

IAEA Board of Governors
Record of the 1280th Meeting
GOV/OR.1280

(Click the link below to go directly to the NAM statement)

Nuclear Verification: Implementation of the NPT safeguards agreement and relevant provisions of United Nations Security Council resolutions in the Islamic Republic of Iran

Board of Governors

GOV/OR.1280

Issued: October 2010

Restricted Distribution

Original: English

For official use only

Record of the 1280th Meeting

Held at Headquarters, Vienna, on Wednesday, 15 September 2010, at 10.10 a.m.

Contents

Item of the agenda ¹	Paragraphs
7 Nuclear verification	1–162
(c) Application of safeguards in the Democratic People’s Republic of Korea (<i>continued</i>)	1–41
(d) Implementation of the NPT safeguards agreement and relevant provisions of United Nations Security Council resolutions in the Islamic Republic of Iran	42–160

¹ GOV/2010/50.

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 YAAKOB		Chairman (Malaysia)
Mr SHOOGUFAN	_____	Afghanistan
Mr CURIA		Argentina
Mr POTTS		Australia
Mr ISMAYILOV		Azerbaijan
Mr VALLIM GUERREIRO		Brazil
Mr DIALLO		Burkina Faso
Mr MPAY		Cameroon
Mr BARRETT		Canada
Mr HU Xiaodi		China
Ms GOICOCHEA ESTENOZ		} Cuba
Mr LEON GONZALEZ		
Mr BERNHARD		Denmark
Mr FAWZY		} Egypt
Mr SIRRY		
Mr MONDOLONI		France
Mr LÜDEKING		Germany
Mr KHULLAR		India
Mr NAKANE		Japan
Mr YATANI		Kenya
Mr SHIM Yoon-Joe		Korea, Republic of
Mr SALAM		Malaysia
Mr ENKHSAIKHAN		Mongolia
Mr HAMER		Netherlands
Ms MACMILLAN		New Zealand
Mr PARVEZ		Pakistan
Mr GARCÍA REVILLA		Peru
Mr NECULĂESCU		Romania
Mr BERDENNIKOV		Russian Federation
Mr MINTY		South Africa
Mr ROSELLÓ SERRA		Spain
Mr GREMINGER		Switzerland
Mr BAYER		Turkey
Ms MYKOLAICHUK		Ukraine
Mr SMITH		United Kingdom of Great Britain and Northern Ireland
Mr DAVIES		} United States of America
Mr WOOD		
Mr VEDOVATTI RAFFO		Uruguay
Mr UZCÁTEGUI DUQUE		Venezuela, Bolivarian Republic of
Mr AMANO	_____	Director General
Mr ANING		Secretary of the Board

Representatives of the following Member States also attended the meeting:

Albania, Algeria, Angola, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Dominican Republic, El Salvador, Estonia, Finland, Greece, Guatemala, Holy See, Iceland, Indonesia, Islamic Republic of Iran, Iraq, Ireland, Israel, Italy, Jordan, Kazakhstan, Kuwait, Latvia, Lebanon, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Malta, Mexico, Montenegro, Morocco, Namibia, Nicaragua, Nigeria, Norway, Oman, Paraguay, Philippines, Portugal, Qatar, Saudi Arabia, Serbia, Singapore, Slovakia, Slovenia, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Tunisia, United Arab Emirates, Vietnam, Yemen, Zimbabwe.

Abbreviations used in this record:

CTBT	Comprehensive Nuclear-Test-Ban Treaty
DPRK	Democratic People's Republic of Korea
EFTA	European Free Trade Association
FEP	Fuel Enrichment Plant
FFEP	Fordow Fuel Enrichment Plant
FMP	Fuel Manufacturing Plant
G8	Group of Eight
LEU	low-enriched uranium
NAM	Non-Aligned Movement
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
NPT Review Conference	Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
PFEP	Pilot Fuel Enrichment Plant
R&D	research and development

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

7. Nuclear Verification

(b) Application of safeguards in the Democratic People's Republic of Korea (continued) (GOV/2010/45 and Corr.1)

1. Mr NAKANE (Japan) agreed with the Director General that it was regrettable that the DPRK had decided to cease all cooperation with the Agency in April 2009 and that that situation had not been resolved to date. The DPRK's nuclear and missile-related activities posed a grave threat to the peace and security of the north-east Asian region and of the international community as a whole, which was totally unacceptable. The DPRK nuclear issue also seriously undermined the non-proliferation regime. The DPRK must listen to the calls of the international community, refrain from acts, words and deeds that led to escalation of tensions, fulfil its commitments under the six-party talks in accordance with the September 2005 Joint Statement, and fully implement its obligations under the relevant United Nations Security Council resolutions. In particular, the DPRK should not conduct any further nuclear tests, should abandon all its nuclear weapons and existing nuclear programmes in a complete, verifiable and irreversible manner, should cease immediately all related activities, should retract its announcement of withdrawal from the NPT, and should act strictly in accordance with its safeguards agreement. It was also important that the international community steadily implement the relevant Security Council resolutions.
2. The DPRK should refrain from provocative acts, words and deeds and make specific efforts to foster an environment that would lead to a resumption of the six-party talks. A united and strong message needed to be sent to the DPRK at the forthcoming session of the General Conference, as in 2009. Japan would continue to address the issue in cooperation with the international community with a view to improving the situation.
3. Although the Agency had been unable to apply safeguards in the DPRK since April 2009, it should maintain a capacity so that it could resume application immediately.
4. Mr ENKHSAIKHAN (Mongolia) said that strengthening the non-proliferation regime should be a key priority for the international community, as nuclear weapons undermined the security of all nations. Regrettably, the Agency had been prevented from carrying out any monitoring and verification activities in the DPRK and was thus unable to draw any conclusion regarding that country's nuclear activities.
5. The successful 2010 NPT Review Conference had adopted its final document by consensus. An important part of the package of 64 recommended actions agreed upon at the Conference related to establishing a nuclear-weapon-free zone in the Middle East, marking a possible breakthrough on the issue of convening an international conference to address the issue. Unfortunately, the Conference had been unable to make progress on the issue of denuclearizing the Korean Peninsula. The Conference had deeply deplored the nuclear test explosions announced by the DPRK, had underlined that the DPRK could not have the status of a nuclear-weapon State under the NPT, and had reaffirmed its firm support for the six-party talks as an effective mechanism for the verifiable denuclearization of the Korean Peninsula.
6. Mongolia remained concerned over the DPRK's nuclear programme and activities. The DPRK should honour all its international commitments related to nuclear issues, including the NPT and its comprehensive safeguards agreement with the Agency. As a north-east Asian State, Mongolia would

continue to support the denuclearization of the Korean Peninsula as well as the idea of establishing a nuclear-weapon-free zone in the region. The door remained open for the DPRK to make use of the enormous benefits that the peaceful nuclear atom and the Agency offered.

7. The DPRK nuclear issue should be resolved peacefully through dialogue. The six-party talks were currently the most realistic framework and should be fully utilized. Mongolia stood ready to continue its efforts to contribute to the resolution of the issue by diplomatic means, notably by contributing actively to progress at the six-party talks. It called on the DPRK to recommit itself to the six-party talks, the NPT and its safeguards agreement.

8. Mr BERDENNIKOV (Russian Federation) expressed regret at the fact that the Agency had been compelled to suspend the ad hoc verification arrangements in the DPRK and that its inspectors had been forced to leave the country. The Russian Federation firmly supported the denuclearization of the Korean Peninsula, the return of the DPRK to the NPT as a non-nuclear weapon State, and its return to the Agency and the implementation of its comprehensive safeguards agreement. In the future, the Agency must play a key role in the verification of the DPRK's nuclear activities, as the only international organization with the required expertise. The DPRK nuclear issue could only be resolved by diplomatic means, preferably through the six-party talks process.

9. Mr BARRETT (Canada) said that his country remained gravely concerned at the threat posed by the DPRK to regional and international security. Its concerns had been heightened by the DPRK's nuclear test and missile activities and other provocative actions, such as the sinking of a naval vessel of the Republic of Korea earlier in 2010. Canada had used its G8 Presidency in 2010 to call for full and immediate compliance by the DPRK with its obligations under all relevant United Nations Security Council resolutions, and fulfilment of its commitments under previous six-party talks agreements.

10. Canada fully supported the conclusions of the 2010 NPT Review Conference, which had urged the DPRK to return at an early date to the NPT, to adhere to its Agency safeguards agreement, and to implement fully all relevant nuclear non-proliferation and disarmament obligations. The DPRK did not, and could not, have the status of a nuclear-weapon State under the NPT.

11. The item should remain on the agenda of the Board and the Director General should continue to monitor developments closely and report to the Board as appropriate. The Agency and its Member States must remain seized of the matter, as agreed in the resolution adopted by consensus at the 2009 General Conference. All members should encourage efforts to achieve a diplomatic resolution of the DPRK nuclear issue.

12. Mr LEON GONZALEZ (Cuba) said that, according to paragraph 3 of document GOV/2010/45, the Director General's report covered developments since his preceding report. Consequently, paragraphs 5 and 6 should not be included.

13. Efforts aimed at the total elimination of nuclear weapons should be stepped up since, only through the complete elimination and prohibition of such weapons, and the banning of nuclear tests, could international peace and security be guaranteed. His country remained concerned at the threat to humanity posed by the continued existence of nuclear weapons and their possible use or threat of use. It firmly supported the action plan presented by NAM at the 2010 NPT Review Conference, which aimed at the elimination and prohibition of all nuclear weapons by 2025.

14. His country was deeply concerned at the slow progress towards nuclear disarmament and at the lack of real progress on the part of nuclear-weapon States towards the complete elimination of their arsenals. All nuclear-weapon States should comply immediately and unconditionally with their obligations under Article VI of the NPT and should accelerate implementation of the outcomes of the

1995, 2000 and 2010 NPT Review Conferences which foresaw the complete elimination of nuclear weapons through systematic and progressive efforts, in particular the thirteen practical steps included in the final document of the 2000 NPT Review Conference.

15. Cuba supported the complete denuclearization of the Korean Peninsula. Only diplomacy and dialogue could provide a solution to the DPRK nuclear issue. Cuba was concerned at the growing tension on the Korean Peninsula, which could undermine the efforts made by many members of the international community to achieve lasting peace. His country supported the six-party-talks process.

16. Mr POTTS (Australia) said that the DPRK's nuclear weapons activities, including proliferation-sensitive exports, constituted a major threat to the stability of north-east Asia. His country was concerned at the DPRK's continued failure to return to full compliance with the NPT, resume cooperation with the Agency, and abide by the commitments it had made in the six-party talks to denuclearize. Given the importance of the issue for global security and the international non-proliferation regime, the Director General should continue to report to the Board on the implementation of safeguards in the DPRK. The Secretariat should maintain its capability to re-establish implementation of safeguards in the DPRK.

17. Mr WOOD (United States of America) said that the international community continued to face a threat from the DPRK's nuclear and missile programmes. The DPRK continued to disregard its commitments under the 2005 Joint Statement and to defy the international community by failing to comply with its obligations under United Nations Security Council resolutions 1718 (2006) and 1874 (2009).

18. The United States had recently adopted new sanctions as part of its efforts to hold the DPRK accountable for its repeated violations of those resolutions and its continued disregard of its international commitments. On 30 August 2010, the President of the United States had signed a new executive order aimed at enhancing the country's ability to prevent DPRK proliferation, halt the illicit activities that helped fund the DPRK's proliferation programmes, and discourage further provocative behaviour. Those new measures would supplement existing United States sanctions targeting the DPRK's weapons of mass destruction and ballistic missile programmes, and build on efforts to pursue vigorous international enforcement of Security Council resolutions 1718 and 1874. All Member States should implement those resolutions fully and transparently and the international community must make it clear that the DPRK's defiance and provocative behaviour came at a cost.

19. The United States would not accept the DPRK as a nuclear-weapon State and remained committed to the 2005 Joint Statement and its core goal of the verifiable denuclearization of the Korean Peninsula in a peaceful manner. In close coordination with its regional partners, his country continued to address the threats posed by the DPRK's nuclear and missile programmes, its proliferation activities, and other provocations. There was a positive path open to the DPRK to achieve the security and international respect it sought: it could cease its provocative behaviour, halt its threats and belligerence towards its neighbours, comply with international law and relevant Security Council resolutions, and take irreversible steps to fulfil its denuclearization commitments under the 2005 Joint Statement. If the DPRK chose that path, sanctions would be lifted, energy and other economic assistance would be provided, its relations with the United States would be normalized, and the current armistice on the Korean Peninsula would be replaced by a permanent peace agreement. However, so long as the DPRK continued its defiance, provocations, and belligerence, it would continue to suffer the consequences.

20. The United States was not prepared to reward the DPRK simply for returning to the negotiating table. If that country was serious about negotiations, it must demonstrate via concrete action that it was

willing to take irreversible steps to implement its Joint Statement commitments and its Security Council-imposed obligations to denuclearize and return at an early date to the NPT and safeguards.

21. Ms MACMILLAN (New Zealand) said that her country shared the concern of the international community over the fact that, since December 2002, the DPRK had not permitted the Agency to implement safeguards in the country, as a result of which the Agency could not draw any safeguards conclusion for the DPRK. New Zealand was also concerned at the DPRK's failure to implement the measures called for in United Nations Security Council resolutions 1718 (2006) and 1874 (2009). That country's actions in conducting a second nuclear test, reactivating all its nuclear facilities and proceeding with the reprocessing of spent fuel were all in direct contravention of those resolutions and were provocative and destabilizing acts which undermined international confidence in the moratorium on nuclear weapons testing.

22. Her country had consistently registered its disappointment at the DPRK's actions to develop its nuclear programme, including through ongoing support for the measures adopted by the Security Council in response to events in the DPRK. She recalled General Conference resolution GC(53)/RES/15 which stressed the importance of the full implementation of the September 2005 Joint Statement, including the commitments made by the DPRK to abandon all nuclear weapons and existing nuclear programmes. Through that consensus resolution, New Zealand had joined the General Conference in calling on the DPRK to come into full compliance with the NPT, to cooperate promptly with the Agency in the full and effective implementation of comprehensive safeguards, and to resolve any outstanding issues that might have arisen owing to the long interruption in safeguards. Her country also echoed the call by the 2010 NPT Review Conference for the DPRK to return to the NPT. The DPRK should refrain from further destabilizing acts and its leadership should refocus its efforts on peace and dialogue, including its six-party talks commitment to abandon its existing nuclear programmes.

23. The DPRK item should continue to be included in the Board's agenda and the Director General should continue to report on it as appropriate.

24. Mr MINTY (South Africa) said that, at the 2009 regular session of the General Conference, his country had joined other Member States in calling on the DPRK to come into full compliance with the NPT as soon as possible, to cooperate promptly with the Agency in the full and effective implementation of its comprehensive safeguards, and to sign and ratify the CTBT. South Africa remained concerned at the lack of progress with regard to the application of safeguards in the DPRK and at the cessation of the ad hoc monitoring and verification arrangement pursuant to the six-party talks. Early and unconditional resumption of the six-party talks was crucial.

25. The DPRK should invite the Agency to resume the monitoring and verification of all its nuclear material and facilities, should rescind its announced withdrawal from the NPT, abandon any nuclear weapons programme fully and verifiably and refrain from further nuclear tests or launching of ballistic missiles.

26. His country continued to support the six-party talks which aimed at finding a sustainable solution to the DPRK's nuclear issue that was acceptable to all parties concerned. The six-party talks were the only appropriate forum to address the DPRK nuclear issue and he called on all parties involved to refrain from any actions that could exacerbate the volatile situation in the region.

27. Ms YPARRAGUIRRE (Philippines)* expressed concern at the lack of progress in addressing the outstanding issues relating to the DPRK as a result of that country's decision to cease all cooperation with the Agency and to proceed with the reactivation of its nuclear activities. In view of its proximity to the Korean Peninsula, the Philippines was committed to contributing to all efforts to resolve the situation.

28. In the final document of the 2010 NPT Review Conference, States party to the NPT had deplored the nuclear test explosions announced by the DPRK in May 2009. The Philippines condemned such acts as serious threats to peace and stability in the Asia and Pacific region and to international norms on non-proliferation, and as a clear violation of commitments under the six-party talks framework and relevant United Nations Security Council resolutions.

29. The Philippines had consistently advocated a peaceful and just solution to the denuclearization of the Korean Peninsula. Dialogue and cooperation were essential elements for peace, security and stability in the region. The six-party talks played a critical role in achieving a peaceful and comprehensive resolution of the nuclear issue on the Korean Peninsula and the DPRK should fulfil its commitments under the talks, including the complete and verifiable abandonment of all nuclear weapons and existing nuclear programmes in line with the September 2005 Joint Statement.

30. Through its active participation in regional forums, her country remained committed to contributing to the continuing process of dialogue and cooperation and to creating an environment of trust and confidence conducive to the six-party talks. Participating States in the talks that had close relations with the DPRK should work to convince that country to take a less intransigent stance and to return immediately to the talks, paving the way for early resumption of negotiations. Furthermore, the DPRK should return to the NPT and allow resumption of the implementation of its comprehensive safeguards agreement.

31. The CHAIRMAN, summing up the discussions, said that the Board had regarded the DPRK nuclear issue and that country's nuclear tests as a serious threat to the international nuclear non-proliferation regime and regional and international peace and stability. Several members had urged the DPRK to renounce nuclear weapons, to return immediately to the six-party talks, to work towards implementation of the 2005 Joint Statement, and to comply with its international obligations as set out in the relevant United Nations Security Council resolutions.

32. Several members had expressed regret that there had been no progress to report since the preceding series of meetings of the Board. They had also expressed regret that, as noted in the Director General's reports, the Agency had not been able to implement safeguards in the DPRK since 2002 and therefore could not draw any safeguards conclusions regarding that country.

33. The Board had urged the DPRK to reverse its decision to cease its full cooperation with the Agency, as well as the decision to restore the nuclear facilities that had been disabled. The Board had also urged the DPRK to return to the six-party talks and to allow an early return of Agency inspectors.

34. Several members had underlined the importance of swift and full implementation of the commitments contained in the 2005 Joint Statement, leading to the full disablement and dismantlement of the nuclear weapons programme of the DPRK in a verifiable manner, including the DPRK's provision of a correct and complete declaration to the Agency of all its nuclear programmes. They had urged the DPRK to return to the NPT and to Agency safeguards at an early date. It had been emphasized that it was important for the Agency to maintain a capacity to restart promptly the application of safeguards in the DPRK.

35. The Board had expressed the view that a successfully negotiated settlement of that longstanding issue, maintaining the essential verification and monitoring role of the Agency in all stages of the process, was important for regional and international peace and security.

36. 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.

37. Several members had emphasized the importance of international nuclear disarmament and nuclear non-proliferation and achieving universality of the NPT, and had urged all concerned Member States to work towards that objective.

38. The Board had expressed its appreciation for the key role of China in that process and as chair of the six-party talks.

39. Several members had requested the Director General to maintain the item on the agenda of the Board of Governors and to report to it as appropriate.

40. He asked whether his summing-up was acceptable.

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

(d) Implementation of the NPT safeguards agreement and relevant provisions of United Nations Security Council resolutions in the Islamic Republic of Iran (GOV/2010/46)

42. Mr FAWZY (Egypt), speaking on behalf of NAM, reiterated NAM's principled positions on the issue. All States had a basic and inalienable right to development, 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 such a way as to inhibit or restrict the right of States to develop atomic energy for peaceful purposes. States' choices and decisions, including those of the Islamic Republic of Iran, in the field of the peaceful uses of nuclear technology and fuel cycle policies must be respected. The Agency was the sole competent authority for the verification of the respective safeguards obligations of Member States and there should be no undue pressure on or interference in the Agency's activities, especially its verification process, which would jeopardize the efficiency and credibility of the organization. A fundamental distinction must be drawn between the legal obligations of States under their respective safeguards agreements and confidence-building measures undertaken voluntarily which did not constitute a legal safeguards obligation. The establishment of a nuclear-weapon-free zone in the Middle East would be a positive step towards attaining the objective of global nuclear disarmament and NAM supported the establishment of such a zone in accordance with relevant United Nations General Assembly and Security Council resolutions. NAM reaffirmed the inviolability of peaceful nuclear activities, and that any attack or threat of attack against peaceful nuclear facilities — whether operational or under construction — posed a serious danger to human beings and the environment and constituted a grave violation of international law, the principles and purposes of the Charter of the United Nations, and of Agency regulations. There was a need for a comprehensive multilaterally negotiated instrument prohibiting attacks or threat of attacks on nuclear facilities devoted to peaceful uses of nuclear energy. NAM strongly believed that all safeguards and verification issues, including those related to Iran, should be resolved within the framework of the Agency based on sound technical and legal grounds. The Agency should continue its work to resolve the Iranian nuclear issue within its mandate under its Statute. Lastly, NAM stressed that peaceful diplomacy and dialogue, and substantive negotiations among the parties concerned without preconditions, must remain the means whereby a comprehensive and lasting solution to the Iranian nuclear issue was found.

43. Noting that the Director General had stated once again that the Agency had been able to continue to verify the non-diversion of declared nuclear material in Iran, NAM encouraged Iran to continue cooperating with the Agency to provide credible assurances regarding the absence of undeclared nuclear material and activities in the country in accordance with international law.

44. NAM noted with concern the possible implications of the continued departure from standard verification language in the summary in the Director General's report, which stated that "Iran has not

provided the necessary cooperation to permit the Agency to confirm that all nuclear material in Iran is in peaceful activities”, and it had sought further clarification from the Agency on that matter, given that the Safeguards Implementation Report for 2009 contained in document GOV/2010/25 stated that “while the Agency was able to conclude for Iran that all declared nuclear material remained in peaceful activities, verification of the correctness and completeness of Iran’s declarations remained ongoing”. NAM regretted that no further clarification had been received to date. It further noted with concern the inclusion of extensive technical details pertaining to sensitive proprietary information in the report of the Director General and requested the Secretariat to refrain from including such sensitive information.

45. NAM welcomed the continued cooperation between the Agency and Iran, noting in particular the following. Nuclear material production activities, particularly those related to enrichment, continued to remain under Agency containment and surveillance and, to date, the results of the large number of environmental samples taken at the FEP and the PFEP indicated that those plants were operating as declared, except for one sample from the FEP. Iran had provided a possible explanation for that sample that was not inconsistent with the Agency’s findings, along with supporting information. The Agency had confirmed that the FFEP corresponded with the design information provided by Iran and was at an advanced stage of construction, although no centrifuges had been introduced into the facility. Since October 2009, the Agency had been conducting, on average, one design information verification at the FFEP per month. The results of the environmental samples taken at the FFEP up to 16 February 2010 had not indicated the presence of enriched uranium. The Agency had continued to monitor the use and construction of hot cells at the relevant nuclear facilities in Iran and there had been no indications of ongoing reprocessing-related activities at those facilities. Iran had allowed the Agency access to the IR-40 heavy water reactor at Arak, at which time the Agency had been able to carry out a design information verification. The Agency had verified that construction of the facility was ongoing, the civil construction of the buildings being almost complete and some major equipment having been installed. The Agency had also carried out a physical inventory verification and a design information verification at the FMP, confirming that no new process equipment had been installed at the facility and that no new assemblies, rods or pellets had been produced there since May 2009.

46. NAM noted that the report of the Director General also stated that “the Agency also requested that, if a decision to construct new nuclear facilities had been taken by Iran, Iran provide further information regarding the design and scheduling of the construction of the facilities”. NAM noted with appreciation that the report stated that “Iran reiterated that it was continuing to cooperate with the Agency ‘in accordance with its Safeguards Agreement’”, and it continued to encourage Iran to provide design information regarding its nuclear facilities in accordance with its full-scope safeguards agreement with the Agency.

47. NAM noted with concern that, while Iran’s safeguards agreement did permit it to object to the designation of Agency inspectors, the Secretariat had rejected the basis on which Iran had sought to justify its objection to the designation of two inspectors who had recently conducted inspections in the country. NAM recalled that, according to their respective safeguards agreements, Member States were not required to justify their decisions in that regard.

48. NAM fully supported the previous requests of the Director General to those Member States that had provided the Secretariat with information related to the ‘alleged studies’ to allow the Agency to provide all related documents to Iran. NAM reiterated its concern over the creation of obstacles in that regard which hindered the Agency’s verification process, recalling that the Director General had previously reported that the Agency had limited means to authenticate independently the documentation that formed the basis of the alleged studies, and that the constraints placed by some

Member States on the availability of information to Iran were making it more difficult for the Agency to conduct detailed discussions with Iran on the matter.

49. Taking into account the aforementioned recent developments, as well as previous reports on implementation of the work plan contained in INFCIRC/711, NAM continued to look forward to safeguards implementation in Iran being conducted in a routine manner.

50. Diplomacy and dialogue were the only way to achieve a long-term solution to the Iranian nuclear issue and NAM encouraged all Member States to contribute to that aim.

51. Mr BAUWENS (Belgium)*, speaking on behalf of the European Union, the candidate countries Croatia, the former Yugoslav Republic of Macedonia and Iceland, the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina and Montenegro, the EFTA countries Liechtenstein and Norway, members of the European Economic Area, as well as Ukraine and the Republic of Moldova, commended the Director General and the Secretariat for their continuing efforts to seek clarifications from the Islamic Republic of Iran and to verify its nuclear programme. The report sent a clear, unambiguous message that Iran was failing to cooperate fully with the Agency. That, combined with its continued defiance of multiple United Nations Security Council resolutions, painted a picture of a country refusing to comply with its international obligations. The European Union noted that the report was addressed in parallel to the Security Council, in line with Security Council resolution 1929 (2010). The European Union had welcomed the adoption of that resolution and, on 26 July 2010, had adopted a decision implementing the measures contained in it, as well as accompanying measures, in the context of its dual-track approach, the aim being to reach a negotiated solution to the Iranian nuclear issue.

52. The Security Council had reaffirmed that Iran must take the steps required by the Board of Governors and cooperate fully with the Agency, that it must suspend all enrichment-related and reprocessing activities, as well as work on all heavy water-related activities, that it must not begin construction on any new uranium enrichment, reprocessing, or heavy water-related facility and must discontinue any ongoing construction, that it must without delay comply fully and without qualification with its Agency safeguards agreement, including application of the modified Code 3.1 of the Subsidiary Arrangements to that agreement on early provision of design information, and that it must ratify the additional protocol it had signed in 2003 and cooperate fully with the Agency on all outstanding questions. Regrettably, Iran had so far not heeded the requests of the Security Council.

53. There were a number of elements of the Director General's new report that gave cause for serious concern: the continued operation of the FEP at Natanz, which was estimated to have produced so far a total of 2803 kg of low-enriched UF₆; the continued production of UF₆ enriched up to 20% in ²³⁵U at the PFEP at Natanz, with total production now estimated at 22 kg, plus the installation and operation of a second cascade and its interconnection with the first; the ongoing construction work at the FFEP near Qom and Iran's refusal to address the Agency's questions on the chronology of the decision-making regarding its construction; the continued operation of the Heavy Water Production Plant and Iran's refusal to provide the Agency access, as well as the ongoing construction of the IR-40 heavy water reactor at Arak; Iran's continued refusal to provide the Agency with information regarding public announcements about the possession of laser enrichment technology, plans to develop third-generation centrifuges and the intention to construct 10 new enrichment facilities; Iran's refusal to abide by the provisions of the modified Code 3.1 of the Subsidiary Arrangements to its safeguards agreement, requiring the early provision of design information when the decision on the construction of a nuclear facility was taken; Iran's repeated objection, reported by the Agency, to the designation of experienced inspectors, and most recently its objection to the designation of two inspectors, which hampered the safeguards process in Iran; and Iran's continued refusal since August 2008 to discuss with the Agency outstanding issues related to possible military dimensions of its

nuclear programme, in view of the fact that the Agency remained “concerned about the possible existence in Iran of past or current undisclosed nuclear related activities involving military related organizations, including activities related to the development of a nuclear payload for a missile” and that there were “indications that certain of these activities may have continued beyond 2004”.

54. Security Council resolution 1929 required, inter alia, that Iran apply the modified Code 3.1 of its Subsidiary Arrangements regarding design information. The European Union noted the Director General’s comment that “Iran remains the only State with significant nuclear activities which has a comprehensive safeguards agreement in force that is not implementing the provisions of the modified Code 3.1”. That was inconsistent with its obligations under the Subsidiary Arrangements to its safeguards agreement.

55. The announcement by Iran on 16 August 2008 that studies for the location of 10 other uranium enrichment facilities had ended and that the construction of one of those facilities would begin by the end of the current (Iranian) year (March 2011), or the start of the following year, increased the European Union’s concern.

56. By not implementing the provisions of the modified Code 3.1, Iran failed to implement fully its safeguards agreement and failed to comply with Security Council resolution 1929. In that regard, the European Union supported the Agency’s request to receive an unequivocal assurance from Iran that no undeclared nuclear material and no new nuclear facilities, including research laboratories or manufacturing facilities, existed or were being built in Iran.

57. The European Union did not question the right of Iran to the peaceful uses of nuclear energy under the NPT and noted that Iran’s nuclear power plant at Bushehr, which was subject to Agency safeguards, was currently being commissioned. The difficulties were with those aspects of Iran’s nuclear programme regarding which the Agency and the international community were seeking clarification, and it was clearly in the interest of Iran to address the growing international concerns.

58. The Agency had the full support of the European Union to continue its verification efforts in Iran and resolve all the outstanding questions. However, that would require full implementation by Iran of the resolutions of the Security Council and the Board of Governors, and the full application of its safeguards agreement, including of the modified Code 3.1, as well as ratification of the additional protocol. The European Union believed that it was only in that way that Iran could regain the confidence of the international community in the peaceful nature of its nuclear programme.

59. The European Union continued to stand by its long-standing commitment to work for a diplomatic solution to the issue and it reaffirmed the validity of the June 2008 proposals made to Iran, which included cooperation in the peaceful uses of nuclear energy. It was the European Union’s aim to achieve a comprehensive long-term settlement which would rebuild international confidence in the exclusively peaceful nature of Iran’s nuclear programme.

60. The European Union urged Iran to address the Agency’s outstanding concerns. Equally, it called on Iran to meet with the European Union High Representative and representatives of China, France, Germany, the Russian Federation, the United Kingdom and the United States of America to discuss its nuclear programme, with the ultimate goal of their establishing a comprehensive relationship with Iran involving cooperation in all fields which would benefit both sides. The European Union High Representative had written to Iran’s chief nuclear negotiator and called for a resumption of dialogue, including on Iran’s nuclear programme. It looked forward to Iran’s positive response to that proposal.

61. Mr MONDOLONI (France), speaking also on behalf of Germany and the United Kingdom, said that, since the Director General’s preceding report and its consideration by the Board in June 2010, Iran had chosen to remain isolated, continuing activities that were in breach of international law, and it

was becoming increasingly uncooperative with the Agency. The United Nations Security Council, in its resolution 1929 (2010), had confirmed that Iran must promptly comply with the resolutions of the Board. That resolution had therefore served to confirm and consolidate the action taken by the Board over the past several years.

62. France, Germany and the United Kingdom strongly regretted that Iran had breached Security Council resolution 1929 on several counts: it had continued to produce low-enriched uranium; it had continued to enrich uranium to almost 20%; it had continued construction of the FFEP; and it had continued its heavy water-related activities and construction of the so-called research reactor at Arak. They once again expressed their concern at Iran's possible military activities, both past and present, including studies on the development of a nuclear warhead for a missile. They noted with regret Iran's refusal to cooperate with the Agency and grant it access to the information, sites, equipment and personnel involved in those activities, and they supported the Agency's urgent requests to that end and demanded that Iran comply with them without delay

63. Iran's refusal to cooperate fully with the Agency and its deliberate attempts to prevent it from carrying out its mandate in Iranian territory were just as troubling and reprehensible, and he noted with the utmost concern that the situation in that respect had once again worsened, drawing the Board's attention to the seriousness of the 'de-designation' measures against inspectors of which Iran had notified the Agency on 10 June 2010. Those measures were aimed at officials of the Agency who had acquired experience of Iran's nuclear programme and they were a clear attempt to intimidate the Agency, so as to influence its ability to report to the Board and undermine its ability to implement safeguards effectively in Iran. France, Germany and the United Kingdom fully supported the Director General's request for Iran to re-appoint the inspectors concerned.

64. Iran continued to refuse to ratify and re-implement the additional protocol which it had signed with the Agency. In breach of the principles of public international law, Iran had attempted unilaterally to alter the terms its comprehensive safeguards agreement with the Agency as, since 2007, it had refused to meet its obligations under the modified Code 3.1 of the General Part of the Subsidiary Arrangements to that agreement, which modified text it had accepted in 2003. Evidence of that had been seen recently in connection with the construction of the Darkhovin facility and the FFEP, and Iran was currently still refusing to supply the Agency with information on its decisions to build new facilities, despite the fact that those decisions had been publicly announced by the highest Iranian authorities. France, Germany and the United Kingdom called on Iran to end its contemptuous attitude towards the Agency and apply unconditionally the modified Code 3.1.

65. The findings of the Director General's report were alarming. Iran was pursuing enrichment and heavy water programmes that had no credible peaceful purposes. In so doing, it had no hesitation in breaching its international commitments, including within the framework of the Agency. So far it had rejected all offers to bring about a resolution, which offers remained open. The only conclusion to be drawn from that was that Iran remained determined to pursue a nuclear programme which could provide it with military capabilities. France, Germany and the United Kingdom called on the Board and all Agency Member States to reject that prospect and to act steadfastly to prevent it from coming to fruition in the interests of regional and international stability and the integrity of the non-proliferation regime.

66. Security Council resolution 1929 reflected the international community's grave concern over Iranian non-compliance with its obligations. Its message to Iran was that failure to address those concerns carried an increasing cost. At the same time, it reaffirmed the readiness of China, France, Germany, the Russian Federation, the United Kingdom and the United States of America, with the support of the European Union High Representative, to engage in dialogue. As the six Foreign Ministers had made clear on the occasion of the adoption of that Security Council resolution, the aim

continued to be the achievement of a diplomatic solution which restored international confidence in the exclusively peaceful nature of Iran's nuclear programme, while respecting Iran's legitimate right to a peaceful use of nuclear energy. The onus was on Iran to respond positively to the offer of dialogue and negotiations, and to address the concerns raised in a sincere manner.

67. Mr VALLIM GUERREIRO (Brazil) said his country was convinced that the time was ripe for serious, substantive discussions among the major stakeholders with a view to finding a reasonable and realistic solution to an issue that had bedevilled the Agency for far too long. Dialogue and engagement were the only way forward. Brazil and Turkey had tried to help by signing the Teheran Declaration with Iran in May 2010. Although the Declaration had not addressed the issue of implementation of safeguards in Iran, it had been an important confidence-building measure which could facilitate the tackling of broader issues. Brazil supported the Director General's efforts to convene a meeting of the Vienna Group as soon as possible and encouraged him to persevere. There was now an opportunity to set in motion a genuine process which would allow for the restoration of confidence in the peaceful nature of Iran's nuclear programme. Brazil continued to be ready to assist in whatever way it could.

68. Mr UZCÁTEGUI DUQUE (Bolivarian Republic of Venezuela) said that United Nations Security Council resolution 1929 (2010), which was referred to in paragraph 2 of the Director General's report, met the political interests of a small number of countries and did not reflect the interests of the international community. He also noted that the report of the Director General was being published as if by mandate of the Security Council. His country recognized the Agency as the sole competent authority in the area of verification and it was of the opinion that verification matters must be addressed within the framework of the Agency and based on purely technical and objective criteria. It was counter-productive for the Security Council to interfere in the Agency's verification work. Furthermore, it was regrettable that resolution 1929 had been issued at a time when a diplomatic solution was being sought, as was borne out by the Joint Declaration signed by Brazil, Turkey and Iran. That showed that the resolution had been adopted simply in order to block the negotiation process, as it was clearly not in the interest of the handful of countries concerned for a climate of confidence to be created that might bring progress in the Iranian issue.

69. There had been a worrying trend in recent months as reports of the Director General had shifted further and further from the way in which they had traditionally been drafted towards use of language that was unbalanced and politically motivated. That development had been counter-productive both for the Iranian issue and for the credibility and objectivity of the Agency.

70. There were new elements in section A of the report on enrichment-related activities. He drew attention to the ongoing communication between Iran and the Secretariat about the concerns that had been raised, and the statement in paragraph 7 in relation to Natanz that "Iran's explanation is not inconsistent with the Agency's findings". There was a reference to the new safeguards approach at the PFEP which had been implemented since 15 May 2010, and paragraph 13 stated that the samples taken at the PFEP indicated that the maximum enrichment level given in the design information questionnaire had not been exceeded. As for the FFEP, it was stated that the Agency had been conducting, on average, one design information verification per month at the plant and that, as of 16 February 2010, the environmental samples taken had not indicated the presence of enriched uranium.

71. As for reprocessing activities, section B of the report stated that, following Agency inspections and design information verifications, there were no indications of ongoing reprocessing-related activities at the Tehran research reactor or the Molybdenum, Iodine and Xenon Radioisotope Production (MIX) Facility.

72. With regard to section C of the report on heavy water-related projects, he reiterated that a clear distinction must be drawn between the legal obligations of States deriving from their safeguards agreements with the Agency and voluntary confidence-building measures. Iran was under no obligation to suspend activities related to its nuclear programme where there was no indication that they were intended for purposes other than those countenanced by the NPT and its safeguards agreement.

73. Section D of the report on uranium conversion and fuel fabrication indicated that the inventory of nuclear material as declared by Iran was consistent with the results of the physical inventory verification the Agency had carried out.

74. On the important question of designation of inspectors, it was essential for the Agency to take the necessary measures to fulfil its obligations in terms of protection of confidential information and to ensure the objectivity and professionalism of inspectors in order to avoid such situations.

75. As for the possible military dimensions of Iran's programme, several of the elements covered in the report had been dealt with before and had no basis in reality. It was truly lamentable that the seriousness of such an important body as the Agency was being compromised by its paying attention to secret documents which not even the country concerned had had an opportunity to verify. It was hard to understand how the Agency could make such serious accusations on the basis of information of unknown origin and unproven veracity.

76. It did not seem correct to state, as in paragraph 41 of the report, that Iran had not cooperated with the Agency. The negative approach adopted in Agency safeguards reports on Iran had not helped to move the situation forward; instead, it had produced greater tension and discord. It was necessary to implement confidence-building measures and deal with the issue from a technical and balanced perspective.

77. Mr BERDENNIKOV (Russian Federation) said that the report showed that the Agency continued to verify the non-diversion of declared nuclear material in Iran in accordance with that country's safeguards agreement, but that Iran was not complying with the requirements of United Nations Security Council and Board resolutions, including with respect to implementation of the additional protocol. Iran had not suspended its uranium enrichment-related activities and was continuing work on the heavy water reactor in Arak; it was also not implementing the modified Code 3.1 of its Subsidiary Arrangements. The Russian Federation called on Iran to cooperate more actively with the Agency and comply fully with the provisions of relevant Security Council and Board resolutions, and in particular to apply once more without delay and ratify the additional protocol to its safeguards agreement. Lack of progress in that regard ran counter to efforts to restore trust in the exclusively peaceful nature of Iran's nuclear programme. The Russian Federation saw no alternative to a political and diplomatic solution to the Iranian nuclear issue.

78. The Bushehr nuclear power plant had been constructed with Russian cooperation and the first stage of its physical start-up had commenced, under the supervision of Agency inspectors, on 21 August 2010, following completion of the construction work and testing of all systems. The project was a worthy example of strict compliance with the nuclear non-proliferation regime. The fuel for the plant throughout its lifetime would be supplied by the Russian Federation on condition that it would subsequently be repatriated. The operation of the plant and the supply and return of the fuel would be under full Agency control. To many, the Bushehr project was a clear example of cooperation in the peaceful use of nuclear energy and a contribution to strengthening the non-proliferation regime.

79. Mr BARRETT (Canada) said his country recognized that the Agency continued to verify the non-diversion of all declared nuclear material in Iran, but noted with serious concern that Iran continued to take actions inconsistent with its safeguards obligations and had not provided the

necessary cooperation to permit the Agency to confirm that all nuclear material in the country was in peaceful activities. Canada also remained greatly concerned that Iran continued blithely to disregard resolutions of the United Nations Security Council and the Agency's Board of Governors. The recent G8 summit had stated that, while it recognized Iran's right to a civilian nuclear programme, that right came with international obligations with which all States, including Iran, must comply.

80. The Director General's report had once again clearly stated that the modified Code 3.1, agreed to by Iran in 2003, remained in force. Yet Iran continued to refuse to provide design information in accordance with the modified Code. It was the only State with significant nuclear activities which had a comprehensive safeguards agreement in force but was not implementing the modified Code 3.1 provisions. That was yet further evidence of a disturbing pattern of non-compliance by Iran with its NPT safeguards agreement. It was thus difficult for Member States to have confidence that Iran had declared all of its facilities to the Agency. The path to acquiring such confidence was clear: it should start with Iran providing the Agency with full and transparent information on the new nuclear sites it had announced.

81. Iran had repeatedly objected to the designation of Agency inspectors with experience in Iran's nuclear fuel cycle and facilities, and his country noted with concern the Director General's assessment of how such actions hampered the inspection process and detracted from the Agency's ability to implement effective and efficient safeguards in Iran. While Canada recognized that Member States were permitted to object to the designation of specific Agency inspectors, it was troubling that Iran had done so directly in response to a report by the Director General. His country therefore strongly urged Iran to withdraw its objection to the designation of inspectors.

82. Canada was also deeply concerned that issues related to possible military dimensions of Iran's nuclear programme remained unresolved. The Secretariat had consistently noted that information available to the Agency in that regard was extensive, that the information had been collected from a variety of sources over time, and that the information was broadly consistent and credible in terms of technical detail, time frames and the entities involved. Given the serious implications of such information, Iran's substantive and proactive engagement was essential to enable the Agency to verify the correctness and completeness of Iran's declarations. Such cooperation was long overdue. All Agency Member States party to the NPT, Iran included, had committed themselves at the 2010 NPT Review Conference to complying with non-proliferation obligations and addressing all compliance matters. Canada called upon Iran to live up to its commitments.

83. Ignoring requests by the Board of Governors and the Security Council for it to suspend enrichment activities, Iran had in fact expanded those activities. It had increased the enrichment level and had announced plans for the development of new nuclear facilities. It had not provided the necessary access for the Agency to verify the suspension of its heavy water-related projects, nor had it implemented the additional protocol or agreed to Agency requests that it provide access to additional nuclear-related locations as a transparency measure. In response to Iran's ongoing failure to meet its international obligations, Canada had fully supported the adoption of Security Council resolution 1929 (2010). In July, his Government had amended its national regulations in order to implement that resolution and had imposed further sanctions on Iran, which were designed to restrict Iran's nuclear programme, not punish the Iranian people.

84. Canada supported the adoption of additional measures that might be necessary in response to Iran's continued non-compliance. Until credible assurances could be provided regarding the absence of undeclared nuclear material, safeguards activities in Iran must not return to routine operation, and the item must remain on the Board's agenda. The Director General should also continue to report to the Board as circumstances warranted. Finally, given the ongoing and broad interest in the issue and

the importance of the principles of transparency and compliance, and in accordance with past practice, Canada requested that the Director General's report be made public.

85. Mr NAKANE (Japan) said that his country was deeply concerned that Iran had continued its enrichment-related activities, that it had produced 2803 kg of low-enriched UF₆, and also 22 kg of UF₆ enriched up to 20% between 9 February and 20 August 2010. Japan noted with concern the statement in the Director General's report that, in light of the announcement made by Iran on 7 February 2010 that it possessed laser uranium enrichment technology and its announcement on 9 April 2010 regarding the development of third-generation centrifuges, the Agency had requested that country to provide information but it had failed to do so. As the report indicated, Iran's the enrichment-related activities, which had not been suspended, ran counter to resolutions of the Board and the United Nations Security Council.

86. Regarding Iran's objection to the designation of two inspectors on the basis of leaks and false and wrong statements in paragraph 28 of the Director General's previous report (GOV/2010/28), while Iran's safeguards agreement did permit it to object to the designation of Agency inspectors, the Director General's report stated that the Agency had full confidence in the professionalism and impartiality of the inspectors concerned and that Iran's repeated objections to the designation of inspectors with experience in Iran's nuclear fuel cycle and facilities hampered the inspection process and thereby detracted from the Agency's ability to implement effective and efficient safeguards in the country.

87. His country noted with concern that the Director General's report again stated that, while the Agency continued to verify the non-diversion of declared material in Iran, that country had not provided the necessary cooperation to permit the Agency to confirm that all nuclear material there was in peaceful activities. Japan called upon Iran to comply promptly with the relevant resolutions of the Board and the Security Council by suspending its enrichment-related activities, including the production of UF₆ enriched up to 20% in ²³⁵U, suspending its construction projects for new facilities and heavy water-related projects, and ratifying and implementing the additional protocol, and to cooperate fully with the Agency.

88. Security Council resolution 1929 (2010) affirmed that Iran had failed to meet the requirements of the Board and required it, without further delay, to take the steps required by the Board in its resolutions. On 3 August 2010, Japan had announced measures to implement the decisions contained in that resolution and, on 3 September, it had decided on accompanying measures. Iran must restore the confidence of the international community in order to enjoy fully the inalienable right to the peaceful uses of nuclear energy. Japan strongly hoped that Iran would take the resolution seriously and make a sensible decision facilitating a peaceful and diplomatic resolution of the Iranian nuclear issue.

89. Mr DAVIES (United States of America) said that the current report marked the eighth year since the public had learned of undeclared nuclear activities in Iran, and it clearly noted that Iran had not provided the necessary cooperation to permit the Agency to confirm that all nuclear material in the country was in peaceful activities. The United States endorsed the public release of the report.

90. Since 2003, the Agency had reported 30 times on Iran's failure to comply with its safeguards agreement and, since 2006, it had reported 20 times on Iran's failure to comply with the United Nations Security Council requirement that it suspend its uranium enrichment and heavy water-related activities. In response to those reports, the international community had repeatedly expressed its concern that Iran's nuclear intentions were not peaceful through multiple Board resolutions and six Security Council resolutions, most recently through the adoption on June 9 of Security Council resolution 1929 (2010) imposing new legally binding sanctions on Iran in response to its ongoing proliferation-sensitive nuclear activities.

91. In an effort to address the issue through diplomatic means, the United States had repeatedly called on Iran to restore international confidence and had presented it with a number of opportunities for confidence building by pursuing unprecedented efforts at engagement over the preceding two years. With regard to the Agency's 2009 proposal for refuelling the Tehran research reactor, Iran's letter in response to the Agency did not address the concerns expressed by the United States, Russia and France. His country viewed the refuelling proposal as a possible confidence-building measure that was related to but not separate from proposals made by the five permanent members of the Security Council plus Germany. However, that proposal did not address the international community's broader concerns about Iran's nuclear programme.

92. Unfortunately, Iran had refused to negotiate a diplomatic resolution to the nuclear issue in good faith, as could be seen from its long history of avoiding substantive discussion, including its refusal to answer many of the Agency's most pressing questions about its nuclear activities, in particular the possible military dimensions of its nuclear programme. Indeed, it was expanding and escalating some of its most proliferation-sensitive nuclear activities, such as uranium enrichment, in blatant violation of its United Nations and Agency obligations.

93. The report noted that Iran continued to produce uranium enriched up to 20%. That not only exacerbated Iran's violation of its obligation to suspend enrichment activities, it also heightened the concerns of the international community regarding the purpose of Iran's enrichment programme. That step had been taken without giving the Agency sufficient notice to put in place appropriate revisions to the safeguards procedures before Iran had begun increasing the enrichment level. Iran had not agreed to those safeguards revisions until two months after the Agency's request had been issued.

94. Iran had unfortunately heightened what appeared to be a long-term campaign to undercut the effectiveness of safeguards implementation throughout the country. Specifically, the Director General's report expressed concern at Iran's latest objection to certain designated inspectors, an objection which the Agency rejected and which had led the Director General to conclude that Iran's action hampered the inspection process and thereby detracted from the Agency's ability to implement effective and efficient safeguards in the country. It was unprecedented for a State to reject inspectors because they reported accurately to the Director General what they saw or heard. In the view of the United States, the de-designation of inspectors constituted grounds under paragraph 9 of INFCIRC/153 for the Board to consider "appropriate action" in response to inspections having been impeded by a State's rejection of inspectors. His Government fully supported the Agency's denunciation of Iran's treatment of certain inspectors, which it regarded as a clear effort to intimidate inspectors and thereby influence their findings. That undermined the confidence-building process.

95. With regard to the FFEP, the Director General noted that Iran still refused to provide the Agency with the information it needed to understand fully the purpose of the plant and the chronology of its construction. Of particular concern was Iran's failure to inform the Agency in 2006 when it had decided to construct the facility. That had been before Iran had made its claim to have unilaterally abrogated its commitments under the modified Code 3.1 of its Subsidiary Arrangements. Iran continued to deny access to the original design documentation for the FFEP and to companies involved in the design and construction of the plant. The Agency needed that information to help verify Iran's claims as to the ultimate, supposedly peaceful purpose of the facility, and ensure that there were no other undeclared facilities in Iran.

96. The Director General had also concluded that Iran continued to move forward with its heavy water-related activities in further violation of Security Council resolutions. Iran had refused to grant the Agency access to the Heavy Water Production Plant and to the heavy water stored at the Uranium Conversion Facility to take samples. In violation of Security Council decisions, construction at the

IR-40 reactor at Arak was ongoing, and the Heavy Water Production Plant seemed to have resumed operation.

97. The United States fully supported the Agency's legal determination that agreed Subsidiary Arrangements could not be changed unilaterally and that the modified Code 3.1, agreed to by Iran in 2003, therefore remained in force. The Director General noted once again that Iran was the only State with significant nuclear activities that refused to acknowledge its legal obligations under the modified Code 3.1. His country noted that recent press allegations about a possible new enrichment plant in Iran had come after several statements from senior Iranian leaders over the preceding year trumpeting Iranian plans to build additional plants. The United States recalled that the Board had supported the modifications to Code 3.1, including the requirement for early declaration of nuclear facilities, precisely in order to avoid the kind of uncertainty and lack of confidence Iran was now so flagrantly causing. Iran's attempt systematically to undercut a core element of the strengthened safeguards system should be of concern to all Member States that valued the assurances of peaceful use they relied on the Agency to provide.

98. As discussed in many previous reports issued by the Agency, there remained several key unresolved issues and questions related to possible military dimensions of Iran's programme. Faced with Iran's unwillingness to engage with the Agency on such core issues, the Director General clearly stated that substantive and proactive engagement was essential to enable the Agency to make progress in its verification of the correctness and completeness of Iran's declarations. His Government fully supported the Director General's repeated requests for the Agency to be permitted to visit all relevant sites, have access to all relevant equipment and documentation and be allowed to interview relevant persons without delay.

99. Despite 30 Agency reports, the fundamental question remained: was Iran willing to meet its international non-proliferation obligations, build international confidence and enable the Agency to provide assurances as to the peaceful nature of its nuclear programme? Based on the latest report by the Director General, one could only conclude that Iran was refusing to do that, with implications that the Board could not ignore and would need to consider, given the accumulating evidence that Iran was clearly failing to adhere even to its 'routine' safeguards obligations by hampering inspector access and repeatedly and flagrantly violating its modified Code 3.1 obligations.

100. His Government was committed to a diplomatic resolution of the international concerns over Iran's nuclear programme and to the dual-track approach. Iran's intransigence increasingly posed a challenge to the non-proliferation rules of the road and to every member of the Board. If Iran truly sought a leadership role, it could not ignore international norms and its obligations. Such behaviour would only lead to its further isolation. The United States and its partners would welcome Iran back into the community of nations if it met its obligations. It was to be hoped that Iran would not miss that opportunity to break a stalemate with the international community that had lasted nearly eight years.

101. Mr HU Xiaodi (China) said his country hoped that the Agency and the Director General would play a constructive role in implementing safeguards in Iran and promoting a proper resolution of the Iranian nuclear issue.

102. The Director General's report pointed out that the Agency continued to implement safeguards in Iran and verify the non-diversion of declared nuclear material. However, Iran had not suspended uranium enrichment-related activities as required by the United Nations Security Council, nor had it provided the necessary cooperation to the Agency, and no progress had been made in settling unresolved issues.

103. As a party to the NPT, Iran enjoyed the right to peaceful use of nuclear energy, but it also had corresponding international obligations. China expected Iran to implement the relevant resolutions of

the Board and the Security Council in a comprehensive manner and to cooperate with the Agency so as to foster the confidence of the international community in the peaceful nature of its nuclear programme.

104. China had always advocated a peaceful resolution of the Iranian nuclear issue through dialogue and negotiation. At present there was a new chance to promote a diplomatic solution. The parties concerned should adopt a pragmatic approach and step up diplomatic efforts to resume dialogue and negotiation without delay. His country also hoped that the Vienna Group would soon hold consultations with Iran on the issue of fuel supplies for the Tehran research reactor with a view to reaching an agreement at an early date.

105. Along with all other parties, China stood ready to play a constructive role in finding a comprehensive, long-term and proper solution to the Iranian nuclear issue in the general interest of maintaining the international non-proliferation regime and peace and stability in the Middle East.

106. Mr SIRRY (Egypt) reaffirmed the importance of resolving the Iranian nuclear issue through negotiation and cooperation, and the need to avoid any threat of use of military force. His country confirmed its full support for the efforts of the Director General in that regard. It called on the parties concerned to deal with the problem in a positive manner with a view to arriving as soon as possible at an agreement that would help defuse the issue. While reaffirming Iran's right, like that of other parties to the NPT, to benefit from the peaceful uses of nuclear energy, Egypt encouraged Iran to continue its cooperation with the Agency within the framework of its existing legal obligations. It also called on Iran to resume application of the modified Code 3.1 as soon as possible, in compliance with its commitment vis-à-vis the Agency.

107. In order to preserve the Board's objectivity and credibility and that of the Agency itself, the Iranian nuclear programme should not be addressed in isolation from efforts to establish a nuclear-weapon-free zone in the Middle East and ensure that all nuclear installations in the region were placed under Agency comprehensive safeguards. Egypt called on the Agency and Member States to make parallel efforts to address Israeli nuclear activities, which were not subject to comprehensive safeguards, a dangerous omission which greatly limited the effectiveness of the Agency's safeguards system.

108. Ms MACMILLAN (New Zealand) said her country was deeply concerned that the Agency remained unable to confirm that all nuclear material in Iran was used for peaceful activities or provide assurances that Iran's nuclear programme was peaceful in nature.

109. Contrary to United Nations Security Council and Board resolutions, Iran had continued with its enrichment activities. Its stockpile of LEU now stood at just over 2800 kg, and it was enriching uranium up to 20% at the PFEP at Natanz. Furthermore, it had yet to provide the Agency with access to the Heavy Water Production Plant, the Uranium Conversion Facility, or any other location where projects related to heavy water were being carried out, so that the Agency could verify the suspension of such activities as mandated by the Security Council.

110. The report again confirmed that the modified Code 3.1, agreed to by Iran in 2003, remained in force and that, for both Darkhovin and the new facility at Qom, Iran had failed to notify the Agency in a timely manner of the decision to construct or to authorize construction of the facility. The report also called on Iran to fulfil its obligations with respect to the provision of design information in connection with its announced construction of additional centres at a number of undisclosed locations and the development of third-generation centrifuges. New Zealand urged Iran to implement fully its safeguards agreement and its other obligations, including the modified Code 3.1 and the additional protocol.

111. Her country was deeply concerned that a number of outstanding issues remained which still needed to be clarified to exclude the existence of possible military dimensions to Iran's nuclear programme. The Director General's report highlighted the seriousness of those issues, which had led to increased concerns about the possible existence in Iran of past or current undisclosed activities related to the development of a nuclear payload for a missile. Her country was disappointed and concerned by the complete absence of progress on all those issues and it noted the Director General's statement that it was essential for the Agency to be permitted to visit all relevant sites, have access to all relevant equipment and documentation and be allowed to interview all relevant persons without further delay, and that the passage of time and the possible deterioration in the availability of some relevant information increased the urgency of the matter. It called on Iran to cooperate with the Agency immediately and to provide the necessary information and access to resolve those issues.

112. New Zealand was particularly concerned by Iran's decision to object to the designation of two inspectors because it disapproved of language used in the Director General's report in June 2010, and by its threat to withdraw the designation of inspectors should confidential information be conveyed to the media in the future. Such actions and threats could be seen as an attempt to intimidate the Department of Safeguards and its inspectors and did not appear to be consistent with the requirement in comprehensive safeguards agreements that a State must take the necessary steps to ensure that Agency inspectors could effectively discharge their functions under the agreement. New Zealand noted the Director General's conclusion that the repeated objection by Iran to the designation of inspectors with experience in Iran's nuclear fuel cycle and facilities hampered the inspection process and thereby detracted from the Agency's ability to implement effective and efficient safeguards in the country. She called on Iran to respond positively to the Agency's request for the withdrawal of its objection.

113. She noted the inclusion in the report of a number of incidents involving the breaking of seals by the operator at the FEP, some variations in the ^{235}U enrichment levels in samples taken in the FEP cascade area and developments in the nuclear material accountancy system of that facility. Her country appreciated the clarification provided by the Department of Safeguards on those issues at the briefing held in the preceding week and it looked forward to the Agency's final evaluation following the next physical inventory verification scheduled for October 2010.

114. It was in everyone's interest for the Agency to be in a position to provide credible assurances regarding the absence of undeclared nuclear material and activities in Iran. New Zealand had repeatedly called on Iran to engage in confidence-building activities, including transparency measures and ratification of the additional protocol, and it continued to encourage Iran to take that path. However, such activities must complement, and not replace, Iran's compliance with mandatory requirements, including Security Council resolutions on the suspension of enrichment activities and work on heavy water-related projects, and compliance with the modified Code 3.1. Like all members of the Board and the broader international community, her country expected Iran to cooperate with the Agency to the extent necessary for the Agency to fulfil its verification mandate.

115. Mr SHIM Yoon-Joe (Republic of Korea) said that his country welcomed and supported the Agency's active engagement with Iran and its continuing efforts to carry out its verification mandate and resolve issues relating to safeguards implementation in that country.

116. All parties to the NPT had a right to the peaceful uses of nuclear energy as long as they were in full compliance with their non-proliferation obligations. At the same time, given the proliferation potential inherent in sensitive nuclear technologies and fuel cycle activities, States developing such technologies and activities that could be directly diverted to non-peaceful uses needed to establish a higher level of international confidence in their non-proliferation commitments. It was in that context that his country believed that all suspicions and concerns regarding Iran's nuclear programme must be

resolved expeditiously in order to restore confidence in the exclusively peaceful nature of that country's nuclear activities.

117. The Republic of Korea appreciated the Agency's dedicated and patient efforts to verify the non-diversion of all declared nuclear material in Iran. However, it remained deeply concerned at Iran's continued failure to comply with its safeguards and other international obligations. It was especially concerned that Iran was continuing enrichment and enrichment-related activities in defiance of relevant Agency and United Nations Security Council resolutions, including the recently adopted Security Council resolution 1929 (2010). Iran's plans for the construction of additional nuclear facilities and the continuation of sensitive fuel cycle activities only exacerbated the situation.

118. Iran was the only signatory to a comprehensive safeguards agreement that was not implementing the modified Code 3.1. His country also shared the Director General's concerns over Iran's repeated objections to the designation of experienced inspectors.

119. The Republic of Korea saw no alternative to Iran's cooperation in good faith with the Agency and its full compliance with the relevant resolutions of the Agency and the Security Council. It urged Iran to take all necessary steps to restore international confidence in the exclusively peaceful nature of its nuclear programme.

120. Mr CURIA (Argentina) commended the Agency on its professional and impartial approach to the issue under discussion. Argentina concurred with the overall assessment given in the Director General's report. In particular, it agreed that Iran needed to cooperate in clarifying outstanding issues that gave rise to concerns about possible military dimensions of its former and current nuclear programme, and that it should give the Agency access to relevant documents and persons in order to back up its statements.

121. Iran was in breach of United Nations Security Council resolutions, since it had failed to suspend its enrichment activities, had continued to construct the IR-40 reactor, had not permitted the Agency to take heavy water samples and had denied it access to the Heavy Water Production Plant. It had continued to operate the FEP and PFEP at Natanz, had begun enriching uranium up to 20% in ²³⁵U at the PFEP, now in two interconnected cascades, and had continued with the construction of the FFEP.

122. Argentina was concerned at Iran's recent announcement that it had selected the locations for new enrichment facilities and that construction work on one of them would begin around March 2011. Yet it had not provided the Agency with the necessary design information and access, as required under its safeguards agreement and Subsidiary Arrangements.

123. His country also noted with concern that Iran had objected to the designation of two inspectors who had recently conducted inspections in Iran, and had also repeatedly objected to the designation of experienced inspectors, thereby hampering the inspection process and undermining the Agency's ability to apply safeguards in the country.

124. All in all, the activities of the Iranian Government conveyed the impression that it had no intention of complying with relevant Security Council resolutions and that it would continue to develop its national enrichment capacity. Furthermore, the Agency was still unable to determine whether the aim of the Iranian nuclear programme was to develop nuclear weapons.

125. Argentina again urged Iran to take all necessary steps to build confidence in the peaceful nature of its nuclear programme so that the Agency could provide credible assurances regarding the absence of undeclared nuclear material and activities in the country.

126. Mr POTTS (Australia) welcomed the Agency's continuing verification of the non-diversion of declared nuclear material in Iran. However, his country was deeply concerned at Iran's failure to

provide the necessary cooperation to permit the Agency to conclude that all nuclear material in the country was for peaceful purposes. That continued lack of cooperation had been highlighted by United Nations Security Council resolution 1929 (2010), which spelled out the action that Iran must take to meet its obligations vis-à-vis the Agency and the international community.

127. The catalogue of failures by Iran to meet its safeguards obligations set out in the report had not become any shorter. Iran continued its enrichment activities in violation of Board and Security Council Resolutions, and its heavy water-related activities which also breached legally binding Security Council resolutions. Iran continued not only to disregard but also to dispute its obligations under the modified Code 3.1 of the Subsidiary Arrangements to its safeguards agreement. It had not provided information about the FFEP or the proposed ten new enrichment facilities it had announced, although it was required to do so under its safeguards agreement. Moreover, Iran refused to engage with the Agency regarding the possible military dimensions of its nuclear programme though the Director General had stated that such engagement was both essential and urgent.

128. Iran had de-designated two experienced inspectors, apparently in response to the Director General's preceding report on Iran. Australia commended the Director General for expressing the Agency's full confidence in the professionalism and integrity of the inspectors concerned and for explicitly confirming the accuracy of his preceding report. Iran had objected to the designation of more than 40 inspectors in recent years, thereby hampering the inspection process and detracting from the Agency's ability to implement safeguards in the country. Australia urged Iran to withdraw immediately its objection to the designation of inspectors with experience in the country's nuclear fuel activities.

129. It was critically important for Iran to take urgent concrete steps to reassure the international community about its nuclear programme. It must meet its obligations under Agency and Security Council resolutions and cooperate fully with the Agency, implementing its safeguards agreement and other obligations, including the additional protocol.

130. Mr SALAM (Malaysia) said that his country was encouraged by the Agency's ability to continue to verify the non-diversion of declared nuclear material in Iran, which country had been forthcoming in its cooperation with the Agency in line with its legal obligations under its safeguards agreement. Nevertheless, his country encouraged Iran to continue its cooperation so that the Agency could verify conclusively all outstanding issues relating to the peaceful nature of its nuclear programme. It should also implement fully all relevant Agency and United Nations Security Council resolutions.

131. All States must adhere to the cardinal principles governing the peaceful uses of nuclear energy. To ensure those principles were not abused, States must ensure full transparency of their nuclear programmes, subject them to full-scope Agency safeguards, comply with the provisions of the NPT and gain the international community's confidence in the peaceful nature of their nuclear programmes. Malaysia fully subscribed to those principles, which established the necessary foundations for the development and peaceful use of nuclear energy and would ensure a safe and secure environment for all. It encouraged all States, including Iran, to subscribe to them.

132. Finally, diplomacy and dialogue should continue to be recognized as the key to a durable solution to the Iranian nuclear issue.

133. Mr BAYER (Turkey) noted with satisfaction Iran's continued dialogue and cooperation with the Agency on the verification issues that fell within the scope of its safeguards agreement. In particular, he noted that the Agency continued to verify the non-diversion of declared nuclear material and activities in Iran. However, the Agency was still unable to provide credible assurances regarding the absence of undeclared nuclear material and activities in the country. His country encouraged Iran to

continue its dialogue and cooperation with the Agency to help clarify those issues, with a view to reaching a common understanding and building confidence in the exclusively peaceful nature of its nuclear activities.

134. Turkey remained fully committed to a diplomatic solution to issues relating to the Iranian nuclear file. As a neighbour of Iran, it had encouraged and actively contributed to all constructive efforts that would facilitate dialogue and cooperation. A major breakthrough had been achieved through the signing of the Joint Declaration by Iran, Turkey and Brazil in Tehran on 17 May 2010. Based on the original nuclear fuel exchange proposal put forward by the Agency and supported by the Vienna Group, the Joint Declaration set out a realistic and achievable road map leading to necessary agreements and arrangements to be negotiated between the parties directly involved, within specified timelines, for the provision of the 120 kg of nuclear fuel needed for the Tehran research reactor in return for the 1200 kg of LEU deposited. Although that important development had not been mentioned in the report, Turkey firmly believed that the agreement could serve as a significant confidence-building measure and lay the basis for successful negotiations between Iran and the five permanent members of the Security Council plus Germany. As Iran had reaffirmed its readiness to engage in talks based on the Joint Declaration, Turkey called on the relevant parties to implement the agreement without further ado.

135. All States had the right to develop peaceful nuclear programmes provided they abided by their NPT obligations. The Agency played a central role, in accordance with its statutory mandate, in facilitating the development and practical application of atomic energy for peaceful purposes.

136. Mr GREMINGER (Switzerland) said that there was no evidence in the report of any particularly encouraging developments. The fact that enrichment up to 20% was continuing showed that no progress had been made in the Vienna Group towards finding a solution to the issue of the Tehran research reactor. In addition, no headway had been made on the outstanding issues related to possible military dimensions of Iran's nuclear programme. Moreover, the difference of opinion between Iran and the Agency with respect to the implementation of the modified Code 3.1 persisted. As a result, the Agency had been unable to obtain an accurate overview of the nuclear projects announced by Iran. The existing problems thus fell into two categories: Iran's obligations vis-à-vis the Agency, including implementation of Code 3.1 and cooperation on issues relating to possible nuclear dimensions; and, on a more political level, Iran's relations with certain key actors in the international community, such as the Vienna Group.

137. With regard to Iran's obligations vis-à-vis the Agency, Switzerland reiterated its support for the Agency's interpretation of Iran's obligations in respect of the modified Code 3.1 and it called on Iran to implement the modified text soon as possible. With regard to possible military dimensions, his country did not accept Iran's argument that its cooperation should be limited to the points included in the August 2007 work plan. New issues had arisen and it was Iran's duty to collaborate fully in addressing them. As a confidence-building measure, Iran should suspend its enrichment-related activities until all those issues had been resolved.

138. With regard to the dialogue initiated in the Vienna Group, Switzerland encouraged the parties to adopt whatever approach they deemed most conducive to the continuation of dialogue. They should thus avoid imposing new conditions. His country was convinced that a resumption of dialogue offered the best prospect for a solution to all the issues in the Iranian nuclear file. It could also have a beneficial effect on other nuclear issues relating to the Middle East which the General Conference would be discussing at its forthcoming session.

139. Mr GARCÍA REVILLA (Peru) reaffirmed the right of all States to the peaceful uses of nuclear energy, and the obligation to cooperate in the transfer of nuclear technology for human development.

At the same time, his country supported the principle of non-proliferation of nuclear weapons and Agency-led international efforts to halt uranium enrichment activities that did not strictly comply with the agreed global regime.

140. While the Agency continued to verify the non-diversion of declared nuclear material in Iran, Peru was concerned at some recent developments that prevented the organization from confirming that all nuclear material in that country was for peaceful activities. Moreover, the Agency had not yet received the information it had requested from the Iranian Government under the modified Code 3.1 on the design of facilities. The fact that enrichment and heavy water-related activities had not been halted was a breach of United Nations Security Council and Board resolutions. Such conduct did not help dispel the international community's doubts concerning the nature of Iran's nuclear activities.

141. Peru urged Iran to comply fully with its agreements with the Agency and with relevant Security Council and Board resolutions, and to take the necessary steps to reach a satisfactory solution with the Agency to all outstanding issues pertaining to its nuclear programme.

142. Mr MINTY (South Africa) noted that Iran had provided new information regarding the hold-up of nuclear material in the FEP at Natanz and a revised estimation. South Africa also welcomed the fact that Iran intended to improve the nuclear material accountancy system of the facility so that the Agency could confirm the nuclear material balance. It noted that the installation of centrifuges at the FEP had continued and that, according to the physical inventory verification, a total of 2803 kg of low-enriched UF₆ had been produced since February 2007, which material remained subject to Agency containment and surveillance. His country welcomed the continued dialogue between the Agency and Iran on ways of improving the operator's measurement system in order to address the difference in measurement of the ²³⁵U enrichment level.

143. His country also welcomed the fact that Iran had provided additional information regarding R&D activities to be conducted at the Uranium Conversion Facility, revealing that the results of those R&D activities would be used, inter alia, to prepare for fabrication of fuel for the Teheran research reactor.

144. South Africa was looking forward to the response to the Joint Declaration by Brazil, Turkey and Iran from the parties concerned. It encouraged them to redouble their efforts to ensure that the matter was brought to a satisfactory conclusion through the resumption of dialogue.

145. His country remained concerned at the lack of progress with respect to Iran's compliance with relevant United Nations Security Council resolutions and its implementation of the additional protocol and the modified Code 3.1. It encouraged Iran to continue its cooperation with the Agency with a view to clarifying the outstanding issues and restoring confidence in the peaceful nature of its nuclear programme.

146. South Africa had repeatedly stated that no country should be denied its rights under the NPT. The call on Iran to suspend enrichment activities was related to confidence building and should not be seen as a goal in itself. His country had also cautioned against actions that would minimize the Agency's capacity to perform its verification work in Iran.

147. The Agency should maintain balance and objectivity in its work and reporting and should focus on its technical mandate and unique role. Any perception of politicization or lack of objectivity would damage its credibility.

148. His country encouraged all parties concerned to avoid any action that could derail progress towards a sustainable solution to the Iranian nuclear issue and it supported the view that continued dialogue and political goodwill could contribute to the peaceful resolution of outstanding issues.

149. Ms GOICOCHEA ESTENOZ (Cuba) noted that the issue under discussion had been hypocritically exploited by some parties for political goals that were unrelated to any legitimate concern about non-proliferation. Their positions on Israel's nuclear capabilities clearly demonstrated their double standards.

150. Cuba was genuinely concerned over the situation regarding Iran that had been created as a result of the adoption of a series of resolutions by the United Nations Security Council, in particular resolution 1929 (2010) which had been adopted in June immediately after the Board's discussions on the subject. That situation posed a serious threat to international peace and security, and resolution 1929 had dealt a fatal blow to the Board's credibility. Many people would ask themselves what added value the Board had when, simultaneously with its conclusions on the issue in question, a resolution sponsored by the United States that completely ignored those conclusions was adopted by the Security Council. She invited all those who believed in multilateralism to reflect on that.

151. Her country deplored and rejected the unbalanced nature of the report and of the Director General's introductory statement on the issue. The report was contradictory. Although it claimed in its first paragraph that it covered developments since the preceding report, it was full of references and information relating to previous periods, despite the requests of several Member States to change that format which the Secretariat had once again ignored. Moreover, the text was selective in the references it made, citing only elements that were useful in fomenting hysteria regarding Iran's nuclear programme and in shoring up new sanctions and military action, with unpredictable consequences for regional and international peace and security. Other important elements previously included by the Secretariat had been removed. Thus, there was no reference to the work plan adopted and implemented by the Agency and Iran.

152. Paragraph 2 of the report listed provisions from Security Council resolution 1929, which was unacceptable as the report was supposed to be technical in nature. She asked for an explanation as to why they had been included, reserving the right to return to the issue in the light of the Secretariat's response.

153. She asked why the report was so selective in its coverage of resolution 1929 and failed to mention the important political and diplomatic efforts that had been made to find a negotiated solution, in particular the efforts of Turkey and Brazil to reach an agreement with Iran on the Tehran research reactor that could serve as a confidence-building measure. She also asked why the Director General had referred to that matter outside the context of the agenda item.

154. Cuba considered, as a matter of principle, that the issue should never have been referred to the Security Council. The Security Council's actions, far from offering a solution, had further complicated a matter that had been vitiated from the outset by geopolitical motivations and interests.

155. The report again failed to mention the lack of cooperation on the part of countries that had submitted information regarding the alleged military dimensions of Iran's nuclear programme. The countries concerned had denied Iran access to the original documents contained in a laptop computer. She asked why no mention had been made of that fact. Previous reports had urged Member States that had provided information to allow it to be shared with Iran and had pointed out that the Agency's inability to share such information with Iran was making it difficult for it to progress further in its verification.² As that situation had not changed, it was difficult to account for the omission of any reference to it. It was also curious that the representative of the Secretariat at the recent briefing had indicated that the accusations in question were well founded, whereas previous reports had noted that

² See document GOV/2009/35, paragraph 23.

the Agency currently had no information — apart from the uranium metal document — on the actual design or manufacture by Iran of nuclear material components of a nuclear weapon or of certain other key components, and that the Agency had not detected the actual use of nuclear material in connection with the alleged studies.³

156. The fact that the Secretariat had failed to respond to repeated expressions of concern by NAM regarding that matter would seem to reflect a deliberate intention to ignore the requests of one group of Member States and to respond favourably to the interests of others. Any confrontation between the Secretariat and Member States regarding such sensitive issues was liable to undermine the credibility, professionalism and impartiality of the Secretariat. It would also lead to a lack of trust that could have a negative impact on the atmosphere of cooperation and understanding that should prevail in the Board.

157. She noted also a worrying tendency on the part of the Secretariat and some Member States to view voluntary measures, such as adherence to the additional protocol and acceptance of inspectors, as mandatory obligations, which her country rejected.

158. The inclusion of a reference in the report to the inspectors who had been rejected by Iran, exercising its sovereign right in accordance with the legal provisions in force, was regrettable and dangerous, especially the claim that Iran's objection hampered the inspection process, since it helped both the countries that were interested in maintaining the conflict, and the media that were fuelling it, to continue poisoning the atmosphere. In that connection, she asked the Secretariat how many inspectors were employed by the Agency, how many of them were designated to deal with Iran, and what level of training the designated inspectors received on the Iranian issue.

159. Cuba was firmly committed to seeking a solution based on dialogue and negotiations that respected Iran's inalienable right to produce and use nuclear energy for peaceful purposes. A solution was attainable provided that all actors were genuinely interested in dialogue and were willing to set aside their geopolitical interests. Cuba supported all efforts to that end and welcomed the Director General's expressed intention to invited interested parties to a meeting with the Vienna Group to resolve the issue of the Tehran research reactor. It urged the parties concerned to respond positively to the invitation.

160. It was essential to reject the national agendas of those who promoted war and who skilfully pursued their agendas through instruments such as Security Council resolution 1929.

The meeting rose at 1.05 p.m.

³ See document GOV/2008/59, paragraph 17.