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APPLICATION OF IAEA SAFEGUARDS IN THE MIDDLE EAST

Report by the Director General to the General Conference and to the Board of Governors and

1. In resolution GC(XXXVIII)/RES/21, the General Conference last year, inter alia, 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 nuclear-weapon-free-zone (NWFZ) in the region",

and in this regard, requested the Director General:

"to continue 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"

2. The resolution further took note:

"of the importance of the ongoing bilateral Middle East peace negotiations and the activities of the multilateral working group on Arms Control and Regional Security in promoting mutual confidence and security in the Middle East, including establishment of a NWFZ",

and called upon the Director General, as requested by the participants:

"to render all necessary assistance to the working group in promoting that objective".

3. The resolution further called upon all States in the region to extend their fullest co-operation to the Director General in the fulfilment of the tasks entrusted to him and requested the Director General:

"to submit to the Board of Governors and to the General Conference at its thirty-ninth regular session a report on the implementation of this resolution ...".

4. It may be recalled that the Director General submitted to the General Conference in 1992 a report contained in document GC(XXXVI)/1019 of 16 September 1992 which described the kinds of obligations which might be undertaken, in a Middle East NWFZ agreement, by the States located in the region and by the declared nuclear-weapon States. Such obligations were characterised as falling within three broad categories:

- (i) Those precluding research and development on and the possession, acquisition, manufacture or stationing of nuclear weapons or nuclear explosive devices;
- (ii) those precluding research and development on and the production, importing or stockpiling of weapons-usable materials (i.e. uranium enriched to 20 per cent or more in uranium 235 and separated plutonium) and requiring the disclosure of all nuclear activities, including research and development, imports, exports and production; and
- (iii) those requiring the application of safeguards to all nuclear material, installations and relevant equipment and non-nuclear material.

The report further identified types of obligations described in the three broad categories which had already been entered into by States in the Middle East whether by reason of their membership in the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), or because of other pertinent considerations.

5. As well as describing the kinds of material obligations which might form part of a Middle East NWFZ agreement, the Director General's report submitted in 1992 identified possible verification requirements in such a zone, noting that in view of the particular circumstances of the Middle East and its underlying tensions, creating confidence in a Middle

East NWFZ would most likely require far-reaching and comprehensive verification arrangements. As noted in document GC(XXXVI)/1019, institutional arrangements combining international and regional verification in a NWFZ, can be devised.

6. However, to enable the Director General to proceed further in examining verification modalities which might feature in a Middle East NWFZ, and in particular to develop the model agreements foreseen, inter alia, in resolution GC(XXXVIII)/RES/21, it would be helpful if States which have not yet responded to the Director General's request for views on the obligations, verification requirements and modalities described in document GC(XXXVI)/1019 were to provide them. In this regard and notwithstanding the call upon relevant States, in resolution GC(XXXVIII)/RES/21, to extend their fullest co-operation to the Director General, no further replies have been received to the Director General's letters of November 1992 seeking States' views about possible material obligations included in a Middle East NWFZ agreement or on verification requirements and modalities.

7. Paragraphs 8-13 of the Director General's report to the Board and the General Conference last year in document GOV/2757-GC(XXXVIII)/18 described Secretariat participation, as part of the United Nations delegation, in meetings of the multilateral working group on Arms Control and Regional Security (ACRS). The report recalled, inter alia, that at its fifth plenary meeting in Doha, the Secretariat had put forward a proposal for a practical activity to follow up the Agency workshop held in Vienna in May 1993 on "the Modalities for the Application of Safeguards in a Future Nuclear-Weapon-Free Zone in the Middle East". That proposal envisaged a visit, by regional participants in the multilateral working group's deliberations, to a nuclear power plant in Europe to see a practical demonstration of nuclear verification techniques and to become more fully acquainted with the ways in which regional verification structures and activities complement international verification in Europe.

8. Following the Doha meeting, the IAEA and the European Atomic Energy Community (EURATOM), with the co-operation and assistance of the relevant German authorities, arranged a visit by regional participants to the Phillipsburg Nuclear Power Plant in Germany in October 1994. Participants were able to see a practical demonstration of nuclear verification techniques and to hear presentations from the IAEA and from Euratom. The visit appeared to be helpful in further acquainting Middle East participants with the practicalities of nuclear verification, including through cooperative arrangements with regional systems.

9. Also in fulfilment of the mandate conferred upon the Director General by resolution GC(XXXVIII)/RES/21, the Secretariat participated, again as part of the United Nations delegation, in the sixth plenary meeting of the ACRS working group held in Tunis from 13-15 December 1994. The Tunis meeting *inter alia* reviewed the work and recommendations of those intersessional meetings which had been held since May 1994 and also made progress on a number of important issues relevant to Arms Control and Security.

10. In the same spirit, the United Nations Institute for Disarmament Research (UNIDIR) convened from 26-27 May 1995 in Geneva, a workshop to examine the modalities of a zone free of weapons of mass destruction in the Middle East. Regional experts were invited to participate in their personal capacities. At UNIDIR's invitation, the IAEA's Assistant Director General for External Relations gave a presentation on verification issues relevant to a future nuclear weapon free zone in the Middle East.

11. The general concept of NWFZs and in particular of such a zone in the Middle East has continued to be a focus of discussion in other fora. Thus, a further resolution supporting the establishment of a Middle East NWFZ, resolution 49/71, was adopted by the United Nations General Assembly without a vote on 15 December 1994. Additionally, the 'Principles and Objectives for Nuclear Non-Proliferation and Disarmament' adopted by the 1995 NPT Review and Extension Conference reaffirmed the conviction of the States Party that the development of NWFZs, especially in regions of tension, such as in the Middle East, as well as the establishment of zones free of all weapons of mass destruction should be encouraged as a matter of priority, taking into account the specific characteristics of each region.

12. Towards such ends, resolution NPT/Conf.1995/32/RES/1, adopted by the NPT Review and Extension Conference on 11 May 1995, called upon States in the Middle East to take practical steps to facilitate progress towards the establishment of an effective verifiable Middle East zone free of weapons of mass destruction and their delivery systems.

13. There is increasing attention being paid to the concept of NWFZs as valuable regional non-proliferation endeavours and in particular to the establishment of a Middle East NWFZ. The Agency will continue its work, pursuant to the tasks entrusted to the Director General by the General Conference, of contributing to the development of verification modalities for such a zone. The report of the Director General in document GC(XXXVI)/1019 of 1992, *inter alia*, noted that there were many options and problems on which a consensus would be needed among the parties for the establishment of a Middle East NWFZ. It noted also that

it is only through a process of discussion that the choices of options and the answers to problems, which in many instances will be decisive for the safeguards model agreements foreseen in General Conference resolutions, can emerge. With this in mind, and with a view further to encourage States of the Middle East to convey their views about relevant issues, the Director General intends to pursue his consultations with such States in Vienna and visits to the region in the winter of 1995/96.

14. It is still to be hoped that through written response from relevant States, through consultation and through the Agency's continuing participation in the working group on ACRS, the views of relevant States, especially with regard to material obligations to be assumed in a Middle East NWFZ and to possible verification modalities, will be clarified to an extent to enable the Director General to prepare model verification agreements envisaged in resolutions GC(XXXVIII)/RES/21, GC(XXXVII)/RES/627 and GC(XXXVI)/RES/601.

