

# General Conference

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## Forty-seventh regular session

Item 17 of the agenda  
(GC(47)/21)

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

## Resolution adopted on 19 September 2003 during the tenth plenary meeting<sup>1</sup>

### The General Conference,

- (a) Recalling resolution GC(46)/RES/12,
- (b) Convinced that the Agency's safeguards promote greater confidence among States, i.a. by providing assurance that States are complying with their obligations under relevant safeguards agreements and thus contribute to strengthening their collective security,
- (c) Considering the Treaty on the Non-Proliferation of Nuclear Weapons, the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, the South Pacific Nuclear Free Zone Treaty, the African Nuclear-Weapon-Free Zone Treaty and the Treaty on the Southeast Asia Nuclear-Weapon-Free Zone and the Agency's essential role in applying safeguards in accordance with the relevant articles of these treaties,
- (d) Noting that decisions adopted by the Board of Governors aimed at further strengthening the effectiveness and improving the efficiency of Agency safeguards should be supported and implemented and that the Agency's capability to detect undeclared nuclear material and activities should be increased,

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<sup>1</sup> Operative paragraph 3 was voted on separately and was approved (76 in favour, 3 against, one abstention). The entire resolution was thereupon adopted without a vote.

- (e) Stressing the importance of the Model Additional Protocol approved on 15 May 1997 by the Board of Governors aimed at strengthening the effectiveness and improving the efficiency of the safeguards system,
- (f) Welcoming the fact that as of 19 September 2003, 77 States and other Parties to safeguards agreements have signed additional protocols, 37 of which have entered into force and 1 is being provisionally applied pending entry into force,
- (g) Welcoming in this regard the ratification by the Republic of Cuba of the Tlatelolco Treaty, its accession to the NPT, and the signature of its comprehensive safeguards agreement and a protocol additional to it on 18 September 2003, as a substantial contribution to the strengthening of the IAEA safeguards system and consolidating Latin America and the Caribbean as the first densely inhabited nuclear-weapon-free zone in the world, which will be officially acknowledged by the XVIII General Conference of OPANAL (Organization for the Prohibition of Nuclear Weapons in Latin America and the Caribbean), for the first time, during its meeting in Havana, 5-6 November 2003,
- (h) Welcoming the fact that all nuclear-weapon States have signed protocols additional to their voluntary-offer safeguards agreements incorporating those measures provided for in the Model Additional Protocol that each nuclear-weapon State has identified as capable of contributing to the non-proliferation and efficiency aims of the Protocol, when implemented with regard to that State, and as consistent with that State's obligations under article 1 of the NPT; and noting with satisfaction that the Protocol Additional to the voluntary-offer Safeguards Agreement with the People's Republic of China entered into force on 28 March 2002,
- (i) Noting the high priority the Agency attaches, in the context of furthering the development of the strengthened safeguards system, to integrating traditional nuclear material verification activities with the new strengthening measures, and looking forward to an expeditious conclusion of this work,
- (j) Welcoming the fact that, in the Safeguards Statement of the Agency for 2002, based on its evaluation of all the information acquired in implementing safeguards agreements and all other information available to the Agency, conclusions could be drawn for States with safeguards agreements that the nuclear material and other items placed under safeguards remained in peaceful nuclear activities or were otherwise adequately accounted for, while noting the cases referred to in GC(46)/RES/14 and GC(46)/RES/15,
- (k) Welcoming the fact that in the Safeguards Statement of the Agency for 2002, based on its evaluation of all the information obtained through activities pursuant to these States' comprehensive safeguards agreements and additional protocols as well as all other information available to the Agency, conclusions could be drawn for thirteen States that have a comprehensive safeguards agreement and an additional protocol in force, or being provisionally applied, that all nuclear material in these States had been placed under safeguards and remained in peaceful nuclear activities or was otherwise adequately accounted for,
- (l) Noting the considerable increase in the Agency's safeguards responsibilities since the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and in particular since the approval of the Model Additional Protocol by the Board of Governors in May 1997,
- (m) Recalling that the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons - inter alia - (1) reaffirmed that the IAEA is the competent authority responsible for verifying and assuring, in accordance with the

Agency's Statute and the Agency's safeguards system, compliance with its safeguards agreements and (2) recommended that the Director General of the IAEA and the IAEA's Member States consider ways and means, which could include a possible plan of action, to promote and facilitate the conclusion and entry into force of safeguards agreements and additional protocols, including, for example, specific measures to assist States with less experience in nuclear activities to implement legal requirements,

(n) 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, and

(o) Welcoming the holding of the sub-regional seminars on the strengthened safeguards system with an emphasis on the additional protocol, held in Romania (January 2003), Malaysia (March/April 2003) and Uzbekistan (June 2003); the national seminars on the additional protocol held in Thailand (March 2003) and Malaysia (April 2003); as well as the "International Conference on Wider Adherence to Strengthened IAEA Safeguards" organized by the Government of Japan in Tokyo (December 2002); and sharing the hope for the continuation of these efforts in order further to strengthen the IAEA's safeguards system.

Consistent with the respective safeguards undertakings of Member States:

1. Calls on all Member States to give their full and continuing support to the Agency in order to ensure that the Agency is able to meet its safeguards responsibilities;
2. Stresses the need for effective safeguards in order to prevent the use of nuclear material for prohibited purposes in contravention of safeguards agreements, and underlines the vital importance of effective safeguards for facilitating co-operation in the field of peaceful uses of nuclear energy;
3. Bearing in mind the importance of achieving the universal application of the Agency's safeguards system, urges all States which have yet to bring into force comprehensive safeguards agreements to do so as soon as possible;
4. Affirms that measures to strengthen the effectiveness and improve the efficiency of the safeguards system with a view to detecting undeclared nuclear material and activities must be implemented rapidly and universally by all concerned States and other Parties in compliance with their respective international commitments;
5. Stresses the importance of a review of safeguards working methods referred to in GOV/2003/48 and GC/(47)/INF/7.
6. Stresses the importance of the Agency's safeguards system, including comprehensive safeguards agreements and also the Model Additional Protocol, which are among the essential elements of the system, and with respect to the safeguards strengthening measures contained in document GOV/2807 and taken note of by the Board of Governors in 1995, requests the Secretariat to pursue the implementation of these measures as broadly as possible and without delay as far as available resources permit, and recalls the need for all concerned States and other Parties to safeguards agreements with the Agency to supply the Agency with all the information required, including the early provision of design information;

7. Reiterates its support for the Board's decision to request the Director General to use the Model Additional Protocol as the standard for additional protocols which are to be concluded by States and other Parties to comprehensive safeguards agreements with the Agency and which should contain all of the measures in the Model Additional Protocol;
8. Requests all concerned States and other Parties to safeguards agreements which have not yet done so to sign additional protocols promptly;
9. Reiterates its support for the Board's decision to request the Director General to negotiate additional protocols with other States that are prepared to accept measures provided for in the Model Additional Protocol in pursuance of safeguards effectiveness and efficiency objectives;
10. Encourages all States and other Parties to safeguards agreements having signed additional protocols to take the necessary measures to bring them into force as soon as possible, in conformity with their national legislation;
11. Encourages the nuclear-weapon States that have yet to bring their additional protocols into force to do so as soon as possible, in conformity with their national legislation, and invites all nuclear weapon States to keep the scope of their additional protocols under review;
12. Recalls the development of elements of the conceptual framework for integrated safeguards described in document GOV/2002/8, recognizes that such elements will be further developed in the light of experience, further evaluation and technological development, and requests the Secretariat to implement integrated safeguards on a priority basis in an effective and cost-efficient manner.
13. Urges the Secretariat to continue to study, in the context of implementation of integrated safeguards, the extent to which the credible assurance of the absence of undeclared nuclear material and activities, including those related to enrichment and reprocessing, for a State as a whole could lead to a corresponding reduction in the current level of verification efforts with respect to declared nuclear material in that State and a corresponding reduction in the costs associated with such efforts;
14. Notes the commendable efforts of some Member States, notably Japan, and the IAEA Secretariat in implementing elements of the plan of action outlined in resolution GC(44)/RES/19 and in the Agency's updated plan of action (April 2003), and encourages them to continue these efforts, as appropriate and subject to the availability of resources, and review the progress in this regard, and recommends that the other Member States consider implementing elements of that plan of action, as appropriate, with the aim of facilitating the entry into force of comprehensive safeguards agreements and additional protocols;
15. Requests the Secretariat to examine, subject to the availability of resources, innovative technological solutions to strengthen the effectiveness and to improve the efficiency of safeguards;
16. Requests Member States to co-operate among themselves to provide appropriate assistance to facilitate exchange of equipment, material and scientific and technological information for the implementation of additional protocols; and
17. Requests the Director General to report on the implementation of this resolution to the General Conference at its forty-eighth regular session.