

IAEA Board of Governors  
Record of the 1100<sup>th</sup> Meeting  
GOV/OR.1100

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Nuclear Verification: The conclusion of safeguards agreements and additional protocols

Nuclear Verification: Implementation of the NPT safeguards agreement of the Socialist People's Libyan Arab Jamahiriya: Report by the Director General

# Board of Governors

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## Record of the 1100<sup>th</sup> Meeting

*Held at Headquarters, Vienna, on Wednesday, 16 June 2004, at 3.15 p.m.*

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[\*] GOV/2004/45.



## Attendance

(The list below gives the name of the senior member of each delegation who attended the meeting, as well as that of any other member whose statement is summarized in this record.)

Mr. NÚÑEZ GARCÍA-SAÚCO		Chairman (Spain)
Mr. SAYÚS	_____	Argentina
Ms. STOKES	}	Australia
Mr. LEASK		
Mr. NIEUWENHUYS	}	Belgium
Mr. BAUWENS		
Mr. VIEIRA DE SOUZA	}	Brazil
Ms. SAMPAIO FERNANDES		
Mr. PROUDFOOT	}	Canada
Mr. BILODEAU		
Mr. ZHANG Huazhu		China
Mr. CARRERA DORAL		Cuba
Mr. VACEK		Czech Republic
Mr. CHRISTENSEN		Denmark
Mr. RAMZY		Egypt
Mr. THIEBAUD	}	France
Mr. ALBERT		
Mr. HONSOWITZ		Germany
Mr. ZIMONYI		Hungary
Mr. SREENIVASAN	}	India
Ms. DURAI		
Mr. DE CEGLIE		Italy
Mr. TAKASU		Japan
Mr. Chang-beom CHO		Korea, Republic of
Mr. GULAM HANIFF		Malaysia
Ms. ROSAS		Mexico
Ms. HOEDEMAKERS		Netherlands
Ms. BRIDGE		New Zealand
Mr. UMAR		Nigeria
Mr. BUTT		Pakistan
Mr. HALPHEN PÉREZ		Panama
Ms. AZURÍN		Peru
Mr. NIEWODNICZAŃSKI		Poland
Mr. BERDENNIKOV		Russian Federation
Mr. AL-TAIFI		Saudi Arabia
Mr. MINTY		South Africa
Mr. DE MIGUEL ÁLVAREZ		Spain
Mr. KHALIL		Sudan
Mr. BOUGACHA		Tunisia
Mr. O'SHEA		United Kingdom of Great Britain and Northern Ireland

**Attendance (continued)**

Mr. BRILL	}	United States of America
Mr. NOBLE		
Mr. LAI NGOC DOAN		Vietnam
Mr. ELBARADEI	_____	Director General
Mr. GOLDSCHMIDT		Deputy Director General, Department of Safeguards
Mr. CSERVENY		Director, Office of External Relations and Policy Coordination
Mr. ANING		Secretary of the Board

**Representatives of the following Member States attended the meeting:**

Albania, Algeria, Angola, Armenia, Austria, Azerbaijan, Belarus, Bolivia, Bulgaria, Burkina Faso, Chile, Colombia, Costa Rica, Croatia, Estonia, Ethiopia, Finland, Georgia, Greece, Holy See, Indonesia, Islamic Republic of Iran, Ireland, Israel, Kenya, Kuwait, Lebanon, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Mongolia, Morocco, Namibia, Norway, Paraguay, Philippines, Portugal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Sri Lanka, Sweden, Switzerland, Syrian Arab Republic, The Former Yugoslav Republic of Macedonia, Turkey, Ukraine, Yemen, Zimbabwe.

**Abbreviations used in this record:**

ABACC	Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials
CTBT	Comprehensive Nuclear-Test-Ban Treaty
DPRK	Democratic People's Republic of Korea
EU	European Union
Euratom	European Atomic Energy Community
G-8	Group of Eight [= G-7+1]
GUUAM	Georgia, Ukraine, Uzbekistan, Azerbaijan, Moldova
HEU	high-enriched uranium
LEU	low-enriched uranium
LWR	light-water reactor
NAM	Non-Aligned Movement
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
PDI	person-day of inspection
Pelindaba Treaty	African Nuclear-Weapon-Free Zone Treaty
SAGSI	Standing Advisory Group on Safeguards Implementation
SIR	Safeguards Implementation Report
SSAC	State System of Accounting for and Control of Nuclear Material
VPN	virtual private network
WMD	weapons of mass destruction

\* Speakers under Rule 50 of the Provisional Rules of Procedure are indicated by an asterisk



## 8. Nuclear verification

### (a) The Safeguards Implementation Report for 2003 (continued) (GOV/2004/32 and Corr.1)

1. Mr. BERDENNIKOV (Russian Federation) said that dividing up the Safeguards Statement according to types of safeguards agreement, expanding the Background to the Safeguards Statement and combining it with the Executive Summary had made the document clearer. Moreover, moving the statistics on verification activities and the detailed evaluation results for facilities to appendices had simplified the report's structure. Its user-friendliness could, however, be enhanced by listing in an attachment the countries which had concluded safeguards agreements and additional protocols, as had been done in the past. Moreover, the 'problem' States should perhaps be dealt with in a separate section, independently of the Safeguards Statement, with a separate formulation for each one. For instance, given the different nature of the infringements of Iran and Libya, it seemed inappropriate that they should be dealt with together in a section on countries which had had problems implementing their safeguards agreements and had signed an additional protocol. Equally, the DPRK was included in the group of countries with comprehensive safeguards agreements in force, whereas it should have been dealt with in a separate paragraph like Iraq.
2. Paragraph 12 of the report stated that, for 19 States, the Agency had found no indication of diversion of nuclear material or of undeclared nuclear material and activities, and that for six of those States that conclusion had been drawn for the first time. The Agency had applied integrated safeguards in only three States in 2003 (Australia, Indonesia and Norway). If countries with insignificant nuclear activities were excluded (six countries), the Agency could in principle begin applying integrated safeguards in another ten countries, with resultant savings in resources. It was not yet ready to do that, owing to the lack of a State-level approach. He expressed the hope that the SIR for 2004 would present preliminary results for that activity.
3. The Russian Federation welcomed the entry into force of the additional protocols of the countries of the European Union and Euratom. In connection with the financing of safeguards, he drew attention to paragraph 186 of the report which indicated that, as a result of its restructuring and a reduction in the funding of its monitoring activities, Euratom's participation in planned inspections and in facilitating communication between facility operators and the Agency had declined, which could lead to more inspections and costs to the Agency. The entry into force of the additional protocols of the 15 European Union countries would require significantly greater efforts from the Agency to analyse the declarations submitted by those countries. He asked the Secretariat to provide clarification on that issue.
4. In the context of the development of additional protocol measures, he noted the improvement in the analysis of environmental samples. The report should perhaps contain a brief analysis of the results of the field experiments, which would allow future prospects for monitoring of nuclear activities from environmental samples and for implementation of the measures envisaged under Article 9 of the additional protocol to be assessed. His country would also have liked to see information on the current extent of and prospects for use of satellite images, an area where it had already offered to share its experience and knowledge with the Secretariat.
5. The statistical information in the SIR showed that the average time between failures of surveillance systems had increased by a factor of four over three years, demonstrating that the



measures taken over the preceding few years had resulted in a substantial increase in equipment reliability. The Russian Federation had long awaited that result. Clearly, progress had also been made in the development of unattended and remote monitoring systems. The use of VPN technology and the internet allowed for more secure and cheaper data transmission, paving the way for greater use of such systems.

6. In conclusion, he urged all Member States to continue cooperating constructively with the Agency to help it resolve the problems identified in the report.

7. Mr. CARRERA DORAL (Cuba) said that, on 27 May, his country had ratified the comprehensive safeguards agreement and additional protocol it had signed on 18 September 2003 and both instruments had entered into force on 3 June 2004.

8. As Cuba had stated when it had acceded to and ratified the NPT, that Treaty was discriminatory and needed to be amended. It was supporting that imperfect control system because it felt the need to strengthen international political mechanisms in view of the threat from those who attempted to put the use of force before the rule of international law. In taking that step, Cuba had merely confirmed that its nuclear programme had always been peaceful. It was grateful for the confidence others had placed in it for years, despite speculations, misinformation and pressure, and it would remain on the alert for any new pretexts that might be used to pressurize the Secretariat or third countries into limiting scientific cooperation with Cuba in the nuclear field.

9. Mr. ZHANG Huazhu (China) said that the structure and layout of the SIR had been improved and were now clearer.

10. The Agency had achieved good results in 2003. Further progress had been made in improving the effectiveness and efficiency of the safeguards system through developments in such areas as the State evaluation process and integrated safeguards.

11. With regard to integrated safeguards, the Agency had drawn up guidelines for unannounced and short-notice inspections and formulated provisional criteria for research reactors and critical assemblies and for spent fuel facilities.

12. The signing and ratification of an additional protocol remained a precondition for the implementation of integrated safeguards. The Agency had updated its plan of action to promote the conclusion of safeguards agreements and additional protocols and had organized training courses as an outreach measure. China encouraged the Secretariat to continue its efforts in that regard. The rate of entry into force of additional protocols was below the expected targets and he appealed to countries to cooperate fully with the Agency by approving, signing and ratifying safeguards agreements and additional protocols promptly.

13. In 2003, Member States had approved a 12.4% increase in the safeguards budget for 2004 despite their financial difficulties, and the safeguards budget would continue to grow over the coming three years. His country expected the Secretariat to optimize safeguards implementation further, increasing efficiency and reducing costs and thus lightening the burden on Member States.

14. The safeguards implementation problems the Secretariat had encountered related mainly to access, deficiencies in nuclear material accounting and difficulties in implementing safeguards approaches. The Secretariat should strengthen communication with Member States and adopt feasible measures to solve those problems.

15. Mr. Chang-beom CHO (Republic of Korea) said that 2003 had been marked by many challenges to the safeguards system and the nuclear non-proliferation regime and the Secretariat was to be commended on its response to those challenges. The international community was trying to

develop measures to counter security challenges and remedy the weaknesses inherent in the non-proliferation regime. In the area of safeguards, only the combined implementation of comprehensive safeguards agreements and additional protocols could provide the Agency with the sound basis it needed to address the problem of undeclared nuclear material and activities. It was therefore essential to make the additional protocol an integral part of comprehensive safeguards, i.e. the universal verification standard pursuant to Article III (1) of the NPT.

16. It was disappointing that 44 States party to the NPT still had not concluded safeguards agreements with the Agency by the end of 2003. Though the Agency was implementing additional protocols in 60 States, there were still 129 States, including some with significant nuclear programmes, which did not have an additional protocol in force or otherwise applied. He urged all States party to the NPT that had not yet done so to sign a comprehensive safeguards agreement and conclude and implement an additional protocol without delay.

17. The Republic of Korea welcomed the improvements in safeguards implementation in 2003 and noted with satisfaction that the inspection goal attainment results were improving every year. Nevertheless, there were some remaining problem areas such as inadequate provision of access, failure to submit information or delays in reporting, difficulties in implementing safeguards approaches, and deficiencies in nuclear material accounting. Those problems could only be solved by Member States cooperating fully with the Agency. Even with an additional protocol in force, if a Member State was not cooperating with the Agency the Secretariat's access to information was bound to be limited, and the resultant delays opened a window of opportunity for concealing nuclear material and activities before Agency verification could take place.

18. The Secretariat had reported further progress with regard to improving the effectiveness and efficiency of the safeguards system. In particular cooperation between his country and the Agency had resulted in savings of 50 PDIs in 2003 through the introduction of remote monitoring and the LWR fresh fuel tracking system. The newly-introduced VPN system would also reduce data transmission costs. The Republic of Korea looked forward to further enhancement of cooperation with the Secretariat in that area.

19. Mr. VIEIRA DE SOUZA (Brazil) commended the new format of the SIR and noted with satisfaction the conclusion in the Safeguards Statement that nuclear material and other items declared and placed under Agency safeguards had remained in peaceful nuclear activities or had been adequately accounted for except in the case of three States, and that no indication of the presence of undeclared nuclear material or activities had been found in the 19 States with additional protocols in force. However, with reference to paragraphs 2, 3 and 4 of the Safeguards Statement, it seemed inappropriate to use the same language to describe the conclusions reached by the Agency for States with three different kinds of safeguards agreement: comprehensive safeguards agreements, INFCIRC/66-type agreements and voluntary offer agreements. Such language masked the importance of the obligations accepted by States which had signed comprehensive safeguards agreements, obliging them to declare and submit to safeguards all nuclear material in all nuclear installations. It was also inappropriate to include language that diminished the value of comprehensive safeguards, such as the last sentence of paragraph 19 of the report.

20. The time lapse between the signing of an additional protocol and its ratification and entry into force was proving to be long for both developing and developed countries, and non-nuclear-weapon and nuclear-weapon States, indicating that countries needed to become more familiar with the implications of implementing the new system.

21. Brazil appreciated the substantial progress that had been achieved with the development of integrated safeguards. Referring to paragraph 53 and subsection A.4 of the report, he noted with

concern that the Secretariat intended to change current safeguards practices and procedures for natural uranium conversion plants by means of an internal policy paper and a related model safeguards approach, in effect unilaterally changing the starting point for the application of safeguards established in safeguards agreements.

22. Brazil welcomed the progress made in the cooperation between the Agency and ABACC, to which it attached great importance. Significant improvements had been achieved through the implementation of common auditing procedures in relevant facilities, and through the establishment of guidelines for joint safeguards activities at several nuclear facilities and for the common use of safeguards equipment. Those improvements should be reflected in safeguards activities during inspections. Both the Agency and ABACC should continue to pursue coordination as a permanent goal in order to avoid unnecessary duplication of effort and promote cost-effectiveness.

23. In conclusion, he endorsed the proposal made by the representative of Argentina that the information to be made public should be restricted to the same type of information as had been contained in the Executive Summary of the SIR for 2002.

24. Mr. GHEGHECHKORI (Georgia)\*, speaking on behalf of the GUUAM countries, said that the group considered the Agency's safeguards system an essential part of the global nuclear non-proliferation regime. It strongly supported the need to strengthen the effectiveness and improve the efficiency of the system and welcomed the Agency's efforts in that regard. The universal adoption and implementation of safeguards agreements and additional protocols was undoubtedly crucial to an effective and credible safeguards system, particularly the measures in the additional protocol. Comprehensive safeguards agreements and additional protocols should become the standard in the field of nuclear non-proliferation. Strong leadership from the Board was also essential.

25. The group noted the progress that had been made with the entry into force of safeguards agreements and additional protocols. In view of the important role played by the safeguards system in countering threats and challenges associated with the spread of nuclear weapons, material and expertise, it urged States that had not already done so to sign and bring into force safeguards agreements and additional protocols. He commended the IAEA on its efforts in that regard.

26. In conclusion, he expressed the hope that the increase in the safeguards budget for 2004, and the further increase for 2005, would lead to a substantial improvement in and further strengthening of the safeguards system.

27. Mr. MINTY (South Africa) commended the Agency on its comprehensive and successful safeguards activities during 2003 and noted with satisfaction that, with the exception of the DPRK, all nuclear material placed under Agency safeguards had remained in peaceful nuclear activities or had been otherwise adequately accounted for by the Agency.

28. The NPT remained the foundation of nuclear non-proliferation and disarmament. However, South Africa was concerned that 45 non-nuclear-weapon States had still not concluded a safeguards agreement as required by that Treaty. Moreover, 16 states with safeguards agreements in place had not concluded an additional protocol. In order for the Treaty to function effectively, those States should conclude safeguards agreements as soon as possible.

29. His country welcomed Libya's decision to eliminate material, equipment and programmes for the production of internationally proscribed weapons and to act as if an additional protocol were already in place. It urged Libya to speed up the formal ratification process for its additional protocol. It also welcomed the signing of an additional protocol by Iran in December 2003 and that country's decision to implement that protocol pending its formal ratification, as well as its voluntary decision to suspend enrichment and reprocessing activities as a confidence-building measure. However, several

issues required further clarification and he urged both countries to continue cooperating fully with the Agency in a transparent and pro-active manner.

30. Furthermore, South Africa remained deeply concerned over the decision of the DPRK to withdraw from the NPT. He urged that country once again to reconsider its decision, to restore full compliance with the NPT and to allow the Agency to resume inspections.

31. At national level, South Africa had continued to implement its additional protocol, which had included the submission of its declaration, regular hosting of Agency inspectors and granting of complementary access. Although implementation of the additional protocol had placed a considerable burden on the country in terms of the comprehensive information that had to be submitted and kept up to date pursuant to Articles 2 and 3, and the greater access to sites, the price was worth paying in order to strengthen the international disarmament and non-proliferation regime.

32. Further progress had been made at the Pelstore waste storage facility at Pelindaba with finalizing the characterization of the nuclear material using a drum scanner. South Africa was grateful to the Agency and the United States Department of Energy for their cooperation and generous technical and financial support.

33. He welcomed the Agency's efforts to increase cooperation with SSACs with the ultimate aim of assisting States with the effective implementation of safeguards agreements and additional protocols. The Agency's training programme was an important element of those efforts. His country's SSAC had recognized the important contribution a quality management system could make and had obtained ISO 9001:2000 certification. It would continue to work closely with the Agency to improve further the skills and technical competence of its SSAC inspectors. The first African regional SSAC training course had been held in South Africa in October 2003.

34. His country had also hosted a design basis threat workshop in 2003 to develop physical protection methodology tailored to its requirements to prevent theft of nuclear material and sabotage of such material and nuclear facilities. In that connection, international cooperation and support, and interaction between licensees and State authorities to improve implementation of the physical protection system were particularly important.

35. The CHAIRMAN, summing up, said that the Board had welcomed the new format of the SIR, which it had felt was concise and substantially improved with respect to its clarity and readability. Some suggestions had been made to improve the report further in the future.

36. The Board had noted the conclusions drawn for various categories of States in accordance with their safeguards undertakings with the Agency.

37. Several members had drawn specific attention to the major challenges with the Agency had faced in the verification field during 2003.

38. States party to the NPT which had not already done so had been urged to conclude safeguards agreements with the Agency. Concern had been expressed by many at the slow progress with the conclusion and entry into force of additional protocols, and the view had been expressed that States party to comprehensive safeguards agreements which had not yet done so, particularly those with significant nuclear activities, should conclude and bring into force additional protocols as soon as possible.

39. Several members had emphasized that the Agency's safeguards system could only provide credible assurances regarding the non-diversion of nuclear material from peaceful activities, and the absence of undeclared activities, for States with comprehensive safeguards agreements and additional protocols in force.

40. The efforts of the Agency to increase adherence to the additional protocol through the revised action plan and other outreach activities had been welcomed.

41. Some members had expressed the view that achieving universality of the Agency's comprehensive safeguards system was important. A view had been expressed that universal adherence to the NPT remained elusive, casting doubt on the effectiveness of the measures aimed at strengthening the non-proliferation regime, and that achieving that objective and universality of comprehensive safeguards should remain a priority.

42. The Board had welcomed the continued improvement in the quality of technical safeguards, shown by the high levels of goal attainment and improved statistics for the performance of Agency safeguards equipment.

43. The Board had noted the progress made in improving the effectiveness and efficiency of the safeguards system.

44. Several members had underlined the importance of the comprehensive review of safeguards approaches and criteria carried out by SAGSI and the external evaluators to ensure a more effective and efficient system of verification. They had looked forward to receiving the results of the review called for in the budget package proposal of July 2003.

45. The Agency had been urged to make every effort to introduce integrated safeguards as quickly as possible in States with significant nuclear activities in order to improve the efficiency of the system. At the same time, it had been noted that the Secretariat should be realistic in estimating the savings to be realized from the introduction of integrated safeguards.

46. It had been requested that cooperation between the Agency and State and regional systems (including Euratom and ABACC) be strengthened and that existing problems relating to cooperation be resolved.

47. Ms. DURAI (India) questioned how many Member States had mentioned the need for the universality of comprehensive safeguards during the discussion.

48. Mr. Chang-beom CHO (Republic of Korea) said that he had stressed the importance not only of universality of comprehensive safeguards but also of additional protocols.

49. The CHAIRMAN said that at least three countries had mentioned the need for universality of safeguards and at least one the need for universality of additional protocols. The formula he had used encompassed all those views.

50. He therefore took it that the Board wished to take note of the Agency's Safeguards Implementation Report for 2003 and authorize the release of the Background to the Safeguards Statement and Executive Summary.

51. It was so decided.

52. Mr. VIEIRA DE SOUZA (Brazil) said that, though he would not block consensus, he found it regrettable that the Secretariat would include in any document language that could suggest a diminishing relevance for the Agency's comprehensive safeguards activities.

**(b) The conclusion of safeguards agreements and additional protocols**  
(GOV/2004/38, 43, 44 and 47)

53. The CHAIRMAN noted that the Board had four documents before it relating to the conclusion of additional protocols with the Republic of Albania, the Republic of Cameroon, the Kingdom of Morocco and the United Republic of Tanzania.

54. Mr. MURPHY (Ireland)\*, speaking on behalf of the European Union, said the EU had long advocated the importance of additional protocols and was pleased to inform the Board that, on 30 April 2004, additional protocols had entered into force for the then fifteen Member States of the EU and Euratom. That was consistent with the commitment in the EU strategy against the proliferation of weapons of mass destruction to the multilateral treaty system, which provided the legal and normative basis for all non-proliferation efforts. It was EU policy to pursue the implementation and universal acceptance of existing disarmament and non-proliferation norms, with particular emphasis on making best use of existing verification mechanisms and, where necessary, establishing additional verification instruments.

55. The Agency's safeguards system was an essential part of the global non-proliferation regime and the EU considered the universal adoption and implementation of comprehensive safeguards agreements and additional protocols a prerequisite for an effective and credible verification system. Additional protocols and comprehensive safeguards agreements were the verification standard. Adherence to them should be considered an essential means by which State Parties demonstrated the fulfilment of their obligations under Article III of the NPT. By making it easier to detect violations, additional protocols strengthened the NPT. The 47th regular session of the Agency's General Conference had underlined the importance of effective safeguards for facilitating cooperation in the field of peaceful uses of nuclear energy and had requested all States and other parties to safeguards agreements that had not yet done so to sign additional protocols promptly.

56. The EU was pleased that it had been possible to complete the procedures to allow the entry into force of the additional protocols of the EU countries on 30 April 2004. Seven of the new EU Member States had additional protocols in force and procedures were at an advanced stage in the other three. In accordance with its WMD strategy, the EU would redouble its efforts to promote the conclusion of additional protocols by other States.

57. Mr. GULAM HANIFF (Malaysia), speaking on behalf of the Non-Aligned Movement, noted that the Governments of Cameroon and the Kingdom of Morocco had decided to conclude additional protocols and welcomed the ratification by the Republic of Cuba of its safeguards agreement.

58. Mr. NOBLE (United States of America) said he was pleased to join the consensus in authorizing the Secretariat to sign and implement additional protocols with Albania, Cameroon, Morocco and Tanzania, and he encouraged those countries to sign the protocol and bring it into force as soon as possible.

59. Strengthening the Agency's safeguards system was of utmost importance to his country. The United States' additional protocol had been approved by the Senate on 31 March 2004, and the intention was to move forward with its implementation as a priority. He congratulated the members of the EU on the entry into force of their additional protocols.

60. No effort should be spared in seeking universal adherence to strengthened safeguards. At the Sea Island Summit in the preceding week, G-8 leaders had urged all States to ratify and implement agreements promptly. They had also agreed that the additional protocol should become an essential new standard in the field of nuclear supply arrangements. His country encouraged the Secretariat and

the Director General to redouble their efforts in that regard and offered them its full support. The additional protocol should become the recognized standard for peaceful nuclear cooperation.

61. Mr. PROUDFOOT (Canada) welcomed the decision by Albania, Cameroon, Morocco and Tanzania to conclude additional protocols. The additional protocol, along with a comprehensive safeguards agreement, was the current standard for safeguards agreements pursuant to Article III of the NPT. He urged all countries that had not yet done so to conclude, ratify and bring into force comprehensive safeguards agreements and additional protocols without delay.

62. Mr. Chang-beom CHO (Republic of Korea) welcomed the proposed conclusion of additional protocols with Albania, Cameroon, Morocco and Tanzania. The momentum for the universal application of the protocol was getting stronger. However, much remained to be done. Of 71 States with significant nuclear activities, 31 did not yet have additional protocols in force, and of those 18 had not even signed an additional protocol. Yet the nuclear non-proliferation regime was facing unprecedented challenges. He appealed to all Member States that had not done so to sign and ratify the additional protocol as soon as possible.

63. Mr. MINTY (South Africa) said that the strengthened safeguards system remained a central and vital element of collective efforts to address the threat posed by the proliferation of material, equipment and technology that could be used in the production of nuclear weapons. South Africa supported the universal application of the additional protocol as part of that system. In that connection, he congratulated Albania, Cameroon, Morocco and Tanzania on their decision to conclude additional protocols with the Agency. His country was particularly proud of the progress that was being made in Africa with respect to the additional protocol. He looked forward to the early ratification and implementation of those additional protocols and called on all States that had not yet done so to conclude and implement safeguards agreements and additional protocols as soon as possible.

64. Mr. ZNIBER (Morocco)\*, having congratulated Chad on joining the Agency, thanked the relevant departments of the Agency for their cooperation in the preparation of its additional protocol. His country supported the Agency's efforts to provide the international community with the assurances it required regarding the peaceful use of nuclear technology. The Agency should be provided with all the resources it needed to achieve its objectives and strengthen the non-proliferation regime. It was important to maintain the Agency's credibility and ensure it could continue to carry out its safeguards activities.

65. The required measures for the signing of Morocco's additional protocol had been in place since 1998, but political, social and economic reforms had led to changes in legislation and delayed its signing. Certain projects relating to atomic energy and nuclear safety had now been completed and his country was thus able to sign its additional protocol which would be implemented when the necessary constitutional regulations had come into force.

66. Morocco was committed to peace and nuclear security and to the elimination of weapons of mass destruction. The universality of the non-proliferation regime was of prime importance because, without that universality, the regime would be incomplete and would be unable to achieve its goals, such as the establishment of a nuclear-weapon-free zone in the Middle East. He called on all States to submit their material and equipment to Agency safeguards.

67. Mr. MAZI (Albania)\*, said that one of the priorities of Albanian foreign policy was its commitment to disarmament and non-proliferation and to meeting all its obligations under relevant international treaties. For that reason, the Government of Albania attached great importance to the implementation of all resolutions adopted by the General Conference and all Board decisions, in particular those promoting an effective and efficient international safeguards system. His country

looked forward to signing its additional protocol and would take all necessary legal steps to ensure that the statutory and constitutional requirements for its entry into force were met in due course.

68. Ms. FEROUKHI (Algeria)\* informed the Board that her Government intended to sign an additional protocol to its NPT safeguards agreement.

69. The Government of Algeria had ratified the CTBT in July 2003. Algeria's policy on nuclear technology transfer, nuclear safety and security, non-proliferation and disarmament were based on the following: the right of Member States to acquire nuclear technology for peaceful uses to facilitate social and economic development; the consolidation of international nuclear safety regulations based on internationally recognized standards developed by the Agency; strengthening of international cooperation in the interests of nuclear security in the fight against nuclear terrorism; universal adherence to the NPT and the CTBT with a view to completely eliminating weapons of mass destruction; and the need to make tangible and immediate progress in disarmament, which was essential to maintain peace and security.

70. Algeria's decision to sign an additional protocol marked a new era in its relations with the Agency and would require close cooperation with the relevant departments of the organization to bring the process to fruition.

71. Mr. ROGATCHEV (Bulgaria)\* congratulated Albania, Cameroon, Morocco and Tanzania on concluding additional protocols. As a country with an additional protocol in force, Bulgaria considered it to be a very important verification instrument for strengthening the global non-proliferation regime.

72. Mr. ŞAHİNBAŞ (Turkey)\* said that his country had always supported the non-proliferation regime and its verification mechanisms and valued the vital role the Agency played in maintaining the global non-proliferation and security regime through its safeguards system. Developments in recent years had shown the need for measures to strengthen that regime, and his country therefore supported the efforts to promote universal adherence to the additional protocol. He welcomed the decisions of Albania, Cameroon, Morocco and Tanzania to conclude additional protocols and called on all States that had not yet done so to ratify and implement additional protocols as soon as possible.

73. Mr. MELAGA (Cameroon)\* said that his Government wished to proceed, without delay, to sign an additional protocol to its safeguards agreement with the Agency. On 18 May 2004, it had ratified a number of important texts: its safeguards agreement and a small quantities protocol, the CTBT, the Convention on Early Notification of a Nuclear Accident and the Convention on Assistance in the Case of Nuclear Accident or Radiological Emergency.

74. The CHAIRMAN took it that the Board wished to take the action recommended in the cover note of document GOV/2004/38 and authorize the Director General to conclude with the Republic of Albania, and subsequently implement, the additional protocol in question.

75. It was so decided.

76. He further took it that the Board wished to take the action recommended in the cover note of document GOV/2004/43 and authorize the Director General to conclude with the Republic of Cameroon, and subsequently implement, the additional protocol in question.

77. It was so decided.

78. He further took it that the Board wished to take the action recommended in the cover note of document GOV/2004/44 and authorize the Director General to conclude with the Kingdom of Morocco, and subsequently implement, the additional protocol in question.

79. It was so decided.



80. He further took it that the Board wished to take the action recommended in the cover note of document GOV/2004/47 and authorize the Director General to conclude with the United Republic of Tanzania, and subsequently implement, the additional protocol in question.

81. It was so decided.

**(c) Report by the Director General on the implementation of safeguards in the Democratic People's Republic of Korea**

82. The CHAIRMAN recalled that the Director General had last reported on the matter in question at the meetings of the Board in March 2004, and he had referred to it in his introductory statement at the current series of meetings.

83. Mr. Chang-beom CHO (Republic of Korea) said that it was one and a half years since the DPRK had expelled the Agency's inspectors and announced its intention to withdraw from the NPT. The Republic of Korea believed that the DPRK's nuclear weapons development programme posed a serious challenge to the nuclear non-proliferation regime and it was still very concerned at that country's continuing non-compliance with its safeguards obligations.

84. Nuclear non-proliferation had become an unshakeable norm within the international community whose commitment to that cause was stronger than ever. Nuclear weapons were no longer regarded as a suitable means of ensuring the security of States. On the contrary, it had been recognized that nuclear weapons could only be developed or acquired at the cost of prolonged isolation and hardship. Security was based not on confrontation, but on respect for and implementation of the common rules of the international community.

85. There was an alternative path open to the DPRK. The international community had indicated its readiness to provide that country with the assistance which it needed as soon as it decided to abandon those of its nuclear programmes which were causing concern. The Libyan Arab Jamahiriya had shown what course the DPRK should pursue.

86. The first step the DPRK should take, as a matter of urgency, was to declare its unequivocal commitment to terminating all its nuclear programmes which were causing concern. Furthermore, it should retract its announced withdrawal from the NPT without delay and meet in full its obligations under the NPT and its safeguards agreement with the Agency. It should also agree to comprehensive verification of the required dismantlement.

87. The ongoing six-party talks were crucial to resolving the DPRK nuclear issue peacefully. His country hoped that tangible progress would be made at third round of talks scheduled to take place in Beijing later during the current month.

88. The Director General's remarks on the DPRK nuclear issue in his introductory statement had been exceptionally brief. While his country understood the Agency's frustration over the prolonged lack of progress, it hoped that that brevity would not be interpreted by the international community as a waning commitment to resolving the problem. The Republic of Korea was confident that the Agency would have a central verification role in the DPRK in the future, and it therefore hoped that the Agency's commitment would remain unabated and that it would continue to prepare itself for that role, inter alia by enhancing its safeguards capabilities. It also hoped that the Agency would continue providing advice based on its verification expertise with a view to facilitating the six-party talks.

89. Mr. ZHANG Huazhu (China), having underlined his Government's continuing firm commitment to resolving the DPRK nuclear issue peacefully, said that the first meeting of the working group established for the six-party talks had been held in Beijing in May and had been candid, pragmatic and constructive. Although substantive differences remained, progress had been made. The

relevant elements of a consensus on the DPRK nuclear issue had been further clarified. The parties had identified the denuclearization of the Korean Peninsula as the ultimate objective, the first step being a nuclear freeze. They had also agreed that the DPRK's legitimate security concerns should be addressed and that the approach to resolving the issue should be a phased one. New ideas regarding the initiation of the first step had been put forward. In addition, it had been agreed that the second meeting of the working group would take place on 21–22 June, and procedural and substantive preparations had been made for the third round of six-party talks to take place from 23 to 26 June.

90. China had consistently advocated the denuclearization of the Korean Peninsula and a peaceful resolution of the DPRK nuclear issue through dialogue and consultation, and it had consistently maintained that the DPRK's legitimate security concerns should be met. It was pleased at the progress that had been made. However, the issues were complex and major differences of position remained, for example how the DPRK's nuclear programme should be dismantled and whether the dismantlement should include its peaceful nuclear activities. China hoped that all the parties would continue to display a firm political will, diplomatic wisdom and a constructive attitude, and flexibility with regard to such issues as the scope of the dismantlement, the concept of denuclearization and energy assistance to the DPRK.

91. His country was of the view that the international community, including the Board, should welcome the progress made, remain patient and exercise restraint, so as to create a harmonious environment for the six-party talks. It would do its utmost to ensure that the third round of talks was fruitful and hoped that the routine consideration of the issue at the current meeting would contribute to their success.

92. Mr. TAKASU (Japan) said that an early peaceful resolution of the DPRK nuclear issue was essential for peace and stability in north-east Asia, including Japan. His country deeply regretted that, despite a number of resolutions adopted within the Agency, the DPRK had not accepted comprehensive safeguards and had been refusing to cooperate with the Agency.

93. The first meeting of the working group established for the six-party talks had taken place in Beijing from 12 to 14 May 2004. The six parties had reaffirmed that the denuclearization of the Korean Peninsula was their common goal and had agreed that the six-party talks were a useful process. All parties, including the DPRK, had agreed that a freeze should be put in place as the first step towards dismantling of the country's nuclear programmes. On the other hand, there had been differences of opinion regarding such issues as the modalities of the freeze and the uranium enrichment programme. Japan was committed to pursuing a peaceful solution of the DPRK nuclear issue through the six-party talks process.

94. On 22 May 2003, Japan's Prime Minister had visited the DPRK and had met with the Chairman of the DPRK's National Defence Commission. At that meeting, his country had pointed out that the nuclear developments in the DPRK were a threat to the national security of Japan and to the security of north-east Asia as a whole, and had called for the complete dismantling of the DPRK's nuclear programmes with international verification and for the fulfilment by the DPRK of its obligations under the NPT. In response, the DPRK had stated that the denuclearization of the Korean Peninsula was the final goal and that a freeze on the DPRK's nuclear programmes would be the first step towards that goal and should be verified.

95. Japan could not accept any development, acquisition, possession, testing or transfer of nuclear weapons by the DPRK, which should dismantle its nuclear programmes in a complete, verifiable and irreversible manner. At the Sea Island Summit held earlier that month, G-8 leaders had expressed strong support for the six-party talks process and for the complete, verifiable and irreversible

dismantlement of the DPRK's nuclear programmes, which they viewed as a matter for serious concern.

96. It was essential that the DPRK completely and immediately implement its comprehensive safeguards agreement with the Agency, that it commit itself to dismantling expeditiously all its nuclear programmes, including its clandestine uranium enrichment programme, and that it provide complete information on all of those programmes. The Agency would have a central role to play in verifying that dismantlement and the DPRK and other parties involved should agree soon on a verification system that included complete and fully intrusive inspections.

97. In conclusion, Japan firmly believed that the DPRK nuclear issue should be resolved peacefully through dialogue, as in the case of the Libyan Arab Jamahiriya, and it remained ready to make every effort to achieve that goal, primarily by participating actively in the six-party talks.

98. Mr. BAUWENS (Belgium) said that the DPRK nuclear issue continued to cause concern and, in February 2003, the Board had had no other choice but to bring that country's persistent failures to the attention of all Member States and to involve the United Nations Security Council. The step taken by the Board had been a clear signal contributing to a heightened political awareness of the DPRK nuclear issue.

99. His country hoped that the talks on which a small group of countries had embarked would lead to a restoration of confidence and to the fulfilment of obligations. It was grateful to those countries that were directly involved in efforts to resolve the matter by diplomatic means.

100. The uncertainty created by the DPRK regarding its adherence to the international non-proliferation regime, of which the NPT was the cornerstone, had cast a shadow over the security of north-east Asia and the world in general. His country hoped that the next report by the Director General on the issue would reveal some light at the end of the tunnel.

101. Mr. BILODEAU (Canada), having thanked the Governor from China for the information he had provided on the six-party talks, said that his country was still extremely concerned about the DPRK's continuing defiance of international nuclear non-proliferation norms and the provocative statements it continued to make regarding its nuclear intentions and capabilities.

102. Canada had consistently advocated a multilateral, peaceful resolution of the DPRK nuclear issue and therefore welcomed the six-party talks and appreciated China's role as the convener of those talks. However, it was disappointed that after two rounds of talks no measurable progress appeared to have been made. It hoped that the DPRK would approach the next round in a spirit of flexibility and that all parties would endeavour to arrive at a comprehensive and mutually acceptable solution, which was essential for peace and security in the region and the world at large. The complete, verifiable and irreversible dismantlement of the DPRK's nuclear weapons-related programme continued to be indispensable for achieving that outcome.

103. Ms. STOKES (Australia) said that her country considered the six-party talks the most appropriate mechanism for arriving at a peaceful and lasting resolution of the DPRK nuclear issue and greatly appreciated China's central role in furthering them.

104. The DPRK should demonstrate good faith by participating in the talks in a constructive manner and committing itself to the complete, verifiable and irreversible dismantlement of its nuclear weapons programmes. The revelations about the cooperation of A.Q. Khan's proliferation network with the DPRK in the area of centrifuge enrichment further underlined the need for the DPRK to address the international concerns regarding its nuclear programmes. It should learn from the example of the Libyan Arab Jamahiriya which, after years of isolation, now stood to receive economic, diplomatic

and other benefits following its decision to abandon weapons of mass destruction, and it should not let slip the historic opportunity offered by the six-party talks.

105. Ms. BRIDGE (New Zealand) said that her country continued to be deeply concerned about the DPRK's failure to resume cooperation with the Agency and fulfil its NPT obligations. The DPRK's nuclear programmes continued to threaten regional security and stability, and the inability of the Agency to carry out verification activities in that country, together with the latter's announced withdrawal from the NPT, posed a serious challenge to the nuclear non-proliferation regime. The DPRK should fulfil its NPT obligations and resume cooperation with the Agency as soon as possible.

106. The resumption of the six-party talks in February 2004, and the holding of the first meeting of the working group for those talks in May had been welcome developments. Her country hoped that the talks would ultimately lead to a comprehensive and durable resolution of the issue, and it greatly appreciated the role China was playing in facilitating that process.

107. New Zealand would continue to engage in dialogue with the DPRK in support of international efforts to persuade it to abandon its nuclear programmes.

108. Mr. BERDENNIKOV (Russian Federation) said that his country continued to advocate the denuclearization of the Korean Peninsula by peaceful means through dialogue in a spirit of mutual respect. His Government attached great importance to the six-party talks involving the Russian Federation, China, the DPRK, the Republic of Korea, the United States of America and Japan and hoped that they would continue, opening up a real possibility for a reduction in tension and for practical steps to resolve the issue by political means. The Agency would surely be called upon to play an important role in resolving the issue.

109. Mr. NOBLE (United States of America) said that the DPRK's nuclear weapons ambitions remained a threat to international security and a challenge to the nuclear non-proliferation regime. In 2003, the DPRK had restarted its 5 MW(e) reactor and stated that it had successfully finished reprocessing the approximately 8000 spent fuel rods previously in storage. It continued to deny having a uranium enrichment programme, despite its own admission of the existence of such a programme in October 2002 and the recent reports of A.Q. Khan's activities.

110. Given the history of the DPRK's unfulfilled commitments and obligations, the United States could not accept a situation where the dismantlement of that country's nuclear programme was postponed into the distant future. Nor could it accept a partial solution which would permit the DPRK to use nuclear threats to blackmail the international community again at any time, as it was currently attempting to do. The call for the complete, verifiable and irreversible dismantlement of all the DPRK's nuclear programmes was prompted by that country's broken promises and threats.

111. As President Bush had said in February 2004, abandoning the pursuit of illegal weapons could lead to better relations with the United States and other free nations; continuing to seek such weapons would not bring security or international prestige, but only political isolation, economic hardship and other unwelcome consequences. If the DPRK truly wished to rejoin the international community, enhance its security and promote the well-being of its citizens, it should embrace the opportunity presented by the six-party talks and chart a new course. Moving away from isolation and estrangement would be a major undertaking for the DPRK, which would have to make a fundamental decision: to abandon its nuclear weapons programme entirely.

112. The DPRK's pursuit of a nuclear arsenal was fundamentally a multilateral problem, and other countries should bring their influence and resources to bear not only in persuading the DPRK to end its nuclear programme, but also in ensuring that the programme was never resumed and that conditions on the Korean Peninsula were conducive to lasting peace and security.

113. In 2003, the Agency's General Conference had adopted resolution GC(47)/RES/12 by consensus in which it had urged the DPRK to reconsider those of its actions and announcements which ran contrary to voluntarily undertaken international non-proliferation obligations, and had called upon the DPRK to accept promptly comprehensive Agency safeguards and cooperate with the Agency in their full and effective implementation. The DPRK had still to respond to that resolution.

114. His country expected that the participants in the six-party talks would look to the Agency to play an important role in the complete, verifiable and irreversible dismantlement of the DPRK's nuclear programme. Since December 2002, when the DPRK had expelled Agency inspectors from Nyongbyon, the Agency had been unable to monitor its nuclear activities and draw conclusions about them. The United States looked forward to the day when the Agency could return to the DPRK in order to do what it did well: carry out inspections and verify compliance with Agency safeguards agreements. The United States also looked forward to the approaching third round of the six-party talks which China had again graciously offered to host. It hoped that the DPRK would take advantage of the opportunity presented by those talks, which provided the surest means of ending its pursuit of nuclear weapons and promoting peace and stability on the Korean Peninsula.

115. The DIRECTOR GENERAL, responding to the comments of the Governor from the Republic of Korea, said that his remarks about the DPRK nuclear issue had been brief because he had had no new developments to report. The Agency had not carried out any on-site verification activities in the DPRK since December 2002 and, until that country's status under the NPT had been clarified, the application of safeguards pursuant to its INFCIRC/66-type safeguards agreement would continue to be suspended. Moreover, the Agency was not participating in the six-party talks. However, its commitment to helping resolve the issue was certainly not waning, and he was looking forward very much to its being invited to resume on-site verification activities in the DPRK.

116. The CHAIRMAN, summing up, said that the Board had noted with regret that the DPRK was not cooperating with the Agency and had yet to take any of the necessary steps called for in the resolutions adopted by the Board on 6 January and 12 February 2003 and contained in documents GOV/2003/3 and 12 respectively. It had noted with concern that the Agency was not in a position to provide any assurances regarding nuclear material and activities in the DPRK.

117. A number of members had emphasized the importance of continued dialogue to arrive at a peaceful and comprehensive resolution of the DPRK nuclear issue, and had expressed the hope that such a resolution would ensure the return of the DPRK to the nuclear non-proliferation regime and provide the Agency with the authority it needed to provide credible assurances regarding the nature of that country's nuclear programme. In that regard, the Board had noted the efforts being made within the framework of the six-party talks and had looked forward to the outcome of the next round of those talks.

118. The Board had also requested the Director General to keep it informed of developments.

119. The Chairman's summing-up was accepted.

**(d) Implementation of the NPT safeguards agreement of the Socialist People's Libyan Arab Jamahiriya: Report by the Director General**  
(GOV/2004/33)

120. The CHAIRMAN drew attention to the Director General's report contained in document GOV/2004/33, which had been the subject of a technical briefing for Member States given by the Secretariat on 10 June 2004.

121. Mr. GULAM HANIFF (Malaysia), speaking on behalf of the Non-Aligned Movement, said that the Movement welcomed the statement made by the President of the United Nations Security Council

on 22 April 2004 taking note of the fact that, in the resolution contained in document GOV/2004/18, the Agency's Board of Governors had recognized Libya's decision to abandon its WMD programmes as a step towards the realization of an Africa and a Middle East free of weapons of mass destruction and at peace. It also welcomed the efforts to assist Libya and hoped that the steps taken by that country would facilitate and improve international cooperation and enhance its security.

122. The NAM supported the speedy establishment of a zone free of weapons of mass destruction in the Middle East, in accordance with the relevant resolutions of the United Nations Security Council and the General Assembly. All parties concerned should take urgent practical steps to achieve that end. In particular, Israel should promptly place all its nuclear facilities under comprehensive Agency safeguards. The Movement greatly appreciated the continuing efforts of the Director General to implement relevant General Conference resolutions regarding the Middle East.

123. He noted that Libya had submitted the initial declarations required under its additional protocol, and nuclear material accounting reports, and had cooperated with the Agency by providing documents, granting prompt access to locations, making senior personnel available and taking corrective action to bring it into compliance with its safeguards agreement. The NAM encouraged Libya to cooperate further in connection with the matters referred to in paragraph 14 of the Director General's report.

124. Given the progress made, it should be possible to remove the item from the Board's agenda following its September meetings.

125. Mr. DIYEZWA (Angola)\*, speaking on behalf of the African Group, welcomed the voluntary decision taken by Libya to eliminate its material, equipment and programmes for developing weapons of mass destruction, which was an important step towards establishing a nuclear-weapon-free-zone in Africa in accordance with the Pelindaba Treaty, and in the Middle East in accordance with the relevant decisions of the United Nations General Assembly and resolutions of the Agency's General Conference.

126. The Group noted that Libya had signed an additional protocol on 10 March 2004 and had submitted its declaration pursuant to Article 2 of the protocol on 26 May 2004. It applauded Libya for the progress made and its cooperation with the Agency, in particular the instances thereof mentioned in paragraphs 13, 15 and 50 of Annex 1 of the Director General's report. Furthermore, it noted with appreciation the statement by the President of the Security Council on 22 April 2004 welcoming Libya's decision and the positive steps it had taken to fulfil its commitments and obligations.

127. Welcoming all existing and future efforts to assist Libya, he expressed the hope that the steps taken by Libya would facilitate and improve international cooperation and enhance the security of Libya and other countries in the region. In that regard, the Group strongly urged Israel, as the only State in the Middle East which had not signed the NPT or a safeguards agreement with the Agency, to adhere to the NPT and to place all its nuclear activities under comprehensive Agency safeguards as soon as possible.

128. In the light of Libya's cooperation, the African Group requested that the Board close the item by its September series of meetings.

129. Mr. MINTY (South Africa) noted with satisfaction Libya's conclusion of an additional protocol to its safeguards agreement on 10 March 2004 and its decision to act, as of 29 December 2003, as if that additional protocol were in force. In that regard, he also noted that Libya had submitted the initial declarations required under its additional protocol, and nuclear material accounting reports for the Tajura Nuclear Research Centre.

130. However, the Director General's report highlighted a number of outstanding issues and he encouraged Libya to continue its active cooperation with the Agency to ensure the verified elimination

of all nuclear weapons programmes, the timely fulfilment of all its commitments and the settlement of all outstanding issues.

131. In conclusion, he thanked the Director General and his staff for their efforts and expressed the hope that the matter would be concluded shortly.

132. Mr. TAKASU (Japan) warmly welcomed Libya's decision to abandon all its programmes for developing weapons of mass destruction. His country had been encouraged by Libya's continued cooperation with the Agency and noted with satisfaction Libya's prompt submission on 26 May of the initial declarations required under its additional protocol.

133. However, the Agency needed more supporting documentation to confirm fully the completeness of Libya's declarations, and it would take time to reach a conclusion since nearly all the technology involved in Libya's past nuclear activities had been obtained from foreign sources. Full verification would require investigation of those sources and intermediaries, and the continued full cooperation of Libya. It would also require the cooperation of third countries to resolve all outstanding issues, including the issue of the supply network. Japan looked forward to receiving further updates from the Director General at the September meetings of the Board.

134. Mr. O'SHEA (United Kingdom) said that the Director General's detailed and comprehensive report was clearly the product of considerable active cooperation with and support from the Libyan authorities, as had been underlined in the recent United Nations Security Council Presidential statement on Libya. The report concluded that Libya had cooperated with the Agency by providing prompt and unhindered access to all locations. Senior personnel had been made available to the Agency and Libya had taken swift corrective action to come into compliance with its safeguards agreement. Thus it was putting into effect the commitments made by its Foreign Minister and Colonel Qadhafi on 19 December 2003.

135. However, to resolve the outstanding issues Libya still had to provide the remaining documents and information as a matter of priority. It was particularly important for the Agency to be able to establish a detailed time line for Libya's covert nuclear activities, including details of third-party assistance. That information should help the Agency complete the picture of Libya's nuclear activities, which would not only help close the file on Libya but would also contribute to ongoing efforts against proliferation elsewhere. Libya would surely wish to play a full part in that important work by continuing its active cooperation with the Agency. Third countries directly or indirectly involved in Libya's covert nuclear programme should also provide the information requested by the Agency. It was particularly important that the source of the HEU and LEU contamination be identified quickly.

136. Libya's decision to abandon its weapons of mass destruction programmes was courageous and historic. It strengthened regional and global security and stability and should serve as an example for other countries.

137. Mr. BAUWENS (Belgium) said the Director General's report indicated the challenges the Agency had encountered in Libya and gave a good description of the current status of the file. The initiative taken by Libya in December 2003 to eliminate material, equipment and programmes for developing weapons of mass destruction had been welcomed around the globe as a positive signal for the international non-proliferation regime. Libya had kept its word by maintaining a policy of total transparency and active cooperation with the Agency. Such a constructive attitude on the part of Libya and third countries should enable the Agency to draw conclusions soon regarding its past activities. Libya was a good example of how any problems, however serious, could be overcome when the political will was there. States in similar circumstances could draw inspiration from that example.

138. Mr. RAMZY (Egypt) welcomed Libya's active cooperation with the Agency since December 2003, which had greatly facilitated the Agency's inspection missions to verify the completeness and validity of Libya's declarations on its previous and current nuclear activities. He also noted with satisfaction the positive developments since the resolution adopted by the Board of Governors in March.

139. His country appreciated the continued cooperation shown by Libya, which should enable the Secretariat to finalize all outstanding technical issues and finish its inspection missions as soon as possible. The Board of Governors would then be able to approve the closure of the file and deal with Libya in accordance with the rules and provisions applicable to other States.

140. The Libyan issue had illustrated the positive steps taken by States in the Middle East to reinforce efforts to establish a zone free of nuclear weapons and other weapons of mass destruction in the region. That raised the question when Israel would respond to the international community's repeated pleas for it to begin taking similar steps. The resolution adopted by the Board of Governors on 10 March 2004 and the statement on Libya by the President of the Security Council on 22 April 2004 had both recognized Libya's contribution to that goal, the importance of which for international peace and security had been emphasized in many other resolutions and statements in international and regional fora. What was needed was the political will to achieve it.

141. Mr. LEASK (Australia) commended Libya for submitting the initial declarations required under its additional protocol on 26 May 2004. His country expected Libya to cooperate fully with the Agency in resolving all outstanding issues.

142. Australia appreciated the ongoing efforts of the Agency, the United Kingdom and the United States, which had shown that proliferation problems could be resolved peacefully and constructively through political and diplomatic channels. It also welcomed the statement on 22 April 2004 by the President of the Security Council taking note of the resolution adopted by the Board of Governors on 10 March 2004, welcoming Libya's decision and encouraging it to ensure that all its weapons of mass destruction programmes were eliminated in a verifiable manner.

143. The apparent scope and complexity of the nuclear procurement networks was deeply worrying. Those networks had clearly been critical in sustaining the development of Libya's clandestine nuclear weapons programme and they would have to be uncovered. The Agency could count on Australia's full support as it sought to unravel the procurement channels exploited so successfully by Libya. All Member States should cooperate fully with the Agency in that endeavour. A disturbing aspect of the Director General's report was the wide range of supply, training and other assistance in nuclear-related areas that Libya had been able to obtain from other States. Some of that assistance had occurred some years ago, before there had been an awareness of the possible risks. States should now be aware of the need to exercise due care in providing assistance in areas that might involve nuclear applications. The Agency had to be kept informed of activities that might have implications for safeguards. Its ability to detect undeclared nuclear activities was heavily dependent upon the availability of relevant information.

144. Mr. ALBERT (France) commended the considerable progress the Agency had made in acquiring an understanding of the Libyan nuclear programme. That progress was also due to the transparency and cooperation shown by the Libyan authorities, whose continued commitment to abandoning their nuclear weapons development programme had been shown by their signature of an additional protocol, their decision to act as if that protocol were in force, their provision of the Agency with the access requested, their submission of their initial declarations under their additional protocol and the measures they were continuing to take to eliminate the material and equipment used in their



clandestine activities. Libya's policy of transparency was creditable and had been welcomed and encouraged by the President of the Security Council.

145. While considerable progress had been made, the Agency still had much to do to achieve a full understanding of Libya's past nuclear programme and clarify the unresolved issues, particularly with regard to the origin of the enriched uranium contamination and the scale of weapons-related activities.

146. The Agency should also continue its investigations into the international procurement network that had supplied the nuclear programmes of Libya and Iran with sensitive technologies. The Agency's conclusions would provide essential information to the international community, which would have to counter the threat to the non-proliferation regime using a range of measures including safeguards, export controls and wide-ranging dialogue with the countries concerned. All third countries should cooperate with the Agency and supply whatever information and access it required to accomplish its mission.

147. In conclusion, he expressed the hope that the Director General would be able to submit a comprehensive report to the Board soon so that final conclusions could be drawn.

148. Mr. NOBLE (United States of America) said that, while his country warmly welcomed the cooperation Libya had shown, it was clear that the Agency's work on Libya's nuclear programme was not yet complete. The United States hoped Libya would continue to meet the high standards it had set for cooperating with the Agency as the latter continued its work to address the outstanding issues mentioned in the report. It also urged other Member States to cooperate with the Agency's ongoing investigation so that it could bring its verification work to a successful close.

149. Libya's cooperation with the Agency was rebuilding international confidence in that country's renewed non-proliferation credentials and it served as a model for other countries. Its decision to abandon a politically and economically costly weapons of mass destruction programme would open the way for it to reap the full benefits of engagement with the international community. The best way for a country to establish confidence that its activities conformed to international standards of behaviour was to do the same. Libya's bold actions stood in stark contrast to those of the other two countries discussed under the current agenda item. It was to be hoped that they would see the benefits of Libya's policies and decide to pursue a similar course.

150. The United States had been pleased to work in conjunction with the United Kingdom to assist Libya in implementing its decision to eliminate its nuclear weapons programme. It looked forward to fostering confidence-building measures in cooperation with Libya. As a result of the renewed confidence that Libya's cooperation with the Agency, the United States and the United Kingdom had engendered, it had begun to enjoy the benefits of the new path it had chosen. Since the Board had last met in March 2003, the United States had taken significant steps either to ease or lift certain sanctions against Libya. It was also upgrading diplomatic relations with Libya and pursuing steps to support Libya's further economic and social integration with the world.

151. Mr. Chang-beom CHO (Republic of Korea) welcomed the fact that Libya had so far kept its promise to eliminate all its material, equipment and programmes for developing nuclear weapons. It had actively cooperated with the Agency, disclosing the full scope of its nuclear activities, granting prompt access to locations, making senior personnel available and taking corrective measures to come into compliance with its safeguards agreement. It had also followed up on its decision to act as if its additional protocol were in force by submitting the initial declarations required thereunder. Libya's resolve to adhere to the additional protocol should be regarded as a contribution towards confidence-building, particularly in the Middle East region, and towards strengthening of the global nuclear non-proliferation regime. The Republic of Korea looked forward to the early entry into force of Libya's additional protocol. With regard to the outstanding issues requiring clarification, Libya

should continue to cooperate with the Agency by providing more supporting documents and related information as a matter of priority.

152. The fact that Libya had so far pursued a policy of full transparency and openness justified the Board's decision in March 2004 to report Libya's non-compliance to the Security Council for information purposes only. Moreover, it was to be hoped that the precedent set by Libya would not remain an isolated case and that aspiring nuclear-weapon States would follow suit. All such States should reconsider their decision to pursue nuclear weapons programmes and should agree to dismantle and eliminate their nuclear weapons-related material, equipment and programmes.

153. He strongly encouraged the Secretariat to step up its efforts to obtain information on the procurement channels that had provided Libya and other countries with nuclear material, equipment and technology. The Republic of Korea would particularly like to know which country had provided Libya with UF<sub>6</sub> in 2000 and 2001, as there had been some speculation in the media regarding the origin of that material. All States should offer their full support and cooperation to the Agency in its efforts to expose and eliminate that nuclear black market.

154. Ms. SAMPAIO FERNANDES (Brazil), welcomed Libya's decision to reveal and renounce its plans to develop nuclear weapons. The Libyan Government should continue to cooperate with the Agency as appropriate. Furthermore, all countries should strictly comply with their obligations and commitments in the area of nuclear disarmament and non-proliferation.

155. Libya's disclosure of its past nuclear activities and the gradual identification of the illegal supply network were positive developments in the context of non-proliferation efforts. While the investigation into Libya's activities had been conducted by the Agency with the strictest confidentiality, it was public knowledge that activities that had taken place in a country which was not a party to the NPT had played a crucial role in those clandestine activities, providing further proof of the need to renew efforts to achieve universal adherence to the NPT.

156. She encouraged third countries to cooperate further with the Agency in the interests of clarifying outstanding issues related to the supply network.

157. Mr. MATOUQ (Libyan Arab Jamahiriya)\* said that, since taking the voluntary and courageous decision to eliminate its programmes for the manufacture of banned weapons, his country has provided unlimited cooperation to the inspection teams of the Agency and the joint missions of the United States and United Kingdom. It had responded to all the requirements of the Agency before signing its additional protocol on 10 March 2004, provided all available information and data on the issues under investigation, submitted the initial declarations required under its additional protocol, allowed inspection teams to visit all locations and take samples, granted inspection teams additional access under the additional protocol and acted as if that protocol were in force, provided the required information on sites and facilities and updated information on the design of its research centre, agreed to Agency requests for inspectors to verify stocks at the uranium concentrate storage facility, started modifying the Tajura reactor so that it could operate on low-enriched fuel, organized the first meeting between Libyan experts and United States experts in Vienna and set up a joint work mechanism, and granted one-year multiple-entry visas.

158. Libya hoped that its file could soon be closed so that it could move on to a new phase of cooperation with the Agency, fostering the transfer of nuclear technologies and their use in the fields of health, water, agriculture, industry, training and human capacity-building, in order to contribute to the country's economic and social development. Libya would also make available its know-how and expertise to the Agency.

159. The Director General's report described the measures Libya had taken to honour its international commitments and the total transparency it had shown since making its historic declaration, as well as the Agency's satisfaction with those measures. Paragraphs 33 and 35 of the report stated that Libya had imported equipment from supplier States. In all its meetings with Agency representatives Libya had made it clear that it had dealt with individuals and not States. The Director General had clarified that reference in his introductory statement.

160. The Libyan initiative had shown that the international community could use institutions to foster development and cooperation for the transfer of technology for the well-being of humanity. He called upon the international community to support the Agency so that those goals could be pursued. His country stood ready to cooperate with the Agency. It supported all efforts to put an end to the manufacture, development, storage, proliferation and use of weapons of mass destruction. It also supported efforts to create an international context favourable to the peaceful use of nuclear technology. Libya's initiative had also contributed to the reactivation of the Pelindaba Treaty, which should encourage States in the Middle East to work together to establish a nuclear-weapon-free zone in that region. However, that would not be possible if the world ignored that fact that Israel still possessed such weapons.

161. He thanked all States, Governors, heads of delegations, the African Group, the Non-Aligned Movement, the Group of 77 and China and the Europe Group for their positive attitude towards his country, and the joint teams of the United States and United Kingdom for their considerable assistance which had enabled Libya to move into the final phase of the process. On 22 April 2004, the Security Council had examined Libya's decision to abandon its weapons of mass destruction programme and the President of the Security Council had praised Libya's initiative and expressed a wish to see the issue brought to a close within the Board of Governors. Libya would continue its cooperation with the Agency and other parties with a view to implementing the initiative and would accede to international treaties and agreements on weapons of mass destruction. It wished to focus on development projects and programmes and hoped that its experts and scientists would be given opportunities to work in international organizations, including the Agency.

162. The CHAIRMAN, summing up, said that the Board had expressed its appreciation for the Director General's report contained in document GOV/2004/33 on the Agency's verification activities in Libya. The Board had welcomed the cooperation of Libya and the steps taken to facilitate the Agency's activities. It had noted that there were some matters that required further action, as specified in paragraph 14 of the report, and had called on Libya and all other countries concerned to provide the necessary information to enable the outstanding issues to be assessed. It had also requested the Director General to present a report on those pending matters to the Board in September, or earlier as appropriate.

163. The Chairman's summing-up was accepted.

**The meeting rose at 6.15 p.m.**