

# General Conference

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Item 19 of the agenda  
(GC(49)/20)

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

**Resolution adopted on 30 September 2005 during the ninth plenary  
meeting**

### The General Conference,

- (a) Recalling resolution GC(48)/RES/14,
- (b) Convinced that the Agency's safeguards promote greater confidence among States, inter alia, 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,
- (e) Recalling that the Board of Governors, in November 2004, took note of the report in document GOV/2004/86, in which the Director General informed the Board about the outcome of the reviews of the Agency's safeguards programme conducted by a panel of independent, external evaluators and by the Standing Advisory Group on Safeguards Implementation,
- (f) Welcoming the Board's decision that the Small Quantities Protocol (SQP) should remain part of the Agency's safeguards system, subject to the modifications in the standardized text and the change in the criteria for an SQP referred to in paragraph 7 of the document GOV/2005/33,

- (g) 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,
- (h) Welcoming the fact that, as of 30 September 2005, 105 States and other Parties to safeguards agreements have signed additional protocols, that additional protocols are in force for 70 of those States and other Parties and are being otherwise applied for two States,
- (i) 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 I of the NPT, and noting with satisfaction that protocols additional to the voluntary offer safeguards agreements are in force for three of these States,
- (j) Noting the call by the United Nations Secretary-General in his report "In Larger Freedom: Towards Development, Security and Human Rights for All" of March 2005, inter alia, to strengthen the verification authority of the Agency through universal adoption of the Model Additional Protocol,
- (k) Noting that additional protocols constitute one of the important instruments in enhancing the Agency's ability to derive safeguards conclusions regarding the absence of undeclared nuclear material and activities,
- (l) 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,
- (m) Taking note of the Agency's Safeguards Statement for 2004,
- (n) Stressing the continuing need for the Agency's safeguards system to be equipped to respond to new challenges within its mandate,
- (o) 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,
- (p) 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,
- (q) Noting that the 2005 Review Conference of the States Party to the Treaty on the Non-Proliferation of Nuclear Weapons was unable to adopt a final consensus on substantive matters, including on the strengthening of Agency safeguards.

(r) 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

(s) Welcoming the holding of an interregional seminar in Vienna entitled "Multilateral Verification of Nuclear Non-Proliferation Undertakings: Interregional Seminar on the Agency's Safeguards System" (November/December 2004), a regional seminar in Sydney entitled "IAEA Seminar for the South Pacific Region on the Conclusion and Implementation of Safeguards Agreements and Additional Protocols" (November 2004), the National Information Day on the Additional Protocol held in Algeria (April 2005) and the National Seminars on the Additional Protocol held in the Philippines (November 2004) and Vietnam (August 2005), and sharing the hope for the continuation of these efforts in order to broaden adherence to the Agency's strengthened 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<sup>1</sup>;
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. Welcomes the completion of the reviews of the Agency's safeguards programme pursuant to documents GOV/2003/48 and GC(47)/INF/7 and their positive assessment of the Agency's safeguards programme, and requests the Director General to keep the Board informed as appropriate on the implementation of the findings contained in the report;
6. Stresses the importance of the Agency's safeguards system, including comprehensive safeguards agreements and additional protocols, 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. Encourages States with SQPs to conclude, as soon as possible, exchanges of letters with the Agency consistent with the Board decision of 20 September 2005 with regard to SQPs, and requests the Secretariat to assist States with SQPs, including non-members of the Agency, through available

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<sup>1</sup> Operative paragraph 3 was voted on separately and was approved (79 in favour, 2 against, one abstention). The entire resolution was thereupon adopted without a vote.

resources, in the establishment and maintenance of their State Systems of Accounting for and Control of Nuclear Material;

8. Bearing in mind the Director General's view that for the Agency, within its mandate, to fulfil its verification responsibilities in a credible manner, the verification system has to be further developed, underlines the need to take into full account advances in verification techniques;

9. Welcomes the Board's decision, taken in June this year, to create an advisory committee of the Board, in whose work other Member States may participate, within the framework of the Agency's Statute, on safeguards and verification, to consider ways and means to strengthen the safeguards system, and to report thereon, with recommendations, to the Board;

10. Attaches great importance to the committee's making every effort to take any decisions or make any recommendations by consensus within the Agency's statutory responsibilities;

11. 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;

12. 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;

13. Requests all concerned States and other Parties to safeguards agreements, including nuclear-weapon States, that have not yet done so to promptly sign additional protocols and to bring them into force as soon as possible, in conformity with their national legislation;

14. Notes in this regard that, for States with both a comprehensive safeguards agreement and an additional protocol in force, or being otherwise applied, Agency safeguards can provide increased assurances regarding both the non-diversion of nuclear material placed under safeguards and the absence of undeclared nuclear material and activities for a State as a whole;

15. Notes that, in the case of a State with a comprehensive safeguards agreement supplemented by an additional protocol in force, these measures represent the enhanced verification standard for that State;

16. Further invites the nuclear-weapon States to keep the scope of their additional protocols under review;

17. Recalls the development of elements of the conceptual framework for integrated safeguards described in document GOV/2002/8, recognizes that such elements are continuing to be developed in the light of experience, further evaluation and technological development, and requests the Secretariat to continue to extend the implementation of integrated safeguards on a priority basis in an effective and cost-efficient manner;

18. 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;

19. 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 the Agency's updated plan of action (February 2005), 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;

20. 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;

21. Welcomes efforts to strengthen safeguards, including the Secretariat's activities in verifying and analysing information provided by Member States on nuclear supply and procurement, taking into account the need for efficiency, and invites all States to cooperate with the Agency in this regard;

22. 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

23. Requests that any new or expanded actions in this resolution be subject to the availability of resources, without detriment to the Agency's other statutory activities;

24. Requests the Director General to report on the implementation of this resolution to the General Conference at its fiftieth regular session.