750 000 in each of these years, that the Indicative Planning Figures (IPFs) for 2005 and 2006 shall be no less than US\$ 75 000 000, and that the actual targets for the latter two years will be set in 2004, taking into account the results of the Board's review of the rate of attainment mechanism which will be then available, as well as other factors relevant to setting TCF targets,

GC(46)/RES/DEC(2002)

- (j) Expressing appreciation to those Member States which have contributed to the TCF their full TCF target shares in a timely manner and welcoming the initial results of the rate of attainment mechanism as established by resolution GC(44)/RES/8, but recognizing that some other Member States do not contribute their full TCF target shares or do not contribute to the TCF at all,
- (k) Emphasizing the need to maintain an appropriate balance between the promotional activities and other statutory activities of the Agency,
- (l) Emphasizing the importance of the technical co-operation activities of the Agency, the financing of which should be guaranteed by, inter alia, results-based budgeting and the appropriate use of the Regular Budget in supporting and implementing those activities,
- (m) Recognizing that human resources development, expert services and appropriate equipment supply continue to be important components of technical co-operation activities to ensure impact and sustainability,
- (n) Taking note with appreciation of the different activities carried out by the Secretariat in implementing the Technical Co-operation Strategy, including holding regional meetings for planning purposes, carrying out Country Programme Frameworks and Thematic Planning, efforts to ensure that projects match the national priorities of Member States, and encouraging technical co-operation activities, particularly through technical co-operation among developing countries (TCDC) and regional resource centres, partnerships in development, greater outreach, and in-house co-ordination, in line with the Technical Co-operation Management Principles (SEC/NOT/1790: Annex 1),
- (o) Reiterating the need to strengthen technical co-operation activities and to continuously enhance the effectiveness and efficiency of the programmes according to the needs of Member States,
- (p) Appreciating that these programmes contribute to the achievement of national goals for sustainable development in developing countries, and particularly in the least developed countries,
- (q) Also recognizing that national nuclear and other entities are important partners in the implementation of technical co-operation programmes in Member States and promote the use of nuclear and related technologies for achieving national development objectives, and
- (r) Taking note also with appreciation of the activities being developed by the Agency in the field of nuclear knowledge management, and particularly of the initiatives being emphasized by the technical co-operation programme in assisting national nuclear and other entities to enhance the basic infrastructure in this field, including safety aspects, and to further improve their capacity for self-reliance and sustainability,

1. Requests the Director General to continue 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 outsourcing;
2. Requests the Secretariat to continue working with Member States, within relevant regional groups, in identifying regional resource centres and in developing and refining outsourcing mechanisms in the context of enhancing TCDC;
3. Further requests the Director General to continue to take account of the views of the General Conference when requesting Member States to pledge and pay their respective shares of the TCF targets and to make timely payments to the TCF in accordance with resolution GC(44)/RES/8;
4. Urges Member States to pay in full and on time their voluntary contributions to the TCF;
5. Recalls the obligation of recipient Member States to pay Assessed Programme Costs (APCs) and requests those recipient Member States which are in arrears to meet this obligation;
6. Stresses the need to strengthen technical co-operation activities, including the provision of sufficient resources, and to continually enhance the effectiveness and efficiency of the programmes, and requests the Secretariat to continue to further refine the Technical Co-operation Strategy 2002 Review (GOV/INF/2002/8) in consultation with all Member States;
7. Also requests the Director General to pursue, in consultation with Member States, efforts to strengthen the technical co-operation activities of the Agency through the development of effective programmes aimed at promoting and improving the scientific, technological, research and regulatory capabilities of developing countries, 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 and environment, and (b) nuclear energy planning and production for those States pursuing nuclear power as a component of their sustainable energy mix in the 21st century, through relevant areas of importance as identified by Member States;
8. Requests the Director General to continue consultations and interactions with interested States, the competent organizations of the United Nations system, multilateral financial institutions, regional development bodies and other relevant intergovernmental and non-governmental bodies to ensure the co-ordination and optimization of complementary activities;
9. 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

GC(46)/RES/DEC(2002)

and effluents, and in improving water security, with particular emphasis on the use of electron beams and isotopes, and to prepare potential technical co-operation projects;

10. Requests the Director General to keep Member States informed of the Agency's follow-up plans that are relevant to the outcome of the World Summit on Sustainable Development held in Johannesburg, South Africa, in 2002;

11. Emphasizes the need to understand the marketplace for nuclear technology and to further develop mechanisms and best practices for working with the private and the public sector;

12. Requests the Director General to promote, within the framework of the technical co-operation 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 co-operation on this issue; and,

13. 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 forty-seventh (2003) session on the implementation of this resolution under an agenda item entitled "Strengthening of the Agency's technical co-operation activities".

*20 September 2002
Agenda item 14
GC(46)/OR.10, paras 28-31*

GC(46)/RES/11

**STRENGTHENING THE AGENCY'S
ACTIVITIES RELATED TO NUCLEAR
SCIENCE, TECHNOLOGY AND
APPLICATIONS**

A.

**STRENGTHENING THE AGENCY'S ACTIVITIES RELATED TO
NUCLEAR SCIENCE, TECHNOLOGY AND APPLICATIONS**

The General Conference,

(a) Noting that the Agency's objectives as outlined in Article II of the Statute include "to accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world",

(b) Noting also that the statutory functions of the Agency as outlined in Article III of the Statute, paragraphs A.1 to A.4, include encouraging research and development and fostering the exchange of scientific and technical information and the training of

scientists and experts in the field of peaceful uses of atomic energy, including the production of electric power, with due consideration for the needs of developing countries,

- (c) Noting the Medium Term Strategy as guidance and input in this respect,
- (d) Aware of the present role of nuclear power in meeting 16% of the electricity needs of mankind, and that a number of countries consider that applications of nuclear science are making a crucial input to development strategies in Member States,
- (e) Stating that nuclear science, technology and applications address and contribute to a wide variety of basic socio-economic human development needs of Member States, in such areas as energy, industry, food, nutrition and agriculture, human health and water resources management,
- (f) Confirming the important role of science, technology and engineering in enhancing nuclear safety and security,
- (g) Acknowledging the need to resolve the issues of managing in a sustainable manner the waste from the nuclear fuel cycle, and
- (h) Taking note of the “Nuclear Technology Review 2002” (GC(46)/INF/5) prepared by the Secretariat,

1. Stresses the need, in conformity with the Statute, to continue to pursue activities of the Agency in the areas of nuclear science, technology and applications for meeting basic sustainable development needs of Member States;
2. Underlines the importance of facilitating effective programmes in the areas of nuclear science, technology and applications aimed at pooling and further improving the scientific and technological capabilities of Member States through co-ordinated research and development within the Agency and between the Agency and Member States and through direct assistance;
3. Recognizes the importance of and endorses the Agency activities which meet the objective of fostering sustainable development and protecting the environment;
4. Suggests that the Secretariat continue to implement efforts which contribute to a greater understanding and a well-balanced picture of the role of nuclear science and technology in a global, sustainable development perspective, including the Kyoto commitments;
5. Requests the Director General to continue to pursue, in consultation with Member States, the Agency’s activities in the areas of nuclear science, technology and applications, with special emphasis on supporting the development of power and non-power applications in Member States with a view to strengthening infrastructures and fostering science, technology and engineering for enhancing nuclear safety and nuclear security;
6. Calls upon the Secretariat to address specific needs and requirements of Member States, including those which do not have nuclear power facilities, in the areas of nuclear science, technology and applications;

GC(46)/RES/DEC(2002)

7. Requests that the actions of the Secretariat called for above be undertaken subject to the availability of resources; and
8. Recommends that the Secretariat report to the Board of Governors and to the General Conference on the progress made in the areas of nuclear science, technology and applications.

B.
NUCLEAR KNOWLEDGE

The General Conference,

- (a) Recognizing that preserving and enhancing nuclear knowledge is vital to the continued and expanded safe utilization of all nuclear technologies for peaceful purposes,
 - (b) Aware of growing concerns about a possible approaching shortage of personnel in nuclear fields,
 - (c) Recognizing that preserving and enhancing nuclear knowledge involves both education and training for succession planning and the preservation or growth of existing knowledge in nuclear science and technology,
 - (d) Noting that the need to preserve, enhance or strengthen nuclear knowledge arises irrespectively of future expansion in the applications of nuclear technologies,
 - (e) Recognizing the useful role of international co-ordination and co-operation in facilitating exchanges of information and experience and in implementing actions to help address common problems, and also in benefiting from opportunities relating to education and training and nuclear knowledge preservation,
 - (f) Commending the Secretariat for its efforts to address and increase awareness of issues related to preserving and enhancing nuclear knowledge, particularly through the 17-19 June 2002 meeting of senior officials on Managing Nuclear Knowledge, and
 - (g) Taking note with appreciation of the presentations and discussions on nuclear knowledge management that occurred during the Scientific Forum,
1. Welcomes the conclusions and recommendations of the 17-19 June 2002 meeting of senior officials on Managing Nuclear Knowledge;
 2. Requests the Secretariat, within available resources, to further increase the level of attention given to activities for preserving and enhancing nuclear knowledge that are undertaken or supported by the Agency and to increase the level of awareness of those activities;

3. Requests the Secretariat to assist Member States in their efforts to ensure the preservation of nuclear education and training for peaceful purposes, which is a necessary prerequisite for succession planning;
4. Encourages Member States to promote the networking of institutions for such nuclear education and training;
5. Requests the Director General to evaluate the relevance of currently ongoing programmes and activities aimed at addressing common problems identified by Member States regarding the preservation and enhancement of nuclear knowledge and to identify approaches aimed at addressing the problems;
6. Requests the Director General to note the high level of interest of Member States in the range of issues associated with preserving and enhancing nuclear knowledge in the process of preparing the Agency's programme; and
7. Requests the Director General to report on the progress made in the implementation of this resolution to the Board of Governors and to the General Conference at its forty-seventh (2003) session under an appropriate agenda item and thereafter to update the report as deemed appropriate by the General Conference.

C.

AGENCY ACTIVITIES IN THE DEVELOPMENT OF INNOVATIVE NUCLEAR TECHNOLOGY

The General Conference,

- (a) Recalling the Agency's statutory functions "to encourage and assist research on, and development and practical application of, atomic energy for peaceful uses ... and ... to foster the exchange of scientific and technical information",
- (b) Conscious of the potential contribution of nuclear energy to meeting growing energy needs in the 21st century,
- (c) Recalling its resolutions GC(44)/RES/21, GC(44)/RES/22 and GC(45)/RES/12.F and inviting all interested Member States to combine their efforts under the aegis of the Agency in considering the issues of the nuclear fuel cycle, in particular by examining innovative, safe, economically competitive and proliferation-resistant nuclear technology for sustainable development,
- (d) Noting the progress achieved in a number of Member States in the development of innovative nuclear technology and the high technical and economic potential of international collaboration in the development of such technology,
- (e) Noting also the progress of other initiatives, such as the Generation IV International Forum, the Three Agency Initiative of the IAEA, NEA and the IEA, and their contribution to developing innovative approaches to nuclear power, and

GC(46)/RES/DEC(2002)

(f) Recognizing the unique role that the Agency can play in international collaboration in the nuclear field,

1. Commends the Director General and the Secretariat for the activities in these areas, in particular with respect to the International Project on Innovative Nuclear Reactors and Fuel Cycles (INPRO), in response to the relevant General Conference resolutions;
2. Emphasizes the unique role that the Agency can play in developing user requirements and in addressing safeguards, safety and environmental questions for innovative reactors and their fuel cycles;
3. Stresses the need for international collaboration in the development of innovative nuclear technology and the high potential and added value achieved through joint developments;
4. Emphasizes the need for appropriate extrabudgetary funding and resources for INPRO, and invites all interested States to contribute to innovative nuclear technology activities in terms of scientific and technical information, financial support or technical and other relevant experts;
5. Welcomes the arrangements in place for an international conference on “Innovative technologies for nuclear fuel cycles and nuclear power” to be held in Vienna in June 2003, and looks forward to a constructive discussion on issues relating to developing innovative nuclear technologies; and
6. Requests the Director General to report on the progress made in the implementation of this resolution to the Board of Governors and to the General Conference at its forty-seventh (2003) session under an appropriate agenda item.

D.

SUPPORT TO THE AFRICAN UNION’S PAN AFRICAN TSETSE AND TRYPANOSOMOSIS ERADICATION CAMPAIGN (PATTEC)

The General Conference.

- (a) Recalling its resolution GC(45)/RES/12.D on “Support to the Organization of African Unity’s Pan African Tsetse and Trypanosomosis Campaign (PATTEC)” and earlier resolutions on strengthening of the Agency’s technical co-operation activities,
- (b) Recognizing the importance of the provisions of the New Partnership for African Development (NEPAD),
- (c) Recalling decisions AHG/Dec. 156(XXXVI) and AHG/Dec. 169(XXXVII) of the Heads of State and Government of the Organization of African Unity (OAU) on an Africa free of tsetse flies and in support of the OAU’s Plan of Action for PATTEC,
- (d) Recognizing that tsetse flies and the transboundary character of the diseases they transmit, affecting 37 African countries and causing unacceptable human suffering and

an estimated annual loss of US\$ 4.5 billion, are one of Africa's greatest constraints to socio-economic development, severely affecting human and livestock health, limiting land use and preventing an ecologically appropriate and sustainable utilization of available natural resources, causing poverty and perpetuating underdevelopment on the African continent,

(e) Recognizing that, in the short and medium term, the creation and subsequent expansion of tsetse fly-free zones and, in the longer term, the ultimate eradication of tsetse flies from affected African Member States would significantly contribute to increased productivity of crops and livestock and reduce rural poverty on the African continent,

(f) Recognizing the technical and economic feasibility, the environmental friendliness and the essential role of the Sterile Insect Technique (SIT) in building on the work of other anti-tsetse initiatives for creating tsetse fly-free zones, the sustainable results achieved so far in some African countries and the ensuing development opportunities,

(g) Acknowledging the efforts and support of the Agency over several years for R&D and for the establishment of technical standards for integrating tsetse fly SIT into area-wide campaigns of tsetse and trypanosomosis intervention,

(h) Appreciating the extrabudgetary resources provided by a number of Member States in support of those efforts,

(i) Noting decision CM/Dec. 661 of the 76th Ordinary Session of the African Union's Council of Ministers, which specifically expressed the Council's gratitude to the Agency for the support and assistance extended to Member States in the implementation of the PATTEC initiative,

(j) Noting FAO Conference Resolution 4/2001 in support of PATTEC, and

(k) Appreciating the steps taken by Agency and other relevant organizations regarding improved international co-operation and the harmonization of efforts in support of the PATTEC initiative,

1. Appreciates the increased efforts being made by the Director General to support expanded application of the SIT in the creation of tsetse fly-free zones in African Member States in support of the OAU Plan of Action for PATTEC;

2. Calls upon Member States to continue to provide technical, financial and material support to African States in their efforts to eradicate tsetse flies;

3. Requests the Secretariat, in co-operation with Member States and relevant international organizations, to continue supporting African Member States in their efforts to create and subsequently expand tsetse fly-free zones in line with the OAU's Plan of Action for the eradication of tsetse flies through utilization of the SIT, and to continue to further develop scientific research in this field, within available resources;

GC(46)/RES/DEC(2002)

4. Stresses the need for continued international co-operation and the harmonization of efforts in support of PATTEC, including through the TCDC mechanism;
5. Further requests the Secretariat to co-ordinate with the New Partnership for African Development (NEPAD) in order to implement this resolution; and
6. Requests the Director General to report on the progress made and the effectiveness in the implementation of this resolution to the Board of Governors and to the General Conference at its forty-seventh (2003) session, subject to the availability of resources.

20 September 2002

Agenda item 15

GC(46)/OR.10, paras 32-33

GC(46)/RES/12

**STRENGTHENING THE
EFFECTIVENESS AND IMPROVING
THE EFFICIENCY OF THE
SAFEGUARDS SYSTEM AND
APPLICATION OF THE MODEL
ADDITIONAL PROTOCOL**

The General Conference,

- (a) Recalling resolution GC(45)/RES/13,
- (b) Convinced that the Agency's safeguards promote greater confidence among States and thus contribute to strengthening their collective security,
- (c) Considering the Treaty on the Non-Proliferation of Nuclear Weapons, the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, the South Pacific Nuclear Free Zone Treaty, the Treaty establishing the African Nuclear-Weapon-Free Zone 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,
- (d) 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,
- (e) 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,
- (f) Welcoming the fact that as of 20 September 2002, 68 States and other Parties to safeguards agreements have signed additional protocols, 28 of which have entered into force and 1 is being provisionally applied pending entry into force,

(g) Noting the high priority the Agency attaches, in the context of furthering the development of the strengthened safeguards system, to integrating traditional nuclear material verification activities with the new strengthening measures, and looking forward to an expeditious conclusion of this work,

(h) Welcoming the fact that, in the Safeguards Statement of the Agency for 2001, based on its evaluation of all the information acquired in implementing safeguards agreements and all other information available to the Agency, conclusions could be drawn for States with safeguards agreements that the nuclear material and other items placed under safeguards remained in peaceful nuclear activities or were otherwise adequately accounted for, while noting the cases referred to in GC(45)/RES/16 and GC(45)/RES/17,

(i) Welcoming the fact that in the Safeguards Statement of the Agency for 2001, based on its evaluation of all the information obtained through activities pursuant to these States' comprehensive safeguards agreements and additional protocols as well as all other information available to the Agency, conclusions could be drawn for nine States that have a comprehensive safeguards agreement and an additional protocol in force, or being provisionally applied, that all nuclear material in these States had been placed under safeguards and remained in peaceful nuclear activities or was otherwise adequately accounted for,

(j) 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,

(k) Recalling that the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons - inter alia - (1) reaffirmed that the IAEA is the competent authority responsible for verifying and assuring, in accordance with the Agency's Statute and the Agency's safeguards system, compliance with its safeguards agreements and (2) recommended that the Director General of the IAEA and the IAEA's Member States consider ways and means, which could include a possible plan of action, to promote and facilitate the conclusion and entry into force of safeguards agreements and additional protocols, including, for example, specific measures to assist States with less experience in nuclear activities to implement legal requirements,

(l) 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,

(m) Welcoming the holding of the "Seminar on Safeguards Agreements and Additional Protocols" held in Almaty, Kazakhstan in October 2001, the "Regional Seminar on the Protocol Additional to Nuclear Safeguards Agreements" held in Lima, Peru in December 2001, and the "Seminar for African States on the Non-proliferation of Nuclear Weapons: The Role of Safeguards Agreements and Additional Protocols"

GC(46)/RES/DEC(2002)

held in Benoni, Johannesburg, South Africa in June 2002, and sharing the hope for the continuation of these efforts in order to further strengthen the IAEA safeguards system, including the conference to be held in Tokyo in December this year, foreseen inter alia as a stock taking of the results of the aforementioned seminars.

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. Affirms that measures to strengthen the effectiveness and improve the efficiency of the safeguards system with a view to detecting undeclared nuclear material and activities must be implemented rapidly and universally by all concerned States and other Parties in compliance with their respective international commitments;
5. Stresses the importance of the Agency's safeguards system, including comprehensive safeguards agreements and also the Model Additional Protocol, which are among the essential elements of the system, and with respect to the safeguards strengthening measures contained in document GOV/2807 and taken note of by the Board of Governors in 1995, requests the Secretariat to pursue the implementation of these measures as broadly as possible and without delay as far as available resources permit, and recalls the need for all concerned States and other Parties to safeguards agreements with the Agency to supply the Agency with all the information required, including the early provision of design information;
6. 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;
7. Requests all concerned States and other Parties to safeguards agreements which have not yet done so to sign additional protocols promptly;
8. Welcomes the fact that all nuclear-weapon States have signed protocols additional to their voluntary-offer safeguards agreements incorporating those measures provided for in the Model Additional Protocol that each nuclear-weapon State has identified as capable of contributing to the non-proliferation and efficiency aims of the Protocol, when implemented with regard to that State, and as consistent with that State's obligations under article 1 of the NPT, and invites such States to keep the scope of those additional protocols under review;

9. 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;
10. Requests the States and other Parties to safeguards agreements having signed additional protocols to take the necessary measures to bring them into force as soon as their national legislation allows;
11. Welcomes the completion by the Agency of the conceptual framework for integrated safeguards laid down in document GOV/2002/8 and requests the Secretariat to implement integrated safeguards on a priority basis in an effective and cost efficient manner; recognizing that elements of the conceptual framework will be further developed or refined in the light of experience, further evaluation and technological development.
12. 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, in 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;
13. Notes the commendable efforts of some Member States, notably Japan, and the IAEA Secretariat in implementing elements of the plan of action outlined in resolution GC(44)/RES/19, and 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.
14. 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;
15. Requests Member States to co-operate among themselves to provide appropriate assistance to facilitate exchange of equipment, material and scientific and technological information for the implementation of additional protocols; and
16. Requests the Director General to report on the implementation of this resolution to the General Conference at its forty-seventh regular session.

*20 September 2002
Agenda item 16
GC(46)/OR.10, paras 38-45*

**MEASURES TO IMPROVE NUCLEAR SECURITY
AND PROTECTION AGAINST NUCLEAR TERRORISM**

The General Conference,

- (a) Recalling the 45th General Conference's unequivocal condemnation of the attacks which took place on 11 September 2001,
- (b) Recalling resolution GC(45)/RES/14 on measures to improve the security of nuclear materials and other radioactive materials,
- (c) Recalling relevant resolutions of the General Conference on measures against illicit trafficking in nuclear materials and other radioactive materials,
- (d) Considering the need to continue to devote attention to the potential implications of terrorist acts for the security of nuclear materials, nuclear facilities and other radioactive materials, and emphasizing the importance of physical protection, measures against illicit trafficking and national control systems for ensuring protection against nuclear terrorism and other malicious acts,
- (e) Recognizing the importance of promoting an effective security culture in the field of physical protection of nuclear materials, nuclear facilities and other radioactive materials,
- (f) Conscious of the necessity to ensure appropriate security of radioactive sources to avoid their use in acts of terrorism, and concerned by risks to human lives and the environment resulting from orphan sources and the increase of incidents and accidents involving such sources,
- (g) Mindful of the obligations of every Member State to keep its peaceful nuclear programmes safe and secure, asserting that responsibility for nuclear security within a State rests entirely with that State, and noting the important contribution of international co-operation in supporting the efforts of States to fulfil their responsibilities,
- (h) Mindful that every Member State might face the threat of nuclear terrorism and would bear serious consequences if any were attacked,
- (i) Noting United Nations Security Council resolution 1373's call for all States to work, particularly through bilateral and multilateral arrangements, to prevent acts of terrorism,

- (j) Reaffirming the importance of the Convention on the Physical Protection of Nuclear Material, as the only multilateral legal instrument dealing with the physical protection of nuclear material, ,
- (k) Recalling that other international agreements, negotiated under the auspices of the Agency, are relevant to nuclear security and the physical protection of nuclear materials and other radioactive sources against the threat of nuclear terrorism, including the Convention on Early Notification of a Nuclear Accident, the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, the Convention on Nuclear Safety and the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management,
- (l) Noting also the contribution of Agency safeguards agreements and additional protocols to preventing illicit trafficking, deterring and detecting diversion of nuclear materials,
- (m) Recalling the Director General's initial and refined proposals for new and enhanced activities to prevent nuclear terrorism, contained in document GOV/2001/50 and GOV/2002/10 respectively, and their approval in principle by the Board of Governors in March 2002, and
- (n) Stressing the importance of ensuring the confidentiality of information relevant to nuclear security that might be of interest to terrorists,
1. Commends the Director General and the Secretariat for their prompt and constructive response to the requests made in resolution GC(45)/RES/14 relevant to the improvement of nuclear security (including the security of radioactive materials) and protection against nuclear terrorism;
 2. Takes note of the progress report submitted by the Director General in document GC(46)/14 on nuclear security and measures to protect against nuclear terrorism;
 3. Notes the arrangements implemented to provide funding for the Nuclear Security Fund through voluntary contributions, and notes further that those funding arrangements will be reviewed in one or two years in accordance with the relevant decision taken by the Board of Governors in March 2002;
 4. Calls upon all Member States to continue to provide political, financial and technical support, including in-kind contributions, to improve nuclear security and prevent nuclear terrorism; and to provide to the Nuclear Security Fund the political and financial support it needs;
 5. Welcomes the activities in the physical protection of nuclear materials and facilities and the prevention and detection of and response to illicit activities involving nuclear and other radioactive materials undertaken by the Agency to improve nuclear security and prevent nuclear terrorism;

GC(46)/RES/DEC(2002)

6. Welcomes the Agency's programmes and renewed efforts to assist States in establishing and strengthening systems of radiation protection appropriate to their circumstances, which may include national registries of radioactive sources, and in particular commends the Secretariat and Member States for the progress that has been made in upgrading radiation protection infrastructure through the relevant Model Projects and commends the Secretariat for the action it has taken in a number of countries, in co-operation with Member States, to locate, secure and remove orphan sources;
7. Urges Member States to strengthen their national efforts to secure all radioactive sources within their borders, and invites Member States to take note of the Code of Conduct on the Safety and Security of Radioactive Sources and to consider means of ensuring its wide application;
8. Also welcomes the activities undertaken to provide for an exchange of information with Member States, including continued maintenance of the Illicit Trafficking Database programme, as well as to improve the exchange of information by making the best use of the modernized database, and invites all States to participate in the Illicit Trafficking Database programme on a voluntary basis;
9. Welcomes the decision of the Director General to convene and maintain an Advisory Group on Security which will continue to provide advice from Member States' experts on the orientations and the implementation of Agency activities relevant to nuclear security, and invites the Director General to suggest that the Advisory Group place further emphasis on the issue of the security of radioactive sources, its scope, the associated threat and possible solutions;
10. Appeals to States that have not yet done so to accede to the Convention on the Physical Protection of Nuclear Material, and encourages States to apply the physical protection objectives and fundamental principles endorsed by the Board of Governors and set out in document GOV/2001/41;
11. Notes with concern the lack of progress of the work of the open-ended group of legal and technical experts convened by the Director General in order to prepare a draft of a well-defined amendment aimed at strengthening the Convention on the Physical Protection of Nuclear Material, and calls for the early finalization of the negotiations on such an amendment;
12. Takes note of the steps taken by the Secretariat to ensure confidentiality of information relevant to nuclear security, and requests the Secretariat to provide a preliminary report to the Board of Governors in November 2002 on the status of the implementation of the new confidentiality measures;
13. Invites the Director General to continue to implement, in consultation and co-ordination with Member States, and subject to the availability of resources, Agency activities relevant to nuclear security and protection against nuclear terrorism; and

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

*20 September 2002
Agenda item 17
GC(46)/OR.10, para.36*

GC(46)/RES/14

**IMPLEMENTATION OF THE NPT
SAFEGUARDS AGREEMENT
BETWEEN THE AGENCY AND THE
DEMOCRATIC PEOPLE'S REPUBLIC
OF KOREA**

The General Conference,

(a) Recalling the Board of Governors' resolutions GOV/2636, GOV/2639, GOV/2645, GOV/2692, GOV/2711 and GOV/2742 and General Conference resolutions GC(XXXVII)/RES/624, GC(XXXVIII)/RES/16, GC(39)/RES/3, GC(40)/RES/4, GC(41)/RES/22, GC(42)/RES/2, GC(43)/RES/3, GC(44)/RES/26 and GC(45)RES/16,

(b) Noting with serious concern both the lack of tangible progress reflected in the Director General's report contained in document GC(46)/16 and that the DPRK has still not allowed the Agency to implement its NPT comprehensive safeguards agreement with the DPRK,

(c) Recalling further resolution 825 (1993) adopted by the Security Council of the United Nations on 11 May 1993 and 31 March 1994, 30 May 1994 and 4 November 1994 statements by the President of the United Nations Security Council, particularly the request to take all steps the Agency deems necessary to verify full compliance by the Democratic People's Republic of Korea (DPRK) with its safeguards agreement with the Agency,

(d) Noting that the DPRK is a party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and reaffirming that the IAEA-DPRK safeguards agreement (INFCIRC/403) under the NPT remains binding and in force,

(e) Noting the previously stated intention of the DPRK to come into full compliance with its safeguards agreement with the IAEA and the continuing IAEA-DPRK discussions on outstanding safeguards issues,

(f) Noting that additional factors, as described in the Director General's report contained in document GC(46)/16, further underline the need for full and timely co-operation by the DPRK with the Agency in regard to the verification of the correctness and completeness of the DPRK's initial declaration,

GC(46)/RES/DEC(2002)

- (g) Regretting the withdrawal of the DPRK from the Agency and expressing the hope that the DPRK will rejoin,
- (h) Welcoming again both the presentation by the Agency in May 2001 of a detailed proposal for the first concrete steps needed for the verification of the correctness and completeness of the DPRK's initial declaration and the Secretariat's continuing readiness to start this work at short notice,
- (i) Noting that some interaction has taken place between the Agency and the DPRK since the forty-fifth General Conference, but that this has not led to tangible progress on important outstanding issues, and
- (j) Noting ongoing political developments in North East Asia and expressing the hope that they may contribute to progress towards full implementation of the relevant agreements,
1. Strongly endorses actions taken by the Board of Governors and commends the Director General and the Secretariat for their impartial efforts to implement the IAEA-DPRK safeguards agreement;
 2. Recognizes the important role of the IAEA in monitoring the freeze of nuclear facilities in the DPRK and commends the Secretariat for its continuous efforts to monitor the freeze of specified facilities in the DPRK as requested by the United Nations Security Council;
 3. Notes with growing concern that, although the DPRK is a party to the NPT, the Agency continues to be unable to verify the correctness and completeness of the initial declaration of nuclear material made by the DPRK and is therefore unable to conclude that there has been no diversion of nuclear material in the DPRK;
 4. Reiterates its deep concern over the continuing non-compliance of the DPRK with the IAEA-DPRK safeguards agreement;
 5. Urges again the DPRK to comply fully and promptly with its safeguards agreement, *inter alia* by taking all steps the Agency deems necessary to preserve all information relevant to verifying the correctness and completeness of the DPRK's initial declaration;
 6. Encourages strongly the DPRK to respond positively and without further delay to the Agency's detailed proposal of May 2001 for the first concrete steps needed for verification of the correctness and completeness of the DPRK's initial declaration;
 7. Calls upon the DPRK to begin promptly full co-operation with the Agency for the verification of the correctness and completeness of its initial declaration in view of the considerations contained in paragraph six of the Director General's report GC(46)/16 and the independent technical judgment stated since 1999 by the Director General that the work required would take three to four years assuming full co-operation by the DPRK; and

8. Decides to remain seized of this matter and include in the agenda for its forty-seventh regular session an item entitled "Implementation of the NPT safeguards agreement between the Agency and the Democratic People's Republic of Korea".

20 September 2002

Agenda item 18

GC(46)/OR.9, paras 7-8

GC(46)/RES/15

**IMPLEMENTATION OF UNITED
NATIONS SECURITY COUNCIL
RESOLUTIONS RELATING TO IRAQ**

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,

GC(46)/RES/DEC(2002)

(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.

*20 September 2002
Agenda item 19
GC(46)/OR.10, paras 1-10*

GC(46)/RES/16

**APPLICATION OF IAEA
SAFEGUARDS IN THE MIDDLE EAST**

The General Conference,

- (a) Recognizing the importance of the non-proliferation of nuclear weapons - both globally and regionally - in enhancing international peace and security,
 - (b) Mindful of the usefulness of the Agency's safeguards system as a reliable means of verification of the peaceful uses of nuclear energy,
 - (c) Concerned by the grave consequences, endangering peace and security, of the presence in the Middle East region of nuclear activities not wholly devoted to peaceful purposes,
 - (d) Welcoming the initiatives regarding the establishment of a zone free of all weapons of mass destruction, including nuclear weapons, in the Middle East and recent initiatives regarding arms control in the region,
 - (e) Recognizing that full realization of these objectives would be promoted by the participation of all States of the region,
 - (f) Commending the efforts of the Agency concerning the application of safeguards in the Middle East and the positive response of some States in concluding a full-scope safeguards agreement, and
 - (g) Recalling its resolution GC(45)/RES/18,
1. Takes note of the Director General's report in document GOV/2002/34-GC(46)/9 and Addenda 1 and 2 thereto;
 2. Affirms the urgent need for all States in the Middle East to forthwith accept the application of full-scope Agency safeguards to all their nuclear activities as an important confidence-building measure among all States in the region and as a step in enhancing peace and security in the context of the establishment of a nuclear-weapon-free zone (NWFZ);
 3. Calls upon all parties directly concerned to consider seriously taking the practical and appropriate steps required for the implementation of the proposal to establish a mutually and effectively verifiable NWFZ in the region, and invites the countries concerned to adhere to international non-proliferation regimes, including the Treaty on the Non-Proliferation of Nuclear Weapons, as a means of complementing participation in a zone free of all weapons of mass destruction in the Middle East and of strengthening peace and security in the region;

GC(46)/RES/DEC(2002)

4. Takes note of the importance of the on-going bilateral Middle East peace negotiations and the activities of the multilateral working group on Arms Control and Regional Security in promoting mutual confidence and security in the Middle East, including the establishment of an NWFZ, and calls on the Director General, as requested by the participants, to render all necessary assistance to the working group in promoting that objective;
5. Requests the Director General to continue consultations with the States of the Middle East to facilitate the early application of full-scope Agency safeguards to all nuclear activities in the region as relevant to the preparation of model agreements, as a necessary step towards the establishment of an NWFZ in the region, referred to in resolution GC(XXXVII)/RES/627;
6. Calls upon all States in the region to extend their fullest co-operation to the Director General in the fulfilment of the tasks entrusted to him in the preceding paragraph;
7. Further calls upon all States in the region to take measures, including confidence-building and verification measures, aimed at establishing an NWFZ in the Middle East;
8. Calls upon all other States, especially those with a special responsibility for the maintenance of international peace and security, to render all assistance to the Director General by facilitating the implementation of this resolution; and
9. Requests the Director General to submit to the Board of Governors and to the General Conference at its forty-seventh 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 safeguard in the Middle East".

*20 September 2002
Agenda item 20
GC(46)/OR.9, paras 14-19*

GC(46)/RES/17

**EXAMINATION OF DELEGATES'
CREDENTIALS**

The General Conference,

Accepts the report by the General Committee on its examination of the credentials of delegates to the Conference's forty-sixth regular session which is set forth in document GC(46)/25.

*19 September 2002
Agenda item 23
GC(46)/OR.8, paras 5-6*

OTHER DECISIONS

GC(46)/DEC/1

ELECTION OF THE PRESIDENT

The General Conference elected H.E. Minister Hatta Rajasa (Indonesia) President of the General Conference, to hold office until the end of the forty-sixth regular session.

*16 September 2002
Agenda item 1
GC(46)/OR.1, paras 8-10*

GC(46)/DEC/2

ELECTION OF VICE-PRESIDENTS

The General Conference elected the delegates of Algeria, Guatemala, Jordan, the Republic of Korea, the Netherlands, the Russian Federation, Thailand and the United States of America Vice-Presidents of the General Conference, to hold office until the close of the forty-sixth regular session.

*16 September 2002
Agenda item 1
GC(46)/OR.1, para. 18*

GC(46)/DEC/3

ELECTION OF THE CHAIRMAN OF THE COMMITTEE OF THE WHOLE

The General Conference elected H.E. Ambassador A. Molteni Chairman of the Committee of the Whole, to hold office until the close of the forty-sixth regular session of the General Conference.

*16 September 2002
Agenda item 1
GC(46)/OR.1, para. 18*

GC(46)/RES/DEC(2002)

GC(46)/DEC/4

**ELECTION OF ADDITIONAL
MEMBERS OF THE GENERAL
COMMITTEE ¹**

The General Conference elected the delegates of Armenia, Canada, Hungary, Nigeria, Pakistan and the United Kingdom of Great Britain and Northern Ireland as additional members of the General Committee, to hold office until the close of the forty-sixth regular session.

*16 September 2002
Agenda item 1
GC(46)/OR.1, para. 18*

GC(46)/DEC/5

**ADOPTION OF THE AGENDA AND
ALLOCATION OF ITEMS FOR
INITIAL DISCUSSION**

The General Conference adopted the agenda for its forty-sixth regular session and allocated the items for initial discussion (GC(46)/19).

*16 September 2002
Agenda item 5(a)
GC(46)/OR.2, paras 160-161*

GC(46)/DEC/6

CLOSING DATE OF THE SESSION

The General Conference fixed Friday, 20 September 2002, as the closing date for the forty-sixth regular session.

*16 September 2002
Agenda item 5(b)
GC(46)/OR.2, paras 162-164*

¹ As a result of the decisions taken under GC(46)/DEC/1, 2, 3 and 4, the General Committee, appointed for the forty-sixth (2002) regular session, was composed as follows:
H.E. Minister Hatta Rajasa (Indonesia) as President;
The delegates of Algeria, Guatemala, Jordan, the Republic of Korea, the Netherlands, the Russian Federation, Thailand and the United States of America as Vice-Presidents;
H.E. Ambassador Atilio N. Molteni (Argentina) as Chairman of the Committee of the Whole; and
The delegates of Armenia, Canada, Hungary, Nigeria, Pakistan and the United Kingdom of Great Britain and Northern Ireland as additional elected members.

GC(46)/DEC/7

OPENING DATE OF THE FORTY-SEVENTH REGULAR SESSION OF THE GENERAL CONFERENCE

The General Conference fixed Monday, 15 September 2003 as the opening date of the forty-seventh regular session of the General Conference.

*16 September 2002
Agenda item 5(b)
GC(46)/OR.2, paras 162-164*

GC(46)/DEC/8

RESTORATION OF VOTING RIGHTS

The General Conference requested the Board to consider the criteria, guidelines and measures being applied in connection with requests for the restoration of voting rights, in particular the requirements for payment plans, and to deal with the matter at its June 2003 meetings following the meetings of the Programme and Budget Committee in May 2003.

*20 September 2002
Agenda item 5(c)
GC(46)/OR.10, para. 24*

GC(46)/DEC/9

REQUESTS FOR THE RESTORATION OF VOTING RIGHTS

A. The General Conference acceded to the request by Mali that the last sentence of Article XIX.A of the Statute be invoked in order that its right to vote in the Agency be restored during the current session of the Conference .

*19 September 2002
GC(45)/OR.7, paras 87-89*

B. The General Conference rejected the request by Iraq that the last sentence of Article XIX.A of the Statute be invoked in order that this country might be permitted to vote during the forty-sixth regular session of the General Conference.

*16 September 2002
GC(46)/OR.2, paras 165-166*

GC(46)/RES/DEC(2002)

C. The General Conference rejected the request by Georgia that the last sentence of Article XIX.A of the Statute be invoked in order that this country might be permitted to vote during the forty-sixth regular session of the General Conference.

*19 September 2002
GC(45)/OR.7, paras 87-89*

GC(46)/DEC/10

**ELECTION OF MEMBERS TO THE
BOARD OF GOVERNORS**

The General Conference elected the following eleven Members to the Board of Governors to hold office until the end of the forty-eighth regular session (2004):²

Brazil, Cuba, Panama	for Latin America
Denmark and the Netherlands	for Western Europe
Czech Republic	for Eastern Europe
Egypt and Sudan	for Africa
Saudi Arabia	for the Middle East and South Asia
Malaysia	for South East Asia & the Pacific
New Zealand	for Africa, the Middle East and South Asia, or South East Asia and the Pacific

*19 September 2002
Agenda item 8
GC(46)/OR.7, paras 74-86*

² As a result, the composition of the Board of Governors in 2002-2003 at the conclusion of the forty-sixth (2002) regular session of the General Conference was as follows:
Argentina, Australia, Brazil, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Cuba, Czech Republic, Denmark, Egypt, France, Germany, India, Islamic Republic of Iran, Japan, Kuwait, Malaysia, Morocco, Netherlands, New Zealand, Panama, Philippines, Romania, Russian Federation, Saudi Arabia, South Africa, Spain, Sudan, Switzerland, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

GC(46)/DEC/11

**ISRAELI NUCLEAR CAPABILITIES
AND THREAT**

On 20 September 2002 during the 9th plenary meeting the General Conference endorsed the following statement made by the President:

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

*20 September 2002
Agenda item 21
GC(46)/OR.9, paras 24-28*

GC(46)/DEC/12

**ELECTIONS TO THE AGENCY’S
STAFF PENSION COMMITTEE**

The General Conference elected Mr. Aidan Kirwan of Ireland and Mr. Raul Pelaez of Argentina as alternate members of the Committee.³

*20 September 2002
Agenda item 22
GC(46)/OR.10, para. 37*

³ As a result, the present composition of the Agency’s Staff Pension Committee is as follows:

Members:	Mr. Raja Abdul Aziz Raja Adnan (Malaysia)
	Mr. Patrick Thema (South Africa)
Alternate Members:	Mr. Aidan Kirwan (Ireland)
	Mr. Raul Pelaez (Argentina)