

IAEA Board of Governors

Record of the 1187th Meeting
GOV/OR.1187

Implementation of the NPT safeguards agreement and relevant provisions of
Security Council resolutions 1737 (2006) and 1747 (2007) in the
Islamic Republic of Iran

Board of Governors

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Record of the 1187th Meeting

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¹ GOV/2007/33.

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)
Mr. CURIA	_____	Argentina
Mr. SHANNON		Australia
Mr. STELZER		Austria
Mr. MACKAY		Belarus
Mr. BAZOBERRY		Bolivia
Mr. VALLIM GUERREIRO		Brazil
Ms. GERVAIS-VIDRICAIRE		Canada
Mr. SKOKNIC		Chile
Mr. SUN Qin	}	China
Mr. TANG Guoqiang		
Ms. QUINTERO CORREA		Colombia
Mr. HORVATIĆ		Croatia
Ms. GOICOCHEA ESTENOZ		Cuba
Mr. RAMZY		Egypt
Mr. KEBEDE		Ethiopia
Ms. KAUPPI		Finland
Mr. CARON		France
Mr. GOTTWALD		Germany
Mr. CRICOS		Greece
Mr. SHARMA		India
Ms. LISTYOWATI		Indonesia
Mr. AMANO		Japan
Mr. KIM Sung-Hwan		Korea, Republic of
Mr. ALOBIDI		Libyan Arab Jamahiriya
Mr. ZNIBER		Morocco
Mr. OSAISAI		Nigeria
Mr. AAS		Norway
Mr. SHAHBAZ		Pakistan
Mr. BERDENNIKOV		Russian Federation
Mr. GRLICAREV		Slovenia
Mr. MINTY		South Africa
Mr. PETERSSON		Sweden
Mr. OTHMAN		Syrian Arab Republic
Mr. ARTHAKAIVALVATEE		Thailand
Mr. MACGREGOR		United Kingdom of Great Britain and Northern Ireland
Mr. SCHULTE		United States of America
Mr. ELBARADEI	_____	Director General
Mr. ANING		Secretary of the Board

Representatives of the following Member States also attended the meeting:

Albania, Algeria, Angola, Armenia, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Estonia, Guatemala, Holy See, Hungary, Iceland, Islamic Republic of Iran, Iraq, Ireland, Israel, Italy, Jordan, Kuwait, Lebanon, Lithuania, Malaysia, Malta, Mexico, Netherlands, New Zealand, Philippines, Poland, Portugal, Romania, Saudi Arabia, Serbia, Slovakia, Spain, Sri Lanka, Sudan, Switzerland, The Former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, Bolivarian Republic of Venezuela, Yemen, Zimbabwe.

Abbreviations used in this record:

ASEAN	Association of Southeast Asian Nations
DPRK	Democratic People's Republic of Korea
EFTA	European Free Trade Association
HEU	high-enriched uranium
LEU	low-enriched uranium
LWR	light-water reactor
NAM	Non-Aligned Movement
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
NPT Review and Extension Conference	Review and Extension Conference of the Parties to the 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
NWFZ	nuclear-weapon-free zone
P-5	The five permanent members of the United Nations Security Council

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

6. Nuclear verification

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

1. Mr. GOTTWALD (Germany), speaking on behalf of the European Union, said that the candidate countries Croatia, the Former Yugoslav Republic of Macedonia and Turkey, the countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro, and Serbia, the EFTA country Iceland, member of the European Economic Area, and Moldova and Ukraine associated themselves with the statement that he was about to make.
2. The European Union supported the common goal of the parties to the six-party talks — to achieve the early denuclearization of the Korean Peninsula in a peaceful manner — and welcomed their political will. It looked forward to swift and full implementation of the commitments contained in the joint statement of 19 September 2005, leading to the complete dismantlement of the DPRK's nuclear weapons programme in a verifiable and irreversible manner, and would like to see the States concerned proceeding with the "Initial Actions for the Implementation of the Six-Party Joint Statement on the Korean Peninsula Nuclear Issue". It deeply regretted the fact that so far none of the agreed actions had been taken. The DPRK needed to comply fully with all relevant Security Council resolutions, particularly resolutions 1695 and 1718.
3. The European Union welcomed the DPRK's expressed willingness to shut down and seal — for the purpose of eventual abandonment — the Nyongbyon nuclear facility, including the reprocessing plant, and to invite Agency personnel back to conduct all necessary monitoring and verification as agreed between the Agency and the DPRK. Early implementation of the measures in question would represent an important step forward.
4. The European Union looked forward to implementation of the joint statement in such a way as to enable the Agency to resume its substantive work promptly and to carry it out comprehensively in a transparent environment.
5. Ms. GERVAIS-VIDRICAIRE (Canada) said that her country welcomed the DPRK's apparent willingness to re-establish relations with the Agency, but it was still very concerned about the fact that the DPRK had not yet taken any practical steps towards implementation of the September 2005 joint statement or any of the initial actions agreed on in February 2007. Canada would have expected the DPRK to have entered into substantive discussions with the Director General on the future role of the Agency in verifying the fulfilment of certain DPRK commitments, particularly the commitment to shut down the Nyongbyon nuclear facility, including the reprocessing plant.
6. The nuclear explosive test carried out by the DPRK in October 2006 had constituted a serious challenge to the global nuclear non-proliferation regime and to regional and international peace and stability. In response, Canada had joined other countries in condemning that test, which had been carried out in flagrant disregard of international norms. Also, it had demonstrated its strong support for the international reaction embodied in Security Council resolution 1718, including through national implementation of the sanctions required by that resolution.
7. Canada, which continued to believe that the six-party talks were the best means of achieving a Korean Peninsula free of nuclear weapons, looked forward to early implementation of all the

commitments expressed in the September 2005 joint statement, including the commitment of the DPRK to complete and verifiable abandonment of its nuclear weapons programme.

8. Mr. SHANNON (Australia) recalled that at the Board's session in March his country had welcomed the commitments made by the DPRK on 13 February 2007 regarding early action to resolve the serious international concern over its nuclear programme.

9. It was disappointing that the 60-day time frame envisaged for implementation of the first phase of those commitments had passed without the DPRK acting on its initial undertaking to shut down and seal the Nyongbyon nuclear facility, including the reprocessing plant, for the purpose of eventual abandonment, and invite the Agency to conduct all necessary verification.

10. The DPRK had continued to reiterate publicly its intention to abide by the statement of 13 February 2007, and it was in the DPRK's own interest to fully implement the commitments expressed in that statement and those expressed in the September 2005 joint statement. By implementing them fully, the DPRK could make a crucial contribution to its future security and stability and begin reversing the harm done to its national interests by the pursuit of nuclear weapons. The DPRK should proceed without further delay to implement its commitments of 13 February 2007.

11. It was clear that the international community was prepared to support the DPRK if it acted responsibly. The DPRK's partners in the six-party talks — and others, Australia included — had indicated their willingness to provide significant assistance to the DPRK in return for substantive progress on the DPRK nuclear issue, but the DPRK needed to demonstrate — through practical steps — its commitment to the achievement of a nuclear-weapon-free Korean Peninsula.

12. An essential early step would be to agree on the modalities for a resumption of Agency verification at Nyongbyon. Australia looked forward to a report by the Director General on such modalities, and the DPRK should engage constructively with the Agency in that regard.

13. Australia, which would continue to support efforts to achieve a lasting resolution of the DPRK nuclear issue, believed that the international community needed to contain the threat posed by the DPRK's nuclear weapons programmes. In particular, States should ensure full implementation of Security Council resolutions 1695 and 1718 and apply effective export controls, so that items which could advance the development of nuclear weapons and of the means of delivering such weapons were not supplied to the DPRK.

14. Mr. SCHULTE (United States of America) said that his country welcomed the Director General's visit to Pyongyang on 13–14 March 2007 to discuss the Agency's role in implementing the 13 February 2007 agreement on initial actions for the implementation of the September 2005 joint statement. It remained, however, for the DPRK to begin implementing its commitments under that agreement, including inviting Agency personnel to return to the DPRK in order to monitor and verify the shutdown and sealing of the Nyongbyon nuclear facility, including the reprocessing plant.

15. The DPRK should implement its commitments under the initial actions agreement of 13 February 2007 without further delay. The five working groups created pursuant to that agreement had, as scheduled, met in March 2007, before the sixth round of six-party talks, held on 19–22 March 2007. Although the parties had heard reports on the deliberations of the working groups, the DPRK had refused to engage in substantive discussions pending the resolution of technical issues related to the release and transfer of DPRK funds held at Banco Delta Asia.

16. Implementation of the initial actions agreement was only the first step towards full implementation of the September 2005 joint statement, in which the DPRK had committed itself to abandoning all its nuclear weapons and existing nuclear programmes. Upon the resumption of

substantive discussions, the parties should quickly complete the discussion of a list of the DPRK's nuclear programmes to be abandoned pursuant to the September 2005 joint statement, and then move on to the next action phase. That phase would involve the provision by the DPRK of a complete declaration covering all its nuclear programmes and the disablement of all its existing nuclear facilities, including its graphite-moderated reactors and its reprocessing plant. In that phase, the Agency would have an important role to play in monitoring and verifying the shutdown and sealing of the Nyongbyon nuclear facility, including the reprocessing plant, and the United States foresaw the Agency playing a critical monitoring and verification role in subsequent phases also.

17. For that reason, it was essential that Agency personnel return to the DPRK without further delay. The United States would like to see the DPRK inviting the Agency to send personnel soon and hoped that the DPRK and the Agency would quickly agree on the necessary arrangements.

18. The United States remained ready to cooperate closely with the Agency and the Chinese chair of the working group on denuclearization in ensuring that the Agency was able to carry out its activities successfully, and it was confident that the Agency, with the support of Member States, would be prepared to send personnel to the DPRK quickly. It planned to take steps, including steps in cooperation with other countries, to secure funds for the Agency's DPRK related activities and was prepared to contribute such funds.

19. In the September 2005 joint statement, the DPRK had committed itself to returning to the NPT at an early date. The return of Agency personnel to the DPRK and the other steps agreed to in the initial actions agreement were thus only the first steps in a larger process directed towards the denuclearization of the Korean Peninsula.

20. Although the United States welcomed the agreement on initial actions to implement the joint statement, Security Council resolution 1718, adopted unanimously pursuant to Chapter VII of the United Nations Charter in October 2006, remained in effect. All United Nations Member States should continue to fully and effectively implement the requirements of that resolution.

21. The denuclearization of the Korean Peninsula remained a top regional and global priority. In the past, many efforts had been made to that end. Now, the initial actions agreement laid the groundwork for arriving at a permanent solution through a multilateral diplomatic effort. Although only a first step, it represented a good start towards achieving the complete, verifiable and irreversible denuclearization of the Korean Peninsula and a more stable, peaceful, and prosperous North-east Asia. The DPRK should act quickly to implement its important initial actions commitments so that progress towards that vital goal might be made.

22. Mr. KIM Sung-Hwan (Republic of Korea) said that, at its March 2007 session, the Board had expressed strong support for the initial actions agreed on in February 2007 at the six-party talks, which represented the first practical step towards the denuclearization of the Korean Peninsula. In the agreement in question, it was foreseen that the DPRK would shut down and seal the Nyongbyon nuclear facility and invite Agency personnel back in order to conduct all necessary monitoring and verification.

23. At present, unexpected difficulties relating to Banco Delta Asia were causing some delay in the implementation of that agreement. However, the Republic of Korea believed that those difficulties would soon be overcome, as all parties had a common desire to resolve the DPRK nuclear issue. It attached particular importance in that connection to the DPRK's reiterated expressions of willingness to implement the agreement once those difficulties had been overcome.

24. The Director General's visit to the DPRK on 13–14 March 2007 and the consultations held with the DPRK on the Agency's role in the implementation of the initial actions were encouraging signs of progress towards the coordinated implementation of the September 2005 joint statement.
25. The Republic of Korea greatly appreciated the Agency's readiness to engage in verification activities without delay pursuant to the 13 February 2007 agreement, and it hoped that the Board would act expeditiously to approve the Agency's verification activities once the initial actions process was under way.
26. Mr. BERDENNIKOV (Russian Federation) said that his country attached great importance to the commitments expressed in the joint statement of 19 September 2005 and to the initial actions for implementing the joint statement agreed to on 13 February 2007.
27. For the process of resolving the Korean Peninsula nuclear issue it was essential that the Agency and the DPRK rapidly agree on all sealing, monitoring and verification measures to be taken by Agency personnel in the DPRK.
28. Russia hoped that all the obstacles hampering the start of the activities in question would be overcome soon, so that the Agency might play a central role in helping to bring about the denuclearization of the Korean Peninsula. In its view, appropriate coordination between the Agency's activities and the six-party talks process would be very useful in that connection.
29. Mr. AMANO (Japan) said that the 13 February 2007 agreement on initial actions had represented a big step towards the abandonment by the DPRK of its nuclear weapons programmes. Regrettably, however, the DPRK had not yet taken the initial actions, even though the deadline for its doing so had passed. The DPRK should without further delay shut down and seal its Nyongbyon nuclear facility, including the reprocessing plant, and invite Agency personnel to monitor and verify the shutdown.
30. That having been said, the initial actions represented only a first step towards complete implementation of the September 2005 joint statement, and Japan would continue to work together with partners in the six-party talks for its complete implementation.
31. It was important that the DPRK comply with Security Council resolution 1718 and that it act strictly in accordance with its obligations under the NPT and with the terms and conditions of its safeguards agreement. The DPRK should act transparently by — inter alia — providing the Agency with such access to individuals, documentation, equipment and facilities as the Agency deemed necessary.
32. The Agency had a significant role to play in connection with the abandonment by the DPRK of its nuclear weapons programmes and with the verification of the implementation of Security Council resolution 1718. Japan, which hoped that the Agency would play that role to the full, would work closely with its partners in continuing to support the Agency's activities.
33. Mr. VALLIM GUERREIRO (Brazil) said that following the testing by the DPRK of a nuclear explosive device in 2006 his Government had vigorously condemned the path chosen by the Pyongyang authorities. Also, it had expressed its unswerving support for denuclearization of the Korean Peninsula.
34. Brazil, which had welcomed the six-party agreement reached in February 2007 in Beijing and congratulated those involved in the negotiations leading up to that agreement, would like to see it implemented in an effective and transparent manner.

35. Although the first of the implementation deadlines had not been met, Brazil was confident that the present hurdles — which were of a technical rather than a political nature — would soon be overcome and that the final objective of the agreement would be attained.
36. Brazil, which looked forward to the return of Agency inspectors to the DPRK at an early date and to the fulfilment by the Agency of its mandate pursuant to the agreement, had welcomed the March 2007 visit of the Director General to the DPRK and commended his efforts to help bring about a nuclear-weapon-free Korean Peninsula.
37. Mr. ARTHAKAIVALVATEE (Thailand) said that his country welcomed the agreement on initial actions for implementing the six-party joint statement and the fact that the discussions during the Director General's visit to the DPRK in March 2007 had been forward-looking. It hoped for eventual re-establishment of the relationship between the DPRK and the Agency, especially as regards monitoring and verification.
38. Thailand attached great importance to the latest developments in the DPRK, since they had security implications for the Asia and Pacific region, and to the creation of an environment conducive to dialogue and diplomacy through confidence-building undertaken within the framework of — for example — the ASEAN Regional Forum.
39. Thailand, which also attached great importance to the NPT and the Agency's safeguards system, welcomed the efforts being made by all participants in the six-party talks to bring about a speedy peaceful resolution of the DPRK nuclear issue, which would strengthen the non-proliferation regime in the Asia and Pacific region.
40. Ms. LISTYOWATI (Indonesia) said that in March 2007 all Board members had expressed relief that substantial progress had finally been made in the six-party talks. At that time, there had been high expectations that implementation of the September 2005 joint statement would eventually result in the closure of the Nyongbyon nuclear facility. Now it appeared that, regrettably, the joint statement was not being implemented, simply because of banking technicalities. Her country hoped that the problem in question would be resolved very soon and that there would be no need to return to square one.
41. Indonesia also hoped that the Director General's March 2007 visit to the DPRK would lead to re-establishment of the relationship between the DPRK and the Agency and to a rebuilding of mutual confidence between the DPRK and the international community as a basis for further dialogue.
42. Mr. MINTY (South Africa) said that his country welcomed the 13 February 2007 agreement concluded in Beijing and would like to see all the parties to it striving for its immediate implementation. They should refrain from all actions that might delay its implementation.
43. South Africa welcomed the outcome of the exploratory discussions held during the Director General's visit to the DPRK on the role to be played by the Agency in the implementation of the agreement. It looked forward to the Agency's monitoring and verifying the irreversible termination of the DPRK's nuclear weapons programme.
44. South Africa remained convinced that only dialogue in good faith and mutual trust would lead to a sustainable solution satisfactory to all parties.
45. The CHAIRMAN, summing up, said that the Board had recalled the joint statement from the fourth round of six-party talks, in which, inter alia, the DPRK had expressed its commitment to abandoning all nuclear weapons and existing nuclear programmes and returning, at an early date, to the NPT and the Agency's safeguards.

46. The Board had welcomed the agreement on the initial actions for implementing the joint statement reached at the third session of the fifth round of six-party talks, held in Beijing on 13 February 2007, in which the DPRK had, inter alia, agreed to shut down and seal for the purpose of eventual abandonment the Nyongbyon nuclear facility, including the reprocessing plant and invite Agency personnel back to conduct all necessary monitoring and verification as agreed between the Agency and the DPRK. The Board had expressed its appreciation of China's role in hosting and chairing the six-party talks and had noted the steps being taken by the States concerned to proceed with the initial actions, and it looked forward to the implementation of the joint statement.

47. Some members had reiterated their concern about the DPRK's nuclear activities, which posed a serious challenge to the international nuclear non-proliferation regime, and the DPRK had been urged to abandon all nuclear weapons and existing nuclear programmes completely, promptly and in a transparent, verifiable and irreversible manner and to comply with the relevant Security Council resolutions, including resolution 1718, and with the relevant General Conference and Board resolutions.

48. The Board had emphasized the importance of continued dialogue to achieving a peaceful and comprehensive resolution of the DPRK nuclear issue and early denuclearization of the Korean Peninsula.

49. The Board had expressed the view that a successfully negotiated settlement of such a long-standing issue, maintaining the essential verification role of the Agency, would be significant for international peace and security. In that regard, the Board had welcomed the visit of the Director General to the DPRK and his discussions with DPRK officials in March 2007, which had focused on re-establishing the relationship between the DPRK and the Agency.

50. The Board had requested the Director General to keep it informed of future developments.

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

(e) Implementation of the NPT safeguards agreement and relevant provisions of Security Council resolutions 1737 (2006) and 1747 (2007) in the Islamic Republic of Iran
(GOV/2007/22)

52. The CHAIRMAN, drawing attention to the Director General's report contained in document GOV/2007/22, said that it had been the subject of a technical meeting which had taken place on 6 June 2007.

53. Ms. GOICOCHEA ESTENOZ (Cuba), speaking on behalf of NAM, said that its position regarding the Iranian nuclear issue was reflected in the following statement adopted at its 14th summit, held in Havana, Cuba, on 15–16 September 2006:

“The Heads of State or Government reaffirmed the basic and inalienable right of all States, to develop research, production and use of atomic energy for peaceful purposes, without any discrimination and in conformity with their respective legal obligations. Therefore, nothing should be interpreted in a way as inhibiting or restricting this right of States to develop atomic energy for peaceful purposes. They furthermore reaffirmed that States' choices and decisions in the field of peaceful uses of nuclear technology and its fuel cycle policies must be respected.

“The Heads of State or Government recognised the International Atomic Energy Agency (IAEA) as the sole competent authority for verification of the respective safeguards obligations of Member States and stressed that there should be no undue pressure or interference in the

Agency's activities, especially its verification process, which would jeopardise the efficiency and credibility of the Agency.

"The Heads of State or Government welcomed the cooperation extended by the Islamic Republic of Iran to the IAEA including those voluntary confidence-building measures undertaken, with a view to resolve the remaining issues. They noted the assessment of the IAEA Director-General that all nuclear material declared by Iran had been accounted for. They noted, at the same time, that the process for drawing a conclusion with regard to the absence of undeclared material and activities in Iran is an ongoing and time-consuming process. In this regard, the Heads of State or Government encouraged Iran to urgently continue to cooperate actively and fully with the IAEA within the Agency's mandate to resolve outstanding issues in order to promote confidence and a peaceful resolution of the issue.

"The Heads of State or Government emphasised the fundamental distinction between the legal obligations of States to their respective safeguards agreements and any confidence building measures voluntarily undertaken to resolve difficult issues, and believed that such voluntary undertakings are not legal safeguards obligations.

"The Heads of State or Government considered the establishment of nuclear-weapons-free zones (NWFZs) as a positive step towards attaining the objective of global nuclear disarmament and reiterated the support for the establishment in the Middle East of a nuclear-weapon-free zone, in accordance with relevant General Assembly and Security Council resolutions. Pending the establishment of such a zone, they demanded Israel to accede to the NPT without delay and place promptly all its nuclear facilities under comprehensive IAEA safeguards.

"The Heads of State or Government reaffirmed the inviolability of peaceful nuclear activities and that any attack or threat of attack against peaceful nuclear facilities -operational or under construction- poses a great danger to human beings and the environment, and constitutes a grave violation of international law, principles and purposes of the Charter of the United Nations and regulations of the IAEA. They recognised the need for a comprehensive multilaterally negotiated instrument, prohibiting attacks, or threat of attacks on nuclear facilities devoted to peaceful uses of nuclear energy.

"The Heads of State or Government strongly believed that all issues on safeguards and verification, including those of Iran, should be resolved within the IAEA framework, and be based on technical and legal grounds. They further emphasised that the Agency should continue its work to resolve the Iranian nuclear issue within its mandate under the Statute of the IAEA.

"The Heads of State or Government also strongly believed that diplomacy and dialogue through peaceful means must continue to find a long term solution to the Iranian nuclear issue. They expressed their conviction that the only way to resolve the issue is to resume negotiations without any preconditions and to enhance cooperation with the involvement of all necessary parties to promote international confidence with the view to facilitating Agency's work on resolving the outstanding issues."

54. NAM noted that in the report contained in document GOV/2007/22 the Director General stated once again that the Agency had found no evidence of diversion of nuclear material and activities to prohibited purposes, that all declared nuclear material had been accounted for and that the Agency was able to verify the non-diversion of declared material in Iran.

55. NAM also noted that the Director General had reported that there were no indications of ongoing reprocessing activities.

56. In addition, NAM took note of the information, contained in paragraph 4 of the Director General's report, that Iran had agreed to a modified safeguards approach for its Fuel Enrichment Plant which included, "in addition to a monthly interim inspection and design information verification visit, a combination of, inter alia, unannounced inspections and containment and surveillance measures" and that the first unannounced inspection had been carried out on 13 May 2007. In that connection, NAM considered that a rightful nuclear activity subject to the Agency's safeguards did not constitute a cause for concern.

57. NAM took note of the meetings that had just been held between high-level representatives of Iran and the European Union. The parties concerned should avoid hasty decisions and give serious consideration to all proposals, with a view to finding common ground through negotiation, without preconditions, and to achieving a peaceful and mutually acceptable solution.

58. NAM, which still had full confidence in the impartiality and professionalism of the Secretariat and the Director General, was strongly opposed to all pressuring of the Agency and to interference in its activities, especially its verification activities, as that might jeopardize its efficiency and credibility.

59. Mr. GOTTWALD (Germany), speaking on behalf of the European Union, said that the candidate countries Croatia, the Former Yugoslav Republic of Macedonia and Turkey, the countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro, and Serbia, the EFTA country Iceland, member of the European Economic Area, and Moldova and Ukraine associated themselves with the statement that he was about to make.

60. The United Nations Security Council had, in resolutions 1737 and 1747, reaffirmed as mandatory the suspension of enrichment related activities in Iran and Iran's cooperation with the Agency in order to resolve outstanding questions and restore confidence in the exclusively peaceful nature of Iran's nuclear programme.

61. The European Union was grateful to the Director General and the Secretariat for their continuing impartial efforts to resolve outstanding questions relating to the nature and history of Iran's nuclear programme.

62. The European Union deplored the fact that, as confirmed in the Director General's report contained in document GOV/2007/22, Iran had once again failed to take the necessary steps, called for in Security Council resolutions 1737 and 1747, to build confidence in the exclusively civilian nature of its nuclear programme, disregarding the appeals made to it, pressing ahead with its nuclear programme and further restricting its cooperation with the Agency. Because of the restrictive attitude adopted by Iran, the Agency was unable to clarify the still unresolved issues regarding Iran's past and present nuclear programme.

63. The European Union noted in particular that Iran had failed to suspend all of its enrichment and enrichment related activities and appeared to be determined to pursue those activities on an even larger scale. In that connection, it should be recalled that all enrichment related activities in Iran, whether under surveillance or not, should be suspended pursuant to Security Council resolutions 1696, 1737 and 1747 and that Iran was in all cases required to implement without delay all verification measures deemed necessary by the Agency.

64. Since the issuing of the Director General's previous report, Iran had fed approximately 260 kg of UF₆ into the cascades in its Fuel Enrichment Plant, and it had informed the Agency of its intention to install 18 cascades and to bring them gradually into operation. Iran should not pursue such a course of action, as that would be yet another violation of Security Council resolutions 1696, 1737 and 1747 and would go against numerous requests made by the Board.

65. The European Union also deplored the announcement by Iran that it was going to unilaterally suspend the implementation of modified Code 3.1 of the Subsidiary Arrangements agreed on by Iran and the Agency, which Iran had accepted in 2003. According to Article 39 of Iran's safeguards agreement with the Agency, the Subsidiary Arrangements could not be modified unilaterally; nor was there a mechanism for the suspension of provisions contained in the Subsidiary Arrangements. That had been brought to Iran's attention by the Secretariat in a letter dated 17 April 2007 and was made clear in the Director General's latest report.

66. The European Union deplored the fact that the operation of Iran's Heavy Water Production Plant was continuing. As required by Security Council resolutions 1737 and 1747, Iran should suspend its heavy water related activities.

67. Furthermore, the European Union was seriously concerned about the fact that civil construction work at the IR-40 reactor site was continuing and about the fact that Iran had questioned the Agency's right to verify the IR-40 reactor design information provided by Iran pursuant to modified Code 3.1. That right was provided for in Article 48 of Iran's safeguards agreement with the Agency and, as stated in paragraph 14 of the Director General's report, the Agency's right to verify design information provided to it was a continuing right not dependent on the stage of construction of — or the presence of nuclear material at — a facility. Iran should reconsider its announcement regarding the implementation of Code 3.1 and permit design information verification as requested by the Agency.

68. The European Union noted with regret that Iran had not provided any new information on its P-1 and P-2 centrifuge programmes or a copy of the 15-page document describing the procedures for the reduction of UF₆ to uranium metal, and that it had not provided sufficient information for verifying the correctness and completeness of the declarations regarding its polonium experiments.

69. The European Union was concerned about the fact that additional information that the Agency had received regarding the contamination of components did not fully explain the presence of some of the LEU and HEU particles. Verification of the correctness and completeness of the declarations made by Iran in that connection could progress only if the Agency had a full understanding of the scope and chronology of Iran's centrifuge enrichment programme, which it could gain only through the implementation by Iran of the additional protocol to its safeguards agreement with the Agency. As it had been called upon to do by the European Union in the past, Iran should provide the Agency with all requested information relevant to that issue and, in particular, allow further environmental sampling of equipment and materials related to its Physics Research Centre and interviews with another of the Centre's former heads.

70. The European Union was concerned about the decision of Iran to de-designate 38 of the inspectors on the list of inspectors designated for verification activities in Iran and to refuse 10 new inspectors proposed by the Secretariat, as that decision would lead to diminished operational flexibility and less efficient use of resources. It hoped that Iran would respond positively to the Director General's request that it reconsider the decision.

71. The European Union deplored the fact that Iran had not agreed to any of the transparency measures essential for clarifying certain aspects of the scope and nature of its nuclear programme, such as the provision of information about alleged studies relating to the so-called Green Salt Project, to high explosives testing and to the design of a missile re-entry vehicle.

72. As indicated in the Director General's latest report, Iran had granted access to declared nuclear material and facilities and had provided necessary nuclear material accountancy reports, so that the Agency had been able to verify the non-diversion of declared nuclear material in Iran. Nevertheless, the Agency remained unable to make further progress in its efforts to fully verify the past development of Iran's nuclear programme and certain aspects of its scope and nature. Regrettably, for over a year

the Agency had not been receiving information of the kind that Iran had previously been providing pursuant to — inter alia — the additional protocol to its safeguards agreement. It was a matter for serious concern that, as stated in paragraph 19 of that report, “the Agency’s level of knowledge of certain aspects of Iran’s nuclear related activities has deteriorated” as a result. Iran should, as called upon to do by the European Union in the past, ratify the additional protocol and implement the transparency measures necessary in order that the Agency might verify the absence of undeclared material and activities in Iran.

73. The Director General’s latest report clearly demonstrated Iran’s disregard of the international community’s demands as expressed in the unanimously adopted and legally binding Security Council resolutions 1696, 1737 and 1747. In resolutions 1737 and 1747, the Security Council had expressed its intention to adopt “further appropriate measures under Article 41 of Chapter VII of the United Nations Charter” should Iran persist in not complying with the demands of the international community. Iran should, as a matter of urgency, reconsider its policy and comply with those demands in order to enable confidence in the exclusively peaceful nature of the Iranian nuclear programme to be built. Complete transparency and full cooperation with the Agency were crucial.

74. For its part, the European Union would continue supporting the efforts to bring about a negotiated long-term solution to the Iranian nuclear issue. A comprehensive package including offers of — inter alia — active support in the construction of LWRs using state-of-the-art technology had been proposed to Iran, and the door to negotiations remained open. The inalienable right of Iran to use nuclear energy for peaceful purposes in conformity with Articles I, II and III of the NPT had been reaffirmed repeatedly by the European Union, the Board and the Security Council, and it was now for Iran to respond by complying with the requirements of Security Council resolutions 1696, 1737 and 1747 and taking up the offers that had recently been made.

75. Mr. MACGREGOR (United Kingdom), speaking on behalf of his own country and of France and Germany (the EU-3), and with the support of the High Representative of the European Union, said that the Secretariat was to be commended for its continuing verification activities in Iran, which were being carried out under difficult circumstances.

76. Regrettably, the Director General’s latest report showed that no progress had been made with regard to Iran, which was continuing to ignore its obligations and had not taken any steps to build confidence in the exclusively peaceful nature of its nuclear programme. There was not a single person present who would not like to be convinced of the exclusively peaceful nature of that programme, but the unexplained 20-year history of the Iranian nuclear programme was an obstacle. For impartial observers it was difficult to understand why Iran could not throw light on that history and on issues such as the programme’s early objectives and how they had been pursued, what documentation had been received from black-market networks, and how the document on uranium metal and its casting into hemispheres — something relevant only to the production of nuclear weapons — had fitted into the picture. The sooner Iran responded to the Director General’s many requests for clarification, the sooner the process of establishing trust could begin.

77. Current actions on the part of Iran were also an obstacle. With the Natanz enrichment facility serving no immediate economic purpose (since the Bushehr reactor would be fuelled under a separate arrangement with Russia), what was so problematic about putting activities there on hold in order for serious negotiations to begin, and why were engineers installing and testing centrifuges at Natanz as though in a race against time?

78. If Iran wished to convince the Board of its case, it would surely be sensible for the Agency and its inspectors to have the widest possible picture of what was going on. However, Iran had consciously restricted the picture and, in spite of the provisions of Article 48 of its comprehensive safeguards

agreement, Agency inspectors were — for instance — being refused access to the construction site of the heavy water research reactor at Arak.

79. Although Iran had so far prevented progress (for example, regarding a suspension of proliferation-sensitive activities in return for a suspension of Security Council action) whenever there had been an opportunity for a breakthrough, the United Kingdom and its partners had continued to explore possibilities for reaching a negotiated settlement — which, in their view, was still achievable. They had requested European Union High Representative Dr. Solana to continue exploratory talks with chief Iranian negotiator Dr. Larijani, and Dr. Solana had recently, in Madrid, reaffirmed the offer previously made by the EU-3. That offer pointed the way to a comprehensive solution that would take account of the interests of Iran, including its desire to further develop its civilian nuclear programme, and address the international community's concerns. The offer, which envisaged — inter alia — economic, industrial and political cooperation, had not been made on a 'take it or leave it' basis, but rather as a starting point for further discussion, and the EU-3 had in addition made practical proposals designed to facilitate the re-launching of negotiations.

80. The EU-3 were seeking a diplomatic solution, as envisaged in the relevant Security Council resolutions. If Iran refused to change course, they would have no alternative but to refer matters back to the Security Council. However, that was not their preferred option, and they would continue displaying the patience and determination necessary in order to achieve a diplomatic solution.

81. Mr. RAMZY (Egypt) said that his country, which welcomed the efforts being made to reach an acceptable peaceful solution of the Iranian nuclear issue, considered it important that the Agency continue its activities in Iran and that Iran cooperate fully with the Agency so as to demonstrate the peaceful nature of all its nuclear activities.

82. The solution should respect the right of Iran — as of any other non-nuclear-weapon State party to the NPT with a comprehensive safeguards agreement in force — to develop the capacity to use nuclear energy for peaceful purposes while meeting the non-proliferation requirements of the international community.

83. Hasty decisions leading to confrontation and international sanctions would reduce the chances of reaching the desired acceptable peaceful solution, as would political meddling in the technical activities of the Secretariat.

84. The ongoing efforts to verify the peaceful nature of Iran's nuclear programme should be seen in the context of the risk of nuclear proliferation in the Middle East. The credibility of the Agency was directly linked to implementation of the resolutions of the Security Council, the General Assembly and the General Conference calling for the establishment of an NWFZ in that region. The lack of sincerity as regards delivering on commitments to establish an NWFZ in the region was one of the main reasons for the instability there. In that connection, Egypt had repeatedly called upon Israel to accede to the NPT without delay and place all its nuclear facilities under Agency safeguards, in compliance with the relevant Security Council resolutions and the resolution on the Middle East adopted by 1995 at the NPT Review and Extension Conference. The international community should not be focusing on a State party to the NPT although there was no proof of possession by that State of nuclear weapons while condoning the activities of another State in the same region although that State had not acceded to the NPT and all indicators pointed to that State's possession of such weapons. Israel should, as a minimum, show that it was committed to working towards the establishment of an NWFZ in the Middle East and demonstrate its readiness to enter into serious negotiations with a view to achieving that objective.

85. Mr. SCHULTE (United States of America) said that his country was grateful to the Secretariat for its thorough and professional efforts to execute the Agency's safeguards mandate in Iran and verify Iran's compliance with the requirements of the Security Council.

86. From the report by the Director General now before the Board and from the Director General's introductory statement it was clear that Iran had failed to comply with numerous resolutions of the Board and the Security Council. The Director General had described two disturbing phenomena: Iran's continuing pursuit of uranium enrichment and plutonium production capabilities in direct violation of Security Council resolutions 1696, 1737 and 1747; and Iran's progressive withdrawal of cooperation with the Agency, causing a deterioration in the Agency's knowledge of Iran's nuclear activities. The two most recent instances of Iran's withdrawing cooperation were the suspension by Iran of the implementation of Code 3.1 of the Subsidiary Arrangements to its safeguards agreements and the refusal of Iran to allow design information verification inspections at Arak.

87. With regard to Code 3.1, Iran had been the last State with a comprehensive safeguards agreement and significant nuclear activities to accept the current version, and now, despite the Board's serious concerns about its nuclear activities, it had announced its unilateral decision to suspend implementation. The Agency had informed Iran that Code 3.1 could not be modified unilaterally and that there was no mechanism in the safeguards agreement for the suspension of provisions agreed to in the Subsidiary Arrangements.

88. With regard to design information verification inspections, Iran claimed that its decision not to permit any at Arak was based on its suspension of the early-declaration provisions of the Subsidiary Arrangements. However, the Arak reactor had already been declared to the Agency and, as correctly stated in the Director General's report, the Agency's right to verify design information provided to it "is a continuing right, which is not dependent on the stage of construction of, or the presence of nuclear material at, a facility."

89. Those latest actions on the part of Iran were cause for serious concern as they constituted further violations of its international obligations.

90. Iran had no right to unilaterally suspend the implementation of Code 3.1. Moreover, its denial of inspections at Arak was an apparent breach of its safeguards agreement, and its refusal to provide early design information on any new nuclear facilities showed a clear willingness to commit future breaches.

91. The decision to deny access to Agency inspectors violated the provisions of Security Council resolution 1737, which required Iran to cooperate fully with the Agency in addressing outstanding issues.

92. Also, the latest denials cast doubt on the nature of Iran's nuclear activities and on the intentions of the Iranian leadership. By refusing to provide early design information, Iran's leaders were indicating that they would not inform the Agency of new nuclear facilities until just before the introduction of nuclear material into them. That signalled the possibility of Iran building sensitive nuclear facilities in secret and informing the Agency about them only just before operations began.

93. That was a matter of serious concern given Iran's record of hiding nuclear installations like Natanz from the Agency, its repeated failures to declare sensitive nuclear activities and its continued refusal to provide the Agency with information about all aspects of its centrifuge activities, including its work on advanced centrifuges.

94. By denying inspections at Arak, Iran was preventing Agency inspectors from verifying that the reactor in question was being built as Iran had declared. The Agency was being denied the opportunity to ensure effective safeguards implementation covering all aspects of the reactor's design, such as the

irradiation channels. That was particularly serious given Iran's proven history of undeclared irradiation of uranium targets later used in reprocessing experiments. Moreover, if Iran continued to deny access, the Agency would not know until shortly before the reactor went into operation whether Iran had installed hot cells and had the capability to reprocess spent fuel and extract plutonium on a scale sufficient for the production of nuclear weapons.

95. The heavy water reactor under construction at Arak was well designed to produce plutonium. That was why the Security Council had required Iran to suspend work on the facility and the Board had denied technical cooperation in support of its construction.

96. If Iran's leaders were telling the truth when claiming that their aims were peaceful, why were they continuing to violate their international obligations and refusing to cooperate with the Agency? If they wanted the world's confidence, why were they keeping the Agency's inspectors away from Arak and refusing to provide early information about new nuclear facilities?

97. The United States, like other Board members, endorsed the Agency's request of 18 April 2007 that Iran reconsider its decision with regard to Code 3.1 and permit the Agency to carry out design information verification at Arak at the earliest opportunity.

98. Iran's latest refusals to cooperate, such as the refusal to accept the designations of 48 Agency inspectors, added to a long list of previous refusals by Iran to provide the Agency with necessary — and in many cases required — cooperation, information and access. The United States endorsed the Secretariat's request that Iran drop its refusal to accept the inspector designations, particularly since an unannounced inspection regime had been established for Natanz — a regime that would presumably require that there be a large number of inspectors designated for Iran. The Director General should report immediately to the Board if Iran's refusal hindered the implementation of safeguards in Iran and if there were any additional denials of Agency requests.

99. His country was disappointed that Iran's leaders had ignored international concerns and violated international obligations and that they had not taken advantage of the willingness of the United States, the European Union, Russia and China to engage in diplomatic negotiations on the basis of the six-country offer made the preceding June. That offer — and the offer of direct talks with the United States — remained on the table. All that Iran's leaders had to do was comply with their international obligations vis-à-vis the Agency and the Security Council.

100. Ms. GERVAIS-VIDRICAIRE (Canada) said it was deeply regrettable that Iran continued to be in violation of resolutions of the Board of Governors as well as of the legally-binding resolutions of the Security Council. It was a matter of great concern that Iran was continuing its enrichment programme and that hundreds of kilograms of UF₆ had been fed into the cascades at the Natanz Fuel Enrichment Plant. Her delegation noted that inspectors had yet to verify the enrichment levels claimed by Iran at the Fuel Enrichment Plant. A full assessment of Iran's enrichment capabilities would only be possible once the Agency had been able to evaluate the enriched uranium product and the depleted uranium tails at that facility. Although of interest, such assessment would be premature at present. In future, it might help inform the Security Council, the sole authority to determine the implications of such an assessment on resolutions 1737 and 1747. The Agency as a whole, including the Board of Governors and the Secretariat, had a duty to support the Security Council's decisions and the pathway it had defined for a negotiated resolution of the Iranian nuclear issue.

101. The actions taken by the Board of Governors and the Security Council were a reflection of the lack of confidence that Iran itself had generated through two decades of concealed nuclear activities and false declarations. The Director General, who remained unable to provide the required assurances that Iran's nuclear activities were of an entirely peaceful nature, specified in paragraph 9 of his most recent report a number of long outstanding verification issues requiring proactive cooperation from

Iran. No substantive progress had been made in resolving those issues. On the contrary, the Director General had stated that the Agency's level of knowledge of certain aspects of Iran's nuclear activities had in fact deteriorated.

102. The Director General had made it clear in numerous reports that he would not be able to make progress towards reaching a conclusion without additional cooperation from Iran, which should extend beyond the implementation of the additional protocol to include access to people, places and documents as required. Instead of working proactively to establish confidence in its nuclear programme, Iran had systematically withdrawn cooperation from the Agency. In February 2006, after the Board had reported Iran's nuclear programme to the Security Council, Iran had ceased any cooperation under the additional protocol. In January 2007, following the adoption by the Security Council of resolution 1737, Iran had declared it would withhold the designation of 10 inspectors and de-designate another 38. Following the unanimous adoption by the Security Council of resolution 1747 in March 2007, Iran had declared its intention to unilaterally reinterpret Code 3.1 of its Subsidiary Arrangements, despite the fact that Article 39 of its safeguards agreement made no provision for such amendment. That represented a deliberate effort on the part of Iran to pull back from a safeguards strengthening measure agreed to by the Board that it had itself accepted. Moreover, Iran appeared to be disregarding design information verification provisions more generally. Its actions called into question access not only at new facilities, but also at existing facilities. Iran's recent refusal to provide access for design verification at the Arak research reactor, despite the Agency's confirmation that it had an ongoing right to such access, only compounded Canada's concern.

103. Even as it reduced its cooperation with the Agency, Iran had argued for the return of its dossier to the Agency from the Security Council. It wanted the world to believe that if the Security Council were to drop consideration of its nuclear issue, all cooperation would be restored. In the well over two years after being confronted with evidence of its concealment and before the matter was referred to the Security Council, Iran had had plenty of opportunity to demonstrate its willingness to cooperate. However, even though substantive discussions towards a negotiated settlement had taken place during that time, few outstanding issues — including new ones — had been resolved. Accordingly, Canada had supported the Board's decision to report Iran's nuclear dossier to the Security Council and stood by the actions taken by the Security Council. She reiterated that it was only through cooperation with the Board of Governors and the Security Council that Iran could take the first steps towards establishing confidence in the peaceful nature of its nuclear programme.

104. Finally, her delegation requested that the report contained in document GOV/2007/22 be made public.

105. Mr. AAS (Norway) said the Director General's report made it clear that the Islamic Republic of Iran had not met the demands of the international community and that the Agency remained unable to draw a final conclusion on the scope and nature of Iran's nuclear activities. Norway regretted that Iran was continuing to pursue enrichment activities and proceed with construction of the heavy water reactor.

106. Iran's continued lack of transparency about its nuclear activities was preventing the Agency from carrying out its task. Norway urged Iran to show maximum transparency regarding its past and present nuclear programmes and to reconsider its recent refusals of requests made by the Agency, including that for access to the Arak facility.

107. No-one was denying Iran the right to peaceful use of nuclear energy in accordance with the provisions of the NPT. However, Iran must do its part in restoring the confidence of the international community. Acceleration of its enrichment programme was clearly a step in the wrong direction.

108. It was of utmost importance to mobilize all possible will and efforts to move the diplomatic process forward. Maximum clarity and knowledge of Iran's nuclear activities, which only the Agency could provide, were needed in order to reach a negotiated outcome.

109. Norway, which had consistently advocated full use of the diplomatic opportunities available, would continue its own efforts in that regard on the basis of the demands set out in Security Council resolutions 1737 and 1747. The time had come to enhance the dialogue with a view to finding an outcome acceptable to all parties concerned. Norway remained convinced that the package proposal offered by the P-5 and Germany in 2006 provided the basic elements for such a solution.

110. Norway appreciated and supported the role of the Agency and the Director General in seeking to resolve the Iran nuclear issue. It was confident that the Director General would continue his tireless efforts to reach a diplomatic solution that served the collective non-proliferation interests.

111. Finally, he expressed the hope that the Director General would be able to provide an encouraging report by the time of the Board's meeting in September 2007, which would give the necessary impetus for a negotiated and long-lasting settlement to the issue.

112. Mr. OTHMAN (Syrian Arab Republic), pointed out that the latest report, like previous reports, confirmed that the Agency was able to verify the non-diversion of declared nuclear material in Iran, and that Iran had been providing the Agency with access to declared nuclear material and the required nuclear accountancy reports in connection with declared nuclear material and facilities. As in previous reports, it did not confirm that there was irrefutable proof of diversion of Iranian nuclear technology from peaceful purposes.

113. The report indicated the arrangements provided for under safeguards agreements with which Iran was complying and those which it had stopped implementing. Iran was still receiving Agency inspectors for unannounced visits. There was thus a need to clarify that Iran remained committed to its verification obligations. However, it had ceased to apply the voluntary measures which it had undertaken within the framework of the additional protocol — even before signing that instrument — to reassure the international community of the peaceful nature of its nuclear programme, an initiative that had been met with only greater pressure and threats.

114. The fact that attempts being made by some States to interfere in the Agency's work and to put pressure on it was unacceptable, particularly given that the same States turned a blind eye to or even defended the existence of Israeli nuclear facilities outside the international verification regime. That undermined the credibility of the Agency's global safeguards regime. All States of the region were endeavouring to maintain that regime through accession to the NPT. The situation had deepened the feeling that double standards were being applied, which was entirely unacceptable, particularly given the Agency's important international role in nuclear non-proliferation. The policy of nuclear hypocrisy seen in the Middle East was becoming increasingly evident.

115. It was time for the Iran nuclear issue, which had been referred to the Security Council without justification and for political rather than technical reasons, to be returned to the Agency — the body responsible for verifying compliance with the safeguards regime. Transparent and objective dialogue free of non-technical and illegitimate motivations was needed when addressing the issue. Light should be shed on the Israeli nuclear programme in the same way that other issues of concern were being addressed.

116. Mr. BERDENNIKOV (Russian Federation) said that his country, a consistent supporter of the Agency's non-proliferation role — including its activities in Iran — attached great importance to its efforts to resolve the Iran nuclear issue. The concrete and objective information provided by the

Director General in his report was extremely important in seeking appropriate international solutions to the problems surrounding the issue.

117. It was regrettable that Iran to date had not met the requests of the Agency or those of the Security Council and was pursuing its enrichment related activities and heavy-water projects. He expressed the hope that Iran would take the appropriate steps to correct that situation.

118. While it was of deep concern that the Agency's level of knowledge of certain aspects of Iran's nuclear related activities had deteriorated, the agreement reached between Iran and the Agency concerning implementation of a modified safeguards approach for the Fuel Enrichment Plant at Natanz should be regarded as a step in the right direction, since it enabled the Agency to ensure an adequate level of verification of that facility and would help to allay concerns in that regard. It also demonstrated, once again, the Secretariat's high level of professionalism and its ability to solve the tasks with which it was faced.

119. The Russian Federation called upon Iran to cooperate more actively with the Agency. He reiterated his country's principled position that settlement of the Iranian nuclear issue could be achieved only through negotiations, compliance with non-proliferation obligations and full respect for the rights of parties to the NPT to the peaceful use of nuclear energy.

120. Mr. SKOKNIC (Chile) commended the impartiality and professionalism of the Secretariat and the Director General in drawing up the report.

121. Chile maintained the hope that the Iran nuclear issue could be resolved by all the parties concerned adopting a constructive approach respectful of international law. In that regard, the relevant resolutions of the Security Council and of the Board of Governors were of unquestionable legitimacy for all Member States of the United Nations and of the Agency.

122. The Director General's report was very clear as regards the cooperation and transparency required of Iran and the reasons why the Agency required more information from that country.

123. While Iran's agreement to allow unannounced inspections at its Fuel Enrichment Plant was a positive gesture, a number of important issues remained outstanding. Chile therefore urged Iran to provide the Agency with the information and documentation requested of it, particularly that clearly indicated in paragraphs 9 and 17 of the report. If Iran took the correct political decision to cooperate and be transparent in its dealings with the Agency, that would send the best possible signal of mutual confidence vis-à-vis the Agency and the international community. Dialogue and multilateral action were the only mechanisms whereby differences could be overcome.

124. The Director General's conclusion that the Agency's level of knowledge of certain aspects of Iran's nuclear related activities had deteriorated was of particular concern. The Agency's ties with Iran should be strengthened and confidence restored. The current situation whereby challenges and threats were being exchanged was not helpful, and Chile called upon all the parties involved to adopt a flexible and constructive attitude.

125. Iran should understand that it could and should contribute to creating a better climate of mutual respect and understanding by meeting the Agency's requests in order to dispel the concerns surrounding the nature of its nuclear programme.

126. Mr. AMANO (Japan) expressed appreciation for the Secretariat's outstanding efforts and high level of technical professionalism in attempting to resolve the Iranian nuclear issue.

127. It was imperative that Iran ratify and implement its additional protocol, provide maximum cooperation with the Agency and take transparency measures to build confidence in the exclusively

peaceful purposes of its nuclear programme. No country was denying Iran the right to use nuclear energy for peaceful purposes. However, in order to exercise that right, Iran must restore the confidence of the international community.

128. It was deeply regrettable that Iran had not responded appropriately to the requirements of Security Council resolutions 1737 and 1747 and was continuing to conduct its enrichment and heavy water related activities, that it had suspended voluntary implementation of the additional protocol and was not providing sufficient cooperation with the Agency. That did not help to restore the confidence of the international community, nor did it help the Agency to make progress in its investigations. In particular, it was troubling that Iran was expanding its enrichment related activities at the Fuel Enrichment Plant in Natanz.

129. Japan called upon Iran to reconsider its decisions to cease implementing Code 3.1 of the Subsidiary Arrangements to its safeguards agreement and not to permit the Agency to carry out design information verification at the Arak facility.

130. The Iran nuclear issue should be resolved by diplomatic efforts. Japan hoped that Iran would comply with all relevant Board of Governors and Security Council resolutions, suspend all enrichment and heavy water related activities and return to the negotiation process without further delay. In that regard, Japan supported the diplomatic efforts of the P-5 and Germany in seeking a diplomatic solution. Japan had itself been taking every opportunity to encourage Iran to respond to the requirements of the international community and would continue to do so.

131. Mr. KIM Sung-Hwan (Republic of Korea) noted with concern that after nearly four years of verification efforts, the Agency remained unable to provide assurances regarding the peaceful nature of Iran's nuclear programme. Furthermore, Iran had not taken the steps required by Security Council resolutions 1696 (2006), 1737 (2006) and 1747 (2007), including the suspension of enrichment related activities. Iran should comply fully with those resolutions and address its long-outstanding verification issues without delay.

132. It was regrettable that, despite years of efforts by the international community, the situation was deteriorating rather than improving. The weakening of trust, confidence and flexibility was by no means desirable and should be reversed. All the parties concerned should redouble their diplomatic efforts to find a negotiated solution. In particular, his country urged Iran to take prompt steps to restore the international community's confidence in the peaceful nature of its nuclear programme, and to respond positively to the proposals made by the P-5 plus Germany in June 2006.

133. The Republic of Korea remained confident that a negotiated solution was possible and welcomed constructive efforts to that end.

134. Mr. TANG Guoqiang (China) said that diplomatic negotiation was the best means to achieve peaceful settlement of the Iranian nuclear issue and would help to maintain not only the authority and effectiveness of the international non-proliferation regime but also peace and stability in the Middle East. Sanctions and pressure would not yield a satisfactory solution to the issue.

135. The most urgent task was therefore to resume negotiations as soon as possible. China hoped that that momentum of the dialogue between the European Union and Iran would be maintained and that other parties would be patient. That would allow the diplomatic efforts more time and space and foster a favourable environment to progress towards the early resumption of negotiations with a view to finding a long-term, comprehensive and appropriate solution.

136. He expressed his delegation's appreciation of the Secretariat's consistently impartial and professional work and its support for the Director General and the Secretariat continuing to play a

constructive role in that regard. China, for its part, had consistently promoted negotiations towards a peaceful solution and was working with all parties in a focused manner to that end.

137. Mr. SHANNON (Australia) said that his country was encouraged by the fact that Iran was continuing to provide the Agency with access to its nuclear material and facilities, including its enrichment facility at Natanz, and that the Agency had been able to verify that no declared material in Iran had been diverted.

138. However, that information was overshadowed by Iran's refusal to take the steps called for by the Board of Governors and the Security Council. Australia therefore called on Iran to comply with the relevant Board and Security Council resolutions in order to restore confidence in the nature of its nuclear programme.

139. Also, it was a matter of concern that Iran had unjustifiably placed additional limitations on the Agency's verification activities. His delegation noted from the Director General's latest report that those actions had resulted in a deterioration of the Agency's level of knowledge regarding Iran's nuclear programme. Australia shared the Director General's view that Iran's unwarranted actions were disconcerting and regrettable. It strongly supported his call for Iran to work urgently with the Agency under a policy of full transparency and active cooperation. The credibility of Agency inspections in Iran was crucial to establishing the assurance the international community needed concerning the peaceful nature of Iran's nuclear activities.

140. Iran must abide by the decisions of the Security Council and cooperate fully with the Agency to prove beyond doubt that its nuclear programme was exclusively for peaceful purposes. Australia was confident that all responsible United Nations Member States and international organizations would continue to recognize and uphold the authority of the Security Council as the organ bearing the main responsibility for the maintenance of international peace and security.

141. Australia fully endorsed the Security Council's conviction that Iran's suspension of all uranium enrichment and reprocessing activities, together with full and verified compliance with the requirements of the Board, would contribute to a negotiated solution.

142. No-one was questioning Iran's right to peaceful nuclear energy, which was the right of all those party to the NPT provided they complied faithfully with their non-proliferation commitments. The Security Council had made clear the path that Iran must follow in order to establish confidence in the peaceful nature of its nuclear activities.

143. Iran's unilateral suspension of the modified Code 3.1 of its Subsidiary Arrangements was unacceptable. Iran should revert to the provisions it had agreed with the Agency in February 2003 and in particular should, without further delay, allow the Agency to verify design information concerning its IR-40 reactor at Arak.

144. Also, Iran should, without delay, provide Agency inspectors with the clarifications they sought in order to resolve outstanding questions and concerns. In particular, Iran had not responded adequately to troubling information provided to the Agency concerning alleged studies related to the Green Salt Project, high explosives testing and the design of a missile re-entry vehicle. Iran must assist the Agency in clarifying the origin of uranium contamination at its Physics Research Centre and issues surrounding the history and scope of its P-1 and P-2 centrifuge activities, including uranium contamination. It should work with the Agency to explain uranium contamination and plutonium findings at the Karaj Waste Storage Facility and to resolve discrepancies between declared uranium irradiation experiments and solutions of extracted plutonium. Also, it should allow the Agency to make and retain a copy of the document concerning the production and casting into hemispheres of

uranium metal, an activity which related to nuclear weapons. To date, Iran's responses to those and other issues had fallen seriously short.

145. The international community remained committed to a diplomatic solution to the Iranian nuclear issue, but Iran did itself no service by its actions. Unless Iran accepted the validity of the international community's concerns expressed through the Board and the Security Council, distrust would only be reinforced.

146. He requested the Secretariat to provide further information on its procedures for implementation of Security Council resolution 1737 and keep the Board informed of Iran's participation in all Agency-sponsored cooperation activities.

147. He suggested that the Director General's report as contained in document GOV/2007/22 be made publicly available.

148. Mr. VALLIM GUERREIRO (Brazil) said that while decisions of the Security Council were mandatory not only for Member States but also for organizations within the United Nations system, the Board's deliberations should concentrate on the issues which fell under the responsibility of the Agency and not delve into larger questions pertaining to the exercise of rights recognized under the NPT. The right of all States party to the NPT to carry out nuclear activities for peaceful purposes was undisputable, whether those activities related to the nuclear fuel cycle or to other nuclear applications, and to assume otherwise was an unacceptable misinterpretation of its provisions.

149. Brazil urged the Iranian Government to afford the Agency its fullest cooperation with a view to settling outstanding issues. That would involve additional effort in terms of transparency and proactive collaboration. A clear and straightforward explanation by Iran concerning some of the Agency's verification findings would go a long way to allaying concerns. In that regard, he welcomed Iran's agreement to allow unannounced inspections at its Fuel Enrichment Plant at Natanz.

150. His delegation agreed that some of the outstanding issues might go beyond the legal requirements of the safeguards agreement concluded between Iran and the Agency. Nevertheless, the Iranian situation was a specific case in that the Agency lacked sufficient knowledge of activities which should have been reported, and which had gone unreported for some time. It was that specificity that had been the motivation for bringing the issue to the Board's attention in the first place. It was also the main factor behind the requests that Iran should implement measures additional to those provided for under its comprehensive safeguards agreement. No attempt should be made to transform measures applicable to a special case into a general rule applicable to countries which had strictly abided by their non-proliferation obligations.

151. His delegation noted that Code 3.1 of the Subsidiary Arrangements applied to the timing of the provision of design information, not to whether design information was to be verified after the design information had been provided.

152. Brazil, convinced that the Iran issue should be solved through negotiations and dialogue, urged that all peaceful avenues be pursued in order to bring about an outcome that was satisfactory to all.

153. Ms. GOICOCHEA ESTENOZ (Cuba) said that her country condemned the political and geostrategic interests motivating those who were attempting to transform the Iranian nuclear issue into a matter of international peace and security. That was a fallacy which unfortunately reflected the unipolar order imposed by the United States of America on the dynamics of current international relations, in a patent violation of multilateralism and the principles governing the relationships among States.

154. Cuba endorsed the right of developing countries to nuclear energy for peaceful purposes, under the appropriate safeguards, and to implement all nuclear fuel cycle activities. Therefore the imposition of conditions on Iran to pursue negotiations was unjust, discriminatory, politically motivated and absurd. It contravened the right to nuclear energy and violated the principles set out in the United Nations Charter, including that of the sovereign equality of all its members. It would seem that those who had referred the Iranian nuclear issue to the Security Council were trying to show that some States were more sovereign than others. Cuba could not accept such an approach on principle.

155. The tendentious questions asked by some delegations during the technical meeting of 6 June and the pressure being put on the Secretariat to forsake its impartiality and objectivity on Iran's nuclear programme were irrefutable proof that some governments were not really willing to resolve the matter through dialogue and negotiation.

156. The intransigent position of a group of developed countries in demanding that Iran completely suspend its uranium enrichment activities as a prerequisite for any negotiations was a real obstacle to resolving the issue. By endorsing that irrational demand, Security Council resolutions 1737 and 1747 had only complicated matters. Pursuant to Article 24 of the United Nations Charter, the Security Council had primary responsibility for the maintenance of international peace and security and in carrying out its duties should act in accordance with the principles and purposes of the United Nations. How did the aforementioned resolutions fulfil those functions? The publication of document GOV/2007/22 meant that additional sanctions on Iran could be expected and Cuba wondered what form they would take and whether the military option would be on the table.

157. In-depth analysis of the process showed that the United States of America and its closest allies had no real interest in resolving the matter. The process was rigged and, with the effective aiding and abetting of the large international media empires, Iran had been turned into 'a great danger to world peace'. To 'prevent' that supposed danger, there were attempts to pursue a new Star Wars project, including an antimissile shield in Europe, which clearly aroused profound and justified concern among lovers of world peace. Disdain for the pacifist tendencies embraced by many underlay for example the positions of those who were modernizing their nuclear submarines to 'protect themselves'. The issue of Iran was an excellent pretext for those who were opposed to nuclear disarmament and whose true interest lay in improving and developing their nuclear arsenals, irrespective of the cost. In the context of that strategy, the use of force against Iran was again not being ruled out. That was an important element of the Middle East policies of those who had favoured referral of the Iran nuclear issue to the Security Council. Why were those who were supposedly concerned about the alleged restrictions to the Agency's verification of Iran's nuclear programme not promoting effective nuclear disarmament, a vital factor in discouraging proliferation and one which would facilitate the Agency's activities in that regard?

158. The use of force provided for in Chapter VII of the United Nations Charter was a last resort and an exceptional measure for the protection of international peace and security. The abuse and illegitimate use of force, including the threat to use it, would not only be a violation of the provisions of Article 2.4 of the Charter, but also banish for ever the possibility of a fair and lasting solution. The lesson of Iraq, where the use of force had been justified by the supposed existence of weapons of mass destruction, could not be more telling. Consistency and determination were required in the face of a doctrine that was as dangerous as it was illegal and irrational.

159. The United States and the relevant European Governments should display the same consistency and forego their permissive stance vis-à-vis Israel. They should demand that it destroy, under international control, the nuclear weapons that it seemed prepared to use if necessary for the implementation of its plans in the Middle East in complicity with its main ally. Perhaps Israel should be the subject of a rigorous Security Council resolution.

160. Certain Board members sought to change the procedure for presenting reports on the subject, requesting that the Board be kept informed of certain actions or decisions by the Government of Iran in relation to its cooperation with the Agency. Cuba opposed that plan. A procedure for submitting reports already existed on the basis of the Security Council resolutions. Additional monitoring of the Agency's technical cooperation with Iran, which constituted micromanagement and interference, was unacceptable.

161. Members had a collective duty to assist in resolving the matter through negotiation. Cuba, which believed in multilateralism and in dealing with problems in international relations objectively and equitably, was confident that dialogue and negotiation would prevail in resolving the issue. To that end, it was essential that the Security Council abstain from any further action and that the Iranian nuclear file be returned in its entirety to the Agency. The recent talks between the President of the Security Council, Ali Larijani and Javier Solana provided grounds for hope that the matter could be resolved through negotiation.

162. Having reiterated that the attempt to impose unilateral suspension by Iran of its fuel cycle activities as a prerequisite for any negotiations was unfair and unwise, she expressed the hope that good judgement, responsibility and rationality would hold sway as that was what the international community needed.

163. Mr. ALOBIDI (Libyan Arab Jamahiriya) said that the report contained in document GOV/2007/22 showed the important role the Agency could play in ensuring the application of safeguards agreements under the NPT and in promoting the peaceful uses of atomic energy.

164. The relevant Security Council resolutions had left no leeway for the Board of Governors or the Director General to exert additional efforts with a view to convincing the Islamic Republic of Iran to be more cooperative and transparent in its dealings with the Agency. The haste to refer the Iran nuclear issue to the Security Council had led to policies of intimidation which had in turn increased defiance and the potential for confrontation.

165. The report noted that Iran had not accepted any of the transparency measures the Agency considered essential for the clarification of specific aspects of its nuclear programme. It was important that Iran cooperate with the Agency and the Director General, and show more transparency, so that the Agency could determine the true nature and scope of its nuclear programme.

166. All States, including Iran, had a fundamental right to develop research, produce and use atomic energy for peaceful purposes without discrimination in accordance with their legal obligations.

167. The dangers of the potential proliferation and use of nuclear weapons were well known. People in Japan and in regions of Ukraine affected by the Chernobyl accident had experienced the adverse effects of radiation. States were increasingly aware of the perils those weapons might pose in the hands of extremist terrorist organizations. The actions of some major States in trying to confront that danger represented double standards because they turned a blind eye to the nuclear programmes in States in the Middle East while imposing sanctions on others. Why did the United States of America and others choose to disregard Israel's failure to submit its nuclear facilities to a comprehensive safeguards agreement and concentrate their efforts only on Iran's nuclear programme? Such a policy prompted the people of the world to question the credibility and ethical standards of those States with respect to justice, security and global peace.

168. Libya had demonstrated its commitment to all Agency agreements and principles by signing and ratifying an additional protocol. In 2003 it had voluntarily renounced its weapons of mass destruction programme in a clear demonstration of its desire for peace and security in the Middle East and in the world.

169. Confrontation and defiance would lead to a deterioration in relations and threaten peace and security in the Middle East, where there were already many conflicts. If the Security Council were to refrain from taking a decision on Iran and if Iran were to show greater cooperation and transparency vis-à-vis the Agency and the Director General, a climate of confidence and trust could be established.

170. Mr. MACKAY (Belarus) shared the view that the Iran issue should be resolved by exclusively peaceful means. His country welcomed efforts to settle the matter diplomatically through mutually respectful dialogue.

171. A recent meeting of the Preparatory Committee for the NPT Review Conference had shown how complex and multifaceted the Treaty related issues were. Cooperation under the Treaty should lead to an accumulation of positive experience in implementing all of its provisions, including safeguards agreements with the Agency. Belarus was committed to the Treaty and recalled the rights enshrined in it, including the inalienable right of States to lawful peaceful nuclear activities. In that connection, each NPT State Party with peaceful nuclear programmes must act as transparently as possible in accordance with the spirit and the letter of its obligations.

172. It was essential not to lose sight of the strategic goal of the NPT, namely nuclear disarmament. The non-proliferation efforts of the international community should be accompanied by concrete steps to that end, and by the establishment and development of confidence-building measures between the nuclear and the non-nuclear States.

173. Mr. ARTHAKAIVALVATEE (Thailand) underlined that the Agency was the sole international authority in the fields of non-proliferation and the peaceful uses of atomic energy. His country had full confidence in the integrity, impartiality and professionalism of the Director General and the Secretariat in implementing their functions as mandated under the Agency's Statute, particularly in the fields of safeguards and verification.

174. Thailand strongly believed in the inalienable right of all States to develop research, produce and use atomic energy for peaceful purposes in accordance with their respective legal obligations. It recognized and respected Iran's rights in that regard provided that transparency and confidence-building measures — essential elements in verifying the peaceful nature of Iran's nuclear programme — were in place.

175. His delegation welcomed the fact that Iran was continuing to provide the Agency with access to its nuclear material and facilities, including the enrichment facility at Natanz, in accordance with its safeguards agreement, and that the Agency had been able to verify the non-diversion of declared nuclear material in Iran. However, as the Director General's report indicated, the Agency was still not able to provide assurances about the absence of undeclared nuclear material and activities in Iran, and so Iran should take the necessary steps to enhance cooperation with the Agency in order to resolve the outstanding issues.

176. The Thai Government had already instructed the relevant agencies to implement the necessary measures pursuant to Security Council resolution 1747 (2007) and had reported to the Security Council accordingly.

177. Finally, he underscored the importance of multilateralism as the core principle for negotiations in the areas of non-proliferation and disarmament. Dialogue and diplomacy were the best way to resolve the Iran nuclear issue peacefully. In that regard, his delegation welcomed the meetings held between the representatives of Iran and the European Union and remained hopeful that such developments would produce some positive results. Thailand was ready to cooperate with the international community on any constructive efforts and he urged all parties to exercise the utmost restraint to avoid unnecessary confrontation.

178. Mr. MINTY (South Africa) expressed his country's sincere appreciation to the Director General and his staff on their continued highly professional, objective and unbiased approach to resolving the outstanding issues related to Iran's nuclear programme.

179. As stated in the report contained in document GOV/2007/22, the Agency was able to verify the non-diversion of declared nuclear material in Iran and was implementing a modified safeguards approach for Iran's Fuel Enrichment Plant, which included monthly inspections and design information verification visits as well as unannounced inspections and containment and surveillance measures. South Africa commended Iran for that cooperative approach in implementing its obligations under its comprehensive safeguards agreement and encouraged it to continue and expand such cooperation. Also, South Africa welcomed the information provided in the report that there were no indications of reprocessing activities at the sites referred to.

180. As stated recently in South Africa's parliament by the Minister of Foreign Affairs, the evolving confrontation between the big powers and Iran over its peaceful use of nuclear energy had escalated in recent months and the matter had effectively been shifted to the Security Council from the Board of Governors. South Africa had consistently warned that transferring the matter from the Agency to the Security Council involved a serious risk not only of escalation which could easily spiral into a dangerous situation for the region and the world, but also of reducing the verification role of the Agency. That would in effect mean that the international community had no authoritative and verified information about the precise scale and nature of Iran's nuclear programme. It was therefore no surprise that the Director General's report indicated that Iran had not implemented the key requirements of the relevant Security Council resolutions on suspending enrichment related activities and that instead of suspending activities on all heavy water related projects, including construction of the research reactor moderated by heavy water at Arak, it had in fact expanded them.

181. South Africa was concerned that Iran was continuing to impose additional restrictions on the Agency's verification activities, including the Agency's right to verify design information at Arak. That was regrettable, and Iran should comply with those legally binding obligations under the Security Council resolutions. It was also of concern that no progress had been made on resolving the long outstanding issues related to uranium contamination and the acquisition of centrifuge technology. He expressed deep concern that, owing to a lack of information received from Iran, the Agency's overall level of knowledge of certain aspects of Iran's nuclear related activities had deteriorated. That meant that the international community would have no authoritative and verified information about the precise scale and nature of Iran's nuclear programme, thus further eroding confidence. South Africa therefore called on Iran to reconsider its decision not to provide information to the Agency under the additional protocol. It needed to initiate steps, including allowing access to declared facilities to enable the Agency to undertake design verification visits, which would ensure that the Agency's knowledge of Iran's nuclear related activities was enhanced and did not deteriorate further.

182. South Africa had at every point called for dialogue and negotiations and had encouraged all parties to spare no effort in seeking a comprehensive and sustainable solution. South Africa and the international community did not wish to see Iran develop nuclear weapons, but equally did not want to see war over Iran's nuclear programme.

183. At the first Preparatory Committee meeting for the 2010 NPT Review Conference in May 2007, States had called for the elimination of all nuclear weapons and had insisted that developing countries, including South Africa, could not be denied their right to peaceful nuclear technology as provided for in the NPT.

184. Iran now had the opportunity to demonstrate and reassure the international community that all aspects of its nuclear programme were peaceful. South Africa called on Iran to seize that opportunity

and resolve the few remaining outstanding issues with the Agency and restore the international community's belief that its nuclear programme was peaceful.

185. In conclusion, South Africa encouraged all parties to refrain from any actions that would further exacerbate the situation. Innovative leadership, as shown by the Director General, was needed to find an early solution to the growing crisis, which could deteriorate sharply and result in a major catastrophe.

186. Mr. CURIA (Argentina) voiced his country's support for the Secretariat and the Director General in their professional and impartial handling of the Iran nuclear issue.

187. His delegation noted with concern the report's findings that Iran had not complied with all the measures required of it by the Security Council and the Board of Governors, including the suspension of enrichment related activities required. As a result, the Agency was unable to make progress in its efforts to verify certain aspects of the scope and nature of Iran's nuclear programme. According to the report, Iran had suspended the implementation of the modified Code 3.1 of the Subsidiary Arrangements and had not permitted the Agency to perform design information verification at the IR-40 reactor. Also, Iran had continued with the operation of the Pilot Fuel Enrichment Plant, had continued with the construction of the Fuel Enrichment Plant and had started feeding cascades with UF₆. It had also continued with its heavy water related projects.

188. The Agency must continue its work to reconstruct the history of Iran's nuclear programme over the preceding 20 years, which was the only way to restore the confidence of the international community in the peaceful nature of the programme. To that end, maximum cooperation and transparency were essential on the part of Iran with the Agency and Iran must comply with the resolutions of the Board of Governors and the Security Council.

The meeting rose at 6:00 p.m.