

IAEA Board of Governors

Record of the 1180<sup>th</sup> Meeting  
GOV/OR.1180

Report by the Director General on cooperation between the Islamic Republic of  
Iran and the Agency in the light of United Nations Security Council  
resolution 1737 (2006)

# Board of Governors

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## Record of the 1180<sup>th</sup> Meeting

*Held at Headquarters, Vienna, on Wednesday, 7 March 2007, at 3.10 p.m.*

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<sup>1</sup> GOV/2007/12.



## 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. PETRIČ		Chairman (Slovenia)
Ms. WILKINSON DE VEXINA	_____	Argentina
Mr. SHANNON		Australia
Ms. KÜHTREIBER		Austria
Mr. MACKAY		Belarus
Mr. BAZOBERRY		Bolivia
Mr. VALLIM GUERREIRO		Brazil
Ms. GERVAIS-VIDRICAIRE		Canada
Mr. SKOKNIC		Chile
Mr. TANG Guoqiang		China
Mr. ARÉVALO YÉPES		Colombia
Mr. HORVATIĆ		Croatia
Ms. GOICOCHEA ESTENOZ		Cuba
Mr. RAMZY		Egypt
Mr. KEBEDE		Ethiopia
Ms. KAUPPI		Finland
Mr. CARON	}	France
Mr. DENIAU		
Mr. GOTTWALD		Germany
Mr. SOTIROPOULOS		Greece
Mr. SHARMA		India
Mr. WIBOWO		Indonesia
Mr. AMANO		Japan
Mr. KIM Sung-Hwan	}	Korea, Republic of
Mr. KIM Byung-Ho		
Mr. GASHUT		Libyan Arab Jamahiriya
Mr. LUNDBY		Norway
Mr. ALI		Pakistan
Mr. BERDENNIKOV		Russian Federation
Mr. KRIŽ		Slovenia
Mr. MINTY		South Africa
Ms. MELIN		Sweden
Mr. OTHMAN		Syrian Arab Republic
Mr. PANUPONG		Thailand
Mr. MACGREGOR		United Kingdom of Great Britain and Northern Ireland
Mr. SCHULTE		United States of America
Mr. ELBARADEI	_____	Director General
Ms. CETTO		Deputy Director General, Department of Technical Cooperation
Mr. ANING		Secretary of the Board

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

Afghanistan, Albania, Algeria, Angola, Armenia, Azerbaijan, Belgium, Bulgaria, Burkina Faso, Côte d'Ivoire, Cyprus, Czech Republic, Dominican Republic, Ecuador, Estonia, Guatemala, Holy See, Hungary, Iceland, Islamic Republic of Iran, Iraq, Ireland, Israel, Italy, Jordan, Kazakhstan, Kenya, Kuwait, Latvia, Lebanon, Lithuania, Luxembourg, Malaysia, Malta, Mexico, Namibia, Netherlands, New Zealand, Panama, Peru, Philippines, Poland, Portugal, Romania, Saudi Arabia, Serbia, Slovakia, Spain, Sudan, Switzerland, The Former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Republic of Tanzania, Uruguay, Bolivarian Republic of Venezuela, Vietnam, Yemen.

**Abbreviations used in this record:**

AEOI	Atomic Energy Organization of Iran
EFTA	European Free Trade Association
EU	European Union
G-77	Group of Seventy-Seven
HEU	high-enriched uranium
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
TCF	Technical Cooperation Fund

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

## 5. Nuclear verification

### (d) Report by the Director General on the implementation of the NPT safeguards agreement in the Islamic Republic of Iran (continued) (GOV/2007/8)

1. Mr. AMANO (Japan) expressed appreciation to the Director General and the Secretariat for their outstanding efforts and high level of technical professionalism in trying to resolve the Iranian nuclear issue.
2. As required by the relevant resolutions of the Agency's Board of Governors and the United Nations Security Council, it was indispensable for Iran to implement and ratify the additional protocol, to provide maximum cooperation with the Agency and to undertake transparency measures to build confidence in the exclusively peaceful purpose of its nuclear programme. No country was denying Iran the right to use nuclear energy for peaceful purposes but, in order to exercise that right, it had to restore the confidence of the international community.
3. However, Iran had not responded appropriately to the requirements of United Nations Security Council resolution 1737 (2006), had continued to conduct its enrichment-related activities and its work on heavy water-related projects, had suspended voluntary implementation of the additional protocol and was not providing sufficient cooperation with the Agency, as was indicated by the Director General's report contained in document GOV/2007/8. That was deeply regrettable since it did not help Iran to restore the confidence of the international community nor the Agency to make progress in its investigation. In particular, it was a matter of deep concern for the international community that Iran was expanding its enrichment-related activities by continuing work at the Natanz fuel enrichment plant.
4. The issue should be resolved through diplomatic efforts and Japan hoped that Iran would comply with all relevant Board and United Nations Security Council resolutions, suspend all enrichment-related activities and work on heavy water-related projects, including the construction of a research reactor moderated by heavy water, and resume the negotiation process without further delay.
5. His country supported and highly appreciated the diplomatic efforts made by France, Germany and the United Kingdom and other States, including China, Russia and the United States, with a view to achieving a diplomatic solution. Japan had also been taking every opportunity to encourage Iran to respond to the requirements of the international community and would continue to do so.
6. Mr. KIM Sung-Hwan (Republic of Korea) noted with concern that, despite the adoption of United Nations Security Council resolution 1737 (2006), Iran had not taken the necessary steps. It was also a matter of concern that the Agency was still unable to verify the absence of undeclared nuclear material and activities in Iran. He expressed the hope that Iran would fully implement Security Council resolution 1737 and provide its full and prompt cooperation to the Agency in order to resolve outstanding verification issues sooner rather than later.
7. His country remained convinced that a viable resolution of the Iran nuclear issue could be achieved through dialogue and negotiation. It would continue to support constructive diplomatic efforts which would contribute to a comprehensive and mutually agreeable solution.
8. Mr. VALLIM GUERREIRO (Brazil) said that his country continued to support the work of the Agency in verifying the fulfilment of the obligations deriving from Iran's NPT safeguards agreement.

9. Issues related to international peace and security should be settled through diplomatic channels and, in that connection, Brazil had called upon Iran to engage constructively in the efforts to find a negotiated solution to the matter.

10. While upholding the inalienable right of all States party to the NPT to the development, production and use of nuclear energy for peaceful purposes, Brazil had urged Iran, both bilaterally and in the international fora where the issue had been discussed, to extend the fullest transparency and cooperation to the Agency. Further efforts should be made to restore the confidence of the international community in the peaceful nature of Iran's nuclear programme. In particular, the points identified by the Director General as unresolved should be clarified. The Agency was the appropriate forum for dealing with the issue and it should continue to play a key role in it.

11. The right to use nuclear energy for peaceful purposes was a right that no one could deny, but the efforts of the international community to ensure non-proliferation were of equal importance. The issue was closely linked to one of the other main pillars of the NPT, disarmament. Unless concrete and verifiable steps were taken in that direction, the non-proliferation regime would not be free from challenges in the longer term.

12. Mr. SHANNON (Australia) said that the credibility of Agency inspections in Iran was crucial to providing the assurances the international community needed concerning the peaceful nature of that country's nuclear activities. Iran needed to show the maximum cooperation and transparency necessary for Agency inspectors to provide those assurances. Moreover, the onus was on Iran as a responsible member of the United Nations to abide by all United Nations Security Council decisions and to cooperate fully with the Agency to prove without doubt that its nuclear programme was exclusively for peaceful purposes.

13. Member States recognized the authority of the United Nations Security Council as the organ bearing the main responsibility for the maintenance of international peace and security. The unanimous adoption by the Security Council of resolution 1737 (2006), imposing sanctions on Iran's nuclear and missile programmes, had underscored the international community's commitment to addressing concerns about Iran's nuclear activities. Australia fully endorsed the Security Council's conviction that Iran's suspension of all uranium enrichment and reprocessing activities, as well as full, verified compliance with the requirements of the Agency's Board of Governors, would contribute to a diplomatic, negotiated solution. It was not a matter of questioning Iran's right to peaceful nuclear energy. Australia supported the right to peaceful nuclear energy of all NPT States Party that complied faithfully with their non-proliferation commitments. All the sanctions contained in United Nations Security Council resolution 1737 were reversible and Iran should abide by its requirements.

14. The Agency was entitled to conduct its inspections without hindrance and with the qualified inspectors necessary to ensure flexibility and efficient use of resources. Iran should cease tying its readiness and willingness to cooperate fully with the Agency to its objection to abiding by the Security Council's requirements. It should provide the Agency's inspectors with the clarifications they sought in order to resolve questions relating to the information and explanations provided to them, and it should permit the measures identified by the inspectors as necessary for the implementation of required safeguards. In particular, the issue of remote monitoring at the fuel enrichment plant should be resolved without further delay. Australia looked to Iran to respond properly to the required transparency measures which were essential for the clarification of the scope and nature of its nuclear programme.

15. His country continued to support efforts to find a diplomatic solution. It continued to urge Iran not to lose sight of the seriousness of the choices it had to make. He proposed that the Director General's report be made publicly available, given the wide interest in the subject.

16. Mr. PANUPONG (Thailand) said that his country had noted the adoption of United Nations Security Council resolution 1737 (2006) and accordingly, in February 2007, his Government had resolved to instruct the relevant agencies to implement the necessary measures pursuant to that resolution, and to authorize the Ministry of Foreign Affairs to report to the Security Council on such implementation.

17. As a matter of principle, Thailand recognized and respected the inalienable right of Iran and all NPT States Party to develop nuclear energy for peaceful purposes. However, in exercising that right, they had to honour their obligations under the NPT, Agency comprehensive safeguards agreements and the additional protocol, as well as providing transparency measures in connection with their nuclear programmes.

18. In that context, his country welcomed the visit of the Troika of the NAM Vienna Chapter to Iran in February 2007, together with representatives of the G-77 and China and the League of Arab States, following an invitation from the Iranian authorities. While Thailand viewed that as a transparency and confidence-building measure on the part of Iran, it also wished to underscore the need for Iran to cooperate fully with the Agency, especially on the remaining outstanding issues.

19. Thailand welcomed the fact that Iran had been providing the Agency with access to declared nuclear material and facilities as well as the required nuclear material accountancy reports in connection with such material and facilities. It also noted that the Agency was able to verify the non-diversion of declared material in Iran. However, more work needed to be done with respect to undeclared nuclear material and activities. Constructive efforts on the part of Iran remained the only way of restoring the confidence of the international community in the peaceful nature of Iran's nuclear programme.

20. The way to a sustainable solution to the Iranian nuclear issue was through sincere dialogue and diplomacy. Thailand stood ready with the international community to facilitate in any appropriate manner the resolution of the issue. In the light of ongoing developments, he urged all parties to exercise the utmost restraint and not to resort to any measures that would create unnecessary confrontation.

21. Mr. SKOKNIC (Chile) said that his country was convinced that the Iranian nuclear issue could only be resolved using the tools of diplomacy within the multilateral system and through the application of international law. United Nations Security Council resolution 1737 (2006) was of unquestionable validity for all United Nations Member States and he appealed to Iran to implement the measures required by that resolution, as well as those required by the resolution of the Board contained in document GOV/2006/14.

22. The Director General's reports should be considered as a whole. However, there was no doubt that his successive reports on the implementation of safeguards in Iran, and his remarks to the Board in November 2006, had been very clear regarding the level of cooperation and transparency required from Iran on very specific matters, and the reasons why the Agency required more information which, admittedly, in some cases went beyond Iran's legal obligations under its comprehensive safeguards agreement.

23. Thus, Chile again urged Iran to provide the Agency with the information and documents required as quickly as possible. If it showed greater transparency, there would be no need in the future to have recourse to other bodies in order to ensure compliance with Agency resolutions.

24. He expressed the hope that Iran would do what was necessary to allay the remaining doubts, and that a diplomatic solution would be found soon that was acceptable both to Iran and to the international community.



25. Mr. SCHULTE (United States of America) said that it was clear from the report contained in document GOV/2007/8 that Iran had failed to comply with United Nations Security Council resolution 1737 (2006). Instead, Iran was expanding activities that the Security Council had required it to suspend and was failing to provide the Agency with the cooperation required by the Council. That was the second time in six months that Iran had ignored the serious concerns of the international community as expressed by the Security Council, and was a further example of Tehran's refusal to meet its nuclear non-proliferation obligations. The report was unambiguous in describing Iran's intransigence.

26. Firstly, the report described an expanded uranium enrichment programme that now included the installation of centrifuges in the underground cascade halls at Natanz. At the same time, it detailed Iran's continued refusal to agree to the Agency's implementation of the required safeguards measures in that facility. The Director General had noted that remote monitoring, or a similar level of access, was essential for the execution of the Agency's safeguards mandate once Iran had installed 500 centrifuges at the underground facility. As of 22 February 2007, the date of the report, that seemed imminent. Consequently, not only was Iran failing to comply with United Nations Security Council resolution 1737 and Agency requirements for resolving questions about possible undeclared activities, it was also calling into question its compliance with safeguards requirements necessary to ensure the non-diversion of declared nuclear material. His Government requested the Director General to inform the Board immediately should Iran install 500 centrifuges while still not accepting requisite safeguards measures, or introduce nuclear material into any centrifuges in its underground plant.

27. Secondly, the report also showed that Iran had not halted construction of the heavy water reactor at Arak, as required by United Nations Security Council resolution 1737. That reactor could be used to produce plutonium for nuclear weapons. At its meetings in November, the Board had declined to provide technical cooperation for the project in question and, on several occasions, it had called on Iran to reconsider its construction.

28. Thirdly, as the Director General had noted in his introductory statement, the Agency remained unable to provide the necessary assurances that Iran's nuclear programme was entirely peaceful, because it had not been provided with answers on a range of outstanding questions. For example, the report noted a continuing lack of progress in the Agency's efforts to obtain more information regarding Iran's P-1 and P-2 centrifuge work, plutonium separation experiments, and the uranium contamination. The report further cited outstanding requests for access to Iranian officials and documentation, including a 15-page document that described the procedures for reducing UF<sub>6</sub> into metal and shaping it into hemispheres. His country was aware of only one use for uranium in that form: nuclear weapons.

29. Finally, the Director General had reported Iran's escalating rejection of inspectors designated for Iran. His country was troubled by Iran's refusal to accept the designation of ten new inspectors and its demand that the Agency rescind the eligibility of 38 currently designated inspectors for inspections in Iran. The United States firmly supported the Secretariat's appeal to Tehran to reverse those decisions, which would reduce the Agency's flexibility and available expertise in carrying out the verification responsibilities Iran continued to impede. He urged the Secretariat to report to the Board immediately if issues concerning inspector designation were hindering the implementation of safeguards in Iran.

30. The United States remained gravely concerned about the implications of Iran's long-standing non-cooperation with respect to its Agency-related obligations. It noted that Iran had also not provided clarifications, as requested by the Agency for over a year, regarding uranium conversion, high explosives testing and the design of a missile re-entry vehicle, all of which, as the Director General had reported in April 2006 in document GOV/2006/27, could have a military nuclear dimension and

appeared to have administrative interconnections. However, the United States was also concerned that the long lack of cooperation, combined now with Iran's rejection of remote monitoring and its rejection of 48 Agency inspectors, was damaging the Agency's integrity in Iran and elsewhere.

31. He expressed disappointment that Iran's leaders had once again ignored international concerns about its nuclear programme, despite extensive efforts by the United States and its European, Russian and Chinese partners to encourage them to accept the generous six-country incentives package offered the preceding June. That package and the historic offer of direct talks with the United States remained on the table. All Iran had to do was comply with its obligations and suspend completely and verifiably enrichment-related and reprocessing activities.

32. In conclusion, he once again called on Iran to reconsider its current confrontational course, suspend its proliferation-sensitive nuclear activities as required by the United Nations Security Council, and engage in constructive negotiations on the future direction of its nuclear programme.

33. Mr. ARÉVALO YÉPES (Colombia) said that disarmament and non-proliferation were fundamental principles of his country's foreign policy. It also upheld the inalienable right of all States party to the NPT to the peaceful use of nuclear energy.

34. Drawing particular attention to paragraph 27 of document GOV/2007/8, which stated that the Agency was unable to verify the absence of undeclared nuclear material and activities in Iran unless Iran addressed the long outstanding verification issues through the implementation of the additional protocol and the required transparency measures, he urged Iran to show the cooperation and transparency requested by both the Agency and by the United Nations Security Council in resolution 1737 (2006) in order to resolve the outstanding issues so that the Agency, as the only authority on safeguards and verification, could provide the international community with assurances of the exclusively peaceful nature of Iran's nuclear programme. In that connection, his country firmly supported any new approach to the issue.

35. Finally, his country supported all efforts to achieve a negotiated solution to the issue which maintained international peace and security. He thanked the Director General and the Secretariat for their tireless, rigorous and impartial work.

36. Mr. TANG Guoqiang (China) said that his country had noted from document GOV/2007/8 that Iran had not complied with the provisions of United Nations Security Council resolution 1737 (2006) and had not suspended its uranium enrichment-related activities, which was cause for concern. However, the positive findings in the report should be duly acknowledged, such as the fact that Iran had cooperated with the Agency to the extent that the non-diversion of declared nuclear material in the country could be verified.

37. Since the Board's preceding series of meetings and the adoption of Security Council Resolution 1737, there had been new developments in the Iranian nuclear issue. A peaceful solution through diplomacy and negotiation was the best option, because it would help to maintain the authority and effectiveness of the international non-proliferation regime, would contribute to regional stability and would serve the common interests of the international community. Joint efforts to that end should therefore continue. It was imperative that negotiations were resumed immediately. The double suspension proposal was a good idea meriting serious consideration by all sides. He expressed the hope that all parties involved would show flexibility and maintain their dialogue and communication.

38. China expected Iran to implement the relevant United Nations Security Council resolutions, cooperate with the Agency, clarify the unresolved issues and take a constructive approach in order to create favourable conditions for the resumption of negotiations. At the same time, the parties involved

should remain calm, exercise restraint and adhere to the goal of a peaceful solution, striving to create an atmosphere that would promote that resumption. His country had always advocated reconciliation and communication and had actively supported the parties concerned in their dialogue and negotiations, urging them to consider viable proposals. By acting together in order to maintain world peace and security, and by bringing diplomatic skills and creative ideas into full play, the international community could eventually find a lasting, comprehensive and appropriate solution to the Iranian nuclear issue.

39. His country appreciated the Director General's recent efforts to resolve the issue and expected him and the Agency to continue to play a constructive role, making impartial and objective assessments and facilitating the resumption of negotiations in order to find the best solution. In the interests of upholding the international non-proliferation regime and maintaining regional peace and stability, China would continue to play a constructive role in resolving the issue peacefully through diplomatic negotiations.

40. Mr. DENIAU (France), speaking on behalf of his own country, Germany and the United Kingdom, said that, following many appeals by the Board, United Nations Security Council resolution 1696 (2006) had made the suspension by Iran of all enrichment and reprocessing activities mandatory. That had been confirmed by United Nations Security Council resolution 1737 (2006), which also made it mandatory for Iran to suspend activities related to heavy water and to cooperate with the Agency by implementing all of its requests. That resolution had also suspended the provision of technical cooperation to Iran by the Agency, with a limited set of exceptions. Furthermore, it requested the Agency to provide any information that the sanctions committee it established deemed necessary. United Nations Security Council resolution 1737 had been adopted by consensus, underlining the cohesion and the concern of the international community. He called on the Secretariat to make full use of the powers conferred on it by the resolution and to keep the Board regularly informed concerning its implementation.

41. Regrettably, it was all too clear from the Director General's report that Iran had not complied with Security Council resolution 1737 and had failed to suspend its enrichment-related activities and work on all heavy water-related projects, as required by the Security Council and the Board of Governors. Indeed, rather than suspend its enrichment activities, Iran had chosen to forge ahead with the assembly of several new cascades of centrifuges in the underground halls at Natanz. It had announced that it would continue the installation and would introduce feed material into the machines. Such an announcement raised serious concerns. Moreover, Iran had failed to provide the Agency with an explanation for the HEU and LEU contamination found at the technical university in January and December of the preceding year. Nor had Iran yet provided inspectors with the access they required to carry out further environmental sampling of equipment and materials related to the Physics Research Centre, or agreed to permit the Agency to interview another former head of that Centre. It had also not provided the Agency with a long requested 15-page document describing procedures for the casting and machining of enriched and depleted uranium metal into hemispheres. France, Germany and the United Kingdom deplored the fact that Iran had failed to take the opportunity to implement any of the required transparency measures which the Director General had described as essential for the clarification of certain aspects of the scope and nature of its nuclear programme.

42. The need for confidence building by Iran was as strong as ever. As the Director General had made clear at the Board's preceding series of meetings and in his latest report, given the existence in Iran of activities undeclared to the Agency for 20 years, it was necessary for Iran to enable the Agency, through maximum cooperation and transparency, to fully reconstruct the history of Iran's nuclear programme. Without such cooperation and transparency, the Agency would not be able to provide assurances about the absence of undeclared nuclear material and activities in Iran or about the exclusively peaceful nature of its programme.

43. Yet rather than choosing to provide the necessary cooperation and transparency, Iran was doing quite the opposite. It was attempting to prevent the Agency from carrying out its work by barring inspectors and refusing the designation of new inspectors. The Secretariat had indicated that that was unwelcome, that it reduced its operational flexibility and that it resulted in the less efficient use of resources. That was a clear indication of reduced cooperation by Iran. Moreover, Iran was objecting to and arguing over such standard measures as cameras and remote monitoring which the Agency required to implement Iran's safeguards agreement effectively and efficiently. Lastly, it was delaying and prevaricating over providing the Agency with the information it needed.

44. In view of that behaviour, the Secretariat should indicate whether it considered that Iran was implementing satisfactorily the requirements of its comprehensive safeguards agreement and of the nine resolutions of the Board of Governors.

45. He underlined the importance of Iran ratifying the additional protocol and implementing the necessary transparency measures in order to enable the Agency to verify the absence of undeclared nuclear material and activities in the country, as requested by the Board of Governors and the Security Council.

46. The Board needed to consider the implications, including the impact on its own credibility, of a member of the Agency refusing to comply with the repeated requests of the Board. France, Germany and the United Kingdom supported the Agency's and the Director General's repeated calls for Iran to change the course chosen by the authorities in Tehran. It was clear that confidence building was still at the very heart of the issue, and Iran's decision to ignore the repeated requests by the Board and the Security Council had reinforced the existing confidence gap. Nevertheless, France, Germany and the United Kingdom remained committed to a negotiated solution based on the far-reaching proposals they had made the preceding June, together with China, Russia and the United States of America, with the support of the EU High Representative, which would give Iran everything it needed to develop a modern civil nuclear power industry and provide a basis for wider cooperation. The decision whether to pursue that option for a negotiated solution lay with Iran. He urged Iran to take up the offer of double suspension, as endorsed recently by the Director General.

47. In conclusion, the Board should remain seized of the matter.

48. Mr. WIBOWO (Indonesia) said that, in dealing with the Iranian nuclear issue, the Agency was facing one of the most critical challenges in its history. Indonesia appreciated the Director General's reports and the numerous briefings by the Secretariat that were designed to give Member States a better understanding of the situation. It was important not to lose sight of the heart of the problem.

49. Progress would be made by building and restoring international confidence in the peaceful nature of Iran's nuclear programme. His country agreed that international confidence would only be restored when Iran took the long overdue decision to respond to all the Agency's questions and concerns about its previous nuclear activities in an open and transparent manner. At the same time, all parties should strive to create an atmosphere conducive to the peaceful settlement of the issue. Strong words, defiance, humiliation or threats would only serve to exacerbate the situation and could further heighten tensions in the region.

50. Indonesia firmly supported the basic and inalienable right of all States to develop nuclear energy for peaceful purposes. It was strongly opposed to the use, by any State in any region, of nuclear technology to pursue, build or acquire nuclear weapons.

51. Mr. LUMBANGA (United Republic of Tanzania)\* said that all States should have free access to modern nuclear technologies for peaceful purposes without obstacles or discrimination. His country welcomed the efforts of the international community, in particular France, Germany, the United

Kingdom, the European Union and Iran, and efforts through the Agency, to find a peaceful settlement to the Iranian issue. It hoped that Iran would be able to provide sufficient objective guarantees to restore the international community's confidence in the exclusively peaceful nature of its nuclear programme. Equally, it welcomed the visit by the representatives of NAM and the G-77 to Iran, which had provided an opportunity to assess nuclear material and facilities, and it encouraged Iran to continue to cooperate with the Agency's verification activities.

52. Ms. MACMILLAN (New Zealand)\* expressed her country's concern regarding the situation outlined in the Director General's report contained in document GOV/2007/8. New Zealand fully supported Security Council resolution 1737 (2006) and was disappointed that Iran had not chosen to comply with its provisions. It called on Iran to meet its obligations in full and take positive steps to rebuild the international community's confidence in its nuclear programme. To that end, it should cooperate fully with the Agency, suspend its enrichment activities and allow the Agency unrestricted access. Her country hoped for a peaceful negotiated solution to the Iranian issue and called on Iran to make every effort to ensure such an outcome.

53. Ms. GARCÍA DE PÉREZ (Bolivarian Republic of Venezuela)\* drew attention to the reference in the statement made by the representative of Cuba on behalf of NAM to operative paragraph 3 of General Conference resolution GC(XXXIV)/RES/533 concerning armed attack or threat of armed attack on a safeguarded nuclear facility.

54. The Director General's report contained in document GOV/2007/8 described in detail the situation regarding the Iranian issue and the development of Agency activities since the matter had gone beyond the framework of the Agency. As in previous reports, the Director General indicated that there was no evidence that Iran had diverted its nuclear programme to non-peaceful activities. It appeared that the Security Council, in adopting resolution 1737 (2006), had clearly intended to condemn Iran a priori for a supposed lack of information about its past nuclear programme. That approach, advocated by some States on the Board and now by the Security Council, infringed a general principle of law, namely the presumption of innocence. In approving the resolution, the Security Council had exceeded its powers by including on its agenda a subject for which the responsibility lay exclusively and directly with the Agency, in accordance with the latter's Statute.

55. Iran's peaceful nuclear activities were in accordance with the provisions of the NPT, which guaranteed the sovereign right of States Party to develop nuclear energy for peaceful purposes without discrimination. Iran had voluntarily implemented the provisions of the additional protocol until its nuclear file had been referred to the Security Council. Moreover, the demand that Iran sign and ratify an additional protocol ran counter to the sovereign right of that State to determine, in accordance with its internal constitutional requirements, its own political, economic and social priorities. Iran's efforts to foster greater cooperation should be evaluated by the Agency without pressure from any country, which could be detrimental not only for Iran but also for the collective interests of the rest of the members of the Agency.

56. Venezuela was concerned that the Security Council had assumed de facto, but not de jure, competencies conferred exclusively on the Agency in dealing with issues relating to the peaceful uses of nuclear energy. Such interference undermined the authority and credibility of the Agency in discharging its mandate in the areas of verification, and promotion and use of nuclear energy. The Agency remained the appropriate forum in which to seek a negotiated solution to the problem.

57. Her country reaffirmed the sovereign right of the Iranian people and Government to develop their nuclear industry for peaceful purposes. The parties involved should strive to find a diplomatic solution that would benefit not only the Middle East but also the international community as a whole, and that would encourage Iran to continue its cooperation with the Agency.

58. Mr. HIGUERAS RAMOS (Peru)\* expressed concern that the Agency continued to face difficulties in making further progress in its efforts to verify fully the development of Iran's nuclear programme, and certain elements related to its scope and nature. The Agency had to be able to carry out its function in that regard to guarantee the right of all States to develop research, production and use of nuclear energy for peaceful purposes without discrimination. It was essential that dialogue between the parties concerned be resumed in order to strengthen the non-proliferation regime and promote peace and security.

59. With regard to the statement made on behalf of NAM on the current item and other related items on the Board's agenda, although Peru did not wish to oppose the consensus reached it wished to express its reservations on two subjects: firstly, the content of some chapters and paragraphs of the final document of the 14th Summit Conference of the NAM held in September 2006, which were not consistent with the principles of Peru's foreign policy, in particular concerning non-proliferation, disarmament and international security; and secondly, the statement on the Islamic Republic of Iran's nuclear issue annexed to the final document.

60. Mr. ELDIN ELAMIN (Sudan)\* said that his country supported Iran's right to use nuclear energy for peaceful purposes, a position that had been reaffirmed at the highest level during the recent visit of the Iranian President to Sudan. Iran had invested considerable resources in its peaceful nuclear programme to further the economic interests of the Iranian people, and it would therefore not be realistic to call on it to renounce its nuclear programme.

61. Sudan hoped that the Board would continue to play its rightful role and keep the Iranian nuclear issue under review. The Agency was the sole competent authority in the nuclear area, and a scientific dialogue should be maintained to enable it to deal with the Iranian issue without external interference. A selective approach would be counterproductive and call into question the seriousness with which the dangers of non-proliferation were being addressed. Some countries had not as yet subjected their nuclear programmes to any Agency safeguards and double standards should be avoided.

62. Mr. SOLTANIEH (Islamic Republic of Iran)\* expressed his country's sincere appreciation for the valuable support of the Member States belonging to NAM.

63. Iran's first efforts to gain access to nuclear technology dated back to the 1950s. The first country to encourage Iran to acquire nuclear technology and to transfer it to Iran had now become the first serious opponent of his country's peaceful nuclear programme. Following the Islamic revolution and the overthrow of the former regime, Iran had decided to continue its membership of the NPT and to comply with its obligations under the Treaty, its safeguards agreement and the Agency's Statute. Despite that goodwill gesture, the country's valid nuclear contracts had been terminated: Siemens had declined to complete the Bushehr nuclear power plant; and other Western countries, in particular the United States, had declined to transfer any equipment or nuclear technology to Iran. That was an example of double standards and a discriminatory policy whereby those countries only supported another country's programme if it was in line with their interests.

64. Iran's main objective in developing nuclear technology was to produce electricity. Based on the country's economic growth and a decision by its parliament, Iran hoped to implement a 20 000 MW nuclear power programme by 2025, constructing power plants and providing fuel for them from internal and external resources. Iran's decision to pursue an indigenous fuel cycle programme was prompted by the discrimination and double standards of other countries.

65. For example, under a contract concluded prior to 1979, the United States was obliged to supply new fuel for the 5 MW research reactor in Tehran, which produced radioisotopes for use in medicine, agriculture and industry. After the revolution, the United States had refused to deliver the fuel, contrary to its obligations. Iran had 60 tonnes of UF<sub>6</sub> in Europe which it had not yet received. The

initial fuel for the Bushehr power plant, which had been purchased from Siemens, had been blocked for 25 years and finally the licence for export to Iran had been waived. In 1975, Iran had purchased a 10% share in the EURODIF uranium enrichment plant that was being built in France. However, Iran had not received even a gram of uranium, which it desperately needed for its reactor producing radioisotopes mainly for medical purposes. The Agency had established the Committee on Assurances of Supply with a view to codifying internationally recognized principles and legally binding instruments to assure sustainable nuclear supply. The Committee had failed in 1987 after 7 years of intensive deliberations.

66. Iran had demonstrated goodwill and a lot of patience in removing ambiguities, taking confidence-building measures which went beyond its legal obligations and cooperating with the Agency and other parties. More than 2100 man-days of inspection had been carried out at Iranian nuclear facilities and all enrichment and uranium conversion activities had been suspended voluntarily for two and a half years.

67. Iran had signed an additional protocol and implemented it voluntarily for over two years, providing unlimited access to all nuclear material and facilities, granting more than 20 requests for complementary access under the additional protocol and more than 26 requests for access to military sites. It had submitted and updated more than 1000 pages of declarations under the additional protocol and, more importantly, had put forward a new initiative by the President of Iran in the United Nations General Assembly inviting other governments and foreign companies to participate in its enrichment activities. In addition, it had continued to comply with its obligations under its comprehensive safeguards agreement and the Agency had been able to carry out inspections without any hindrance.

68. With regard to the 38 inspectors, it was crystal clear that, under its safeguards agreement, Iran, like all Member States, had the full right to accept or reject designated inspectors. Exercising that right was completely legal and fully compatible with the Agency's Statute and had no impact on ongoing inspections in Iran.

69. All nuclear activities in Iran, including enrichment activities, were being carried out in accordance with the Statute, the NPT and the country's safeguards agreement, under comprehensive safeguards and continuous monitoring by the Agency through the presence of inspectors and cameras. The Director General's report contained in document GOV/2007/8 reflected some of the facts, with regard to which some other speakers had been rather selective. Thus paragraph 5 indicated that the Agency had completed its evaluation of the physical inventory verification of nuclear material at the pilot fuel enrichment plant carried out between 16 and 18 September 2006 and had concluded that the inventory of nuclear material, as declared by Iran, was consistent with the results of the physical inventory verification. Paragraph 6 indicated that, on 18 December 2006, Iran had provided Agency inspectors access to operating records concerning the product and tails assay at the pilot fuel enrichment plant. With regards to paragraph 7, the verification arrangements at the fuel enrichment plant, involving frequent inspector access and cameras, were now in place. Paragraph 10 indicated that, during January and February 2007, the Agency had collected baseline environmental samples and had begun the installation of containment and surveillance measures at the fuel enrichment plant. Paragraph 12 stated that there were no indications of ongoing reprocessing activities at those facilities, or at any other declared facilities in Iran. Paragraph 13 stated that, on 29 January 2007, the Agency had carried out a design information verification at the IR-40 reactor. Paragraph 15 of the report supported Iran's statement about the foreign origin of the contamination. Paragraph 16 indicated that, in a letter dated 30 November 2006, Iran had agreed to permit the Agency to resample equipment at the technical university in Tehran and that the resampling had been carried out on 22 December 2006. Paragraph 22 confirmed that all UF<sub>6</sub> produced remained under Agency containment and surveillance measures. Paragraph 26 indicated that, pursuant to its safeguards agreement, Iran had been providing the Agency with access to declared nuclear material and facilities and had provided the required

nuclear material accountancy reports in connection with such material and facilities. Paragraph 27 stated that the Agency was able to verify the non-diversion of declared nuclear material in Iran. Finally, paragraph 28 indicated that there had been no indication of reprocessing-related activities at any declared sites in Iran.

70. Since the Director General's report of November 2006, contained in document GOV/2006/64, Iran had cooperated with the Agency in facilitating verification activities through over 100 man-days of inspection. Further inspection activities had been carried out at the pilot fuel enrichment plant, the fuel enrichment plant and the IR-40 reactor. At the fuel enrichment plant, 18 inspections had been carried out, amounting to 44 man-days of inspection, 7 new surveillance cameras had been installed all of which were in operation, and the Agency's metal seals had been applied at 22 sensitive points in the facilities. At the pilot fuel enrichment plant, 14 inspections had been carried out, amounting to 31 man-days of inspection, to conduct an interim inventory verification and design information verification. During the construction work at the IR-40 reactor there had been two inspections, amounting to four man-days, and a design information verification had been performed.

71. As reflected in various reports by the Director General, Iran's constructive approach had led the Agency to conclude that all declared nuclear material in the country had been accounted for, and no evidence of diversion had been found. The Agency had reiterated that assessing the absence of any undeclared nuclear material was a time-consuming process. That situation did not apply only to Iran but to 46 other countries, including Germany and 13 other Western European countries. The United States, United Kingdom and France were totally exempt from that criterion. On the other hand, only 24 States had received confirmation that there was no evidence of undeclared nuclear material or activities in their countries, and many of them had no nuclear activities at all.

72. The Iranian nuclear issue had been reported to the Security Council in clear contradiction of Article XII.C of the Agency's Statute, which stated that "the inspectors shall report any non-compliance to the Director General who shall thereupon transmit the report to the Board of Governors". Not only had that never happened but, on the contrary, all of the Agency's reports had confirmed that there was no diversion of nuclear material in Iran. Regrettably, the Iranian file had only been referred to the Security Council because of the resumption of voluntarily suspended R&D enrichment activities, though the Board in its previous resolutions had recognized that the suspension was a voluntary and non-legally binding measure.

73. Iran had repeatedly stated that no reprocessing activities were being conducted in the country, which had been reconfirmed by the Director General's report. Therefore, the resolutions of the Board and Security Council were requesting the suspension of an activity which did not exist. Such a request had no legal basis and was meaningless.

74. The 40 MW heavy water research reactor at Arak was a replacement for the 5 MW Tehran research reactor whose operating lifetime was about to expire. The new reactor would produce isotopes for medical, agricultural and industrial applications.

75. The Director General had paid his first visit to Iran in 2000, when he had been thoroughly informed of the AEOL's intention to undertake certain activities in the field of nuclear fuel cycle technology and the construction of facilities such as the uranium conversion facility. Although Iran had not adhered to the newly modified Subsidiary Arrangements at that time, it had willingly submitted a design information questionnaire for the uranium conversion facility in Esfahan and other activities related to the nuclear fuel cycle. The Agency had received that design information questionnaire in 2000, almost 4 years before Iran was obliged to inform the Agency under its comprehensive safeguards agreement. The Director General had been invited to Iran again in 2003, when he had visited the pilot fuel enrichment plant at Natanz. He had expressed no doubt that the



establishment of a uranium enrichment facility was not in contravention of Iran's safeguards obligations and Iran was not obliged to submit the design information questionnaire for the plant before the visit since, according to its comprehensive safeguards agreement, that was only necessary 180 days prior to the introduction of nuclear material. Thus, the notion of 20 years of undeclared activities was absolutely incorrect and misleading.

76. Iran had reiterated its full readiness and willingness to negotiate on the modality for resolving outstanding issues with the Agency, subject to assurances that those issues would be dealt with within the framework of the Agency without interference from the United Nations Security Council. His country could not understand why that clear message had not been understood. The Agency was an independent verification organization and any interference by the Security Council would weaken it. Iran was the only country to implement the additional protocol voluntarily, even going beyond the obligations contained therein. Those countries which had derailed the issue should be blamed for making a historical mistake. However, Iran was ready to resolve the few remaining issues in a manner outlined in its letters dated 27 April 2006 and 19 February 2007.

77. After more than 30 years, it was a matter of great regret that the United States and some of the nuclear-weapon States were not yet in compliance with the NPT. They countenanced the vertical and horizontal proliferation of nuclear weapons and had even threatened non-nuclear-weapon States with those weapons. They had taken no concrete or practical steps towards nuclear disarmament, not even showing their willingness to start negotiations to that end. They had not fulfilled their NPT obligations on peaceful nuclear cooperation and had even hindered others in their development of peaceful nuclear programmes, using illegal and threatening approaches. The United States was developing new types of easy-to-use nuclear weapons and the United Kingdom was developing a new generation of nuclear warheads. Some nuclear-weapon States had totally ignored the commitments made at the 2000 NPT Review Conference, in particular the 13 practical steps for nuclear disarmament. It was surprising that those few countries had identified themselves as the guardians of the NPT, based on groundless and fabricated information. They were aiming to divert the attention of the international community and the public from their nuclear arsenals and their commitments under the NPT by making accusations against a country that had clearly stated that weapons of mass destruction had no place in its defence doctrine. Unfortunately, with that hidden agenda they had undermined the credibility and integrity of international organizations by exploiting them and ignoring the principles of impartiality and non-discrimination which were the most important factor in ensuring the legitimacy of such organizations. How was it possible to maintain the integrity and credibility of the NPT in circumstances where non-nuclear-weapon States were deprived of their inalienable right to use nuclear energy for peaceful purposes?

78. Despite Iran's cooperation and its non-diversion, a few countries with political motivations had derailed the issue from its proper course in contravention of the Agency's Statute. By imposing their political will through the Security Council, they were trying to deprive Iran of its legal and legitimate right to the peaceful use of nuclear energy. There was no legal, logical or even political justification for involving the Security Council. The measures taken in that regard undermined the foundations and principles of the NPT and United Nations Charter. Such measures could only be interpreted as penalizing a country which adhered to all international disarmament and arms control instruments and was committed to its obligations. At the same time, some other countries which were apparently violating international law not only met with no punitive response but were being rewarded. The Israeli regime remained outside the relevant international instruments and continued its quantitative and qualitative development of nuclear weapons without any international pressure or monitoring. Those countries pushing the Security Council to take punitive measures against Iran's peaceful nuclear programme continued to hinder any action by the Security Council against Israel to force it to abide by

the NPT regime. In doing so, they had given wide latitude to that country and even encouraged it to increase its clandestine and prohibited possession of nuclear weapons.

79. Iran had been providing the Agency with access to all its nuclear material and facilities pursuant to its NPT safeguards agreement, thereby allowing verification of the non-diversion of declared nuclear material in the country. Meanwhile, the United States and Israel had been making daily high-level threats to attack Iranian safeguarded peaceful nuclear facilities in clear violation of Article 2.4 of the United Nations Charter. Iran had already documented those unlawful and dangerous threats by sending official letters to the United Nations Secretary-General and the Director General of the Agency.

80. As recognized by the Board in previous resolutions, any act of aggression against a safeguarded nuclear installation constituted an attack against the Agency. Moreover, 188 NPT States Party in the final document of the 2000 NPT Review Conference had emphasized that any attack or threat of attack on nuclear facilities devoted to peaceful purposes jeopardized nuclear safety, had dangerous political, economic and environmental implications and raised serious concerns regarding the application of international law on the use of force in such cases, which could warrant appropriate action in accordance with the provisions of the Charter of the United Nations. According to General Conference resolution GC(XXXIV)/RES/533, any attack or threat of attack on a safeguarded nuclear facility, whether in operation or under construction, would create a situation in which the Security Council would have to act immediately in accordance with the provisions of the United Nations Charter. The continued inaction of the Security Council in such critical cases might jeopardize the national security and interests of the country under attack or threat of attack. Given Israel's current and past behaviour in making threats against the safeguarded nuclear facilities of other countries, the Agency and its Board of Governors should fulfil their responsibilities and obligations.

81. In conclusion, he emphasized that weapons of mass destruction had no place in Iran's defence doctrine and, according to a religious decree issued by the supreme leader of the Islamic Republic of Iran, such inhuman weapons were considered prohibited and against Islamic law. Iran believed that the only constructive and rational approach for interaction and common understanding on the issue was through negotiation, as long as it was without preconditions. The main objectives of the negotiations should be to guarantee Iran's inalienable rights under Article IV of the NPT, including the right to undertake enrichment and fuel cycle activities, and to consider ways and means of ensuring the non-diversion of Iran's nuclear activities from peaceful purposes. Iran welcomed any constructive proposal in that regard. If other parties claimed to be ready for negotiations, they should sincerely and without any political motivation enter into such negotiations. His country remained ready to resolve the few outstanding issues with the Agency. It was committed to its obligations under its comprehensive safeguards agreement and continued to comply with the provisions of that agreement and provide access to Agency inspectors. It was ready to negotiate with interested parties on mechanisms that could guarantee the non-diversion of Iran's peaceful activities in the future. The Iranian nuclear issue should be dealt with outside the Security Council, since that path had no sound legal basis. Any further steps taken by the Security Council would only complicate the situation, were counterproductive and undermined the current efforts to resume negotiations. Emphasizing that Iran's nuclear fuel cycle programmes were aimed at the industrial production of fuel needed for its reactors and power plants, he stressed that there was no capacity at any level for the production of nuclear material that could be used for nuclear weapons. Iran was a responsible State and continued to comply with its obligations under the NPT. However, it would not suffer intimidation and threats and would never give up its inalienable right to the peaceful use of nuclear energy. Iran was a peace-loving country and had not initiated any wars or aggression during the preceding two centuries. However, it would resist firmly and courageously any bullying.

82. The CHAIRMAN said that the Board had taken note with appreciation of the Director General's report, contained in document GOV/2007/8, on the implementation of the NPT safeguards agreement and relevant provisions of Security Council resolution 1737 (2006) in the Islamic Republic of Iran. The Board had commended the Director General and Secretariat for their professional and impartial work on that issue.

83. Several members had expressed regret that Iran had not complied with the obligations established by the Security Council in resolution 1737 related to the suspension of all enrichment-related and reprocessing activities and work on all heavy water-related projects, and that Iran had instead continued its enrichment activities and had declared its intention to install additional cascades of centrifuges.

84. Several members had expressed regret that, contrary to the resolutions of the Board and Security Council, no progress had been made towards clarifying outstanding questions relating to the scope and nature of Iran's nuclear programme, and had expressed concern that Iran had not provided the Agency with access to relevant locations, information and individuals, and the transparency measures needed to clarify those issues. They had expressed support for the Director General's assessment that the Agency would remain unable to make further progress in its efforts to verify the absence of undeclared nuclear material and activities in Iran unless Iran addressed the long outstanding verification issues through the implementation of the additional protocol and the required transparency measures.

85. Several members had expressed their concern about Iran's decision not to approve the designation of 10 inspectors and to object to the continued designation of an additional 38 inspectors, and had called on Iran to reconsider its decision. They had underlined Iran's need to provide the Agency with full transparency and to implement fully the measures called for by the Board and the Security Council, in order to establish the necessary confidence in the exclusively peaceful nature of its nuclear programme.

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

87. Several members had noted the Secretariat's assessment that all declared nuclear material in Iran had been accounted for, while recognizing that the Agency's work on verifying the completeness of Iran's declarations was ongoing. Several members had encouraged Iran urgently to continue cooperating actively and fully with the Agency, within its mandate, to help resolve outstanding issues.

88. They had also reiterated their support for the establishment of a nuclear-weapon-free zone in the Middle East region. They had stated that any attack or threat of attack against peaceful nuclear facilities would pose a great danger and constitute a grave violation of international law.

89. Several members had emphasized that the Agency was the sole competent authority for nuclear verification in connection with the NPT and that the Agency should continue its work to resolve the Iranian nuclear issue.

90. The continued need for negotiation and dialogue among all parties covering all relevant issues had been emphasized as the way to reach a long-term solution to the Iranian nuclear issue. The package proposal of the six countries, with the support of the EU High Representative, and the responses thereto had been noted.

91. Several members had noted the Director General's proposal for a timeout, providing for the suspension by Iran of its enrichment-related activities and the suspension by the Security Council of

the application of sanctions, which could provide a basis for renewed dialogue. They had felt that such a proposal merited serious consideration.

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

93. He asked whether his summing up was acceptable.

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

95. The CHAIRMAN took it that the Board agreed to the requests to make public the report of the Director General contained in document GOV/2007/8.

96. It was so decided.

## **6. Report by the Director General on cooperation between the Islamic Republic of Iran and the Agency in the light of United Nations Security Council resolution 1737 (2006) (GOV/2007/7)**

97. The CHAIRMAN said that, on 23 December 2006, the United Nations Security Council had adopted resolution 1737 (2006). Document GOV/2007/7 contained the Director General's report on his evaluation of the Agency's technical cooperation with Iran and associated projects and activities which, in his view, might continue to be implemented or should be placed on hold in light of that resolution. The document recommended that the Board take note of the resolution and concur with the Secretariat's understanding of the actions required of the Agency by Member States with respect to cooperation between Iran and the Agency.

98. The Secretariat had held a briefing on the issues for Member States on 12 February 2007 which had been widely attended.

99. Ms. CETTO (Deputy Director General for Technical Cooperation), presenting the report contained in document GOV/2007/7, said that it was the outcome of a very thorough review by the Secretariat of the Agency's cooperation with Iran, including its technical cooperation programme. The evaluation covered all projects in that programme, regardless of the source of funding, including currently unfunded footnote-a/ projects. Altogether, 15 national and 40 regional and interregional projects had been considered. They had been grouped in three categories, applying the best judgement of the Secretariat, which it hoped the Board would agree with. Based on that evaluation, some ongoing activities had been put on hold.

100. If the Board agreed, the Secretariat would keep it informed periodically of the status of implementation of the report.

101. Mr. ELDIN ELAMIN (Sudan)\*, speaking on behalf of the Group of 77 and China, said that the Group noted with appreciation the assurance provided by the Secretariat that all projects already included in the technical cooperation programme had been formulated in accordance with the Agency's Statute and document INFCIRC/267.

102. The Group attached great importance to the Agency's technical cooperation activities, as they were the main statutory vehicle for transferring nuclear technology to developing countries for their

socio-economic development. The promotion of peaceful applications of atomic energy constituted a fundamental element of the Agency's statutory activities.

103. The Group remained confident that the Secretariat developed the technical cooperation programme in a professional, impartial and non-discriminatory manner, following a well established process, based on Member States' needs and proposals, and in line with the Agency's Statute. Article III.C of the Statute stated that: "in carrying out its functions, the Agency shall not make assistance to members subject to any political, economic, military, or other conditions incompatible with the provisions of this Statute". The Group believed that any political conditions imposed on technical cooperation projects under the auspices of the Agency, as the world's focal point for mobilizing peaceful applications of nuclear science and technology to address critical needs in developing countries, would weaken the Agency's constructive role in promoting the peaceful uses of nuclear energy, thus undermining its credibility.

104. Ms. GOICOCHEA ESTENOZ (Cuba), speaking on behalf of NAM, said that technical cooperation was one of the main pillars of the Agency's activities and the transfer and peaceful uses of nuclear technology were important for sustainable development. One of the Agency's main statutory objectives was to accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world. Promotional activities, which were essential to fulfilling the Agency's mandate and were accomplished through technical assistance and cooperation, constituted key incentives for developing countries.

105. NAM had full confidence in the professionalism and impartiality of the Secretariat. In the final document of the NAM Summit held in Havana in September 2006, Heads of State or Government had stressed particularly the responsibility of developed countries to promote the legitimate need of nuclear energy of the developing countries, by allowing them to participate to the fullest possible extent in transfer of nuclear equipment, materials, scientific and technological information for peaceful purposes with a view to achieving the largest benefits and applying pertinent elements of sustainable development in their activities. In addition, they had expressed their strong rejection of attempts by any Member State to use the IAEA technical cooperation programme as a tool for political purposes in violation of the IAEA Statute.

106. Finally, the technical cooperation programme should not be used as a tool for political purposes, and decisions and actions relating to the issue under discussion should not jeopardize the credibility of the Agency and the integrity of its programmes.

107. Mr. GOTTWALD (Germany), speaking on behalf of the European Union, the candidate countries Croatia, the Former Yugoslav Republic of Macedonia and Turkey, the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro and Serbia, the EFTA countries Iceland and Liechtenstein, members of the European Economic Area, as well as the Republic of Moldova and Ukraine, said that the EU strongly supported the Agency's technical cooperation activities and the EU member States, collectively, were the largest contributor to that programme. The Agency needed adequate financial and human resources to meet its technical cooperation responsibilities effectively and the EU called on all States to pay their agreed shares in full and on time. It also attached great importance to the principle of consensus in approving the technical cooperation programme.

108. Article IV of the NPT enshrined the inalienable right of all States Party to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I, II and III of the Treaty. In exercising that right, they were required to observe non-proliferation commitments, implement Agency safeguards and pursue peaceful purposes in accordance with the principle of good faith. Under Article II of its Statute the Agency was required to seek to

accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world and to ensure, so far as it was able, that the assistance provided by it was not used in such a way as to further any military purpose.

109. Security Council resolution 1737 (2006), adopted as a result of the Iran's non-compliance with Security Council resolution 1696 (2006), restricted the scope of the Agency's cooperation with that country. Pursuant to it, the Agency had undertaken a comprehensive examination of its cooperation with Iran. Document GOV/2007/7 reflected a thoughtful and comprehensive understanding of Security Council resolution 1737 and contained a list of technical cooperation projects to be continued, discontinued or examined on a case-by-case basis.

110. It was the understanding of the EU that no assistance would be provided to Iran in the proliferation-sensitive areas of enrichment, reprocessing or heavy water-related activities, or the development of nuclear weapon delivery systems. Pursuant to paragraph 16 of Security Council resolution 1737, assistance could only be provided for food, agricultural, medical, safety or other humanitarian purposes, or in the areas specified in paragraphs 3(b)(i) and (ii) of the resolution. Of the 55 projects identified by the Agency in which Iran was or might be participating, 22 had been discontinued or would only be implemented on a case-by-case basis in compliance with the resolution.

111. The EU encouraged the Agency to step up its consultations with Member States with a view to providing transparent, immediate and comprehensive information on all technical assistance extended to the Islamic Republic of Iran, not only under the technical cooperation programme. All projects should be fully consistent with Board and Security Council resolutions throughout their implementation. The Board should be kept informed of developments.

112. Mr. SCHULTE (United States of America) commended document GOV/2007/7 and said that his country could join the consensus on the adoption of the recommendations contained therein. He requested regular reporting on decisions taken following case-by-case screening of technical cooperation projects that had not been cancelled. He also welcomed the establishment of internal procedures to ensure that no activity outside the technical cooperation programme contributed to proliferation-sensitive nuclear activities prohibited by the Security Council.

113. The Secretariat should report comprehensively to the Board, and to the Security Council committee established pursuant to resolution 1737, on all Agency-sponsored activities in which Iran was participating or planned to participate, including the scope and character of the activity, any items or equipment to be shared or demonstrated and the funding of the activity. A detailed description should also be provided of the procedures for reviewing Iranian participation in Agency-sponsored activities within or outside the technical cooperation programme.

114. Some of the projects listed in the TCPRIDE database did not correspond to those listed in the Director General's report or were missing from the report. According to the Agency, those projects had been completed. He urged the Agency to ensure that the database was updated in a timely manner.

115. The United States strongly supported the technical cooperation programme and was committed to ensuring that it was used only for peaceful purposes and in conformity with relevant Board and Security Council resolutions.

116. Mr. LUNDBY (Norway), noting that his country had recently reported to the Security Council on its implementation of resolution 1737 (2006), said that Norway remained strongly committed to the technical cooperation programme as a vital component of the Agency's mandate. Technical cooperation was of fundamental importance in the context of the peaceful uses of nuclear energy. It was also vital for many countries' economic and social development and hence for their active support of the Agency.

117. Security Council resolution 1737, which had been adopted unanimously, defined the permissible scope of technical cooperation with Iran. The Agency had impartially evaluated all technical cooperation activities with Iran in the light of the resolution and on the basis of objective criteria, and the Board had now to take a decision in that regard. Norway supported the Agency's understanding of the actions required in respect of cooperation with Iran and hoped that other members of the Board could also endorse its approach.

118. Mr. OTHMAN (Syrian Arab Republic) said that Article III of the Statute authorized the Agency to encourage and assist research on nuclear energy, to act as an intermediary for securing the performance of services or the supply of materials, equipment or facilities by one member of the Agency for another, to make provision for materials, services, equipment and facilities to meet the needs of research on nuclear energy, and to encourage the exchange and training of scientists and experts in the field of peaceful uses of atomic energy. The technical cooperation programme was clearly the most important means of achieving those aims.

119. Technical cooperation projects were approved after careful scrutiny of their goals, benefits and expected outcomes. They were submitted to the Agency's Technical Assistance and Cooperation Committee and to the Board of Governors for a final decision.

120. His country was surprised at the Agency's proposal to suspend certain projects, since their purpose was to assist Member States in designing activities that were consistent with the Agency's technical cooperation strategy, complied with the Agency's standards and would contribute towards achieving the Millennium Development Goals.

121. The report contained in document GOV/2007/7 placed a weighty responsibility on the Board to maintain a balance between the Agency's obligation to comply with Security Council resolution 1737 (2006) and its vital role in making nuclear technology available to Member States. It was also difficult to balance a State's right in principle to use nuclear technology for peaceful purposes against the need to reassure the international community with regard to the technical assistance being provided to one of the Agency's Member States.

122. While his country appreciated the Agency's response to the Security Council resolution, it felt that more information and clarifications were required about the mechanism for implementing the resolution. He cautioned against drawing exaggerated conclusions from its provisions. Withholding nuclear technology from a State without real and clear-cut justifications could undermine confidence in the Agency's role in promoting such technology. His country was also opposed to any external interference in the Agency's work or any attempt to bring outside pressure to bear on it.

123. Ms. GERVAIS-VIDRICAIRE (Canada) said that, at national level, her country had already adopted the measures required by Security Council resolution 1737 (2006). It was pleased to note that document GOV/2007/7 set out clearly the considerations on which its recommendations were based. The Agency should diligently apply those considerations in analysing its cooperation on a case-by-case basis and should keep the Board informed of relevant developments.

124. A Board decision in favour of the recommended action had no bearing on the right to the peaceful use of nuclear energy enshrined in Article IV of the NPT. The benefits granted by Article IV had to be viewed in the context of the obligations contained in Articles II and III. Moreover, the Board's decision would not affect the legitimate right of States that complied with their safeguards obligations to enjoy the benefits of Agency technical assistance and cooperation in keeping with the Statute. The circumstances of the recommended decision were unique to Iran, which had been found to be in breach of its safeguards agreement.

125. Her country therefore supported the recommended action.

126. Mr. WIBOWO (Indonesia) said that the Agency's technical cooperation programme was an important means of promoting peaceful uses of nuclear energy for sustainable socio-economic development in Member States and a fundamental element of the Agency's statutory activities. The greater the trust placed in the Agency, the better its performance would be in that regard. At the current critical juncture, Member States should support the Agency in maintaining and strengthening its impartiality, credibility and professionalism in the area of technical cooperation.

127. The Agency's evaluation of the projects set out in document GOV/2007/7 was based on sound judgement. He stressed the importance of the principle that Member States were free to request technical cooperation projects in accordance with the Statute and that assistance should not be subject to any political, economic, military or other conditions that were incompatible with the Statute. The politicization of technical cooperation would undermine the Agency's constructive role in promoting peaceful uses of nuclear energy and would erode its credibility.

128. Mr. KIM Byung-Ho (Republic of Korea) said that his country supported for the actions recommended by the Agency regarding technical cooperation with the Islamic Republic of Iran. It welcomed the assurance that the Agency would keep all such programmes under review in order to ensure that none would contribute to proliferation-sensitive nuclear activities, as required by Security Council resolution 1737 (2006).

129. While the Republic of Korea strongly supported the Agency's technical cooperation programme as an integral part of its mission, it firmly believed that technical cooperation should be planned and implemented in a manner consistent with relevant Board and Security Council resolutions in order to uphold non-proliferation norms.

130. Mr. SHANNON (Australia) said that Australia strongly supported the Agency's technical cooperation programme and consistently contributed its full share of the TCF target in full and on time. It also supported Article IV of the NPT which guaranteed States Party that complied with their non-proliferation and safeguards obligations under Articles I, II and III the right to develop research, production and use of nuclear energy for peaceful purposes.

131. As noted by the Director General in his opening remarks, the circumstances surrounding Iran's nuclear programme were sui generis. The United Nations Security Council had taken steps to limit the Agency's technical cooperation with Iran through a legally binding Chapter VII resolution because of Iran's non-compliance with its international obligations and the international community's continuing lack of confidence in its nuclear programme.

132. His country welcomed the transparent approach adopted in document GOV/2007/7, which presented a detailed project-by-project analysis as well as a legal overview. Australia was prepared to endorse that approach and encouraged others to do likewise. It looked forward to ongoing transparency in the Agency's implementation of the measures foreseen in the report and welcomed the Director General's confirmation that monitoring mechanisms had been put in place to ensure compliance with Security Council resolution 1737 (2006). He encouraged the Secretariat to report at regular intervals to the Board on all technical assistance provided to Iran, not only under the technical cooperation programme, including information on project activities to be carried out on a case-by-case basis. The Board and Member States could then be confident that they were implementing their binding legal obligations arising from the Security Council resolution.

133. Mr. GASHUT (Libyan Arab Jamahiriya) said that document GOV/2007/7 reflected the Agency's aspiration to continue ensuring that nuclear energy contributed to socio-economic development in the areas of health, water, food, education and training. Obviously, regional and interregional projects were not designed to benefit a single State but all States belonging to the regions concerned. It was therefore wrong to prohibit a particular State from participating in such projects. A



blind eye was turned to Israel, which had not signed the NPT or placed its facilities under Agency safeguards and which ignored Security Council resolutions, but another State was targeted and barred from participating in a peaceful cooperation programme. His country was not defending Iran, but rather encouraging it to cooperate transparently with the Agency and respond to all requests for clarification set out in the Director General's report on implementation of Iran's NPT safeguards agreement (document GOV/2007/8). It was clear, however, that a policy of double standards would not lead to international peace and security but would undermine stability and lead to aggression. He wondered how long the international community would continue to pursue such a policy at the expense of security and peace.

134. The Libyan Arab Jamahiriya had consistently sought to advance the cause of peace at relevant regional and international events and had complied with all pertinent international instruments. In a historic move, his country had voluntarily abandoned all programmes and materials that might be used for the production of weapons of mass destruction. He urged other countries which possessed or sought to possess such weapons to follow suit. On the other hand, States should not be barred from participating in nuclear energy projects and programmes on the pretext that they might be used for non-peaceful purposes. What counted for the international community was the obligations entered into by States when they signed non-proliferation and disarmament treaties, especially since competent bodies existed to verify their compliance with those obligations.

135. He called on the Agency to work with Member States to safeguard their national projects before taking any action that might impair their development programmes.

136. Mr. TANG Guoqiang (China) said that China attached great importance to the Agency's technical cooperation activities in the belief that such activities would effectively promote peaceful uses of nuclear energy in Member States. In exercising their right to the peaceful use of nuclear energy, States should comply strictly with their international obligations. China was in favour of implementing the relevant Security Council resolutions, but was opposed to any random expansion of the scope of sanctions.

**The meeting rose at 5.50 pm**