

J – Statements and Resolutions at the 2008 IAEA General Conference

Measures to Strengthen International Cooperation in Nuclear, Radiation and Transport Safety and Waste Management

[Resolution GC(52)/RES/9 adopted by the IAEA General Conference on 3 October 2008]

A.

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

The General Conference

(a) Recalling resolution GC(51)/RES/11 and previous General Conference resolutions on measures to strengthen international cooperation in nuclear, radiation, transport and waste safety, (b) Recognizing that a global nuclear, radiation, transport and waste safety culture is a key element of the peaceful uses of nuclear energy, ionizing radiation and radioactive substances, and that continuous efforts are required in order to ensure that the technical and human elements of safety are maintained at the optimal level,

(c) Emphasizing the important role of the Agency in enhancing nuclear, radiation, transport and waste safety through its safety programmes and initiatives and in promoting international cooperation in this regard,

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

(e) Noting with appreciation the Director General's report in document GC(52)/2 on measures to strengthen international cooperation in nuclear, radiation and transport safety and waste management,

(f) Emphasizing the vital need for sustainable, appropriate and predictable resourcing, as well as efficient management, of the Secretariat's work in the field of nuclear, radiation, transport and waste safety,

(g) Recalling the objective of the Convention on Nuclear Safety, to achieve and maintain a high level of nuclear safety worldwide through the enhancement of national measures and international cooperation, including, where appropriate, safety-related technical cooperation, to establish and maintain effective defences in nuclear installations against potential radiological hazards in order to protect individuals, society and the environment from harmful effects of ionizing radiation from such installations, and to prevent accidents with radiological consequences and to mitigate such consequences should they occur,

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

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

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

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

Matter, and at the progressive reduction or elimination of radioactive discharges to the sea,

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

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

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

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

(p) Recalling the obligation of States Parties to the Convention on Early Notification of a Nuclear Accident (the Early Notification Convention) and the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency (the Assistance Convention) to notify the Agency of nuclear accidents and, within the limits of their capabilities, to identify and notify the Agency of experts, equipment and materials which could be made available for the provision of assistance to other States Parties in the event of a nuclear accident or radiological emergency, and recalling further the obligation of the Agency under the Assistance Convention to collect that information and disseminate it to States Parties and other Member States,

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

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

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

1.

General

1. Urges the Secretariat to continue to strengthen its efforts to maintain and improve nuclear, radiation, transport and waste safety, focusing particularly on mandatory activities and on technical areas and regions where the need for improvement is greatest;

2. Requests the Director General to continue the current programme to assist Member States in developing and improving

their national infrastructure, including legislative and regulatory frameworks, for nuclear, radiation, transport and waste safety;

3. Requests the Secretariat to continue to establish its safety priorities using an integrated assessment process, and to incorporate the insights of this process into all of its review services, taking into account the advice of the relevant standing bodies, including the Commission on Safety Standards (CSS) and the safety standards committees;

4. Encourages the Secretariat and Member States, if they so desire, to make effective use of the Agency's technical cooperation resources for the further enhancement of safety;

5. Acknowledges that safety measures and security measures have in common the aim of protecting human life and health and the environment, calls upon the Secretariat to enhance its efforts to ensure coordination of its nuclear safety and security activities, and encourages Member States to work actively to ensure that neither safety nor security is compromised;

6. Endorses the efforts of the International Nuclear Safety Group (INSAG), the CSS and the safety standards committees in promoting nuclear safety worldwide, welcomes INSAG's report on Improving the International System for Operating Experience Feedback and on Nuclear Safety Infrastructure for a National Nuclear Power Programme based on the IAEA Fundamental Safety Principles, and looks forward to its forthcoming report on the safety-security interface;

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

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

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

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

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

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

13. Takes note of the Secretariat's report on the adequacy and predictability of resources for the Agency's nuclear safety programme, contained in document GOV/INF/2008/1, and requests the Secretariat to undertake in-house coordination in an

effort to fulfil the immediate, medium-term and longer-term financing requirements of the IAEA's safety activities, and to consider prioritization, cost savings, and innovative means of financing;

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

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

2.

The Agency's Safety Standards Programme

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

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

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

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

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

3.

Nuclear Installation Safety

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

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

23. Commends the Secretariat's efforts to develop safety guides to assist countries embarking on a nuclear power programme in

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

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

25. Appreciates the Secretariat's efforts to develop safety culture assessment reviews aligned with the current safety standards and review services, urges Member States to avail themselves of such review services, and encourages the Secretariat to facilitate the exchange of information and experience arising from such review services;

26. Notes with satisfaction the results of the Workshop on IAEA Safety Standards on Management Systems held in Vienna in November 2007, recognizes the importance of strong leadership and effective management for the safe and reliable performance of nuclear installations, and encourages the Secretariat to continue providing guidance and services to Member States on integrated management systems with a view to enhancing safety;

27. Commends the Secretariat's efforts in the area of plant life management for the long-term operation of nuclear installations, and invites all Member States with nuclear installations to consider the Agency's guidance and services as an integral part of their operational safety strategies;

28. Acknowledges the assistance that the Secretariat is providing to Member States by carrying out, based on the application of IAEA safety standards, safety reviews of existing reactor designs and generic safety aspects of new reactor designs, and urges the Secretariat to continue its efforts to develop services and tools that support Member States in promoting the safety of existing and new reactor designs;

29. Commends and encourages further strengthening of the Secretariat's efforts in fostering cooperation between Member States on the seismic safety of nuclear installations, commends Japan for continuing to share findings and lessons learned from the earthquake near the Kashiwazaki-Kariwa Nuclear Power Plant on 16 July 2007 through follow-up IAEA expert missions, for hosting the IAEA International Workshop at Kashiwazaki from 19 to 21 June 2008, and for proposing and funding an extrabudgetary project to constitute an International Seismic Safety Centre at the IAEA, and encourages other Member States to exchange relevant experience;

30. Welcomes the approval by the CSS of new Safety Guides on the safety of uranium fuel fabrication facilities, MOX fuel fabrication facilities and conversion and enrichment facilities and looks forward to their publication, encourages the Secretariat to facilitate the exchange of operating experience for such facilities, and further encourages Member States to utilize Agency safety review services for fuel cycle facilities;

31. Continues to endorse the principles and objectives of the non-legally-binding Code of Conduct on the Safety of Research Reactors, encourages Member States constructing, operating or decommissioning research reactors or with research reactors in extended shutdown to apply the guidance in the Code, and looks forward to the outcome of the International Meeting on the Application of the Code to be held in Vienna in October 2008;

32. Welcomes the outcomes of the *International Conference on Research Reactors: Safe Management and Effective Utilization*, hosted by Australia in November 2007, and looks forward to the publication of its proceedings and the implementation of its recommendations;

33. Encourages Member States to promote regional activities to enhance the safe operation, utilization, shutdown and decommissioning of research reactors;

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

4.

Radiation Safety

35. Welcomes the Secretariat's progress in implementing the International Action Plan for the Radiological Protection of Patients, including its continued cooperation with the World Health Organization, the European Commission, the International Commission on Radiological Protection and a number of relevant professional bodies;

36. Reiterates the desirability of an international conference on radiation protection in medicine involving all relevant international bodies and nuclear safety authorities, in the light of the increasing doses arising from the use of newer techniques in imaging and radiotherapy, and encourages the Agency to involve Technical and Scientific Support Organizations (TSOs) in activities aimed at providing support to regulatory authorities in sharing information and lessons learned about incidents and accidents in the medical applications of radiation;

37. Encourages Member States to take advantage of regional technical cooperation projects on medical exposure, welcomes the Secretariat's development of training material for health personnel on the prevention of accidental and unnecessary exposures, and further encourages networking and information-sharing among medical professionals using ionizing radiation;

38. Welcomes the completion of a majority of actions under the joint IAEA-International Labour Organization (ILO) International Action Plan for Occupational Radiation Protection, and encourages the Agency and ILO Secretariats to complete the remaining actions and to continue their productive cooperation;

39. Urges the Secretariat to continue to use the regional approach, with emphasis on the subregional country groupings, in its activities to promote the upgrading of radiation safety infrastructure, welcomes the Secretariat's support to the new Asia Region ALARA Network (ARAN), and encourages the Secretariat to establish similar networks in other regions where such networks do not yet exist;

40. Notes resolution 62/100 of 17 December 2007 of the UN General Assembly inviting the provision of relevant data about doses, effects and risks from various sources of radiation to the UN Scientific Committee on the Effects of Atomic Radiation (UNSCEAR), notes the work of the Secretariat to establish an Information System on Occupational Exposure in the Medical, Industrial and Research Areas (ISEMIR) and to update a database on discharges of radionuclides to the atmosphere and the aquatic environment (DIRATA), and urges the Secretariat to cooperate closely with UNSCEAR with a view to avoiding duplication and inconsistencies;

41. Welcomes the Secretariat's efforts to ensure the wide participation of developing countries in the *XIth Congress of the International Radiation Protection Association: Strengthening Radiation Protection Worldwide* (IRPA 12) to be held in Argentina in October 2008, and urges the Secretariat to take concrete measures to ensure the prompt dissemination of the proceedings of the Congress;

5.

The Safety of Radioactive Waste Management

42. Welcomes the increase in the number of Contracting Parties to the Joint Convention from 32 at the first Review Meeting, in 2003, to 46 in 2008, and encourages Member States which have not yet become party to the Joint Convention to do so;

43. Welcomes the continuing efforts of the Contracting Parties to the Joint Convention to enhance the transparency, efficiency and effectiveness of the review process, including the creation of a website to facilitate the sharing of information between Review Meetings, and encourages them to continue to pursue these efforts in preparation for the third Review Meeting to be held in May 2009;

44. Welcomes the results of the Safety Assessment Driven Radioactive Waste Management Solutions (SADRWMS) project,

in particular the development of the Safety Assessment Framework software tool (SAFRAN) to assist with safety assessments and the development of safety cases in the predisposal management of radioactive waste;

45. Welcomes the establishment of the Safety of Geological Disposal (GEOSAF) project to explore the development of a common international approach to demonstrate the safe geological disposal of high-level radioactive waste based on the Agency's Safety Requirements No. WS-R-4: *Geological Disposal of Radioactive Waste*, and encourages Member States to participate in this project;

46. Welcomes the Secretariat's design of an integrated package of documents on the borehole disposal concept for the management of small volumes of disused sealed radioactive sources, and invites relevant Member States to consider making use of the concept;

47. Encourages Member States to participate actively in the Agency's database on discharges of radionuclides to the atmosphere and the aquatic environment (DIRATA) and in the Net-Enabled Waste Management Database (NEWMDB) on annual radioactive waste management data from Member States;

6.

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

48. Encourages Member States to ensure that plans for the decommissioning of facilities are developed and mechanisms are put in place for establishment and maintenance of the necessary resources for the implementation of decommissioning activities;

49. Takes note of the first year of implementation of the International Decommissioning Network (IDN), with the organization of workshops in Spain and Belgium in 2008, and encourages the Secretariat to continue its support to the IDN activities, including through technical cooperation;

50. Encourages the Secretariat to continue its support for planning for the decommissioning of research reactors, specifically through the Research Reactor Decommissioning Demonstration Project, and welcomes the inclusion in the project of the Australian HIFAR research reactor and the Philippine Research Reactor;

51. Welcomes the launch of the new Agency safety service for the review of the activities associated with the planning and implementation of decommissioning, which was performed for the first time at the Bradwell site (Magnox NPP) in the United Kingdom in June 2008, and encourages relevant Member States to avail themselves of this service;

52. Encourages the Secretariat to continue its efforts to develop safety guidance for management of Naturally Occurring Radioactive Materials (NORM), welcomes the Secretariat's efforts in relation to the management of NORM residues from the phosphate industry, and encourages the Secretariat to consider the need for such efforts in relation to other industries;

53. Welcomes and encourages Member States' continuing support for the decommissioning and remediation of former nuclear sites in Iraq, and encourages the Secretariat to continue its technical support to that project;

54. Requests the Secretariat to report to the General Conference on its contribution to the implementation of the *UN Action Plan for Chernobyl to 2016*;

7.

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

55. Encourages Member States, where necessary, to strengthen the development and implementation of appropriate safety standards in the uranium production cycle, and requests the Secretariat to assist Member States in using such safety standards;

56. Emphasizes the need to address shortfalls in the availability of experienced and trained human resources in order to ensure safety in the projected expansion of uranium production worldwide, and encourages the Secretariat to respond to requests for

assistance from, in particular, Member States entering or re-entering the uranium mining industry;

57. Encourages relevant Member States to participate in multilateral efforts to remediate the uranium mining legacy sites in Central Asia, including the *International Conference on Remediation of Land Contaminated by Radioactive Material/Residues* in Kazakhstan in May 2009;

58. Commends the Secretariat's efforts to bring together regulators and operators from the major uranium mining countries to produce a code of practice in radiation, environmental and occupational safety designed to assist new partners in the uranium resource development industry;

8.

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

59. Underlines the fundamental importance of sustainable programmes for education and training in nuclear, radiation, transport and waste safety, remaining convinced that such education and training is a key component of safety infrastructure;

60. Emphasizes the need to address shortfalls in the availability of trained and experienced human resources in order to ensure safety in the projected expansion of nuclear power generation worldwide, and encourages the Secretariat to assist Member States in this context, where possible and appropriate, upon their request;

61. Encourages Member States to promote knowledge management, including higher education programmes, to enhance nuclear, radiation, transport and waste safety, and to provide for the transfer of knowledge from experts leaving the field to younger generations of professionals;

62. Welcomes the ongoing commitment of the Secretariat and Member States to the implementation of the Strategy for Education and Training in Nuclear, Radiation, Transport and Waste Safety, and calls upon the Secretariat to strengthen and expand its programme of training and education activities, while focusing on building institutional capacity and technical and managerial capabilities in Member States;

63. Supports the Secretariat's continued focus on developing sustainable educational training programmes in nuclear, radiation, transport and waste safety, including by identifying training needs through Education and Training Appraisal (EduTA) missions, drawing up programmes to meet training requirements, continuing the development of up-to-date training materials including e-learning and multimedia materials, establishing national and regional training centres and networks, and further developing a network of trainers, regional training centres and 'train-the-trainer' workshops and encourages the Secretariat to implement the relevant technical support;

64. Welcomes the Secretariat's progress toward a long-term agreement on education and training with Argentina, and looks forward to the early conclusion of this and further long-term agreements with other regional centres hosting Agency postgraduate educational and specialized training courses;

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

9.

Safety and Security of Radioactive Sources

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

67. Continues to endorse the principles and objectives of the non-legally-binding Code of Conduct on the Safety and Security of Radioactive Sources, welcomes the high level of global support for the Code, noting that, as at 4 July 2008, 92 States had made a political commitment to it in line with resolutions GC(47)/RES/7.B

and GC(48)/RES/10.D, and urges other States to make such a commitment;

68. Underlines the important role of the Guidance on the Import and Export of Radioactive Sources for the establishment of continuous, global control of radioactive sources, notes that, as at 4 July 2008, 46 States had notified the Director General, pursuant to resolution GC(48)/RES/10.D, of their intention to act in accordance with the Guidance on a harmonized basis, reiterates the need for States to implement the Guidance in a cooperative, harmonized and consistent fashion, noting that the Guidance is supplementary to the Code, encourages those States which have not already notified the Director General to do so, recalling operative paragraph 6 of resolution GC(47)/RES/7.B, and further encourages the Secretariat to make available relevant information that will facilitate States' implementation of the Guidance, subject to the consent of the States concerned;

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

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

71. Welcomes the progress made by Member States in strengthening, as necessary, their regulatory infrastructures to ensure the sustainability of the control of radioactive sources, and requests the Secretariat to continue providing support for the efforts of Member States to strengthen those infrastructures;

10.

Nuclear and Radiological Incident and Emergency Preparedness and Response

72. Urges all Member States to become parties to the Convention on Early Notification of a Nuclear Accident (the Early Notification Convention) and the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency (the Assistance Convention), thereby contributing to a broader and stronger international emergency response capability, to the benefit of all Member States;

73. Continues to encourage all Member States to enhance, where necessary, their own preparedness and response capabilities for nuclear and radiological incidents and emergencies, by improving capabilities to prevent accidents, to respond to emergencies and to mitigate any harmful consequences and, where necessary, to request support from the Secretariat or from other Member States in developing national capabilities consistent with international standards;

74. Welcomes the Secretariat's activities to assist Member States in developing and improving preparedness and response capabilities for nuclear and radiological incidents and emergencies and encourages greater involvement of Member States in these activities, and requests the Secretariat to identify available resources for international assistance in the event of radiological incidents and emergencies;

75. Welcomes the Secretariat's implementation of the Response Assistance Network (RANET), and in particular the registration by 13 Member States of assistance capabilities in case of radiation incidents and emergencies, and strongly urges States parties to the Assistance Convention and other Member States to support the Agency's fulfilment of its obligations under the Convention by registering their response capabilities under RANET;

76. Requests the Secretariat, in collaboration with Member States, relevant international organizations and the National Competent Authorities Coordinating Group, to continue the implementation of the International Action Plan for Strengthening the International Preparedness and Response System for Nuclear and Radiological Emergencies and urges Member States to enhance international emergency preparedness by contributing to the implementation of the Action Plan;

77. Encourages the Secretariat to continue its efforts to develop a global and unified system for reporting and sharing information on accidents, incidents and operational anomalies, and encourages Member States to support this development and incorporate the solutions into national procedures;

78. Welcomes the endorsement of the new *International Nuclear and Radiological Event Scale (INES) User's Manual* by the INES Advisory Committee and the INES national officers representing INES Member States as a tool to communicate the safety significance of events to technical communities and the public, and urges Member States to designate INES national officers and utilize the scale;

79. Acknowledges the participation of 75 Member States and ten international organizations in the ConvEx-3 (2008) full scale exercise hosted by Mexico in July 2008, and encourages Member States to engage actively in national, regional and international exercises and to consider hosting future ConvEx exercises;

80. Requests the Secretariat to continue improving the capability of the IAEA Incident and Emergency Centre to better enable it to fulfil its role as coordinator and facilitator of cooperation among Member States in the area of emergency preparedness and response; and

81. Welcomes the Secretariat's decision to institutionalize the Meeting of Representatives of Competent Authorities identified under the Early Notification and Assistance Conventions, and requests that the Secretariat develop and propose, in cooperation with Member States, a mandate for this Meeting that is consistent with the responsibilities stated in the Conventions for Competent Authorities prior to the fifty-third (2009) regular session of the General Conference.

B.

Transport safety

The General Conference,

(a) Noting the report on transport safety contained in document GC (52)/2,

(b) Noting concerns about a potential accident or incident during the transport of radioactive materials and about the importance of the protection of people, human health and the environment as well as protection from actual economic loss, as defined in relevant international instruments, due to an accident or incident,

(c) Recognizing that, historically, the safety record of maritime transport of nuclear materials has been excellent,

(d) Recalling that States have under international law the obligation to protect and preserve the maritime environment,

(e) Reaffirming the competence of the Agency in relation to the safety of transport of radioactive materials,

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

(g) Stressing the importance of international cooperation to enhance the safety of international navigation,

(h) Recalling that in June 2005 the Board approved a policy for reviewing and revising the Agency's Transport Regulations whereby the Regulations will be reviewed every two years (the current review cycle of the relevant international bodies), with the decision on revision and publication based on the assessments of the Transport Safety Standards Committee (TRANSSC) and the Commission on Safety Standards (CSS) as to whether a proposal for change is sufficiently important for safety,

(i) Emphasizing that the General Conference has encouraged Member States to make use of the IAEA appraisal service for transportation,

(j) Recalling resolution GC(51)/RES/11, and the previous resolutions which invited Member States shipping radioactive materials to provide, as appropriate, assurances to potentially affected States, upon their request, that their national regulations take into account the Agency's Transport Regulations and to provide them with relevant information relating to shipments of such materials. The information provided should in no case be contradictory to the measures of physical protection and safety,

(k) Recognizing concerns about the potential for damage to arise in the event of an accident or incident during the transport of radioactive materials, including pollution of the environment, recognizing also the importance of having in place effective liability mechanisms, and believing that the principle of strict liability should apply in the event of nuclear damage arising from an accident or incident during the transport of radioactive materials,

(l) Noting the changing global weather patterns and, in this regard, recognizing the important role of the Agency in continuing to ensure that such changes are addressed,

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

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

1. Notes further progress on implementation of the Action Plan on the Safety of Transport of Radioactive Materials, and encourages the Secretariat to pursue implementation of all areas of the Action Plan and Member States to cooperate fully with the Secretariat to that end;

2. Stresses the importance of having effective liability mechanisms in place to insure against harm to human health and the environment as well as actual economic loss due to an accident or incident during the maritime transport of radioactive materials, welcomes the continuing valuable work of the International Expert Group on Nuclear Liability (INLEX), including the examination of the application and scope of the Agency's nuclear liability regime and the consideration and identification of further specific actions to address any gaps in scope and coverage of the regime, looks forward to the continuation of INLEX's work, in particular its further outreach activities, notes the workshop held in South Africa in February 2008 for African countries, and requests the Secretariat to report at appropriate times on the continuing work of INLEX;

3. Welcomes the practice of some shipping States and operators of providing in a timely manner information and responses to relevant coastal States in advance of shipments for the purpose of addressing concerns regarding safety and security, including emergency preparedness, and invites others to do so in order to improve mutual understanding and confidence regarding shipments of radioactive materials. The information and responses provided should in no case be contradictory to measures of physical protection and safety;

4. Emphasizes the importance of maintaining dialogue and consultation aimed at improving mutual understanding, confidence building and enhanced communication in relation to the safe maritime transport of radioactive materials, and in this context welcomes the informal discussions on communication held in July 2005, September 2006, September 2007 and October 2008 between relevant shipping States and coastal States, with Agency involvement, notes the intention of those States to hold further discussions with Agency involvement, looks forward to further progress towards addressing and understanding concerns of coastal and shipping States, welcomes the discussions at bilateral level between relevant shipping and coastal States on issues of mutual concern, and expresses the hope that further enhancements to mutual confidence, particularly through voluntary communication practices, with due regard to particular circumstances, will result;

5. Welcomes the implementation so far of the Action Plan for Strengthening the International Preparedness and Response System for Nuclear and Radiological Emergencies and looks forward to its further implementation and to further measures to improve the overall international emergency response capability, especially with respect to potential maritime incidents, and encourages the Secretariat to discuss with interested Member States how appropriate information can be made available to authorities responding to an emergency which has occurred during the transport of radioactive material, taking fully into account the requirements of physical protection and safety;

6. Commends those Member States that have already made use of the IAEA appraisal service and encourages them to put into effect the resulting recommendations and suggestions, as well as to share their good practices with other Member States, and encourages other Member States to avail themselves of IAEA appraisal missions and to improve transport practices based on recommendations and suggestions of such missions;

7. Urges Member States that do not have national regulatory documents governing the transport of radioactive materials to adopt such documents expeditiously, and further urges all Member States to ensure that such regulatory documents are in conformity with the current edition of the Agency's Transport Regulations;

8. Notes the Secretariat's work on the security of transport of radioactive materials, welcomes the development of training courses on transport security and looks forward to the publication of the Nuclear Security Series document on Security of Radioactive Material during Transport;

9. Welcomes the forthcoming XIth Congress of the International Radiation Protection Association, "Strengthening Radiation Protection Worldwide" (IRPA12) to be held in Argentina from 19 to 24 October 2008, which will include a special technical session on Radiation Protection in Transport of Radioactive Materials (SessionTSIII.5.1.), encourages Member States' specialists, particularly those from developing countries, to participate in such technical sessions and urges the Secretariat to ensure the prompt dissemination of the information produced at the event;

10. Requests Member States to cooperate with the Secretariat in using the procedures for rating radiological incidents during transport and providing information required for the effective operation of the Database on Events in the Transport of Radioactive Material (EVTRAM) and the International Nuclear and Radiological Event Scale (INES), and requests that the Secretariat and Members States work to review and streamline ways to provide information more efficiently to EVTRAM and INES;

11. Calls upon the Agency to continue to take into account scientific evidence of changing global weather patterns, changes to infrastructure and changes to industry operations in the ongoing review of the relevant Agency safety standards, and encourages the Secretariat to develop new fissile-excepted material requirements for the transport of radioactive materials;

12. Welcomes networks of competent authorities whose goal is to support the harmonized implementation of the Agency's transport safety standards, and calls upon Member States to use these networks to build capacity in the effective regulation of the safe transport of radioactive material;

13. Welcomes the establishment of a process in which language differences between IAEA and UN Model Regulations may be reconciled and acknowledges differences between the IAEA text and the UN text as an issue to be considered in the future editions of these texts;

14. Notes the development by the International Steering Committee on Denials of Shipment of Radioactive Material of an action plan, urges the Secretariat to actively facilitate implementation of the action plan and calls upon Member States to each nominate a national focal point for denials of shipment of radioactive material to assist the Steering Committee in its work, welcomes the creation of regional action plans and networks to address key issues that resulted from the recent workshops on denials of shipments held in Uruguay, Italy, Tanzania, Madagascar and China, encourages further regional workshops, welcomes the progress made in conjunction with the International Federation of Air Line Pilots' Associations (IFALPA) on the problems related to

refusals of air shipments of radioactive materials (in particular for medical applications), looks forward to a satisfactory resolution of this issue, and in this context further calls upon Member States to facilitate the transport of such radioactive materials when they are carried in compliance with the Agency's Transport Regulations;

15. Acknowledges the progress made in relation to education and training for the safe transport of radioactive materials, including the preparation and translation of training materials into official languages, welcomes the training course held in Argentina in June 2008 and the plans to hold other regional training courses every two or three years, and requests the Director General to continue to strengthen and widen the Agency's efforts in this area, in particular to ensure synergy between regional training courses and the Agency work related to refusals of shipment (by including information on the uses of radioactive material as a module in the training), involving to the extent possible experts from the concerned regions, subject to the availability of resources; and

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

Nuclear Security – Measures to Protect Against Nuclear Terrorism – Progress on Measures to Protect against Nuclear and Radiological Terrorism

[Resolution GC(52)/RES/10 adopted by the IAEA General Conference on 4 October 2008]

[Footnotes removed – Eds]

The General Conference:

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

(b) Considering, in view of the ever growing number of tragic terrorist attacks worldwide, the need to continue to devote specific attention to the potential implications of terrorist acts for the security of nuclear materials, other radioactive materials in production, use, storage and transport, including associated facilities, and emphasizing the importance of physical protection and other measures against illicit trafficking 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 the four-year Nuclear Security Plan 2006-2009 adopted by the Board of Governors in September 2005,

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

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

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

(g) Noting the United Nations Security Council resolutions 1373, 1540, 1673 and 1810, the United Nations General Assembly resolution 60/78, the International Convention for the Suppression of Acts of Nuclear Terrorism, and other actions of the international community to combat the proliferation of weapons of mass destruction and prevent access by non-State actors to weapons of mass destruction and related material, which constitute valuable contributions to the protection against nuclear and radiological terrorism,

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

(i) Noting the various contributions of the G-8 since the adoption of the Global Partnership Against the Spread of Weapons and Materials of Mass Destruction at the Kananaskis summit in June 2002, including the Statement on Counter-Terrorism made in Hokkaido Toyako on 9 July 2008, and noting also the implementation of the European Union strategy against proliferation of weapons of mass destruction adopted in December 2003 and other national and international contributions, such as the Global Initiative to Combat Nuclear Terrorism,

(j) Noting the role of the Agency in facilitating the development of relevant nuclear security documents that establish fundamentals, recommendations and guidance to assist States in implementing the legally binding and non-binding international instruments, and reaffirming that the Agency's recommendations related to enhancing nuclear security are voluntary in nature,

(k) Recalling, in this context, the important role that the recommendations contained in "The Physical Protection of Nuclear Material and Nuclear Facilities" (INFCIRC/225) have played in providing internationally accepted guidance for effective physical protection, and noting that INFCIRC/225, which was last revised in 1999, is currently being revised to address the current nuclear security threats,

(l) Recalling that international agreements in the safety area multilaterally negotiated under the auspices of the Agency, as well as the activities of the Agency in the safety area, could be relevant to an integrated approach to nuclear security,

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

(n) Noting the central contribution of the Agency's safeguards system, and also of States' Systems of Accounting for and Control of Nuclear Materials, to preventing illicit trafficking and to deterring and detecting the diversion of nuclear materials, to the extent to which such control procedures are applicable,

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

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

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

1. Welcomes the Nuclear Security Report 2008 submitted by the Director General in document GC(52)/12 on measures to improve nuclear security and protect against nuclear terrorism, produced in response to resolution GC(51)/RES/12, commends the Director General and the Secretariat for the implementation of the Nuclear Security Plan for 2006-2009, and looks forward to their continued efforts, in particular in the development of the forthcoming Nuclear Security Plan for 2010-2013;

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

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 the Nuclear Security Fund the political and, on a voluntary basis, financial support it needs, in a manner which enables flexibility to the extent possible;

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

5. Requests the Secretariat to give priority to facilitating the revision of the recommendations contained in "The Physical Protection of Nuclear Material and Nuclear Facilities" (INFCIRC/225) by

Member States as part of the IAEA Nuclear Security Series of documents;

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

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

8. Encourages the Secretariat to continue, in consultation with Member States, to play a constructive role in international nuclear security related initiatives, inter alia the Global Initiative to Combat Nuclear Terrorism, within its nuclear security programme;

9. Invites the Secretariat to provide such assistance upon request to Member States in fulfilling their obligations under the United Nations Security Council Resolution 1540 and to the 1540 Committee as is within the scope of the Agency's statutory responsibilities;

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

11. Invites all States to consider the potential danger of illicit trafficking of nuclear and other radioactive material across their borders and within their countries, notes that the Illicit Trafficking Database Programme (ITDB) may help identifying vulnerabilities in security systems, takes note in this context of the results of the "International Conference on Illicit trafficking: Collective Experience and the Way Forward" which was held in Edinburgh in November 2007 and the participation of 100 Member states in the ITDB and invites all States to participate in the ITDB on a voluntary basis;

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

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

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

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

16. Invites all Member States to contribute to the nuclear security symposium in March 2009 to identify ways forward to continue to enhance global nuclear security, and to explore proposals for the Nuclear Security Plan for 2010–2013;

17. Invites the Director General to continue to implement, in consultation and coordination with Member States, pursuant to the Nuclear Security Plan for 2006-2009, Agency activities relevant to nuclear security, including protection against nuclear and radiological terrorism and detection of and response to terrorist acts involving nuclear and other radioactive material;

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

19. Welcomes the activities by the Agency in support of States' efforts to enhance nuclear security worldwide and encourages States to use the Agency's nuclear security advisory services for exchange of views and advice on nuclear security measures; and

20. Requests the Director General to submit an annual Nuclear Security report to the General Conference at its fifty-third (2009) regular session on activities undertaken by the Agency in the area of nuclear security, highlighting significant accomplishments of the prior year and indicating programmatic goals and priorities for the year to come.

Strengthening the Effectiveness and Improving the Efficiency of the Safeguards System and Application of the Model Additional Protocol

[Resolution GC(52)/RES/13, adopted by the General Conference, October 2008]

[*Editorial note:* Footnotes not included]

The General Conference.

(a) Recalling resolution GC(51)/RES/15,

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

(c) 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 African Nuclear-Weapon-Free Zone Treaty and the Treaty on the Southeast Asia Nuclear-Weapon-Free Zone and the Agency's essential role in applying safeguards in accordance with the relevant articles of these treaties,

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

(f) Welcoming the fact that, as of 4 October 2008, 29 States have accepted SQPs in accordance with the modified text endorsed by the Board of Governors,

(g) 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,

(h) Welcoming the fact that, as of 4 October 2008, 118 States and other Parties to safeguards agreements have signed additional protocols, and that additional protocols are in force for 89 of those States and other parties,

(i) Welcoming 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 I of the NPT, and noting with satisfaction that protocols additional to the voluntary offer safeguards agreements are in force for four of these States,

(j) Noting the Director General's statement to the 52nd regular session of the IAEA General Conference, that without safeguards agreements, the Agency cannot provide any assurance about a State's nuclear activities, and without the additional protocol, the Agency cannot provide credible assurance regarding the absence of undeclared nuclear material or activities,

(k) Noting that additional protocols constitute one of the important instruments in enhancing the Agency's ability to derive safeguards conclusions regarding the absence of undeclared nuclear materials and activities,

(l) Noting the high priority the Agency attaches, in the context of furthering the development of the strengthened safeguards system, to integrating traditional nuclear material verification activities with strengthening measures,

(m) Taking note of the Agency's Safeguards Statement for 2007,

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

(o) Noting the considerable increase in the Agency's safeguards responsibilities since the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and in particular since the approval of the Model Additional Protocol by the Board of Governors in May 1997,

(p) 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,

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

(r) Noting that the Preparatory Committee for the 2010 Review Conference of the States Party to the Treaty on the Non-Proliferation of Nuclear Weapons held two successful meetings in April/May 2007 and in April/May 2008, further noting that the third meeting of the Preparatory Committee, to be held in May 2009, should make every effort to agree on substantive recommendations to the Review Conference, and encouraging all States Party to continue to work towards a substantive outcome for the 2010 Review Conference,

(s) 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,

(t) Stressing the importance of maintaining and observing the principle of confidentiality regarding all information related to the implementation of safeguards in accordance with the IAEA Statute and safeguards agreements,

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

(v) Welcoming the holding of IAEA safeguards outreach seminars at Agency Headquarters in February 2008 and in Santo Domingo, Dominican Republic, in July 2008, as well as briefings on Agency safeguards for the delegations that attended the Second Session of the Preparatory Committee for the 2010 Review Conference of the Parties to the NPT in Geneva in April/May 2008, and sharing the hope for the continuation of efforts to broaden adherence to the Agency's safeguards system, and

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

Consistent with the respective safeguards undertakings of Member States:

1. Calls on all Member States to give their full and continuing support to the Agency in order to ensure that the Agency is able to meet its safeguards responsibilities;

2. Stresses the need for effective safeguards in order to prevent the use of nuclear material for prohibited purposes in contravention of safeguards agreements, and underlines the vital importance of effective safeguards for facilitating co-operation in the field of peaceful uses of nuclear energy;

3. Bearing in mind the importance of achieving the universal application of the Agency's safeguards system, urges all States which have yet to bring into force comprehensive safeguards agreements to do so as soon as possible;

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

5. Affirms that measures to strengthen the effectiveness and improve the efficiency of the safeguards system with a view to detecting undeclared nuclear material and activities must be implemented rapidly by all concerned States and other Parties, in compliance with their respective international commitments;

6. Stresses the importance of the Agency's safeguards system, including comprehensive safeguards agreements and additional protocols, which are among the essential elements of the system, and with respect to the safeguards strengthening measures contained in document GOV/2807 and taken note of by the Board of Governors in 1995, requests the Secretariat to pursue the implementation of these measures as broadly as possible and without delay as far as available resources permit, and recalls the need for all concerned States and other Parties to safeguards agreements with the Agency to supply the Agency with all the information required;

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

8. Requests the Secretariat to examine, subject to the availability of resources, innovative technological solutions to strengthen the effectiveness and to improve the efficiency of safeguards;

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

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

11. Reiterates its support for the Board's decision to request the Director General to use the Model Additional Protocol as the standard for additional protocols which are to be concluded by States and other Parties to comprehensive safeguards agreements with the Agency and which should contain all of the measures in the Model Additional Protocol;

12. Reiterates its support for the Board's decision to request the Director General to negotiate additional protocols with other States that are prepared to accept measures provided for in the Model Additional Protocol in pursuance of safeguards effectiveness and efficiency objectives;

13. Requests all concerned States and other Parties to safeguards agreements, including nuclear weapon States, that have not yet done so to promptly sign additional protocols and to bring them into force as soon as possible, in conformity with their national legislation;

14. Notes in this regard that, for States with both a comprehensive safeguards agreement and an additional protocol in force, or being otherwise applied, Agency safeguards can provide increased assurances regarding both the non-diversion of nuclear material placed under safeguards and the absence of undeclared nuclear material and activities for a State as a whole;

15. Notes that, in the case of a State with a comprehensive safeguards agreement supplemented by an additional protocol in force, these measures represent the enhanced verification standard for that State;

16. Notes that, as of 4 October 2008, 84 States have comprehensive safeguards agreements supplemented by additional protocols in force, which represents a majority of those non-nuclear weapon States parties to the NPT that have concluded comprehensive safeguards agreements, and that, of these, 47 States have significant nuclear activities and 31 States have operative SQPs;

17. Notes with regret that 30 non-nuclear-weapon States parties to the NPT have yet to bring into force a comprehensive safeguards agreement;

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

19. Notes the important contribution that State-level integrated safeguards approaches can make to the efficiency and effectiveness of safeguards implementation, and welcomes the fact that, as of 4 October 2008, the IAEA is implementing State-level integrated safeguards approaches for 29 States and has developed a further five such approaches;

20. Urges the Secretariat to continue to study, in the context of implementation of integrated safeguards, the extent to which the credible assurance of the absence of undeclared nuclear material and activities, including those related to enrichment and reprocessing, for a State as a whole could lead to a corresponding reduction in the current level of verification efforts with respect to declared nuclear material in that State and a corresponding reduction in the costs associated with such efforts;

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

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

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

24. 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 the Agency's updated plan of action (September 2008), and encourages them to continue these efforts, as appropriate and subject to the availability of resources, and review the progress in this regard, and recommends that the other Member States consider implementing elements of that plan of action, as appropriate, with the aim of facilitating the entry into force of comprehensive safeguards agreements and additional protocols; and the amendment of operative SQPs;

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

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

27. Requests Member States to co-operate among themselves as appropriate to provide assistance to facilitate exchange of

equipment, material and scientific and technological information for the implementation of additional protocols;

28. Requests that any new or expanded actions in this resolution be subject to the availability of resources, without detriment to the Agency's other statutory activities; and

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

Implementation of the NPT Safeguards Agreement Between the Agency and the Democratic People's Republic of Korea

[Resolution GC(52)/RES/14, adopted by the General Conference, October 2008]

See Section P

Application of IAEA Safeguards in the Middle East

[Resolution GC(52)/RES/15, adopted by the IAEA General Conference on October 2008]

[Editorial note: Footnotes not included]

The General Conference.

(a) Recognizing the importance of the non-proliferation of nuclear weapons – both globally and regionally – in enhancing international peace and security,

(b) Mindful of the usefulness of the Agency's safeguards system as a reliable means of verification of the peaceful uses of nuclear energy,

(c) Concerned by the grave consequences, endangering peace and security, of the presence in the Middle East region of nuclear activities not wholly devoted to peaceful purposes,

(d) Welcoming the initiatives regarding the establishment of a zone free of all weapons of mass destruction, including nuclear weapons, in the Middle East and earlier initiatives regarding arms control in the region,

(e) Recognizing that full realization of these objectives would be promoted by the participation of all States of the region,

(f) Commending the efforts of the Agency concerning the application of safeguards in the Middle East and the positive response of most States in concluding a full-scope safeguards agreement, and

(g) Recalling its resolution GC(51)/RES/17,

1. Takes note of the Director General's report in document GC(52)/10/Rev.1;

2. Calls upon all States in the region to accede to the Non-Proliferation Treaty;

3. Calls upon all States in the region of the Middle East to comply with their international obligations and commitments relating to safeguards, and to cooperate fully with the IAEA;

4. Affirms the urgent need for all States in the Middle East to forthwith accept the application of full-scope Agency safeguards to all their nuclear activities as an important confidence-building measure among all States in the region and as a step in enhancing peace and security in the context of the establishment of a nuclear-weapon-free zone (NWFZ);

5. Calls upon all parties directly concerned to consider seriously taking the practical and appropriate steps required for the implementation of the proposal to establish a mutually and effectively verifiable NWFZ in the region, and invites the countries concerned which have not yet done so to adhere to international non-proliferation regimes, including the Treaty on the Non-Proliferation of Nuclear Weapons, as a means of complementing participation in a zone free of all weapons of mass destruction in

the Middle East and of strengthening peace and security in the region;

6. Further calls upon all States of the region, pending the establishment of the zone, not to develop, produce, test or otherwise acquire nuclear weapons, or to pursue actions that would undermine the goal of establishing the zone;

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

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

9. Emphasizes the importance of the peace process in the Middle East in promoting mutual confidence and security in the region, including the establishment of a NWFZ;

10. 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 a NWFZ in the region, referred to in resolution GC(XXXVII)/RES/627;

11. Calls upon all States in the region to extend their fullest cooperation to the Director General in the fulfilment of the tasks entrusted to him in the preceding paragraph;

12. Calls upon all other States, especially those with a special responsibility for the maintenance of international peace and security, to render all assistance to the Director General by facilitating the implementation of this resolution; and

13. Requests the Director General to submit to the Board of Governors and the General Conference at its fifty-third (2009) regular session a report on the implementation of this resolution and to include in the provisional agenda for that session an item entitled "Application of IAEA safeguards in the Middle East".

IAEA at a Crossroads (Abridged Version)

[Statement by IAEA Director General Dr. Mohamed ElBaradei, September 2008]

[Eds...]

Nuclear Power

There are now 439 nuclear power reactors operating in 30 countries and the number of new plants under construction stands at 36. The Agency's updated projections continue to show a significant increase in the use of nuclear energy by 2030, with nuclear power capacity possibly doubling.

Nuclear power has obvious attractions for both developing and developed countries.

Developing countries need access to electricity to help lift their people out of poverty and many are turning to the Agency for guidance on how to proceed. They are concerned about the fluctuating prices of oil and other fossil fuels and about uncertainty of supply, as well as about climate change.

Every country has the right to introduce nuclear power, as well as the responsibility to do it right.

In the last two years, some 50 Member States have expressed interest in considering the possible introduction of nuclear power and asked for Agency support.

Twelve countries are actively preparing to introduce nuclear power.

Increased demand for assistance has been particularly strong from developing countries, which seek expert and impartial advice in analysing their options and choosing the best energy mix. Naturally, we are not the sole source of expertise, but for many countries our impartial advice is essential.

An expansion of nuclear power will also create new demand for spent fuel management and waste disposal. Experts agree that the geological disposal of high level radioactive waste is safe and technologically feasible.

However, public opinion will remain sceptical at least until the first deep geological repositories are operational in a decade or so.

Nuclear Verification

The world of nuclear safeguards has changed considerably over the last few years.

We have seen non-State actors playing an active role in several proliferation cases, while a number of States have made efforts to clandestinely develop their nuclear fuel cycle.

The focus of safeguards therefore continues to shift from mechanistic verification of declared nuclear material to an information driven system that aims to understand and assess the consistency of information on a State's nuclear programme as a whole.

Effective nuclear verification, as I have said many times, requires four essential elements:

- adequate legal authority;
- state-of-the-art technology;
- timely access to all relevant information; and
- sufficient human and financial resources.

Despite some progress, we still have shortcomings in all four areas.

To start with legal authority: it is more than ten years since the Model Additional Protocol was approved by the Board of Governors.

Of the 163 States with safeguards agreements, 88 now have additional protocols in force - not much more than half. Regrettably, progress has not been as fast as we would have expected.

It is also disconcerting that 30 States party to the NPT have not even brought into force their required comprehensive safeguards agreements with the Agency.

I urge all States that have not yet done so to bring their comprehensive safeguards agreements and additional protocols into force without delay.

I have voiced my concern on several occasions regarding the ageing technical infrastructure and equipment at our Safeguards Analytical Laboratory, which is key to the Agency's effectiveness and independence in performing its verification mission.

With the support of the Board of Governors, a project to renovate the Laboratory has been initiated. However, full funding to complete the project has still not been secured. This is core Agency business which must be put on a sound long-term financial footing.

Implementation of Safeguards in the Democratic People's Republic of Korea

Monitoring and verification of the shutdown of the Yongbyon nuclear facilities in the Democratic People's Republic of Korea (DPRK) has continued, with the cooperation of the DPRK.

The DPRK authorities last week asked our inspectors to remove seals and surveillance equipment to enable them to carry out tests at the reprocessing plant.

They also informed the inspectors that they planned to introduce nuclear material to the reprocessing plant in one week's time - that means this week - and that the inspectors would have no further access to the reprocessing plant.

Nevertheless, I still hope that conditions can be created for the DPRK to return to the Non-Proliferation Treaty at the earliest possible date and for the resumption by the Agency of comprehensive safeguards.

Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran

Six years have elapsed since the Agency began intensive work aimed at clarifying Iran's nuclear programme.

Substantial progress has been made, especially regarding the scope and nature of Iran's uranium enrichment programme. We

have been able to continue to verify the non-diversion of declared nuclear material in Iran.

However, I regret that we are still not in a position to make progress regarding the absence of undeclared nuclear material and activities in Iran.

I urge Iran to implement all the transparency measures, including the additional protocol, required to build confidence in the exclusively peaceful nature of its nuclear programme at the earliest possible date. This will be good for Iran, good for the Middle East region and good for the whole world.

Implementation of Safeguards in the Socialist People's Libyan Arab Jamahiriya

As you will recall, Libya has acknowledged that its past nuclear programme, from the mid 1980s until 2003, was aimed at the development of nuclear weapons. But it stated that it did not proceed with the design of nuclear weapons, nor did it have a complete fissile material production capability.

The Agency did not find any indications of actual work related to nuclear weapons development. I am pleased that the Agency is now able to implement safeguards in Libya in a routine manner.

The Agency was disturbed to learn that sensitive information provided by the clandestine supply network to Libya, some of which related to uranium centrifuge enrichment and - even more worrisome - nuclear weapon design, existed in electronic form. This makes it easy to disseminate.

Clearly, this is a matter of serious concern.

Application of Safeguards in the Middle East

In line with the mandate given to me by the General Conference, I have continued my consultations with the States of the Middle East on the application of full scope safeguards to all nuclear activities in the region, and on the development of model safeguards agreements as a necessary step towards establishing a nuclear-weapon-free zone in the region.

Once again, I regret to say that I cannot report progress on either front.

Nuclear Safety and Security

Overall, nuclear safety has improved significantly but the risk of accidents persists. It is essential to ensure that a true safety culture takes root world-wide, not least in countries new to nuclear power.

We continue to upgrade our safety standards, including addressing threats to nuclear installations from extreme natural hazards such as volcanoes and tsunamis.

The Agency has also strengthened its programme to protect medical patients and staff from exposure to medical radiation.

During the past year, we have focused on enhancing physical security arrangements at nuclear facilities and other locations with nuclear or radioactive materials.

The Agency provided assistance to States in repatriating high enriched uranium research reactor fuel and vulnerable radioactive sources, establishing effective border controls, and developing comprehensive approaches to national nuclear security.

We also supported security for major public events, including the Beijing Olympic Games.

We know that the potential for a malicious act involving nuclear or other radioactive material remains real.

The number of incidents reported to the Agency indicates ongoing weaknesses and vulnerabilities.

[Eds...]

Technical Cooperation Programme

Development activities remain central to our work. Demand for technical cooperation from developing countries continues to grow.

Our resources have long been insufficient to keep pace with requests for support, and we have increasingly made use of partnerships with other organizations, regional collaborations and country to country support.

A new three year Technical Cooperation Programme has been finalized. There is an emerging trend, especially in Europe, for Member States to focus less on national projects and more on regional activities. In general, regional programming has been strengthened and is more clearly targeted on common priorities.

Member States with more developed nuclear sectors play a key role in supporting regional projects, sharing their expertise with other countries in the region.

The new programme contains an emphasis on food and agriculture, human health and natural resources. Requests for support for energy planning and nuclear energy projects are also increasing and safety is a constant element in all projects.

I again emphasise that technical cooperation is not a bargaining chip, part of a political "balance" between the development and safeguards activities of the Agency.

Nuclear applications provide immense benefits and show clearly measurable results. The Agency has shown itself to be a reliable partner across a wide range of activities.

Report of Commission of Eminent Persons

I will now return to the subject of the future of the Agency.

In its first 50 years, the Agency has proven its value as a key instrument, both for enabling developing countries to use science and technology for development, and for maintaining international security. It has shown itself capable of adapting to changing circumstances and the diverse needs of Member States.

But we really have reached a turning point. Years of zero growth budgets have left us with a failing infrastructure and a troubling dependence on voluntary support, which invariably has conditions attached.

For example, no less than 90 percent of our nuclear security programme, which is aimed in part at stopping terrorists from obtaining nuclear material, depends on voluntary funding. I repeat - 90 percent of our nuclear security programme depends on voluntary funding. In nuclear safety, the figure is 30 percent and in verification it is 15 percent. Technical cooperation funds continue to lag well behind the pressing needs of developing countries.

All of these are core Agency activities and it is imperative that they should have adequate, stable and predictable resources. Put that together with our insufficient legal authority in key areas such as verification, safety and security and it is clear that our ability to do our job properly is being seriously compromised.

I have voiced these concerns on many occasions.

Last year, I appointed an independent Commission of Eminent Persons to examine our work and make recommendations for the future of the Agency up to 2020 and beyond. Their report was published in May.

The Commission members, under the able leadership of former Mexican President Ernesto Zedillo, did not disappoint.

Their recommendations - some of them bold and far-reaching - concern all aspects of the Agency's work.

My aim in appointing the Commission was to trigger discussion among Member States on how the Agency can best contribute to achieving their common goals of development, peace and security in the decades ahead.

The Commission's proposals provide an excellent starting point and deserve serious scrutiny. I will highlight just a few.

First, the Commission says the Agency, working with supplier and donor States, should help "newcomer" States to put in place the necessary infrastructure to launch nuclear energy programmes safely, securely and peacefully.

The Agency should also give high priority to establishing multilateral fuel cycle arrangements, covering both the front and the back end of the cycle.

Second, the Commission says the Technical Cooperation Fund should be increased substantially.

Our technical cooperation programme, focusing on using nuclear applications in food and agriculture, human health and natural resources, needs to be expanded.

Third, in order to help address the threat of nuclear terrorism, the Commission urges you, the Member States, to negotiate binding agreements to set effective global nuclear security standards and to give the Agency the tools and authority to help ensure they are implemented.

A *fourth* key proposal is that the Agency should lead an international effort to establish a global nuclear safety network, also based on binding agreements. Countries should submit to mandatory international nuclear safety peer reviews.

Fifth, the Agency's safeguards activities should be strengthened. That means better equipment, more staff and funding, as well as more legal authority.

In connection with safeguards, I should note that nuclear disarmament, the core of the Non-Proliferation Treaty, has been on the back burner for far too long.

The Commission notes that the IAEA is not the lead Agency for nuclear disarmament, but adds: "Progress towards disarmament, or the lack of it, will deeply affect the success of the IAEA's non-proliferation mission."

As the Commission acknowledges, this is a bold agenda.

It is now up to you to decide what kind of Agency you want. If we carry on with business as usual, the Agency's effectiveness and the value of the services we provide to you will gradually be eroded.

The sums proposed by the Commission to put things right are modest, weighed against the costs of a nuclear accident - which can total untold billions of dollars, as in the case of Chernobyl - or of a terrorist attack involving nuclear materials.

Likewise, the potential benefit to developing countries from using nuclear applications is huge.

This is not just about money.

The Agency does not work in a vacuum. Political commitment to the goals of the Agency needs to be renewed at the highest level to encourage the transfer of nuclear technology to the developing world and to strengthen safety and security, non-proliferation and disarmament.

The problems facing the world in the nuclear arena are plain for all of us to see.

The Agency can do much to address them, if given the authority, resources and technology. It would be a tragedy of epic proportions if we fail to act until after a nuclear conflagration, accident or terrorist attack that could have been prevented.

Making the Agency more effective is therefore critical to international security and to development.

The report of the *Commission of Eminent Persons* spells out what needs to be done.

It is time to think big and to think long term.

Introductory Statement to the Board of Governors

[IAEA Director General Dr. Mohamed ElBaradei,
22 September 2008, Vienna]

Our agenda for this meeting covers a broad range of Agency activities. I will limit my remarks to a few key areas.

[Eds...]

Nuclear Security

The possibility of terrorists obtaining nuclear or other radioactive material remains a grave threat. *Through its Illicit Trafficking Database (ITDB)* programme, the Agency collects information on incidents of illicit trafficking and other unauthorized activities involving nuclear and radioactive material. In the year to 30 June 2008, 243 such incidents were reported to the Agency, 21 of which

involved the theft or loss of material which was not subsequently recovered.

The Agency continues to provide assistance to States with a view to improving border controls, strengthening physical protection at nuclear facilities and enhancing nuclear security at major public events, such as the Beijing Olympic Games.

Funding for nuclear security remains a cause for concern. The Agency depends almost entirely on extrabudgetary contributions in this area, which makes effective programme planning and prioritization difficult.

New Nuclear Energy Programmes

Every country has the right to introduce nuclear power, as well as the responsibility to do it right. Nuclear power has obvious attractions for both developing and developed countries. Developing countries need access to electricity to help lift their people out of poverty and many are turning to the Agency for guidance on how to proceed. They are concerned about the fluctuating prices of oil and other fossil fuels and about uncertainty of supply, as well as about climate change.

Countries with rapidly growing economies, such as India and China, are poised to increase the share of nuclear power in their energy mix. Many others, with Agency assistance, are actively considering adding nuclear power to their energy mix.

Embarking on nuclear power is a complex process that requires an appropriate regulatory and legal framework, an effective and independent regulatory body and the building of the necessary human capacity. The obligation to ensure safety and security rests primarily with the country concerned, but it also extends to the countries of vendors supplying components and technical expertise.

Recipient countries should adhere to international treaties and conventions on nuclear safety and security. The use of the Agency's systematic, integrated and tailored review services and compliance with IAEA Safety Standards should be a prerequisite at every stage of a State's nuclear power development. And regulators must always put safety and security first, regardless of the pressure they may sometimes face to be guided by other considerations.

Nuclear Verification

Conclusion of Safeguards Agreements and Additional Protocols

You have before you draft additional protocols for the Republic of Iraq and the Kingdom of Lesotho. In the case of Iraq, this complies with a specific request of the Security Council in Resolution 1762 (2007).

Implementation of Safeguards in the Democratic People's Republic of Korea

As explained in the report before you, the Agency has so far continued to verify the shutdown of the nuclear facilities at Yongbyon and to implement the ad hoc monitoring and verification arrangement, with the cooperation of the Democratic People's Republic of Korea (DPRK). The Agency has not been asked to take part in the disablement activities, but has been able to observe and document them.

In that context, Agency inspectors have observed, after our report was distributed to you, that some equipment previously removed by the DPRK during the disablement process has been brought back. This has not changed the shutdown status of the nuclear facilities at Yongbyon. This morning, the DPRK authorities asked the Agency's inspectors to remove seals and surveillance equipment to enable them to carry out tests at the reprocessing plant, which they say will not involve nuclear material.

I still hope that conditions can be created for the DPRK to return to the Non-Proliferation Treaty at the earliest possible date and for the resumption by the Agency of comprehensive safeguards.

Implementation of Safeguards in the Islamic Republic of Iran

The Agency has been able to continue to verify the non-diversion of declared nuclear material in Iran. Regrettably, the Agency has not been able to make substantive progress on the alleged studies

and associated questions relevant to possible military dimensions to Iran's nuclear programme. These remain of serious concern.

Although Iran has acknowledged that some information in the relevant documentation, including names of individuals and organizations, is correct, it reiterated that all the documents are fabricated or forged. Iran has also declared that it has not performed any of the activities described in the alleged studies and reiterated its request to be provided with originals, or even copies, of the documentation. I call upon Member States which provided the Agency with documentation related to the alleged studies to authorize the Agency to share it with Iran.

However, as mentioned in the report which you have before you, Iran should clarify the extent to which information in the documentation is factually correct and where, as it asserts, such information may have been fabricated or relates to non nuclear purposes. In that context, Iran needs to give the Agency substantive information to support its statements and provide access to relevant documentation and individuals. Unless Iran provides such transparency, and implements the Additional Protocol, the Agency will not be able to provide credible assurances about the absence of undeclared nuclear material and activities in Iran.

I note that the Agency has not detected the actual use of nuclear material in connection with the alleged studies, nor does it have information - apart from the uranium metal document - on the actual design or manufacture by Iran of nuclear material components of a nuclear weapon. Contrary to the decisions of the Security Council, Iran has not suspended its enrichment related activities. Although Iran has so far produced only limited quantities of low enriched uranium (LEU), this is still a cause for concern for the international community in the absence of full clarity about Iran's past and present nuclear programme.

I reiterate that the Agency does not in any way seek to "pry" into Iran's conventional or missile-related military activities. Our focus is clearly on nuclear material and activities. We need, however, to make use of all relevant information to be able to confirm that no nuclear material is being used for nuclear weapons purposes. I am confident that arrangements can be developed which enable the Agency to do its work while ensuring that Iran's legitimate right to protect the confidentiality of sensitive information and activities is respected. I again urge Iran to show full transparency and to implement all measures required to build confidence in the exclusively peaceful nature of its nuclear programme at the earliest possible date.

It is now six years since we began intensive work to clarify Iran's nuclear activities. It is in everyone's interest that we should reach full clarity as soon as possible.

Implementation of Safeguards in the Socialist People's Libyan Arab Jamahiriya

The Agency has been able to verify the non diversion of declared nuclear material in Libya. Since December 2003, Libya has been implementing the Additional Protocol to its Safeguards Agreement, which entered into force in August 2006. Libya has also provided the Agency unrestricted and prompt access, beyond that required under its Safeguards Agreement and Additional Protocol, to locations, information and individuals requested by the Agency.

Libya has acknowledged that its past nuclear programme, from the mid 1980s until 2003, was aimed at the development of nuclear weapons. But it stated that it did not proceed with the design of nuclear weapons, nor did it have a complete fissile material production capability. The Agency did not find any indications of actual work related to nuclear weapons development. With the cooperation and transparency shown by Libya, the Agency has concluded that Libya's statements concerning its nuclear programme are not inconsistent with the Agency's findings.

I am pleased that the Agency is now able to implement safeguards in Libya in a routine manner. We will continue to work to reach a conclusion about the absence of undeclared nuclear material and activities in the country.

In the course of its investigations, the Agency observed that much of the sensitive information provided by the clandestine supply network existed in electronic form, enabling easier use and dissemination. This includes information that relates to uranium centrifuge enrichment and, more disturbingly, to nuclear weapon design. Clearly, this is a matter of serious concern. It makes it all the more important for the Agency to have the legal authority, through the additional protocol, to provide assurance that there is no undeclared nuclear material in a country with a comprehensive safeguards agreement.

We will continue, in cooperation with Member States, to investigate the activities of the network insofar as they relate to the Agency's mandate.

Implementation of Safeguards in the Syrian Arab Republic

[Eds... See pR2 below]

Application of Safeguards in the Middle East

In line with the mandate given to me by the General Conference, I have continued my consultations with the States of the Middle East on the application of full scope safeguards to all nuclear activities in the region, and on the development of model safeguards agreements as a necessary step towards establishing a nuclear-weapon-free zone in the region. Once again, I regret to say that it has not been possible to report progress on either front.

Following recent consultations with Member States in the Middle East, it seems that a convergence of views is emerging on the convening of a forum on the experience of other regions with existing nuclear-weapon-free zones, and on the relevance of this for the Middle East.

But there is still no consensus on the agenda and the issues which such a forum would need to address. I will continue my consultations with Member States in the Middle East with a view to convening a productive forum as early as practicable.

Report of the Commission of Eminent Persons

The Agenda includes a discussion on *The Report of the Commission of Eminent Persons on the Future of the Agency*. I hope Board Members have been able to give serious consideration to the proposals made by President Ernesto Zedillo and his colleagues.

The Commission members brought together an unrivalled range and depth of experience of government, science and diplomacy, from both developed and developing countries. They understand the constraints under which governments and international organizations have to operate. The Commission's proposals deserve in-depth consideration and they should lead to action.

The Agency's work is of crucial importance for international peace and security and for addressing poverty, hunger and disease in the developing world through the use of nuclear technology. I therefore encourage Board members to engage in a structured discussion of the Commission's Report. This could perhaps involve the establishment of issue-specific focus groups which would look into each area in which the Commission has made proposals and then make recommendations to the Board.

It is clear that the work of the IAEA will be needed more and more in the decades to come. The decisions which Member States make in the coming months and years will determine how the Agency is able to respond to the challenges it continues to face.

These challenges are at the heart of the efforts of all of us to create a just, humane world at peace with itself.