



**European Union**

**EU Statement on**

**Agenda item 1: The safety, security and safeguards implications of the situation in Ukraine**

**Board of Governors  
International Atomic Energy Agency (IAEA)**

**Vienna, 2 March 2022**

Mr. Chairman,

I have the honour to speak on behalf of the European Union. The following countries align themselves with this statement: the Republic of North Macedonia\*, Montenegro\*, Albania\*, Bosnia and Herzegovina\*, Iceland\*, Liechtenstein\*, Norway\*, Ukraine, the Republic of Moldova, Georgia and San Marino.

The EU condemns in the strongest possible terms the unprovoked and unjustified military aggression of the Russian Federation against Ukraine. We demand that Russia immediately cease its military actions, unconditionally withdraw all forces and military equipment from the entire territory of Ukraine and fully respect Ukraine's territorial integrity, sovereignty and independence within its internationally recognised borders.

We also condemn the involvement of Belarus in this aggression against Ukraine and call on Belarus to abide by its international commitments and obligations.

Mr. Chairman,

Russia's military attack against Ukraine - an independent and sovereign State - is a flagrant violation of international law and the UN Charter, and undermines European and global security and stability. Russia bears full responsibility for this act of aggression and all the destruction and loss of life it will cause. The EU will do its utmost to support Ukraine and protect the

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\*Candidate Countries the Republic of North Macedonia, Montenegro and Albania as well as potential Candidate Country Bosnia and Herzegovina continue to be part of the Stabilisation and Association Process.

\*Iceland, Liechtenstein and Norway are members of the EFTA and of the European Economic Area.

integrity of the rules-based international system which is key to our collective security. We call on all UN Member States to do the same.

As widely known, Ukraine acceded to the NPT as a non-nuclear weapon State in 1994 after having returned the Soviet-era nuclear weapons and after having received security guarantees. In the Budapest Memorandum, Russia explicitly committed to “respecting the independence and sovereignty and the existing borders of Ukraine” and to “refraining from the threat or use of force” against the country. With its military invasion in Ukraine, Russia continues to blatantly violate the Budapest Memorandum to the detriment of the NPT regime.

We recall that in 2009, the IAEA General Conference adopted a decision GC(53)/DEC/13 by consensus stating that “any armed attack on and threat against nuclear facilities devoted to peaceful purposes constitutes a violation of the principles of the UN Charter, international law and the Statute of the Agency”. We also recall IAEA General Conference Resolution GC(43)/533 which recognizes that an armed attack or a threat of armed attack on a safeguarded nuclear facility, in operation or under construction, would create a situation in which the UN Security Council would have to act immediately in accordance with the provisions of the UN Charter.

Mr. Chairman,

The EU is resolved to ensuring the highest standards of nuclear safety, security and safeguards at nuclear installations worldwide. For many years, the EU has engaged in cooperation with Ukraine to support its regulatory authority and to help upgrade infrastructure for safety, security and nuclear accounting. We thank and praise the Ukrainian National Regulator for its work and its regular and timely updates. We are extremely concerned over the nuclear threats and the nuclear safety, security and safeguards risks on the ground caused by the Russian invasion and the potential damage to any nuclear facility that could have significantly adverse impact with potentially severe consequence for human health and the environment.

Nuclear disaster exclusion zones prohibit entry due to the danger of adverse health effects as a result of high radioactivity. The use for military-strategic gains of the deserted Chornobyl exclusion zone established by Ukrainian authorities shows a disregard of the purpose of such zones, which are left mandatorily unpopulated for safety and security reasons.

We reiterate the urgent call of the European Nuclear Safety Regulators Group (ENSREG) of 27 February to cease unlawful activities in order to restore the control of the Ukrainian regulatory authority over all nuclear

facilities and materials within Ukraine's internationally recognized borders and to permit unhindered regular access of its staff to enable the operational staff to carry out their work without undue pressure, in order to ensure their continuing safe operation. All States Parties must act in accordance with their commitments to the objectives of the Convention on Nuclear Safety and the Joint Convention. As pointed out by the Director General, the safety and security of nuclear sites and material in Ukraine must under no circumstances be endangered.

We call upon the Agency to remain in close contact with the Ukrainian Authorities, to inquire on the consequences of the Russian Armed Forces activities in and around the Chornobyl NPP, including with regard to the situation of the Ukrainian personnel there, as well as on the conditions of the radioactive waste disposal site of the Kyiv branch of the State Specialized Enterprise "Radon" and of other nuclear sites.

The attack on Ukraine also affects nuclear security because of possible terrorist access to nuclear material and facilities. It has led to an increased risk of illicit trafficking of nuclear and other radioactive materials, and of sabotage of nuclear material or nuclear facilities. This is very worrying not least in light of our collective commitments to uphold and strengthen the international nuclear safety and security infrastructure and to ensure universal implementation of the nuclear safety and security conventions especially ahead of the Review Conference of the Amended Convention on the Physical Protection of Nuclear Material (A/CPPNM).

With regard to nuclear safeguards, the Russian invasion, if not reversed, will inevitably affect the IAEA's ability to verify Ukraine's obligations with its Comprehensive Safeguards Agreement under the NPT. Already in 2021, the IAEA was not able to draw the so called broader conclusion for Ukraine that all nuclear material, previously declared by Ukraine, remained in peaceful activities. The EU recalls the Agency's evaluation in June 2021 that, based on the safeguards relevant information available to it, the Agency did not find indications that would give rise to a proliferation concern. Since the illegal annexation of the Autonomous Republic of Crimea and the city of Sevastopol by Russia, no IAEA inspections have been conducted at the IR-100 research reactor and no regular safeguards implementation has been possible with regard to nuclear material located outside facilities (LOF) in the non-government controlled areas in Eastern Ukraine, Donbas.

Mr. Chairman,

In accordance with the IAEA Statute, the EU and its EU Member States fully support the resolution put forward for adoption by the IAEA Board of Governors. We thank the IAEA Director General for his regular updates and ask him to continue to actively monitor the situation and to keep the Board and the international community informed on further action, and to use all available IAEA instruments to support Ukraine's efforts to ensure safety and security in all facilities in the country.

The European Union reiterates its unwavering support for the independence, sovereignty and territorial integrity of Ukraine within its internationally recognised borders. The EU and its Member States stand firmly by Ukraine's side.

Thank you, Mr. Chairman