

2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Main Committee II

Summary record of the 4th meeting

Held at Headquarters, New York, on Thursday, 11 August 2022, at 10 a.m.

Chair: Ms. Krois (Poland)

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The meeting was called to order at 10.10 a.m.

Focused exchange of views (continued)

1. **The Chair** said that Main Committee II would continue its discussion of issues under the nuclear non-proliferation cluster.

2. **Mr. Majozi** (South Africa) said that his delegation had noted the interest of certain States parties to the Non-Proliferation Treaty in embarking on naval nuclear propulsion programmes, including some which involved the transfer of highly enriched uranium from the nuclear-weapon States to non-nuclear-weapon States. South Africa was concerned by the potential impact of such programmes on the Treaty and had also noted with concern the limited amount of information available on the programmes being considered or currently under way. As any decision to be taken on naval nuclear propulsion programmes would set a precedent for the future, his delegation wished to recommend that the Review Conference: (a) call for full transparency in their consideration; and (b) mandate the International Atomic Energy Agency (IAEA) to elaborate a comprehensive and universality applicable mechanism for their consideration, monitoring and verification.

3. **Mr. Countryman** (United States of America) said that he wished to comment on statements made at the previous meeting by the representative of China (see [NPT/CONF.2020/MC.II/SR.3/Add.1](#)). Many of the unilateral interpretations by China of plain language were unique and self-serving. They reflected the rejection by Beijing of a rules-based order that frustrated its pursuit of regional hegemony. The enhanced trilateral security partnership between Australia, the United Kingdom and the United States (AUKUS) did not exploit any loophole in the Non-Proliferation Treaty or in any other related instrument, as the IAEA Director General had clearly explained. Rather than argue directly with the Director General, China was seeking to politicize the issue in a manner intended to compromise the technical objectivity of the Agency. That was just one example of the many double-standards of China, which was demanding that a non-nuclear-weapon State give up the confidentiality of its engagements with IAEA on the implementation of its safeguards agreements. It laid bare the view of China that transparency was for small Powers, not great Powers.

4. China had also made clear that it was not willing to participate in good-faith negotiations on nuclear arms limitations, until its arsenal numbers were more equal to those of other nuclear-weapon States. The reason given by China for refusing to engage in such negotiations, and its plans to triple the size of its arsenal, was a

strategic choice, and a destabilizing one. If China wished to be a responsible Power then it needed to assume the commensurate security responsibilities, which included negotiating limitations on nuclear arms in order to prevent a nuclear arms race. The nuclear-weapons build-up by China risked undermining decades of international progress towards nuclear disarmament. Instead of lecturing others, if China spent just 1 per cent of that time in direct discussions with the United States, progress could be made.

5. **Ms. Kristanti** (Indonesia) said that she wished to draw attention to her country's working paper on the issue of nuclear naval propulsion ([NPT/CONF.2020/WP.67](#)), which laid out its concerns over related risks and challenges that could undermine the non-proliferation regime and the safeguards regime. In view of the loopholes identified, the Review Conference should provide political guidance that would enable IAEA to work on effective legal and technical arrangements for safeguarding nuclear naval propulsion activities. To that end, States parties to the Non-Proliferation Treaty should engage constructively in inclusive and transparent deliberations on propulsion verification and monitoring arrangements, including by addressing areas such as enhancing safeguards agreements, tightening monitoring measures and preventing potential diversion. In view of the imbalance in the Treaty obligations, all States parties should avoid creating precedents that would worsen the existing discrimination.

6. **Mr. Dandy** (Syrian Arab Republic) said that issues related to non-proliferation and complete and comprehensive nuclear disarmament should be dealt with in a balanced manner. Pressure should be placed on Israel to unconditionally and immediately accede to the Non-Proliferation Treaty as a non-nuclear State and to submit its nuclear facilities to international inspection by committing to IAEA comprehensive safeguards. Furthermore, the nuclear-weapon States must pledge, pursuant to article I of the Non-Proliferation Treaty, not to transfer to Israel any nuclear weapons or explosive devices. Lastly, tripartite cooperation under AUKUS undermined regional stability, posed a grave risk to non-proliferation and contravened the essence and purpose of the Treaty.

7. **Mr. Ding Tongbing** (China), responding to the remarks made by the representative of the United States of America on the position of China on AUKUS, said that his delegation did not accept the view of the United States that China had self-servingly and unilaterally interpreted provisions of the Non-Proliferation Treaty. The United States was in no position to deny the basic fact that countries had different opinions on whether AUKUS submarine cooperation contravened the

provisions of the Treaty and whether safeguards should be applied. China of course accepted that neither it, nor the United States, nor a small number of other countries, should unilaterally interpret the provisions of the Treaty. The interpretation of such provisions should be decided by all States parties, as that was their right and responsibility.

8. In response to the allegation of the United States that China was politicizing AUKUS, China stressed that AUKUS was itself a politicized project. The United States had established that partnership, patching up new military alliances in the Asia Pacific and transferring highly sensitive naval propulsion reactors with weapons-grade highly enriched uranium to non-nuclear-weapon States. That of course was a political and legal issue. Therefore, all States parties must discuss the relevant issues.

9. China did not agree with the statement of the United States that China practised double standards in requesting a “smaller Power” to demonstrate transparency. China did not believe that Australia was a small country, in particular considering that it was an ally of the United States and would accept nuclear submarines from the United States. The United States advocated the principle of transparency and emphasized that AUKUS would choose the highest standards of transparency and non-proliferation. In the context of AUKUS submarine cooperation, the United States should not fear transparency, as transparency alone would win the trust of the international community. If the United States practised double-standards when it came to AUKUS submarine cooperation and transparency and was bent on transferring a naval propulsion reactor to Australia, that would create new inequalities among the nuclear-weapon States. Some countries would not have the right to acquire naval propulsion reactors because of their non-proliferation records while others, believed to have good non-proliferation credentials, could blatantly engage in cooperation with respect to naval propulsion reactors and weapons-grade highly enriched uranium.

10. Although the issue of responsibility for nuclear disarmament was within the purview of Main Committee I, the United States had launched a discussion of the subject within Main Committee II. Did that show respect for the rules? China had repeatedly stressed that the United States, as the possessor of the largest and most advanced nuclear arsenal, should assume special and primary responsibility and take additional measures to substantially and significantly reduce its arsenal in order to create the conditions for general and complete disarmament.

11. Based on the discussion of that day and the previous day, it was obvious that there were many differences among States parties to the Treaty regarding whether AUKUS submarine cooperation was in line with the Treaty and whether or how to apply IAEA safeguards provisions. Since States parties had different views, it was only natural to engage in candid discussions. The recommendation of China was very clear. A framework should be established in the Review Conference that allowed States parties to engage in further discussions and IAEA should be supported in launching an intergovernmental process open to all interested States parties to discuss AUKUS submarine cooperation and all aspects of the relevant safeguards.

12. **Mr. Vishnevetskii** (Russian Federation) said that the emergence of the AUKUS partnership had raised tensions, threatened security and might lead to another spiral of the arms race. Furthermore, the partnership might even extend beyond a bilateral arrangement to include other countries. The plans related to the building of submarines gave rise to concerns and any statements that implied that such submarines would not have nuclear weapons were just words. It was not very difficult to equip submarines with nuclear weapons, especially as AUKUS was a multi-year project and no guarantees were provided about future decisions that might create a situation in which conventional submarines would be equipped with nuclear weapons. There was a lack of transparency and it remained unclear what type of fuel would be used.

13. There were also more general concerns related to the infrastructure that would be built for the submarines, which could support other military activities within the AUKUS partnership. Statements that nuclear weapons would not be transferred within the partnership were merely statements; what would in fact happen in the future was unclear, which was why the statements and the levels of transparency shown by the members of the partnership were clearly insufficient. His delegation was surprised by the statements made by representatives of the United States about ongoing intensive and detailed dialogues with IAEA. Such discussions took place only with the secretariat of the Agency. IAEA member States received no information in that regard, so what transparency was there? Was such transparency only related to discussions with the secretariat or did it also relate to dealings with the IAEA Board of Governors? A request for the members of the partnership to show greater levels of transparency was a normal one because precedents did not exist. His delegation saw a potential proliferation risk in that regard, which had naturally led to reactions and comments from other IAEA member States. Many delegations were referring to the lack of

transparency by the AUKUS partners during the Review Conference, and that fact should in some way be reflected in the final document.

14. **Ms. Thomas Ramírez** (Cuba) said that her delegation was concerned that the AUKUS agreement undermined the spirit and letter of articles I, II, III and IV of the Non-Proliferation Treaty. It was impossible to ignore the fact that the agreement raised the risk of nuclear proliferation and could undermine the shared goal of a world free of nuclear weapons. It should be recalled that the nuclear-weapon States had committed not to transfer, either directly or indirectly, nuclear weapons or other nuclear explosive devices. Non-nuclear-weapon States had also committed to not accept such weapons. A programme such as AUKUS involved many challenges in the area of safeguards. Other programmes could start or end with a nuclear submarine programme, which would create serious proliferation problems and complicate the path towards the elimination of nuclear weapons in a verifiable, irreversible and transparent manner. Cuba therefore joined other delegations in expressing concerns in that regard.

15. **The Chair** said that the discussion would proceed to the thematic cluster of safeguards, which included a broad range of topics that had been addressed in past final documents. Those topics included the following: references to IAEA as a competent authority responsible for verifying and assuring compliance with its safeguards agreements; questions related to the additional protocol and the IAEA safeguards system; the conclusion of comprehensive safeguards agreements and additional protocols; the question of non-compliance with safeguards agreements; the question of legal obligations versus confidence-building measures; the importance and role of confidence-building measures; IAEA access to and the role of the Security Council and the General Assembly in upholding compliance with safeguards; the role of safeguards in nuclear cooperation and peaceful uses; safeguards in the nuclear-weapon States; non-discrimination in the implementation of IAEA safeguards; the confidentiality of safeguards information; the correctness and completeness of declarations; strengthening the effectiveness and efficiency of IAEA safeguards; small quantities protocols; strengthening of State systems of accounting for and control of nuclear material; and the development of safeguards verification technologies.

16. **Ms. Collins** (Ireland) said that her delegation recognized that the IAEA safeguards system was a fundamental component of the non-proliferation regime and played an important role in the implementation of the Non-Proliferation Treaty. Ireland strongly supported

adherence to the additional protocol and considered the comprehensive safeguards agreement and the additional protocol to be the current verification standard under the Treaty. Seventeen years had passed since the IAEA Board of Governors had approved the revision of the standard text of the small quantities protocol. IAEA had concluded the small quantities protocol based on the original standardized text and had recognized that it was a shortcoming in the IAEA safeguards system. The IAEA safeguards system had significantly evolved over the years and there was an increased expectation of transparency and accountability. If States were exempted from providing nuclear material declarations, IAEA could not properly implement verification activities in those States. Ireland called on States developing their civilian nuclear programmes to amend or rescind their small quantities protocols and to sign and ratify the additional protocol to their comprehensive safeguards agreement with IAEA as a matter of priority.

17. Ireland recommended that the Review Conference take the following actions: recognize the role of IAEA as unique and indispensable across the areas of nuclear energy, safety and security and in the implementation of the Treaty; support universal adherence to the additional protocol and consider the comprehensive safeguards agreement and the additional protocol to constitute the current verification standard under the Treaty; and urge States developing their civilian nuclear programmes to amend or rescind their small quantities protocols and sign and ratify additional protocols to their comprehensive safeguards agreement with IAEA as a matter of priority and within a specific time frame. The Conference presented a timely opportunity to reaffirm the importance of universal adherence to IAEA safeguards and to build momentum for progress on the issues of the additional protocol and the small quantities protocol.

18. **Mr. Baude** (France) said that it would be desirable for the final document to reflect the following points with respect to safeguards, which had been raised in the Committee during the general exchange of views. First, the combined implementation of a comprehensive safeguards agreement and an additional protocol would fully guarantee respect for the objectives of article III of the Non-Proliferation Treaty. Second, States should be called upon to update the list in the additional protocol of non-nuclear equipment and materials to reflect technological developments made since its adoption. Third, States with an older model of the additional protocol or the small quantities protocol should amend or update it because it was out of date. Fourth, IAEA should continue to enhance its work with the State-level safeguards approaches without discrimination or new

obligations in order to improve the consistency of the safeguards system. Fifth, IAEA should be supported in implementing its Comprehensive Capacity-Building Initiative for State Systems of Accounting for and Control of Nuclear Material and State and Regional Authorities (COMPASS). Lastly, with respect to non-compliance, it was necessary for the final document to underscore the need for States to comply with their IAEA safeguards obligations and all pending issues should be settled in a proactive and cooperative manner.

19. **Mr. Ozawa** (Japan) said that the IAEA safeguards system was fundamental to the success of the Non-Proliferation Treaty. His delegation firmly supported efforts to strengthen the effectiveness and efficiency of safeguards and viewed the combination of a comprehensive safeguards agreement and an additional protocol as the de facto universal verification standard. Japan supported capacity-building by sharing its experience and contributing to the Nuclear Security Fund. It also supported the proposal of the delegation of Ireland with respect to safeguards.

20. **Mr. Friele** (Canada) said that the present and future of the Non-Proliferation Treaty depended on the effective functioning of the IAEA safeguards system. The Review Conference must therefore recognize the essential role of IAEA in verifying compliance with non-proliferation obligations through safeguards and call for the universal application of IAEA safeguards in accordance with article III of the Treaty. The Conference should also recognize a comprehensive safeguards agreement and an additional protocol as the de facto verification standard pursuant to article III of the Treaty, including the fact that the additional protocol was a long-standing and integral part of the IAEA safeguards system. Together, those instruments provided the most effective framework for enabling the Agency to verify the correctness and completeness of States' nuclear declarations. They provided assurance of the exclusively peaceful nature of the nuclear activities of non-nuclear weapon States, including the non-diversion of nuclear material placed under safeguards and the absence of undeclared nuclear material and activities.

21. The Review Conference must urge States that had not yet done so to bring into force comprehensive safeguards agreements and additional protocols without delay. The Conference should also call on relevant States to rescind or amend their unmodified small quantities protocols as soon as possible. The Conference must support language urging States to cooperate fully and proactively with IAEA in implementing safeguards agreements so that the Agency could draw safeguards conclusions regarding the correctness and completeness of the declarations of those States. It was also imperative

for the Conference to call on States to remedy non-compliance with their Treaty safeguards obligations without delay and to underscore the importance of the ability of IAEA inspectors to discharge their duties without fear or intimidation.

22. The Review Conference should be prepared to welcome the continued evolution of effective and efficient safeguards and to underscore support for the progress made by IAEA in developing and implementing State-level safeguards approaches. His delegation wished to draw the Committee's attention to the working paper submitted by the Non-Proliferation and Disarmament Initiative ([NPT/CONF.2020/WP.10](#)), which, in section 9, included specific language proposals on those critical safeguards issues. It also drew the Committee's attention to the working paper submitted by the Vienna Group of Ten ([NPT/CONF.2020/WP.3/Rev.1](#)), which included relevant proposals on compliance and verification issues. Canada fully supported the inclusion of that language in the final document.

23. **Mr. Countryman** (United States of America) said that the purpose of safeguards was to prevent the diversion of nuclear material to nuclear weapons through the basic obligation of a State party to a comprehensive safeguards agreement to accept safeguards on all nuclear material and through the technical objective of detecting the diversion of nuclear material. The purposes of safeguards were therefore to provide assurance through verification and to notify the international community when concerns arose so that any non-compliance could be deterred and addressed. While the implementation of comprehensive safeguards agreements should aim to provide such assurances, IAEA would, in practice, issue the "broader conclusion" only for States for which inspectors had the additional information and access tools provided by the additional protocol. Through the broader conclusion, IAEA provided assurance about the absence of undeclared nuclear activities.

24. Any text agreed at the Review Conference should reflect the fact that the combination of a comprehensive safeguards agreement and an additional protocol had become the de facto standard for achieving safeguards objectives under the Non-Proliferation Treaty. The United States was pleased to join the statement issued by the Regional Forum of the Association of Southeast Asian Nations on preserving Southeast Asia as a nuclear-weapon-free zone, which called for strengthening the effectiveness and efficiency of the IAEA safeguards regime, including through universalization of the additional protocol. An additional protocol should also be the standard for nuclear exports. Furthermore, a modified small quantities protocol was part of that

standard because, as the IAEA Director General had stated, the original small quantities protocol was simply not adequate for the current safeguards system. The United States was concerned that the Agency's ability to draw a credible and soundly based annual safeguards conclusion for States without a modified small quantities protocol was significantly affected by a lack of information and access.

25. The implementation of safeguards should not be a burden on peaceful nuclear programmes, particularly as IAEA and many of its member States offered assistance in their implementation. The new IAEA COMPASS initiative was welcome. The United States encouraged States to take advantage of the assistance offered and encouraged States that were in a position to help to do so.

26. The effective implementation of safeguards required cooperation between the State concerned and IAEA. His delegation noted with concern a number of cases in which IAEA had reported that the required cooperation had not been forthcoming. It was also concerned about incidents of harassment of IAEA inspectors. The need for cooperation was clearly stated in the preamble to the Treaty, which expressed the undertaking to cooperate in facilitating the application of IAEA safeguards on peaceful nuclear activities. That undertaking was also contained in the text of comprehensive safeguards agreements. The Review Conference should therefore call on all States with safeguards agreements in force to cooperate fully with IAEA in their implementation and not to harass or intimidate inspectors. His delegation also endorsed the text proposed by the delegation of France.

27. The previous day, the Ministers for Foreign Affairs of the Group of Seven had issued a statement in support of IAEA efforts to promote nuclear safety and security and to apply safeguards at the Zaporizhzhia nuclear power plant in occupied Ukraine. His delegation remained profoundly concerned by the seizure of Ukrainian nuclear facilities by Russian armed forces, which undermined the ability of IAEA to monitor peaceful nuclear activities of Ukraine for safeguards purposes. It was important to facilitate a mission of IAEA experts, including safeguards inspectors under the authority of the comprehensive safeguards agreement and additional protocol of Ukraine, to the Zaporizhzhia nuclear power plant to address concerns in a manner that respected full Ukrainian sovereignty over its territory and infrastructure.

28. Naval nuclear propulsion programmes were allowed under the Treaty and under comprehensive safeguards agreements. States pursuing such programmes must do so in a manner consistent with

their obligations under the Treaty and their safeguards agreements. It was critical that measures be applied that provided continuous verification assurance that the nuclear material used in naval nuclear propulsion was not diverted to weapons purposes. The AUKUS partners were committed to achieving the highest possible IAEA safeguards standards for the nuclear material used in the Australian naval nuclear propulsion programme, an approach that was made possible and credible by that country's exemplary non-proliferation credentials. The additional transparency made possible by the additional protocol was essential to such verification arrangements.

29. **Ms. Mikeska** (Germany) said that the IAEA safeguards system should emerge strengthened from the Review Conference. Germany supported the universalization of the additional protocol, which, along with comprehensive safeguards agreements, constituted the current verification standard. She drew attention to the safeguards recommendations contained in paragraphs 43 to 52 of the joint working paper submitted by the members of the Non-Proliferation and Disarmament Initiative ([NPT/CONF.2020/WP.10](#)).

30. **Ms. Jones** (United Kingdom) said that, for the past 50 years, the Non-Proliferation Treaty and the IAEA safeguards system had been the foundation of the international non-proliferation architecture. IAEA, as the sole competent authority for verifying States' compliance with their safeguards agreements, deserved full support in carrying out its essential independent technical role. States should move swiftly to rectify any cases of non-compliance with their safeguards agreements. IAEA had also brought to the attention of its member States cases of significant anomalies and inconsistencies with safeguards agreements. All States were urged to provide the necessary cooperation with the Agency to ensure that it could discharge its important mandate.

31. Her delegation reiterated its condemnation of the aggression of the Russian Federation in Ukraine, which was impeding IAEA from fully and safely conducting safeguards verification at nuclear facilities within the internationally recognized borders of Ukraine in accordance with the Treaty, the safeguards agreement of Ukraine and the IAEA statute. She recalled the resolution on the safety, security and safeguards implications of the situation in Ukraine, adopted by the IAEA Board of Governors on 3 March 2022, in which the Russian Federation was called upon to immediately cease all actions against any nuclear facility in Ukraine in order for the competent Ukrainian authorities to preserve or promptly regain full control over all nuclear facilities within the internationally recognized borders of Ukraine and in order for the Agency to fully resume

its safeguards verification activities. She also recalled the statement of the Ministers for Foreign Affairs of the Group of Seven in support of the IAEA effort to promote nuclear safety and security at the Zaporizhzhia nuclear power plant in Ukraine.

32. IAEA should exercise its full legal authority in the implementation of safeguards agreements. The Agency should also play a role in promoting the universalization of safeguards agreements and should offer assistance to States with respect to the conclusion and implementation of such agreements. Her delegation commended the IAEA COMPASS initiative, which partnered with States to help them strengthen the effectiveness of safeguards implementation. A comprehensive safeguards agreement was designed to provide verification by IAEA of the correctness and completeness of a State's declaration. While the comprehensive safeguards agreement required that safeguards be applied in relation to all sources of special fissionable material in all peaceful nuclear activities within a State's territory, the Agency could offer only a limited level of assurance regarding the absence of nuclear material. Accordingly, States that had not yet done so should adopt an additional protocol that provided increased assurances regarding the absence of nuclear material, which best fulfilled the objectives of article III of the Non-Proliferation Treaty. To ensure that safeguards continued to be fit for purpose, the Review Conference should recommend that annex II of the additional protocol be reviewed to reflect developments over the past 25 years.

33. In addition, States with unmodified small quantities protocols should amend them to reflect the updated standard. As IAEA had noted, States with unmodified small quantities protocols presented difficulties for safeguards, significantly affecting the Agency's ability to draw soundly based safeguards conclusions. The Conference would affirm those important principles.

34. The IAEA safeguards system must continue to evolve to meet future challenges. The United Kingdom strongly supported the Agency's progressive implementation of State-level approaches. In the light of the statement made by the IAEA Director General at the Review Conference regarding the increasing volume of nuclear material around the world, it was extremely important that the Agency continue to receive the political, financial and technical support necessary to fulfil its mandate.

35. Lastly, naval nuclear propulsion was permitted under the Treaty and foreseen by its legal framework. As the IAEA Director General had made clear in his statement to the Review Conference, States engaging in

naval nuclear propulsion activities should ensure that those programmes were developed in accordance with the highest possible standards of non-proliferation and in compliance with their relevant safeguards obligations. The AUKUS partners were committed to those principles and believed that the level of assurance provided by the additional protocol was essential to such verification processes. States pursuing naval nuclear propulsion should engage fully with IAEA as the sole competent authority for verifying States' compliance with their safeguards agreements. The United Kingdom expressed its full confidence in the technical authority of IAEA to fulfil its mandate in accordance with its statute and in implementation of the IAEA safeguards system. The United Kingdom opposed any additions to the final report that would refer to specific naval nuclear propulsion projects and strongly opposed the formation of any special committees or intergovernmental processes, which would risk undermining the independence and technical authority of the Agency.

36. **Ms. Othman** (Malaysia) said that her delegation wished to underscore the central role of IAEA as the sole competent authority responsible for establishing and promulgating effective safeguards and verification mechanisms for the peaceful uses of nuclear energy. States parties to the Non-Proliferation Treaty should be transparent when complying with the IAEA safeguards and verifications in line with the Treaty. Such transparency would build mutual trust and confidence among States.

37. The ability to verify the peaceful nature of States' nuclear programmes provided credible assurances to others and enabled States parties to engage in the transfer of nuclear equipment, materials and technology for peaceful purposes in accordance with article IV of the Treaty. At the same time, the information and access provided to IAEA by States parties should be held in the highest confidence by the Agency.

38. Her delegation called on the nuclear-weapon States to accept IAEA full-scope safeguards in order to ensure full compliance with their obligations under article I of the Treaty. All non-States parties to the Treaty should accede to it immediately and without preconditions as non-nuclear-weapon States and place all their nuclear facilities under IAEA comprehensive safeguards.

39. **Ms. van Heek ter Hoeve** (Netherlands) said that her delegation wished to draw attention to the working papers submitted by the members of the Non-Proliferation and Disarmament Initiative ([NPT/CONF.2020/WP.10](#)), as presented by the delegation of Germany, and by the Vienna Group of Ten.

The Netherlands noted that non-nuclear-weapon States parties under article III (4) of the Non-Proliferation Treaty were obliged to conclude a safeguards agreement with IAEA but that some had not yet done so. The universal application of IAEA safeguards was fundamental to the nuclear non-proliferation regime. By building confidence in the exclusively peaceful nature of nuclear activities in non-nuclear-weapon States, IAEA safeguards helped create an environment conducive to nuclear cooperation. IAEA comprehensive safeguards agreements, in combination with an additional protocol, constituted the current international verification standard pursuant to article III of the Treaty. States parties had chosen voluntarily to become parties to the Treaty, which obliged them to bring all nuclear material under safeguards. Only with both a comprehensive safeguards agreement and an additional protocol in force could IAEA effectively verify the absence of undeclared nuclear materials and nuclear facilities in a State.

40. The Netherlands recommended that the Review Conference take the following actions: acknowledge the pivotal role of IAEA with regard to safeguards; acknowledge that only with a comprehensive safeguards agreement in force could IAEA effectively verify the completeness of declarations; acknowledge that a comprehensive safeguards agreement together with an additional protocol was the standard for safeguards; urge that all States that had not yet done so conclude both a comprehensive safeguards agreement and an additional protocol without delay and implement them provisionally pending their entry into force; and urge all States parties with unmodified small quantities protocols to rescind or amend them as soon as possible.

41. Furthermore, the Review Conference should: encourage States parties to support IAEA efforts to promote the conclusion of comprehensive safeguards agreements and additional protocols and the amendment of small quantities protocols; call on all States to cooperate fully with IAEA in implementing their safeguards agreements and to comply with all of their safeguards obligations; emphasize that safeguards standards under article III of the Treaty should keep pace with the evolving technologies in order for them to remain an effective tool for the prevention of the diversion of nuclear material from peaceful uses; welcome the continuous improvement of IAEA safeguards, including the standardization of internal processes, through State-level approaches; and call upon all States parties to ensure that IAEA had the political, technical and financial support necessary to effectively meet its responsibility to apply safeguards as required by article III of the Treaty.

42. IAEA inspectors must be able carry out their safeguards work in safety and security, without intimidation or harassment. The Review Conference should therefore call on all States parties to respect the immunities of IAEA staff and allow them to do their important work unhindered.

43. With respect to the issue of nuclear naval propulsion, the Netherlands looked forward to the report that the IAEA Director General would issue to the Board of Governors in September 2022.

44. Lastly, echoing the concerns expressed by the representatives of the United States and the United Kingdom regarding the Zaporizhzhia nuclear power plant, she joined their calls for the IAEA Director General to be allowed to visit the plant as soon as possible.

45. **Mr. Roethlin** (Austria) said that it was his delegation's long-standing belief that the safeguards system was at the core of non-proliferation efforts. It was therefore key that safeguards were applied universally and that all States submit all relevant materials on activities under safeguards. The additional protocol had been a success story since its inception and a growing number of States had brought additional protocols into force since the previous Review Conference. A comprehensive safeguards agreement, together with an additional protocol, represented the current safeguard standard. The Conference should affirm that standard and urge all States parties that had not yet done so to bring additional protocols into force as soon as possible.

46. The original small quantities protocol contained several weaknesses and was outdated. Accordingly, States with unmodified small quantities protocols should rescind or amend them, especially those developing civilian-use nuclear programmes, and bring into force an additional protocol if they did not already have one. States should comply with their safeguards obligations at all times and cases of non-compliance must be resolved as soon as possible. In such cases, full and effective cooperation with IAEA was the highest priority.

47. Lastly, Austria wished to draw the attention of the Committee to the working paper submitted by the Vienna Group of Ten, which contained specific recommendations on safeguards.

48. **Ms. Kristanti** (Indonesia), speaking on behalf of the Group of Non-Aligned State Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, said that her delegation hoped that recommendations 52, 53, 54, 55, 56 and 57, contained in document [NPT/CONF.2020/WP.26](#)

and pertaining to safeguards and verification, would be reflected in the final report.

49. **Ms. Lipana** (Philippines) said that her delegation attached great importance to transparency and confidence-building measures under the IAEA safeguards system, which provided guarantees that nuclear material was used exclusively for peaceful uses and not diverted to the production of nuclear weapons. In line with her country's commitment to observing the highest standards of non-proliferation, the Philippines had concluded and continued to implement, in full, both a comprehensive standards agreement and an additional protocol, pursuant to its obligations under the Non-Proliferation Treaty, the Treaty on the Southeast Asia Nuclear Weapon-Free Zone (Treaty of Bangkok) and the Treaty on the Prohibition of Nuclear Weapons. The Philippines underscored the importance of compliance by States parties with the Non-Proliferation Treaty and with safeguards obligations, including the provision of complete and correct declarations and full cooperation with and support to IAEA in fulfilment of its verification and monitoring functions. All non-nuclear-weapon States parties that had not yet concluded a comprehensive safeguards agreement with IAEA should do so in accordance with article III of the Treaty. States that had not yet concluded an additional protocol should consider doing so in order to provide assurances to the international community regarding the absence of undeclared nuclear material, facilities and activities.

50. **Mr. Elghitany** (Egypt) said that the IAEA comprehensive safeguards system was the cornerstone of the international nuclear non-proliferation verification regime and contributed to the achievement of the objectives of the Non-Proliferation Treaty. International efforts aimed at implementing nuclear non-proliferation commitments under the Treaty and disarmament commitments must be implemented through IAEA verification activities, given that it was the sole international agency with the relevant mandate. Egypt had remained firmly committed to honouring its obligations under its comprehensive safeguards agreement. It was therefore surprising when countries that honoured their commitments were asked to abide by additional verification obligations, especially in the light of the continued existence of completely unsafeguarded facilities in the Middle East. Any effort or proposal aimed at developing safeguards and verification procedures must initially be subject to approval by the relevant IAEA policymaking organs. In that context, the Agency's application and development of the State-level approach within the safeguards system should take place within the framework of strict

adherence to the existing rights and obligations stipulated in the comprehensive safeguards agreements. Moreover, that approach should never be used to impose additional measures not clearly defined in the comprehensive safeguards agreements. It was also important for the Agency secretariat to adhere to the highest level of transparency in that regard and to obtain the approval of the member States involved prior to the application of such an approach.

51. Any endeavours or initiatives aimed at legalizing the nuclear status of some non-States parties to the Treaty by characterizing them as nuclear-weapon possessors risked undermining the credibility of the non-proliferation regime, as such illegal labelling might be used by other States as a justification for their pursuit of nuclear weapons. Egypt also remained deeply concerned about the ability of certain non-States parties to the Treaty to obtain nuclear materials, technology and know-how for the development of nuclear weapons from the nuclear-weapon States. Accordingly, Egypt called for the enforcement, without exceptions or delay, of a total and complete prohibition on the transfer of nuclear technology and materials to non-States parties to the Treaty. The decision entitled "Principles and objectives for nuclear non-proliferation and disarmament" of the 1995 Review and Extension Conference stipulated that arrangements for the supply and transfer of special fissile material or related equipment required, as a prerequisite, the acceptance of full IAEA safeguards and the fulfilment of legal obligations prohibiting the possession or acquisition of nuclear weapons or other nuclear explosive devices. Nuclear cooperation with non-States parties to the Treaty therefore represented a clear violation of that decision.

52. The outcomes of previous Review Conferences had already reached a satisfactory conclusion with regard to the relationship between the requirements of article III of the Treaty and IAEA safeguards. Any attempt to go beyond existing consensus regarding the additional protocol in a manner inconsistent with the Treaty or the voluntary nature of the additional protocol would be legally incorrect. Accordingly, the call to consider the additional protocol as the verification standard under the Treaty was counterproductive. The Final Document of the 2010 Review Conference outlined that in a case where a comprehensive safeguards agreement was supplemented by an additional protocol, the measures contained in both instruments represented "the enhanced verification standard", not "the verification standard". Consequently, priority should be accorded to the promotion of a

comprehensive safeguards agreement, particularly for non-States parties to the Treaty.

53. The imbalance in the legal commitments among the States of the Middle East was an impediment to Egypt assuming any new commitments. Egypt fully adhered to its commitments under the Treaty and abided by its obligations under the comprehensive safeguards agreement concluded with IAEA, which encouraged all partners to engage with Egypt in the field of the peaceful uses of nuclear energy. Furthermore, the model additional protocol was a supplementary measure that bound only those States that had voluntarily chosen to conclude such an instrument with IAEA. All States parties to the Treaty should adopt the same rules and standards, without any sort of discrimination, when dealing with partners when it came to the transfer of nuclear technology. Egypt wished to see the above points reflected in the Committee's report.

54. **Mr. Duarte** (Brazil) said that his delegation had taken note of proposals that the additional protocol be characterized as the new verification standard pursuant to article III (1) of the Non-Proliferation Treaty. According to that article and article III (4) of the Treaty, the verification standard was that enshrined in the model comprehensive safeguards agreement. Since the approval of the additional protocol by the IAEA Board of Governors, its voluntary nature had been reiterated in resolutions adopted by the IAEA General Conference. In addition, the Final Document of the 2010 Review Conference had noted that it was the sovereign decision of any State to conclude an additional protocol. Universalization of the voluntary additional protocol could not be detached from actual obligations stemming from the Treaty. Action 30 of the action plan contained in the Final Document of the 2010 Review Conference stressed that "comprehensive safeguards and additional protocols should be universally applied once the complete elimination of nuclear weapons has been achieved".

55. In 2021, Brazil and Argentina had celebrated the thirtieth anniversary of the Agency for Accounting and Control of Nuclear Materials, a bilateral verification agency that was at the centre of the unique and innovative safeguards model that applied to both countries. Through that organization, Brazil and Argentina verified all nuclear facilities and material in each other's territories. Those bilateral inspections were complemented by IAEA inspections performed under the quadripartite agreement. The robustness of that model had been recognized the previous year by the General Assembly in its resolution [76/52](#) as an innovative and effective bilateral confidence-building mechanism, with positive effects for peace and security

at the subregional and regional levels, and as a reference of best practice in nuclear safeguards and non-proliferation verification. The adoption of that system had brought the safeguards standards in both countries to the highest levels of confidence and transparency.

56. **Ms. Hyvarinen** (Finland) said that IAEA played an indispensable role in the implementation of the Non-Proliferation Treaty. The final document should reflect the fact that the IAEA safeguards system was a fundamental component of the nuclear non-proliferation regime and that a comprehensive safeguards agreement, together with an additional protocol, was the verification standard. The purpose of an additional protocol was to guarantee the peaceful nature of nuclear programmes; the final document should therefore urge its universal adoption. Moreover, consistent universal implementation of the State-level concept would further strengthen the safeguards system. Exact proposed language for the final document was contained in the Vienna Group's working paper.

57. **Ms. Muller** (Switzerland) said that full compliance with safeguards obligations, at all times and without conditions, was indispensable for upholding the integrity of the Non-Proliferation Treaty and for the proper functioning of the non-proliferation regime. A comprehensive safeguards agreement combined with an additional protocol should constitute the current safeguard standard and be reflected accordingly in the final document.

58. With regard to naval nuclear propulsion, while the announcement of the AUKUS partnership had raised questions with regard to the global safeguards regime, the countries concerned could make use of their special responsibility to strengthen the safeguards regime by setting a strong standard. Furthermore, article 14 of the comprehensive safeguards agreement of Australia required an arrangement between that State and IAEA to be submitted for approval by the Agency's Board of Governors. The establishment of a special committee or intergovernmental discussion process at IAEA was not necessary. Transparency by the countries concerned was welcome, including through regular updates to the IAEA Board of Governors.

59. **Mr. Schelstraete** (Belgium) said that efforts by IAEA to modernize its working methods were commendable in the light of the constant evolution of nuclear safeguards, including through its development of new information technology and analytical tools. Given the rapid expansion of civilian nuclear power and growing budgetary pressure, further adaptation of IAEA safeguards was more crucial than ever in order to

maintain their effectiveness and cost-efficiency. The Review Conference should encourage steps in that regard.

60. Real-life experience had shown that a comprehensive safeguards agreement alone could not provide reliable assurance that countries did not possess nuclear material for non-peaceful uses. Moreover, examples of undeclared, secretive nuclear programmes had recently presented themselves. The additional protocol had given IAEA further capacity to effectively verify the absence of undeclared nuclear material and activities; therefore, it should be considered an integral part of the current verification standard under article III of the Non-Proliferation Treaty. Ensuring confidence was crucial, particularly for States that were developing new or expanded nuclear programmes. Moreover, an enhanced nuclear status called for enhanced nuclear responsibility and transparency.

61. The current Review Conference should urge States that had not yet done so to conclude and ratify a comprehensive safeguards agreement and an additional protocol. The Conference should also welcome the increasing number of additional protocols in force, while also urging States with small quantities protocols to amend them or to apply the comprehensive safeguards agreement in full. States parties should be invited by the Conference to support IAEA efforts and to increase the number of additional protocols in force, for example, through outreach and by providing assistance.

62. Lastly, Belgium supported the proposals made by the United States in response to the harassment or intimidation of IAEA inspectors.

63. **Mr. Majozi** (South Africa) said that the robust verification regime of IAEA had enabled the Agency to evaluate the status of peaceful nuclear activities worldwide, in line with the provisions of the Non-Proliferation Treaty. South Africa reiterated its unwavering support for IAEA and its efforts to strengthen the international safeguards system, which was central to international peace and security. The growing diversity of the applications of nuclear technologies underscored the need for the safeguards system to evolve. In that regard, the increasing rate of adoption of additional protocols was welcome. While additional protocols were a voluntary measure adopted by States, their universal adoption would serve to strengthen the global non-proliferation regime.

64. The lack of implementation by certain States of the small quantities protocol was a matter of concern. The Review Conference should call on States that had not yet rescinded their original small quantities protocols to

revise those protocols or to sign comprehensive safeguards agreements, as appropriate. In addition to the recommendations set out in the working paper on safeguards submitted by the Group of Non-Aligned States Parties ([NPT/CONF.2020/WP.22](#)), the final document should include a reaffirmation of IAEA as the sole competent authority responsible for verifying and monitoring the full implementation of safeguards applications by States parties, in line with the provisions of the Treaty and safeguards agreements; call on States that had not yet done so to enter into a comprehensive safeguards agreement with IAEA; reiterate that IAEA safeguards should be regularly evaluated and that decisions adopted by the Agency's policymaking bodies to strengthen those safeguards should be supported and implemented; call on States to rescind their special quantities protocols and enter into comprehensive safeguards agreements or revise their small quantities protocols without further delay, as appropriate.

65. Furthermore, while the adoption of an additional protocol remained a voluntary act of sovereign States, it should be encouraged with a view to building confidence about the peaceful uses of nuclear energy. The Conference should also call for the wide application of safeguards for peaceful nuclear facilities in both the nuclear-weapon and non-nuclear-weapon States. Moreover, the nuclear-weapon States should be called on to declare their stockpiles of fissile material that could be used for nuclear weapons and other explosive devices.

66. Lastly, the Conference should mandate the elaboration of an appropriate legally binding arrangement to ensure the irreversible removal of fissile material designated by each nuclear-weapon State as no longer required for military purposes.

67. **Mr. Del Sar** (Argentina) said that States must fulfil the commitments under their safeguards agreements with IAEA, which were the sole verification standard in compliance with article III of the Non-Proliferation Treaty. That basic mechanism guaranteed the effective implementation of the non-proliferation objectives set out in the Treaty. The safeguards system and its verification role as established by IAEA should be considered an essential element for promoting trust between States and guaranteeing the fulfilment of their obligations in line with the relevant safeguards. In that context, the language on the safeguards obligations of States in the Final Document of the 2010 Review Conference should be recalled, together with the action plan of the 2010 Review Conference, in particular with respect to the additional protocol.

68. It was vital to bear in mind the distinction between the safeguards obligations under article III of the Treaty and the voluntary measures to be adopted in a sovereign manner, with a view to strengthening the application of safeguards. Various annual resolutions of the IAEA General Conference had respected that distinction. Applying safeguards in a new manner was not necessary to ensure their effectiveness. Rather, doing so ran the risk of weakening the robust consolidated system that had produced verified positive results in the area of non-proliferation. The basic agreement relied on an international safeguards system with clear guidelines shared by all, which must not be altered without discussion and subsequent agreement by all States, with respect for article III of the Treaty and the statute of IAEA. The implementation of safeguards must therefore always be in the context of the relevant agreement between the Agency and its member States.

69. Ongoing efforts to strengthen the technical capacities of IAEA in the area of the application of safeguards was key to promoting the modernization of the analytical safeguards laboratories and the network of associated laboratories, which were highly relevant in reinforcing the Agency's nuclear verification activities. The assistance provided by the support programmes of member States represented a tangible contribution in the area of IAEA safeguards. Furthermore, Argentina was committed to providing support for the implementation of various tasks, including through the COMPASS initiative. The Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials should also be recalled as a point of reference for its positive effects in terms of subregional and regional peace and security, and in terms of promoting transparency, confidence and good practices in the areas of verification and non-proliferation.

70. **Mr. Hetland** (Norway) said that IAEA was commendable as the key international institution for verifying and ensuring compliance with non-proliferation obligations. A comprehensive safeguards agreement, with an additional protocol, constituted the global verification standard under the Non-Proliferation Treaty. All States must bring an additional protocol into force and, where applicable, revise their small quantities protocols. The safeguards system was evolving to increase effectiveness and efficiency in its implementation. IAEA efforts to apply the State-level safeguards approach were welcome. With regard to concrete language proposals, the working paper of the Vienna Group of Ten should be noted, particularly the recommendations contained in paragraphs 15 to 26.

71. **Mr. Khaldi** (Algeria) said that the Review Conference should reaffirm that IAEA safeguards were a

fundamental component of the nuclear non-proliferation regime and played a significant role in the implementation of the Non-Proliferation Treaty and the realization of its objectives. Moreover, the role of IAEA as the competent authority responsible for verifying and assuring compliance by States parties with their safeguards agreements and their obligations under the Treaty, in accordance with the statute and safeguards system of IAEA, should be reiterated. Nothing should be done to undermine the authority of IAEA in that regard. The Review Conference should call upon all States parties to ensure that IAEA continued to have all political, technical and financial support to enable it to apply safeguards as required under article III of the Treaty.

72. Any additional measures related to safeguards must not in any way affect or undermine the rights of the non-nuclear-weapon States parties to the Treaty, which were already committed to the non-proliferation of nuclear weapons and had themselves renounced nuclear weapons. Furthermore, efforts aimed at nuclear non-proliferation must run parallel to efforts aimed at nuclear disarmament. Algeria aligned itself with recommendations 47 to 64 of document [NPT/CONF.2020/WP.26](#), and document [NPT/CONF.2020/WP.10](#), particularly recommendations 38 to 52 thereof. The wording of those recommendations should be reflected in the report of Main Committee II.

73. **Ms. Thomas Ramírez** (Cuba) said that Cuba supported recommendations 52 to 64 on safeguards and verification, as contained in document [NPT/CONF.2020/WP.26](#), which should be reflected in the final document. The Review Conference should reaffirm the role of IAEA as the sole competent authority responsible for verifying the fulfilment of the safeguards obligations of States parties pursuant to the Non-Proliferation Treaty. The Conference should also affirm that all States must fully comply with their obligations in the context of the IAEA safeguards system and, at the same time, reject any attempt to prejudge the nuclear programme of a country. Only IAEA had the power and the mandate to verify the nuclear programme of any given country and to issue an opinion on its nature.

74. The Review Conference must underscore the importance of the universality of comprehensive safeguards and urge all States parties that had not yet done so to bring into force comprehensive safeguards agreements, with a view to consolidating and improving the verification system of the non-proliferation and nuclear disarmament regime. The Conference should also recognize that the application of safeguards must not affect the inalienable rights deriving from article IV

of the Treaty or impede the economic or technical development of the parties or international cooperation in the field of nuclear activities for peaceful purposes, including the international exchange of nuclear materials and equipment to develop research, production and use of nuclear material, without discrimination. Any attempt to make that right conditional or to expand the conditions for full exercise of that right must also be rejected, including the proposals to make ratification of the additional protocol obligatory in order to access assistance, cooperation and technology transfer in the nuclear field, or limitations on access by States parties to the nuclear fuel cycle and on their possession of uranium enrichment or reprocessing facilities.

75. All States possessing nuclear weapons and all States that were not parties to the Treaty must be urged to submit all of their nuclear facilities to IAEA comprehensive safeguards, in order to prevent nuclear energy from being diverted away from peaceful uses towards nuclear weapons or other explosive nuclear devices. Doing so could also prevent the transfer of any kind of equipment, information, material, installations, resources or devices related to nuclear energy, including the provision of assistance in the nuclear, scientific or technological fields to States that were not parties to the Treaty, without exception. Cuba reaffirmed its will to make progress towards a safeguards system based on a fair and equitable universal non-proliferation system, leading to the immediate, full and unconditional elimination of nuclear weapons.

76. **Mr. Kondratenkov** (Russian Federation) said that the IAEA system was a very important tool for supporting the Non-Proliferation Treaty regime. IAEA was the sole organization that had the mandate and the technical capacities to carry out verification of the exclusively peaceful nuclear activities of States. Safeguards should be based on technical rather than political matters, and situations in which such safeguards were applied in a different manner for political reasons were unacceptable. For some countries, a special dossier had been established on undeclared natural uranium particles while other countries were given a pass, despite being unable to account for the loss of significant amounts of plutonium over several years.

77. The Russian Federation supported the universalization of the additional protocol to the comprehensive safeguards and urged the countries that still applied the former version of the small quantities protocols to adopt the new version. Nonetheless, such steps should be implemented solely on a voluntary basis. The imposition on sovereign States of additional obligations, compared with those already contained in

the Treaty, was unacceptable. Moreover, any changes in the application of safeguards by States should be approved by the IAEA governing bodies and the specific country in which those safeguards were to be applied. All such ideas should be reflected in any document related to safeguards adopted by the Review Conference.

78. The AUKUS partnership was a cause for concern, as while it did not formally violate their safeguards agreements, those agreements did have gaps that enabled nuclear materials to go unverified, or for a simplified verification procedure to be used. Therefore, a precedent was currently being created that would be used in the future. His delegation urged Australia, the United Kingdom and the United States to renounce their plans for the transfer of the submarines with highly enriched uranium.

79. The use of the safeguards system by certain countries to pursue their political interests was also concerning; the most striking example being the Syrian case, which had been used as an excuse for aggression by the United States, the United Kingdom and other countries, while also supporting terrorism against a sovereign State. Such actions must not be accepted in the future; that point should be reflected in the final document.

80. Lastly, certain statements had been made during the current meeting in relation to Ukraine, particularly by the United States, which proved that the current discussion had nothing to do with safeguards. Attempts to place additional political condition on the visit of IAEA to the Zaporizhzhia nuclear power plant contradicted the safeguards agreement. They also demonstrated that safeguards were once again being manipulated for political purposes and had nothing to do with nuclear non-proliferation.

81. **Mr. Wirstam** (Sweden) said that IAEA safeguards were a fundamental component of the Non-Proliferation Treaty and played an indispensable role in preventing the proliferation of nuclear weapons. At the same time, they helped to create an environment conducive to peaceful nuclear cooperation. The report of Main Committee II should therefore express strong support for the verification role of IAEA under the Treaty, and for strengthening the IAEA safeguards system. Comprehensive safeguards agreements, together with the additional protocol, constituted the current verification standard pursuant to article III of the Treaty. The report should also acknowledge their role and should call for their universalization as the current verification standard.

82. With regard to the safeguards aspects of AUKUS, Sweden aligned itself with the position expressed in the

statement of the European Union. Accordingly, his delegation had taken note of the statements made by Australia, the United Kingdom and the United States that maintaining the integrity of the nuclear non-proliferation regime would be their core objective during the consultative process in the context of future acquisition of nuclear-powered submarines by Australia. The expertise and professionalism of the IAEA secretariat could be trusted to address the matter in an independent and impartial manner, and the IAEA Director General was expected to keep the Board of Governors informed of all aspects related to the Agency's mandate, particularly the work of the AUKUS task force as it developed. Consequently, Sweden did not support the proposal to establish any new forum on AUKUS with IAEA, or any recommendation by the Review Conference to that end. Lastly, the safeguards-related recommendations contained in the Vienna Group of Ten's working paper should be noted.

83. **Mr. Tepper** (Australia) said that Australia aligned itself with the statement made by Germany reflecting the joint work of the Non-Proliferation and Disarmament Initiative and particularly encouraged consideration of the recommended text on safeguards in document [NPT/CONF.2020/WP.10](#). His delegation also drew attention to recommendations 15 to 26 in the working paper of the Vienna Group of Ten.

84. Australia had concluded a comprehensive safeguards agreement and an additional protocol with IAEA, which it considered to be the contemporary standard for verifying the peaceful uses of nuclear energy and the absence of clandestine nuclear programmes. Moreover, the Committee's report should recognize those elements as the current verification standard pursuant to article III of the Non-Proliferation Treaty and urge all States parties that had not done so to bring a comprehensive safeguards agreement and an additional protocol into force without delay. In addition, his delegation supported the State-level concept of IAEA as a measure to continuously enhance the effectiveness of safeguards.

85. The long-standing commitment to safeguards and non-proliferation had led to heightened concerns about the current situation in Ukraine. The invasion and ongoing occupation of Ukraine by Russia represented an acute risk to non-proliferation. Moreover, reports by IAEA that nuclear safeguards data transmission to the Agency's headquarters from the Zaporizhzhia nuclear power plant had been interrupted were deeply concerning. Russia should immediately withdraw from the territory of Ukraine and return control of Ukrainian nuclear sites to the Ukrainian authorities. Australia fully supported the work of IAEA and its Director General to

assist Ukraine in the areas of nuclear safety, security and safeguards.

86. The implementation of safeguards for naval nuclear propulsion was permitted under the Treaty and had been foreseen by the existing legal framework. Furthermore, the naval nuclear propulsion activities of Australia under the AUKUS partnership would occur within the framework of its comprehensive safeguards agreement and additional protocol, ensuring that the non-proliferation framework of his country would continue to be underpinned by the highest possible safeguards standards of IAEA. Australia had full confidence in the technical authority of IAEA as the sole competent authority for verifying the compliance of States with safeguards agreements. A special committee or additional processes should not be formed, as they would call into question the long-established mandate of the Agency to engage with member States on safeguards issues. In that regard, the Committee should consider the working paper entitled "Cooperation under the AUKUS partnership"([NPT/CONF.2020/WP.66](#)).

87. **Mr. Kawalowski** (Poland) said that the comments made by Germany and Australia on their Non-Proliferation and Disarmament Initiative recommendations should be reflected in the outcome documents of the Review Conference. An issue of particular importance to Poland concerned the illegal Russian military aggression against Ukraine, which also negatively affected safeguards implementation and the safety and security of Ukrainian nuclear facilities, and prevented IAEA from fully and safely conducting safeguards verification activities in Ukraine in accordance with the Non-Proliferation Treaty and the Ukrainian safeguards agreement. Concerns in that regard had been expressed in the resolution in March by the IAEA Board of Governors, which had also called for an immediate end to all actions against and at nuclear installations in Ukraine. The Conference should refer to those issues, stressing the importance of effective verification safeguard activities conducted by the Agency in Ukraine and clearly reaffirming commitments stemming from the relevant conventions and decisions of the IAEA General Conference.

88. **Mr. Gil de la Serna** (Spain) said that IAEA safeguards were a fundamental component of the Non-Proliferation Treaty. Their implementation was essential in order to prevent proliferation and to help create an environment conducive to cooperation in the peaceful uses of nuclear technology. In that regard, the Review Conference should express firm support for the verification function of IAEA in the context of the Treaty, together with the strengthening of the IAEA safeguards system. Furthermore, a comprehensive

safeguards agreement, together with an additional protocol, constituted the current verification standard.

89. The Review Conference should call upon the States that had not yet amended or rescinded their small quantities protocols to do so, especially those that had already initiated a nuclear technology programme, and support the efforts of the IAEA Director General in that regard. In addition, the Conference should support the efforts of IAEA to strengthen the effectiveness and improve the efficiency of its safeguards system. The consistent and comprehensive application of the State-level approach would contribute to the realization of that objective.

90. Spain welcomed the information provided by the AUKUS partners and believed that the IAEA secretariat was well placed to address the matter in an independent and impartial manner. Therefore, his delegation did not support the proposal to establish a new IAEA forum on naval nuclear propulsion, or the need for any recommendation within the Review Conference to that end.

91. Lastly, the impact on the integrity of the safeguards system resulting from the Russian military aggression against Ukraine was a matter of concern. That aggression must end as soon as possible to enable IAEA to continue performing its verification tasks at the Zaporizhzhia nuclear power plant without delay, in order to confirm the non-proliferation trajectory of Ukraine.

92. **Mr. Robatjazi** (Islamic Republic of Iran) said that IAEA must conduct its verification activities under safeguards agreements in an impartial, independent and non-discriminatory manner, in order to maintain the credibility of the Agency. The Review Conference should express concern about the lack of application of IAEA safeguards on all nuclear material in certain non-nuclear-weapon States participating in the nuclear sharing arrangements of the North Atlantic Treaty Organization. Moreover, IAEA must fully apply comprehensive safeguards agreements in those States in a non-discriminatory manner, in order to verifying the accuracy and comprehensiveness of the declarations of nuclear materials in those States.

93. The Review Conference should also express concern about the increased reliance by the IAEA secretariat on information provided to it by the intelligence agencies, emphasizing that such reliance would not serve the interests of the Agency and would undermine its impartiality and independence. It was also necessary for the IAEA secretariat to make every effort to respect and reinforce the principle of confidentiality regarding all information related to the implementation

of safeguards in member States. The Conference should encourage the IAEA secretariat to distinguish legal obligations from voluntary confidence-building measures in its reports, and to note that such voluntary undertakings would not be considered as legal safeguards obligations. States parties with small quantities protocols should also be urged to rescind or amend those protocols without delay.

94. IAEA should be encouraged to respect the security procedures of member States applied to protect their nuclear facilities, and refrain from politicizing issues that might arise from the implementation of such procedures. With regard to the additional protocol, Iran would not be able to support any call for non-nuclear weapon States with comprehensive safeguards agreements in force to accept any additional commitments. The comprehensive safeguards agreement was the verification standard recognized under article III of the Non-Proliferation Treaty. In that regard, voluntary measures on enhanced verification did not create a precedent for others, nor did they affect the rights and obligations of Non-Proliferation Treaty States parties.

95. Iran would not be able to support any reference to a State-level approach by IAEA in any form in the Committee's report. With regard to the proposal made by one delegation to use the term "compliance" in relation to the implementation of safeguards commitments, that term must be used in relation to the implementation of nuclear disarmament obligations under article VI of the Treaty. Otherwise, Iran would not be able to accept such a term.

96. **Mr. Dandy** (Syrian Arab Republic) said that IAEA was the only competent authority to assess compliance with safeguards agreements among member States. Moreover, in its assessment of verification activities, IAEA must rely on documented information, and not on intelligence data or on presumptions. It was important to differentiate between the legal commitments of States parties and voluntary measures aimed at confidence building. It was also necessary to avoid providing any technical assistance based on any political or economic considerations that ran counter to the statute of IAEA.

97. His delegation condemned coercive, illegitimate unilateral measures imposed against his country and others. Such measures were likely to hamper the assistance provided to those States in the peaceful uses of nuclear materials, particularly in the medical field and for combating cancer.

98. Lastly, the Committee's report should include the recommendations in paragraphs 52 to 64 of document [NPT/CONF.2020/WP.26](#).

99. **Ms. Van Heek ter Hoeve** (Netherlands) said that certain arguments had defined the additional protocol as a voluntary measure, including the notion that article III of the Non-Proliferation Treaty prescribed only the comprehensive safeguards agreement as an obligation. However, her delegation understood the additional protocol to be one of the agreements referred to under article III, which established that non-nuclear-weapon States parties to the Treaty should conclude agreements. In that connection, the Treaty did not qualify the comprehensive safeguards agreement as sufficient, nor the additional protocol as voluntary. Furthermore, the Netherlands would object to any language in the report suggesting that IAEA was not impartial or would not be allowed to use all relevant safeguards information at its disposal.

100. **Ms. Hasan** (Iraq) said that his delegation supported the recommendations contained in documents [NPT/CONF.2020/WP.10](#) and [NPT/CONF.2020/WP.26](#). Efforts to lessen the danger of nuclear weapons would not be complete without the safeguards regime. Much progress had been made in terms of compliance with those agreements; the final document should stress the importance of the universality of such agreements, without discrimination. The regime was the only protection for the international community against the use of such weapons, and for the maintenance of international peace and security.

101. The role of IAEA under its mandate was crucial. All States, particularly developing ones, had the right to develop and use nuclear technology for peaceful purposes. Moreover, they had the right to acquire such technology without any obstacles or discrimination. There should be no link between non-proliferation and the right to use nuclear materials for peaceful means, or any attempt to condition the provision of such assistance, as doing so would harm the interests of States, particularly developing ones.

102. **Ms. Kim Jinjoo** (Republic of Korea) said that a comprehensive safeguards agreement combined with an additional protocol constituted the verification standard of the safeguards regime; the final document should therefore support their universalization. It was also important for States to rescind or update any outdated small quantities protocols. Furthermore, the universalization of comprehensive safeguards agreements, additional protocols and updated small quantities protocols was central to strengthening the non-proliferation regime.

103. The Republic of Korea supported the efforts of IAEA to strengthen the effectiveness and efficiency of the safeguards regime and to support the further

development and application of the State-level approach. The Review Conference should also reaffirm the important role of IAEA in verifying compliance with safeguards obligations and call on all States to cooperate fully with the Agency so that it could carry out its indispensable verification role.

104. **The Chair** said that discussion would proceed to the thematic cluster of nuclear security.

105. **Ms. van Heek ter Hoeve** (Netherlands) said that given the constantly evolving threat of nuclear and radiological misuse and terrorism, ensuring effective security for all nuclear and other radioactive materials was crucial, including cybersecurity. The Netherlands was committed to improving nuclear security at the national and international levels, as well as recognizing the central role of IAEA in strengthening nuclear security worldwide. Concrete language proposals on nuclear security were contained in paragraphs 57 to 84 of the working paper of the Vienna Group of Ten and in paragraphs 78 to 85 of document [NPT/CONF.2020/WP.10](#).

106. The Review Conference should encourage all States parties to maintain the highest possible standards of security, including cybersecurity and physical protection of nuclear materials and facilities. The central role of IAEA should also be affirmed in strengthening the nuclear security framework globally, in coordinating international nuclear security activities and in facilitating regional activities. Moreover, IAEA member States should be called upon to broaden their support for the IAEA nuclear security programmes, including through financial contributions. States should also support the implementation of the essential elements and objectives of the global nuclear security framework, including through the national implementation of IAEA guidance and recommendations, and subscribe to the joint statement on strengthening nuclear security implementation contained in IAEA Information Circular 869.

107. The Review Conference should also recognize the Convention on the Physical Protection of Nuclear Material and the Amendment thereto as a key nuclear security treaty, and call on all States that had not yet done so to adhere to the Convention and adopt the Amendment as soon as possible. Furthermore, all States that had not yet done so should adhere to the International Convention for Suppression of Acts of Nuclear Terrorism.

108. Lastly, the Conference should highlight the IAEA International Conference on Nuclear Security 2020 as a milestone event for knowledge and experience sharing,

promoting cooperation and reaffirming political commitment to nuclear security.

109. **Mr. Friele** (Canada) said that strong and sustainable nuclear security measures were invaluable in ensuring that everyone could continue to benefit from the advantages provided by nuclear energy and technology. He drew attention to paragraphs 78 to 85 of document [NPT/CONF.2020/WP.10](#), which included recommendations for the Review Conference related to nuclear security. He also drew attention to the working paper of the Vienna Group of Ten, which also included substantive proposals for the Conference, with paragraphs 57 to 84 focused on nuclear security recommendations.

110. **Ms. Muller** (Switzerland) said that her delegation wished to highlight the entry into force of the Convention on the Physical Protection of Nuclear Material and the Amendment thereto since the previous Review Conference, together with the success of the first Conference of the Parties to the Amendment to the Convention on the Physical Protection of Nuclear Material, co-chaired by Switzerland. The Review Conference should call on all States parties that had not already done so to accede to the Convention and its Amendment, while highlighting the importance of achieving the early universalization of those instruments.

111. The Ministerial Declaration adopted at the IAEA International Conference on Nuclear Security 2020 reaffirmed a collective commitment to global nuclear security with the central coordinating role of IAEA. The Review Conference could draw from the adopted language to reemphasize that commitment. Lastly, Switzerland attached great importance to the seven indispensable pillars of nuclear safety and security of IAEA, which must be observed under all circumstances, and wished to discuss that topic further in Main Committee III.

112. **Mr. Elghitany** (Egypt) said that the responsibility for nuclear security within a State lay entirely with that State. Egypt recognized the role of IAEA in enhancing the nuclear security framework globally and in coordinating international cooperation within the field. Nuclear security considerations should not hamper the utilization of nuclear technology for peaceful purposes and international cooperation in that area. Moreover, nuclear security must not undermine the established priorities of the IAEA technical cooperation programme.

113. All States parties must fulfil their responsibilities to achieve and maintain highly effective nuclear security, including the physical protection of nuclear and other radioactive material throughout all stages of their life cycle, and to protect sensitive information. In

that connection, multilateral guidelines in nuclear security should be pursued within the framework of IAEA. States parties were encouraged in their national efforts to strengthen nuclear security, in order to take into account and apply those guidelines.

114. Caution should be exercised in terms of references to the interfaces between nuclear security, nuclear safety and safeguards, with any such approach being thoroughly discussed and endorsed first within the policymaking bodies of IAEA. Meanwhile, the financing of IAEA nuclear security activities should not be done in the same manner as with other statutory activities of the Agency; such financing must therefore be fully kept out of the regular budget.

115. **Mr. Majozi** (South Africa) said that nuclear security within a State was entirely the responsibility of that State and should not hamper international cooperation to transfer nuclear energy, science and technology for peaceful purposes. Attempts to make nuclear security a precondition for the peaceful uses of nuclear technology were a matter of concern, and inconsistent with the provisions of the Non-Proliferation Treaty. Therefore, the Review Conference should reaffirm the importance of nuclear security, including the security of 85 per cent of nuclear material that was used for non-civilian purposes, as well as the fact that nuclear security within a State was the responsibility of that State. The Conference should also reiterate that nuclear security should not be made a precondition for States to access peaceful uses of nuclear energy and nuclear-derived technology.

116. **Mr. Baude** (France) said that in addition to the safeguards, France applied the highest standards of nuclear safety and security, with a view to ensuring the safe and responsible development of nuclear energy and applications. While nuclear security was a national responsibility, it must not hinder the development of nuclear cooperation, which was in fact facilitated through the application of the highest standards. The final document should state the need to continue efforts to strengthen nuclear security, in order to guarantee safe and responsible use of nuclear technologies. In that regard, the success of the IAEA International Conference on Nuclear Security 2020 and its Ministerial Declaration should be underscored. The final document should also state the importance of the first Conference of the Parties to the Amendment to the Convention on the Physical Protection of Nuclear Material for the development of peaceful uses, in addition to a call for its universalization. Furthermore, it should encourage States to reduce their highly enriched uranium stocks and their separated plutonium stocks.

117. The situation at the Zaporizhzhia nuclear power plant in Ukraine was particularly concerning. Russia should immediately restore control of that power plant and all other nuclear facilities within the internationally recognized Ukrainian borders, in order to guarantee their use under proper safety and security conditions. In that context, it was important to facilitate the conduct of an IAEA mission made up of experts in nuclear safety and security and in the field of safeguards. In that connection, France strongly supported the seven pillars of nuclear safety and security put forward by the IAEA Director General.

The meeting rose at 1 p.m.