

IAEA Board of Governors

Record of the 1171st Meeting
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Other matters arising from the forty-ninth (2005) regular session of the General
Conference: Application of IAEA safeguards in the Middle East

Board of Governors

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Record of the 1171st Meeting

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¹ GOV/2006/56.

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. AMANO		Chairman (Japan)
Ms. FEROUKHI	_____	Algeria
Mr. CURIA		Argentina
Mr. SMITH		Australia
Mr. NIEUWENHUYS		Belgium
Ms. RICHTER RIBEIRO MOURA		Brazil
Ms. GERVAIS-VIDRICAIRE		Canada
Mr. TANG Guoqiang		China
Mr. ARÉVALO YÉPES		Colombia
Mr. CODORNIU PUJALS		Cuba
Mr. GARCÉS-BURBANO		Ecuador
Mr. RAMZY		Egypt
Mr. CARON		France
Mr. GOTTWALD		Germany
Mr. BEKOE		Ghana
Ms. BALANOU		Greece
Mr. SHARMA		India
Mr. INKIRIWANG		Indonesia
Mr. SUMI		Japan
Mr. KIM Sung-Hwan		Korea, Republic of
Mr. GASHUT		} Libyan Arab Jamahiriya
Mr. EL-DEEN EL-MISSLATTI		
Mr. LUNDBY		Norway
Mr. BRAMÃO RAMOS		Portugal
Mr. SERGEEV		Russian Federation
Ms. YEW		Singapore
Ms. ŽIAKOVÁ		Slovakia
Mr. KRIŽ		Slovenia
Mr. MINTY		South Africa
Mr. PERERA		Sri Lanka
Mr. PETTERSSON		Sweden
Mr. OTHMAN		Syrian Arab Republic
Mr. MACGREGOR		} United Kingdom of Great Britain and Northern Ireland
Mr. DRAPER		
Mr. SCHULTE		United States of America
Ms. GARCÍA DE PÉREZ		Venezuela, Bolivarian Republic of
Mr. ASSAIDI		Yemen
Mr. ELBARADEI	_____	Director General
Mr. HEINONEN		Deputy Director General, Department of Safeguards
Mr. ANING		Secretary of the Board

Representatives of the following Member States also attended the meeting:

Afghanistan, Albania, Austria, Bulgaria, Czech Republic, Denmark, Finland, Holy See, Hungary, Iceland, Islamic Republic of Iran, Iraq, Ireland, Israel, Italy, Jordan, Kazakhstan, Kuwait, Latvia, Luxembourg, Malaysia, Malta, Mexico, Morocco, Namibia, Netherlands, New Zealand, Nigeria, Pakistan, Paraguay, Philippines, Poland, Republic of Moldova, Romania, Spain, Switzerland, Thailand, The Former Yugoslav Republic of Macedonia, Tunisia.

Abbreviations used in this record:

HEU	high-enriched uranium
INPRO	International Project on Innovative Nuclear Reactors and Fuel Cycles
LEU	low-enriched uranium
NAM	Non-Aligned Movement
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
NPT Review Conference	Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
R&D	research and development

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

8. Nuclear Verification

(c) Report by the Director General on the implementation of the NPT safeguards agreement in the Islamic Republic of Iran (continued) (GOV/2006/53)

1. Mr. KIM Sung-Hwan (Republic of Korea) thanked the Director General for his report and his efforts to resolve outstanding safeguards and verification issues and noted with concern the finding in the report that Iran had not taken the necessary steps, including suspension of enrichment-related activities, required by the Security Council and the Board. His country hoped that Iran would cooperate fully and promptly with the Agency's verification efforts so that the latter could provide credible assurances about the peaceful nature of that country's nuclear programme sooner rather than later.
2. Negotiations were the best way of resolving the issue and his country welcomed and fully supported all the diplomatic efforts to find a negotiated solution, and hoped that all parties concerned would display maximum flexibility and consider all the diplomatic means at their disposal with a view to reaching a mutually agreeable and peaceful settlement that would maintain the integrity of the global nuclear non-proliferation regime.
3. Ms. RICHTER RIBEIRO MOURA (Brazil) said her country continued to support the work of the Agency to verify the fulfilment of the obligations deriving from Iran's NPT safeguards agreement and noted that the Agency had not yet been able to resolve the main pending safeguards issues: the contamination by LEU and HEU, and the scope and chronology of Iran's P-1 and P-2 centrifuge programme; and that it thus was not in a position to confirm the exclusively peaceful nature of that country's nuclear programme.
4. Brazil recognized the inalienable right of all countries to research, develop and use nuclear energy for peaceful purposes in conformity with the provisions of the NPT. In view of the need to restore the confidence of the international community in the peaceful nature of the Iranian nuclear programme, Brazil had repeatedly called on that country to extend to the Agency the fullest cooperation, including exceptional transparency measures which went beyond the scope of its safeguards agreement, as a contribution to resolving the outstanding issues. In addition, in the special case of Iran, Brazil considered that the suspension of all enrichment and reprocessing activities — pending clarification by the Agency of the still unresolved safeguards issues — would greatly contribute to restoring confidence in the peaceful nature of that country's nuclear programme. She therefore called on Iran to re-establish the suspension in conformity with the rights and obligations enshrined in the NPT.
5. Her country was convinced that the Agency was the appropriate forum to deal with the issue and that issues related to international peace and security should be resolved through dialogue and negotiation. It therefore called on the parties involved to resume negotiations with a view to arriving at a satisfactory and long-lasting solution.
6. Mr. RAMZY (Egypt) said that his country had noted the Agency's continued inability to confirm the absence of undeclared activities in Iran. On the other hand, it had noted the Agency's success in accounting for all declared nuclear material in that country. The Iranian nuclear dossier had reached a turning point and a careful evaluation of the situation was required to ensure that a peaceful settlement was reached. Based on the Agency's work over the preceding three years, the international

community had gained considerable knowledge of the Iranian nuclear programme; the continuation of that work would reveal more information. The Agency should continue to play its role in accounting for Iranian nuclear material and installations and verifying the nature of their utilization, and Iran should continue to cooperate with the Agency to allow the latter to verify the nature of its programme. Inter alia, the Agency had to be given the time it needed to perform its role in the best possible manner so that a peaceful settlement could be arrived at that preserved the rights of Iran and non-proliferation objectives. While the time factor was clearly a double-edged sword, in the interests of international peace and security the maximum amount of time should be allowed. Any haste could reduce the chance of a peaceful settlement.

7. Egypt upheld the right of all countries to develop and utilize nuclear technology in peaceful applications and called for more efforts to find a solution of the current crisis which preserved the interests and rights of all parties, including the legitimate rights of Iran, while dispelling all doubts surrounding the nature and intentions of that country's nuclear programme.

8. The function of international organizations was essentially to facilitate the defusing of international crises and to provide the appropriate framework for dialogue and negotiation to contain potential conflicts before they erupted. Egypt therefore commended the Agency's readiness to pursue its efforts to clarify the various doubts surrounding the Iranian nuclear programme. It also noted with satisfaction that Iran was continuing to cooperate with the Agency and encouraged it to continue doing so. Egypt believed in the importance of the multilateral system and its institutions, and in the pivotal roles of those institutions in maintaining international peace and security. It therefore attached importance to achieving consistency between the various institutions of the international system, to the Agency's pivotal role in determining the extent of compliance by States with their commitments in the field of safeguards, and to all States enjoying the rights enshrined in international treaties on an equal footing. It welcomed the positive indications emanating from recent diplomatic efforts aimed at finding a solution on the basis of negotiation, and hoped that those efforts would avert any step that might lead to more complications which could produce even more tensions in the Middle East region. In that context, it advised all parties to display the necessary flexibility and a positive attitude and urged Iran, in parallel, to make every possible effort to provide all the information required to resolve the outstanding issues mentioned in the Director General's report and to prove the peaceful nature of its nuclear programme.

9. Any step that might result in halting cooperation with the Agency or withdrawing from the NPT could have dire consequences for stability in the Middle East and for the international nuclear non-proliferation regime. International efforts to verify the nature of Iran's nuclear programme had to be placed in the right framework, i.e. dealing with the dangers of nuclear proliferation in the Middle East. The credibility of the international community and the Agency was directly linked to the degree of seriousness and balance in following up on the implementation of resolutions adopted by the United Nations Security Council, the General Assembly and the Agency's General Conference on the establishment of a nuclear-weapon-free zone in the Middle East.

10. The statement issued by the Ministerial Meeting of the NAM Coordinating Bureau in May 2006 had stressed the need to work for the establishment of nuclear-weapon-free zones in the interests of global nuclear disarmament, and in particular for the establishment of such a zone in the Middle East. In that context, Egypt called on Israel to place all its nuclear installations under comprehensive safeguards and to accede to the NPT without procrastination or prevarication. Furthermore, it called on all Member States to accord that objective the necessary priority, for while every effort was being made to ascertain the peaceful nature of the Iranian nuclear programme, the international community remained silent in the face of the almost certain military capabilities of Israel's nuclear programmes, which undermined the credibility of those efforts and the credibility of the international system as a whole.

11. In conclusion, he took note of the Director General's report contained in document GOV/2006/53.

12. Mr. INKIRIWANG (Indonesia) urged Iran to demonstrate its commitment and to implement its obligation to support the Director General in carrying out his duties and mandate to resolve the outstanding issues regarding that country's nuclear programme. Indonesia supported the efforts of all parties concerned to solve the Iranian nuclear issue through negotiation and all other peaceful means. It welcomed the recent meeting between the European Union High Representative, Mr. Javier Solana, and Iran's chief negotiator, Mr. Ali Larijani, since it viewed diplomatic negotiation as the only avenue to arrive at a peaceful solution. Any hasty decision or punitive action at such a critical juncture would merely complicate the issue and create unnecessary confrontation and could further raise tensions in the Middle East. He urged all parties to do their utmost to prevent a further deterioration of the situation, since stability and security in the Middle East were of paramount importance to maintaining global peace and security.

13. The Agency was the sole competent authority for safeguards issues and the Iranian nuclear issue should be resolved within the framework of the organization. Indonesia continued to give strong support to the Director General for the continuation and completion of his work on the Iranian nuclear issue based on the Agency's Statute and mandate.

14. Ms. GARCÍA DE PÉREZ (Venezuela) said that, since Iran had publicly announced its decision to restart its nuclear research and development programme, it had at no stage ceased to be subject to Agency inspections which, until February 2006, had gone far beyond that country's legal obligations. To date the Agency had not found any evidence of diversion of nuclear material or of it being used for other than peaceful purposes. Since February 2006, Iran had stated that, because the issue had been taken out of the jurisdiction of the Agency, pursuant to its own internal legislation it would no longer abide by the voluntary commitments it had entered into to build confidence in its nuclear programme. It had also stated that it would not suspend its nuclear programme because it was in conformity with international norms and the NPT. There was no evidence that Iran intended to block Agency inspections.

15. Venezuela upheld the right of all States to develop and benefit from the peaceful uses of nuclear energy. However, that right entailed obligations to ensure that there was not the slightest possibility of diversion. Iran had made substantial progress in that field and hoped to continue its activities as part of its national development plans. Successive Agency inspections had revealed nothing to suggest that Iran was doing anything other than what it had said it was doing.

16. Her country welcomed the efforts currently being made by the parties involved to make progress in fair and balanced negotiations, in particular the efforts of the European Union. Equally, it welcomed the fact that Iran was continuing to cooperate with the Agency by providing responses and clarifications when queries were raised. The matter should continue to be dealt with within the framework of the Agency, and Venezuela was firmly convinced that only open, sincere, fair and balanced dialogue could help broaden the scope for diplomatic negotiations among the interested parties and reduce the tensions that had grown up around the issue. Antagonistic and defiant posturing had not helped to resolve the crisis but had merely served to create misunderstanding and mistrust. Iran had demonstrated to the international community its desire to negotiate, but it had insisted that no preconditions be imposed that would restrict its legitimate right, and that the various proposals it had made should be taken into account. It had assured the international community that its intentions were peaceful and that it had no desire to develop nuclear weapons. Venezuela respectfully appealed to all parties to avoid unnecessary confrontations. Patience, wisdom and flexibility were needed to resolve the issue for the good of humanity. The Iranian nuclear issue should be sent back to the Agency, and the latter should be allowed to work without unnecessary pressure.

17. Finally, she pointed out that the plea made by countries in the Middle East regarding non-proliferation and nuclear disarmament in that region was now even more pressing. All necessary measures should be taken to arrive at a global solution for the region which ensured lasting peace through the establishment of a nuclear-weapon-free zone.

18. Ms. GERVAIS-VIDRICAIRE (Canada) said the Director General's report, which had been requested by the Security Council as part of its resolution 1696 (2006), stated clearly that Iran had failed to meet the requirements set forth in that resolution, most notably by failing to take the steps required by the Board, and reinforced by the resolution, to build confidence in the exclusively peaceful purpose of its nuclear programme and to resolve outstanding questions. The lack of confidence in Iran's declarations regarding its nuclear activities expressed by the Board and the Security Council had been the result of that country's own actions, which had been summarized by the Director General as a "policy of concealment" and which had lasted nearly two decades. Rather than making efforts to overcome that history and rebuild confidence, Iran had continued to erode its cooperation with the Agency and, with it, international confidence in the peaceful nature of its nuclear programme. That erosion had been driven not only by Iran's defiance of the Board and the Security Council but also by its failure to take the steps needed to resolve outstanding questions.

19. The number of unresolved issues was in fact growing. The Director General's report made a new finding of HEU contamination, which was the third such finding; and the previous two had not yet been fully explained. One of the earlier findings remained an issue of great concern in that the contamination had been found on equipment which had not been connected with HEU in any declaration made by Iran.

20. The report also detailed Iran's refusal to cooperate with inspectors. Indeed, the word 'cooperation' was nowhere to be found in the report, from which her country drew an important conclusion. Rather than working to provide the Agency with what it needed, Iran had hindered it by failing to provide the one-year multiple entry visas required by its Subsidiary Arrangements during most of August 2006, failing to provide access as requested for design information verification at the Natanz fuel enrichment facility, and refusing access to all of the operating records concerning product and tail assays which the Agency required to complete its auditing activities. In addition, the report noted that Iran had failed to provide the Agency with sufficient notification of the movement of a cylinder capable of containing nearly 10 tonnes of uranium hexafluoride, resulting in a loss of knowledge of nuclear material in the process. The Agency would follow up on the issue as a routine matter, but it was yet another new and significant issue of concern given the confidence gap that Iran had already created through its past behaviour.

21. As a result of Iran's lack of cooperation and transparency, the Director General had concluded that the Agency remained unable to make further progress in its efforts to verify the correctness and completeness of that country's declarations with a view to confirming the peaceful nature of its nuclear programme. Although Iran had made vigorous efforts to diminish the significance of that conclusion, it remained a matter of very grave concern. The Director General's conclusion also underlay the continued consideration of Iran's nuclear programmes by both the Board and the Security Council.

22. Canada wished to reiterate that the situation in Iran was not a routine inspection matter. The Security Council had asked the Agency to go beyond routine inspections and to request from Iran such information as it deemed necessary to confirm the peaceful nature of its nuclear programme. Canada urged the Director General to make full use of the support offered to him by the Security Council and to report fully to the Board on the transparency measures pursuant to resolution 1696 that had been requested of Iran.

23. Finally, she endorsed the request made at the preceding meeting by the Governor from Australia that the report contained in document GOV/2006/53 be made public.
24. Mr. GASHUT (Libyan Arab Jamahiriya) said that his country was following with great concern the disagreement between the West and Iran regarding that country's nuclear programme and the exchange of threats and confrontation which could have a very negative effect on peace and security, especially in such a sensitive area as the Middle East. The only solution lay in negotiation and dialogue. The Agency was the only competent forum to consider such matters and all Member States had to help it and its Director General, who had proved his capability to deal with such questions.
25. His country upheld the right of Iran and other countries to develop nuclear energy for peaceful purposes in accordance with the NPT and Agency safeguards agreements and requested Iran to continue its cooperation with the Agency and its Director General by providing clear, transparent and timely responses to their questions and requests, so that the Agency could reach its own conclusions and close the Iranian nuclear dossier as soon as possible. His country had been following the negotiations between Iran and the European Union and believed them to be a positive step. Every effort had to be made to dissipate the fears that had been aroused, and to engage in dialogue and negotiation rather than threats and confrontation.
26. It was essential for the international community to deal with Israel's nuclear programme and the fact that that country possessed weapons of mass destruction. Israel should submit all its nuclear installations to Agency safeguards in accordance with the same standards and criteria as Iran. If Israel took such a step, the Middle East region would enjoy peace and security. The fact that Israel possessed weapons of mass destruction was the cause of all the tensions in the Middle East region.
27. Mr. BEKOE (Ghana) said it was quite clear from the Director General's report that Iran had not taken adequate steps to address the issues raised in Security Council resolution 1696 (2006). In particular, it had not suspended its enrichment-related activities and had not acted in accordance with the provisions of the additional protocol. Those were matters that should be a cause for concern for the Board. The Security Council was expected to take certain actions, but recently there seemed to have been indications that progress was being made on the diplomatic front. That was welcome, though the precise nature of the progress made was not known. The general impression given by Iran was that further diplomatic discussions could lead to a resolution of the impasse. Ghana urged all parties to opt for a peaceful diplomatic solution and to work tirelessly towards that end.
28. Mr. CURIA (Argentina) expressed the hope that Iran would take the necessary steps to comply with the resolutions of the Board and with the obligations imposed by Security Council resolution 1696 (2006). The Agency should continue its work to clarify the outstanding issues regarding the Iranian nuclear programme and the restoration by Iran of a complete and lasting suspension of all its enrichment-related and reprocessing activities. Those steps alone would help restore the confidence of the international community in the peaceful nature of Iran's nuclear programme. Argentina urged Iran to move forward in the ongoing negotiations and hoped that the parties would succeed in finding a way forward towards a solution.
29. Ms. FEROUKHI (Algeria) recalled that the Director General's report did not make any mention of new undeclared nuclear activity. Accordingly, her country urged Iran to continue and step up its cooperation with the Agency in the interests of a speedy resolution of the outstanding issues, in keeping with its obligations under the legal instruments in force and its right to the peaceful use of nuclear energy.

30. The statements made pursuant to the meeting in Vienna on 9 and 10 September between the European Union High Representative, Mr. Solana, and the Iranian chief negotiator, Mr. Ali Larijani, gave cause for optimism. The two parties had decided to meet again shortly, which would provide an opportunity to pursue the dialogue with a view to achieving a lasting diplomatic solution.

31. Dialogue and direct contacts were essential when important questions of international peace and security were at issue. Her country encouraged all the parties concerned to show imagination in seeking solutions that would promote mutual understanding and restore confidence.

32. Algeria hoped that the process just begun would eventually be pursued within and under the auspices of the Agency, which remained the sole international body with the mandate to verify compliance with obligations by Member States. The involvement of the organization in the Iranian issue would also help strengthen the multilateral safeguards system and its universal character.

33. Ms. MACMILLAN (New Zealand)* added her delegation's voice to those that had expressed concern regarding the situation described in the report of the Director General on the implementation of the NPT safeguards agreement in the Islamic Republic of Iran. It was encouraging that some progress had been made on outstanding issues, but the report also highlighted several areas in which Iran was not cooperating with the Agency in a full and transparent manner; and a number of questions, some of them longstanding, remained unresolved. The further contamination found at the technical university was also worrying.

34. Iran's failure to suspend its enrichment-related activities and to adhere to the provisions of the additional protocol, in contravention of Board resolutions and Security Council resolution 1696 (2006), gave cause for concern. She urged Iran to comply with Security Council resolution 1696.

35. New Zealand supported the Agency in its efforts to verify the nature of Iran's nuclear programme and it called on Iran to provide the organization with all the access and information it needed to undertake that task. Refraining from further enrichment and reprocessing at the current time would be a serious step forward in building international confidence and would meet a key requirement of Security Council resolution 1696.

36. Mr. SOLTANIEH (Islamic Republic of Iran)* said that, first of all, he wished to comment on a number of statements made by other delegations.

37. His Government appreciated the valuable support of the majority of Member States, in particular NAM members, in the search for a peaceful solution through dialogue and negotiation, and their call for a total disengagement of the United Nations Security Council and the return of the issue to the Agency.

38. With regard to the allegations made by the delegation of the United States of America, he said that it was not surprising that the United States was worried about an emerging international consensus on seeking a negotiated solution to the Iranian nuclear issue, and its consequent isolation due to its unilateral policy. On the eve of the negotiations between Mr. Solana, the European Union High Representative, and Mr. Larijani, the Secretary of the Supreme National Security Council of Iran, which had been welcomed by virtually all countries, the United States had poisoned the positive atmosphere by repeating unfounded allegations. He was fully prepared, if delegates permitted, to conduct a comprehensive review of the technical, legal, security and political aspects in an open-ended debate with the United States Ambassador in order to prove to the Board of Governors, all Member States and the international community at large that those allegations were baseless and that Iran was the victim of discrimination and a double standard.

39. In April 2006, Iran had declared in a letter that it would provide a timetable within three weeks for dealing with outstanding issues, on condition that the Iranian nuclear issue remained entirely

within the framework of the Agency. Thus, the claim by the United States delegation regarding the delay in providing a timetable was not justified.

40. The quotation from an informal technical briefing held by the Deputy Director General for Safeguards was very disturbing, since the latter had maintained at that briefing that only the written report of the Director General was to be taken as a basis for discussions.

41. The United States delegation had asserted that Iran was in a position to make 40 nuclear weapons using uranium hexafluoride it had produced. In 2005, the United States had similarly claimed that Iran could produce two nuclear explosions using magnets which formed part of the components of a centrifuge. However, Iran had never received the magnets in question but had merely made an enquiry about the matter. Such occurrences cast doubt on the technical and professional performance of the Agency.

42. On the preceding day, the United States had equated sanctions with diplomacy, just as it had the unilateral military invasion of Iraq with multilateral diplomacy. The scenario in Iraq was about to be repeated. The decision to refer the Iranian question to the United Nations Security Council had been based on ridiculous, non-technical, political motivations and not on the diversion of nuclear material to prohibited purposes, of which the Director General had repeatedly found no evidence.

43. The Agency's role as an independent technical international organization had never been so weakened since its creation. Now the United Nations Security Council told the Agency and its Director General what it had to prepare and when. It had become clear why the United States called the Agency the United Nations watchdog. Member States should give the current situation serious consideration without delay before the organization lost all its remaining credibility.

44. Iran was committed to the NPT and had implemented comprehensive safeguards in full cooperation with the Agency. As was confirmed in the Agency's reports, its nuclear programme and activities were for exclusively peaceful purposes. After more than 2000 man-days of inspection, the Agency had reported to the Board on several occasions that no evidence had been found of any diversion of nuclear material or activities to prohibited or military purposes and that all nuclear material was accounted for.

45. Despite the unjustified Security Council resolution, the implementation of comprehensive safeguards and inspections had continued. All peaceful nuclear activities were under full surveillance, specifically camera monitoring. Indeed, additional cameras had been installed during a recent inspection. That was the best indication of Iran's commitment to ensuring that its nuclear activities were and would remain exclusively for peaceful purposes.

46. The referral of the Iranian nuclear issue to the Security Council merely because of its resumption of voluntarily suspended R&D activities — which had been, and still were, under full safeguards surveillance — had no legal or technical basis and had been motivated solely by political reasons.

47. The recent Agency report in which the Director General had referred to the slow pace of progress on resolving the few remaining issues did not come as a surprise when seen in the light of the inappropriate decision by a few members of the Board to send what was a purely technical matter from the competent technical organization to a security- and politically oriented body. In accordance with legislation passed by its parliament, Iran had then had no choice but to discontinue provisional implementation of the additional protocol and other voluntary measures.

48. The proposal put forward by the group of 5+1 States had been interpreted as a positive step to correct that error; thus, it had been welcomed by his Government. As an expression of goodwill, Iran had announced that it would study the package proposal closely and give its response in due time.

While his Government had been in the process of considering all aspects of the package proposal and preparing an appropriate forward-looking response, the Security Council, goaded by certain States, had taken the hasty decision to adopt a resolution, a step which had disappointed most Member States and the international community at large, since it had interfered with the appropriate course of action, namely the search for a negotiated solution instead of confrontation. Nevertheless, Iran had avoided confrontation and had again demonstrated its political goodwill by responding by the previously announced date of 22 August 2006.

49. The international community expected that Iran's response, which had already addressed most of the concerns raised, would be given serious consideration by the other parties. If the other side demonstrated political goodwill, Iran's response would be the best basis for finding an immediate solution through dialogue and negotiation.

50. The recent meeting between Mr. Larijani and Mr. Solana to discuss various aspects of the above-mentioned proposal and Iran's recent response had been a positive step in the right direction. The continuation of dialogue and negotiations without threats, pressure or preconditions could help dispel any ambiguities. His Government was prepared to pursue such a course and invited other parties to follow suit so that a just and mutually satisfactory solution could be found.

51. The international community was carefully monitoring developments. It was not the Iranian nuclear issue which was giving cause for concern, but the denial of the inalienable right of a Member State and a party to the NPT to acquire nuclear technology and to use nuclear energy for peaceful purposes. That was a precedent which might be applied to others in the future. Whereas Iran, a party to the NPT, was being harshly treated, Israel, a non-party to the NPT, was not subject to any inspection and had not been criticized in the Board. It had even been rewarded for not joining the NPT and failing to comply with over 25 resolutions adopted by the Security Council and the Agency's General Conference. That double standard and discrimination could no longer be tolerated.

52. The involvement of the Security Council had jeopardized the Agency's credibility and integrity as the sole legally and technically competent international authority for nuclear verification. Iran expected the Member States of the Agency to return the Iranian nuclear dossier to the framework of the Agency, where it belonged, to encourage the countries concerned to give serious consideration to Iran's response to the package proposal, and to urge them to commence negotiations without preconditions or further delay so as to achieve a lasting peaceful solution.

53. Mr. HEINONEN (Deputy Director General for Safeguards), responding to the question posed by the representative of Finland on behalf of the European Union on access to nuclear accountancy and operating records at the pilot fuel enrichment plant, noted that paragraph 74 of document INFCIRC/153 (Corrected) stipulated the scope of inspections. Furthermore, paragraph 54 of that document defined which information needed to be made available to the Agency during inspections. With regard to the rationale of the Agency asking for access to such records, including those related to the assay of uranium product and tails, paragraph 72 provided that the Agency might make routine inspections in order to verify that reports were consistent with records and to verify the location, identity, quantity and composition of all nuclear material subject to safeguards. In addition, accounting and operating records were needed to confirm that the facility operated as specified in the design information questionnaire, i.e. that uranium was not being enriched above 5% ²³⁵U. As was noted in paragraph 5 of document GOV/2006/53, on 30 August 2006 Iran had provided some information about product assays, but the actual records for the product and tails assay had still not been presented for Agency examination.

54. Replying to the questions posed by the Governor from the United States who, referring to paragraph 19 of the Director General's report and the movement of a UF₆ cylinder without prior

notification to the Agency, had asked how much material could have been removed from the process, he said that the sequence of events had been explained in the technical briefing the preceding week. As explained then, accurate nuclear material accountancy was no longer possible after the loss of continuity. However, since the results of the physical inventory taking had been within the measurement uncertainties normally associated with conversion plants of a similar size, if any removal of material had taken place the quantity would be well below a significant quantity of such material. As mentioned in the report, the Agency would follow up on the matter as part of the routine verification of the correctness and completeness of Iran's declarations.

55. The Governor from the United States and other delegates had asked whether the Agency needed additional authority to investigate matters related to Iran's nuclear programme. What was needed was access to information, sites and, in certain cases, relevant persons. The Agency was making full use of all the authorities at its disposal. What was really needed was full cooperation from the Government of Iran to provide responses on all outstanding issues and the necessary transparency to remove uncertainties associated with some of its activities. If that information was forthcoming, the Agency would be able to make further progress with the verification of the correctness and completeness of Iran's declarations with a view to confirming the peaceful nature of its nuclear programme. The Secretariat would report its findings fully to the Board.

56. The CHAIRMAN, summing up the discussion, said that the Board had taken note of the Director General's report contained in document GOV/2006/53 on the implementation of the NPT safeguards agreement in the Islamic Republic of Iran, prepared pursuant to United Nations Security Council resolution 1696 (2006). The Board had expressed its appreciation to the Director General and the Secretariat for their professional and impartial work on that issue.

57. Some members had expressed regret that, contrary to the resolutions of the Board and the Security Council, no progress had been made towards clarifying outstanding issues relating to the scope and nature of Iran's nuclear programme, and that Iran had not provided the Agency with access to relevant information and individuals, and other transparency measures needed to clarify those issues.

58. They had expressed deep regret that Iran had not fulfilled the obligations established by Security Council resolution 1696 and requests by the Board related, inter alia, to the suspension of its uranium enrichment-related activities, reconsideration of the construction of a heavy water research reactor and voluntary implementation of the provisions of the additional protocol.

59. They had stated that the quality of cooperation had declined and had urged Iran to provide the Agency with full transparency and to implement fully the measures called for by the Board and Security Council resolution 1696, in order to establish the necessary confidence in the exclusively peaceful nature of Iran's nuclear programme.

60. Some members had re-emphasized the distinction between voluntary confidence-building measures and legally binding safeguards obligations. The basic and inalienable right of all Member States to develop nuclear energy for peaceful purposes in conformity with their respective legal obligations had been reiterated.

61. They had noted the assessment of the Secretariat that all declared nuclear material in Iran had been accounted for. They had recognized that the Agency's work on verifying the correctness and completeness of Iran's declarations had been ongoing. They had encouraged Iran to continue cooperating actively and fully with the Agency within its mandate to resolve outstanding issues.

62. It had been emphasized that the Agency was the sole competent authority for nuclear verification in connection with the NPT, and that it should continue its work to resolve the Iranian nuclear issue.

63. The continued need for negotiations and dialogue among all parties covering all relevant issues had been emphasized as the way to reach a peaceful solution of the Iranian nuclear issue. The six countries' package proposal and the response thereto had been noted in that regard. Appreciation had been expressed for recent efforts in that connection, including meetings between the High Representative of the European Union and the Secretary of the Supreme National Security Council of Iran.

64. Some members had emphasized the importance of the establishment of a nuclear-weapon-free zone in the region of the Middle East.

65. The Board had requested the Director General to continue to keep it informed of developments as appropriate.

66. He asked whether his summing-up was acceptable to the Board.

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

68. The CHAIRMAN also asked whether the Board agreed to making the Director General's report contained in document GOV/2006/53 public, as had been suggested.

69. It was so decided.

9. Other matters arising from the forty-ninth (2005) regular session of the General Conference: Application of IAEA safeguards in the Middle East (GOV/2006/44)

70. Mr. HUSSAIN (Malaysia)*, speaking on behalf of NAM, recalled that the statement on the Iranian nuclear issue adopted at the Ministerial Meeting of the NAM Coordinating Bureau held in Malaysia in May 2006 had pointed to the establishment of nuclear-weapon-free zones as a positive step towards attaining the objective of global nuclear disarmament and had expressed support for the establishment of such a zone in the Middle East, in accordance with the relevant General Assembly and Security Council resolutions. Pending the establishment of such a zone, the statement had called upon Israel to accede to the NPT without delay and promptly place all its nuclear facilities under comprehensive safeguards.

71. Ms. EL ABDAOUI (Morocco)*, speaking on behalf of the African Group, said that the establishment of nuclear-weapon-free zones, including in Africa, was an essential step on the road towards a world free of nuclear weapons. The Group attached great importance to the full implementation of the relevant General Conference resolutions on the establishment of a mutually and effectively verifiable nuclear-weapon-free zone in the Middle East. The Agency had a vital role to play in that regard and the Group commended the Secretariat for its efforts to achieve that goal and called for more intensive consultations and efforts aimed at establishing such a zone in the Middle East, which would be an important step towards achieving peace and security in that region. She urged

all Member States, and in particular those in the Middle East region, to contribute to realizing that objective.

72. Mr. RAMZY (Egypt) said that there was consensus in the international community, as reflected in the resolutions adopted by the Security Council, the General Assembly and the Agency's General Conference, on the desirability of establishing a nuclear-weapon-free zone in the Middle East. All countries in the region apart from Israel had demonstrated their commitment to the multilateral non-proliferation regime through their unconditional accession to the NPT and full compliance with the safeguards regime. Israel alone insisted on pursuing a covert nuclear policy and developing military nuclear capability. Yet, in a blatant display of double standards, the international community took no practical action against the challenge to peace, security and stability in the Middle East that such conduct posed. The nuclear-weapon States, and those whose technical capabilities and nuclear resources were used to develop the Israeli nuclear programme (with or without their knowledge), bore a special responsibility to address the issue.

73. Egypt attached great importance to achieving a just and comprehensive peace in the Middle East on the basis of a stable and balanced security system. Such a system could be established only if the entire region was free of nuclear weapons. Israel's idea that a comprehensive peace could be achieved prior to nuclear disarmament was inverted logic and incompatible with the long-term step-by-step approach needed to establish an effective nuclear-weapon-free zone involving international verification, inspection and monitoring. Moreover, Israel's persistent attempts to deprive the international community of any role in establishing a nuclear-weapon-free zone, and to rely instead on bilateral negotiations, clearly demonstrated its desire for procrastination.

74. He called on Israel to adopt a serious and positive approach, in keeping with its proclaimed commitment to the establishment of a nuclear-weapon-free zone. The first step should be to place all its nuclear facilities under Agency safeguards and to accede immediately and unconditionally to the NPT. He urged all Member States to give priority to that aim, in accordance with the resolutions of the General Conference and Security Council resolution 487 (1981). While international attention was focused on verifying the peaceful nature of Iran's nuclear programme, Israel's blatantly military nuclear programme was being ignored. Israel's position was merely intended to sow confusion and transfer blame to other parties in the region, while it continued to disregard Security Council resolutions and the NPT. Indeed the fact that the major powers continued to turn a blind eye to Israel's conduct undermined the entire NPT regime.

75. The resolutions adopted by the General Conference year after year on the application of safeguards in the Middle East and the threat represented by Israel's nuclear capabilities were of little practical relevance owing to Israel's lack of response and the unwillingness of the major powers to take any serious steps to implement them. The forthcoming General Conference should therefore review their content in order to make them more effective in terms of practical consequences. Those resolutions should also reflect recent developments in the region, helping to move forward the peace process through the implementation of confidence-building measures in the area of disarmament.

76. Egypt was frustrated and concerned at the lack of progress in implementing previous resolutions and pledged its full support for the Director General's continued efforts in that regard. It further called for the convening of a regional forum to discuss the experience of other regions in establishing nuclear-weapon-free zones and related confidence-building measures.

77. Mr. EL-DEEN EL-MISLATTI (Libyan Arab Jamahiriya) said that it was clear from the Director General's report contained in document GOV/2006/44 that the world, and in particular the Middle East, had every reason to be concerned about the risk posed by weapons of mass destruction in the region, since States such as Israel that were not parties to the NPT were able to develop their

military nuclear capacities and build an arsenal of nuclear weapons, promoting an arms race in the region and threatening international peace and security.

78. His country called for the elimination of all weapons of mass destruction in the Middle East and the placing of all nuclear installations under international safeguards pursuant to the NPT. A series of General Assembly resolutions since 1974, Security Council resolution 487 (1981) and the 1996 Advisory Opinion of the International Court of Justice urged all parties concerned to take practical steps to establish a nuclear-weapon-free zone, to accede to the NPT, to sign safeguards agreements with the Agency and to pursue disarmament negotiations in good faith.

79. The international community's aspiration to rid the world of all weapons of mass destruction, especially the Middle East because of its strategic importance, should be pursued as a matter of urgency and the same standard should be applied to all countries. The Libyan Arab Jamahiriya had set a good example for other countries by voluntarily abandoning all its nuclear programmes and nuclear material that could have been used to develop weapons of mass destruction. Israel's nuclear programme, which remained outside the non-proliferation regime, constituted a direct threat to regional and international security, undermined the credibility of the NPT and doomed to failure all efforts to create a nuclear-weapon-free zone in the Middle East.

80. His country regarded the Agency as the appropriate authority for dealing with such issues as the non-diversion of nuclear material and prevention of its use for the development of nuclear weapons. The Agency should also encourage States to divert funds spent on their nuclear arsenals to improving the daily lives of their citizens and eradicating poverty and disease, in line with the Millennium Development Goals.

81. Mr. SCHULTE (United States of America) said that the Board and General Conference agenda items on the Middle East reflected the enduring importance of addressing fully the concerns of all parties in the region about ensuring that nuclear programmes in the Middle East were dedicated exclusively to peaceful purposes. He urged all participants in the debate on those issues to work constructively together and expressed the hope that consensus would again be achieved on the resolution on application of IAEA safeguards in the Middle East, as that would demonstrate the understanding of Member States that only through patient negotiation and confidence building could the difficult challenges in the region be successfully addressed.

82. Mr. MINTY (South Africa) said his country considered the establishment of nuclear-weapon-free zones an indisputable and integral part of the nuclear disarmament and non-proliferation regime. It remained concerned that no progress had been made with the establishment of such a zone in the Middle East after decades of deliberations and the determined efforts of the Agency and many countries in the region. It was disappointing that, despite the untiring efforts of the Director General, agreement could not even be reached on a draft agenda for a forum to encourage the establishment of a nuclear-weapon-free zone in the region, as such a forum could have made a tangible contribution towards that goal. He urged all States concerned to enter into serious discussions and to show the necessary political will to enhance the security and safety of the Middle East, and called upon Israel to accede to the NPT without delay and to place all its nuclear facilities under comprehensive Agency safeguards.

83. Mr. OTHMAN (Syrian Arab Republic) said that the General Conference, at its 1991 regular session, had adopted resolution GC(XXXV)/RES/571 in which it had called upon all States in the region to take measures, including confidence-building and verification measures, aimed at establishing a nuclear-weapon-free zone in the Middle East. One and a half decades later, the General Conference was still directing the same appeal to the countries of the region, an appeal that had been

rebuffed only by Israel which had not acceded to the NPT and refused to place its nuclear facilities under comprehensive Agency safeguards.

84. General Assembly resolution 60/92 of 6 January 2006 identified Israel as the only State in the Middle East that had not yet become a party to the NPT and called on it to accede to the Treaty without delay, not to develop, produce, test or otherwise acquire nuclear weapons, to renounce possession of nuclear weapons, and to place all its unsafeguarded nuclear facilities under full-scope Agency safeguards as an important confidence-building measure among all States of the region and as a step towards enhancing peace and security.

85. Israel had flouted international law and custom on the usual pretext of self-defence, displaying contempt for States' sovereignty and territorial integrity and spreading death and destruction in Lebanon, Palestine and the Golan Heights. He called on the international community to undertake a serious review of the unbalanced situation in the Middle East region and to bring pressure to bear on Israel to implement the relevant resolutions. The goal of all States in the region and of the Agency to establish a nuclear-weapon-free zone was unattainable as long as Israel remained outside the NPT and refused to admit the Agency's inspection teams.

86. He pointed out that the list of States of the Middle East region contained in footnote 1 to paragraph 8 of the report contained in document GOV/2006/44 could not be regarded as accurate.

87. The convening of a forum, on experience with the establishment of nuclear-weapon-free zones decided on by the General Conference in 2000² called for more careful study and that project should be reviewed in the light of the problems stemming from the different positions adopted by the relevant parties in the Middle East.

88. Mr. MICHAELI (Israel)* said that the report contained in document GOV/2006/44 failed to capture the complex and volatile reality in the Middle East. It inadequately represented Israel's policy and the conditions prevailing in the region, and Israel therefore had no choice but to distance itself from it.

89. It was regrettable that, despite Israel's requests, the report avoided mentioning that, in Israel's view, a zone free of weapons of mass destruction and ballistic missiles in the Middle East could only come about as a result of comprehensive peace, security and stability in the region. Israel welcomed the indication in paragraph 10 of the report that creating confidence was an important element in ridding the Middle East of weapons of mass destruction and ballistic missiles; however, the report failed to mention that the very core of confidence among the region's States had to be mutual acceptance of each other's right to a sovereign peaceful existence. Regrettably, the report also failed to reflect on relevant events, some of which gravely eroded such confidence. It did not take account of threats to eliminate Israel or attempts to deny its existence, nor did it reflect decisions taken by the Board on ominous instances of non-compliance with nuclear safeguards in the region. The absence of such fundamental elements from the report gravely undermined its relevance.

90. Mr. TANG Guoqiang (China) said his country had always supported enhancing the universality of comprehensive safeguards agreements and additional protocols and the objective of the early establishment of a nuclear-weapon-free zone in the Middle East. It hoped that countries in the region would consult extensively with one another in the interests of establishing such a zone and was prepared to work with the international community on the matter.

² GC(44)/DEC/12.

91. Mr. LUNDBY (Norway) said there were a number of steps which needed to be taken to establish a nuclear-weapon-free zone in the Middle East. All countries in the region could and should join the NPT as non-nuclear weapons States without precondition and apply full-scope safeguards, including the additional protocol. Such a step would promote confidence in the region and help to fulfil the material obligations for setting up a nuclear-weapon-free zone. Although there had been some progress with respect to the conclusion and implementation of comprehensive safeguards agreements and additional protocols, the pace was too slow. Dialogue and confidence-building measures had to go hand in hand in the process of developing a nuclear-weapon-free zone. It was regrettable that it had not been possible to move forward with the planned forum.

92. Mr. SERGEEV (Russian Federation) said that some progress had been made in strengthening the safeguards system in the Middle East since the Director General's last report on the matter, such as the signing by Saudi Arabia of a comprehensive safeguards agreement and the signing by the Union of the Comoros of a comprehensive safeguards agreement and an additional protocol, as well as the entry into force of the additional protocol for Libya. He urged those countries in the region which had not done so to conclude a comprehensive safeguards agreement with the Agency without delay.

93. Despite the recent tense situation in the Middle East, the Director General should continue his consultations with States in the region on the application of full-scope Agency safeguards to all nuclear activities, as that was an important measure for increasing confidence and a step towards strengthening peace and security in the context of establishing a nuclear-weapon-free zone.

94. Ms. FEROUKHI (Algeria) said her country deplored the lack of progress in implementing the Agency's verification system in the region. However, the current impasse only served to reinforce her country's conviction that the commitment to non-proliferation and nuclear disarmament which formed the basis of its own foreign policy provided the surest guarantee of peace and security. She paid tribute to the prudent choice of those countries in the region which were party to the NPT and had decided to renounce nuclear weapons and give peace a chance, thereby strengthening the verification system and its universality. Those countries should continue to comply with that commitment, which formed part of the measures aimed at eliminating weapons of mass destruction adopted by consensus at international level during the 2000 NPT Review Conference.

95. However, the international community had not yet been able to respond to the permanent threat posed by Israel, the only State in the Middle East which refused to renounce nuclear weapons and accede to the NPT. That situation was at the root of the imbalance between countries in the region and was a source of suspicion, tension and frustration which exacerbated an already precarious situation. Countries in the region harboured legitimate fears that there would be recourse to the use of nuclear weapons in the demonstrations of military force to which it was frequently subjected. If all States without exception acceded to the NPT, then they might all come to perceive the threat to peace and prosperity posed by weapons of mass destruction. Equally, establishing a nuclear-weapon-free zone would help to put an end to the exceptional situation where Israel was a de facto regional nuclear power, which caused hostile relations with its neighbours.

96. The international community could not continue to turn a blind eye to such a burning issue which had implications at a regional and global level. The efforts of the Director General and the resolutions adopted by consensus at the level of the Agency's Policy-Making Organs and the United Nations General Assembly had paved the way for the implementation of measures aimed at freeing the Middle East of weapons of mass destruction. She encouraged the Director General to redouble his efforts to fulfil his mandate to implement safeguards in the Middle East.

97. The DIRECTOR GENERAL, referring to comments made by the representative of Israel to the effect that the views of his country were not fully reflected in the report, said he wished to set the record straight.

98. Firstly, paragraph 9 of the report fully reflected the views of Israel using exactly the same language as had been used the preceding year. He assumed that Israel's views had not changed since that time, since they had remained the same for the past 13 years. Both Israel and a number of other countries had wished to elaborate their positions. However, since some of the views expressed in that regard were rather controversial, that had been managed through footnotes 11 and 12 in the interests of producing a balanced and constructive report.

99. Secondly, he took issue with the idea that the report should have contained references to other issues relevant to the Middle East. The Iranian issue came under a separate agenda item and the Lebanon issue was before the Security Council. The report was not intended to cover every aspect of the Middle East situation. Rather, it was supposed to help the Board and the Agency to move forward on the two items that had been on the agenda for the past 14 years.

100. He disagreed that the report was not relevant. What was relevant was that for the past 14 years he had been unable to move forward at all with the implementation of the two mandates entrusted to him: the application of safeguards in the Middle East and the establishment of a nuclear-weapon-free zone. Discussion of the report at the General Conference and within the Board needed to be forward-looking, rather than lapsing into name-calling. He agreed with the Governor from the United States that there was a need to continue to work on achieving a consensus. The region needed a nuclear-weapon-free zone and it was important to move forward in that direction. He expressed the hope that Member States would approach the issue in that spirit during deliberations at the General Conference.

101. The CHAIRMAN, summing up the discussion on the item, said that several members had expressed their support for the establishment of a nuclear-weapon-free zone in the Middle East in accordance with relevant United Nations General Assembly and Security Council resolutions. In that regard, several members had called on Israel to accede to the NPT and place all its nuclear material and facilities under Agency comprehensive safeguards. A call had been made for all countries in the region to conclude safeguards agreements and additional protocols to promote confidence in the region.

102. Some had expressed regret and concern with regard to the inadequate progress made and the implementation of relevant General Conference resolutions.

103. Some members had called on all Member States, particularly those in the Middle East region, to work constructively towards ensuring that nuclear programmes in the Middle East were dedicated exclusively to peaceful purposes.

104. Some members had emphasized the importance of dialogue and confidence building in addressing the challenges facing the Middle East in that regard.

105. A view had been expressed that the establishment of a nuclear-weapon-free zone could not be achieved in isolation but only as an integral part of a regional comprehensive peace settlement.

106. Support had been expressed for the Director General's efforts to convene a forum on experience relevant to the creation of a nuclear-weapon-free zone in the Middle East, as mandated by the 44th regular session of the General Conference, and the hope had been expressed that such a forum would produce tangible results with respect to the establishment of a nuclear-weapon-free zone in the Middle East.

107. He took it that the Board wished to take note of the Director General's report contained in document GOV/2006/44, which would also be before the General Conference pursuant to the request made of the Director General in resolution GC(49)/RES/15.

108. It was so decided.

10. Any other business

109. The CHAIRMAN invited Governors to take up matters arising out of the Director General's introductory statement or any other matters of concern to them.

110. Mr. NIEUWENHUYS (Belgium) said that verifying that something existed or was being done was much easier than verifying that something did not exist or was not being done. That was the difficulty in verifying compliance with commitments not to acquire certain type of weapons and it was the challenge the Agency faced, a challenge which was made harder by the large number of legitimate peaceful nuclear activities and the growing use of nuclear technologies throughout the world.

111. The most recent international arms control verification systems took account of the fact that States' declarations might not be exhaustive. The agreed investigative measures had to be performed by a competent and impartial international authority acting with the required firmness. The additional protocol gave the Agency the capacity to verify whether a State's declarations were exhaustive. Without it, the quality of the assurances provided by the Agency was significantly lower. Having acquired the capacity to detect undeclared nuclear activities, the Agency was able to play its role as an impartial referee more efficiently. The additional protocol was in force in Belgium and his country hoped that, in time, the burden of verification on Belgium's nuclear installations would be reduced.

112. Every State cooperated with the Secretariat either when asked to do so, or spontaneously in accordance with Article VIII.A of the Statute. Where doubt arose, it was usually in the interest of the State concerned that the situation be clarified as quickly as possible. Other States would have a similar interest, if they were aware of that situation and the concerns it prompted. The appropriate action to take would therefore be to provide all information and access required. Cooperation with the Agency was needed to avoid or resolve such situations. The Agency should be able to guarantee the peaceful nature of the activity in question. That capacity depended entirely on the cooperation provided by States to the Secretariat. It should be obligatory for States to cooperate with the Agency when requested. Given its responsibility for the multilateral nuclear non-proliferation verification regime, the Agency deserved greater support.

113. Mr. CURIA (Argentina), speaking on behalf of Argentina and Brazil, said that, in his introductory statement, the Director General had said that a special event was to be held during the 50th session of the General Conference to consider ideas and proposals on a new framework for the nuclear fuel cycle. Brazil and Argentina understood that the Secretariat would collate the results of that event in consultation with Member States and submit the information to the Board so that, in accordance with the Statute and the Rules of Procedure, the Board could analyse them, and, if it so decided, establish a roadmap for the Secretariat's subsequent activities in that field.

114. Speaking on behalf of his own country, he noted that the issue in question was of the utmost importance. Argentina welcomed the second session of the special event scheduled for Wednesday, 20 September, where multilateral and national proposals would be discussed. However, several

speakers were also to provide perspectives of other States. It was interesting that it was not the other States themselves but rather third parties that were to present that information, given that all the speakers were to be experts in their own right and not linked to any particular government.

115. Mr. DRAPER (United Kingdom) said that, on 11 July 2006, his Government had published the conclusions of its energy review which examined the country's progress in relation to the medium- and long-term goals set out in its 2003 Energy White Paper and considered possible future steps in that regard. The review recognized that nuclear power could have a role to play in the country's future generating mix, both as a source of low-carbon generation and to diversify energy supplies. Any new power stations would need to be proposed, developed, constructed and operated by the private sector, which would also need to meet their full decommissioning and long-term waste management costs. However, in view of the potential benefits, the Government proposed to address existing barriers to new nuclear builds, including improving the licensing process for nuclear reactors and the planning process, which could delay both nuclear and non-nuclear electricity projects, and clarifying how the costs of decommissioning reactors and managing waste would be met. Specific proposals in that regard would be set out in a further White Paper in 2007.

116. To address the management of nuclear waste, following the publication of the 2003 Energy White Paper the Committee on Radioactive Waste Management had been established to devise a strategy to deal with the country's legacy waste. That open and transparent process had engaged stakeholders, including members of the public, listening to and addressing the concerns raised, and had been designed to inspire public confidence that its recommendations to secure the long-term safety of the country's radioactive waste were practical. The Committee had presented its report to the Government on 31 July 2006, concluding that deep geological disposal in a repository was the best available approach for the long-term management of waste and that an interim storage programme was also required. The Government would respond to the Committee's recommendations as soon as practicable and would keep the Board informed.

117. Mr. CODORNIU PUJALS (Cuba) endorsed the view expressed by the Governor from Argentina that the results of the upcoming special event should be presented to the Board for consideration before the Secretariat took any action in that regard.

118. The DIRECTOR GENERAL, in response to the comments made by the Governor from Argentina, said the special event in question was the scientific forum which had been held annually for the preceding 8–9 years. Those forums were an informal meeting of scientists and policymakers, primarily for brainstorming on issues and challenges facing the Agency. Speakers did not represent any government but were selected for their expertise, and they would be trying to advise the Agency on how best to implement the Statute which, since 1957, referred to an Agency scheme for assurance of supply. Such a scheme had never been implemented and perhaps it was time to look at the issue, particularly in light of recent events which had made it very clear that an assurance of supply mechanism was needed to deal with the increased use of nuclear energy: on the one hand, to ensure a steady supply and overcome the politicization of supply assurance, ensuring that every country adhering to non-proliferation goals would have assured access; and on the other hand, to deal with the proliferation of sensitive nuclear technology.

119. He believed there was a consensus that not every country should have enrichment and reprocessing capacity. The aim was to provide an assurance of supply so that every country embarking on a nuclear power programme would be able to get fuel and a reactor, and to strengthen non-proliferation. He felt that the Agency needed to work ultimately towards the multinationalization of enrichment and reprocessing. States had put forward different views on that issue: Russia had proposed an international centre, the United States had proposed the Global Nuclear Energy Partnership. INPRO and the Generation IV international forum were also working on the issue. In the

light of the inconclusive discussion in the Board in June 2006, it would be useful to explore the technical issues involved, which were many and complex.

120. No system would be created through the exercise in question that deprived any country of its rights under the NPT or that was discriminatory, and no system would be developed before the Board and the General Conference had approved it. Establishing a road map meant identifying options, and once options had been identified they would be presented to the Board which would decide whether or not to move forward and implement any suggested actions. He personally would not work for any system that was discriminatory, took rights away from any country, was not in the interest of every single member of the Agency and did not have the full authority of the Policy-Making Organs.

121. Speakers at the special event would speak on their individual authority. They were not chosen by any State nor did they speak for any State. The special event was open for everybody to speak and present their personal views and their perception of their country's views. It was an open forum and he encouraged everyone to attend as the Agency needed to move forward on that issue.

122. Responding to the comments of the representative of Belgium, he agreed that verification was a very difficult task that was entrusted to the Secretariat. The Agency was the only organization that sat in judgement on its Member States' behaviour and conduct and that was not an easy job. The Agency did not have a government or an army; it only had its credibility and it therefore tried as far as was humanly possible to be credible, because that was its strength. That had become a very delicate task over the preceding ten years, because it could make a difference between war and peace. The Agency needed to take extreme care over the information it provided. It provided the completely unvarnished facts and left it up to States to decide what to make of those facts.

123. The additional protocol was necessary because, without it, the Agency's capacity, particularly to detect the absence of undeclared activities, was very limited. Over a hundred countries still did not have an additional protocol in force, and that was a major weakness in the system because it limited the Agency's ability in those countries to reach a credible conclusion as to possible undeclared activities. The Agency was only as good as its Member States allowed it to be, and as good as the authority it was entrusted with.

124. With regard to cooperation, he agreed that a country that had nothing to hide should be fully cooperative. If the Agency did not receive cooperation, questions immediately arose. That had been seen in the case of Iran: because that country was not cooperating fully with the Agency, the Agency had stated that it was unable to make progress in establishing the peaceful nature of its programme. Some had asked whether the Agency needed additional legal authority. That was not the case, in the light of the Agency's experience in Iraq. What was required was transparency. The Agency needed people to come forward to be interviewed and documents to be produced. Without that, it was not able to conclude whether a programme was for peaceful purposes and the international community then drew its own conclusions.

125. Assessing a country's programme involved looking at several different issues. Having knowledge was one thing, but having industrial capacity was another. The Agency had stated that Iran had knowledge of the fuel cycle but that it had not seen the necessary industrial capacity. Industrial capacity was a cause for concern, since it enabled a country to produce the nuclear material for a weapon. However, the Agency also needed to make sure that there was no undeclared industrial capacity, and that was one of the issues it was looking at in Iran and in other countries.

126. The most difficult issue was intention. It was possible to verify knowledge and industrial capacity as they were specifics that could be measured, but it was not possible to read people's intentions. It was possible to describe their current activities, but not to predict what they were going to do in ten years' time. A country could have perfect non-proliferation credentials today, but it was

not possible to say whether that would be the case in ten years, and vice-versa. For example, Libya had been working on certain programmes in the past but was now a country in very good standing. Intentions could change and, for that reason, the Agency always treated every State exactly the same.

127. The Agency did not presume innocence or guilt: it started with a blank slate and worked solely on the basis of technical criteria to provide the best possible judgement. The Agency had always said it could not provide States with 100% assurance, because proving the absence of something was an impossible task. Increased cooperation and transparency provided the Agency with more authority and allowed it to give greater assurances, but never 100%.

128. Given those complexities, he entreated Member States to have patience and not to put words in the mouth of the Agency. The Agency would only ever say what it had seen on the ground and what it believed was scientifically proven.

129. Mr. MINTY (South Africa), having thanked the Director General for his clarification regarding the upcoming special event at the General Conference, said he had repeatedly drawn the Board's attention to the illicit network which had been described as the most serious challenge to the NPT. Although thirty to forty countries were involved, only one or two prosecutions were under way, which was cause for serious concern. All the countries involved should cooperate with one another and with the Agency. The assistance of other States was required in the prosecution under way in South Africa and, to date, any cooperation that had been provided had not been consistent, and that had a negative impact on the determined actions of the small number of States pursuing prosecutions and the destruction of the network. He would be happy to share his country's experience with the Board and, if necessary, name countries and their degree of cooperation. Time was of the essence in facing that serious challenge to the NPT in order to prevent the network from reinventing itself, and he encouraged the Agency to facilitate the exchange of information relating to the network's operation. Progress had been made in some countries despite the difficulties he had mentioned, but he urged States to report on the progress made and on obstacles that had been encountered.

130. One legal obstacle had been encountered on an international level. Currently, if a prosecution could not be concluded in one country, evidence presented during that case could not be used in another country. It was therefore necessary to change national legal systems and legislation and he proposed creating a legally binding certificate, to be provided by the Agency and used during prosecution, which contained proven information regarding the transport and intended use of the material or equipment in question. Much progress had been made with adapting terrorism legislation, but legislation relating to weapons of mass destruction remained weak, particularly with regard to the parity of prison sentences at international level. It was important to ensure that the network did not re-establish its operations in those countries with weaker prison sentences.

131. It was the responsibility of the Board to address non-proliferation violations and progress needed to be made on the issue.

132. Ms. FEROUKHI (Algeria) thanked the representative of South Africa for his comments and invited him to expand on his country's experiences at the meetings of the Advisory Committee on Safeguards and Verification.

– Tributes

133. The CHAIRMAN bade farewell to colleagues due to leave Vienna shortly or who had already left: Mr. Honsowitz, the Governor from Germany, and Ms. Simkova, the Governor from Slovakia; and the Resident Representatives Mr. Padilla Menéndez of Guatemala, Mr. Zapata Mejia of Honduras, Mr. Donoghue of Ireland, Mr. Smith of Jamaica, Mr. Garcevic of Serbia and Mr. Perez Giralda of Spain. Their contributions to the Agency's work and their diligent efforts in serving their respective countries had been appreciated and he wished them all the best for their future assignments.

The meeting rose at 1 p.m.