



Non-Aligned Movement (NAM) Database

19 September 2005 Board of Governors Meeting

19 September 2005 Meeting: GOV/OR.1136; GOV/OR.1137; GOV/OR.1138; GOV/OR.1139; GOV/OR.1141;	
	Safeguards
Small Quantities Protocols (SQPs)	<ul style="list-style-type: none"> • (GOV/OR.1136 – Para 122) [NAM] took note of the Director General’s report contained in document GOV/2005/33 and of the fact that the Board had recognized that the SQP in its present form constituted a weakness in the safeguards system and that a decision on ways of resolving that important issue must be taken in a timely manner. She expressed appreciation to Ambassador Bylica for conducting open-ended consultations with Member States and for his report. She stressed the importance of taking into account the comments made and concerns raised by NAM Member States at the consultations held on 14 September 2005. NAM thanked the Secretariat for organizing the seminar on 1 September 2005 aimed at providing additional information on the implications of both options, including any possible financial burden on both the Agency and the Member States with SQPs in force. • (GOV/OR.1136 – Para 123) Noting that the Agency had estimated that 300 calendar days in the field were required over the next three years in the 76 States with SQPs in force, NAM agreed that a careful study should be undertaken of the budgetary requirements, and a more precise budgetary figure should be provided to Member States, given the possible negative implications for many developing States about to commence de-shielding of the safeguards component of their assessed contribution to the Regular Budget. There should also be minimum impact on developing SQP States in implementing the proposed transformation nationally. • (GOV/OR.1136 – Para 124) Whichever option was selected, NAM requested that the Agency assist SQP States in achieving a smooth transition by organizing comprehensive training programmes and providing technical assistance for capacity building.
Safeguards Agreements and Additional Protocols	<ul style="list-style-type: none"> • (GOV/OR.1137 – Para 44) ... NAM had noted the decision of the Governments of Singapore and Thailand to conclude additional protocols to their respective NPT safeguards agreements. • (GOV/OR.1138 – Para 45) ... [NAM] questioned the wisdom of opening the debate on agenda item 6(d) while consultations were still ongoing. • (GOV/OR.1139 – Para 3) [NAM] stressed the basic and inalienable right of all Member States to develop atomic energy for peaceful purposes. While it fully supported efforts aimed at the non-proliferation of weapons of mass destruction, NAM maintained the principled position that non-proliferation and peaceful uses of nuclear technology should be addressed in a balanced and non-discriminatory

	<p>manner. Furthermore, a clear distinction had to be made between the legal obligations of Member States under their respective safeguards agreements and their voluntary commitments, in order to ensure that such voluntary commitments were not turned into legal safeguards obligations. Member States should not be penalized for not adhering to their voluntary commitments.</p>
	United Nations Fora
IAEA: Programme and Budget	<ul style="list-style-type: none"> • (GOV/OR.1136 – Para 123) Noting that the Agency had estimated that 300 calendar days in the field were required over the next three years in the 76 States with SQPs in force, NAM agreed that a careful study should be undertaken of the budgetary requirements, and a more precise budgetary figure should be provided to Member States, given the possible negative implications for many developing States about to commence de-shielding of the safeguards component of their assessed contribution to the Regular Budget. There should also be minimum impact on developing SQP States in implementing the proposed transformation nationally
	Peaceful Uses
Peaceful Uses of Nuclear Energy	<ul style="list-style-type: none"> • (GOV/OR.1139 – Para 3) [NAM] stressed the basic and inalienable right of all Member States to develop atomic energy for peaceful purposes. While it fully supported efforts aimed at the non-proliferation of weapons of mass destruction, NAM maintained the principled position that non-proliferation and peaceful uses of nuclear technology should be addressed in a balanced and non-discriminatory manner. Furthermore, a clear distinction had to be made between the legal obligations of Member States under their respective safeguards agreements and their voluntary commitments, in order to ensure that such voluntary commitments were not turned into legal safeguards obligations. Member States should not be penalized for not adhering to their voluntary commitments.
	Nonproliferation
Nonproliferation and Peaceful Uses	<ul style="list-style-type: none"> • (GOV/OR.1139 – Para 3) [NAM] stressed the basic and inalienable right of all Member States to develop atomic energy for peaceful purposes. While it fully supported efforts aimed at the non-proliferation of weapons of mass destruction, NAM maintained the principled position that non-proliferation and peaceful uses of nuclear technology should be addressed in a balanced and non-discriminatory manner. Furthermore, a clear distinction had to be made between the legal obligations of Member States under their respective safeguards agreements and their voluntary commitments, in order to ensure that such voluntary commitments were not turned into legal safeguards obligations. Member States should not be penalized for not adhering to their voluntary commitments.
Iran	<ul style="list-style-type: none"> • (GOV/OR.1139 – Para 4) The suspension of Iran’s enrichment and reprocessing activities was a voluntary confidence building measure which was not legally binding and should not be interpreted in any way as inhibiting or restricting the inalienable right of Member States to develop atomic energy for peaceful purposes. • (GOV/OR.1139 – Para 5) All problematic issues should be resolved through dialogue and peaceful means and NAM therefore encouraged

continued dialogue and cooperation between the three European countries and Iran to promote mutual confidence, with a view to facilitating the Agency's work on Iran's nuclear programme. In fostering an environment of cooperation to find a mutually acceptable solution to the issue, NAM appreciated all initiatives including that of South Africa.

- (GOV/OR.1139 – Para 6) Recognizing the Agency as the sole competent authority for verification, NAM had full confidence in the professionalism and impartiality of the organization. It strongly believed that all issues related to safeguards and verification, including the Iran issue, should be resolved within the framework of the Agency and on the basis of technical criteria.
- (GOV/OR.1139 – Para 7) NAM was pleased to note that all the declared nuclear material in Iran had been accounted for and that such material was not being diverted to prohibited activities. Corrective action had been taken, no new failures had been identified and the verification of the correctness and completeness of Iran's declarations was ongoing. NAM encouraged Iran to continue its proactive cooperation with the Agency to resolve outstanding issues.
- (GOV/OR.1139 – Para 8) Since October 2003, good progress had been made in Iran's correction of the failures reported and in the Agency's ability to confirm aspects of Iran's declaration. NAM was pleased to note that steady progress continued to be made in understanding Iran's nuclear programme and investigations had reached a point where, with respect to its laser enrichment activities and declared uranium conversion experiments, further follow-up would be carried out as a routine safeguards implementation matter. Furthermore, Iran had granted the Agency, upon its request and as a transparency measure, access to certain additional information and locations beyond those required under its safeguards agreement and additional protocol.
- (GOV/OR.1139 – Para 9) With regard to the first of the two remaining issues identified in the Director General's report, significant progress had been made towards ascertaining the origin of the uranium contamination found at various locations in Iran. The findings corroborated Iran's statement regarding the foreign origin of most of the observed HEU contamination. With regard to the second issue, i.e. the extent of Iran's efforts to import, manufacture and use centrifuges of both the P-1 and P-2 design, a better understanding had been gained of Iran's efforts relevant to both designs. Efforts were being made to further clarify that issue. The Agency had been able to verify Iran's suspension of enrichment-related activities at specific facilities and sites and confirm that the produced uranium hexafluoride remained under seal at the Uranium Conversion Facility.
- (GOV/OR.1139 – Para 10) NAM welcomed the substantive progress made in resolving the outstanding issues and remained optimistic that, with proactive cooperation from Iran, they would be resolved. Equally, it welcomed the declaration made by the President of the Islamic Republic of Iran at the 2005 United Nations General Assembly reaffirming Iran's commitment to continued interaction and

technical and legal cooperation with the Agency, and the initiatives of Iran aimed at a greater degree of transparency, in particular with regard to its enrichment programme.

- (GOV/OR.1139 – Para 11) While it recognized the fact that the Agency's legal authority to pursue verification of possible nuclear weapons-related activity was limited, NAM was of the view that any request for additional legal authority had to be negotiated by Member States. In that regard, it stressed the importance of promoting and strengthening the multilateral process. Any remaining problems pertaining to the issue should be resolved only within the framework of the Agency with the active participation of the Director General and the cooperation of all parties involved, through continued dialogue and negotiations.
- (GOV/OR.1141 – Para 19) ... [NAM] said that the elements contained in the resolution did not form a complete basis for moving forward in seeking a constructive solution to the issue of Iran's nuclear programme. In view of the serious nature of the issues covered by the resolution, NAM had suggested that time be allowed for negotiations with a view to reaching a consensus decision and that the matter be discussed at the November meetings of the Board. However, its major concerns and those of other like-minded States had not been heeded. The draft resolution had been tabled very late the preceding evening, which had made it very difficult for delegations to obtain instructions from their respective capitals for a decision to be taken at the current meeting.
- (GOV/OR.1141 – Para 20) The resolution called into question the inalienable right of all States party to the NPT to develop atomic energy for peaceful purposes. It did not make a clear distinction between the legal obligations of Member States under their safeguards agreements and voluntary confidence-building measures. Any referral to the Security Council, whether explicit or implicit, prejudging Iran's non-compliance in the context of Article XII.C of the Statute and without allowing time for the Director General to complete his work and resolve the remaining issues, was not the correct basis for moving forward.
- (GOV/OR.1141 – Para 21) In that context, NAM welcomed Iran's readiness to resume negotiations with France, Germany and the United Kingdom and continued to underline the need for patience and restraint from all parties concerned. It was of the firm view that continued negotiations were the best way to move towards a constructive outcome.