



# European Union

**Statement on the occasion of the IAEA Board of Governors**

**Vienna, 15-20 June 2020**

**Agenda item 6(b): Safeguards Implementation Report for 2019**

Madame Chair,

1. I have the honour to speak on behalf of the European Union. [The following countries align themselves with this statement: Turkey<sup>§</sup>, The Republic of North Macedonia<sup>\*</sup>, Montenegro<sup>\*</sup>, Iceland<sup>+</sup>, Serbia<sup>\*</sup>, Albania<sup>\*</sup>, Bosnia and Herzegovina<sup>\*</sup>, Liechtenstein<sup>+</sup>, Norway<sup>+</sup>, Ukraine, The Republic of Moldova, Armenia, Azerbaijan, Georgia, Andorra and San Marino.]
2. First of all, we would like to commend the Agency for continuing the safeguards inspections under the current difficult circumstances of the worldwide Covid-19 pandemic. We appreciate the efforts of the Department of Safeguards during 2019, to ensure business continuity and disaster recovery, which has certainly helped the Agency to carry on its top priority inspection activities during the crisis.
3. The European Union would like to thank the Director General for the Safeguards Implementation Report (SIR) for 2019 as contained in GOV/2020/9, and to express its appreciation for the Agency's dedicated efforts in implementing and continuously strengthening the effectiveness and improving the efficiency of the international safeguards system. The EU also would like to thank the Secretariat for the technical briefing held on 2 June. The EU supports the Secretariat's continued inclusion of information on the Department's activities to verify and monitor the JCPOA in the background to the Safeguards Statement section of the report (Section B).

Madame Chair,

4. The IAEA fulfils its safeguards related mandate as defined by its Statute, which includes safeguards being applied pursuant to Article III of the Nuclear Non-Proliferation Treaty (NPT). IAEA safeguards are a fundamental component of the NPT, play an indispensable role in its implementation and help to create an

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<sup>§</sup> Candidate Country

<sup>\*</sup> Candidate Countries The Republic of North Macedonia, Montenegro, Serbia and Albania as well as potential Candidate Country Bosnia and Herzegovina continue to be part of the Stabilisation and Association Process.

<sup>+</sup> Iceland, Norway and Liechtenstein are members of the EFTA and of the European Economic Area.

environment conducive to nuclear co-operation. Against this background, and in view of continuing proliferation challenges, the EU considers it important that the annual SIR provides IAEA Member States with valuable information about the implementation of safeguards and the compliance by the Parties with their respective safeguards undertakings. We appreciate in particular the information provided on the areas of difficulties the Agency is facing in the process of safeguards implementation. The EU strongly supports the Agency's efforts to strengthen the effectiveness and improve the efficiency of its safeguards system in order to meet these challenges.

5. The EU continues to believe that nothing should be done to undermine the authority of the Agency to fulfil its safeguards mandate. IAEA safeguards are implemented pursuant to safeguards agreements, which, once entered into force, are legally binding on all parties to such agreements. From the point of view of nuclear non-proliferation, comprehensive safeguards agreements (CSAs) are of utmost importance. The Agency is mandated to verify that the declarations by the parties to CSAs are correct and complete, that is to confirm that all nuclear material in these States remains in peaceful activities. However, without the implementation of an Additional Protocol (AP) to the CSA the Agency does not have sufficient tools in the form of information and access required to draw such a conclusion.
6. While it is recognised that the implementation of safeguards strengthening measures under the legal authority of the CSA enhances, to a limited extent, the Agency's ability to detect undeclared nuclear material and activities, the EU is of the view that only the implementation of a CSA and an Additional Protocol (AP) enables the Agency to provide credible assurance of the absence of undeclared nuclear material and activities. Therefore, the EU considers that an AP, together with a CSA, represents the current verification standard based on Article III of the NPT. We advocate the universal adherence to both CSA and AP, which will strengthen the non-proliferation regime and contribute to further enhancing international peace and security.
7. The EU recalls in this regard that UNSC Resolution 1887 calls upon all States to "sign, ratify and implement an additional protocol, which together with comprehensive safeguards agreements constitute essential elements of the IAEA safeguards system". The EU also notes that Action 28 of the Final Document of the 2010 NPT Review Conference "encourages all States parties not yet having done so to conclude and to bring into force additional protocols as soon as possible, and to implement them provisionally pending their entry into force", while Action 29 encourages the IAEA to further facilitate and assist the States parties in the conclusion and entry into force of additional protocols.
8. The EU welcomes the efforts of the Secretariat and Member States to work towards universalisation of the AP and the progress reported in the 2019 SIR towards that goal. APs for all EU Member States have been in force since 2004. The EU continues to call on the remaining NPT States parties to bring into force their CSAs as required from them and on all States parties that have not yet done so to bring into force an AP as soon as possible. In this context, we particularly welcome the entry-into-force of a CSA and an AP for Benin, and of an AP for Ethiopia.

9. The EU also recalls the Board's 2005 Decision that SQPs should be subject to modifications in the standard text and changes in the SQP criteria in order to strengthen the Agency's safeguards system. The EU also recalls UNSC Resolution 1887, which "calls upon all non-nuclear-weapon States party to the NPT that have yet to bring into force a comprehensive safeguards agreement or a modified small quantities protocol to do so immediately". In this regard we note with concern that at the end of 2019 there were 32 States with operative SQPs still to be amended. The EU urges those remaining States which have not yet amended or rescinded their SQPs to do so, especially countries that are already in the process of building a NPP or a research reactor.

Madame Chair,

10. The EU has been supporting the implementation of integrated safeguards that allow for the optimised combination of safeguards measures available under the CSA and the AP. The EU welcomes the fact that during 2019 integrated safeguards were implemented in 67 States with a broader conclusion, therefore increasing the effectiveness and efficiency of their safeguards implementation. The EU encourages both the Agency and the Member States to resolve outstanding issues so the broader conclusion can be drawn for more States.
11. Given the importance the EU attaches to the Agency's safeguards conclusions, we are concerned that, for the first time, the Agency has not been able to draw the 'broader conclusion' for a State, having done so previously, as noted in the SIR for 2019. We hope that, through continued cooperation, the Agency will be able to resolve this issue so that a safeguards conclusion that all nuclear material remained in peaceful activities could be drawn again for the concerned State.
12. The EU supports the State-level concept (SLC) and its application through State-level safeguards approaches (SLAs) which do not change rights or obligations of the parties to safeguards agreements. In our view, SLAs should be developed and implemented, in close consultation with the State and/or regional authority concerned, for all States with any type of safeguards agreement in force. The EU therefore welcomes the fact that the Agency is continuing to develop and implement further SLAs and considers it important that, as stated in the SIR 2019, SLAs have now been developed for 131 States with a CSA, holding 97% of all nuclear material under safeguards in such States.
13. The EU welcomes the expansion of section E.3 of the SIR, providing more detailed information on the Secretariat's ongoing work in this area and the qualitative improvements in the Secretariat's internal processes of its safeguards implementation that have been achieved. The EU understands State-level safeguards approaches to be the Secretariat's applied methodology of implementing Safeguards Agreements, in line with its established mandate.

Madame Chair,

14. We welcome the fact that the IAEA and the EU's Regional System for Accountancy and Control, EURATOM Safeguards, continue to develop their cooperation arrangements in the framework of the New Partnership Approach. This enables the IAEA to more fully use EURATOM's verification activities and thereby optimise the use of its resources. The close cooperation between EURATOM and the IAEA, exemplified by the joint inspection of installations

underpinned by the joint management and use of common instruments and tools, makes for effective and efficient safeguards, and demonstrates the EU Member States' continuing respect for their international non-proliferation obligations. In this regard, we encourage the continued joint training of IAEA and EURATOM inspectors. We look forward to re-invigorating and fully exploring all aspects of their longstanding reliable cooperation in light of State-level safeguards approaches being applied for EU countries.

15. The EU provides considerable support to the Agency's safeguards system both through the EC Safeguards Support Programme, and through the support programmes of some of its Member States, which, together, provide a wide range of additional assistance and capabilities to support the Agency. The Support Programmes' successful contributions and achievements are presented several times in the SIR, especially in the areas of technical development and training.
16. We recognise the need to strengthen the Agency's capability to provide credible and timely analysis of safeguards samples. In this respect, we deeply welcome the project of the Agency aimed at the procurement, commissioning and calibration of a new Large Geometry Secondary Ion Mass Spectrometer to sustain analysis capabilities in the area of particle analysis for uranium isotopes.
17. The EU welcomes the continuous efforts by the Secretariat to present a more detailed, informative and transparent SIR to Member States. The EU stresses the importance of regular dialogue so that both the Agency and the concerned States are aware of safeguards issues as they arise and can thereby take timely actions to address them. The EU underlines the importance for all States to meet their obligations as defined in the safeguards agreement with respect to facilitating access and establishing or strengthening the capacity of their State Systems of Accounting and Control. In this regard the EU welcomes the expansion of section D.2 of the SIR, providing more detailed information on the problems encountered, as well as Agency's new initiative to assist States, at their request, in their work for strengthening the effectiveness of their SSAC/SRAs.
18. We reiterate our firm commitment to ensuring that the Agency's safeguards and verification programme receives the necessary resources to enable the Agency to provide credible assurances expected from it by Member States with respect to the compliance of the parties to safeguards agreements. We note that the regular budget in recent years has not kept pace with the increasing amount of nuclear facilities, activities and material under safeguards. We appreciate the efforts of the Secretariat in further modernizing and developing its verification measures and technologies as well as in keeping costs down. We encourage the Secretariat to continue its dialogue with Member States, and inform as appropriate, on this matter.
19. We note the medium term challenge of financing and resourcing the safeguards function of the Agency, including the maintenance of a qualified and trained cadre of inspectors. In this regard, it is important that the IAEA continues to benefit from the full experience that trained inspectors have gained. The maintenance of a solid knowledge basis in the safeguards operations team is essential and we recognise the challenges in this regard especially in light of the rotation policy. Efficiency gains, implementation of State-level approaches, stronger SSACs and innovative use of IT will further help meeting this challenge. We trust that the Secretariat will continue its dialogue with Member States on all these issues so

that we can together ensure that the safeguards system is reliably and sustainably resourced in the future. We note the recommendations offered by the External Auditor and accepted by the Secretariat, some of which could help in this regard.

20. With these comments, the EU supports the recommended Board action set forth in GOV/2020/9.

Thank you, Madame Chair.