

Adopted by the 31st RCA GC
In Vienna on 18 September 2002
(Needs to revisit at the 25th RCA NRM)

Working Paper

On the Establishment of an RCA Regional Office In the Republic of Korea

1. Introduction

This Working Paper was prepared to provide the basis for the establishment of the RCA Regional Office in the Republic of Korea that was opened in March 2002 on the occasion of the 30th anniversary of the RCA Agreement and the 24th RCA National Representatives Meeting (NRM). The establishment and opening of the RCA Regional Office (RO) was in principle agreed upon and adopted by consensus of the Member States (MSs) at the 23rd RCA NRM in March 2001 at Dhaka, Bangladesh and the 30th RCA General Conference (GC) in Vienna on 15 September 2001. A few additional comments from the MSs about this Working Paper at the 30th RCA GC and also at the 24th RCA NRM in Korea were well reflected when finalizing this Working Paper.

At the 30th RCA GC, a Task Group consisted of 7 RCA MSs that was originally formed at the 23rd RCA NRM in Dhaka, Bangladesh in March 2001 was again requested to review and conclude the Working Paper. The Task Force Group members were Australia, China, India, Japan, Korea, Pakistan and the Philippines. Australia and Korea were requested to take the lead. However, it was needed to further review the Working Paper since several other comments were again made at the 24th RCA NRM in Korea.

An Advisory Committee (AC) for the interim operation period, until a Standing Advisory Committee (SAC) will be constituted, was composed at the 24th RCA NRM in Korea to support the RCA RO to enter into designated function. Members are the three Chair MSs at the time when the establishment of the RCA RO was in principle agreed at the 23rd RCA NRM in Dhaka in March 2001, i.e. India, Bangladesh and Korea. Australia was requested to be a member as a lead of the Task Force Group. China was requested to be a member as a representing country for all other MSs. In addition, the IAEA/RCA Coordinator of IAEA was also requested to be a member but without right to vote.

‘Guidelines on the Operation of the Advisory Committee of the RCA Regional Office’ are attached as Annex – 1.

The AC met in its first meeting in Vienna during 31 July – 2 August 2002 and concluded a final version of the Working Paper as well as relevant Guideline *for report* at the 31st RCA GC in Vienna in September 2002.

2. Background

At the 19th RCA NRM in Yangon, Myanmar in March 1997, on the occasion of the 25th anniversary of the establishment of the RCA, the need to establish an RCA Regional Office was strongly proposed as one of the measures to increase RCA ownership by the MSs. This was clearly stated in the RCA Vision Statement that also recommended other new initiatives such as the introduction of the Lead Country (LC) concept, the implementation of thematic projects, the utilization of Regional Resource Units (RRUs), and the adoption of the RCA Guidelines and Operating Rules.

It is also noted that, based on record, there was a suggestion during the RCA Representatives Meeting in Vienna in 1978 to have an RCA Office in the region. However, it was mentioned that the level of RCA programs was too small to warrant such an Office at that time.

The need to have an RCA RO has been revisited at the RCA NRMs since the Yangon meeting. At the 22nd RCA NRM in Mumbai in March 2000 and at the 29th RCA GC in Vienna in September 2000, Korea proposed to host the RCA RO when established in that country and promised to provide necessary operating expenses, including the salary of the Director, if he/she is a Korean. The RCA MSs welcomed Korea's generous offer. However, there were questions on the role and functions of the Director, and also on the financial support for the Director, if he/she is not Korean.

At the 23rd RCA NRM in Dhaka, Bangladesh in March 2001, the RCA MSs again expressed their support for the Korean proposal and a Task Force Group was formed to draft the Working Paper for adopt by the 30th RCA GC in Vienna in September 2001.

At the 30th RCA GC in Vienna on 15 September 2001, MSs agreed in principle on the establishment of the RCA RO in Korea in early 2002 but as interim operation until necessary legal provisions prepared. The 30th RCA GC requested Korea to prepare for the opening of the RCA RO during the 24th RCA NRM, particularly in connection with the 30th anniversary of RCA establishment that Korea would host. The RCA RO was officially inaugurated in Korea on 27 March 2002.

3. Need to Establish an RCA Regional Office

Since the inception of the RCA in 1972 and until recently, most of the RCA programs and projects have been formulated and implemented by the IAEA. It is noted that the IAEA is not a signatory to the RCA but provides assistance ranging from secretariat duties to technical support and project funding. The IAEA has been strongly encouraging MSs to take more ownership of the RCA program. The RCA RO is particularly considered to be a good vehicle for increasing MSs' ownership of the RCA programs.

4. Role of the Director

It is important to have a clear separation between the responsibilities of the IAEA/RCA Coordinator and the Director of the RCA RO. The IAEA/RCA Coordinator continues to be the primary point of liaison with the IAEA as a staff of the Agency, while the Director of the RCA RO is responsible for developing contacts with other regional and international

organizations to seek additional partners of the RCA and develop new programs for the RCA. The role of the Director of the RCA RO as agreed upon at the 23rd RCA NRM in Dhaka and at the 30th GC in Vienna in 2001 would therefore be:

- (1) To pro-actively seek out opportunities for the RCA to participate in projects being formulated and designed by major regional and international donors, including international agencies,
- (2) To negotiate and secure contracts for income generating activities to both fund the RCA Director's position and provide supplementary funding for RCA projects;
- (3) To promote the application of nuclear techniques to assist in addressing regional and national problems;
- (4) To implement the directives of the MSs as agreed upon at the RCA NRM, in particular, to support developing and formulating new project proposals from MSs in liaison with the relevant LCs; and
- (5) To provide regional visibility for the RCA at regional and national forum and to develop RCA future strategies and missions in cooperation with the MSs.

It could be summarized that the role of the Director of the RCA RO would be to increase the awareness about the RCA before the MSs and other regional or international organizations and to seek additional partnership among the regional and international nuclear communities.

5. Operation of the Regional Office

(1) Organization

The RCA RO shall initially comprise of the following staff.

1 Director
 1 Program Officer
 1 Administration Officer
 1 Secretary

It is also suggested that the above positions be filled locally with the exception of the Director who should be from one of the MSs including the host country.

- (2) **IAEA Fellowships:** The IAEA is requested to attach its regular fellowship(s) to the Office to support the Office's technical program activities. Assignment of Cost Free Expert(s) or Cost Free Consultant(s) from the MS(s) is also welcomed for work at the Office.
- (3) **Location:** During the interim period, the Office will be located at Daejeon, Korea adjacent to the Korea Atomic Energy Research Institute.

- (4) **Working Environment:** It shall be satisfactory and conducive to a good working attitude.
- (5) **Office Space:** It shall be adequate to accommodate the Director's office and other staff members. A meeting facility of average size shall be arranged additionally.
- (6) **Office Equipment:** The Director and other staff members shall be provided with appropriate office working desks, filing cabinets, telecommunication lines, modern computers and other office equipment including Internet access lines.
- (7) **Transport Vehicle:** The host country shall provide a dedicated vehicle for the use of the Office.
- (8) **Operating Expenses:** The host country shall provide all locally needed operating expenses of the Office.

6. Director of the RCA Regional Office

- (1) **Selection and Appointment:** A Selection Committee will recommend a most suitable candidate to the RCA policy level meetings for appointment. The appointment of the Director needs final approval at the RCA NRM. However, leading up to this approval, appropriate guidelines on the selection and appointment of the Director shall be prepared and job description for the Regional Director's position needs to be drafted. The process of selection and appointment of a Director will also need to be open and transparent.

'Guidelines on the Selection and Appointment of Director of the RCA RO' are attached as Annex 2.

- (2) **Qualifications and Experience:** The exact qualifications and experience required for the selected candidate(s) shall be clearly explained in the job description (JD). A separate Selection Committee shall be composed to develop the vacancy notice. The Selection Committee shall select and recommend most suitable candidate(s) for the Director to the RCA NRM for final appointment and endorsement. It is expected that the candidate(s) shall have a proven record of achievement.

'Guidelines on the Operation of the Selection Committee for a Director of the RCA RO' are attached as Annex – 3.

- (3) **Duration of Appointment:** Fixed term 3 years (extendable).
- (4) **Performance Evaluation:** Because the performance of the Director is critical to the future of the RCA, there will be close scrutiny of the Director's performance against agreed performance criteria set by the Standing Advisory Committee (SAC) at least on annual basis and failure to perform may result in early termination. The SAC shall be constituted at the RCA NRM.

‘Vacancy Notice together with Job Description’ is attached as Annex – 4.

- (5) **Salary:** It is recommended to pay the salary at a similar level to the UN organization’s P-5 staff. The originating MS shall provide the salary including a reserve for retirement allowance for the Director. If the Director’s origin is Korea, the salary shall be paid subject to the Korean government’s guidelines. Likewise, the originating MS may pay salary and other fringe benefits on its own guidelines, if not provide UN P-5 level payments.
- (6) **Fringe Benefits:** The originating country shall provide settlement and resettlement expenses when he/she moves from the Director’s home country to Korea. This does not apply to the Director originating from Korea. Other fringe benefits such as medical insurance and children’s educational tuition fees may also be provided by the Director’s home country. The fringe benefits may also be provided in accordance with the originating country’s own guidelines suitable to its situation.
- (7) **Privileges and Immunities:** Unless a separate agreement on the privileges and immunities concluded between the host government and the originating government of the Director, he/she shall observe Korean laws and regulations including taxation. If not otherwise agreed, the income tax can be compensated for from the Regional Office expenditures. The MSs, particularly the host country, shall try to offer every possible support to the Director for the exercise of his/her functions. This may require additional separate agreement between the originating MS and Korea.
- (8) **Reporting:** Since the Director is responsible to RCA MSs, he/she shall reports directly to the RCA NRM through the SAC about his/her performance. In preparing reports of the activities of the Regional Office, the Director is advised to liaise with the IAEA/RCA Coordinator. The report shall be submitted to the Chair of the RCA NRM who will act as interface between the Director and the National RCA Representatives.
- (9) **Relationship with Lead Countries:** The Director may have an involvement with LCs with regard to the RCA thematic projects. In the pursuit of the objectives of the Regional Office, the Director shall communicate with the LCs.
- (10) **Relationship with the RCA Coordinator:** It is necessary to have a clear separation between the responsibilities of the IAEA/RCA Coordinator and the Director. The Director may communicate directly with the IAEA/RCA Coordinator on a regular basis for consultations and feedback with regard to RCA matters.
- (11) **Relationship with IAEA Technical Officers:** The Director can communicate directly with the Agency’s Technical Officers with respect to technical matters of the RCA programs and with copies to the IAEA/RCA Coordinator. To ensure effective coordination, the IAEARCA Coordinator’s Office should also copy all relevant communications between the IAEA/RCA Coordinator and the Director to the Technical Officers on RCA programs.

A Standing Advisory Committee (SAC) with 5 members shall be comprised after the interim operation of the Regional Office. The SAC will provide advices for the operation of the Regional Office on behalf of the MSs. The SAC will accordingly have the responsibility to evaluate the performance of the Regional Office, particularly that of the Director.

‘Terms and Conditions for the Director’ are attached as Annex – 5.

7. Other Staff of the Regional Office

- (1) **Program Officer:** To report the Director in his function of developing new projects, seeking other partners in order to increase fund sources so that to achieve RCA visibility.
- (2) **Administration Officer:** To report the Director in his function of operating and managing the Regional Office and coordinating with the host government.
- (3) **Secretary:** To support the administrative work of the Office. The Regional Office may hire additional temporary staff to support administrative works.
- (4) **Employment:** The Director is responsible for hiring the supporting staff according to the guidelines set forth by the Regional Office.
- (5) **Payment:** The host government shall provide salaries and other remunerations including fringe benefits to the staff members of the Office subject to local regulations. The payment shall be made in local currency.
- (6) **Employment Terms:** The host government shall regulate the terms and conditions of employment of the staff members of the Office.

8. Legal Actions

- (1) ***RCA GC Resolution:*** The present RCA Agreement is valid until June 2007 after extending another 5 years as of June 2002. Legal advices are made to facilitate the establishment of the RCA Regional Office through amendment of the RCA Agreement. However, amendment of the existing RCA Agreement requires additional ratification from the parliaments of the MSs that will be a time consuming process. *The 31st RCA GC in Vienna in September 2002 agreed that an RCA GC Resolution containing matters of the establishment and management of the RCA RC would be sufficient without the amendment of the RCA Agreement. This would seem to be a practical approach, since any amendment of the existing RCA Agreement or concluding a Supplementary Agreement to the RCA Agreement will take time and the continuity of the present RCA Agreement would not be impacted.*
- (2) ***MOU between the IAEA and ROK:*** *An MOU that describes formal commitments both from the IAEA and the Government of the Republic of Korea on behalf of the Regional Office regarding the establishment and operation of the RCA Regional Office will be needed. The nature of such an MOU will explain the host government’s*

commitment to support the management and operation of the Regional Office as long as the Office is located in the country and will also describe the Agency's role of liaison with the Office.

(This MOU may not be needed since the RCA GC Resolution will cover the commitments by the Korean government and the Agency.)

- (3) **MOU between the RCA Member States and ROK:** An MOU that defines the commitments from the originating country of the Director, if he/she is a non-Korean national and the Government of Korea as the host government shall be concluded in order to support the activities and living of the Director in Korea.

9. Interim Measures

Interim operation of the Regional Office until the Office enters into the designated function is needed in order to set in place all legal, financial and administrative details involving procedures and management for the Regional Office.

- (1) The interim period is two years as agreed at the 30th RCA GC in Vienna in September 2001. It can be, however, extendable for another one year for better preparation.
- (2) During the interim period, the Regional Office will continue to be located in Daejeon, Korea.
- (3) During this period, the Director of the Regional Office will continue discharge of the assigned duties including management and administration of the Regional Office.