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Item 7(a) of the Board's agenda

(GOV/2013/53)

Item 21 of the Conference's agenda

(GC(57)/1, Add.1, Add.2 and Add.3)

Application of IAEA Safeguards in the Middle East

Addendum

Report by the Director General

1. In paragraph 7, a footnote should be added in the first line after “Middle East region”. The footnote should read “Algeria, Bahrain, Comoros, Djibouti, Egypt, Islamic Republic of Iran (Iran), Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Somalia, Sudan, Syrian Arab Republic, Tunisia, United Arab Emirates and Yemen”.
2. At the end of paragraph 15, the sentence “The background documentation provided by the IAEA Secretariat to Mr Laajava is contained in the Annex to the present Report.” should be added.
3. The Annex is attached to this document.

2012 Conference on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction

IAEA background documentation

1. Introduction

The 2010 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) endorsed the practical step of convening a conference in 2012 on the establishment of a Middle East zone free of nuclear weapons and all other weapons of mass destruction and their delivery systems. The 2010 Review Conference also endorsed that the IAEA and other relevant international organizations be requested to prepare background documentation for the 2012 Conference, taking into account work previously undertaken and experience gained. The present background documentation is provided in response to this request, and to the letter dated 27 April 2012 from the Facilitator for the 2012 Conference, Ambassador Jaakko Laajava of Finland.

The background documentation describes the work the IAEA has undertaken and the experience gained with regard to modalities for a zone free of nuclear weapons in the Middle East region.

A list of IAEA documents related to the application of safeguards in the Middle East is provided in Attachment 1.

A list on the status of safeguards agreements, additional protocols and small quantities protocols for States in the Middle East region is provided in Attachment 2.

2. Work previously undertaken by the IAEA

In resolution GC(XXXII)/RES/487, adopted by the 32nd General Conference of the IAEA on 23 September 1988, the Director General was requested, inter alia, “to prepare a technical study on different modalities of application of IAEA safeguards in the region, taking into account the IAEA’s experience in applying its safeguards”.¹ This was the first request by the General Conference for the Director General to prepare a document on this subject.

In response to that request, the Director General, in a Note entitled “Modalities of the Application of Safeguards in the Middle East” (GC(XXXIII)/887², reported to the 1989 General Conference on a technical study which the Secretariat had carried out on different modalities of the application of safeguards in the Middle East. The technical study, attached to the Director General’s Note, described the safeguards agreements concluded between the IAEA and the States concerned, and provided, inter alia, a comparison of different types of safeguards agreements under which the IAEA applies safeguards.³

¹ In operative paragraph 6 of resolution GC(XXXII)/RES/487 (23 September 1988), the General Conference requested “the Director General, pending the acceptance by Israel to place all its nuclear facilities under IAEA safeguards, to prepare a technical study on different modalities of application of IAEA safeguards in the region, taking into account the Agency’s experience in applying its safeguards.”

² See *Technical Study on Different Modalities of the Application of Safeguards in the Middle East*, attached to Note by the Director General, *Modalities of Application of Agency Safeguards in the Middle East*, GC(XXXIII)/887 (29 August 1989).

³ See *Technical Study on Different Modalities of the Application of Safeguards in the Middle East*, attached to Note by the Director General, *Modalities of Application of Agency Safeguards in the Middle East*, GC(XXXIII)/887 (29 August 1989), para. 2.

In 1989, the General Conference requested the Director General “to consult with the States concerned in the Middle East area with a view to applying Agency safeguards to all nuclear installations in the area, keeping in mind the relevant recommendations contained in paragraph 75 of the report attached to document GC(XXXIII)/887 and the situation in the area of the Middle East, and to report on the matter to the Board of Governors and to the General Conference at its thirty-fourth regular session”.⁴

Following the adoption of United Nations General Assembly resolution A/RES/43/65 (7 December 1988), in which the Secretary General was requested to prepare a study on the establishment of a nuclear-weapon-free zone (NWFZ) in the Middle East, discussions were held between the IAEA and the UN on the subject in 1989 and 1990.

In 1991, an item on “Application of IAEA safeguards in the Middle East” was for the first time included in the agenda of the General Conference.⁵ The General Conference adopted the first resolution on that subject (GC(XXXV)/RES/571).⁶ In that resolution, the Director General was requested “to take such measures as are necessary to facilitate the early application of full-scope Agency safeguards to all nuclear activities in the Middle East, and in particular to prepare a model agreement taking into account the views of the States in the region as a necessary step towards the creation of a [NWFZ]”.⁷ Following the adoption of that resolution, the IAEA held consultations with the States of the Middle East.⁸

In 1992, the Director General’s report in GC(XXXVI)/1019 gave examples of the kinds of obligations which might be undertaken by two groups of States, namely States of the region and Nuclear Weapon States, in an agreement on a NWFZ in the Middle East.⁹ The report, inter alia, identified possible verification requirements in such a zone, as well as the means of carrying out such verification.¹⁰ The report also recalled the need for some clarity on the part of States of the region as regards the material obligations to be included in a NWFZ agreement.¹¹ The report indicated that the IAEA might also arrange seminars to familiarize Government officials in the States concerned with safeguards principles, practices and modalities in order to facilitate their choices of options for a future NWFZ.¹²

In 1993, pursuant to the mandate conferred upon the Director General by the General Conference in resolution GC(XXXVI)/RES/601 (1992) to continue consultations with the States of the Middle East,

⁴ See *Israeli Nuclear Capabilities and Threat*, Resolution adopted during the 321st plenary meeting, on 29 September 1989, GC(XXXIII)/RES/506 (29 September 1989), para. 2.

⁵ *Request for the inclusion of an item entitled “Application of IAEA safeguards in the Middle East” in the Provisional Agenda for the thirty-fifth regular session of the General Conference*, GC(XXXV)/969 (23 August 1991); GC(XXXV)/969/Corr.1 (30 August 1991); *Provisional Agenda*, GC(XXXV)/952/Add.2 (23 August 1991); GC(XXXV)/952/Add.2/Rev.1 (30 August 1991).

⁶ See *Application of IAEA safeguards in the Middle East*, Resolution adopted during the 342nd plenary meeting on 20 September 1991, GC(XXXV)/RES/571 (20 September 1991).

⁷ GC(XXXV)/RES/571 (20 September 1991), para. 2.

⁸ See GOV/2010/48-GC(54)/13, para. 14; GOV/2009/44-GC(53)/12, para. 11; GOV/2008/29/Rev.1-GC(52)/10/Rev.1, para. 12; GOV/2008/29-GC(52)/10, para. 12; GOV/2007/40-GC(51)/14, para. 13; GOV/2006/44-GC(50)/12, para. 13; GOV/2005/53-GC(49)/18, para. 14; GOV/2004/61-GC(48)/18, para. 14; GOV/2003/54-GC(47)/12, para. 16; GOV/2002/34-GC(46)/9, para. 14; GOV/2861-GC(40)/6, para. 8; GOV/OR.787, para. 106.

⁹ See *Application of IAEA safeguards in the Middle East*, Report by the Director General to the Board of Governors and to the General Conference, GC(XXXVII)/1019 (1992), paras. 11-12.

¹⁰ See GC(XXXVII)/1019 (1992), paras. 13-23.

¹¹ See *Application of IAEA safeguards in the Middle East*, Report by the Director General to the Board of Governors and to the General Conference, GOV/2682-GC(XXXVII)/1072 (6 September 1993), para. 3.

¹² See GC(XXXVI)/1019 (1992), para. 8.

the IAEA convened a workshop in Vienna (on 4–7 May 1993) on “The Modalities for the Application of Safeguards in a Future Nuclear-Weapon-Free-Zone in the Middle East”. Topics ranged from the general features of verification systems to detailed coverage of safeguards techniques and practices.¹³

In 1994, in fulfilment of the mandate conferred upon the Director General by resolution GC(XXXVIII)/RES/21 (1994), the IAEA participated in the work of the Multilateral Working Group on Arms Control and Regional Security (ACRS) in the Middle East.¹⁴

Pursuant to Decision GC(40)/DEC/15¹⁵ of the General Conference in 1996, which requested “the Director General to invite experts from the Middle East and other areas to a technical workshop on safeguards, verification technologies, and related experience”, the IAEA prepared a programme for such a workshop in consultation with parties concerned.¹⁶ The workshop convened on 12-15 May 1997 in Vienna “had, as its objective, to deepen understanding about the IAEA Safeguards system, its verification technologies and related experience.”¹⁷ The workshop focussed, inter alia, on the process of verification per se, on the IAEA safeguards system and its key parts, on the IAEA’s capacity to detect any undeclared nuclear material or facilities, on transparency about States’ nuclear programmes and plans, on the IAEA experience and the lessons learned from the implementation of safeguards, and on new verification technologies and issues.¹⁸

In 1997, the General Conference, in Decision GC(41)/DEC/14, adopted in conjunction with GC(41)/RES/25,¹⁹ requested “the Director General to invite experts from the Middle East and other areas to a technical workshop on safeguards, verification technologies, and other related experience, including experience in various regional contexts”.²⁰ Pursuant to that request, the IAEA prepared a programme for the workshop in consultation and co-ordination with parties concerned. The technical workshop, “Safeguards, Verification Technologies and Other Related Experience”, the third of its kind, took place at the IAEA Headquarters on 11–13 May 1998. The aim of the workshop was to further increase understanding with regard to the origin, features and application of IAEA safeguards and other verification concepts, techniques and tools, as well as with regard to the lessons learnt from catering for specific regional initiatives and needs including those learned by the IAEA through its verification of NWFZs.²¹

¹³ GOV/2682-GC(XXXVII)/1072 (6 September 1993), para. 10.

¹⁴ See GOV/2682-GC(XXXVII)/1072 (6 September 1993), para. 11; *Application of IAEA safeguards in the Middle East*, Report by the Director General, GOV/2757-GC(XXXVIII)/18 (26 August 1994), paras. 8-13; *Application of IAEA safeguards in the Middle East*, Report by the Director General to the General Conference and to the Board of Governors, GOV/2825-GC(39)/20 (17 August 1995), paras. 8-10; *Application of IAEA safeguards in the Middle East*, Report by the Director General to the General Conference and to the Board of Governors, GOV/2861-GC(40)/6 (8 May 1996), paras. 7-8.

¹⁵ See *Application of IAEA safeguards in the Middle East*, GC(40)/RES/22 (20 September 1996).

¹⁶ See *Application of IAEA safeguards in the Middle East*, Report by the Director General to the Board of Governors and to the General Conference, GOV/2941-GC(41)/16 (18 August 1997), para. 8.

¹⁷ See GOV/2941-GC(41)/16, para. 9.

¹⁸ See GOV/2941-GC(41)/16, paras. 11-14.

¹⁹ See *Application of IAEA safeguards in the Middle East*, Resolution adopted on 3 October 1997 during the 10th plenary meeting, GC(41)/RES/25 (3 October 1997).

²⁰ See *Application of IAEA safeguards in the Middle East*, GC(41)/DEC/14 (3 October 1997).

²¹ See *Application of IAEA safeguards in the Middle East*, Report by the Director General to the Board of Governors and to the General Conference, GOV/1998/45-GC(42)/15 (26 August 1998), paras. 10-13; *Application of IAEA safeguards in the Middle East*, Report by the Director General to the Board of Governors and to the General Conference, GOV/1999/51-GC(43)/17 (17 August 1999), para. 5; *Application of IAEA safeguards in the Middle East*, Report by the Director General to the Board of Governors and to the General Conference, GOV/1999/51-GC(43)/17 (17 August 1999), para. 5.

On 22 September 2000, in the context of the agenda item on “Application of IAEA safeguards in the Middle East”, the 44th General Conference adopted Decision GC(44)/DEC/12,²² 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.”

The Director General continued to seek the views of Member States and reported annually to the General Conference on the results of his consultations on the convening of such a forum. There continued, however, to be differences of views among States of the region. Following further consultations in 2011, the Director General wrote to Member States on 31 August 2011 inviting them to take part in the IAEA Forum on Experience of Possible Relevance to the Creation of a NWFZ in the Middle East, on 21–22 November 2011 at IAEA Headquarters.

As described in the agenda circulated with the Director General’s letter,²³ the Forum, reflecting the consensus of the Agency’s Member States on the importance of establishing a NWFZ in the region of Middle East, was 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 was 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 potential relevance of such experience to the case and region of the Middle East was addressed as well.

On 12 September 2011, in his introductory statement to the Board of Governors, the Director General announced that the Resident Representative of Norway to the IAEA, Ambassador Jan Petersen, had accepted his invitation to serve as Chairman of the Forum.

The programme of the Forum, which was developed by the Chairman in the course of his consultations,²⁴ consisted of three plenary sessions. The Director General opened the Forum on 21 November 2011. During Plenary Session 1, the representatives of the five NWFZs addressed the history and process of the establishment of their respective NWFZs in light of related geopolitical circumstances as well as regional and international security settings.²⁵ They explained that the establishment of each NWFZ had been a unique, and lengthy, endeavour that needed to address confidence building, non-proliferation and transparency issues through flexible and sometimes innovative negotiating processes. Strong political will and commitment of the States involved were underlined as key elements. Technical and legal support by relevant international organizations, such as the UN and the IAEA were noted. The representatives of two regional verification arrangements,

²² See *Application of IAEA safeguards in the Middle East*, GC(44)/DEC/12 (September 2000).

²³ See *Application of IAEA safeguards in the Middle East*, Report by the Director General, GOV/2012/38-GC(56)/17 (27 August 2012), Annex 1.

²⁴ See GOV/2012/38-GC(56)/17 (27 August 2012), Annex 2.

²⁵ The presentations by the representatives of the five NWFZs are available in Annex 3 to GOV/2012/38-GC(56)/17 (27 August 2012).

EURATOM and ABACC, delivered presentations on their respective regional verification practices, and on the potential relevance of such experience to the case and region of the Middle East.²⁶

Following the seven presentations delivered at Plenary Session 1, the Forum was opened for discussion among the Forum participants and the panellists. The discussions were structured and scheduled so as to give priority to the Member States of the Middle East region. Plenary Session 2 was reserved for discussion by the States of the Middle East region and the presenters, which addressed issues of potential relevance of the experience of existing NWFZs and regional verification arrangements to the case and region of the Middle East. During Plenary Session 3, the discussion was broadened to include all IAEA Member States. During Plenary Sessions 2 and 3, Member States expressed an overall view of the usefulness of the Forum and their appreciation for the efforts of the Director General in convening the Forum.

At the conclusion of the Forum on 22 November 2011, the Chairman read out to the participants his summary of the Forum, the text of which is annexed to the 2012 the Director's General report on the application of safeguards in the Middle East contained in GOV/2012/38-GC(56)/17 (27 August 2012).

3. The IAEA role under NWFZ treaties and regional verification arrangements

In the five existing NWFZs, the IAEA's primary role is verification of the States parties' compliance with their obligation to use nuclear energy solely for peaceful purposes. The NWFZs rely on a legal framework for safeguards under which all non-nuclear-weapon States (NNWSs) party to the NWFZ treaties conclude comprehensive safeguards agreements (CSAs) with the IAEA. The Central Asian NWFZ Treaty further requires States parties to conclude not only a CSA, but also an AP.

The Rarotonga, Bangkok, Pelindaba and Central Asian NWFZ treaties also include provisions requiring IAEA safeguards as a condition of supply of source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material to a NNWS (some of the treaties, such as the Rarotonga Treaty, also require safeguards as a condition of supply to nuclear-weapon States). The Central Asian NWFZ Treaty additionally requires the conclusion of an AP as a condition of supply to a NNWS.

Some of the NWFZ treaties provide for a broader role for the IAEA, such as the possibility of participation in fact-finding missions or inspections in the event that there are questions about compliance. These provisions have not been invoked to date. The Pelindaba Treaty also anticipates a role for the IAEA in the verification of the dismantling and destruction of nuclear explosive devices, as well as the destruction or conversion of the facilities for their production.

The IAEA has provided legal advice and technical support at the request of the States involved on all aspects of NWFZ arrangements including treaty issues, safeguards and cooperation arrangements. The support has also included participation in meetings and workshops of the States parties at the request of the States. The IAEA also assists IAEA Member States parties to those treaties through its legislative assistance programme in developing and/or enhancing their respective national legal frameworks governing the peaceful uses of nuclear energy and ionizing radiation in order to bring them in line with the relevant international legal instruments, including those related to NWFZs.

²⁶ The presentations by the representatives of Euratom and ABACC are available in Annex 3 to GOV/2012/38-GC(56)/17 (27 August 2012).

The 1967 Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Tlatelolco Treaty - the Latin American and Caribbean NWFZ)

Under this Treaty, each Contracting Party is required to conclude multilateral or bilateral agreements with the IAEA for the application of safeguards to its nuclear activities (Article 13). Article 16.1 of the Treaty authorizes the IAEA to carry out special inspections, in accordance with Article 12 of the Treaty and in accordance with the safeguards agreements referred to in Article 13 of the Treaty. In accordance with the Cooperation Agreement between the IAEA and the Agency for the Prohibition of Nuclear Weapons in Latin America (OPANAL), “the Secretariats of the two organizations shall maintain a close working relationship in accordance with such arrangements as may have been agreed upon from time to time”.

The Tlatelolco Treaty also includes Additional Protocol I, which is open to all States which have territories within the zone of application of the Treaty for which they are, de jure or de facto, responsible, with respect to which those States agree, inter alia, to conclude agreements for the application of safeguards to nuclear activities carried out in those territories.

The following States within the zone of application have received legislative assistance from the IAEA: Chile, Colombia, Costa Rica, El Salvador, Honduras, Jamaica, Mexico, Paraguay and Peru.

The 1985 South Pacific Nuclear-Free-Zone Treaty (Rarotonga Treaty)

The Rarotonga Treaty was the first NWFZ treaty concluded after the entry into force of the NPT. Thus, it was the first such treaty to require States parties to conclude safeguards agreements which either are, or are the equivalent in scope and effect to, those required in connection with the NPT. It was also the first NWFZ Treaty to contain an explicit requirement of IAEA safeguards as a condition of supply in connection with exports of source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material. Pursuant to Article 4 of the Treaty, in the case of exports to NNWSs, the safeguards called for are those required by Article III.1 of the NPT; in the case of exports to NWSs, the supply must be subject to “applicable safeguards agreements with the [IAEA]”.

Under Article 4(b) of the Rarotonga Treaty, each party undertakes to “support the continued effectiveness of the international non-proliferation system based on the NPT and the IAEA safeguards system”.

In accordance with Annex 2 to the Rarotonga Treaty, entitled “IAEA Safeguards”, each State party agrees, upon the request of any other party, to transmit to that party and to the Director of the South Pacific Bureau for Economic Co-operation, for the information of all parties, a copy of the overall conclusions of the most recent report by the IAEA on its inspection activities in the territory of the party concerned, and to advise the Director promptly of any subsequent findings of the Board of Governors of the IAEA in relation to those conclusions for the information of all parties to the Treaty.

The 1995 Treaty on the Southeast Asia Nuclear-Weapon-Free Zone (Bangkok Treaty)

Under Article 5 of the Bangkok Treaty, each State Party which has not done so is required to conclude an agreement with the IAEA for the application of full scope safeguards to its peaceful nuclear activities. The Bangkok Treaty also contains language similar to that contained in Article 4 of the Rarotonga Treaty requiring NPT safeguards as a condition of supply to NNWSs, and requiring that any such exports to NWSs be “in conformity with applicable safeguards agreements with the IAEA”.

Article 8 of the Bangkok Treaty establishes a Commission for the Southeast Asia Nuclear Weapon-Free Zone (the Commission). Pursuant to Article 18 of the Treaty, the Commission may

conclude such agreements with the IAEA or other international organizations as it considers likely to facilitate the efficient operation of the control system established by the Treaty (which includes, inter alia, the IAEA safeguards system). The Annex to the Treaty, entitled “Procedure for a Fact-Finding Mission”, provides for a further enhanced role of the IAEA through its participation in any fact-finding mission triggered by a State party in order to clarify and resolve a situation which may be considered ambiguous or which may give rise to doubts about compliance with the Treaty.

The following States within the zone of application have received legislative assistance from the IAEA: Brunei, Cambodia, Indonesia, Malaysia, Philippines, Thailand and Vietnam.

The 1996 African Nuclear-Weapon-Free Zone Treaty (Pelindaba Treaty)

In response to a request by the United Nations in 1993, the IAEA assisted the Group of Experts designated by the UN, in cooperation with the then Organization of African Unity, by preparing draft treaty provisions relevant to verification requirements in a future NWFZ in Africa. A senior official of the Agency participated in the meetings of the Group of Experts, and assisted in the development of those provisions. Upon request by the UN, the IAEA participated in a further meeting of the Group of Experts in Pelindaba, during which the Group reached agreement on the draft text of a treaty establishing an African NWFZ. For the purpose of ensuring compliance with the provisions of the Pelindaba Treaty, Article 12 of the Treaty provides for the establishment of an African Commission on Nuclear Energy (AFCONE). The IAEA provided advice and support in the eventual creation of AFCONE as well.

The Pelindaba Treaty requires that each State party conclude a CSA with the IAEA. Under Annex II to the Treaty, entitled “Safeguards of the International Atomic Energy Agency”, the safeguards agreement required under the Treaty “shall be, or shall be equivalent in its scope and effect to, the agreement required in connection with the [NPT]”.

States party to the Treaty undertake not to provide source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any NNWS unless subject to a CSA concluded with the IAEA.

Article 6 of the Pelindaba Treaty also envisages a role for the IAEA in verifying “the processes of dismantling and destruction of the nuclear explosive devices, as well as the destruction or conversion of the facilities for their production”.

Annex IV to the Treaty, which details the procedures in connection with complaints and the settlement of disputes, envisages IAEA inspection, at the request of AFCONE, if AFCONE considers there is sufficient substance in the complaint by a State party to the Treaty that another State party is in breach of its obligations under the Treaty to warrant an inspection in the territory of that party. The IAEA inspection team may be accompanied by the Commission representatives and representatives from the inspected State. The IAEA is to “report its findings in writing as quickly as possible to the Commission, outlining its activities, setting out relevant facts and information as ascertained by it, with supporting evidence and documentation as appropriate, and stating its conclusions.” States parties agree to include in their annual report to the Commission “a copy of the overall conclusions of the most recent report by the [IAEA] on its inspection activities” in their territory and to promptly advise it of any changes to those conclusions.

The Pelindaba Treaty also includes Protocol III, which is open to all States which have territories within the zone of application of the Treaty for which they are, de jure or de facto, responsible, with respect to which those States agree, inter alia, to ensure the application of safeguards specified in Annex II of the Treaty.

The following States in the zone of application have received legislative assistance from the IAEA: Algeria, Benin, Botswana, Burkina Faso, Burundi, Cote d'Ivoire, Ethiopia, Gabon, Kenya, Lesotho, Libyan Arab Jamahiriya, Malawi, Mali, Mauritania, Mauritius, Mozambique, Nigeria, Senegal, United Republic of Tanzania, and Zimbabwe. Signatories that have not ratified the treaty having received legislative assistance are: Angola, Cameroon, Central African Republic, Chad, Democratic Republic of Congo, Egypt, Eritrea, Ghana, Niger, Seychelles, Sierra Leone, Sudan, Tunisia, Uganda and Zambia.

The 2006 Treaty on a Nuclear-Weapon-Free Zone in Central Asia (Central Asian NWFZ Treaty)

Upon request of the Central Asian States and the UN, the IAEA participated in expert meetings and provided legal and technical input on a variety of issues during the negotiation and drafting of the Central Asian NWFZ Treaty.

Under the Central Asian NWFZ Treaty, each party is required to conclude with the IAEA an agreement for the application of safeguards in accordance with the NPT, and, as noted above, an AP. States parties also undertake not to provide any source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any NNWS unless that State has concluded with the IAEA both a CSA and an AP.

The following States within the zone of application have received legislative assistance from the IAEA: Tajikistan and Uzbekistan.

Regional Verification Arrangements

The IAEA also carries out safeguards pursuant to two regional verification arrangements, as indicated below.

The European Atomic Energy Community (EURATOM)

Within the European Union (EU), IAEA safeguards are implemented under three agreements: a comprehensive safeguards agreement concluded in connection with the NPT between the IAEA, EURATOM and the NNWSs of the EU (INFCIRC/193), and two voluntary offer safeguards agreements concluded between the IAEA, EURATOM and the UK and the IAEA, EURATOM and France (INFCIRC/263 and INFCIRC/290, respectively). Each of these agreements includes a protocol on co-operation between EURATOM and the IAEA in the implementation of the agreements.

The Brazil-Argentine Agency for Accounting and Control of Nuclear Materials (ABACC)

Under the 1991 Agreement between the Republic of Argentina and the Federative Republic of Brazil for the Exclusively Peaceful Use of Nuclear Energy (INFCIRC/395), the States parties undertook to use the nuclear material and facilities under their jurisdiction or control exclusively for peaceful purposes. Pursuant to that Agreement, they also established a Common System of Accounting and Control of Nuclear Materials and the Brazil-Argentine Agency for Accounting and Control of Nuclear Materials (ABACC). In December 1991, Argentina, Brazil, ABACC and the IAEA signed a comprehensive safeguards agreement (INFCIRC/435), which was brought into force in March 1994.²⁷ INFCIRC/435 also includes a protocol on cooperation between the IAEA and ABACC.

²⁷ *Agreement between the Republic of Argentina, the Federative Republic of Brazil, The Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials and the International Atomic Energy Agency for the Application of Safeguards*, INFCIRC/435 (March 1994).

**Documents of the IAEA
Related to the application of IAEA safeguards in the Middle East**

1988

- 1) *Israeli Nuclear Capabilities and Threat*, Resolution adopted during the 312th plenary meeting, on 23 September 1988, GC(XXXII)/RES/487 (23 September 1988).

1989

- 2) *Modalities of application of Agency safeguards in the Middle East*, GOV/INF/568 (June 1989);
- 3) *Israeli Nuclear Capabilities and Threat*, Report by the Director General, GOV/2418 - GC(XXXIII)/886 (1 September 1989);
- 4) *Modalities of Application of Agency Safeguards in the Middle East*, Note by the Director General, GC(XXXIII)/887 (29 August 1989);
- 5) *Israeli Nuclear Capabilities and Threat*, Resolution adopted during the 321st plenary meeting, on 29 September 1989, GC(XXXIII)/RES/506 (29 September 1989).

1990

- 6) *Modalities of Application of Agency Safeguards in the Middle East*, GOV/INF/584 (21 May 1990).
- 7) *Israeli nuclear Capabilities and Threat*, GC(XXXIV)/926 (28 August 1990);
- 8) *Israeli nuclear Capabilities and Threat*, Resolution adopted during the 331st plenary meeting on 21 September 1990, GC(XXXIV)/935/Rev.1 (21 September 1990).

1991

- 9) *Israeli Nuclear Capabilities and Threat, The application of Agency safeguards in the Middle East*, GOV/2511 (21 May 1991);
- 10) *Israeli Nuclear Capabilities and Threat, The application of Agency safeguards in the Middle East*, Report by the Director General, GC(XXXV)/960 (2 August 1991);
- 11) *Application of IAEA safeguards in the Middle East*, Resolution adopted during the 342nd plenary meeting on 20 September 1991, GC(XXXV)/RES/571 (20 September 1991).

1992

- 12) *Application of IAEA safeguards in the Middle East*, Report by the Director General, GC(XXXVI)/1019 (1992);
- 13) *Application of IAEA safeguards in the Middle East*, Resolution adopted during the 352nd plenary meeting on 25 September 1992, GC(XXXVI)/RES/601 (25 September 1992);
- 14) *Israeli nuclear Capabilities and Threat*, GC(XXXVI)/DEC/9 (25 September 1992).

1993

- 15) *Application of IAEA safeguards in the Middle East*, Report by the Director General to the Board of Governors and to the General Conference, GOV/2682-GC(XXXVII)/1072 (6 September 1993);
- 16) *Application of IAEA safeguards in the Middle East*, GC(XXXVII)/RES/627 (1 October 1993).

1994

- 17) *Application of IAEA safeguards in the Middle East*, Report by the Director General, GOV/2757-GC(XXXVIII)/18 (26 August 1994);
- 18) *Application of IAEA safeguards in the Middle East*, Resolution adopted on 23 September 1994 during the tenth plenary meeting, GC(XXXVIII)/RES/21 (23 September 1994).

1995

- 19) *Application of IAEA safeguards in the Middle East*, Report by the Director General to the General Conference and to the Board of Governors, GOV/2825-GC(39)/20 (17 August 1995);
- 20) *Application of IAEA safeguards in the Middle East*, GC(39)/RES/24 (22 September 1995).

1996

- 21) *Application of IAEA safeguards in the Middle East*, Report by the Director General to the General Conference and to the Board of Governors, GOV/2861-GC(40)/6 (8 May 1996);
- 22) *Application of IAEA safeguards in the Middle East*, Report by the Director General to the General Conference, GC(40)/6/Add.1 (10 September 1996);
- 23) *Application of IAEA safeguards in the Middle East*, GC(40)/DEC/15 (20 September 1996);
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- 38) *Application of IAEA safeguards in the Middle East*, Resolution adopted on 22 September 2000 at the tenth plenary meeting, GC(44)/RES/28 (22 September 2000).

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- 55) *Application of IAEA safeguards in the Middle East*, Report by the Director General, GOV/2006/44-GC(50)/12 (22 August 2006);
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- 58) *Application of IAEA safeguards in the Middle East*, Resolution adopted on 20 September 2007 during the eighth plenary meeting, GC(51)/RES/17 (20 September 2007).

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- 59) *Application of IAEA safeguards in the Middle East*, Report by the Director General, GOV/2008/29-GC(52)/10 (28 August 2008);
- 60) *Application of IAEA safeguards in the Middle East*, Report by the Director General, GOV/2008/29/Rev.1-GC(52)/10/Rev.1 (22 September 2008);
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- 71) *Application of IAEA safeguards in the Middle East*, Resolution adopted on 20 September 2012 during the eighth plenary meeting, GC(56)/RES/15 (20 September 2012).

STATUS LIST*
Conclusion of safeguards agreements,
additional protocols and small quantities protocols
for States of the Middle East region
as of 20 September 2012

State	SQP ^a	Safeguards agreements	INFCIRC	Additional protocols
Algeria		In force: 7 Jan. 1997	531	Approved: 14 Sept. 2004
Bahrain	In force: 10 May 2009	In force: 10 May 2009	767	In force: 20 July 2011
Comoros	In force: 20 Jan. 2009	In force: 20 Jan. 2009	752	In force: 20 Jan. 2009
<i>Djibouti</i>	<i>Signed: 27 May 2010</i>	<i>Signed: 27 May 2010</i>		<i>Signed: 27 May 2010</i>
Egypt		In force: 30 June 1982	302	
Iran, Islamic Republic of		In force: 15 May 1974	214	Signed: 18 Dec. 2003
Iraq		In force: 29 Feb. 1972	172	Signed: 9 Oct. 2008 ⁱ
Israel*		In force: 4 April 1975	249/Add.1	
Jordan	X	In force: 21 Feb. 1978	258	In force: 28 July 1998
Kuwait	X	In force: 7 March 2002	607	In force: 2 June 2003
Lebanon	Amended: 5 Sept. 2007	In force: 5 March 1973	191	
Libya		In force: 8 July 1980	282	In force: 11 Aug. 2006
Mauritania	X	In force: 10 Dec. 2009	788	In force: 10 Dec. 2009
Morocco	Rescinded: 15 Nov. 2007	In force: 18 Feb. 1975	228	In force: 21 April 2011
Oman	X	In force: 5 Sept. 2006	691	
Qatar	In force: 21 Jan. 2009	In force: 21 Jan. 2009	747	
Saudi Arabia	X	In force: 13 Jan. 2009	746	
<i>Somalia</i>				
Sudan	X	In force: 7 Jan. 1977	245	
Syrian Arab Republic		In force: 18 May 1992	407	
Tunisia		In force: 13 March 1990	381	Signed: 24 May 2005
United Arab Emirates	X	In force: 9 Oct. 2003	622	In force: 20 Dec. 2010
Yemen, Republic of	X	In force: 14 Aug. 2002	614	

Key

State* State not party to the NPT whose safeguards agreement is of INFCIRC/66-type.

States Non-nuclear-weapon States that are party to the NPT but have not yet brought into force comprehensive safeguards agreements (CSAs) pursuant to Article III of that Treaty.

* Not included are agreements under which the application of safeguards has been suspended in light of the application of safeguards pursuant to a CSA. Unless otherwise indicated, the safeguards agreements referred to are CSAs concluded pursuant to the NPT.

^a Provided that they fulfil certain conditions (including that the quantities of nuclear material in peaceful nuclear activities within the territory of the State or under its jurisdiction or control anywhere do not exceed the limits set out in paragraph 37 of INFCIRC/153), States with CSAs have the option to conclude a 'small quantities protocol' (SQP) that holds in abeyance the implementation of most of the detailed provisions set out in Part II of the CSA as long as these conditions continue to apply. This column contains States whose SQP has been approved by the Board and for which, as far as the Secretariat is aware, these conditions continue to apply. For those States that have accepted the revised standard SQP text (approved by the Board of Governors on 20 September 2005) the current status is reflected.

ⁱ Pending entry into force, the additional protocol is applied provisionally for Iraq as of 17 February 2010.