

Information Circular

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Communication from the Permanent Mission of Malta to the International Atomic Energy Agency Regarding Guidelines for the Transfers of Nuclear-Related Dual-Use Equipment, Materials, Software and Related Technology

1. The Director General has received a Note Verbale from the Permanent Mission of Malta, dated 3 December 2003, regarding Malta's nuclear policies and practices.
2. In the light of the wish expressed at the end of the Note Verbale, its text is attached.

PERMANENT MISSION
OF MALTA



1010 WIEN, AUSTRIA
OPERNRING 5/1,

MALTA

NOTE VERBALE

NO. 99 / 2003

The Permanent Mission of Malta to the International Organizations in Vienna presents its compliments to the Director-General of the International Atomic Agency and has the honour to provide the following information with regard to Malta's nuclear policies and practices.

It has been the consistent policy of the Government of Malta not to possess, manufacture or trade in any type of armaments. Malta is a State Party to major international nuclear non-proliferation agreements, such as, the Treaty on the Non-Proliferation of Nuclear Weapons, the Comprehensive Nuclear-Test-Ban Treaty, the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water, the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and other Weapons of Mass Destruction the Ocean Floor and in the Subsoil thereof, and the Convention on Physical Protection of Nuclear Materials. The Agreement between Malta and the IAEA for the Application of Safeguards in connection with the NPT was signed in November 1990 and the Protocol Additional to the Agreement between Malta and the IAEA for the Application of Safeguards was signed in April 2003. Malta is actively considering the ratification of the Protocol Additional to the said Agreement. These form Malta's national nuclear non-proliferation policies.

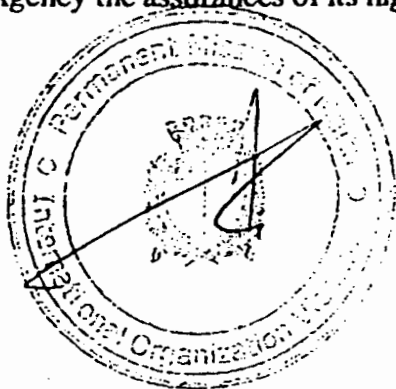
In establishing its National Export Control system which became fully functional on 1 January 2002, Malta decided to respect and act in accordance with the provisions of INFIRC/254/Part 1 and Part 2 as amended, with regard to any transfer of nuclear material, equipment and related technology, including nuclear related dual-use equipment, materials, software and related technology.

The Legal Regulatory framework for implementing export controls in Malta consist mainly of three regulations – the Dual-Use Items (Export Control) Regulations under Legal Notice No. 268 of 2001, the Nuclear Safety and Radiation Protection Regulations under Legal Notice No. 44 of 2003, and the Military Equipment (Export Control) Regulations, 2001 under Legal Notice No. 269 of 2001. The List of Dual-Use Items and Technology implements internationally agreed dual use controls including that of the Nuclear Suppliers Group, the Wassenaar Arrangement, the Missile Technology Control regime and the Australia Group, as well as the Chemical Weapons Convention.

A National Radiation Protection Board which has been established to address issues regarding physical protection of nuclear material, implements the provisions of the Nuclear Safety and Radiation Protection Regulations published in Legal Notice 44 of 2003. One of the roles of the Radiation Protection Board is to issue authorization or otherwise regarding the import and export of nuclear material as well as transiting Maltese territory by land or through its airports and seaports.

The Permanent Mission of Malta to the International Organizations in Vienna requests the Director-General of the International Atomic Agency to circulate this note to all IAEA Member States for their information and as evidence of Malta's support for the Agency's non-proliferation objectives and safeguards activities.

The Permanent Mission of Malta to the International Organizations in Vienna avails itself of this opportunity to renew to the Director-General of the International Atomic Agency the assurances of its highest consideration.



Vienna, 3rd December 2003

Director General
International Atomic Energy Agency
Vienna