



JAMES MARTIN CENTER FOR
NONPROLIFERATION STUDIES

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Vienna Center for Disarmament
and Non-Proliferation

FACT SHEET #3

Information Relevant to the IAEA General Conference

Topic: Safeguards Resolution

WHAT IS THE SAFEGUARDS RESOLUTION?

The full title of the “Safeguards Resolution” is “Strengthening the Effectiveness and Improving the Efficiency of the Safeguards System and Application of the Model Additional Protocol.” Sponsored by the European Union, it has been tabled at the General Conference annually since 1991. The resolution is supposed to reflect Member States’ views on the implementation of IAEA safeguards and further improvement of the system. It covers the issues of verification standards, new developments and approaches in safeguards, status of safeguards agreements, improvement of the Agency’s technical capabilities, and other issues.

Until 2007, the resolution as a whole was adopted by the General Conference (GC) without a vote, although starting in 2001, at the request of India, Israel, and Pakistan, the conference has been voting separately on the operative paragraph calling for universal application of comprehensive safeguards. Comprehensive safeguards are mandatory for non-nuclear-weapon states party to the Nuclear Nonproliferation Treaty (NPT), and the three non-NPT states-parties object to the language that suggests they should be subject to the same requirement. India, Israel, and Pakistan are members of the IAEA and implement safeguards on some but not all nuclear facilities in their territories, as all three possess nuclear weapons.

Since 2007, Member States have not been able to adopt the Safeguards Resolution without a vote, and in 2011, no resolution was adopted at all. It is likely to come up for a vote again at this year’s GC.

WHAT ARE SOME OF THE CONTROVERSIAL ISSUES?

The 2007 breakdown of agreement on the Safeguards Resolution was implicitly related to the **Middle East issues**. Frustrated with the lack of progress on the Middle East WMD-free Zone and unable to bring the Israeli Nuclear Capabilities resolution to a vote at the GC, Arab states sought to introduce changes in the Safeguards Resolution, and when those amendments failed, requested a vote on the resolution overall. (For more on the Middle East issues, see *Factsheet # 2.*) Proposed changes emphasized the role of nuclear-weapon-free zones in strengthening safeguards implementation and also introduced language on the IAEA role in verification of fissile material taken out of weapons programs and disarmament verification more broadly. In subsequent years, the Arab Group continued to request a vote and abstain on the Safeguards Resolution, citing the need for balance in the handling of different issues before the GC (i.e., disarmament verification vs. safeguards) and calling for universalization of the NPT and comprehensive safeguards. Iran sometimes joins the Arab states in abstaining on this resolution.

Other countries, including Brazil, Iran and South Africa, have also spoken of the need to recognize a potential **IAEA role in nuclear disarmament verification**. Disagreement over references to nuclear disarmament was among the main reasons that in 2011, Member States could not agree on a draft text and did not adopt the Safeguards Resolution. The following year, Iran actively pushed for inclusion of disarmament language in the



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draft resolution and proposed amendments to that effect. However, it did not secure any significant support among the Non-Aligned states and the amendment was easily defeated. In casting a vote against Iran's amendment, however, many non-nuclear-weapon states were not objecting to the goal of nuclear disarmament or the IAEA's role in it *per se*, but were rather anxious to preserve compromise on other issues covered in the Safeguards Resolution. This year, Iran might again request to include a reference to nuclear disarmament in the Safeguards Resolution, but given the defeat in 2012, the change in leadership in Tehran and a new representative in Vienna, as well as possible resumption of talks with the P5+1, it will likely not pursue the issue as actively.

The issue of **universalization of the Model Additional Protocol** has been another point of disagreement in the negotiation of the Safeguards Resolution. The voluntary Additional Protocol complements comprehensive safeguards agreements and provides the IAEA with additional verification tools, such as expanded state declarations, environmental sampling and other measures. It allows the Agency to verify not only the non-diversion to weapons purposes of declared nuclear material, but also draw conclusions regarding the absence of undeclared nuclear material and activities in a state. EU and other Western states routinely seek to have the Safeguards Resolution recognize the Additional Protocol as the verification standard, while countries such as Brazil, Argentina, Iran, and Egypt object on the grounds that comprehensive safeguards are enough and the Additional Protocol should remain a voluntary measure. The text of the adopted resolution, therefore, usually recognizes the Additional Protocol as an important measure but stops short of endorsing it as the verification standard for all non-nuclear-weapon states.

The most recent source of controversy is the so-called **"state-level" approach** (or state-level concept) in safeguards, which emphasizes broader, comprehensive information about a state's nuclear program beyond traditional inspections and declarations. According to the Agency, the state-level approach allows it to more efficiently use its limited resources and focus more on detection of possible undeclared activities. The IAEA began implementing the state-level (or state-specific, taking into account factors specific to an individual state) approach in 2001 and introduced the "state-level concept" in the Safeguards Implementation Report in 2004. Since 2008, the Safeguards Resolution has contained references to the state-level approach and in one case urged the IAEA Secretariat to continue its implementation.

Some states, however, have begun to question the fairness of the state-level approach and sought further explanations from the IAEA Secretariat regarding its implementation. In 2012, Russia objected to the endorsement of the state-level approach in the Safeguards Resolution on the grounds that it was never properly reviewed and approved by the Board of Governors. The compromise that allowed the resolution to be adopted was that the Secretariat would submit a report to the Board of Governors on "the conceptualization and development" of the state-level approach. This report was submitted in August 2013, but has reportedly fallen short of Russia's expectations. Several leading non-nuclear-weapon states, including South Africa and Brazil, also continue to object to the approach and were not satisfied with the explanations provided in the August 2013 report. At the September 9-13, 2013 Board of Governors meeting, the agency's Secretariat was tasked with submitting a revised report in a year.

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