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Item 8(a) of the Board's provisional agenda

(GOV/2010/38)

Item 19 of the Conference's agenda

(GC(54)/1)

Application of IAEA Safeguards in the Middle East

Report by the Director General

A. Introduction

1. General Conference Resolution GC(53)/RES/16 (2009), 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 an [nuclear-weapon-free zone] NWFZ”;

and 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;

furthermore, the resolution, in operative paragraph 7, 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”;

and operative paragraph 11 repeated the call from previous resolutions of the General Conference to:

“all States in the region to extend their fullest cooperation to the Director General in the fulfilment of the tasks entrusted to him” in this regard by the General Conference;

furthermore, 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(53)/RES/16, in operative paragraph 13, requested the Director General:

“to submit to the Board of Governors and to the General Conference at its fifty-fourth (2010) regular session a report on the implementation of this resolution.”

4. In the context of its agenda item ‘Application of IAEA Safeguards in the Middle East’, the General Conference in 2000 adopted Decision GC(44)/DEC/12 in which the Conference 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 is being submitted, as requested by the General Conference, on the implementation of the General Conference Resolution GC(53)/RES/16 and 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 also sought 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 comprehensive safeguards agreements and

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/2009/44-GC(53)/12/ (14 August 2009), GOV/2009/44-GC(53)/12/Corr.1 (26 August 2009) and GOV/2009/44/Add.1-GC(53)/12/Add.1 (3 September 2009).

additional protocols were brought into force by Mauritania and signed by Djibouti, while an additional protocol was approved by the Board of Governors for Bahrain. Moreover, Iraq which had previously signed an additional protocol began applying it provisionally pending its entry into force. Thus, as of 31 August 2010, two States of the 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 take any action in this regard. Additional protocols are in force for Comoros, Jordan, Kuwait, Libya and Mauritania; while Djibouti, Iran, Iraq, Morocco, Tunisia and the United Arab Emirates have signed but not yet brought into force additional protocols. Additional protocols have been approved for Algeria and Bahrain, but not yet signed.

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. Israel has taken the view that Agency safeguards, as well as all other regional security issues, cannot be addressed in isolation from the regional peace process 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, and when phase II of the “road map” is reached.³ The other States of the region emphasize that they are all parties to the NPT and maintain that there is no automatic sequence which links the application of comprehensive safeguards to all nuclear activities in the Middle East, or the establishment of an NWFZ, to the prior conclusion of a peace settlement, and that the former would contribute to the latter.⁴ Thus, the Director General has not been able to make further progress in fulfilling his mandate pursuant to resolution GC(53)/RES/16 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

³ Israel’s position on this matter has been elaborated further in document GOV/2004/61/Add.1-GC(48)/18/Add.1 and in the statement by the Resident Representative of Israel at the meeting of the Board of Governors on 9 September 2009 (GOV/OR.1253). The Middle East “road map to the solution of the Israeli-Palestinian conflict”, developed by the Quartet Group (of the European Union, the Russian Federation, the United Nations and the United States of America), foresees in phase II a “revival of multilateral engagement on issues including...arms control” – “A Performance-Based Road Map to a Permanent Two-State Solution to the Israeli-Palestinian Conflict”, United Nations News Centre: <http://www.un.org/media/main/roadmap122002.html>.

⁴ The views of some of the other States of the region (Algeria, Egypt, Iran, Libyan Arab Jamahiriya, and Saudi Arabia) have been elaborated further, inter alia, in their statements at the meeting of the Board of Governors on 9 September 2009 (GOV/OR.1253).

resolutions adopted by the United Nations General Assembly without a vote supporting the establishment of an NWFZ in the Middle East⁵ are important building blocks in this process.

10. In 2010⁶, at the Review Conference of the NPT, the parties to the Treaty, inter alia, reaffirmed the importance of the Resolution on the Middle East adopted by the 1995 Review and Extension Conference of the NPT and recalled the 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 1995 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. Notwithstanding the continuing broad support that the global nuclear non-proliferation regime would be further strengthened through the establishment of an 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 an NWFZ agreement in the Middle East region.

13. The material obligations which could form part of an eventual Middle East NWFZ agreement have been described in the previous reports of the Director General, most recently in GC(53)/12, Add.1 and Corr.1.

14. There still continues to be general lack of clarity among the States of 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 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.

⁵ For the most recent resolution, see United Nations General Assembly Resolution 64/26, "Establishment of a nuclear-weapon-free zone in the region of the Middle East", adopted without a vote on 2 December 2009. The text of the resolution is available on the United Nations website at: (<http://www.un.org/ga/64/resolutions.shtml>)

⁶ NPT/CONF.2010/50 (Vol.I), IV. The Middle East, particularly implementation of the 1995 Resolution on the Middle East, paragraph 7(a).

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

15. 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.

16. 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 (Rarotonga Treaty), the Southeast Asian Nuclear-Weapon-Free Zone Treaty (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(53)/12, Add.1 and Corr.1. 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 all are 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.

17. In previous years, as mandated by the Decision of the General Conference (GC(44)/DEC/12), 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, and GC(52)/10/Rev.1 of 22 September 2008 and GC(53)/12 of 14 August 2009, Add.1 and Corr.1 respectively); however, thus far it has not been possible for the concerned States to reach agreement on an agenda and modalities for convening a forum.

18. In light of the mandate given to the Director General, on 24 June 2009, the Agency 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 in 2009 – a copy of the agenda is

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 its 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.

attached as Annex 1. The Agency's letter to the Member States of the Middle East region requested their views on a proposed agenda for the forum. A copy of the Agency's letter is attached as Annex 2.

19. In response to the Agency's letter, written replies were received so far from six Member States of the Middle East region: Egypt, Iran, Iraq, Israel, Oman and Saudi Arabia – the relevant communications are reproduced in Annex 3, in the chronological order in which they were received by the Agency.

20. From the responses received, it is apparent that currently there is no convergence of views on convening the forum. The Director General will continue consultations with Member States of the Middle East region and other interested States in an effort to harmonize positions with a view to convening a successful forum as soon as practicable. The Director General will report the outcome of his consultations to next year's regular session of the General Conference.

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 case and the region of the Middle East.

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

[Despatched on 24 June 2010]

Sir/Madam,

I am writing to you concerning the Agenda item 19 “Application of IAEA Safeguards in the Middle East”, for the upcoming 54th IAEA General Conference starting on 20 September 2010.

At last year’s General Conference, resolution GC(53)/RES/16, 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 a [nuclear-weapon-free zone] NWFZ”; and 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.

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 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’s latest report on these matters was contained in document GOV/2009/44/-GC(53)/12, Add.1 and Corr.1.

In 2009 as in previous years, as mandated by the decision 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 nuclear-weapon-free zone. In this regard, the Secretariat circulated a proposed agenda in 2004 (Annex to document GC(48)/18) and has continued to seek the views of the concerned States of the Middle East region (as reported in documents GC(49)/18, GC(50)/12, GC(51)/14, GC(52)/10/Rev.1, and GC(53)/12, respectively); however, as noted in the Director General’s latest report, thus far it has not been possible for the concerned States to reach agreement on an agenda and modalities for convening the forum.

.../2

In light of the mandate given to the Director General, as noted in the preceding paragraphs, and taking into account the views expressed by the Member States of the region of the Middle East, the Secretariat is continuing to seek views on an agenda and modalities from the States of the Middle East region for the forum. The Secretariat is circulating a proposed agenda (attached) along the lines of the Secretariat's proposal of 2009, and it hopes that it will be acceptable to the Member States.

As the Secretariat is required to complete the preparation and distribution of official documents well in advance of the start of the Board of Governors meeting and the General Conference, the Secretariat requests your co-operation in providing your Government's comments preferably prior to 30 July 2010 in order to enable the Secretariat to reflect them in the Report of the Director General on the "Application of IAEA Safeguards in the Middle East" to the Board of Governors and the General Conference in September 2010.

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

Vilmos Cserveny
Assistant Director General for External Relations and
Policy Coordination

For the DIRECTOR GENERAL

Enclosure

Text of the Note Verbal from the Permanent Mission of the Republic of Iraq

[Received on 27 July 2010]

The Permanent Mission of the Republic of Iraq to the United Nations and other International Organizations in Vienna presents its compliments to the Secretariat of the International Atomic Energy Agency (IAEA) and with reference to the letter dated 2010-06-24 concerning the Agenda item 19 “Application of IAEA Safeguard in the Middle East” for the upcoming 54th IAEA General Conference starting on 20 September 2010, has the honour to inform that the Iraqi Government Emphasizes the continuing validity of the Middle East resolution adopted by the Review Conference of the Non-Proliferation Treaty of 1995 on the establishment of a nuclear-weapon-free zone (NWFZ) in the Middle East, the forum should not be a substitute from the International Conference to be held on 2012 as decided during the Review Conference which was held on May 2010 in New York, and includes what has been agreed at the Review Conference which was hold on May 2010 in New York in the section on the Middle East.

The Permanent Mission of the Republic of Iraq avails itself of this opportunity to renew to the IAEA the assurances of its highest consideration.

[Seal]

2010-07-26

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

[Received on 29 July 2010]

28 July 2010

Sir,

I wish to thank you for your letter dated 24/06/2010 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 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. The proposed forum would undoubtedly make a positive contribution in the lead-up to the 2012 conference.

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

Sincerely,

[signed]

Aly Sirry
Chargé d'affaires a.i.

Text of the Letter from the Permanent Mission of Israel to the International Atomic Energy Agency and the PrepCom-CTBTO

[Received on 3 August 2010]

29 July 2010

Sir,

I am writing in response to your letter dated June 24, 2010 concerning Agenda item 19 “Application of IAEA Safeguards in the Middle East” for the upcoming 54th IAEA General Conference.

As you recall, the idea of convening a Forum was supported by Israel in an era of successive General Conferences which maintained consensus on a Middle East “Package”. Regrettably, for the past few years a consensual outcome on the Middle East issues was unattainable despite efforts by Israel and others. The 53rd General Conference adopted a resolution (GC53/RES/17) entitled “Israeli Nuclear Capabilities” which singles out the State of Israel and detracts from real proliferation threats in the Middle East. This resolution is clearly of political nature and does not fall within the mandate of the IAEA.

The developments in the IAEA General Conferences in recent years have demonstrated a non-cooperative approach by neighbors of Israel that prevents any meaningful discussion of regional security in the Middle East including arms control measures. While Israel holds the Agency’s credibility and professionalism in high esteem, it is also aware that the IAEA General Conference has been increasingly politicized and abused by some regional Member States for their shortsighted anti-Israel purposes. Israel will therefore consider its approach regarding the Forum in light of developments in the upcoming IAEA General Conference and Board of Governors meetings.

I would like to take this opportunity also to point out that the resolution on the “Application of IAEA Safeguards in the Middle East” (GC53/RES/16) calls upon all states in the region “to fulfill in good faith international obligations and commitments relating to safeguards and to cooperate fully with the IAEA within the framework of their respective obligations”. Repeated cases of non-compliance by several Middle East States with their international obligations and commitments are a matter of grave concern to the international community. Only a few days after the adoption of resolution GC53/RES/17 the international community has learned about the incriminating details of Qom enrichment facility constructed in secrecy for years in Iran. It is Israel’s view that the upcoming Director General’s report, requested by this resolution, should address the important issue of non-compliance in the Middle East.

Please accept, sir, the assurances of my consideration.

Sincerely,

[signed]

Dr. Ehud Azoulay
Ambassador
Resident Representative of Israel
to the IAEA and CTBTO PrepCom

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

[Received on 5 August 2010]

3 August 2010

Dear Sir,

I refer to your letter No. Al.21.54 sent on 24 June 2010 concerning the International Atomic Energy 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 decision issued at the 2010 NPT Review Conference to make the Middle East a zone free of nuclear weapons, including the decision to convene an international conference on ridding the Middle East of nuclear weapons in 2012, under the auspices of the United Nations. In addition, 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 submit their nuclear installations to the comprehensive control regime of the IAEA.

Accept the assurances of my highest 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 Kingdom of Saudi Arabia to the United Nations and the International Organizations in Vienna

[Received on 18 August 2010]

10 August 2010 (29/8/1431 A.H.)

Dear Sir,

With reference to your letter No. AI.21-54 dated 24 June 2010 seeking the view of the Kingdom of Saudi Arabia with regard to the arrangements for convening a forum on the establishment of a NWFZ in the Middle East in accordance with decision GC(44)/DEC/12 of 2000 and also in the context of preparing for the item entitled "Application of IAEA Safeguards in the Middle East" for the fifty-fourth regular session of the IAEA General Conference.

We should like to underline 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. However, 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 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 recent 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 in 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.

With 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 the Islamic Republic of Iran to the International Atomic Energy Agency

[Received on 23 August 2010]

Vienna, 18 August 2010

Dear Sir,

Referring to the communication of the IAEA Assistant Director General, Office of External Relations and Policy Coordination, dated 24 June 2010 on Agenda item 19 “Application of IAEA Safeguards in the Middle East” for the upcoming 54th General Conference starting on 20 September 2010, I would like to assure you of the cooperation of my country and express the position of the Islamic Republic of Iran as following:

Iran as an initiator of the concept of the establishment of the Nuclear Weapon Free Zone in the Middle East in 1974 constantly supported the creation of such arrangement in the region thereafter, be it in the policy making meetings of the IAEA or the NPT Preparatory Committees and Review Conferences. Accordingly, the Islamic Republic of Iran supported the implementation of full-scope Agency Safeguards throughout the whole territories in the Middle East.

The Islamic Republic of Iran shares the deep concerns and disappointment expressed by 189 States Parties to the NPT contained in the Final Document of the eighth Review Conference of the NPT, held in New York from 3–27 May 2010, on the “little progress has been achieved towards the implementation of the 1995 Resolution on the Middle East”.

Iran also reiterates the Conference’s recall for the “reaffirmation by the 2000 Review Conference of the importance of Israel’s accession to the Treaty and the placement of all its nuclear facilities under comprehensive IAEA safeguards”.

The Islamic Republic of Iran believes that maintaining stability and peace in the region is not achievable through bullying the other countries of the region by a regime, which has utilized and continues to use various kinds of internationally forbidden weapons against civilian people and developing clandestinely weapons of mass destruction, particularly nuclear weapons.

Furthermore, the Members of the Non-Aligned Movement countries on various occasions demanded from the Israeli regime to renounce possession of nuclear weapons, to accede to the NPT without delay, to place promptly all its nuclear facilities under IAEA full-scope safeguards according to Security Council Resolution 487 (1981) and to conduct its nuclear related activities in conformity with the non-proliferation regime. They also called for the earliest implementation of relevant IAEA resolutions on “Application of IAEA Safeguards in the Middle East”. The NAM also expressed great concern over the acquisition of nuclear capability by Israel which poses a serious and continuing threat to the security of neighbouring and other States, and condemned Israel for continuing to develop and stockpile nuclear arsenals. In this context they also condemned the statement made by the Prime Minister of Israel on 11 December 2006, related to the possession of nuclear weapons by Israel.

Therefore, on the decision of the fifty-third General Conference for “convening a forum”, the Islamic Republic of Iran believes that, as you rightly quoted in your letter, there is “the urgent need for the all States in the Middle East to forthwith accept the application of full-scope Agency Safeguards to all nuclear activities in an important confidence-building measure”. This point is correctly emphasized in the Final Document of the recent NPT Review Conference as it “recalls the reaffirmation by the 2000 Review Conference of the importance of Israel’s accession to the Treaty and the placement of all its nuclear facilities under comprehensive IAEA safeguards”. The Conference also “reaffirms the urgency and importance of achieving universality of the Treaty” and “calls on all States in the Middle East that have not yet done so to accede to the Treaty as non-nuclear-weapon States so as to achieve its universality at an early date”.

Sir, as long as the above-raised crucial points are not materialized and there is a continuous exemption of the application of the international rules and regulations for the Zionist Regime, which does not accede and adhere to the NPT, refrains from putting all its nuclear facilities under the IAEA full scope safeguards and enhances its illegitimate nuclear capabilities by the illegal contribution of certain States, in flagrant contravention of all international norms and regulations, it is unacceptable for the Islamic Republic of Iran to establish a forum which we believe would be in utter vain.

Hence, the Islamic Republic of Iran expects the IAEA to call upon “all parties directly concerned to consider seriously taking practical and appropriate steps required for the establishment of an effectively verifiable NWFZ in the region of the Middle East” and pending its realization, as the 8th Review Conference stressed, to call upon the Zionist Regime, the only non-party to the NPT in the region, to accede promptly to the Treaty as a non-nuclear weapon party and to immediately place all its nuclear facilities under the IAEA full-scope safeguards.

Accept, Sir, the assurances of my highest consideration.

[signed]

Ali Asghar Soltanieh
Ambassador & Resident Representative