

Another factor in the slow take-up rate of additional protocols is a lack of concern about the dangers of nuclear nonproliferation and the importance of strengthened safeguards. This is most common among states that have relatively minor nuclear activities. However, this attitude may leave such countries vulnerable to unregulated and even undetected nuclear activities being conducted on their territory, including nuclear smuggling. Recognition of this problem has led the IAEA to develop a Small Quantities Protocol, which involves simplified procedures for states that have limited or no amounts of nuclear material to report. The UN Security Council in April 2004 also recognized this problem by adopting Resolution 1540 which mandated all UN member states to adopt national implementation measures to prevent nuclear (and other WMD-related) materials falling into the hands of terrorists and other non-state actors.

There is also resistance to strengthened safeguards from states concerned about the much higher degree of transparency and intrusiveness involved. This is particularly evident among the NWS. In addition to excluding all of their weapon-related nuclear activities from strengthened safeguards (as in the case of traditional safeguards), they have offered little, if anything, in the way of expanded voluntary safeguards on their peaceful nuclear activities. This sets a bad example to the NNWS and reinforces suspicions that the NWS have no intention of ever abandoning their nuclear arsenals. Other countries, like Brazil, are concerned that commercial proprietary information, in its case a new uranium enrichment process invented by the Brazilian Navy, may be at risk from the new measures required by the Additional Protocol.

In December 2003, IAEA Director General Dr Mohamed ElBaradei, in his annual report to the UN General Assembly, argued that the only way, ultimately, to prevent NNWS from illicitly acquiring their own plutonium and high enriched uranium for weapons purposes, whether under putatively peaceful and safeguarded programmes or otherwise, is to restrict enrichment and reprocessing activities by individual states. He suggested examining the merits of producing fissionable materials multilaterally in a limited number of locations. These ventures would be under safeguards and would supply nuclear materials, also under safeguards, for peaceful purposes. President George W. Bush made a less ambitious proposal in February 2004 for denying states which currently do not reprocess plutonium or enrich uranium the right to do so in future, in return for guaranteed supply of such fissionable materials.¹⁹

IAEA verification experience in the 'special cases'

The IAEA has gained verification experience not just in respect of day-to-day safeguards activities in relation to compliant states but also in regard to several special cases, including those involving serious non-compliance. This experience has equipped the Agency to some extent for future verification tasks including the long-proposed Fissionable Material Treaty (FMT) or Fissionable Material Cut-Off Treaty (FMCT), as well as in regard to the verified disposal of fissionable material from dismantled nuclear warheads and ultimately the verification of nuclear disarmament. These are all significant capabilities in terms of the current state of verification.

South Africa: verifying nuclear disarmament

In the early 1990s South Africa declared that it had dismantled its arsenal of six nuclear devices and nuclear weapon production facilities and sought IAEA verification of this fact. This was the first

¹⁹ George W. Bush, 'Address on weapons of mass destruction proliferation', remarks at the National Defense University, Washington DC, 11 February 2004, www.whitehouse.gov/news/releases/2004/02.