

CHARTER OF THE FORUM OF NUCLEAR REGULATORY BODIES IN AFRICA (FNRBA)

A PLATFORM FOR EXCHANGING EXPERIENCES, SHARING KNOWLEDGE AND
ADVANCING EXCELLENCE IN NUCLEAR REGULATORY SYSTEMS IN AFRICA



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Preamble

I. NOTING that the first meeting for establishing the Forum of Nuclear Regulatory Bodies in Africa (FNRBA) was held on Wednesday, 2nd October 2008 alongside the 52nd regular session of the IAEA General Conference at the Vienna International Centre, and that the first version of the Charter was adopted in March 2009 after the conclusions of the Regional Coordination Meeting of project RAF9038 held from 23 to 27 March 2009, in Pretoria, South Africa;

II. RECOGNIZING that the need for coherence and harmonization in the nuclear regulatory framework has become an increasingly important issue in both developed and developing economies;

III. RECOGNIZING the provisions of the Practical Arrangement Agreement with the International Atomic Energy Agency (IAEA) specifying the conditions of cooperation originally signed in Vienna, in 2013, and subsequently revised;

IV. RECOGNIZING that a more integrated policy framework is necessary to promote transparent, consistent and coherent nuclear regulation;

V. RECOGNIZING that the nuclear regulatory framework includes nuclear safety and security, radiation safety, radioactive waste, transport and safeguards;

VI. RECOGNIZING the importance of adherence to relevant international binding and non-binding legal instruments relating to safety, security and safeguards;

VII. RECOGNIZING the mutual interest in continuing cooperation and exchange of information on good regulatory practices;

VIII. RESPECTING also the principles of sovereignty, equality, mutual benefit, territorial integrity, and non-intervention in respective domestic affairs;

IX. WELCOMING the desire to foster cooperation of nuclear regulatory bodies in Africa for the attainment of the above principles;

X. NOW THEREFORE the nuclear regulatory bodies of the Regional Network of Member States in Africa, having decided that there is a need to further strengthen the Charter of the FNRBA adopted in 2009, have decided, pursuant to its Article 6.3.6 to amend the Charter to associate and formalize prior and current activities conducted under the auspices of the Forum of Nuclear Regulatory Bodies in Africa.

ARTICLE 1 ESTABLISHMENT AND NAME

1.1 A regional organization to be known as the FORUM OF NUCLEAR REGULATORY BODIES IN AFRICA (hereinafter referred to as “FNRBA”) is hereby established.

ARTICLE 2 PURPOSE

The purpose of the FNRBA is to provide:

2.1 For the enhancement, strengthening and harmonization of nuclear and radiation safety and nuclear security regulatory infrastructure in accordance with IAEA safety standards and security guidance documents among African Member States of the Regional Network;

2.2 For mechanisms for the FNRBA to be an effective and efficient internationally recognized forum for the exchange of regulatory experiences and practices among the nuclear regulatory bodies in Africa;

2.3 The working language of the FNRBA is English, but possible translation into other official United Nations languages shall be considered when necessary by the Steering Committee.

ARTICLE 3 OBJECTIVES

The FNRBA aims to:

3.1 Provide a platform for fostering regional cooperation and sharing good practices;

3.2 Provide a forum for the exchange of expertise, information and experience;

3.3 Develop proposals and tools for mutual support and harmonization of regional initiatives and approaches;

3.4 Provide leverage for the development of regulatory activities and optimization of resources; and

3.5 Raise awareness among policy-makers and other relevant stakeholders on nuclear regulatory issues in Africa.

ARTICLE 4 MEMBERSHIP

4.1 Candidacy to the FNRBA shall be open to all national nuclear regulatory bodies of IAEA Member States in Africa on a voluntary basis;

4.2 The candidacy should be transmitted through the Permanent Mission and the IAEA Secretariat to the Plenary for admission by the Plenary;

4.3 Upon admission by the Plenary, the new Member should be informed of the Plenary's decision by the IAEA Secretariat through the Permanent Mission;

4.4 In the case where there is more than one regulatory body, the country shall be entitled to designate one representative, and the rest shall be accorded observer status;

4.5 National regulatory bodies and technical and scientific support organizations (TSOs) in the field of nuclear and/or radiation safety from the countries of other regions and international or regional organizations that express an interest may be granted the status of Observers to the FNRBA Plenary or to the FNRBA Steering Committee, if the Steering Committee agrees and upon invitation by the Steering Committee. Observers may provide presentations and offer recommendations for the FNRBA's consideration but cannot participate in the decision-making. The level of participation of observers shall be determined by the Steering Committee.

ARTICLE 5 ORGANS OF THE FNRBA

The FNRBA shall function through the following organs:

5.1 The Plenary;

5.2 The Steering Committee;

5.3 The Thematic Working Groups.

ARTICLE 6 PLENARY

The Plenary is the supreme decision-making body of the FNRBA.

6.1 Composition and organization of the Plenary

The Plenary shall:

6.1.1 Be held annually in accordance with the FNRBA's internal rules of procedures;

6.1.2 Be chaired by the Chair of the Steering Committee of the FNRBA;

6.1.3 Consist of the entire membership of the FNRBA, each represented by the head of the regulatory body as defined under Article 4 of this Charter;

6.1.4 Have Observers who can be admitted by invitation of the Steering Committee;

6.1.5 Adopt its decisions by consensus or, where consensus cannot be reached, by simple majority of the FNRBA members present.

6.2 Agenda of the Plenary

The Agenda of the Plenary shall be drafted and disseminated by the Steering Committee of the FNRBA to the FNRBA members one month before the Plenary.

6.3 Activities of the Plenary

The activities of the Plenary shall include, but not be limited to the following:

6.3.1 Approving the internal rules of procedures of the FNRBA prepared by the Steering Committee;

6.3.2 Approving the main orientations of the FNRBA considering its objectives through its Strategic Action Plan and Thematic Areas;

6.3.3 Approving new Thematic Working Groups;

6.3.4 Considering and approving projects and the yearly activity plan drafted by the Steering Committee pursuant to Article 7.2.1;

6.3.5 Approving the annual report;

6.3.6 Amending the Charter;

6.3.7 Nominating and electing candidates in the Steering Committee pursuant to Article 7.3;

6.3.8 Admitting new FNRBA members.

ARTICLE 7 STEERING COMMITTEE

The Steering Committee is the executive body of the FNRBA.

7.1 Composition of the Steering Committee

The Steering Committee shall be composed of nine officers elected from FNRBA members, taking into account regional representation, where possible and include:

7.1.1 Chair;

7.1.2 Deputy Chair;

7.1.3 Secretary;

7.1.4 Deputy Secretary;

7.1.5 Regional Coordinators for North, South, East, West, and Central Africa.

7.2 Role of the Steering Committee

The role of the Steering Committee shall include:

7.2.1 Drafting of the Strategic Action Plan for consideration and approval by the Plenary meeting;

7.2.2 Coordination, facilitation, and mobilization of resources for the implementation of the Strategic Action Plan and of the yearly activity plan;

7.2.3 Oversight of the activities of the Thematic Working Groups;

7.2.3 Review of the reports from the Regional Coordinators on their respective regional status of infrastructure development and related activities;

7.2.4 Approval of the activity reports submitted by the leaders of the Thematic Working Groups, pursuant to Article 8.2.3;

7.2.5 Approval of the Terms of Reference for each Thematic Working Group;

7.2.6 Drafting and submission of the annual report justifying the effective achievements of the yearly activity plan based on the progress report provided by the leaders of the Thematic Working Groups (pursuant to Article 8.2) and the compliance with the Strategic Action Plan and the follow-up of decisions and activities carried out between two sessions of the Plenary. A copy of the annual report and strategic position shall be sent to the Chairperson of the African Union Commission; to the IAEA Deputy Director General, Head of the Department of Nuclear Safety and Security; to the Director of the Division for Africa in the Department of Technical Cooperation; and to other relevant interested entities (such as AFRA and partners). The annual report shall be made public;

7.2.7 Promotion of FNRBA activities;

7.2.8 Development and strengthening of relevant partnerships;

7.2.9 Decisions of the Steering Committee shall be adopted by consensus or, where consensus cannot be reached, by simple majority of the official representatives present;

7.2.10 The Steering Committee may act on behalf of the Plenary for actions as described in Articles 6.3.3, 6.3.4, 6.3.5, 6.3.7 pending the ratification of such actions at the next Plenary meeting.

7.3 Tenure of Office of the Steering Committee

7.3.1 The Chair is elected for a term of two years and for a maximum of two consecutive terms;

7.3.2 The Vice-Chair is elected for three years, which can be extended for two more years, and thereafter shall not be eligible to serve in any of the Steering Committee positions for at least two years;

7.3.3 A Secretary and Deputy Secretary are elected for three years, which can be extended for two more years;

7.3.4 The Regional Coordinators are elected for three years, and is eligible for election for two more years;

7.3.5 No elected member of the Steering Committee shall serve more than two consecutive terms;

7.3.6 Any member may resign from the Steering Committee by written notification to the Chair.

7.4 Meetings of the Steering Committee

The Steering Committee shall meet at least twice a year alternatively at the IAEA's Headquarters in Vienna or in the country of one of the FNRBA members.

ARTICLE 8 THEMATIC WORKING GROUPS

8.1 Thematic Working Groups

8.1.1 Thematic Working Groups may address one or several Thematic Areas as defined by the Steering Committee in compliance with the Strategic Action Plan. Thematic Working Groups shall be established by the Steering Committee and endorsed by the Plenary;

8.1.2 Membership of the Thematic Working Groups shall be voluntary, based on the needs of the members;

8.1.3 Members of each Thematic Working Group shall choose a coordinator among themselves and submit their choice for approval by the Steering Committee;

8.1.5 The coordinator of each Thematic Working Group shall report the achievements of his/her Group to the Steering Committee.

8.2 Duties of the Thematic Working Groups

Leaders of the Thematic Working Groups are responsible for:

8.2.1 Performing activities of the Thematic Working Group in accordance with the scope of the Thematic Area(s) as defined by the Steering Committee, with the yearly action plan and the Strategic Action Plan as approved by the Plenary;

8.2.2 Assessing the challenges in Africa and the needs regarding the Thematic Area(s);

8.2.3 Proposing relevant activities, including reports and projects that comply with the needs and implementing activities as approved by the Steering Committee;

8.2.4 Evaluating the relevance and the compliance of project designs with the identified needs;

8.2.5 Drafting and submitting the activity progress report of the Thematic Working Group at least twice a year to the Steering Committee or to the Plenary two weeks before they meet.

ARTICLE 9 THE SECRETARIAT

The Secretariat services of the FNRBA shall be provided by the IAEA (Department of Nuclear Safety and Security) under the Steering Committee's supervision, subject to the availability of resources.

ARTICLE 10 RESOURCES

The travel and living expenses of the FNRBA members and invited experts attending meetings of the FNRBA shall, whenever possible, be borne by their respective organizations.

10.1 Activities of the FNRBA shall be funded by FNRBA members, and where relevant by the IAEA or other partners;

10.2 Grants, donations, and gifts from international, regional and national partners can be accepted by the FNRBA Chair;

10.3 All FNRBA resources such as grants, donations, and gifts shall be managed in accordance with the donors' rules and procedures.

ARTICLE 11 AMENDMENTS OF THE CHARTER

11.1 Any member of the Plenary shall have the right to submit proposals for amendment to the Steering Committee and by writing to the IAEA Secretariat at least four months before the Plenary meeting.

11.2 Amendment shall be subject to approval by a two-thirds majority of the Plenary.

ARTICLE 12 ENTRY INTO FORCE

This Charter or its amendment shall take effect when two thirds of the duly signed endorsement letters of FNRBA Member States through official channels are received at the IAEA Secretariat and the Steering Committee.