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Item 7(a) of the Board's provisional agenda
(GOV/2011/46)
Item 20 of the Conference's provisional agenda
(GC(55)/1 and Add.1)

Application of IAEA Safeguards in the Middle East

Report by the Director General

A. Introduction

1. General Conference Resolution GC(54)/RES/13 (2010), in operative paragraph 4, affirmed:

“the urgent need for all States in the Middle East to forthwith accept the application of full-scope Agency safeguards to all their nuclear activities as an important confidence-building measure among all States in the region and as a step in enhancing peace and security in the context of the establishment of a [nuclear-weapon-free zone] NWFZ”;

the resolution, in operative paragraph 5, called upon:

“all parties directly concerned to consider seriously taking the practical and appropriate steps required for the implementation of the proposal to establish a mutually and effectively verifiable NWFZ in the region” of the Middle East;

and, in operative paragraph 7, it further called upon:

“all States in the region to take measures, including confidence-building and verification measures, aimed at establishing a NWFZ in the Middle East”.

2. In this regard, the resolution, in operative paragraph 10 reiterated the Director General’s mandate from earlier resolutions of the General Conference:

“to pursue further consultations with the States of the Middle East to facilitate the early application of full-scope Agency safeguards to all nuclear activities in the region as relevant to the preparation of model agreements, as a necessary step towards the establishment of a NWFZ in the region, referred to in resolution GC(XXXVII)/RES/627”;

in operative paragraph 11, it repeated the call from previous resolutions of the General Conference upon:

“all States in the region to extend their fullest cooperation to the Director General in the fulfilment of the tasks entrusted to him in the preceding paragraph”;

and the resolution, in operative paragraph 12, called upon:

“all other States, especially those with a special responsibility for the maintenance of international peace and security, to render all assistance to the Director General by facilitating the implementation of this resolution”.

3. Resolution GC(54)/RES/13, in operative paragraph 13, requested:

“the Director General to submit to the Board of Governors and the General Conference at its fifty-fifth (2011) regular session a report on the implementation of this resolution”.

4. On 22 September 2000, in the context of the agenda item ‘Application of IAEA safeguards in the Middle East’, the General Conference adopted Decision GC(44)/DEC/12, in which it requested:

“the Director General to make arrangements to convene a forum in which participants from the Middle East and other interested parties could learn from the experience of other regions, including in the area of confidence building relevant to the establishment of a nuclear weapon free zone.”

The decision also called upon:

“the Director General, with States of the Middle East and other interested parties, to develop an agenda and modalities which will help to ensure a successful forum.”

5. This report, as requested by the General Conference, describes the steps undertaken by the Director General in his efforts to further the implementation of his mandates conferred by the General Conference in Resolution GC(54)/RES/13 and by Decision GC(44)/DEC/12.

B. Application of Full-Scope Agency Safeguards

6. The Director General has continued to stress the emphasis that has been placed in successive General Conference resolutions on the application of comprehensive Agency safeguards on all nuclear activities in the Middle East region and the mandates entrusted to him in this context. He has continued to encourage the development and consideration of relevant new ideas and approaches that could help to move his mandates forward.

7. All States of the Middle East region¹ except for Israel are parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and have undertaken to accept comprehensive Agency safeguards. Since the last report on this agenda item,² additional protocols were brought into force by Bahrain, Morocco and the United Arab Emirates. Thus, as of 22 August 2011, two States of the

¹ Algeria, Bahrain, Comoros, Djibouti, Egypt, Islamic Republic of Iran (Iran), Iraq, Israel, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya (Libya), Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Somalia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates and Yemen (23) – Technical Study on Different Modalities of the Application of Safeguards in the Middle East, (IAEA Document) GC(XXXIII)/887, 29 August 1989, para. 3.

² GOV/2010/48-GC(54)13 (31 August 2010).

Middle East region that are party to the NPT have yet to bring into force their comprehensive safeguards agreements with the Agency pursuant to that Treaty – Djibouti has signed but not yet brought into force its comprehensive safeguards agreement, while Somalia has yet to submit a comprehensive safeguards agreement to the Board of Governors for its consideration. Additional protocols are in force for Bahrain, Comoros, Jordan, Kuwait, Libya, Mauritania, Morocco and the United Arab Emirates. Djibouti, Iran, Iraq and Tunisia have signed but not yet brought into force additional protocols, and an additional protocol has been approved for Algeria but not yet signed. Iraq continued to apply its additional protocol provisionally, pending entry into force.

8. The discussions with representatives of the States of the Middle East region have shown that there still continues to be a long-standing and fundamental difference of views between Israel on the one hand, and the other States of the Middle East region, on the other hand, with regard to the application of comprehensive Agency safeguards to all nuclear activities in the region. All States in the region except Israel emphasize that they are all parties to the NPT and maintain that there is no automatic sequence that links the application of comprehensive safeguards to all activities in the Middle East, or the establishment of a NWFZ, to the prior conclusion of a peace settlement, and that the former would contribute to the latter.³ Israel takes the view that Agency safeguards, as well as all other regional security issues, cannot be addressed in isolation from the creation of stable regional security conditions and that these issues should be addressed in the framework of a regional security and arms control dialogue that could be resumed in the context of a multilateral peace process.⁴ Thus, the Director General has not been able to make further progress in fulfilling his mandate pursuant to resolution GC(54)/RES/13 regarding the application of comprehensive Agency safeguards covering all nuclear activities in the region of the Middle East. The Director General will continue with his consultations in accordance with his mandate regarding the early application of comprehensive Agency safeguards on all nuclear activities in the Middle East region.

C. Model Safeguards Agreements as a Necessary Step towards a Middle East NWFZ

9. The process which has resulted in broad adherence to the NPT and consequently to INFCIRC/153-type comprehensive safeguards agreements in the Middle East is an important step in creating confidence regarding nuclear non-proliferation and regional security. The successive resolutions adopted by the United Nations General Assembly without a vote supporting the establishment of a NWFZ in the Middle East⁵ are important building blocks in this process.

10. The 2010 Review Conference of the NPT⁶ reaffirmed the importance of the resolution on the Middle East adopted by the 1995 Review and Extension Conference of the NPT and recalled the

³ The views of several States of the region (Egypt, Iran, Morocco and Syria) have been elaborated further, inter alia, in their statements at the meeting of the Board of Governors on 16 September 2010 (GOV/OR.1282).

⁴ Israel's position has been elaborated further, inter alia, in its statement at the meeting of the Board of Governors on 16 September 2010 (GOV/OR.1282).

⁵ The most recent is United Nations General Assembly Resolution A/RES/65/42, "Establishment of a nuclear-weapon-free zone in the region of the Middle East", adopted without a vote on 8 December 2010. The text of the resolution is available at (<http://www.un.org/depts/dhl/resguide/r65.shtml>).

⁶ NPT/CONF.2010/50 (Vol.I), IV. "The Middle East, particularly implementation of the 1995 Resolution on the Middle East".

affirmation of its goals and objectives by the 2000 NPT Review Conference. The Conference stressed that the resolution remained valid until the goals and objectives were achieved, and reiterated that the resolution, which was co-sponsored by the depositary States of the NPT (the Russian Federation, the United Kingdom and the United States), was an essential element of the outcome of the NPT Review and Extension Conference and of the basis on which the Treaty was indefinitely extended without a vote in 1995. The States parties renewed their resolve to undertake, individually and collectively, all necessary measures aimed at its prompt implementation.

11. The 2010 NPT Review Conference emphasized the importance of a process leading to full implementation of the 1995 resolution on the Middle East. To that end, the Conference endorsed the practical step that the Secretary-General of the United Nations and the co-sponsors of the 1995 Resolution, in consultation with the States of the region, will convene a conference in 2012, to be attended by all States of the Middle East, on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction, on the basis of arrangements freely arrived at by the States of the region, and with the full support and engagement of the nuclear-weapon States. The 2012 Conference shall take as its terms of reference the 1995 Resolution.

12. The 2010 NPT Review Conference also endorsed additional steps aimed at supporting the implementation of the 1995 Resolution, including that the IAEA, the Organization for the Prohibition of Chemical Weapons and other relevant international organizations be requested to prepare background documentation for the 2012 Conference regarding modalities for a zone free of weapons of mass destruction and their delivery systems, taking into account work previously undertaken and experience gained.

13. Notwithstanding the continuing broad support for the view that the global nuclear non-proliferation regime would be further strengthened through the establishment of a NWFZ in the Middle East, the requests of the General Conference for model safeguards agreements require agreement among the States in the region on the material obligations that those States are prepared to assume as part of a NWFZ agreement in the Middle East region.

14. Material obligations which could form part of an eventual Middle East NWFZ agreement have been described in previous reports of the Director General, most recently in GC(52)/10.

15. There still continues to be a general lack of clarity among the States in the region of the Middle East on the substance and modalities of an agreement to establish a Middle East NWFZ. The Secretariat therefore may not be in a position at this stage to embark on the preparations of the model agreements foreseen in the resolution. However, the Director General and the Secretariat will continue to consult and work with the States of the Middle East region to find the common ground required to develop the model agreements as a necessary step towards the establishment of a Middle East NWFZ.

D. Decision GC(44)/DEC/12 of the General Conference: Arrangements to Convene a Forum

16. The General Conference in 2000 adopted Decision GC(44)/DEC/12 as referred to in paragraph 4 above, in which the Conference requested the Director General, *inter alia*, to develop an agenda and modalities which will help to ensure a successful forum on the relevance of the experience of existing NWFZs, including confidence-building and verification measures, for establishing a nuclear-weapon-free zone in the region of the Middle East.

17. Nuclear-weapon-free zones have already been established in Latin America and the Caribbean, the South Pacific, Southeast Asia, Africa and Central Asia⁷, respectively, through the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), the South Pacific Nuclear-Free-Zone Treaty (Treaty of Rarotonga), the Treaty on the Southeast Asia Nuclear-Weapon-Free Zone (Bangkok Treaty), the African Nuclear-Weapon-Free Zone Treaty (Pelindaba Treaty) and the Treaty on a Nuclear-Weapon -Free Zone in Central Asia, as noted in the Director General's previous reports, most recently in GC(54)/13. These established NWFZs are of particular relevance to the examination of the material obligations to be included in the verification regime to be implemented in a future Middle East NWFZ. While the existing NWFZ treaties contain certain variations and additional rights and obligations that, inter alia, take into account the specific characteristics of each of the respective regions, all five NWFZ treaties: cover large inhabited areas and are all designed to ensure the total absence of nuclear weapons from the territories of the States party to them; provide for Agency verification of the non-diversion of nuclear material⁸ and for the establishment of regional mechanisms to deal with compliance problems; and contain a protocol providing for the nuclear-weapon States to commit themselves not to use or threaten to use nuclear weapons against any non-nuclear-weapon State party to the NWFZ treaty in question.

18. In previous years, as mandated by decision GC(44)/DEC/12 of the General Conference, the Secretariat sought the views of Member States of the Middle East region with regard to developing an agenda and modalities for convening a forum in which participants from the Middle East and other interested parties could learn from the experience of other regions including in the area of confidence-building, relevant to the establishment of a NWFZ in the Middle East region. In this regard, the Agency circulated a proposed agenda in 2004 (Annex to document GC(48)/18) and continued to seek the views of the concerned States (as reported in documents GC(49)/18 of 1 August 2005, GC(50)/12 of 22 August 2006, GC(51)/14 of 14 August 2007, GC(52)/10/Rev.1 of 22 September 2008, GC(53)/12 of 14 August 2009, Add.1 and Corr.1 respectively, and GC(54)/13 of 31 August 2010.)

19. On 4 March 2011, pursuant to the mandate given to him in GC(44)/DEC/12, the Director General once again sought the views of Member States of the Middle East region on an agenda and modalities for convening a forum along the lines of the Secretariat's proposal – attached as Annex 1. The Director General's letter to the Member States of the Middle East region requesting their views is attached as Annex 2.

20. Written replies to the Director General's letter were received to date from twelve Member States of the Middle East region: Algeria, Egypt, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Morocco, Oman, Saudi Arabia, Syria and United Arab Emirates - the relevant communications are reproduced in Annex 3, in the chronological order in which they were received by the Agency.

21. The Director General's continued efforts in pursuance of his mandate contained in GC(44)/DEC/12 were welcomed by many, and he wrote to all Member States inviting them to take part in the Forum to be held on 21-22 November 2011 at IAEA headquarters in Vienna. The Director General will pursue further consultations with Member States of the Middle East region and with other

⁷ NWFZs have also been established in certain uninhabited areas – Antarctica (Antarctic Treaty), outer space (Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies and the sea bed (Treaty on the prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea Bed and the Ocean Floor and in the Subsoil Thereof).

⁸ The Central Asian Nuclear-Weapon Free Zone Treaty, under Article 8, also requires States Party to conclude with the IAEA and bring into force an Additional Protocol to their comprehensive safeguards agreements within 18 months after the Treaty's entry into force.

interested parties on arrangements conducive to the Forum being a constructive contribution towards the objective of the establishment of a NWFZ in the Middle East region.

FORUM
on
Experience of Possible Relevance to the Creation
of a Nuclear-Weapon-Free Zone (NWFZ) in the Middle East

It is proposed that the Forum on the above subject be organized at the IAEA Headquarters in Vienna. The Forum, reflecting the consensus of the Agency's Member States on the importance of establishing a nuclear-weapon-free zone (NWFZ) in the region of Middle East, would be designed to consider the experience of Africa, Asia, Europe, and Latin America and the Caribbean in creating regional security regimes and achieving disarmament through establishing NWFZs.

The principal focus of the Forum would be to: (i) study the lessons of other regions regarding the regional setting and context that had prevailed there before they began considering a NWFZ; (ii) review the existing multilaterally agreed principles for establishing NWFZs in populated areas of the world; (iii) review the theory and practice of establishing the five existing NWFZs; (iv) discuss with representatives from the five existing NWFZs their experience in promoting, negotiating and practically implementing negotiated arrangements for NWFZs; and (v) discuss the region of the Middle East in this context.

The Forum would address the following specific topics:

1. Experience in Africa, Asia, Europe, and Latin America and the Caribbean in making progress towards building cooperation, regional stability and security; arms control and disarmament agreements and identification of the required prerequisites towards this end by reaching common understandings on bilateral and regional issues of security, confidence-building and cooperation; including a discussion on the track record in implementing regional verification arrangements by specifically addressing the practices of Euratom and the Brazil-Argentine Agency for Accounting and Control of Nuclear Materials (ABACC);
2. Principles governing the establishment of NWFZs and the conceptual framework of NWFZ treaty arrangements: (i) geographic delineation; (ii) scope; (iii) verification; (iv) security assurances; and (v) other issues, such as the role of extra-regional States, the nature of the arrangements (politically/legally binding), the role of international governmental and non-governmental organizations and the public at large in promoting and supporting the arrangements; and
3. The potential relevance of such experience to the case and region of the Middle East.

Text of the Agency Letter to Member States of the Middle East region

[Dispatched on 4 March 2011]

Sir/Madam,

I am writing to you in connection with the resolution on the “Application of IAEA safeguards in the Middle East” adopted by the 54th IAEA General Conference on 24 September 2010 (GC(54)/RES/13).

The resolution, inter alia, affirmed “the urgent need for all States in the Middle East to forthwith accept the application of full-scope Agency safeguards to all their nuclear activities as an important confidence-building measure among all States in the region and as a step in enhancing peace and security in the context of the establishment of an [nuclear-weapon-free zone] NWFZ”; call upon “all parties directly concerned to consider seriously taking the practical and appropriate steps required for the implementation of the proposal to establish a mutually and effectively verifiable NWFZ in the region”; and requested me to “pursue further consultations with the States of the Middle East to facilitate the early application of full-scope Agency safeguards to all nuclear activities in the region as relevant to the preparation of model agreements, as a necessary step towards the establishment of a NWFZ in the region, referred to in resolution GC(XXXVII)/RES/627”.

Furthermore, the General Conference in 2000 in its decision GC(44)/DEC/12 requested “the Director General to make arrangements to convene a forum in which participants from the Middle East and other interested parties could learn from the experience of other regions, including in the area of confidence-building relevant to the establishment of a nuclear weapon free zone”; and call upon “the Director General, with States of the Middle East and other interested parties, to develop an agenda and modalities which will help to ensure a successful forum”.

In pursuance of the mandate placed upon me, as noted above, and taking into account the views expressed by the Member States of the region of the Middle East, I seek your Government’s views on the foregoing issues, including on an agenda and modalities for the forum. Attached is a proposed agenda along the lines of the Secretariat’s proposal of 2010. I would appreciate your co-operation in providing your Government’s comments preferably prior to 6 May 2011.

I intend to reflect your Government’s response in my report on the “Application of IAEA safeguards in the Middle East” to the Board of Governors and the 55th regular session of the General Conference in September 2011.

Accept, Sir/Madam, the assurances of my highest consideration.

Yukiya Amano

Enclosure

Text of the Letter from Israel

[Received on 9 May 2011]

2 May 2011

I am writing in response to your letter dated 4 March 2011 to provide Israel's comments regarding a proposed Forum in which participants from the greater Middle East and other interested parties could learn from the experience of other regions, including in the area of confidence building relevant to the establishment of a NWFZ.

Israel's views regarding regional security in all its aspects have been detailed on numerous occasions including in the annual General Conferences of the IAEA.

Israel has joined the 2000 consensus Decision GC(44)Dec/12 and expressed its view in favor of convening a Forum referred to above in accordance with the terms of reference contained in the Director General's Report GC (48) 18, of 24 August 2004.

Israel sees merit in a Forum that "would be designed to consider the experience of Africa, Asia, Europe, and Latin American and the Caribbean in creating regional security regimes..." as mentioned in the proposed agenda attached to your above mentioned letter.

Israel views the Forum as designed to be solely an informational and discussion event and not a forum for negotiations. The aim of this Forum is to study concepts relevant to the mandate provided by the General Conference Decision GC(44)Dec/12 and in relation to those topics detailed in the Annex to your letter.

Israel stands ready to cooperate with you in this endeavor and hopes that other regional states will ensure the appropriate atmosphere for a constructive event, that would also be reflected in the upcoming IAEA General Conference.

[signed]

Dr. Shaul Chorev

Head, Israel Atomic Energy Commission

Text of the Letter from the Permanent Mission of the Arab Republic of Egypt

[Received on 20 May 2011]

17 May 2011

Sir,

I wish to thank you for your letter dated 04/03/2011 regarding the "Application of IAEA Safeguards in the Middle East" as well as for the agenda proposed by the Secretariat for the convening of a forum in which participants from the Middle East and other interested parties could learn from the experiences of other regions relevant to the establishment of a nuclear weapon free zone in the Middle East.

As you are well aware, Egypt has, over the span of several decades, worked towards the establishment of a nuclear weapon free zone in the Middle East. It has also repeatedly demonstrated its full rejection of nuclear weapons, on the grounds that their very existence constitutes a major threat to international peace and security, be it on the global or regional levels.

In the Middle East, Israel regrettably remains the only state that refuses to undertake a legally-binding commitment not to acquire nuclear weapons, and to subject its nuclear facilities to comprehensive IAEA safeguards. Every effort must be made to remedy this dangerous a destabilizing situation.

In this connection, Egypt will continue to support efforts made in the context of the IAEA, including with regard to the convening of the proposed forum. In this connection, I am pleased to inform you that Egypt, once again, is in a position to accept the agenda proposed by the Secretariat for the forum.

It is Egypt's strong desire that the proposed forum to be convened at the earliest possible time. Indeed, the convening of such a forum acquires added significance in the wake of the decision of the 2010 NPT Review Conference to convene a conference in 2012, to be attended by all States of the Middle East, on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction, on the basis of arrangements freely arrived at by the States of the region, and with the full support and engagement of the nuclear-weapon States. Both the proposed forum and the 2012 conference will undoubtedly make a positive contribution to the objective Egypt and many others aspire for, namely a Middle East free from nuclear weapons.

Please accept, Sir, the assurances of my highest considerations,

Sincerely,

[signed]

Ehab Fawzy

Permanent Representative

Text of the letter from the Permanent Mission of the Kingdom of Morocco to the International Organizations in Vienna

[Received on 20 May 2011]

Vienna, 16 May 2011

Sir,

With reference to your letter of 4 March 2011 concerning the application of IAEA safeguards in the Middle East and, in particular, General Conference resolution GC(54)/RES/13 requesting the Director General to make arrangements to convene a forum on the establishment of a nuclear-weapon-free zone in the Middle East and to develop an agenda for such a forum, I have the honour to transmit to you below the response of the Moroccan Government on this subject.

I - Context for organization of the forum:

1. The Kingdom of Morocco is of the opinion that the Middle East region continues to be a source of concern for Agency Member States and States in the region, in particular the Arab States, owing to the fact that Israel is the only State in the region that has not adhered to the NPT and has not placed its facilities under Agency comprehensive safeguards, which hampers the achievement of peace and security in the region;
2. The forum on the establishment of a nuclear-weapon-free zone (NWFZ) in the Middle East is being convened pursuant to the resolution adopted by the General Conference at its 54th session on 24 September 2010 which affirms "the urgent need for all States in the Middle East to forthwith accept the application of full-scope Agency safeguards to all their nuclear activities as an important confidence-building measure among all States in the region and as a step in enhancing peace and security in the context of the establishment of an NWFZ";
3. The adoption of resolution GC(53)/RES/17 by the IAEA General Conference at its 53rd session (September 2009) bears witness to the real concerns which Israeli nuclear capabilities give rise to for the international community. The Kingdom of Morocco is of the opinion that, to achieve the objectives of that resolution, a nuclear-weapon-free zone must be established in the Middle East.

II - Implementation and organizational modalities:

4. The organization of such a forum would be a concrete contribution to the holding, pursuant to the decisions of the 2010 NPT Review Conference, of the 2012 conference on the establishment of a nuclear-weapon-free zone in the Middle East, in which all States in the region would participate;
5. The Kingdom of Morocco reiterates the need to engage all parties concerned with a view to taking concrete measures to establish a nuclear-weapon-free zone in the Middle East. The international community must redouble its efforts to persuade all countries in the region,

without exception, to accept an NWFZ in the Middle East and to place all nuclear facilities under the IAEA comprehensive safeguards regime;

6. Convinced as it is that the establishment of an NWFZ in the Middle East would be an important step towards the creation of a climate of confidence among States in the region and towards the achievement of a just and lasting peace, Morocco supports the organization of the forum and stands ready to contribute to efforts within the framework of the Agency to establish such a zone in the Middle East;
7. The Kingdom of Morocco remains convinced that the IAEA could contribute to the establishment of an NWFZ in the Middle East thanks to its important role in the disarmament and non-proliferation regime, in accordance with Article II [of the Agency's Statute] concerning prevention of the use of assistance provided by the Agency to further any military purpose, and Article III.B.I concerning safeguarded disarmament, and reiterates its willingness to support the efforts of the Director General of the IAEA.

Accept, Sir, etc.,

[signed]

Dr Omar Zniber

Ambassador

Resident Representative of the Kingdom of Morocco
to the International Atomic Energy Agency

Text of the letter from the Permanent Mission of
the Kingdom of Saudi Arabia
to the United Nations and the International Organizations in Vienna

[Received on 20 May]

18 May 2011

Dear Sir,

With reference to your letter Ref. No. A1.21-55 dated 4 March 2011 seeking the view of the Kingdom of Saudi Arabia regarding implementation of resolution GC(54)/RES/13 of 2010 concerning the application of IAEA safeguards in the Middle East and decision GC(44)/DEC/12 of 2000 concerning arrangements for convening a forum on the establishment of a NWFZ in the Middle East, in the context of preparing for the item entitled "Application of IAEA Safeguards in the Middle East" for the fifty-fifth regular session of the IAEA General Conference, I should like to re-emphasize the Kingdom's desire to make the Middle East a region free from weapons of mass destruction in cooperation and coordination with all the parties concerned at the regional and international level. It is noted that the aspects proposed by the Agency have focused on the title of the meeting and its main topics, which have been limited to lessons learned from the expertise and experience of other geographical NWFZs. The main topics of the meeting have been limited to this aspect which, despite its relevance is, however, unlikely to lead to the emergence of a practical vision for practical proposals in this framework, such as strengthening the universality of the NPT and the associated safeguards agreement, in the States of the region. Furthermore, this may require caution as regards outcomes of this meeting (and also of the conference to be held in 2012 based on the results of the latest NPT Review Conference held in May 2010) that call for additional binding restrictions on Member States now party to the NPT and to safeguards while other States of the region (like Israel) remain outside the framework of these restrictions, for example the binding additional protocol or the establishment of regional treaties specifically for this zone with respect to the nature of ongoing conflicts and the existence of Israeli nuclear capabilities. It is important to study the experience of other regions that are free from weapons of mass destruction. Also, the Kingdom proposes that the IAEA issue a report that clearly and transparently sets forth the obstacles, as well as the measures and commitments which must be undertaken by States of the Middle East, both separately and jointly, to rid the region of weapons of mass destruction.

Accept, Sir, my kind regards,

[signed]

Mansour Bin Khalid Al-Saud

Ambassador and Resident Representative of the Kingdom of Saudi Arabia

to the United Nations and the international organizations in Vienna

Text of the Letter from the Permanent Mission of Lebanon to the International Organizations in Vienna

[Received on 20 May 2011]

17 May 2011

Sir,

With reference to your letter Ref. No. A1.21-55 dated 4 March 2011 about the application of Agency safeguards in the Middle East, and specifically about General Conference decision GC(44)/DEC/12 requesting the Director General to make arrangements to convene a forum about the establishment of a NWFZ in the Middle East and to develop an agenda and modalities to ensure its success, we should like to make some observations on the proposal enclosed with the Director General's note as follows:

1. Lebanon welcomes the international efforts aimed at creating a NWFZ in the Middle East, and especially the emphasis on it in the relevant decisions of the United Nations General Assembly and the Security Council, the IAEA General Conference and Board of Governors, the decisions of the League of Arab States to make the region free of weapons of mass destruction and of the NPT Review Conferences, the most recent being the Review Conference held in New York in May 2010.
2. Lebanon has always expressed, like the other Arab States, its preparedness to take practical steps towards the creation in the Middle East of a zone free of nuclear, chemical and biological weapons of mass destruction, and to refrain from taking any measures that could prevent the attainment of this goal. It considers that the creation of a NWFZ in the Middle East would improve the chances for a just and comprehensive peace in the region.
3. On the other hand, the policies of successive Israeli Governments have led to hindering of the peace process in the Middle East and have thwarted all the relevant initiatives to rid the Middle East of weapons of mass destruction and, first and foremost, nuclear weapons. Israel is also continuing its defiance of the international community by refusing to accede to the NPT or submit its installations to the Agency's comprehensive safeguards regime, thereby exposing the region to nuclear risks and undermining peace, whilst its senior officials confirm Israel's possession of nuclear weapons, an issue capable of prompting a destructive nuclear arms race, especially as Israel's installations remain outside any international control and in view of its continued threats and acts of aggression against its neighbours.
4. Lebanon thinks that, in convening the forum, its goal should not depart from the overall framework of how this topic is addressed within the IAEA bodies and be in accordance with its resolutions, nor should the forum be construed in any way as a substitute for the Agency, or change the path the Agency is pursuing.

Also, it should not be construed as a substitute for the 2012 conference which the 2010 NPT Review Conference held in New York decided to convene.

5. The fundamental criteria for the creation of such a region are:

- Application of Agency comprehensive safeguards to all nuclear installations in the Middle East;
- Accession by all States of the region to the NPT.

We propose that item 3 of the draft agenda be restricted to discussion of the situation in the Middle East in light of the special nature of this region, and that ambiguity in the framework of comparison with experience in another region be avoided.

(signed)

Ishaya El-Khoury

Ambassador

Resident Representative of Lebanon

Text of the Letter from the Permanent Mission of the State of Kuwait to the United Nations in Vienna

[Received on 27 May 2011]

25 May 2011

Dear Sir,

At the outset I should like to commend Your Excellency's efforts in implementing the IAEA programmes and goals. We have taken note, with great appreciation, of what has been achieved in the short time since you assumed the functions of the office of Director General of the Agency.

I refer to your letter sent on 4 March 2011 requesting the view of the State of Kuwait on developing an agenda and modalities for convening a Middle East forum. At its forty-fourth session, the IAEA General Conference in decision GC(44)/DEC/12 requested the Director General of the Agency to take the necessary steps to convene a forum to be attended by the States of the Middle East and other parties concerned about the issue of the establishment of a NWFZ in the Middle East.

I should like to say that the State of Kuwait welcomes the international efforts aimed at establishing a NWFZ in the Middle East, with special emphasis on the resolutions of the United Nations General Assembly and the Security Council, the NPT Review Conference and the IAEA General Conference and Board of Governors in this regard.

I should also like to communicate to you the standpoint of the State of Kuwait, which stresses that the fundamental elements for the establishment of this zone are embodied in the application of IAEA comprehensive safeguards to all the nuclear installations in the Middle East and accession by all States of the region to the NPT. Israel, however, remains the only country in the region refusing to comply with these two fundamental imperatives.

In this sphere, we look forward to your continued constructive efforts to prepare for and make all the necessary arrangements to convene the forum, which should contribute to establishment of a NWFZ in the Middle East. We would like the proposed agenda to include an indication to the effect that the aim of the discussions in the forum is to establish a NWFZ in the Middle East, so as to avoid the raising of doubts about the likelihood of such a zone being established and to avoid the forum being devoid of content.

We express to your our support for the efforts being made in this regard. We expect the Agency to play an important role in preparing and making arrangements for the necessary documents for the convening of the international conference on the establishment of a NWFZ in 2012, as laid down by the NPT Review Conference held in May 2010, and we trust in the compatibility of the goals of convening the forum and of the international conference that it has been decided to convene next year.

Yours, etc.

[signed]

Mohamed Saed Al-Oudah Al-Salal

Ambassador and Resident Representative

Text of the Letter from the Embassy of the Syrian Arab Republic

[Received 20 June]

Sir,

I refer to your Note Verbale dated 4 March 2011 seeking States' views on the proposal to convene a forum for learning from the experiences of other nuclear-weapon-free zones in the world, and hereby transmit to you my Government's position on this matter.

The Syrian Arab Republic welcomes your efforts in this regard. It also welcomes all international efforts aimed at making the Middle East a nuclear-weapon-free zone, pursuant to numerous resolutions of the United Nations General Assembly and the General Conference of the International Atomic Energy Agency (IAEA), as well as resolutions of Review Conferences of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

Syria was one of the first nations in the region to accede to the Treaty on the Non-Proliferation of Nuclear Weapons, the main pillar of the non-proliferation regime. It is of the view that, to achieve universality of the NPT in the Middle East, the international community must put pressure on Israel to accede to the NPT as a non-nuclear-weapon State and place all its nuclear activities under IAEA comprehensive safeguards.

Syria reiterates its eagerness to make the Middle East a nuclear-weapon-free zone. It has contributed to all initiatives promoting the establishment of such a zone. Furthermore, in 2003, it attempted to submit a draft Security Council resolution to that effect.

In Syria's view, it is important for the success of such a forum that the negotiating parties seeking to establish a nuclear-weapon-free zone fulfill their international obligations and ratify all relevant treaties. Furthermore, the objectivity of this event's agenda should be ensured by including a special mention of the establishment of a nuclear-weapon-free zone in the Middle East, which should ensure a practical outlook in executive proposals, while discussing means of profiting from other regions' experiences in this area.

Syria stresses that this forum should in no way be considered as an alternative to the conference planned for 2012, as approved by the 2010 NPT Review Conference.

We hope that our view in this regard will be taken into account and I would ask you to include our position in the Director General's reports to the Board of Governors and the General Conference.

Accept, Sir, the assurances of my highest consideration.

[signed]

Ambassador Bassam Sabbagh

Resident Representative of the Syrian Arab Republic

Text of the Letter from the Permanent Mission of
the Hashemite Kingdom of Jordan
to the United Nations and other International Organizations in Vienna

[Received 20 June 2011]

16 June 2011

First of all, I would like to thank you for your letter on the resolution on application of IAEA safeguards in the Middle East, and the initiative to invite stakeholders from that region and other interested parties to participate in efforts to organize a forum to benefit from experience gained in other regions with a view to the establishment of a nuclear-weapon-free zone in the Middle East, as well as the attached proposed agenda.

As you know, Jordan has called more than once for the application of comprehensive safeguards in the Middle East with a view to freeing the region from nuclear weapons. It has also emphasized the need for Israel to adhere to the Non-Proliferation Treaty as a non-nuclear weapon State, and to place all its nuclear facilities under Agency comprehensive safeguards, with a view to achieving the universality of the Treaty, and in support of the international community's efforts to free the Middle East from nuclear weapons, thus establishing peace and security in the region. This would encourage States in the region to focus on the economic and social development of their peoples and reject arms race policies which are still impeding development efforts and contributing to inflaming crises and undermining confidence-building efforts.

In this context, Jordan confirms its ongoing efforts to achieve this objective, and welcomes the forum and approves the agenda you have proposed, while emphasizing that this forum should promote efforts to establish a nuclear-weapon-free zone in the Middle East and contribute to the success of the international conference to be held in 2012 with the aim of establishing a zone in the Middle East free from nuclear weapons and all other weapons of mass destruction, based on arrangements to be concluded freely among the States of that region, and with the full support and participation of the nuclear-weapon States.

Accept, Sir, etc.

[signed]

HE Mr Makram QUEISI

Resident Representative

Text of the Letter from the Embassy of the People's Democratic Republic of Algeria

[Received on 24 June 2011]

Vienna, 23 June 2011

Sir,

I have the honour to refer to your letter Ref. A1.21-55, dated 4 March 2011, and to communicate to you the response below.

Algeria reiterates its support for the mandate conferred on the IAEA by Article III.B.1 of the Statute, in the version currently in force, to “promote peace and international co-operation, and in conformity with policies of the United Nations furthering the establishment of safeguarded worldwide disarmament and in conformity with any international agreements entered into pursuant to such policies”.

It takes this opportunity of pointing out the compatibility of the Agency's role in the disarmament field with the mandate conferred on the Director General of the IAEA by resolution GC(54)/RES/13, adopted by the 54th General Conference in September 2010, on the application of IAEA safeguards in the Middle East and the organization of a forum to exchange views on the establishment of a nuclear-weapon-free zone (NWFZ), and concrete steps towards the realization of disarmament goals agreed at international level.

Algeria is of the view that the application of safeguards in the Middle East is related to the efforts of the international community to achieve universality of the NPT and IAEA comprehensive safeguards agreements, as advocated by the relevant resolutions of the NPT Review Conference, the United Nations General Assembly and the IAEA General Conference. These efforts, which are also related to the preservation of peace and international cooperation, are linked to the mandate of the IAEA, which is responsible for the control of peaceful uses of special fissionable material, inter alia in the Middle East where there is a particular need for universal application of the NPT and of safeguards to all nuclear facilities in countries in the region.

Furthermore, the organization of a forum under the auspices of the IAEA on the appropriateness of establishing an NWFZ in the Middle East is in keeping with the commitments of the international community to work resolutely towards general and complete disarmament, in line with the 13 practical steps adopted at the 2000 NPT Review Conference over which Algeria had the privilege to preside.

The holding of the envisaged forum could promote dialogue on regional security together with disarmament and non-proliferation issues, which would be particularly useful in the light of the forthcoming 2012 conference on the Middle East decided upon by the 2010 NPT Review Conference.

In addition, Algeria urges the Director General of the IAEA to discharge the mandate conferred upon him to apply safeguards in the Middle East and organize a forum with a view to the establishment of

an NWFZ, including the necessary modalities for the effective and mutual verification thereof, and of other weapons of mass destruction.

Algeria supports the principles and objectives of disarmament and non-proliferation, on which its policy in these fields is based, and declares that it is prepared to take part in the planned forum on the basis of the draft agenda attached to your letter.

Accept, Sir, etc.,

(signed)

Taous Feroukhi

Ambassador, Resident Representative

Text of the Letter from the Permanent Mission of the Republic of Iraq

[Received 27 June]

Position of the Government of Iraq on the note of the Director General of the International Atomic Energy Agency

1. The Government of the Republic of Iraq underlines the continued validity of the Middle East resolution adopted by the 1995 NPT Review Conference concerning the establishment of a zone free of nuclear and all weapons of mass destruction.
2. The forum is not a substitute for the international conference to be held in 2012, as decided at the Review Conference held in New York in May 2010.
3. Affirmation of what was agreed at the 2010 Review Conference as regards the Middle East.
4. The Government of Iraq strongly believes that we must all bear responsibility for compliance with and implementation of disarmament and non-proliferation treaties and conventions. The Government of Iraq, besides its obligations under these treaties and conventions, also complies with the international arrangements related to disarmament, weapons control and non-proliferation.
5. Iraq acceded to the Treaty on the Non-Proliferation of Nuclear Weapons in 1969 and signed the model additional protocol of the IAEA comprehensive safeguards regime on 9 October 2008, now before the Council of Representatives for ratification. It is known that Iraq notified the Agency officially that it would apply the protocol voluntarily as from 17 February 2010 pursuant to Article 17 of the protocol, and Iraq submitted its first declaration in that regard on 16 July 2010.
6. The Government of Iraq supports the efforts being made by Member States to achieve universality of the comprehensive safeguards regime but, at the same time, underlines the voluntary nature of the additional protocol, on account of which it [the additional protocol] cannot be made a condition for the supply of nuclear technology for peaceful purposes.
7. The Government of Iraq underlines the importance of continuing the preparations being made for the international conference to be held in 2012, and urges the parties concerned and the Secretary-General of the United Nations to spare no effort towards implementing the resolution of the Review Conference.
8. The Government of Iraq confirms its commitment to resolution 7318 entitled "Dangers of Israeli nuclear weapons and other Israeli weapons of mass destruction to international peace and Arab national security", and resolution 7319 entitled "Scale and dangers of Israeli space and missile activity to Arab national security", which were adopted at the 135th regular session of the Council of the League of Arab States at the foreign ministerial level on 2 March 2011.

Text of the Letter from the Embassy of the Sultanate of Oman

[Received on 27 June]

Dear Sir,

I refer to your letter No. AI 21-55 sent on 4 March 2011 concerning the Agency's proposal to convene an international forum to consider the practical and appropriate steps required to establish a nuclear-weapon-free zone in the Middle East, and the Agency's desire to learn the views of the States of the Middle East regarding the convening of this forum.

In this framework, we are pleased to communicate to you that the Government of the Sultanate of Oman welcomes the convening of this international forum, on condition that all the necessary means be provided for its success, with emphasis being placed on how to implement the resolution [decision] issued by the 1995 and 2010 NPT Review Conferences to make the Middle East a zone free of nuclear weapons, and to convene an international conference in 2012 towards ridding the Middle East of nuclear weapons under the auspices of the United Nations.

Also, the Sultanate of Oman stresses the need for continued international efforts to urge the States of the region which have not yet acceded to the NPT to do so unconditionally and without delay, and to submit their nuclear installations to the comprehensive control regime of the IAEA.

Accept the assurances of my highest esteem and consideration.

[signed]

Dr Badr bin Mohamed bin Zaher Al Hinai

Ambassador and Resident Representative of

the Sultanate of Oman to the International Atomic Energy Agency

Text of the Letter from the Permanent Mission of the Islamic Republic of Iran to the International Atomic Energy Agency

[Received on 16 August 2011]

11 August 2011

Sir,

Pursuant to the Agency's communication regarding the "Application of IAEA Safeguards in the Middle East" I wish to inform you that we are supporting the application of full-scope Agency's safeguard in the Middle East as an important confidence building measure. Iran as initiator of the establishment of the Nuclear Weapons Free Zone in the Middle East in 1974, constantly supported creation of such mechanism in the region.

The Islamic Republic of Iran not only in all meetings of IAEA including General Conference and Board of Governors but also in NPT's Conferences supported establishment and realization of such an important measure in the Middle East region. The great concession of the Islamic Republic of Iran on the adoption of the Action Plan in the 2010 NPT Review Conference proves this assertion.

We are of the view that stability cannot be achieved in a region where massive imbalances in military capabilities are maintained particularly through the possession of nuclear weapons which allow one party to threaten its neighbours and the region.

While we are urging all countries to take collective and practical steps towards the establishment of a NWFZ in the Middle East and pending its establishment, we do expect all Member States of IAEA to call on the only non-party to the NPT in the region to renounce possession of nuclear weapons, to accede promptly to the Treaty on the Non-Proliferation of Nuclear Weapons as a non-nuclear weapon party, and to immediately place all its nuclear facilities under IAEA full-scope safeguards.

Since we believe that an effective and successful forum, taking collective measures to establish a Nuclear Weapons Free Zone in the Middle East, can be held only if all in the Middle East are party to the NPT, therefore, we do not see any justification for convening a forum at this time juncture.

Please accept, Sir, the assurances of my highest consideration.

[signed]

Ali Asghar Soltanieh

Ambassador & Resident Representative

Text of the Letter from the Permanent Mission of the United Arab Emirates to the International Atomic Energy Agency

[Received on 1 September 2011]

Excellency,

I have the honour to refer to your letter of March 4th, 2011, regarding the implementation of resolution GC/54/RES/13 on the “Application of IAEA safeguards in the Middle East”, and further welcome your efforts to consult with the States of the Middle East to facilitate the early application of the full-scope Agency safeguards to all nuclear activities in the region.

UAEA strongly views that all States of the Middle East should join the NPT, bring in force full-scope safeguards agreement with the Agency, and meet their associated obligation. In this context, UAE joins the call on Israel to join the NPT and to subject all its nuclear facilities to the Agency’s full-scope safeguards. Further, UAE views that all countries of the region should meet their NPT obligations with no exceptions. Such steps should facilitate the establishment of NWFZ in the Middle East.

UAE is committed to support all the efforts for the establishment of such zone. Consequently, UAE emphasizes the importance of the 2012 conference as called for by the 2010 NPT review conference in New York. Given its technical nature, the Agency has an important role to ensure the success of the conference and ultimately the establishment of the NWFZ in the Middle East. Accordingly, UAE welcomes the convening of the proposed forum as outlined in the aforementioned letter, to study and learn from lessons of other regions regarding establishment of related NWFZs. We are of the view that such forum should contribute to the discussion leading to the 2012 conference and to the establishment of NWFZ in the Middle East.

Accept, Excellency, the assurance of my highest consideration.

[signed]

Hamad Al Kaabi

Ambassador

Resident Representative of the UAE to the IAEA