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**IAEA Safeguards and the NON-Proliferation Regime  
in Central and South America**

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**IAEA**

International Atomic Energy Agency

# Undertaking under NPT

## Your country:

- Voluntarily became party to the **NPT**
- Is a non-nuclear-weapon State (**NNWS**) under the NPT
- And has thereby *committed itself*:
  - **Not to manufacture or acquire nuclear weapons** or nuclear explosive devices,
  - **Not to seek or receive assistance** in the manufacture of nuclear weapons or nuclear explosive devices, and
  - To **conclude a safeguards agreement** with the IAEA

# Undertaking under TLATELOLCO Treaty

## Your country:

- Voluntarily became party to the **Tlatelolco Treaty**
- And has thereby *committed itself*:
  - To **use exclusively for peaceful purposes** nuclear material and facilities under its jurisdiction
  - To **prohibit** and prevent in its territory:
    - Testing, use, manufacture, production, acquisition of nuclear weapons
    - Receipt, storage, installation, deployment, possession of nuclear weapons
  - To **refrain** from participating in testing, use, manufacture, production, possession or control of nuclear weapons
  - To **conclude a safeguards agreement** with the IAEA



# What does the NPT *require*?

## NPT, Art III.1 and 4:

- A comprehensive safeguards agreement (**CSA**) covering **all source and special fissionable material**
- CSA to be concluded within **180 days** of becoming party to the NPT
- **No exception** for States with no little or no nuclear material or facilities

## NPT, Art. III.2:

- Not to **export** to NNWSs, except under IAEA safeguards:
  - Source or special fissionable material
  - Equipment or material especially designed or prepared for the processing, use or production of special fissionable material - single use items (see *INFCIRC/209*)



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# What does the Tlatelolco Treaty *require*?

## Tlatelolco Treaty, Art 13:

- A comprehensive safeguards agreement (**CSA**) applicable to all nuclear activities
- CSA to be concluded within **18 months** of becoming party to the Treaty
- **No exception** for States with no little or no nuclear material or facilities

# What is **INFCIRC/153** (Corr.)?

- **Negotiated** in 1970 by a committee of the Board of Governors open to all IAEA Member States (Committee 22)
- **Purpose:** to provide guidance on the structure and contents of CSAs concluded by NNWSs party to the NPT
- **Basis** for the standardized text of NPT and Tlatelolco Treaty as well as for the CSAs (GOV/INF/276)

# What is a **CSA**?

- An international **treaty** concluded between a State or States and the IAEA
- Based on **INFCIRC/153 (Corr.)**
- Highly **standardized** (GOV/INF/276, Annex A)
- **Board approval** required for each CSA
- **Signature** by the State and the Director General
- **Entry into force** – at the discretion of the State:
  - Upon signature *OR*
  - Upon receipt of notification by Agency that State's requirements for entry into force are satisfied

# What's the **purpose** of a CSA?

“To ensure that safeguards are applied, in accordance with the terms of the Agreement, on all source or special fissionable material in all peaceful nuclear activities within the territory of the State, under its jurisdiction or carried out under its control anywhere, for the *exclusive purpose of verifying that such material is not diverted to nuclear weapons or other nuclear explosive devices.*”

INFCIRC/153, para. 2

Verify the **correctness and completeness** of a State's declarations to ensure no diversion of declared nuclear material **AND** the absence of undeclared nuclear material



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# What does a *CSA require?*

- Establishment of a State system of accounting and control (**SSAC**)
- **Reporting** by the State of the import, export and production of nuclear material
- **Providing information** on: the design of nuclear facilities; other locations where nuclear material is used
- **Record keeping** by operators
- **Access** by the Agency to carry out DIVs and inspections

# What's the *structure* of a CSA?

## PART I:

- Basic *undertakings*
- Establishment of SSAC
- *Confidentiality*
- *Privileges and immunities*
- *Non-compliance*

## PART II:

- Technical *objectives*
- *Starting point* of safeguards
- Safeguards *procedures*:
  - Reporting
  - Record keeping
  - Design information (DI)
  - Inspections (ad hoc, routine, special)
  - DI verification

## DEFINITIONS:

- Nuclear material
- Facility
- etc ...

# What is a **Small Quantities Protocol (SQP)**?

- A protocol to a CSA; **not free standing**
- **Standardized** text (GOV/INF/276/Annex B and Mod.1)
- **Board approval** required for each SQP
- **Signature** by the State and the Director General
- **Entry into force** – simultaneously with the CSA

# What's the **purpose** of an SQP?

- *Originally:* designed to **minimize burden** on States with little or no nuclear activities by holding in abeyance most safeguards measures (GOV/INF 276, Annex B)
- *Currently:* continue to minimize burden, while **improving credibility** of the Agency's safeguards conclusions for SQP States and **strengthening** the non-proliferation regime (GOV/INF/276/Mod.1 and Corr.1)

# How does a State *qualify* for an SQP?

- The quantity of nuclear material in the State is less than or equal to the quantities set out in paragraph 37\* of INFCIRC/153; and
- There are no nuclear facilities, existing or planned

\*Usually corresponding to Article 36 of an SQP State's CSA

# What does an SQP *do*?

- **Holds in abeyance** many of the technical provisions of Part II of a CSA
- Requires **annual reports** on **exports and imports** of nuclear material
- Modified SQP **now** requires:
  - Submission of initial report on nuclear material
  - Early notification of decision to construct a facility
  - Agency access for ad hoc and special inspections

# What does an SQP not do?

It does **NOT** suspend:

- The basic obligation of the State not to use nuclear material for nuclear weapons or other nuclear explosive devices (INFCIRC/153, para. 1)
- The right and obligation of the IAEA to verify no proscribed use of nuclear material (INFCIRC/153, para. 2)
- The State's obligation to establish and maintain an SSAC (INFCIRC/153, para. 7)

# What *is* an **Additional Protocol (AP)**?

- A protocol to any safeguards agreement; not free standing
- **Standardized** model (INFCIRC/540 (Corr.))
- **Board approval** required for each AP
- **Signature** by the State and the Director General
- **Entry into force** – at the discretion of the State
  - Upon signature *OR*
  - Upon receipt of notification by Agency that State's requirements for entry into force are satisfied
  - Can be implemented pending entry into force



# What's the **purpose** of an AP?

“To strengthen the effectiveness and improve the efficiency of the safeguards system as a contribution to global nuclear non-proliferation

INFCIRC/540, Foreword

Provide the IAEA with better tools for verifying the **correctness and completeness** of States' declarations

# What *are* these new tools?

- **Additional information** about a State's nuclear fuel cycle and its supporting infrastructure: expanded declarations
- **Broader access** to nuclear sites and other locations: complementary access
- **Simplified administrative measures:** simplified inspector designation; no visas or multiple entry visas; modern communications

# What is needed to *implement* the obligations?

- Ensuring the necessary **legislation** and regulations are in place
- Ensuring that the SSAC, or another institution, has the **authority** to collect information and report it to the Agency
- **Coordination** between the SSAC, Foreign Ministry and Customs Control Authorities

# WHY AN ADDITIONAL PROTOCOL FOR AN SQP STATE?

## **In the interest of *national security* :**

- Recent events demonstrate the need for increased security and safety of nuclear material, domestically and internationally
- Would increase State's ability to control nuclear material and nuclear-related activities anywhere in the State
- Would improve export controls and help prevent and counteract illicit trafficking

# WHY AN ADDITIONAL PROTOCOL FOR AN SQP STATE?

## In the interest of *global security*:

- Helps prevent circumvention of non-proliferation undertakings by other States with CSAs
- Contributes to establishment of international norms of non-proliferation
- Creates momentum, encouraging States with substantial nuclear activities to conclude APs as well
- Contributes to overall transparency, which in turn builds trust and confidence

# Summary status for States in Central and South America

Tlatelolco, CSA and AP in force	Tlatelolco, CSA, w/o AP in force	Tlatelolco, CSA with Mod. SQP and AP in force	Tlatelolco, CSA with Mod. SQP, w/o AP in force	Tlatelolco, CSA with SQP and AP in force	Tlatelolco, CSA with SQP, w/o AP in force
CHILE	ARGENTINA	ECUADOR	BAHAMAS	EL SALVADOR	ANTIGUA & BARBUDA
COLOMBIA	BRAZIL	NICARAGUA	COSTA RICA	GUATEMALA	BARBADOS
CUBA	MEXICO	DOMINICAN REPUBLIC	HONDURAS	HAITI	BELIZE
JAMAICA	VENEZUELA			PANAMA	BOLIVIA
PERU				PARAGUAY	DOMINICA
URUGUAY					GRENADA
					GUYANA
					ST KITTS & NEVIS
					ST LUCIA
					ST VINCENT & THE GRENADINES
					SURINAME
					TRINIDAD & TOBAGO