



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

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## 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.

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## WHAT IS THE STATE-LEVEL CONCEPT?

### WHY IS IT IMPORTANT?

In the past two years, the main source of controversy surrounding the Safeguards Resolution has been the **state-level concept** (SLC). The SLC is a comprehensive approach to implementing safeguards that emphasizes using all available and relevant information about a state’s nuclear program to guide the Agency’s safeguards activities in that state, instead of focusing on specific facilities. A safeguards implementation plan for a specific state that uses this concept is called **a state-level approach**. According to the IAEA, applying state-level approaches allows it to more efficiently use its limited resources and focus more on detection of possible undeclared activities. The IAEA Secretariat says it began implementing state-level (or state-specific, taking into account factors specific to an individual state) approaches for several states in 2001. The secretariat introduced the term “state-level concept” in the Safeguards Implementation Report in 2005. Since 2008, the Safeguards Resolution has contained references to the state-level concept and in one case urged the IAEA Secretariat to continue its implementation.



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Some states, however, have begun to question the fairness of the state-level concept and sought further explanations from the IAEA Secretariat regarding its implementation. In 2012, Russia objected to the endorsement of the state-level concept 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 state-level approaches. This report was submitted in August 2013, but fell short of Russia’s expectations. Several non-nuclear-weapon states, including South Africa and Brazil, also raised objections to the concept and were not satisfied with the explanations provided in the August 2013 report. Consequently, they opposed the inclusion in the Safeguards Resolution of the text encouraging the IAEA to implement the state-level concept. In September 2013, the Board of Governors tasked the Agency’s Secretariat with submitting a supplement to the report within a year.

Concerns about the SLC that some states have raised include the suspicion that the approach is discriminatory and allows for the use of political, rather than technical, factors to guide safeguards implementation. The use of intelligence information provided by member states has also played into this concern. Some have also questioned the IAEA’s authority to look for indications of undeclared nuclear materials and activities in states that do not have in place the Additional Protocol. (For Additional Protocol, see the next section below.)

Following the Board’s request, in August 2014 the IAEA Secretariat completed the Supplementary Document to the 2013 report, providing further background and explanations of the state level concept. However, Russia, Brazil, and several other states reportedly are not yet satisfied with the Supplementary Document and have sought further clarifications ahead of the September 2014 meeting of the Board of Governors. If the issue is not settled at the Agency’s Board meeting on September 15-19, 2014, it could once again prove controversial at the GC.

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## WHAT OTHER SAFEGUARDS ISSUES ARE DISCUSSED?

The 2007 breakdown of agreement on the Safeguards Resolution was implicitly related to **-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 *Fact Sheet # 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**. Some of the nuclear-weapon-states, on the other hand, have resisted the inclusion of references to disarmament in the safeguards resolution. Disagreement on this issue 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 draft resolution and proposed amendments to that effect, which, however, were easily defeated. Many non-nuclear-weapon- states, while having no objections to the goal of nuclear



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disarmament and the IAEA's role in it, were anxious to preserve compromise on other issues covered in the Safeguards Resolution.

In 2013, Member States revisited the question of the IAEA's role in disarmament verification. Based on the proposals from Switzerland, Brazil, Egypt, and South Africa, the text of the resolution recalled that the IAEA should act in accordance with the UN policies in "furthering the establishment of safeguarded worldwide disarmament." The reference to disarmament was not as far-reaching as some non-nuclear-weapon states desired, and it is possible that they could return to this issue at the 2014 General Conference.

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.

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- **Gaukhar Mukhatzhanova**

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