

Information Circular

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Communication dated 8 August 2006 from the Permanent Mission of Finland to the Agency concerning a Joint Action adopted by the Council of the European Union

1. The Secretariat has received a Note Verbale dated 8 August 2006 from the Permanent Mission of Finland, attaching a new Joint Action adopted by the Council of the European Union on 12 June 2006 on support for IAEA activities in the areas of nuclear security and verification as part of the EU Strategy against Proliferation of Weapons of Mass Destruction.
2. As requested in the Note Verbale, the Note and its attachment are herewith circulated as an Information Circular.

PERMANENT MISSION OF FINLAND
Vienna

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VERBAL NOTE

The Permanent Mission of Finland presents its compliments to the Secretariat of the International Atomic Energy Agency and has the honour to attach hereto a new Joint Action adopted by the Council of the European Union on 12 June 2006 on support for IAEA activities in the areas of nuclear security and verification as part of the EU Strategy against Proliferation of Weapons of Mass Destruction.

The Permanent Mission of Finland would be grateful if this Note Verbale and its attachment could be circulated as an official INFCIRC document in order to bring the Joint Action to the attention of the IAEA Member States.

The Permanent Mission of Finland avails itself of this opportunity to renew to the Secretariat of the International Atomic Energy Agency the assurances of its highest consideration.

Vienna, 8 August 2006



The Secretariat of the International Atomic Energy Agency (IAEA)
Vienna

(Acts adopted under Title V of the Treaty on European Union)

COUNCIL JOINT ACTION 2006/418/CFSP

of 12 June 2006

on support for IAEA activities in the areas of nuclear security and verification and in the framework of the implementation of the EU Strategy against the Proliferation of Weapons of Mass Destruction

THE COUNCIL OF THE EUROPEAN UNION,

the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction.

Having regard to the Treaty on European Union, and in particular Article 14 thereof,

Whereas:

- (1) On 12 December 2003, the European Council adopted the EU Strategy against the Proliferation of Weapons of Mass Destruction, Chapter III of which contains a list of measures to combat such proliferation and which need to be taken both within the EU and in third countries.
- (2) The EU is actively implementing this Strategy and is giving effect to the measures listed in Chapter III thereof, in particular through releasing financial resources to support specific projects conducted by multilateral institutions, such as the International Atomic Energy Agency (IAEA).
- (3) On 17 November 2003 the Council adopted Common Position 2003/805/CFSP⁽¹⁾ on the universalisation and reinforcement of multilateral agreements in the field of non proliferation of weapons of mass destruction and means of delivery. That Common Position calls, inter alia, for the promotion of the conclusion of IAEA comprehensive safeguards agreements and Additional Protocols and commits the European Union to work towards making the Additional Protocol and comprehensive safeguards agreements the standard for the IAEA verification system.
- (4) On 17 May 2004, the Council adopted Joint Action 2004/495/CFSP⁽²⁾ on support for IAEA activities under its Nuclear Security Programme and in the framework of
- (5) On 18 July 2005, the Council adopted Joint Action 2005/574/CFSP⁽³⁾ on support for IAEA activities in the areas of nuclear security and verification and in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction.
- (6) As far as the EU is concerned, the Council adopted on 22 December 2003 Directive 2003/122/Euratom⁽⁴⁾ on the control of high activity sealed radioactive sources and orphan sources, the strengthening of the control of high activity radioactive sources in all third countries, in accordance with the G-8 statement and Action Plan on securing radioactive sources, remains an important objective to be pursued.
- (7) In July 2005, States Parties and the European Atomic Energy Community agreed by consensus to amend the Convention on the Physical Protection of Nuclear Material (CPPNM) with a view to expanding the scope to encompass nuclear material and facilities in peaceful domestic use and storage, as well as in transport, and will oblige States Parties to put violations under criminal sanctions.
- (8) In September 2005, the International Convention for the Suppression of Acts of Nuclear Terrorism (Nuclear Terrorism Convention) was opened for signature. Once entered into force, it will require States Parties to enact legislation to criminalise these offences.
- (9) The IAEA pursues the same objectives as set out in Recitals (3) to (8). This is done through the implementation of its Nuclear Security Plan which is financed through voluntary contributions to the IAEA Nuclear Security Fund.

⁽¹⁾ OJ L 302, 20.11.2003, p. 34.

⁽²⁾ OJ L 182, 19.5.2004, p. 46.

⁽³⁾ OJ L 193, 23.7.2005, p. 44.

⁽⁴⁾ OJ L 346, 31.12.2003, p. 57.

HAS ADOPTED THIS JOINT ACTION:

A detailed description of the projects is set out in the Annex.

Article 1

1. For the purposes of giving immediate and practical implementation to some elements of the EU Strategy against the Proliferation of Weapons of Mass Destruction, the EU shall support the IAEA activities in the areas of nuclear security and verification in order to further the following objectives:

- to work towards the universalisation of international non-proliferation and nuclear security instruments, including comprehensive safeguards agreements and the Additional Protocol,
- to enhance the protection of proliferation-sensitive materials and equipment and the relevant technology, provide legislative and regulatory assistance in the area of nuclear security and safeguards,
- to strengthen the detection of and response to illicit trafficking of nuclear and other radio-active materials.

2. The projects of the IAEA, corresponding to measures of the EU Strategy, are the projects which aim at:

- strengthening national legislative and regulatory infrastructures for the implementation of relevant international instruments in the areas of nuclear security and verification, including comprehensive safeguards agreements and the Additional Protocol,
- assisting States in strengthening the security and control of nuclear and other radio-active materials,
- strengthening States' capabilities for detection and response to illicit trafficking in nuclear and other radio-active materials.

These projects will be carried out in countries needing assistance in these areas after an initial assessment carried out by an expert team.

Article 2

1. The Presidency, assisted by the Secretary-General of the Council/High Representative for the CFSP (SG/HR), shall be responsible for the implementation of this Joint Action. The Commission shall be fully associated to this task.

2. The Commission shall supervise the proper implementation of the financial contribution referred to in Article 3.

3. The technical implementation of the projects referred to in Article 1(2) shall be entrusted to the IAEA, which shall perform its tasks under the responsibility of the Presidency and under the control of the SG/HR. For this purpose, the SG/HR shall enter into the necessary arrangements with the IAEA.

4. The choice of the beneficiaries and actions shall be made, on the basis of the initial assessment referred to in Article 1(2), by the implementing entity. Member States and the Commission will be consulted in the framework of the competent Council working group.

Article 3

1. The financial reference amount for the implementation of the projects referred to in Article 1(2) shall be EUR 6 995 000.

2. The management of the expenditure financed by the general budget of the European Union specified in paragraph 1 shall be subject to the procedures and rules of the Community applying to budget matters with the proviso that any pre financing shall not remain the property of the Community.

3. For the purpose of implementing the expenditure referred to in paragraph 1, the Commission shall conclude a specific financing agreement with the IAEA in accordance with the Regulations and Rules of the IAEA. It shall stipulate that the IAEA shall ensure visibility of the EU contribution, appropriate to its size.

Article 4

The Presidency, assisted by the SG/HR, shall report to the Council on the implementation of this Joint Action on the basis of regular reports prepared by the IAEA. The Commission shall be fully associated and shall provide information on the financial aspects of the implementation of the projects referred to in Article 1(2).

Article 5

This Joint Action shall enter into force on the day of its adoption.

It shall expire on 12 September 2007.

Article 6

This Joint Action shall be published in the *Official Journal of the European Union*.

Done at Luxembourg, 12 June 2006.

For the Council
The President
U. PLASSNIK

ANNEX

EU support for IAEA activities in the areas of nuclear security and verification and in the framework of the implementation of the EU Strategy against Proliferation and Weapons of Mass Destruction

1. DESCRIPTION

The international community has recognized, notably in the International Conference on Nuclear Security: Global Directions for the Future, held in London in March 2005, that the risk of successful acts of nuclear terrorism remains high. The international community has reacted strongly and taken several initiatives aimed at preventing nuclear or other radioactive material from falling into the hands of criminals and terrorists.

Meanwhile, IAEA verification remains an indispensable tool for building confidence among States with regard to nuclear non-proliferation undertakings, and for advancing the peaceful use of nuclear material.

Recent international developments have resulted in a new and strengthened set of international legal instruments that are relevant for nuclear security and verification. In July 2005, States Parties adopted the Amendment to the CPPNM; the Nuclear Terrorism Convention was opened for signature in September 2005; and in April 2004, the UN Security Council adopted Resolution 1540 dealing with Weapons of Mass Destruction and non-State actors. UN Security Council Resolution 1373 of 2001 calls for all States to become parties as soon as possible to the relevant international conventions and protocols relating to terrorism.

As of to date, over 80 States have made a political commitment to implement the Code of Conduct on the Safety and Security of Radioactive Sources ⁽¹⁾. In addition, in 2005 the General Conference and Board of Governors of the IAEA have adopted several resolutions and decisions to strengthen the IAEA safeguards system ⁽²⁾.

States' implementation of these international instruments may be significantly facilitated, in part, by assistance provided through the IAEA Nuclear Security Plan for 2006-2009, which was approved by the Board of Governors of the IAEA in September 2005 ⁽³⁾. This is a continuation to the 2003-2005 Plan of Activities to protect against nuclear terrorism ⁽⁴⁾. The new Nuclear Security Plan includes three activity areas: (1) Needs assessment, analysis and coordination, (2) Prevention, and (3) Detection and response. It also includes a part referred to as 'Activities Supporting Nuclear Security', which comprises activities originally identified for their safety and safeguards objectives but which are also recognized for their important contributions to nuclear security.

International Safeguards, as implemented by the IAEA, represent key means of verifying the compliance by States with their specific non-proliferation commitments and obligations. It is of utmost importance that the required national legislation for the implementation of a comprehensive safeguards agreement with the IAEA, and, if applicable, an Additional Protocol, is in place ⁽⁵⁾. The implementation requires that each State party to such agreements maintain an effective State System for Accounting for and Control of Nuclear Material (SSAC). In September 2005, the IAEA Board of Governors requested that the IAEA Secretariat assist States for which comprehensive safeguards agreements had small quantities protocols attached, including non-members of the Agency, through available resources, in the establishment and maintenance of such SSACs.

The Nuclear Security Plan 2006-2009 pursues the similar objectives to some elements of the EU Strategy against the Proliferation of Weapons of Mass Destruction. These provide a comprehensive approach to nuclear security including the regulatory controls, accountability and protection of nuclear and other radioactive materials in use, storage and transport, 'from cradle to grave', in the short term as well as in the long term. However, should the protection fail, backup measures must be established to detect theft or attempts to smuggle the material across international borders and to respond to malicious acts involving nuclear or other radioactive materials, should they occur.

⁽¹⁾ GOV/2003/49-GC(47)/9. Also the document: 'Measures to Strengthen International Cooperation in Nuclear, Radiation, Transport Safety and Waste Management: Promoting Effective and Sustainable National Regulatory Infrastructure for the Control of Radiation Sources' (GOV/2004/52-GC(48)/15) includes parts that are relevant to the IAEA-EU cooperation under the EU Strategy against Proliferation of Weapons of Mass Destruction. These activities are also reflected in 'Activities Supporting Nuclear Security' in the IAEA Nuclear Security Plan for 2006-2009.

⁽²⁾ In September 2005, the Board of Governors of the International Atomic Energy Agency (IAEA) decided that in order to strengthen the safeguards system, the so-called 'small quantities protocol' (SQP) to NPT safeguards agreements should remain part of the Agency's safeguards system, subject to modifications in the standard text and the change in the SQP criteria; the 2005 IAEA General Conference adopted a resolution in which it noted, *inter alia*, that, in the case of a State with a comprehensive safeguards agreement supplemented by an Additional Protocol in force, these measures represent the enhanced verification standard for that State.

⁽³⁾ GOV/2005/50-GC(49)/17.

⁽⁴⁾ GOV/2002/10.

⁽⁵⁾ See the Agency's Plan of Action to Promote the Conclusion of Safeguards Agreements and Additional Protocols, as published by the IAEA.

The IAEA is in the process of completing the implementation of Council Joint Action 2004/495/CFSP, and is implementing Council Joint Action 2005/574/CFSP. With the associated contributions of the EU, the IAEA has initiated major activities to support efforts of the recipient States in Caucasus, Central Asia, South-eastern Europe and Balkan regions, and Northern Africa and the Mediterranean region in Middle East, to strengthen the nuclear security and the implementation of international safeguards in these countries.

Support for these efforts continues to be in high demand in IAEA Member States as well as in States that are not members of the IAEA. Countries eligible to receive support are:

- in South-eastern Europe: Turkey, Albania, Bosnia and Herzegovina, Croatia, Serbia and Montenegro, Republic of Moldova, and the former Yugoslav Republic of Macedonia,
- in the Central Asia region: Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan and Turkmenistan,
- in the Caucasus region: Armenia, Azerbaijan and Georgia,
- in the Mediterranean region in the Middle East: Israel, Jordan, Lebanon, and Syrian Arab Republic, and
- in Africa ⁽¹⁾: Altogether up to 20-25 countries in Africa are foreseen to receive support for nuclear security upgrades under different projects. Additional countries may be involved in regional training events.

The final selection of those African countries to receive support will be made on the basis of the needs evaluation phase, which will comprise assessment missions and evaluation of already existing information in headquarters. The support activities for each project will be focused on those countries in the region that have major activities in each project area:

- physical protection upgrades are foreseen in four to six of the eight countries in the region that have nuclear reactors; strengthening the security of radioactive sources is foreseen in five to seven of the 10 countries that have most vulnerable sources in use and in storage;
- provision of support to upgrade the capability to detect illicit trafficking in nuclear or other radioactive materials is foreseen in five to six countries which, on the basis of the information available to the IAEA, pose the highest risk of illicit trafficking, taking into account the existence nuclear material and of radioactive sources in the country and its neighbouring countries;
- provision of appraisal service and support regarding the radiation safety and security of radioactive sources regulatory infrastructure is foreseen in 12 countries where the regulatory infrastructure improvements are deemed to be in most need. Provision of legislative support is foreseen in six countries;
- training would be offered on a regional basis for as many participants as possible in Africa, subject to the funds available.

Initially, needs for improved nuclear security will be evaluated in the countries identified in the EU Joint Action in order to identify priorities for support. For that purpose, a team of recognised experts will evaluate the present status of nuclear security system already in place in these countries and give recommendations on improvements. The recommendations will constitute a platform for the definition of subsequent assistance, covering present status and need for improvement as regards prevention, detection of and response to malicious acts involving nuclear and other radioactive materials, including those in non-nuclear use, and of nuclear facilities. Priorities will be set in identifying the countries for each project that would be covered by the budget made available through EU support. The development of human resources will be implemented as part of the established training programme of the IAEA, which, to a large extent, is based on a regional approach. The participation of experts from as many eligible countries as possible will be supported, subject to available financial resources.

⁽¹⁾ Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Congo (Brazzaville), Cote d'Ivoire, Democratic Republic of the Congo, Djibouti, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sao Tome & Principe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, Sudan, Swaziland, Togo, Tunisia, Uganda, United Republic of Tanzania, Zambia and Zimbabwe.

Subsequently, projects will be implemented in the selected countries in three fields:

1. *Legislative and Regulatory Assistance*

The legal foundation for nuclear security comprises, in large part, international instruments and recognized principles (treaties, conventions, agreements, norms, IAEA standards, codes of conduct and guidance documents, and recommendations) that are implemented by national authorities to control nuclear material and other radioactive sources. This broad range of norms (many developed under IAEA auspices) provides a framework for using nuclear material, other radioactive substances or their related facilities safely and securely — both those with large nuclear programmes and those conducting only limited nuclear activities.

The existence of proper national legislation, and regulatory control infrastructure, is a precondition for a successful nuclear security regime. National implementing legislation should provide a framework of principles and general provisions that enables authorised governmental entities to exercise the necessary regulatory functions and that regulates the conduct of any person engaged in regulated activities. In many States such legislation is inadequate and the regulatory infrastructure is not in existence or is inadequate. Such gaps, combined with inefficient regulatory control infrastructures result in a weakness of the global security regime. The aim should therefore be to strengthen or establish adequate national legislative and regulatory frameworks, and the effective application of relevant measures.

Radioactive materials are often used in non-nuclear applications, e.g. in medical or industrial use. Some of these sources are highly radioactive, and belong to categories 1 to 3, as defined in the IAEA document 'Categorisation of Radioactive Sources'. These sources, if not adequately under regulatory control and protected, may come into the wrong hands and be used in malicious activities. The regulatory infrastructure for radiation safety and security of radioactive sources must be effective and must function adequately in accordance with the international standards, the guidelines of the Code of Conduct on the Safety and Security of Radioactive Sources and the associated import/export guidance, and the best practices.

The conclusion of safeguards agreements and Additional Protocols with the IAEA is an effective measure that promotes stringent national and international control over nuclear material and related technologies. It is important that national implementing legislation clearly identify the nuclear activities, installations, facilities and material to which safeguards will be applied. In addition, States that have concluded an Additional Protocol need to ensure that their national implementing legislation has been enhanced to enable the State concerned to comply with the additional obligations under the Additional Protocol. In particular, the State's domestic legislation should be revised to expand the responsibilities and powers of the regulatory body, designated for the purposes of implementing and applying the safeguards agreements concluded.

States also accept obligations to meet international norms related to nuclear security, when becoming parties to the CPPNM, by ratifying the Amendment to the CPPNM, and when becoming a party to the Nuclear Terrorism Convention. In addition, United Nations Security Council Resolution 1540 (2004) also obliges all States to establish domestic controls including the establishment of appropriate controls over materials related to nuclear weapons.

States' undertakings included in the aforementioned international instruments in the field of nuclear security have resulted in a juxtaposition of commitments related to the security of nuclear material and facilities and other radioactive sources. These commitments include measures for the establishment of a regulatory infrastructure for radiation safety and security of radioactive sources; accountancy and control measures; physical protection measures; import and export controls and the criminalisation of unlawful acts.

2. *Strengthening the Security and Control of Nuclear and other Radioactive Materials*

The materials used or stored at nuclear facilities and locations must be adequately accounted for and protected in order to prevent theft or sabotage. An effective regulatory system should identify those elements requiring implementation at the level of the State and of the operator respectively.

It is also of vital importance that powerful and vulnerable sources in non-nuclear applications are physically protected against malicious acts when used or stored, and when no longer required, they should be dismantled and stored, or disposed of as radioactive waste, in a safe and secure location.

All States with comprehensive safeguards agreements are required to establish and maintain SSACs subject to safeguards. However, IAEA estimates that such systems are lacking or inadequate in many IAEA Member States that are party to such agreements. This situation is particularly widespread among the 120 States or so that do not operate any nuclear facilities.

3. *Strengthening of States' Capabilities for Detection and Response to Illicit Trafficking*

Illicit trafficking relates to the unauthorised receipt, provision, use, transfer or disposal of nuclear material and other radioactive materials, whether intentional or unintentional and with or without crossing international borders.

A terrorist-made, crude nuclear explosive device or a radiological dispersal device cannot be constructed without the material having been acquired as a result of illicit trafficking. In addition, sensitive equipment and technology to produce sensitive material for or to construct a crude nuclear explosive device may also have been acquired via illicit trafficking. It may be assumed that cross-border movement of material or technology is necessary for the material to reach its end destination. To combat illicit trafficking, States thus require the necessary regulatory systems to be in place, as well as technical systems (including user-friendly instruments) and available procedures and information at the border stations for detecting attempts at smuggling radioactive materials (including fissile, radioactive materials), or unauthorised trade with sensitive equipment and technology.

Effective measures must also be in place to respond to such acts and also to seizures of any radioactive materials. Law enforcement staff (customs, police, etc.) is frequently not trained in the use of detection equipment, and thus the sensitive equipment and technology may be unfamiliar. Training of these officers is therefore critical to the success of any measures put in place for detection of illicit trafficking. Different training should be offered to staff of different categories, both in using detection instruments and in understanding the reading of the instrument, to be able to decide on follow-up activities.

Support in this area is in great demand as a result of increased awareness of the threat involved and of the availability of equipment and methodology for improved border-monitoring capability.

2. OBJECTIVES

Overall objective: To strengthen nuclear security in selected countries.

2.1. *Evaluation Phase: Financing International Nuclear Security Missions*

Evaluation will be carried out by the IAEA to identify needs to strengthen the nuclear security in the countries concerned, in which such evaluation has not yet been completed. For the other identified countries, the evaluation carried out earlier will be updated. The evaluation will cover, as appropriate, physical protection and security of nuclear and non-nuclear applications, established measures to combat illicit trafficking as well as the necessary legal and regulatory infrastructure. The results of the overall evaluation will be used as a basis in selecting the countries in which the projects will be implemented.

The projects outlined above will:

- evaluate, in each country, the status of physical protection of nuclear and other radioactive materials, and the protection of any nuclear or research installation or location in which these materials are used or stored. Identify a subset of facilities and locations containing these materials to be selected for subsequent upgrading and support;
- evaluate, in each country, any needs with respect to the upgrading of the security of radioactive sources. Identify any weaknesses and shortcoming against international standards and the Code of Conduct requiring improvement of regulatory infrastructure, and identify the need to provide additional protection of powerful, vulnerable sources. The specific equipment needed to provide protection would also be determined as a result of the evaluation;
- evaluate, in each country, the current status of the capability to combat illicit trafficking and identify needs for the required improvements;
- evaluate, in each country, the status of the SSAC and identify needs for the required improvements.

2.2. Implementation of specific actions defined as priorities as a result of the evaluation phase

Project 1:

Legislative and Regulatory Assistance.

Project purpose:

- to strengthen national legislative and regulatory infrastructures related to nuclear and other radioactive material taking into account relevant international instruments and recognised principles in the nuclear security field and existing synergies with national systems of radiation safety;
- to strengthen national legislative frameworks for the implementation of Safeguards Agreements and Additional Protocols concluded between States and the Agency;
- to strengthen the national regulatory infrastructure for radiation safety and security of radioactive sources.

Project results:

- development and adoption of comprehensive, coherent and effective legislation at the national level, thereby contributing to a harmonised, strengthened and more universal system of nuclear security;
- development and adoption (in national languages) of national legislation necessary to enable States to comply with their obligations under Agency Safeguards Agreements and Additional Protocols;
- establishment/upgrading of the national regulatory infrastructure for radiation safety and security of radioactive sources through the provision of the Radiation Safety, and Security of Radioactive Sources Infrastructure Appraisal (RaSSIA), advisory services, equipment and training, in accordance with the international standards, the guidelines of the Code of Conduct on the Safety and Security of Radioactive Sources and the best practices.

Project 2:

Strengthening the Security and Control of Nuclear and other Radioactive Materials

Project purpose:

- to strengthen physical protection of nuclear facilities and of nuclear and other radioactive materials in nuclear applications in the selected countries;
- to strengthen the control and physical protection of radioactive materials in non-nuclear applications in the selected countries and
- to strengthen SSACs for the implementation of safeguards agreements and Additional Protocols, including in States with 'small quantities protocols'.

Project results:

- physical protection of nuclear materials and other radioactive materials at selected nuclear facilities and locations upgraded;
- vulnerable sources in non-nuclear applications protected or, as appropriate, dismantled and transferred to a safe and secure storage in the selected countries;
- national regulatory infrastructure for physical protection improved through expert assistance;
- establishment and maintenance of effective SSACs capable of implementing safeguards agreements and Additional Protocols, including in States with 'small quantities protocols';
- staff training provided in the countries eligible to receive support.

Project 3:**Strengthening of States' Capabilities for Detection and Response to Illicit Trafficking****Project purpose:**

- to strengthen the States' capacities for detection of and response to illicit trafficking in the selected countries.

Project results:

- enhanced information collected and evaluated on illicit nuclear trafficking, from open sources and from States' Points of Contact, to improve the knowledge about and circumstances of illicit nuclear trafficking. This information will also facilitate the prioritisation of the various activities undertaken to combat illicit trafficking;
- national frameworks established through expert assistance, to combat illicit trafficking and to improve the national coordination of control cross-border movements of radioactive materials, sensitive nuclear equipment and technology in the selected countries;
- border monitoring equipment upgraded at selected border crossings;
- training provided for law enforcement staff in countries eligible to receive support.

3. DURATION

The evaluation will be performed within a period of three months after entering into force of the Contribution Agreement between the Commission and the IAEA. The three projects will be performed in parallel during the 12 subsequent months.

The total estimated duration for the implementation of this Joint Action is 15 months.

4. BENEFICIARIES

The beneficiaries are the countries where the assessment and the subsequent projects will be implemented. Their authorities will be helped to understand where there are weak points and receive support to bring solution and increase security. The criteria for identifying the countries for the projects, the final choice of the beneficiaries and the needs to be addressed in the selected countries shall be made in consultation between the implementing entity and the Presidency, assisted by the SG/HR in close consultation with Member States and the Commission in the framework of the competent Council working group. These decisions shall be based, where appropriate, on proposals made by the implementing entity in accordance with Article 2(1) of this Joint Action.

5. IMPLEMENTING ENTITY

The IAEA will be entrusted with the implementation of the projects. The international nuclear security missions will be performed following the standard mode of operation for missions of the IAEA, which will be carried out by IAEA and Member States' experts. The implementation of the three projects will be done directly by the IAEA staff, IAEA Member States-selected experts or contractors. In case of contractors, the procurement of any goods, works or services by the IAEA in the context of this Joint Action shall be carried out in accordance with the applicable rules and procedures of the IAEA, as detailed in the European Community Contribution Agreement with the IAEA.

6. THIRD PARTY PARTICIPANTS

The projects will be financed 100 % by this Joint Action. Experts of IAEA Member States may be considered as third party participants. They will work under the standard rules of operation for IAEA experts.

7. SPECIFIC CONDITIONS FOR CONTRACTING AND PROCUREMENT

In some cases, to improve the security arrangements for nuclear and other radioactive materials, e.g. radioactive sources, originally supplied by the Russian Federation, contracts for procurement of goods, works and services could be offered to providers in the Russian Federation, which are familiar with the Russian technology.

8. ESTIMATED REQUIRED MEANS

The EU contribution will cover the evaluation and the implementation of the three projects as described in point 2.2. The estimated costs are as follows:

Nuclear security evaluation, including missions	EUR 140 000
Project 1	EUR 1 200 000
Project 2	EUR 3 070 000
Project 3	EUR 2 385 000

In addition, a contingency reserve of about 3 % of eligible costs (for a total amount of EUR 200 000) is included for unforeseen costs.

9. FINANCIAL REFERENCE AMOUNT TO COVER THE COST OF THE PROJECT

The total cost of the project is EUR 6 995 000.
