



RESOLUTIONS AND OTHER DECISIONS OF THE GENERAL CONFERENCE

FORTIETH REGULAR SESSION

16-20 SEPTEMBER 1996



INTERNATIONAL ATOMIC ENERGY AGENCY

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GC(40)/RES/DEC/(1996)

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INTERNATIONAL ATOMIC ENERGY AGENCY

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INTRODUCTORY NOTE

1. The twenty-two resolutions adopted and the fifteen other decisions taken by the General Conference at its fortieth (1996) regular session are reproduced in this booklet.

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

3. This booklet should be read in conjunction with the summary records of the General Conference, where details of the proceedings, including all voting results, are contained (GC(40)/OR.1-10).

AGENDA FOR THE FORTIETH (1996) REGULAR SESSION^{2/}

<u>Item Number</u>	<u>Title</u>	<u>Allocation for initial discussion</u>
1.	Election of officers and appointment of the General Committee	<i>Plenary</i>
2.	Applications for membership of the Agency <i>GC(40)/2</i>	<i>Plenary</i>
3.	Message from the Secretary-General of the United Nations	<i>Plenary</i>
4.	Statement by the Director General	<i>Plenary</i>
5.	Arrangements for the Conference	
	(a) Adoption of the agenda and allocation of items for initial discussion	<i>General Committee</i>
	(b) Closing date of the session and opening date of the next session	<i>General Committee</i>
6.	Voluntary contributions to the Technical Co-operation Fund for 1997 <i>GC(40)/21, GC(40)/21/Rev.1-4</i>	<i>Plenary</i>
7.	General debate and annual report for 1995 <i>GC(40)/8</i>	<i>Plenary</i>
8.	Election of Members to the Board of Governors <i>GC(40)/7, GC(40)/24</i>	<i>Plenary</i>
9.	The Agency's accounts for 1995 <i>GC(40)/9, GC(40)/26</i>	<i>Committee of the Whole</i>
10.	The Agency's programme and budget for 1997 and 1998 <i>GC(40)/10, GC(40)/INF/12</i>	<i>Committee of the Whole</i>

^{2/} Reproduced from document GC(40)/22. Document references relating to each item have been brought up to date.

GC(40)/RES/DEC/(1996)

11. Scale of assessment of Members' contributions towards the Regular Budget
GC(40)/12 *Committee of the Whole*

12. Measures to strengthen international co-operation in nuclear, radiation and waste safety
GC(40)/INF/4, GC(40)/INF/5, GC(40)/INF/9, GC(40)/INF/9/Add.1, GC(40)/27, GC(40)/28, GC(40)/36 *Committee of the Whole*

13. Strengthening of the Agency's technical co-operation activities
GC(40)/5, GC(40)/29 *Committee of the Whole*

14. Plan for producing potable water economically
GC(40)/4, GC(40)/4/Add.1, GC(40)/37 *Committee of the Whole*

15. Extensive use of isotope hydrology for water resources management
GC(40)/3, GC(40)/30 *Committee of the Whole*

16. Strengthening the effectiveness and improving the efficiency of the safeguards system
GC(40)/17, GC(40)/17/Add.1, GC(40)/31 *Committee of the Whole*

17. Measures against illicit trafficking in nuclear materials and other radioactive sources
GC(40)/15, GC(40)/32 *Committee of the Whole*

18. Personnel questions
 - (a) Staffing of the Agency's Secretariat
GC(40)/18, GC(40)/38, GC(40)/38/Rev.1 *Committee of the Whole*

 - (b) Women in the Secretariat
GC(40)/19, GC(40)/19/Corr.1, GC(40)/39 *Committee of the Whole*

19. Article VI of the Statute
 - (a) Amendment of Article VI
GC(40)/20, GC(40)/20/Add.1, GC(40)/42 *Committee of the Whole*

 - (b) Composition of regional groups
GC(40)/11, GC(40)/11/Add.1, GC(40)/INF/7 *Committee of the Whole*

20. Implementation of the agreement between the Agency and the Democratic People's Republic of Korea for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons
GC(40)/16, GC(40)/16/Corr.1, GC(40)/33, GC(40)/33/Add.1 *Plenary*
21. An African Nuclear-Weapon-Free Zone
GC(40)/14, GC(40)/35 *Plenary*
22. The implementation of United Nations Security Council resolutions relating to Iraq
GC(40)/13, GC(40)/34, GC(40)/34/Add.1-2, GC(40)/41 *Plenary*
23. Application of IAEA safeguards in the Middle East
GC(40)/6, GC(40)/6/Add.1, GC(40)/23, GC(40)/23/Add.1 *Plenary*
24. Examination of delegates' credentials
GC(40)/25, GC(40)/25/Add.1, GC(40)/40, GC(40)/40/Add.1 *General Committee*
25. Elections to the Agency's Staff Pension Committee *Plenary*
26. Report on voluntary contributions to the Technical Co-operation Fund for 1997
GC(40)/21, GC(40)/21/Rev.1-4 *Plenary*

GC(40)/RES/DEC/(1996)

Other information documents

GC(40)/INF/1	Inscription in the list of speakers in the general debate
GC(40)/INF/2	Advance information for delegates
GC(40)/INF/3	Technical co-operation report for 1995 Report by the Director General
GC(40)/INF/6	Communication of 5 August 1996 received from the Permanent Mission of Iraq to the International Atomic Energy Agency
GC(40)/INF/8	Communication of 10 September 1996 received from the Permanent Mission of Peru to the International Atomic Energy Agency
GC(40)/INF/10	Communication of 29 August 1996 received from the Resident Representatives of Bosnia and Herzegovina, Croatia, The Former Yugoslav Republic of Macedonia, and Slovenia to the International Atomic Energy Agency
GC(40)/INF/11	Statement of financial contributions to the Agency as at 13 September 1996 Note by the Director General
GC(40)/INF/11/Rev.1 GC(40)/INF/11/Rev.2	
GC(40)/INF/13 GC(40)/INF/13/Rev.1 GC(40)/INF/13/Rev.2	List of participants
GC(40)/INF/14	Communication of 10 September 1996 received from the Permanent Mission of Albania to the International Atomic Energy Agency
GC(40)/INF/15	Communication of 16 September 1996 received from the Permanent Mission of Bolivia to the International Atomic Energy Agency
GC(40)/INF/16	Communication of 18 September 1996 received from the Permanent Mission of Kenya to the International Atomic Energy Agency

RESOLUTIONS

GC(40)/RES/1

APPLICATION BY THE REPUBLIC OF MOLDOVA FOR MEMBERSHIP OF THE AGENCY

The General Conference,

- (a) Having received the recommendation of the Board of Governors that the Republic of Moldova should be approved for membership of the Agency,^{1/} and
 - (b) Having considered the application of the Republic of Moldova for membership in the light of Article IV.B of the Statute,
1. Approves the Republic of Moldova for membership of the Agency; and
 2. Determines, pursuant to Financial Regulation 5.09^{2/}, that in the event of the Republic of Moldova becoming a Member of the Agency during the remainder of 1996 or in 1997, it shall be assessed as appropriate:
 - (a) For an advance or advances to the Working Capital Fund, in accordance with Financial Regulation 7.04^{2/}; and
 - (b) For a contribution or contributions towards the Agency's Regular Budget, in accordance with the principles the Conference has established for that purpose^{3/}.

^{1/} GC(40)/2, para. 2.

^{2/} INFCIRC/8/Rev.2.

^{3/} Resolutions GC(III)/RES/50, GC(XXI)/RES/351 and GC(39)/RES/11.

*16 September 1996
Agenda item 2
GC(40)/OR.1, paras 21-23*

The General Conference,

- (a) Recalling resolution GC(39)/RES/4 of 1995 and all other relevant resolutions and decisions of the General Conference and the Board of Governors,
 - (b) Noting resolution CM/Res.1592 (LXII)/Rev.1 adopted at the sixty-second meeting of the Council of Ministers of the OAU, which adopted the Pelindaba Text of the Treaty on an African Nuclear-Weapon-Free Zone on 23 June 1995, and
 - (c) Also noting resolution A/RES/50/78 adopted by the UN General Assembly which, inter alia, "welcomed with special satisfaction the adoption by the African leaders of the final text of the African Nuclear-Weapon-Free Zone Treaty (the Pelindaba Treaty)",
 - (d) Noting and welcoming with satisfaction the successful conclusion of the ceremony that took place in Cairo on 11 April 1996,
 - (e) Recalling the Cairo Declaration adopted on that occasion which emphasized that the establishment of nuclear-weapon-free zones especially in regions of tension such as the Middle East enhances global and regional peace and security,
1. Takes note of the report of the Director General on the establishment of an African Nuclear-Weapon-Free Zone contained in document GC(40)/14;
 2. Encourages African States to make every effort to ratify the Treaty as soon as possible so that the Treaty can enter into force without delay;
 3. Reaffirms its conviction that the establishment of nuclear-weapon-free zones, especially in the Middle East, would enhance the security of Africa and viability of the African Nuclear-Weapon-Free Zone;
 4. Expresses appreciation to the international community, and in particular the nuclear-weapon States, for the necessary support to the Pelindaba Treaty, especially through their accession to the Protocols when the Treaty opened for signature; and
 5. Commends the African States for their concerted efforts directed towards the establishment of an African Nuclear-Weapon-Free Zone and requests the Director General to continue to assist them in this regard.

20 September 1996

Agenda item 21

GC(40)/OR.9, paras 16 and 17

GC(40)/RES/3

EXAMINATION OF DELEGATES' CREDENTIALS

The General Conference

Accepts the report by the General Committee on its examination of the credentials of delegates to the Conference's fortieth regular session which is set forth in document GC(40/40).

20 September 1996

Agenda item 24

GC(40)/OR.9, paras 19 and 20

GC(40)/RES/4

**IMPLEMENTATION OF THE AGREEMENT
BETWEEN THE AGENCY AND THE
DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA
FOR THE APPLICATION OF SAFEGUARDS IN
CONNECTION WITH THE TREATY ON THE
NON-PROLIFERATION OF NUCLEAR WEAPONS**

The General Conference,

- (a) Recalling the Board of Governors' resolutions GOV/2436 of 25 February 1993, GOV/2639 of 18 March 1993, GOV/2645 of 1 April 1993, GOV/2692 of 23 September 1993, GOV/2711 of 21 March 1994 and GOV/2742 of 10 June 1994 and General Conference resolutions GC(XXXVII)/RES/624 of 1 October 1993, GC(XXXVIII)/RES/16 of 23 September 1994 and GC(39)/RES/3 of 22 September 1995,
- (b) Noting the Director General's report contained in document GC(40)/16,
- (c) Recalling further resolution 825 (1993) adopted by the Security Council of the United Nations on 11 May 1993 and the 31 March 1994, 30 May 1994 and 4 November 1994 statements by the President of the United Nations Security Council, particularly the request to take all steps the Agency may deem necessary to verify full compliance by the Democratic People's Republic of Korea (DPRK) with its safeguards agreement with the Agency,
- (d) Noting that the DPRK has decided to remain a party to the Treaty on the Non-Proliferation of Nuclear Weapons and reaffirming that the IAEA-DPRK safeguards agreement (INFCIRC/403) under the Treaty remains binding and in force,

- (e) Noting also the stated intention of the DPRK to come into full compliance with the safeguards agreement and the continuing IAEA-DPRK discussions of outstanding safeguards issues,
- (f) Noting with regret that the progress in these discussions has been limited, and
- (g) Regretting the withdrawal of the DPRK from the Agency and expressing the hope that the DPRK will rejoin,
1. Strongly endorses the actions taken by the Board of Governors and commends the Director General and the Secretariat for their impartial efforts to implement the IAEA-DPRK safeguards agreement;
 2. Commends the Secretariat for its efforts to monitor the freeze of specified facilities in the DPRK as requested by the United Nations Security Council;
 3. Expresses concern over the continuing non-compliance of the DPRK with the IAEA-DPRK safeguards agreement and calls upon the DPRK to comply fully with that safeguards agreement;
 4. Urges the DPRK to co-operate fully 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 DPRK's initial report on the inventory of nuclear material subject to safeguards until the DPRK comes into full compliance with its safeguards agreement; and
 5. Decides to include in the agenda for its forty-first regular session an item entitled "Implementation of the agreement between the Agency and the Democratic People's Republic of Korea for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons".

Vote by roll-call: 79 votes to zero, with 8 abstentions^{2/}

In favour: Albania, Argentina, Australia, Austria, Bangladesh, Belgium, Bolivia, Brazil, Bulgaria, Canada, Chile, Colombia, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Germany, Ghana, Greece, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Japan, Jordan, Kazakstan, Kenya, Republic of Korea, Kuwait,

^{2/} The delegation of Algeria subsequently informed the Secretariat that it would have abstained if it had been present at the time of the vote.

Liechtenstein, Lithuania, Luxembourg, Malaysia, Mexico, Monaco, Mongolia, Morocco, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Russian Federation, Saudi Arabia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Thailand, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom, United States of America, Uruguay, Yemen, Zimbabwe.

Abstaining: China, Cuba, India, Islamic Republic of Iran, Lebanon, Libyan Arab Jamahiriya, Pakistan, Syrian Arab Republic.

*20 September 1996
Agenda item 20
GC(40)/OR.10, paras 1-4*

GC(40)/RES/5

THE AGENCY'S ACCOUNTS FOR 1995

The General Conference,

Having regard to Financial Regulation 11.03(b),

1. Takes note of the report of the External Auditor on the Agency's accounts for the year 1995 and of the report of the Board of Governors thereon^{1/}; and
2. Thanks the Auditor General of Canada for the high standard of the work he performed as External Auditor of the Agency from 1990 to 1995.

^{1/} GC(40)/9.

*20 September 1996
Agenda item 9
GC(40)/OR.10, para. 21*

The General Conference.

Accepting the recommendation of the Board of Governors relating to the Regular Budget of the Agency for 1997 [1],

1. Appropriates on the basis of an exchange rate of AS 12.70 to \$1.00, an amount of \$221 992 000 for the Regular Budget expenses of the Agency in 1997 as follows: [2]

	<u>United States dollars</u>
1. Nuclear Power and Fuel Cycle	12 206 000
2. Nuclear Applications	31 468 000
3. Nuclear, Radiation and Waste Safety	13 723 000
4. Nuclear Verification and Security of Material	78 751 000
5. Management of Technical Co-operation for Development	12 379 000
6. Policy-making, Co-ordination and Support	68 171 000
	<hr/>
Sub-Total Agency Programme	216 698 000
	<hr/>
7. Reimbursable Work for Others	5 294 000
	<hr/>
TOTAL	<u><u>221 992 000</u></u>

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

2. Decides that the foregoing appropriation shall be financed, after the deduction of
- revenues deriving from Reimbursable Work for Others (Section 7); and
 - other miscellaneous income of \$4 589 000 (representing \$3 036 000 plus AS 19 723 000);

from contributions by Member States amounting, for an exchange rate of AS 12.70 to \$1.00, to \$212 109 000 (\$34 601 000 plus the equivalent in US dollars of AS 2 254 352 000), in accordance with the scale of assessment fixed by the General Conference in resolution GC(40)/RES/9; and

3. Authorizes the Director General:

- (a) To incur expenditures additional to those for which provision is made in the Regular Budget for 1997, provided that the relevant emoluments of any staff involved and all other costs are entirely financed from revenues arising out of sales, work performed for Member States or international organizations, research grants, special contributions or other sources extraneous to the Regular Budget for 1997; and
- (b) With the prior approval of the Board of Governors, to make transfers between any of the Sections listed in paragraph 1 above.

[1] See document GC(40)/10.

[2] The Appropriation Sections represent the Agency's Major Programmes.

ATTACHMENT

ADJUSTMENT FORMULA IN US \$

1. Nuclear Power and Fuel Cycle	3 419 000	+	(	111 595 000	/R)
2. Nuclear Applications	10 798 000	+	(	262 509 000	/R)
3. Nuclear, Radiation and Waste Safety	2 770 000	+	(	139 103 000	/R)
4. Nuclear Verification and Security of Material	12 534 000	+	(	840 956 000	/R)
5. Management of Technical Co-operation for Development	1 368 000	+	(	139 840 000	/R)
6. Policy-making, Co-ordination and Support	6 748 000	+	(	780 072 000	/R)
Sub-Total Agency Programme	<u>37 637 000</u>	+	(	<u>2 274 075 000</u>	/R)
7. Reimbursable Work for Others	594 000	+	(	59 690 000	/R)
TOTAL	<u><u>38 231 000</u></u>	+	(	<u><u>2 333 765 000</u></u>	/R)

Note: R is the average United Nations schilling-to-dollar exchange rate which will be experienced during 1997.

20 September 1996
 Agenda item 10
 GC(40)/OR.10, para. 22

GC(40)/RES/DEC/(1996)

GC(40)/RES/7

**TECHNICAL CO-OPERATION FUND
ALLOCATION FOR 1997**

The General Conference,

Accepting the recommendation of the Board of Governors relating to the target for voluntary contributions to the Agency's Technical Co-operation Fund for 1997 [1],

1. Decides that for 1997 the target for voluntary contributions to the Technical Co-operation Fund shall be \$68 000 000;
2. Notes that funds from other sources, estimated at \$1 000 000, are expected to be available for that programme;
3. Allocates the amount of \$69 000 000 for the Agency's Technical Co-operation programme for 1997; and
4. Urges all Member States to make voluntary contributions for 1997 in accordance with Article XIV.F of the Statute, with paragraph 2 of its resolution GC(V)/RES/100 as amended by resolution GC(XV)/RES/286 or with paragraph 3 of the former resolution, as appropriate.

[1] See document GC(40)/10, para. 59 of the Introduction.

*20 September 1996
Agenda item 10
GC(40)/OR.10, para. 22*

GC(40)/RES/8

THE WORKING CAPITAL FUND IN 1997

The General Conference,

Accepting the recommendation of the Board of Governors relating to the Agency's Working Capital Fund in 1997 [1];

1. Approves a level of \$18 000 000 for the Agency's Working Capital Fund in 1997;
2. Decides that the Fund shall be financed, administered and used in 1997 in accordance with the relevant provisions of the Agency's Financial Regulations [2];

3. Authorizes the Director General to make advances from the Fund not exceeding \$500 000 at any time to finance temporarily projects or activities which have been approved by the Board of Governors for which no funds have been provided under the Regular Budget.
4. Requests the Director General to submit to the Board statements of advances made from the Fund under the authority given in paragraph 3 above.

[1] See document GC(40)/10, para. 60 of the Introduction.

[2] INFCIRC/8/Rev.2.

20 September 1996
Agenda item 10
GC(40)/OR.10, para. 22

GC(40)/RES/9

**SCALE OF ASSESSMENT OF MEMBERS'
CONTRIBUTIONS FOR 1997**

The General Conference,

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

1. Decides that the individual base rates and the resulting scale of assessment of Members' contributions to the Agency's Regular Budget for 1997 shall be as set forth in the Annex hereto; and
2. Determines, pursuant to Financial Regulation 5.09^{2/}, that in the event of a State becoming a Member of the Agency during the remainder of 1996 or in 1997 it shall be assessed as appropriate:
 - (a) for an advance or advances to the Working Capital Fund, in accordance with Financial Regulation 7.04 ^{2/}; and
 - (b) for a contribution or contributions towards the Agency's Regular Budget, in accordance with the principles the Conference has established for that purpose.

^{1/} By resolution GC(III)/RES/50, as amended by resolution GC(XXI)/RES/351, and resolution GC(39)/RES/11.

^{2/} INFCIRC/8/Rev.2.

ANNEX
1997 SCALE OF ASSESSMENT

Member	Base rate %	Scale %	Regular Budget assessment	
			US\$	Equivalent in US\$ of AS
Afghanistan	0.0100	0.007	2 583	163 968
Albania	0.0100	0.007	2 583	163 968
Algeria	0.1600	0.113	40 193	2 543 431
Argentina	0.4800	0.348	123 180	7 813 081
Armenia	0.0550	0.040	14 246	904 532
Australia	1.4775	1.535	530 035	34 626 212
Austria	0.8625	0.896	309 411	20 213 267
Bangladesh	0.0100	0.008	2 837	181 807
Belarus	0.2925	0.237	82 979	5 317 852
Belgium	1.0050	1.044	360 531	23 552 857
Bolivia	0.0100	0.007	2 583	163 968
Bosnia and Herzegovina	0.0125	0.009	3 281	208 657
Brazil	1.6175	1.165	412 388	26 130 374
Bulgaria	0.0825	0.060	21 180	1 343 513
Cambodia	0.0100	0.007	2 583	163 968
Cameroon	0.0100	0.007	2 583	163 968
Canada	3.0950	3.216	1 110 293	72 533 410
Chile	0.0800	0.058	20 558	1 304 138
China	0.7325	0.585	205 536	13 157 953
Colombia	0.1000	0.073	25 624	1 625 028
Costa Rica	0.0100	0.007	2 583	163 968
Côte d'Ivoire	0.0100	0.007	2 583	163 968
Croatia	0.0900	0.065	22 965	1 455 746
Cuba	0.0525	0.038	13 540	859 252
Cyprus	0.0300	0.021	7 566	478 941
Czech Republic	0.2600	0.188	66 530	4 218 567
Denmark	0.7150	0.743	256 498	16 756 510
Dominican Republic	0.0100	0.007	2 583	163 968
Ecuador	0.0200	0.014	5 074	321 450
Egypt	0.0700	0.051	17 941	1 137 804
El Salvador	0.0100	0.007	2 583	163 968
Estonia	0.0425	0.031	10 880	689 975
Ethiopia	0.0100	0.007	2 583	163 968
Finland	0.6150	0.639	220 624	14 412 936
France	6.3900	6.640	2 292 334	149 753 950
Gabon	0.0100	0.008	2 837	181 807
Georgia	0.1175	0.095	33 334	2 136 232
Germany	9.0200	9.373	3 235 815	211 389 775
Ghana	0.0100	0.008	2 659	169 294
Greece	0.3800	0.271	96 046	6 081 899
Guatemala	0.0200	0.015	5 108	323 816
Haiti	0.0100	0.007	2 583	163 968
Holy See	0.0100	0.011	3 588	234 359
Hungary	0.1400	0.109	38 383	2 451 524
Iceland	0.0300	0.031	10 762	703 069

Member	Base rate %	Scale %	Regular Budget assessment	
			US\$	Equivalent in US\$ of AS
India	0.3100	0.234	82 423	5 247 833
Indonesia	0.1400	0.101	35 714	2 263 828
Iran, Islamic Republic of	0.4675	0.335	118 626	7 514 988
Iraq	0.1400	0.099	35 085	2 219 583
Ireland	0.2100	0.218	75 334	4 921 491
Israel	0.2675	0.278	95 962	6 269 041
Italy	5.1825	5.385	1 859 159	121 455 374
Jamaica	0.0100	0.008	2 607	165 593
Japan	15.3975	16.000	5 523 666	360 850 778
Jordan	0.0100	0.007	2 583	163 968
Kazakstan	0.2000	0.145	51 290	3 253 003
Kenya	0.0100	0.007	2 583	163 968
Korea, Republic of	0.8150	0.574	203 487	12 867 808
Kuwait	0.1900	0.198	68 160	4 452 781
Lebanon	0.0100	0.008	2 617	166 324
Liberia	0.0100	0.007	2 583	163 968
Libyan Arab Jamahiriya	0.2025	0.164	57 447	3 681 590
Liechtenstein	0.0100	0.011	3 588	234 359
Lithuania	0.0850	0.062	21 804	1 382 903
Luxembourg	0.0700	0.073	25 111	1 640 497
Madagascar	0.0100	0.007	2 583	163 968
Malaysia	0.1400	0.099	35 169	2 225 488
Mali	0.0100	0.007	2 583	163 968
Marshall Islands	0.0100	0.007	2 583	163 968
Mauritius	0.0100	0.007	2 583	163 968
Mexico	0.7850	0.563	199 285	12 625 363
Monaco	0.0100	0.011	3 588	234 359
Mongolia	0.0100	0.007	2 583	163 968
Morocco	0.0300	0.022	7 725	490 161
Myanmar	0.0100	0.008	2 617	166 324
Namibia	0.0100	0.007	2 583	163 968
Netherlands	1.5850	1.647	568 599	37 145 541
New Zealand	0.2400	0.250	86 097	5 624 560
Nicaragua	0.0100	0.007	2 583	163 968
Niger	0.0100	0.007	2 583	163 968
Nigeria	0.1150	0.082	29 067	1 840 614
Norway	0.5575	0.579	199 996	13 065 386
Pakistan	0.0600	0.044	15 575	989 165
Panama	0.0100	0.007	2 583	163 968
Paraguay	0.0100	0.007	2 583	163 968
Peru	0.0600	0.043	15 240	965 575
Philippines	0.0600	0.045	15 743	1 000 955
Poland	0.3375	0.273	95 745	6 135 983
Portugal	0.2750	0.195	69 176	4 378 140
Qatar	0.0400	0.042	14 349	937 428

Member	Base rate %	Scale %	Regular Budget assessment	
			US\$	+ Equivalent in US\$ of AS
Romania	0.1500	0.109	38 667	2 453 753
Russian Federation	4.4400	4.614	1 592 796	104 054 391
Saudi Arabia	0.7175	0.580	203 548	13 044 646
Senegal	0.0100	0.007	2 583	163 968
Sierra Leone	0.0100	0.007	2 583	163 968
Singapore	0.1400	0.100	35 529	2 250 181
Slovakia	0.0825	0.060	21 097	1 337 628
Slovenia	0.0700	0.073	25 111	1 640 497
South Africa	0.3225	0.233	82 519	5 232 362
Spain	2.3575	2.450	845 724	55 249 601
Sri Lanka	0.0100	0.008	2 617	166 324
Sudan	0.0100	0.008	2 607	165 593
Sweden	1.2250	1.273	439 453	28 708 698
Switzerland	1.2075	1.255	433 175	28 298 575
Syrian Arab Republic	0.0500	0.035	12 548	793 915
Thailand	0.1300	0.093	32 846	2 079 797
The former Yugoslav Republic of Macedonia	0.0100	0.007	2 583	163 968
Tunisia	0.0300	0.021	7 566	478 941
Turkey	0.3750	0.267	94 674	5 994 314
Uganda	0.0100	0.007	2 583	163 968
Ukraine	1.1375	0.920	322 697	20 680 535
United Arab Emirates	0.1900	0.198	68 160	4 452 781
United Kingdom of Great Britain and Northern Ireland	5.3000	5.507	1 901 310	124 209 070
United Republic of Tanzania	0.0100	0.007	2 583	163 968
United States of America	25.0000	25.978	8 968 446	585 891 832
Uruguay	0.0400	0.029	10 216	647 654
Uzbekistan	0.1375	0.100	35 343	2 242 149
Venezuela	0.3375	0.241	85 459	5 412 579
Viet Nam	0.0100	0.008	2 743	175 179
Yemen	0.0100	0.007	2 583	163 968
Yugoslavia [a]	0.1025	0.074	26 079	1 652 602
Zaire	0.0100	0.008	2 607	165 593
Zambia	0.0100	0.007	2 583	163 968
Zimbabwe	0.0100	0.007	2 583	163 968
TOTAL	100.0000	100.000	34 601 000	2 254 352 000

[a] In accordance with the Agency's assessment principles, the base rate for Yugoslavia is that approved by the General Assembly of the United Nations for 1996. The inclusion of Yugoslavia does not prejudice future developments concerning the membership of Yugoslavia.

[b] See document GC(40)/10, "The Agency's programme and budget for 1997 and 1998", Annex 1, draft resolution A.

20 September 1996
 Agenda item 11
 GC(40)/OR.10, para. 23

GC(40)/RES/10

THE CONVENTION ON NUCLEAR SAFETY

The General Conference,

- (a) Recalling its resolution GC(39)/RES/13,
- (b) Welcoming the fact that the requirements for the entry into force of the Convention on Nuclear Safety were met on 26 July 1996 by the deposit of the twenty-fifth instrument of ratification, acceptance or approval, it being also the seventeenth instrument from a State having at least one nuclear installation which has achieved criticality in a reactor core, so that the Convention will enter into force on 24 October 1996, and
- (c) Recognizing that decisions on implementation of the Convention are the responsibility of the States Parties,
1. Appeals to all Member States which have not yet done so to become Parties to the Convention so that it will obtain the widest possible adherence;
 2. Expresses its satisfaction that the Director General, in his capacity as the Depository of the Convention, will convene a preparatory meeting of Contracting Parties at the Agency's Headquarters at a date to be agreed upon but not later than April 1997; and
 3. Requests the Secretariat to provide support to the Contracting Parties and to the signatory States in preparing for implementation of the Convention.

*20 September 1996
Agenda item 12
GC(40)/OR.10, paras 24 and 25*

GC(40)/RES/11

**A CONVENTION ON THE SAFETY OF
RADIOACTIVE WASTE MANAGEMENT**

The General Conference,

- (a) Recalling resolution GC(XXXVIII)/RES/6, by which the General Conference invited the Board and the Director General inter alia "to commence preparations for a convention on the safety and waste management",

(b) Welcoming the Convention on Nuclear Safety, which will enter into force on 24 October 1996, and recalling that its preambular paragraph (ix) affirms "the need to begin promptly the development of an international convention on the safety of radioactive waste management as soon as the ongoing process to develop waste management safety fundamentals has resulted in broad international agreement",

(c) Recalling also resolution GC(XXXIV)/RES/530, by which the General Conference adopted the IAEA Code of Practice on the International Transboundary Movement of Radioactive Waste and expressed, inter alia, "the desirability of concluding a legally binding instrument under the auspices of the IAEA", and

(d) Mindful of the needs of Member States, particularly the developing countries, to upgrade, with the co-operation and assistance of the Agency, their institutional and technical capabilities to safely manage radioactive waste,

1. Expresses its appreciation to the Open-ended Group of Legal and Technical Experts on a Convention on the Safety of Radioactive Waste Management for the progress achieved so far;
2. Welcomes the invitation of the Government of South Africa to host the forthcoming fifth meeting of the Group in Pilansberg, South Africa, and expresses the hope that substantial progress will be made in resolving the outstanding issues in a spirit of compromise so as to allow timely completion of the preparatory work and adoption of a convention in the near future; and
3. Requests the Board and the Director General to report on the implementation of this resolution to the Conference at its forty-first regular session.

20 September 1996

Agenda item 12

GC(40)/OR.10, paras 24 and 25

GC(40)/RES/12

**MEASURES TO RESOLVE INTERNATIONAL
RADIOACTIVE WASTE MANAGEMENT ISSUES:
ESTABLISHING PREDISPOSAL WASTE
DEMONSTRATION CENTRES**

The General Conference,

(a) Appreciating the work undertaken by the Agency regarding measures to resolve international radioactive waste management issues in response to resolution GC(XXXVIII)/RES/6,

- (b) Welcoming the efforts made as part of this work by the Agency in establishing, as a "pilot programme", a regional training centre suitable for demonstrating techniques for the processing and storage of radioactive waste arising from the application of nuclear techniques in medicine, research and industry,
- (c) Reaffirming the importance to the international community of ensuring that sound practices are planned and implemented for the management and disposal of radioactive waste from nuclear application technologies and nuclear power generation,
- (d) Reaffirming that the ultimate responsibility for ensuring the safe management of radioactive waste rests with the respective State,
- (e) Affirming the importance of international co-operation in enhancing the safe management of radioactive waste through bilateral and multilateral mechanisms, and
- (f) Convinced that radioactive waste should, as far as is compatible with the safe management of such material, be disposed of in the State in which it was generated whilst recognizing that, in certain circumstances, safe management of radioactive waste might be fostered through voluntary agreements among Member States to use facilities in one of them for the benefit of the other States,
1. Stresses the importance of continuing to facilitate the transfer of theoretical knowledge and practical skills for the management of radioactive waste from the application of nuclear techniques;
 2. Invites the Director General to assist Member States upon request in expanding the utilization of suitable existing regional training centres for practical training and demonstration of techniques for the processing and storage of radioactive waste from the application of nuclear techniques in medicine, research and industry, so that a demonstration and training facility would be available in respective regions by strengthening co-operation and by seeking to co-ordinate resources, including those existing in developing countries; and
 3. Requests the Board of Governors and the Director General to report on the implementation of this resolution to the General Conference.

*20 September 1996
Agenda item 12
GC(40)/OR.10, paras 24 and 25*

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

The General Conference,

- (a) Recalling resolution GC(39)/RES/14 on "Strengthening of the Agency's technical co-operation activities",
 - (b) Noting that the objectives of the Agency as stated in Article II of the Statute are "to accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world" and to ensure that the assistance provided is not used to further any military purpose,
 - (c) Noting also that one of the statutory functions of the Agency is to "encourage and assist research on, and development and practical application of, atomic energy for peaceful uses throughout the world",
 - (d) Considering that an expansion of technical co-operation activities relating to the peaceful uses of nuclear energy will contribute to the well-being of the peoples of the world, and particularly those of developing Member States of the Agency,
 - (e) Stressing the importance of the transfer of nuclear technology to the developing countries for enhancing their scientific and technological capabilities and thereby generating rapid economic development,
 - (f) Conscious of the great potential of nuclear power for meeting energy requirements in many countries and the need to protect the environment,
 - (g) Desiring that the Agency's resources for technical co-operation activities be assured and sufficient,
 - (h) Taking note of the report by the Director General contained in document GOV/2857-GC(40)/5,
 - (i) Appreciating the formation of the Standing Advisory Group on Technical Assistance and Co-operation (SAGTAC), and
 - (j) Welcoming the new developments relating to Technical Co-operation among Developing Countries (TCDC),
1. Stresses the need, in conformity with the Statute, to strengthen technical co-operation activities and also their effectiveness and efficiency;

2. Requests the Director General to pursue efforts to strengthen the technical co-operation activities of the Agency through the development of effective programmes aimed at improving the scientific and technological capabilities of developing countries, in consultation with Member States, and taking into consideration the infrastructure and the level of technology of the countries concerned, in the fields of peaceful applications of nuclear energy, including both the applications of nuclear methods and techniques and the production of electricity;
3. Emphasizes that these programmes should contribute to achieving sustainable development in developing countries;
4. Further requests the Director General to follow up actions on initiatives mentioned in his report and with regard to TCDC activities to encourage developing countries to provide more experts, training and equipment;
5. Requests the Director General to continue to take account of the view of the General Conference on this question when requesting Member States to pledge their respective shares of the Technical Co-operation Fund targets and to make timely payments to the Fund; and
6. Requests the Director General and the Board of Governors to remain seized of this matter and further requests the Director General to report to the Board of Governors periodically and to the General Conference at its forty-first regular session on the implementation of this resolution under an agenda item entitled "Strengthening of the Agency's technical co-operation activities".

*20 September 1996
Agenda item 13
GC(40)/OR.10, para. 26*

GC(40)/RES/14

**PLAN FOR PRODUCING POTABLE WATER
ECONOMICALLY**

The General Conference,

(a) Recalling resolutions GC(XXXIII)/RES/515, GC(XXXIV)/RES/540, GC(XXXV)/RES/563, GC(XXXVI)/RES/592, GC(XXXVII)/RES/617, GC(XXXVIII)/RES/7 and GC(39)/RES/15,

(b) Noting the study on the "Technical and economic evaluation of potable water production through the desalination of sea water by using nuclear energy or other means" attached to document GC(XXXVI)/1013, which concludes that the use of nuclear energy as an alternative option to the use of fossil fuelled plants for supplying energy for sea water desalination is technically feasible and in general economically competitive, and document GOV/INF/708,

(c) Noting the main conclusion of the Advisory Group on Demonstration Facilities, attached to document GC(XXXVIII)/8, which includes the conclusion that there is a need to establish a programme for identifying a practical set of options from which one or more demonstration facilities with well-defined objectives might be chosen,

(d) Noting also the interest of a number of Member States in activities relating to sea water desalination using nuclear energy as reflected in document GC(XXXVII)/INF/323,

(e) Aware that the acute shortage of potable water in some Member States remains a major problem,

(f) Underlining the vital importance of sufficient potable water supplies for mankind and of regional and international co-operation in solving the problem of potable water shortages in Member States and the interest of potential beneficiaries and technology holders in the provision of low-cost potable water,

(g) Welcoming the holding of an international symposium on sea water desalination in the Republic of Korea next year and inviting Member States to promote international co-operation and collaboration in this area,

(h) Taking note with interest of the World Bank President's call to hold in 1997 a world conference on water in order that a strategy and partnership be established by governments, the private and the public sector, and international organizations, and

(i) Taking note with appreciation of the report of the Director General contained in document GC(40)/4,

1. Welcomes the progress made in this regard, and especially the completion of the two-phase Options Identification Programme described in document GC(39)/12, which aims at evaluating data relevant to a demonstration and analysing the most practical options for demonstration;

2. Requests the Director General to continue consultations with interested States, the competent organizations of the United Nations system and other relevant intergovernmental organizations concerning the main conclusions of the "Technical and economic evaluation of potable water production through the desalination of sea water by using nuclear energy or other means";

3. Stresses the vital importance of producing potable water and further requests the Director General to assign appropriate priority to the nuclear desalination of sea water in the process of preparing the Agency's programme and budget;
4. Invites the Director General to establish an advisory body on the Agency's activities relating to nuclear desalination with the participation of interested Member States and to take appropriate measures to assist Member States concerned in the process of preparatory actions for demonstration projects; and
5. Requests the Director General to report on the progress made in the implementation of this resolution to the Board of Governors and to the General Conference at its forty-first session under an appropriate agenda item.

*20 September 1996
Agenda item 14
GC(40)/OR.10, para. 27*

GC(40)/RES/15

**EXTENSIVE USE OF ISOTOPE HYDROLOGY
FOR WATER RESOURCES MANAGEMENT**

The General Conference,

- (a) Appreciating the work done by the Agency in the area of isotope hydrology in response to resolution GC(39)/RES/16,
- (b) Recognizing that the quality and quantity of available water resources, particularly in arid and semi-arid zones, are inadequate and that the availability of clean water at a minimum level is essential for sustaining development,
- (c) Underlining that the availability of clean drinking water directly improves human health and hence contributes to the optimum utilization of economic resources,
- (d) Conscious of the proven techno-economic benefits of using isotope hydrology techniques in water resources management,
- (e) Aware that these techniques can be very valuable in studying processes like groundwater recharge, surface and sub-surface water interaction, water salination, seepage and pollution of water bodies and that their use should be integrated with conventional techniques,
- (f) Appreciating that special programmes are being initiated to re-orient and focus on the growing demands for water and improved protection of water quality, and

(g) Noting that the initiatives taken by the Agency to strengthen the end-user benefits and socio-economic impact of the utilization of isotope techniques in water resources development and management in Member States, as mentioned in document GOV/2854-GC(40)/3, have been substantial,

1. Requests the Director General to continue to integrate the available expertise and resources of the Agency and Member States and to direct them towards concrete programmes for producing a visible impact by improving the quality and availability of water;
2. Requests the Agency to make efforts at the national and the international level to ensure that isotope hydrology forms an integral part of water resources development practices and management;
3. Further requests that the Agency identify and upgrade selected isotope hydrology laboratories in Member States to the level of regional laboratories so as to provide easy access to analytical facilities for field hydrologists in the Member States in the regions;
4. Requests that the Agency take steps, along with concerned United Nations agencies, to encourage the introduction, at the appropriate level, of isotope hydrology and isotope geochemistry in the university courses in hydrology in Member States so as to provide a stronger foundation for future growth in the area of water resources management;
5. Further requests that the Agency continue to explore the possibility of working in conjunction with other concerned international organizations and to solicit their technical and financial co-operation; and
6. Also requests the Director General to report on the progress achieved in the implementation of this resolution to the Board of Governors and to the General Conference at its forty-first regular session under an appropriate agenda item.

*20 September 1996
Agenda item 15
GC(40)/OR.10, para. 28*

GC(40)/RES/16

**STRENGTHENING THE EFFECTIVENESS AND
IMPROVING THE EFFICIENCY OF THE
SAFEGUARDS SYSTEM**

The General Conference,

(a) Recalling resolutions GC(XXXV)/RES/559, GC(XXXVI)/RES/586, GC(XXXVII)/RES/619, GC(XXXVIII)/RES/10 and GC(39)/RES/17 on the strengthening of safeguards,

(b) Convinced that the Agency's safeguards can promote greater confidence among States and thus contribute to strengthening 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 and the Treaty establishing the African Nuclear-Weapon-Free Zone and the Agency's essential role in applying safeguards in accordance with the relevant articles of these treaties, and noting the outcome of the 1995 Review and Extension Conference on the Treaty on the Non-Proliferation of Nuclear Weapons,

(d) Noting that decisions adopted by the Board of Governors aimed at further strengthening the effectiveness of Agency safeguards should be supported and implemented and that the Agency's capability to detect undeclared nuclear activities should be increased, and

(e) 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,

1. Stresses the need for effective safeguards in order to prevent the use of nuclear energy for prohibited purposes in contravention of safeguards agreements entered into by States, and underlines the vital importance of effective safeguards for facilitating co-operation in the field of peaceful uses of nuclear energy;
2. Affirms that increasing the Agency's capability to detect undeclared nuclear activities in contravention of safeguards agreements will contribute to strengthening the effectiveness of safeguards;
3. Confirms its resolve to maintain and strengthen the effectiveness and cost-efficiency of the safeguards system in conformity with the Agency's Statute and calls upon all States to co-operate with the Agency in implementing the decisions taken by the Board of Governors to that end;
4. Notes with approval the report of the Director General submitted in document GC(40)/17 pursuant to resolution GC(39)/RES/17 concerning Programme 93+2;
5. Calls on the Secretariat to continue the implementation of Part 1 measures as rapidly as time and resources allow and urges the States concerned to facilitate this exercise by providing timely responses to the Secretariat's requests for information;

GC(40)/RES/DEC/(1996)

6. Welcomes the establishment by the Board of Governors of a Committee which began its work in July 1996 and is tasked with the drafting of a model protocol in order to strengthen the effectiveness and to improve the efficiency of the nuclear safeguards system and thereby reinforce and improve the Agency's capacity to detect any undeclared nuclear activities;
7. Urges the Committee to make every effort to advance its work with a view to reporting the outcome to the Board at its December 1996 session; and
8. Requests the Director General to report on the implementation of this resolution to the General Conference at its forty-first regular session.

*20 September 1996
Agenda item 16
GC(40)/OR.10, para. 29*

GC(40)/RES/17

**MEASURES AGAINST ILLICIT TRAFFICKING
IN NUCLEAR MATERIALS AND OTHER
RADIOACTIVE SOURCES**

The General Conference.

- (a) Recalling its resolutions GC(XXXVIII)/RES/15 and GC(39)/RES/18 regarding measures against illicit trafficking in nuclear materials and other radioactive sources, and
 - (b) Noting the programme for preventing and combatting illicit trafficking in nuclear material agreed upon by the participants in the Moscow Nuclear Summit of April 1996 contained in document INFCIRC/509,
1. Takes note of the progress report submitted by the Secretariat in document GC(40)/15;
 2. Welcomes the activities in the fields of prevention, response, training and information exchange undertaken by the Secretariat in support of efforts against illicit trafficking;
 3. Invites the Director General to continue working during the coming year in accordance with the relevant conclusions of the Board of Governors; and

4. Requests the Director General to submit a report to the General Conference at its next regular session on activities undertaken by the Agency in the intervening period.

*20 September 1996
Agenda item 17
GC(40)/OR.10, para. 30*

GC(40)/RES/18

STAFFING OF THE AGENCY'S SECRETARIAT

The General Conference,

- (a) Recalling resolution GC(39)/RES/19 adopted by the General Conference at its thirty-ninth regular session,
- (b) Taking note of the report submitted by the Director General in document GC(40)/18 and recognizing the efforts made, in response to the relevant resolutions adopted by the General Conference since 1981, to increase the recruitment of staff members from developing countries and from those other Member States which are not represented or are under-represented in the Agency's Secretariat,
- (c) Concerned that the representation of developing countries and certain other Member States in the Agency's Secretariat, particularly at the senior and policy-making levels, continues to be inadequate,
- (d) Noting that in the developing countries there nowadays exist many candidates who could be considered for different positions at the Professional and executive levels, and
- (e) Convinced that further measures should be taken in order to rectify the existing imbalance,
1. Requests the Director General, pursuant to Article VII of the Statute, to secure employees of the highest standards of efficiency, technical competence, and integrity and to intensify his efforts to increase accordingly, particularly at the senior and policy-making levels, the number of staff members from developing countries and from those other Member States which are not represented or are under-represented in the Agency's Secretariat; and
2. Further requests the Director General to submit a report annually to the Board of Governors and the General Conference on the implementation of this resolution and of each of the similar resolutions adopted during the past ten years.

*20 September 1996
Agenda item 18(a)
GC(40)/OR.10, para. 31*

The General Conference,

- (a) Recalling resolution GC(39)/RES/20 ("Women in the Secretariat") adopted by the General Conference at its thirty-ninth regular session,
- (b) Aware of the Secretariat's strengthened commitment to increasing the representation of women, particularly from developing countries and from those Member States which are under-represented, in the Secretariat at the Professional and higher levels,
- (c) Taking note with appreciation of the report submitted by the Director General (GOV/2877-GC(40)/19) on the actions taken to implement the above-mentioned resolution, of the progress made in further improving the status and representation of women in the Secretariat and of the appointment of a Focal Point for Gender Concerns,
- (d) Aware of the Secretariat's commitment to the System-Wide Medium Term Plan for the Integration of Women in Development (SWMTP), to Agenda 21 with respect to women (GOV/INF/773) and to the Platform for Action endorsed at the United Nations Fourth World Conference on Women in 1995,
- (e) Convinced that more remains to be accomplished in order to rectify the existing gender imbalance at the Professional and higher levels and to enhance the Secretariat as a model organization striving to involve women in all aspects of the Agency's programme, and
- (f) Asserting the principle of equal gender representation throughout the Secretariat as an ultimate goal,
1. Requests the Director General, pursuant to Article VII of the Statute, to secure employees of the highest standards of efficiency, technical competence, and integrity, particularly drawing upon developing countries and upon those Member States which are under-represented, and to pursue a target of equal representation of women at all levels of Agency employment, including senior policy-level and decision-making posts;
 2. Calls on the Director General to further integrate the Platform for Action developed at the United Nations Fourth World Conference on Women into the Agency's relevant policies and programmes;
 3. Stresses that the work should be financed primarily from the Regular Budget of the Agency, but also invites Member States to provide voluntary contributions in order to assist with the implementation of the Platform for Action and to support the Learning Resource Centre which has been established by the Secretariat;

4. Calls on Member States also to continue actively supporting the Agency's efforts to respond to this resolution by ensuring that (i) a resource base of women scientists and technologists is expanded, (ii) vacancy notices and expert and fellowship announcements are brought to the attention of suitably qualified women, especially for high-level posts and in scientific careers, (iii) such women are strongly encouraged to apply and (iv) any obstacles that might impede their accepting employment in the Secretariat, if offered, are eliminated; and
5. Further requests the Director General to submit a report annually to the Board of Governors on the implementation of this resolution.

*20 September 1996
Agenda item 18(b)
GC(40)/OR.10, para. 31*

GC(40)/RES/20

**AMENDMENT OF ARTICLE VI OF THE
STATUTE**

The General Conference,

- (a) Recalling its resolutions GC(XXI)/RES/353, GC(XXII)/RES/361, GC(XXIII)/RES/370, GC(XXIV)/RES/378 and GC(XXV)/RES/389 concerning the amendment of Article VI.A.2 of the Statute, and also all the other pertinent resolutions aimed at increasing the representation of the areas of Africa and the Middle East and South Asia in the Board of Governors,
- (b) Bearing in mind the fundamental and structural changes that have taken place in the past two decades in international relations, and particularly in the world nuclear community in all regions resulting in the under-representation of other areas,
- (c) Noting the interest of Member States of all regions in reconsidering Board membership in the light of present-day geopolitical and technological realities,
- (d) Convinced of the urgent need to implement all relevant General Conference resolutions and decisions relating to the amendment of Article VI,
- (e) Taking note with appreciation of the reports of the Chairpersons of the Open-ended Consultative Group contained in documents GC(39)/21 and GC(40)/20,
- (f) Taking note with satisfaction of the progress achieved in this regard within the Open-ended Consultative Group, where good prospects exist for a consensus,

(g) Noting with regret that the Board of Governors was not in a position to make any recommendation on any proposal for amending Article VI for consideration and approval by the General Conference, as requested in resolution GC(39)/RES/21, and

(h) Confident that the General Conference will implement its resolutions and decisions relating to the amendment to Article VI at the latest at its forty-first regular session,

1. Recognizes that there is a widely held view that there is a need to expand the size and composition of the Board;
2. Welcomes the formal proposal submitted by the Kingdom of Morocco as contained in document GC(40)/20 and recognizes the urgent need to take fully into consideration the momentum it has brought to the consultation process;
3. Notes in this regard the sub-amendment submitted by Spain as well as the informal suggestions presented by other Member States with a view to facilitating efforts to reach a consensus;
4. Requests the Board of Governors to develop within a timetable a process of negotiations among Member States through the existing Open-ended Consultative Group, taking account of the above proposals and of the elements identified by the Chairman of the Open-ended Consultative Group in his report referred to above, and to submit its report on a finalized formula for approval by the General Conference at its forty-first regular session in accordance with Article XVIII of the Statute; and
5. Invites the Director General to report to the Board of Governors and to the General Conference at its forty-first session on the result achieved in the implementation of the present resolution.

*20 September 1996
Agenda item 19(a)
GC(40)/OR.10, para.32*

GC(40)/RES/21

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

The General Conference,

- (a) Recalling United Nations Security Council resolutions 687, 707 and 715,

(b) Recalling further the resolutions of the thirty-fifth (1991), thirty-sixth (1992), thirty-seventh (1993), thirty-eighth (1994) and thirty-ninth (1995) General Conferences (GC(XXXV)/RES/568, GC(XXXVI)/RES/579, GC(XXXVII)/RES/626, GC(XXXVIII)/RES/19 and GC(39)/RES/5),

(c) Taking note of the Director General's report contained in document GC(40)/13, his oral statement to the fortieth General Conference, his reports on the Agency's twenty-eighth and twenty-ninth on-site inspections in Iraq (GOV/INF/781 and GOV/INF/783) and his other reports to the Board of Governors and the Security Council (GOV/INF/776, GOV/INF/791 and GOV/2846),

(d) Reaffirming the need for full implementation by Iraq of Security Council resolutions 687, 707 and 715,

(e) Noting with concern that Iraq has withheld information from the Agency's Action Team in violation of its obligations under Security Council resolutions 687, 707 and 715, and

(f) While noting that Iraq has adopted over the last twelve months a more constructive approach towards the Agency's Action Team, is concerned that Iraq has imposed restrictions on the Action Team's rights of access,

1. Commends the Director General and the Agency's Action Team for their strenuous efforts to implement Security Council resolutions 687, 707 and 715, and requests them to continue their efforts;
2. Invites the Director General and the Action Team to continue to pursue vigorously the implementation of the Ongoing Monitoring and Verification Plan;
3. Welcomes the establishment of an export/import monitoring mechanism under United Nations Security Council resolution 1051;
4. Urges Iraq to co-operate fully with the Action Team in achieving the complete and long-term implementation of the relevant Security Council resolutions;
5. Urges Iraq to resolve remaining ambiguities, inconsistencies and contradictions in the revised draft of the Full, Final and Complete Declaration;
6. Demands that Iraq hand over to the Action Team without further delay any currently undisclosed nuclear-weapon-related equipment, material and information and allow the Action Team immediate, unconditional and unrestricted rights of access in accordance with Security Council resolution 707;

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7. Stresses that the Agency's Action Team will continue to exercise its right to investigate further any aspects of Iraq's past nuclear weapons capability, in particular as regards any further relevant information that Iraq may still be withholding from the Agency; and

8. Requests the Director General to report the views of the General Conference to the Secretary-General of the United Nations and to report to the Board of Governors and to the forty-first regular session of the General Conference on his efforts to implement Security Council resolutions 687, 707 and 715, and decides to remain seized of this issue.

Vote by show
of hands:

69 in favour and none against, with 11
abstentions

20 September 1996

Agenda item 22

GC(40)/OR.10, paras 64-67

GC(40)/RES/22

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

The General Conference,

- (a) Recognizing the importance of the non-proliferation of nuclear weapons - both globally and regionally - in enhancing international peace and security,
- (b) Mindful of the usefulness of the Agency's safeguards system as a reliable means of verification of the peaceful uses of nuclear energy,
- (c) Concerned by the grave consequences, endangering peace and security, of the presence in the Middle East region of nuclear activities not wholly devoted to peaceful purposes,
- (d) Welcoming the initiatives regarding the establishment of a zone free of all weapons of mass destruction, including nuclear weapons, in the Middle East and recent initiatives regarding arms control in the region,
- (e) Recognizing that full realization of these objectives would be promoted by participation of all States of the region,
- (f) Commending the efforts of the Agency concerning the application of safeguards in the Middle East and the positive response of some States in concluding a full-scope safeguards agreement, and

(g) Recalling its resolution GC(39)/RES/24,

1. Takes note of the Director General's report in document GOV/2861-GC(40)/6;
2. Affirms the urgent need for all States in the Middle East to forthwith accept the application of full-scope Agency safeguards to all their nuclear activities as an important confidence-building measure among all States in the region and as a step in enhancing peace and security in the context of the establishment of a nuclear-weapon-free zone (NWFZ);
3. Calls upon all parties directly concerned to consider seriously taking the practical and appropriate steps required for the implementation of the proposal to establish a mutually and effectively verifiable NWFZ in the region, and invites the countries concerned to adhere to international non-proliferation regimes, including the Treaty on the Non-Proliferation of Nuclear Weapons, as a means of complementing participation in a zone free of all weapons of mass destruction in the Middle East and of strengthening peace and security in the region;
4. Takes note of the importance of the ongoing bilateral Middle East peace negotiations and the activities of the multilateral working group on Arms Control and Regional Security in promoting mutual confidence and security in the Middle East, including establishment of a NWFZ, and calls on the Director General, as requested by the participants, to render all necessary assistance to the working group in promoting that objective;
5. Requests the Director General to continue consultations with the States of the Middle East to facilitate the early application of full-scope Agency safeguards to all nuclear activities in the region as relevant to the preparation of model agreements, as a necessary step towards the establishment of a NWFZ in the region, referred to in resolution GC(XXXVII)/RES/627;
6. Calls upon all States in the region to extend their fullest co-operation to the Director General in the fulfilment of the tasks entrusted to him in the preceding paragraph;
7. Further calls upon all States in the region to take measures, including confidence-building and verification measures, aimed at establishing a NWFZ in the Middle East;
8. Calls upon all other States, especially those with a special responsibility for the maintenance of international peace and security, to render all assistance to the Director General by facilitating the implementation of this resolution; and
9. Requests the Director General to submit to the Board of Governors and to the General Conference at its forty-first 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".

*20 September 1996
Agenda item 23
GC(40)/OR.10, paras 91 and 92*

OTHER DECISIONS

GC(40)/DEC/1

ELECTION OF THE PRESIDENT

The General Conference elected Dr. William G. Padolina (Philippines) President of the General Conference, to hold office until the end of the fortieth regular session.

*16 September 1996
Agenda item 1
GC(40)/OR.1, para. 12*

GC(40)/DEC/2

ELECTION OF VICE-PRESIDENTS

The General Conference elected the delegates of Canada, France, Indonesia, Japan, Lebanon, Morocco, Nicaragua and the Russian Federation Vice-Presidents of the General Conference, to hold office until the close of the fortieth regular session.

*16 September 1996
Agenda item 1
GC(40)/OR.1, paras 17 and 18*

GC(40)/DEC/3

ELECTION OF THE CHAIRMAN OF THE COMMITTEE OF THE WHOLE

The General Conference elected Mr. Mohammed Sadegh Ayatollahi (Islamic Republic of Iran) Chairman of the Committee of the Whole, to hold office until the close of the fortieth regular session of the General Conference.

*16 September 1996
Agenda item 1
GC(40)/OR.1, paras 17 and 18*

GC(40)/DEC/4

**ELECTION OF ADDITIONAL MEMBERS
OF THE GENERAL COMMITTEE^{*/}**

The General Conference elected the delegates of Croatia, Cyprus, Ethiopia, Mexico, Romania and the United States of America as additional members of the General Committee, to hold office until the close of the fortieth regular session.

*16 September 1996
Agenda item 1
GC(40)/OR.1, paras 17 and 18*

GC(40)/DEC/5

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

The General Conference adopted the agenda for its fortieth regular session and allocated the items for initial discussion.^{1/}

^{1/} GC(40)/22.

*16 September 1996
Agenda item 5(a)
GC(40)/OR.2, paras 90 and 91*

^{*/} As a result of the decisions taken under GC(40)/DEC/1, 2, 3 and 4, the General Committee appointed for the fortieth (1996) regular session was composed as follows:

Dr. William G. Padolina (Philippines) as President;
The delegates of Canada, France, Indonesia, Japan, Lebanon, Morocco, Nicaragua and the Russian Federation as Vice-Presidents;
Mr. Mohammed Sadegh Ayatollahi (Islamic Republic of Iran) as Chairman of the Committee of the Whole; and
The delegates of Croatia, Cyprus, Ethiopia, Mexico, Romania and the United States of America as additional elected members.

GC(40)/RES/DEC/(1996)

GC(40)/DEC/6

CLOSING DATE OF THE SESSION

The General Conference fixed Friday, 20 September 1996, as the closing date for the fortieth regular session.

16 September 1996
Agenda item 5(b)
GC(40)/OR.2, paras 92-93

GC(40)/DEC/7

**OPENING DATE OF THE FORTY-FIRST
REGULAR SESSION OF THE GENERAL
CONFERENCE**

The General Conference fixed Monday, 29 September 1997 as the opening date of the forty-first regular session of the General Conference.

16 September 1996
Agenda item 5(b)
GC(40)/OR.2, paras 92-93

GC(40)/DEC/8

**REQUESTS FOR THE RESTORATION OF
VOTING RIGHTS**

A. The General Conference acceded to requests by Bolivia, Kenya and Peru that the last sentence of Article XIX.A of the Statute be invoked in order that they might be permitted to vote during the fortieth regular session of the General Conference, on the understanding that such action did not constitute a precedent for the future.

16 and 19 September 1996
Agenda item 5
GC(40)/OR.2, paras. 95 and 96
GC(40)/OR.7, paras 1 and 2

B. The General Conference rejected a request from Iraq that the last sentence of Article XIX.A of the Statute be invoked in order that Iraq might be permitted to vote during the fortieth regular session of the General Conference.

16 September 1996
Agenda item 5
GC(40)/OR.2, paras 97, 100 and 101

GC(40)/DEC/9

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

The General Conference elected the following eleven Members to the Board of Governors to hold office until the end of the forty-second regular session (1998):^{*/}

Argentina, Colombia and Cuba	for Latin America
Belgium and Portugal	for Western Europe
The Czech Republic	for Eastern Europe
Namibia and Tunisia	for Africa
The United Arab Emirates	for Middle East and South Asia
Malaysia	for South East Asia and the Pacific
New Zealand	for Africa; Middle East and South Asia; or South East Asia and the Pacific.

19 September 1996

Agenda item 8

GC(40)/OR.8, paras 96-112

^{*/} As a result, the composition of the Board of Governors in 1996-97 at the conclusion of the fortieth (1996) regular session of the General conference was as follows:

Argentina, Australia, Belgium, Brazil, Bulgaria, Canada, Chile, China, Colombia, Cuba, Czech Republic, Denmark, Egypt, France, Germany, India, Japan, Republic of Korea, Kuwait, Malaysia, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Portugal, Romania, Russian Federation, Saudi Arabia, South Africa, Switzerland, Tunisia, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America

GC(40)/RES/DEC/(1996)

GC(40)/DEC/10

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

The General Conference elected Messrs. M. Pecsteen (Belgium) and N. Servigon (Philippines) as members and Messrs. M. Arrouchi (Morocco) and L. Herrera Andrade (Mexico) as alternate members of the Committee.**/

*20 September 1996
Agenda item 25
GC(40)/OR.9, paras 21 and 22*

GC(40)/DEC/11

**STUDY OF THE RADIOLOGICAL
SITUATION AT THE ATOLLS OF
MURUROA AND FANGATAUFA**

The General Conference took note of the information contained in document GC(40)/INF/4.

*20 September 1996
Agenda item 12
GC(40)/OR.10, paras 24 and 25*

GC(40)/DEC/12

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

The General Conference took note of the information contained in document GC(40)/INF/5.

*20 September 1996
Agenda item 12
GC(40)/OR.10, paras 24 and 25*

**/ As a result, the present composition of the Agency's Staff Pension Committee is as follows:

Members: Mr. M. Pecsteen (Belgium)
 Mr. N. Servigon (Philippines)
Alternate Members: Mr. M. Arrouchi (Morocco)
 Mr. L. Herrera Andrade (Mexico)

GC(40)/DEC/13

LIABILITY FOR NUCLEAR DAMAGE

The General Conference took note of the information contained in documents GC(40)/INF/9 and GC(40)/INF/9/Add.1.

*20 September 1996
Agenda item 12
GC(40)/OR.10, paras 24 and 25*

GC(40)/DEC/14

COMPOSITION OF REGIONAL GROUPS

The General Conference endorsed the following statement made by the President:

"The General Conference takes note of the Report by the Director General on Composition of Regional Groups under the agenda item 'Amendment of Article VI of the Statute' as contained in the Attachment to document GC(40)/11. It reiterates the principle of the sovereign equality of all Member States of the Agency, as provided for in Article IV.C of the Statute. It affirms that this principle requires that each Member State of the Agency be within one of the areas listed in Article VI.A.1 of the Statute. Recalling the draft resolution contained in document GC(39)/COM.5/10 dated 19 September 1995 and resolution GC(39)/RES/22 dated 22 September 1995, the Conference requests that the Chairman of the Board of Governors consult with Member States not yet listed in a regional area as well as with other Member States, including representatives of the regional areas, and that he report for consideration of the forty-first General Conference specific proposals to include each Member State within the appropriate area at the time of the Conference in September 1997."

*20 September 1996
Agenda item 19(b)
GC(40)/OR.10, paras 75-77*

GC(40)/DEC/15

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

The General Conference, after adoption of resolution GC(40)/RES/22, adopted the following statement made by the President:

GC(40)/RES/DEC/(1996)

"The General Conference requests the Director General to invite experts from the Middle East and other areas to a technical workshop on safeguards, verification technologies, and related experience. It calls on the Director General to commence with preparations, in consultation with the parties concerned, with a view to developing an agenda and modalities that would help ensure a successful workshop."

20 September 1996

Agenda item 23

GC(40)/OR.10, paras 93 and 94