



International Atomic Energy Agency

General Conference

GC(IX)/319
27 September 1965

GENERAL Distr.

Original: ENGLISH

Ninth regular session

Agenda item 16
(GC(IX)/313)

SAFEGUARDS

Report of the Administrative and Legal Committee

Rapporteur: Mr. H.J. Brillantes (Philippines)

1. At its thirty-ninth and fortieth meetings on 24 September 1965, the Committee considered item 16 of the agenda - Safeguards. Under this item the Committee studied the resolution adopted by the Board of Governors on the revision of the original safeguards system^{1/} and the revised system that the Board had thereby provisionally approved^{2/}. The Committee also had before it a draft resolution submitted jointly by Argentina, Brazil, Canada, the Democratic Republic of the Congo, Japan, the Netherlands, Thailand, the United Kingdom of Great Britain and Northern Ireland and the United States of America^{3/}.
2. After extensive discussion^{4/}, the Committee decided by 54 votes in favour, one against and two abstentions, to recommend to the General Conference the adoption of the joint draft resolution, as reproduced overleaf.

65-6045

1/ Set forth in documents INFCIRC/26 and Add. 1.

2/ GC(IX)/294.

3/ GC(IX)/312.

4/ To be recorded in documents GC(IX)/COM.2/OR.39 and 40.

REVISION OF THE AGENCY'S SAFEGUARDS SYSTEM

The General Conference,

- (a) Recalling Articles III.A.5 and XII of the Statute,
- (b) Recalling also its resolution of 30 September 1963 under which the Board of Governors was invited^{*} to report on the results of its general review of the Agency's safeguards system^{**},
- (c) Having received and considered the revised safeguards system provisionally approved by the Board and contained in document GC(IX)/294,
- (d) Bearing in mind that the principal purpose of this document is to establish a system of controls to enable the Agency, in compliance with Article II of its Statute, "to accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world" and, at the same time, to "ensure, so far as it is able, that assistance provided by it or at its request or under its supervision or control is not used in such a way as to further any military purpose",
- (e) Mindful also that the principles set forth in this document and the procedures for which it provides are established for the information of Member States, to enable them to determine in advance the circumstances and manner in which the Agency would administer safeguards, and for the guidance of the organs of the Agency itself, to enable the Board and the Director General to determine readily what provisions should be included in agreements relating to safeguards and how to interpret such provisions,
- (f) Welcoming the general principles set forth in this document concerning the manner in which the Agency shall implement safeguards,
- (g) Taking into account that the provisions of this document that are relevant to a particular project, arrangement or activity in the field of nuclear energy will become legally binding only upon the entry into force of a safeguards agreement and to the extent that they are incorporated therein, and
- (h) Bearing in mind that the revised system shall be subject to periodic review in the light of the further experience gained by the Agency as well as of technological developments,

1. Notes with satisfaction the revised safeguards system provisionally approved by the Board of Governors and contained in document GC(IX)/294;
2. Invites the Board, before giving effect to this document, to take into account as appropriate the views expressed in the General Conference;
3. Invites the Board to continue to include in its annual reports to the General Conference an account of the application of the Agency's safeguards system^{***/}; and
4. Further invites the Board to report to the General Conference on the results of such reviews of the safeguards system as are periodically undertaken by the Board pursuant to paragraph 8 of the document GC(IX)/294.

*/ GC(VII)/RES/144, para. 5.

**/ INFCIRC/26 and Add.1.

***/ Document GC(IX)/294 as approved by the Board.

