

Preparatory Committee for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Safeguards

Working paper presented by the members of the Group of Non-Aligned States parties to the Treaty on the Non-Proliferation of Nuclear Weapons

1. The Group of Non-Aligned States Parties to the Treaty expresses its strong concern at the growing resort to unilateralism and unilaterally imposed prescriptions and, in this context, strongly underlines and affirms that multilateralism and multilaterally agreed solutions, in accordance with the Charter of the United Nations, provide the only sustainable method of addressing disarmament and international security issues. In this regard, the Group underlines that the IAEA-established multilateral mechanism is the most appropriate way to address verification and safeguards issues.
2. The Group of Non-Aligned States Parties to the Treaty stresses the importance of the IAEA safeguards system. In this regard, the Group urges all States that have yet to bring into force comprehensive safeguards agreements to do so as soon as possible. The 2000 Review Conference considered this as a main objective to consolidate and enhance the verification system for the non-proliferation regime. However, the Group does not desire to see international efforts towards achieving universality of comprehensive safeguards to wither away in favour of pursuing additional measures and restrictions on non-nuclear-weapon States, which are already committed to non-proliferation norms and which have renounced the nuclear-weapon option. The Group also expresses its strong rejection of attempts by any Member State to use the technical cooperation programme of IAEA as a tool for political purposes in violation of its statute.
3. The Group of Non-Aligned States Parties to the Treaty fully recognizes the role of IAEA as an independent intergovernmental, science and technology-based organization in the United Nations system, which serves as the sole verification agency for nuclear safeguards and the global focal point for nuclear technical cooperation.
4. The Group of Non-Aligned States Parties to the Treaty reiterates that the work of IAEA with regard to safeguards and verification needs to be conducted in



accordance with the provisions of its statute and relevant safeguards agreements, including the Model Additional Protocol, where applicable. The Group emphasizes that it is fundamental to make the distinction between legal obligations and voluntary confidence-building measures in order to ensure that such voluntary undertakings are not turned into legal safeguards obligations. In this regard, the Group also emphasizes that IAEA shall ensure avoiding any ultra vires acts jeopardizing its integrity and credibility. The Group urges States Parties to the Treaty to maintain and strengthen the technical character of IAEA consistent with the role defined for it in the statute.

5. With respect to safeguards, the Group of Non-Aligned States Parties to the Treaty believes that the differentiated nature of the financial obligations undertaken by States members of IAEA should be recognized and respected by IAEA in its work.

6. The Group of Non-Aligned States Parties to the Treaty welcomes the ratification by Afghanistan, Haiti, the Libyan Arab Jamahiriya, Turkmenistan and Uganda of the Additional Protocols and the signing of the Protocols by Belarus, Benin, Cape Verde, Comoros, the Dominican Republic, Honduras, Malaysia, Senegal, Singapore, Thailand, Tunisia and Viet Nam.

7. The Group of Non-Aligned States Parties to the Treaty considers that the full implementation of the pertinent resolutions and decisions of the IAEA General Conference on safeguards and verification and those of the Board of Governors relating to strengthening the effectiveness and improving the efficiency of the safeguards is key to the overall improvement of the safeguards system.

8. The Group of Non-Aligned States Parties to the Treaty notes the importance of maintaining the principles of confidentiality regarding safeguards, and since the Agency is the only organization which receives highly confidential and sensitive information on the nuclear facilities of the Member States, the confidentiality of the information should be respected and information should not be provided to those not authorized by the Agency to receive it.

9. The Group of Non-Aligned States Parties to the Treaty underlines the importance that the reporting of the IAEA on the implementation of safeguards should continue to be factual and technically based and reflect appropriate reference to the relevant provisions of safeguards agreements.

10. The Group of Non-Aligned States Parties to the Treaty stresses the need to strictly observe the provisions of the IAEA Statute, including article 12 which outlines the mandate of the Agency in verifying compliance with safeguards agreements and in particular that any non-compliance has first to be reported by the Agency's inspectors.