



# General Assembly

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Agenda item 14

### Report of the International Atomic Energy Agency

**Argentina, Austria, Bulgaria, France, Germany, Greece, Japan, Lithuania, Netherlands, New Zealand, Nigeria, Poland, Portugal, Republic of Korea, Romania, Slovakia, Sweden, the former Yugoslav Republic of Macedonia and United Kingdom of Great Britain and Northern Ireland: draft resolution**

### Report of the International Atomic Energy Agency

*The General Assembly,*

*Having received* the report of the International Atomic Energy Agency to the General Assembly for the year 1999,<sup>1</sup>

*Noting* the statement of the Director General of the International Atomic Energy Agency,<sup>2</sup> in which he provided additional information on the main developments in the activities of the Agency during 2000,

*Recognizing* the importance of the work of the Agency in promoting the further application of nuclear energy for peaceful purposes as envisaged in the statute of the Agency and in accordance with the inalienable right of States parties to the Treaty on the Non-Proliferation of Nuclear Weapons<sup>3</sup> and other relevant internationally legally binding agreements that have concluded relevant safeguards agreements with the Agency to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II and other relevant articles of the Treaty, and with the objectives and purposes thereof,

*Conscious* of the importance of the work of the Agency in the implementation of the safeguards provisions of the Treaty on the Non-Proliferation of Nuclear Weapons and other international treaties, conventions and agreements designed to achieve similar objectives, as well as in ensuring, as far as it is able, that the

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<sup>1</sup> International Atomic Energy Agency, *The Annual Report for 1999* (GC(44)/4 and Corr.1); transmitted to the members of the General Assembly by a note by the Secretary-General (A/55/284 and Corr.1).

<sup>2</sup> *Official Records of the General Assembly, Fifty-fifth Session, Plenary Meetings, ... meeting* (A/55/PV....).

<sup>3</sup> United Nations, *Treaty Series*, vol. 729, No. 10485.

assistance provided by the Agency or at its request or under its supervision or control is not used in such a way as to further any military purpose, as stated in article II of its statute,

*Reaffirming* that the Agency is the competent authority responsible for verifying and assuring, in accordance with the statute and the safeguards system of the Agency, compliance with its safeguards agreements with States parties undertaken in fulfilment of their obligations under article III, paragraph 1, of the Treaty on the Non-Proliferation of Nuclear Weapons, with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices, and also reaffirming that nothing should be done to undermine the authority of the Agency in this regard and that States parties that have concerns regarding non-compliance with the safeguards agreement of the Treaty by the States parties should direct such concerns, along with supporting evidence and information, to the Agency to consider, investigate, draw conclusions and decide on necessary actions in accordance with its mandate,

*Stressing* the need for the highest standards of safety in the design and operation of nuclear installations and in peaceful nuclear activities so as to minimize risks to life, health and the environment, and recognizing that a good safety record relies on good technology, good regulatory practices and well-qualified and trained staff, as well as international cooperation,

*Noting* that a demonstrated global record of safety is a key element for the peaceful uses of nuclear energy and that continuous efforts are necessary to ensure that the human and technical requirements of safety are maintained at the optimal level and noting also that, although safety is a national responsibility, international cooperation on safety-related matters is indispensable,

*Considering* that an expansion of technical cooperation activities relating to the peaceful uses of nuclear energy will contribute to the well-being of the peoples of the world, recognizing the special needs of the developing countries for technical assistance from the Agency and the importance of funding in order to benefit effectively from the transfer and application of nuclear technology for peaceful purposes as well as from the contribution of nuclear energy to their economic development, and desiring that the resources of the Agency for technical cooperation activities be assured, predictable and sufficient to meet the objectives mandated in article II of its statute,

*Conscious* that the work done by the Agency in the field of nuclear sciences and applications in the non-power sector contributes to sustainable development, especially with programmes aimed at enhancing agriculture productivity and food security, improving human health, increasing the availability of drinking water supplies and protecting the terrestrial and marine environment,

*Noting* that the General Conference of the Agency in resolution GC(44)/RES/21 of 22 September 2000 invited all interested Member States to combine their efforts under the aegis of the Agency in considering the issues of the nuclear fuel cycle, in particular by examining innovative and proliferation-resistant nuclear technology,

*Recognizing* the importance of the work of the Agency on nuclear energy, applications of nuclear methods and techniques, nuclear safety, radiological

protection and radioactive waste management, including its work directed towards assisting developing countries in all these fields,

*Welcoming* the convening of the Third Scientific Forum, on Radioactive Waste Management: Turning Options into Solutions, during the forty-fourth regular session of the General Conference of the Agency,

*Taking note* of the report of the Director General to the General Conference of the International Atomic Energy Agency<sup>4</sup> on the implementation of Security Council resolutions relating to Iraq, of his letters to the President of the Council of 10 April<sup>5</sup> and 11 October 2000,<sup>6</sup> and of resolution GC(44)/RES/27 of 22 September 2000 of the General Conference,

*Taking note also* of resolutions GOV/2711 of 21 March 1994 and GOV/2742 of 10 June 1994 of the Board of Governors and GC(44)/RES/26 of 22 September 2000 of the General Conference of the Agency in connection with the implementation of the Agreement between the Government of the Democratic People's Republic of Korea and the International Atomic Energy Agency for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons,<sup>7</sup> the statements by the President of the Security Council of 31 March,<sup>8</sup> 30 May<sup>9</sup> and 4 November 1994<sup>10</sup> and the authorization of the Board of Governors, on 11 November 1994, to the Director General, to carry out all the tasks requested of the Agency in the statement by the President of the Council of 4 November 1994, welcoming recent positive developments in north-east Asia and expressing the hope that they will open the way to progress towards full implementation of the relevant agreements,

*Taking note further* of resolutions GC(44)/RES/8 on the financing of technical cooperation, GC(44)/RES/9 on the financing of safeguards, GC(44)/RES/11 on measures to strengthen international cooperation in nuclear, radiation and waste safety, GC(44)/RES/12 on the safety of radioactive waste management, GC(44)/RES/13 on education and training in radiation protection and nuclear safety and waste management, GC(44)/RES/14 on the safety of nuclear research reactors, GC(44)/RES/15 on radiological criteria for long-lived radionuclides in commodities (especially foodstuffs and wood), GC(44)/RES/16 on the Convention on Early Notification of a Nuclear Accident and Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, GC(44)/RES/17 on the safety of transport of radioactive materials, GC(44)/RES/18 on strengthening of the Agency's technical cooperation activities, GC(44)/RES/19 on strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Protocol, GC(44)/RES/20 on measures against illicit trafficking in nuclear materials and other radioactive sources, GC(44)/RES/21 on strengthening the Agency's activities related to nuclear science, technology and applications, GC(44)/RES/22 on a plan for producing potable water economically, GC(44)/RES/23 on strengthening cooperation between nuclear research centres in the area of the peaceful applications

<sup>4</sup> GC(44)/11.

<sup>5</sup> Document S/2000/300, annex.

<sup>6</sup> Document S/2000/983, annex.

<sup>7</sup> *International Atomic Energy Agency, INFCIRC/403.*

<sup>8</sup> S/PRST/1994/13; see *Resolutions and Decisions of the Security Council, 1994.*

<sup>9</sup> S/PRST/1994/28; see *Resolutions and Decisions of the Security Council, 1994.*

<sup>10</sup> S/PRST/1994/64; see *Resolutions and Decisions of the Security Council, 1994.*

of nuclear technology, GC(44)/RES/24 on servicing immediate human needs, GC(44)/RES/25 on the outcomes of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons relevant to the activities of the Agency and GC(44)/RES/28 on the application of Agency safeguards in the Middle East, adopted on 22 September 2000 by the General Conference of the Agency at its forty-fourth regular session,

*Recalling* resolution GC(43)/RES/19 on the amendment to article VI of the statute and the statement by the President of the forty-third regular session of the General Conference of the Agency with respect to article VI, adopted on 1 October 1999 by the General Conference,

*Noting* the statement by the President of the forty-fourth regular session of the General Conference of the Agency, which was endorsed by the General Conference at its tenth plenary meeting and issued under the item concerning Israeli nuclear capabilities and threat, that:

“The General Conference recalls the statement by the President of the thirty-sixth session of the General Conference in 1992 concerning the agenda item entitled ‘Israeli nuclear capabilities and threat’. That statement considered it desirable not to consider that agenda item at the thirty-seventh session. The General Conference also recalls the statement by the President of the forty-third session in 1999 concerning the same agenda item. At the forty-fourth session, this item was, at the request of certain Member States, reinscribed in the agenda. The item was discussed. The President notes that certain member States intend to include this item in the provisional agenda of the forty-fifth regular session of the General Conference”,

*Noting also* the statement by the President of the forty-fourth regular session of the General Conference of the Agency, that:

“In the context of the agenda item concerning application of Agency safeguards in the Middle East, the General Conference requests the Director General to make arrangements to convene a forum in which participants from the Middle East and other interested parties could learn from the experience of other regions, including in the area of confidence-building relevant to the establishment of a nuclear-weapon-free zone.

“It calls on the Director General, with States of the Middle East and other interested parties, to develop an agenda and modalities that will help to ensure a successful forum”,

1. *Takes note* of the report of the International Atomic Energy Agency;<sup>1</sup>
2. *Affirms* its confidence in the role of the Agency in the application of nuclear energy for peaceful purposes;
3. *Recalls* the adoption by the General Conference of the Agency of resolution GC(43)/RES/19 on the amendment to article VI of the statute and the accompanying statement by the President of the forty-third regular session of the General Conference relating to the expansion of the membership of the Board of Governors of the Agency from thirty-five to forty-three following the allocation of each member State to one of the areas listed in article VI, and recalls that the report by the Board of Governors as contained in document GC(43)/12 includes criteria and indicators to be used as guidelines in designating members to the Board of

Governors, after article VI, as amended, has entered into force, on the understanding that they will serve as a reference; and encourages all States members of the Agency that have not done so yet, to ratify this amendment;

4. *Also recalls* the adoption by the General Conference of the Agency of resolution GC(43)/RES/8 on the amendment of article XIV.A of the statute, which will provide for biennial budgeting by the Agency; and encourages all States members of the Agency that have not yet done so to ratify this amendment;

5. *Welcomes* the measures and decisions taken by the Agency to maintain and strengthen the effectiveness and cost-efficiency of its integrated safeguards system in conformity with the statute of the Agency, in particular, stressing the importance of the Model Additional Protocol approved on 15 May 1997, affirms that strengthening the effectiveness and improving the efficiency of the safeguards system with a view to detecting undeclared nuclear activities must be implemented rapidly and universally by all concerned States and other parties in compliance with their respective international commitments, and consistent with the respective safeguards undertakings of Member States, requests all concerned States and other parties to safeguards agreements that have not yet done so to sign additional protocols promptly, requests the States and other parties to safeguards agreements having signed additional protocols to take the necessary measures to bring them into force or provisionally apply them as soon as their national legislation allows, and recommends that the Director General, the Board of Governors and Member States consider implementing the elements of a plan of action as identified in resolution GC(44)/RES/19, as appropriate and subject to available resources, so that safeguards agreements and additional protocols can be brought into force;

6. *Urges* all States to strive for effective and harmonious international cooperation in carrying out the work of the Agency, pursuant to its statute, in promoting the use of nuclear energy and the application of the necessary measures to strengthen further the safety of nuclear installations and to minimize risks to life, health and the environment, in strengthening technical assistance and cooperation for developing countries and in ensuring the effectiveness and efficiency of the safeguards systems of the Agency;

7. *Stresses* the need, in conformity with the statute, to continue to pursue activities of the Agency in the areas of nuclear science, technology and applications for meeting basic sustainable development needs of member States;

8. *Welcomes* the measures and decisions taken by the Agency to strengthen and fund its technical cooperation activities, which should contribute to achieving sustainable development in developing countries, and calls upon States to cooperate in contributing to and in implementing the measures and decisions pursuant thereto;

9. *Commends* the Director General and the secretariat of the Agency for their continuing, impartial efforts to implement the safeguards agreement still in force between the Agency and the Democratic People's Republic of Korea, recognizes the important role of the Agency in monitoring the freeze of nuclear facilities in the Democratic People's Republic of Korea as requested by the Security Council, notes with continuing concern that, although the Democratic People's Republic of Korea remains a Party to the Treaty on the Non-Proliferation of Nuclear Weapons, the Agency continues to be unable to verify the correctness and completeness of the initial declaration of nuclear material made by the Democratic

People's Republic of Korea and is therefore unable to conclude that there has been no diversion of nuclear material in the Democratic People's Republic of Korea, urges the Democratic People's Republic of Korea to come into full compliance with its safeguards agreement with the Agency, to cooperate fully and promptly with the Agency in the implementation of the safeguards agreement and to take all steps the Agency may deem necessary to preserve all information relevant to verifying the accuracy and completeness of the initial report of the Democratic People's Republic of Korea on the inventory of nuclear material subject to safeguards, until the Democratic People's Republic of Korea comes into full compliance with the safeguards agreement;

10. *Commends* the Director General of the Agency and his staff for their strenuous efforts to implement Security Council resolutions 687 (1991) of 3 April 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991, 1051 (1996) of 27 March 1996, 1060 (1996) of 12 June 1996, 1115 (1997) of 21 June 1997, 1154 (1998) of 2 March 1998, 1194 (1998) of 9 September 1998, 1205 (1998) of 5 November 1998 and 1284 (1999) of 17 December 1999, and calls upon Iraq to implement in full all relevant Council resolutions, including resolution 1284 (1999), and in this regard to cooperate fully with the Agency and to provide the necessary access to enable the Agency to carry out its mandate;

11. *Welcomes* the entry into force on 24 October 1996 of the Convention on Nuclear Safety,<sup>11</sup> appeals to all States to become parties to it so that it obtains the widest possible adherence, expresses its satisfaction with the outcome of the first review meeting of the contracting parties to the Convention, held in April 1999, and looks forward to the report from the second review meeting, expecting safety improvements, in particular in all areas where the first review meeting found that there was room for such improvements;

12. *Appeals* to all States that have not yet done so to take the necessary steps to become parties to the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management so that it may enter into force as soon as possible;

13. *Welcomes* the adoption of resolution GC(44)/RES/20 on measures against illicit trafficking in nuclear materials and other radioactive sources, and also welcomes the measures taken by the Agency in support of efforts to prevent such illicit trafficking, and, in this context, decides to bear in mind, in its continued elaboration of an international convention on the suppression of acts of nuclear terrorism, the activities of the Agency in preventing and combating illicit trafficking in nuclear materials and other radioactive sources, and appeals to States that have not yet done so to accede to the Convention on the Physical Protection of Nuclear Material, to adopt relevant physical protection and safety standards and to introduce and enforce appropriate measures and legislation to combat illicit trafficking in nuclear materials and other radioactive sources;

14. *Requests* the Secretary-General to transmit to the Director General of the Agency the records of the fifty-fifth session of the General Assembly relating to the activities of the Agency.

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<sup>11</sup> International Atomic Energy Agency, INFCIRC/449.