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Nuclear security - Measures to protect against nuclear terrorism

Resolution adopted on 30 September 2005 during the ninth plenary meeting

A.

Progress on measures to protect against nuclear and radiological terrorism

The General Conference,

- (a) Recalling its previous resolutions on measures to improve the security of nuclear materials and other radioactive materials, and on measures against illicit trafficking in nuclear materials and other radioactive materials,
- (b) Considering, in view of the tragic terrorist attacks worldwide that have taken place in recent years, the need to continue to devote attention to the potential implications of terrorist acts for the security of nuclear materials and other radioactive materials in use, storage and transport involving associated facilities, and emphasizing the importance of physical protection and other measures against illicit trafficking and national control systems for ensuring protection against nuclear terrorism and other malicious acts, including the use of radioactive material in a radiological dispersion device
- (c) Noting that the Agency's three-year Plan of Activities to combat nuclear terrorism will come to completion in 2005 and a renewed four-year Nuclear Security Plan has just been adopted by the Board of Governors,
- (d) Recognizing that threat-based risk assessment methodology is relevant for nuclear and other radioactive materials,
- (e) Mindful of the obligations of every Member State to keep its peaceful nuclear programmes safe and secure, asserting that responsibility for nuclear security within a State

rests entirely with that State, and noting the important contribution of international cooperation in supporting the efforts of States to fulfil their responsibilities,

(f) Recalling United Nations Security Council resolution 1373, which called on all States to work, particularly through bilateral and multilateral arrangements, to prevent acts of terrorism,

(g) Noting also that actions of the international community to combat the proliferation of weapons of mass destruction and prevent the access by non-State actors to weapons of mass destruction and related material, notably United Nations Security Council resolution 1540, constitute contributions to the protection against nuclear and radiological terrorism,

(h) Noting also in this context the contributions of the G-8 global partnership against the spread of weapons and materials of mass destruction adopted at the Kananaskis summit in June 2002, the G8 Action Plan on Non-proliferation adopted at the Sea Island Summit in June 2004 and the subsequent G8 Statement on Non Proliferation adopted at the Gleneagles Summit in July 2005,

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

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

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

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

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

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

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

1. Takes note of the progress report submitted by the Director General in document GOV/2005/50 on measures to improve nuclear security and protection against nuclear and radiological terrorism, and

commends the Director General and the Secretariat for the implementation of the 2002-2005 Plan of Activities and looks forward to their continued efforts to improve nuclear and radiological security and prevent nuclear and radiological terrorism;

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

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

4. Welcomes the adoption by consensus, at the Conference held in July 2005 in Vienna of an important amendment to the Convention on the Physical Protection of Nuclear Material (CPPNM) which substantially strengthens the convention, extending its scope to cover the physical protection of nuclear facilities and the domestic transport, storage and use of nuclear material, thereby strengthening the global nuclear security;

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

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

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

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

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

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

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

12. Invites the Director General to continue to implement, in consultation and coordination with Member States, pursuant to the newly adopted Nuclear Security Plan for 2006-2009, and subject to the

availability of resources, Agency activities relevant to nuclear and radiological security and protection against nuclear and radiological terrorism;

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

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

B.

Amendment to the Convention on the Physical Protection of Nuclear Material

The General Conference,

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