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COMMITTEE OF THE WHOLE

Strengthening the Effectiveness and Improving the Efficiency of the Safeguards System

Draft resolution submitted by Australia, Austria, Belgium, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Turkey and United Kingdom

The General Conference,

- (a) Recalling resolution GC(50)/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) Welcoming the Board's decision, in September 2005, 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 2 of document GC(50)/2,

- (f) Welcoming the fact that, as of [6] September 2007, [16] States have accepted SQPs in accordance with the modified text endorsed by the Board of Governors,
- (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 [6] September 2007, [115] States and other parties to safeguards agreements have signed additional protocols, and that additional protocols are in force for [84] of those States and other parties,
- (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 and thereby regarding the peaceful use of all nuclear material for a State,
- (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 strengthening measures,
- (m) Taking note of the Agency's Safeguards Statement for 2006,
- (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) Stressing the importance of assisting States in establishing and maintaining effective systems of accounting for and control of nuclear material,
- (r) Noting that the Preparatory Committee for the 2010 Review Conference of the States Party to the Treaty on the Non-Proliferation of Nuclear Weapons held a successful first meeting in April/May 2007, and encouraging all States Party to continue to work towards a substantive outcome for the 2010 Review Conference,
- (s) 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,
- (t) Noting the importance of maintaining the principles of confidentiality, and
- (u) Welcoming the holding of the IAEA Seminar for High Level Officials on the Multilateral Verification of Nuclear Non-Proliferation Undertakings Pursuant to the Treaty on the Non-Proliferation of Nuclear Weapons in May 2007, at the Agency's Headquarters, 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;
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 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;
6. Takes note of the revised standardized text for SQPs and encourages States with SQPs to conclude with the Agency, as soon as possible, exchanges of letters consistent with the Board decision of 20 September 2005 with regard to SQPs, and requests the Secretariat to continue to assist States with SQPs, including non-members of the Agency, through available resources, in the establishment and maintenance of their State Systems of Accounting for and Control of Nuclear Material;

7. 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 and 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;
8. Acknowledges the work of the Advisory Committee on Safeguards and Verification within the Framework of the Agency's Statute in accordance with the Board's decision in June 2005, and appreciates the Secretariat's efforts in supporting that work and the Committee's report of May 2007 to the Board of Governors;
9. Stresses the importance of continuing efforts to improve both the effectiveness and the efficiency of the safeguards system;
10. 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;
11. 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;
12. 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;
13. 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 assurance, through its safeguards conclusions, regarding both the non-diversion of declared nuclear material and the absence of undeclared nuclear material and activities for a State as a whole;
14. 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;
15. Notes that, as of [6] September 2007, [80] States have comprehensive safeguards agreements supplemented by additional protocols in force and that, of these, [47] States have significant nuclear activities and [29] States have operative SQPs;
16. Notes that these [80] States represent a majority of those non-nuclear-weapon States parties to the NPT that have concluded comprehensive safeguards agreements;
17. Notes with regret that 30 non-nuclear-weapon States parties to the NPT have yet to conclude a comprehensive safeguards agreement.
18. Further invites the nuclear-weapon States to keep the scope of their additional protocols under review;
19. Notes the important contribution that State-level integrated safeguards approaches can make to the efficiency of safeguards implementation without undermining its effectiveness and welcomes the fact that, as of [...] September 2007, the Secretariat has developed such approaches for [] States and is implementing such approaches for [] States;

20. Urges the Secretariat to continue to ensure that the transition to integrated safeguards is given high priority and that the elements of the conceptual framework are continually refined in the light of experience and technological developments with a view to maximizing cost savings and maintaining effectiveness;
21. Acknowledges that Agency safeguards can achieve further effectiveness and efficiency when a State-level perspective is used in the planning, implementation and evaluation of safeguards activities, taking into account the range of available safeguards measures, in conformity with the relevant safeguards agreement(s) in force for the State;
22. Encourages the Secretariat and State and regional systems of accounting for and control of nuclear material to explore the possibility of increased cooperation, taking into account their responsibilities and competencies;
23. Notes the commendable efforts of some Member States, notably Japan, and the Secretariat in implementing elements of the plan of action outlined in resolution GC(44)/RES/19 and the Agency's updated plan of action (September 2007), 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;
24. 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;
25. Commends the Director General and the Secretariat for the continued objective, factual and technically based reporting to the Board of Governors and the General Conference on the implementation of safeguards with appropriate reference to relevant provisions of safeguards agreements;
26. 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;
27. 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; and
28. Requests the Director General to report on the implementation of this resolution to the General Conference at its fifty-second (2008) regular session.