

IAEA Board of Governors

Record of the 1288th Meeting
GOV/OR.1288

Nuclear verification: Implementation of the NPT safeguards
agreement in the Syrian Arab Republic

Board of Governors

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Record of the 1288th Meeting

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¹ GOV/2010/61.

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 PARVEZ		Chairman (Pakistan)
Mr CURIA	_____	Argentina
Mr MCGUIRE		Australia
Mr ALESKEROV		Azerbaijan
Mr RECKER		Belgium
Mr FAGUNDES DO NASCIMENTO		Brazil
Mr MPAY		Cameroon
Mr BARRETT		Canada
Mr LABBÉ VILLA		Chile
Mr HU Xiaodi		China
Mr KRS		Czech Republic
Ms CALLESEN		Denmark
Mr STACEY MORENO		Ecuador
Mr MONDOLONI		France
Mr LÜDEKING		Germany
Mr KHULLAR		India
Mr GHISI		Italy
Mr NAKANE		Japan
Mr QUEISI		Jordan
Mr YATANI		Kenya
Mr SHIM Yoon-Joe		Korea, Republic of
Mr ENKHSAIKHAN		Mongolia
Mr HAMER		Netherlands
Mr ILLO		Niger
Mr ANWAR		Pakistan
Mr GARCÍA REVILLA		Peru
Mr MARCELO CURTO		Portugal
Mr BERDENNIKOV	}	Russian Federation
Mr KARASEV		
Ms CHIN		Singapore
Mr MINTY	}	South Africa
Mr MABHONGO		
Mr CHAOUCH		Tunisia
Mr PAVLYSHYN		Ukraine
Mr ALKAABI		United Arab Emirates
Mr SMITH		United Kingdom of Great Britain and Northern Ireland
Mr DAVIES		United States of America
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:

Afghanistan, Albania, Algeria, Angola, Armenia, Austria, Bulgaria, Burkina Faso, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Dominican Republic, Egypt, El Salvador, Estonia, Finland, Greece, Guatemala, Holy See, Hungary, Indonesia, Islamic Republic of Iran, Iraq, Ireland, Israel, Kazakhstan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Malaysia, Malta, Mexico, Montenegro, Morocco, Myanmar, Namibia, New Zealand, Norway, Oman, Panama, Philippines, Poland, Qatar, Romania, Saudi Arabia, Serbia, Slovakia, Slovenia, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Turkey, Uruguay, Vietnam, Yemen.

Abbreviations used in this record:

AIPS	Agency-wide Information System for Programme Support
DPRK	Democratic People's Republic of Korea
EFTA	European Free Trade Association
GRULAC	Latin American and Caribbean Group
IPSAS	International Public Sector Accounting Standards
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
TACC	Technical Assistance and Cooperation Committee
TCF	Technical Cooperation Fund
USSR	Union of Soviet Socialist Republics

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

6. Nuclear verification:

(c) Implementation of the NPT safeguards agreement in the Syrian Arab Republic (GOV/2010/63)

1. Mr RECKER (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, thanked the Director General and the Secretariat for their continuing efforts and professional and impartial work in implementing verification activities in the Syrian Arab Republic, as well as for the latest report on safeguards implementation in that country. He also thanked the Secretariat for the technical briefing it had provided on 25 November 2010.
2. The European Union remained concerned that Syria had not declared all its nuclear facilities and activities, as required by its comprehensive safeguards agreement. It noted with deep concern that, since Syria had ceased cooperating with the Agency's investigations into the Dair Alzour site and related locations in June 2008, the Agency had not been able to make any progress towards resolving the outstanding issues. The lack of completeness of Syria's statements and the absence of supporting documentation, the repeated refusal to allow the Agency access to various locations, including the Dair Alzour site, and the refusal to provide the Agency with relevant information related to the construction of the destroyed building had impeded the organization in completing its assessment and determining the nature of the site. The European Union noted the Agency's assessment that, with the passage of time, some of the necessary information concerning the Dair Alzour site was deteriorating further or might be lost entirely. That assessment underlined the urgency of Syria's full and prompt cooperation.
3. With regard to the Agency's investigation into unreported activities at the miniature neutron source reactor and elsewhere, the European Union noted with concern that, while Syria had reaffirmed its commitment to resolving the issues relating to that reactor, to date it had not engaged fully in accordance with its plan of action to resolve concerns raised by the presence of particles of anthropogenic uranium of a type not included in Syria's inventory and related to unreported activities. Previous inconsistencies remained unresolved and Syria's answers appeared to have added further inconsistencies. Furthermore, Syria had not yet provided the Agency with access to the Homs site and the relevant information requested. The European Union urged Syria to stand by its stated commitment to resolve the issues related to the miniature neutron source reactor.
4. The European Union fully supported the Director General in urging Syria to bring into force an additional protocol as soon as possible, which would further facilitate the Agency's work in verifying the correctness and completeness of that country's declarations. It took note of the letter the Director General had sent to the Syrian Foreign Minister asking for full cooperation on the Dair Alzour issue and in general on verification activities, and it looked forward to a prompt positive answer from the Minister that might allow the Agency to fulfil its tasks.
5. The European Union would remain seized of the matter and, in consultation with its partners and Board members, would keep the issue under close review.
6. Ms GOICOCHEA ESTENOZ (Cuba)*, speaking on behalf of the Vienna Chapter of NAM, said that, in considering the issue under discussion, it was essential not to lose sight of the manner in which

it had initially been brought to the attention of the Agency. As had been recognized in the Director General's report to the November 2008 meetings of the Board (GOV/2008/60), the Agency had been severely hampered in discharging its responsibilities under Syria's safeguards agreement by the unilateral use of force by Israel and by the late provision of information by some Member States concerning the building at the Dair Alzour site. Bearing in mind the serious consequences of such acts, NAM regretted the fact that the Board had not expressed itself clearly in that regard and that the Director General continued to not address those matters in his reports.

7. NAM recalled the position expressed in the final declaration adopted at the Summit of NAM Heads of State and Government held in Sharm El Sheikh, Egypt, in July 2009, in which they had underscored NAM's principled position concerning non-use or threat of use of force against the territorial integrity of any State, condemning the Israeli attack against a Syrian facility on 6 September 2007 which constituted a flagrant violation of the United Nations Charter, and welcoming Syria's cooperation with the Agency in that regard.

8. Part A of the Director General's report continued to include many references to events that had occurred prior to his preceding report. NAM continued to request clarification from the Secretariat on the rationale behind issuing a report that contained no new information on the Dair Alzour site.

9. NAM noted that Syria had maintained that the destroyed facility at the Dair Alzour site was a non-nuclear military installation. It also noted Syria's statement that it had provided all the information it had regarding the questions raised by the Agency concerning the Dair Alzour site.

10. NAM recalled its previous requests that future reports by the Director General on the issue should contain the Agency's assessment of the implications of Israel's bombing of the Dair Alzour site, and its lack of cooperation, on the Agency's ability to resolve all related outstanding issues, as well as the broader aspects of the future of the Agency's safeguards regime, and its assessment of the reasons that might explain the absence of satellite imagery from the Dair Alzour site for a period of six weeks following its destruction by Israel. The continued absence of a comprehensive Agency assessment in that regard had not helped NAM member States to distinguish myth from reality regarding the Dair Alzour site. Consequently, NAM requested that future formal reports by the Director General on the item contain such an assessment. It regretted the fact that the current report did not address NAM's previous formal requests regarding the Dair Alzour site, and once again requested clarification on the matter.

11. NAM welcomed Syria's resolve to continue cooperating with the Agency and, in that regard, it stressed that, during the conduct of safeguards activities, access to information, activities and locations must be provided in accordance with the letter of the comprehensive safeguards agreement concluded between the Agency and Syria. NAM encouraged Syria and the Secretariat to continue cooperating with a view to resolving any remaining issues related to information, activities and locations that were in accordance with the provisions of Syria's comprehensive safeguards agreement with the Agency.

12. NAM welcomed Syria's continued cooperation in providing further information on the issue related to the miniature neutron source reactor and access to its facilities. In that connection, it welcomed the reaffirmation by Syria of its commitment to resolve all outstanding issues within the scope of its safeguards agreement, and looked forward to those issues being brought to closure. A clear distinction had to be made between legal obligations of Member States under their respective safeguards agreements and their voluntary undertakings, in order to ensure that such voluntary undertakings were not turned into legal safeguards obligations.

13. NAM stressed again that all Member States should avoid any undue pressure on or interference in the Agency's activities, especially in its verification process, which would jeopardize the efficiency and credibility of the Agency. It supported the Director General's previous call on other States,

including Israel, which might possess information relevant to the Agency's verification activities, to make such information available to the Agency. It also called on Israel to cooperate fully with the Agency and provide it with comprehensive information on the nature of the materials it had used in its attack on the Dair Alzour site.

14. Mr AL HINAI (Oman)*, speaking on behalf of the Arab Group, reaffirmed the Group's consistent position in support of Syria, as reflected in the final declaration issued following the 22nd Summit of the League of Arab States, held in Sirte, Libyan Arab Jamahiriya, in March 2010, which had condemned Israel's serious violations and continuing aggression against Arab countries and had emphasized that the Israeli attack on a military site under construction at Dair Alzour constituted a violation of Syria's sovereignty. The declaration stated that Israel had resorted to fabricated and false pretexts in order to attack an Agency Member State which was party to the NPT, and it called on the international community to condemn such attacks and take firm steps to prevent their recurrence.

15. The Arab Group again called on Member States to exert pressure on Israel to respond to the Director General's repeated calls for cooperation, for information concerning the nature of the materials it had used in its aggression, and for the Agency to be allowed to take samples in order to measure contamination.

16. Syria's cooperation with the Agency in 2008 to facilitate access by inspectors to Dair Alzour, and its willingness to reply to questions even though the site was not covered by its international obligations under its comprehensive safeguards agreement, had been manifest proof of its transparency. The Arab Group welcomed Syria's continuing cooperation with the Agency and the replies it had provided to the Agency's queries concerning the miniature neutron source reactor. The Group expressed appreciation for the meeting between Syria and the Secretariat held in that connection in Vienna on 15 November 2010 and looked forward to the continuation of such cooperation with a view to eliminating the miniature neutron source reactor from reports by the Director General, and with a view to returning to routine treatment of that facility within the framework of the comprehensive safeguards agreement between Syria and the Agency.

17. The Arab Group underscored the importance of the Secretariat abiding by agreements concluded with Member States, rather than demanding that States undertake measures that went beyond their obligations arising from such agreements. There was a need to distinguish between international obligations and measures voluntarily offered by States, including signing an additional protocol.

18. Mr DAVIES (United States of America) welcomed the Director General's latest report on a matter of grave importance for the Agency's safeguards regime and commended the Secretariat for its professionalism in pursuit of its technical investigation in Syria. The United States regretted that Syria, in response, had systematically hindered that investigation through deliberate efforts to conceal the full extent and scope of its clandestine nuclear activities.

19. For more than two years, the current Director General and his predecessor had been bringing before the Board a constantly expanding list of safeguards concerns, at the heart of which was credible information that Syria, with assistance from the DPRK, had been secretly constructing a nuclear reactor at Dair Alzour which appeared to have been intended for non-peaceful purposes. Regrettably, Syria had chosen not to cooperate with the Agency's investigation into the Dair Alzour site after Agency inspectors had detected multiple traces of anthropogenic uranium there. Since then, Syria had instead taken the path of actively hindering the investigation by denying access, providing incomplete and misleading information, and sanitizing multiple locations. The significance of Syria's refusal to cooperate was underscored by the revelations that its clandestine nuclear activities were not limited to the destroyed reactor.

20. As the Director General stated in paragraph 10 of his report, the latest exchange of letters with Syria regarding activities at Syria's declared miniature neutron source reactor appeared to have added further inconsistencies in relation to Syria's explanations of activities there. Those previously undeclared activities and concerns came in addition to the central issue of the undeclared construction of a nuclear reactor at Dair Alzour. The United States noted with serious concern Syria's unwillingness to take the necessary steps to resolve the Agency's questions related to undeclared nuclear experiments and material at the miniature neutron source reactor.

21. His country had viewed the plan of action announced at the September 2010 meetings of the Board as a means for Syria to address at least that part of the international community's concerns about its clandestine nuclear activities. Unfortunately, Syria had apparently chosen to hinder even that aspect of the Agency's work. At the technical briefing on 25 November 2010, the Secretariat had stated that Syria had agreed to complete the plan of action by 30 October 2010. The United States noted with regret that, to date, Syria's interactions with the Agency had led only to the report that inconsistencies were actually increasing. His country strongly believed that the plan of action must be implemented in full and that the time frame for resolving the key issue of Dair Alzour must not be open-ended. The Board must not accept Syria's attempts to select certain aspects of the plan of action — or indeed of its safeguards agreement — on which it would like to cooperate. Syria must provide all access to Homs which the Agency deemed necessary to determine the full extent of any past or current uranium processing activities and nuclear material at that location, including access to the phosphate purification plant where Syria had extracted hundreds of kilograms of yellowcake, some of which was the source material reportedly used in the undeclared nuclear experiments at the miniature neutron source reactor.

22. The Agency and the international community did not yet know the full scope of Syria's clandestine nuclear activities, and the Agency did not have unlimited time to gather safeguards-relevant information. As noted in the Director General's report, information related to Syria's clandestine nuclear activities was already deteriorating or had been lost entirely. The longer the issue remained before the Board, the more corrosive it was to the long-term health of the Agency and the NPT.

23. Underscoring that point, the Director General had stated in his report that it was critical that Syria cooperate actively with the Agency without further delay. If Syria did not return soon to full cooperation with the Agency in accordance with its safeguards agreement, the Board must consider how best to support the Secretariat as it used all available measures and authorities to pursue the verification assurances the international community required. The Board must not accept the status quo. Syria's continued obstruction and its unwarranted attacks on the Secretariat threatened the integrity of the Agency safeguards regime and, by extension, the entire nuclear non-proliferation regime. Syria could not be allowed to conceal clandestine nuclear activities by unilaterally dictating which aspects of its safeguards agreement it would implement. Syria's comprehensive safeguards agreement provided the legal basis for verifying the correctness and completeness of Syria's declarations, and a clear basis for resolving the many outstanding questions related to undeclared nuclear activities, material and facilities. That was the standard that all States implementing comprehensive safeguards agreements must meet. Nevertheless the Agency would not be in a position to provide credible assurances regarding the absence of undeclared nuclear activities in Syria until that country brought into force an additional protocol. The United States again called on Syria to do so without delay.

24. The existence of clandestine nuclear facilities, seemingly intended for non-peaceful purposes, and the growing threat to the integrity of the safeguards regime were matters of concern to the entire international community. Therefore, in a spirit of transparency, the Board should make the Director General's report available to the public.

25. His country looked forward to the Secretariat's report to the March 2011 meetings of the Board on the progress of the Agency's investigation, and it once again called on Syria to provide, without further delay, whatever access and information the Agency deemed necessary to resolve all outstanding questions relating to the nature and scope of Syria's clandestine nuclear activities. If Syria elected not to do so, the United States urged its fellow members of the Board to work with it in the coming months to take the necessary steps to preserve the credibility of the Agency and the international safeguards regime.

26. Finally, he took note of the recent letter which the Director General had mentioned in his opening statement containing a written appeal to the Syrian Foreign Minister for full Syrian cooperation at Dair Alzour. In the interest of global and regional security objectives, the United States hoped that Syria's leadership would heed the Director General's appeal and take the steps necessary to allow the Agency to provide the requisite assurances about the nature and scope of the country's nuclear programme. If that cooperation was not forthcoming, the United States believed the Board would have little choice but to consider appropriate action.

27. Mr BARRETT (Canada) thanked the Director General for his report and the Secretariat for its impartial and professional work and the technical briefing provided.

28. Canada remained deeply concerned about revelations regarding the Dair Alzour site that pointed to possible undeclared nuclear activities in Syria and to nuclear cooperation between Syria and the DPRK. An undeclared nuclear reactor of the kind that appeared to have existed at the Dair Alzour site posed a very serious proliferation threat and would be a blatant breach of Syria's safeguards obligations. Unfortunately, the Director General's latest report noted that Syria had yet to provide satisfactory explanations for the origin and presence of anthropogenic natural uranium particles of a type not included in Syria's declared inventory of nuclear material, nor had it provided the access to information, material, equipment and locations requested by the Agency. Consequently, the Agency had not been able to make progress towards resolving the outstanding issues. Such lack of cooperation from Syria only served further to erode confidence in the peaceful nature of Syria's nuclear programme. It was critical that Syria cooperate fully without further delay and provide the Agency with all the requested information and access in order to enable the Agency to complete its assessment.

29. With respect to the miniature neutron source reactor site, his country was concerned at what appeared to be very limited progress since the preceding report towards implementing the agreed plan of action for resolving the Agency's questions and arranging for access to the plant at Homs. Timely completion of all such activities was important to answer questions about the origin of the anthropogenic particles found at that site and to confirm that appropriate safeguards and reporting actions were now in place.

30. Canada strongly supported the Director General's efforts to investigate further the outstanding issues highlighted in his report and to verify both the completeness and correctness of Syria's declarations. It encouraged the Agency to use all available tools at its disposal and fully supported the Director General's call for Syria to bring into force an additional protocol as soon as possible.

31. His country urged all Member States to support the investigation to the fullest extent and requested the Director General to continue to report on the results of the Agency's investigations. The issue must remain on the agenda of the Board until confidence in the exclusively peaceful nature of Syria's nuclear programme had been fully restored. Given the continuing broad interest in the issue and the important principle of transparency, Canada requested that the report contained in document GOV/2010/63 be made public.

32. Mr BERDENNIKOV (Russian Federation) took note of the Director General's report and commended the Agency's efforts to implement safeguards in Syria. His country noted the agreement reached between Syria and the Secretariat regarding a plan of action for resolving the inconsistencies identified by the Agency with respect to the activities at the miniature neutron source reactor, including clarification of issues related to the discovery of uranium particles. It hoped that that work would be completed in the near future and looked forward to the Agency's conclusions regarding the origin of the uranium particles.

33. It was to be hoped that there would also be interaction between Syria and the Agency on other issues. That was important because, with the passage of time, some of the information concerning the Dair Alzour site was deteriorating or had been lost entirely. The provision of information by Israel on the ammunition it had used in destroying the Dair Alzour facility would help clarify the Agency's concerns and the Russian Federation hoped that Israel would provide that information.

34. His country supported the Director General's appeal to Syria to implement an additional protocol to its comprehensive safeguards agreement, which was an important instrument for verifying the correctness and completeness of the information provided by States under their safeguards agreements.

35. Mr NAKANE (Japan) took note of the Director General's report and expressed appreciation for the Secretariat's professional and impartial efforts to provide clarifications regarding the implementation of safeguards in Syria, and for the technical briefing held on 25 November 2010.

36. In connection with the unresolved issues related to the Dair Alzour site and the other three locations allegedly functionally related to it, Japan was concerned that Syria had not cooperated with the Agency since June 2008 and that, as a consequence, the Agency had not been able to make any progress towards resolving those issues since the Director General's preceding report to the Board.

37. As for the miniature neutron source reactor, his country took note that Syria's responses to date under the agreed plan of action did not resolve the inconsistencies identified by the Agency. On the other hand, at a meeting in Vienna on 15 November 2010, Syria had reaffirmed its commitment to resolve the issues related to that reactor within the scope of its safeguards agreement, to respond to the Agency's questions concerning inconsistencies, and to discuss with the Agency its earlier requests for access to the pilot plant at Homs. Japan hoped that Syria would provide responses and cooperation to the Agency in a timely and constructive manner in accordance with the plan of action.

38. His country called on Syria to provide the cooperation requested by the Agency regarding the Dair Alzour issues without delay in order to resolve the problems in the application of safeguards in Syria and dispel the concerns of the international community, including those relating to nuclear cooperation between Syria and the DPRK. At the same time, it hoped that other countries concerned would provide in a prompt manner relevant information which the Agency had requested. Finally, he called on Syria to sign, ratify and implement an additional protocol in order to facilitate the Agency's work in verifying the correctness and completeness of its declarations.

39. Mr ALKAABI (United Arab Emirates) said his country's Government attached great importance to implementation of safeguards in a manner that allowed the Agency to carry out complete investigations. In that connection, the additional protocol was essential to enable the Agency to carry out a full investigation into the peaceful nature of activities. Verification was the Agency's responsibility under any safeguards agreement.

40. The United Arab Emirates strongly condemned Israel's attack on the Dair Alzour site, which had hampered the Agency's ability to ensure full implementation of safeguards. It called on Israel to

cooperate fully with the Agency by providing the necessary information to help clarify the origin of the anthropogenic uranium particles found.

41. His country noted the meetings held between Syria and the Secretariat concerning the outstanding issues and underscored the importance of full and direct cooperation to enable the Agency to make a full investigation, complete its verification and build confidence.

42. Ms CHIN (Singapore) noted that, while the Agency had been given access to the Dair Alzour site to take environmental samples in June 2008, it had not been given access to documentation concerning the destroyed building and other buildings that might be functionally related to it, or to debris and equipment from the destroyed building. Syria had maintained that the destroyed building was a non-nuclear military installation but, according to the Agency, the features of the destroyed building and its connectivity to adequate cooling water pumping capacity were similar to what might be found at a nuclear reactor site. Moreover, the Agency's analysis of samples had indicated the presence of particles of anthropogenic natural uranium of a type not included in Syria's declared inventory of nuclear material. That finding, together with the Agency's other observations, raised additional questions concerning the nature of the destroyed building and the possibility of nuclear-related activities at the site.

43. Her country sympathized fully with the Agency for having to conduct what clearly amounted to very challenging forensic investigations in the absence of much needed cooperation from the States concerned with respect to access and information. The current unsatisfactory situation would not have arisen if all involved had been more prompt in raising their concerns. Although some of the information concerning the Dair Alzour site was deteriorating further or might have been lost entirely, it was to be hoped that closure could soon be reached on the matter and that the Agency would be able to draw a definitive conclusion regarding the nature and use of the destroyed facilities. Singapore therefore strongly urged Syria to extend further cooperation to the Agency. It also supported the Agency's request to Israel to provide relevant information that might help clarify matters.

44. With regard to activities at other locations in Syria, her country welcomed the ongoing discussion between the Agency and Syria and the agreed plan of action to resolve the inconsistencies between Syria's declarations and the Agency's findings. While it hoped that the two sides would continue to engage in a constructive dialogue, Singapore noted that Syria's responses to date on the miniature neutron source reactor under the agreed plan of action had not resolved the inconsistencies identified by the Agency. It encouraged Syria to work with the Agency to clarify those issues promptly, and to accede to the Agency's request for access to Homs in order to determine the extent of any uranium processing activities and nuclear material at that location.

45. Mr SHIM Yoon-Joe (Republic of Korea) noted that, in cooperation with Syria, the Agency had continued its verification activities relating to the presence of anthropogenic natural uranium particles at the miniature neutron source reactor. His country welcomed the steps that had been taken under the plan of action since September 2010 to resolve the inconsistencies between Syria's declarations and the Agency's findings. However, it was concerned that inconsistencies remained unresolved and that further inconsistencies might have been introduced as a result of some of Syria's explanations. It was important for Syria to react promptly and positively to the Agency's requests for clarification. His country hoped that Syria would provide the Agency with all material, documentation and access needed to resolve inconsistencies and draw conclusions about the origin of the uranium particles at the miniature neutron source reactor in a timely manner.

46. The Republic of Korea noted with serious concern that Syria had not engaged substantively with the Agency in connection with the unresolved issues related to the Dair Alzour site since June 2008. That absence of cooperation had delayed the Agency's verification efforts to the point that some

of the information concerning the Dair Alzour site had been lost entirely. It was vital for Syria to cooperate with the Agency to the extent necessary for it to determine the scope and nature of Syria's nuclear activities at Dair Alzour before the passage of time led to a further deterioration in the available information.

47. His country hoped that Syria would not hesitate to establish appropriate arrangements for managed access to relevant information and locations. It further urged Syria to conclude an additional protocol in order to facilitate verification of the correctness and completeness of its declarations and resolution of all outstanding issues.

48. Mr CHAOUCH (Tunisia) condemned Israel's attack on the Dair Alzour site in Syria, which constituted a flagrant breach of the sovereignty of a Member State of the Agency and a party to the NPT. His country called on the Director General to continue to urge Israel to cooperate fully and transparently and provide the requested information regarding the materials it had used in bombing the site.

49. Tunisia commended Syria's cooperation with the Agency, in particular its decision to give Agency inspectors access to the Dair Alzour site in 2008 and its replies to the Agency's questions. It also noted with appreciation Syria's cooperation with respect to the miniature neutron source reactor, especially the agreement reached in September 2010 on a plan of action to resolve outstanding issues, and welcomed Syria's reaffirmation of its commitment to respond to all the Agency's questions regarding that reactor.

50. His country emphasized the importance of ensuring that all parties involved complied with agreements pertaining to peaceful uses of nuclear energy and refrained from demanding measures that fell outside the scope of such agreements. It also stressed the need to distinguish between international obligations and voluntary measures, including the signing of an additional protocol which was a sovereign prerogative of Member States.

51. His country was opposed to the publication of the Director General's report.

52. Mr MCGUIRE (Australia) said that, although Syria maintained that the destroyed building at Dair Alzour was a military non-nuclear facility, the information and access that Syria had provided to date was insufficient to allow the Agency to confirm its statements about the site. Syria contended that it was not obliged to provide information on Dair Alzour and the three related locations. However, the Agency had indicated that, under comprehensive safeguards agreements, its access to information, activities or locations was not limited by a possible military connection. Other Member States had provided the Agency with access to military-related nuclear sites under comprehensive safeguards agreements.

53. Syria had not engaged substantively with the Agency on the matter since 2008. Its continued refusal to respond to the Agency's repeated requests was inconsistent with its obligations under its comprehensive safeguards agreement. Australia was deeply concerned by the Director General's assessment that some of the information concerning Dair Alzour was further deteriorating or had been lost completely. It called on Syria to cooperate actively with the Agency on the unresolved safeguards implementation issues without further delay.

54. His country welcomed the efforts to agree on a plan of action to resolve the inconsistencies between Syria's declarations and the Agency's findings regarding the miniature neutron source reactor and other locations. It urged Syria to finalize the action plan and implement it fully, including provision of access to Homs, as soon as possible.

55. He urged Syria to engage with the Agency on all outstanding issues and to bring into force an additional protocol, which would enhance the Agency's ability to verify the correctness and

completeness of its declarations. It was important for all Member States to support the Secretariat unequivocally in its verification tasks and he encouraged States that possessed relevant information to make it available to the Agency as appropriate.

56. Australia supported the publication of the Director General's report on Syria in the interests of an informed public debate.

57. Mr UZCÁTEGUI DUQUE (Bolivarian Republic of Venezuela) said that the Board's approach to the agenda item under discussion was unbalanced and was obviously politically motivated.

58. His country strongly condemned the attack on Syrian territory carried out in September 2007. No country could arrogate to itself the right to launch such an attack on the basis of unfounded assumptions. The attack constituted a flagrant violation of the United Nations Charter and international law and should be firmly rejected by the entire international community. It reflected a belligerent policy based on the doctrine of preventive war imposed by Israel on the States of the Middle East. It was regrettable that the Board had failed to condemn that attack because of the complicit attitude of certain countries. It should not be forgotten that the State of Israel had been developing a military nuclear programme for decades which posed a real threat to international and regional peace and security. Its aggressive behaviour had in no way assisted in building the confidence needed to deal with the matters before the Board and had seriously undermined the Agency's authority and international law. Its actions had prevented the Agency from meeting its responsibilities under the safeguards agreement with the Syrian Arab Republic.

59. With regard to the particles of anthropogenic uranium found at Dair Alzour, the Secretariat should make a greater effort to obtain the requisite information from Israel, which was under an obligation to respond to all questions raised in connection with the possibility that the particles might have come from the missiles used in the attack. No evaluation should be made before all the relevant elements had been analysed. The Syrian Arab Republic had cooperated voluntarily in the past. However, the requests contained in the report went unjustifiably beyond what was legally required of it under its safeguards agreement. The report contained no relevant new elements because of the failure of the Israeli Government to cooperate. He trusted that future reports would remedy that situation.

60. The language used in section B of the report, Activities at Other Locations in Syria, confirmed the unbalanced nature of its content. The change in the title implied that Syria had extended its nuclear activities to other parts of its territory, whereas the information contained in the section related solely to the miniature neutron source reactor. That was not the type of message that the Agency should be sending to the international community.

61. His country welcomed Syria's ongoing cooperation with the Agency and expressed the hope that the remaining inconsistencies would be resolved through dialogue and cooperation among the parties involved. It was opposed to the publication of the report owing to the inconsistencies that he had highlighted in his statement.

62. Mr MINTY (South Africa) welcomed the cooperation extended by Syria to the Agency in clarifying issues related to its nuclear programme and encouraged Syria to increase that cooperation, to provide the Agency with the substantive responses and information requested, and to grant it unrestricted access so that the Agency could ensure that safeguards were applied to all nuclear material and facilities subject to that country's safeguards agreement. While recognizing the voluntary nature of the additional protocol, his country took the view that it played an indispensable role in strengthening the Agency's verification system and providing credible assurances of the absence of undeclared nuclear material or activities. South Africa therefore supported the Director General's call on Syria to bring into force an additional protocol as a confidence-building and transparency measure.

63. Furthermore, his country continued to support the view that engaging with the Agency in establishing the necessary modalities for managed access to information and locations would facilitate progress in verification, while at the same time protecting military and other information considered sensitive by Syria. With regard to the concern that delayed interaction between Syria and the Agency could result in the deterioration and loss of information, he said that it should not be assumed that vital information would get lost, since it should be adequately protected.

64. South Africa continued to condemn the unilateral use of force by Israel and found it regrettable that information concerning the destroyed Dair Alzour site had not been forthcoming in a timely manner. His country called on all Member States to communicate any concerns about another Member State's safeguards agreement to the Agency without delay. It also hoped that Israel would provide the Agency with the relevant information.

65. In conclusion, he urged Syria to continue cooperating with the Agency so that the latter could resolve the outstanding issues and make progress in its verification mandate in Syria. At the same time, he called on all Member States in the region to maintain restraint and not to exacerbate the situation.

66. Mr QUEISI (Jordan) reaffirmed the inalienable right of all States to engage in research and to acquire nuclear technology for peaceful purposes. He stressed the importance of cooperation between Syria and the Agency and encouraged them to work together to find a speedy solution to all safeguards-related issues, and to implement the plan of action agreed on in September 2010 with a view to resolving inconsistencies. His country welcomed Syria's commitment to continue cooperating with the Agency and hoped that intensive diplomatic contacts would assist in laying to rest the outstanding issues.

67. It was important not to overlook the background to the agenda item. Israel's unilateral act in bombing the Syrian site constituted a flagrant breach of international law and a deliberate disregard for the role of the Agency and its inspectors. Jordan deplored the continued silence of many Member States and their failure to condemn the attack, which implied a tacit acceptance of such conduct on the part of a State that had the power to act unilaterally, instead of using the legal means available and supporting the work of the Agency's inspectors. His country called on Israel to respond to the Director General's repeated requests for information concerning the materials used to attack the building in Dair Alzour so that the Agency could verify any allegations concerning Syria's nuclear programme.

68. His country urged the Agency to implement comprehensive safeguards in the Middle East with a view to ridding the region of nuclear weapons. It was essential for Israel to accede to the NPT as a non-nuclear-weapon State and place all its nuclear facilities under the Agency's safeguards regime in order to establish a nuclear-weapon-free zone in the Middle East and promote peace and stability in the region. The States of the region could then focus on the economic and social development of their peoples and refrain from engaging in an arms race that fuelled crises and undermined confidence.

69. Jordan was opposed to the publication of the Director General's report.

70. Mr STACEY MORENO (Ecuador) said that no country should opt for a nuclear programme that did not have peaceful aims and was not under Agency safeguards. At the same time, his country condemned all unilateral military acts against the sovereignty and territorial integrity of States.

71. According to the Director General's report, Syria had not cooperated with the Agency since June 2008. Moreover, with the passage of time, some of the information concerning the Dair Alzour site was deteriorating further or had been lost.

72. His country did not wish to make a value judgement and maintained a position of principle based on the Agency's Statute and the need to find realistic solutions to problems, while respecting international peace and security interests and States' sovereignty and equality before the law.

73. As most of the information required to conduct a proper investigation of the case involving Syria had deteriorated or was lost, it would be very difficult, if not impossible, to establish any kind of responsibility. There would seem to be insufficient evidence to settle the case, since any that had existed had been destroyed by an unjustifiable military attack on the Dair Alzour site. The question was what the consequences of an investigation could be when the alleged threat and the facility allegedly serving non-peaceful purposes had disappeared. The bombing of Dair Alzour had impeded the verification activities of the Agency, which was the sole body competent to verify compliance with the safeguards regime.

74. Ecuador therefore advocated steps to achieve a prompt solution by adopting a constructive approach that would avert the risk of a loss of credibility for the Agency and an escalation of tensions in the Middle East, a region that was seeking and deserved to achieve lasting peace.

75. His country supported an investigation by the Agency based on technical factors. All States involved should respond to the Agency's requests in line with their legal obligations without exception or discrimination. At the same time, he stressed the importance of promoting mutual trust, and of facilitating the resolution of problems that might affect Member States' national security and sovereignty through dialogue and negotiations based on good faith, which should be the cornerstone of all international obligations.

76. Mr SIRRY (Egypt)* urged Syria and the Agency to work together to achieve an early resolution of any safeguards issues that fell within the scope of Syria's legal obligations. It was in the interest of all parties involved for such issues to be resolved in a calm, cooperative and conducive environment.

77. Once again, and despite repeated requests made to the Secretariat at successive Board meetings, the Director General's report failed to address Israel's lack of cooperation with the Agency and to draw any conclusions in that regard. Like earlier reports, it stated that information yet to be provided by Israel might be helpful in clarifying the matter. As no such information appeared to be forthcoming, future reports should contain an Agency assessment of the consequences of Israel's continued unwillingness to provide that information. The bombing of the Dair Alzour facility had been either the result of irrefutable proof concerning the nature of the facility, or politically motivated military aggression. The continued lack of cooperation by Israel pointed towards the latter.

78. Similarly, the report again failed to include any assessment of the unexplained absence or severe shortage of quality satellite images of the site for a period of six weeks following its destruction by Israel. The Secretariat's clear reluctance to address that important issue in its written reports was incomprehensible and needed to be explained.

79. Egypt welcomed the ongoing contacts and exchanges between Syria and the Secretariat in the context of implementing the action plan agreed upon in September 2010. It also welcomed Syria's explicit commitment to resolving the miniature neutron source reactor issue within the scope of its safeguards agreement. His country continued to be of the view that the issues dealt with in section B of the report related to routine implementation of safeguards in Syria and should not be included in the document. Such issues should be resolved via cooperation between Syria and the Agency. Any unwarranted interventions or politically motivated escalation would merely disturb an otherwise calm and conducive environment.

80. Although the Agency had acknowledged that it had been severely hampered in discharging its responsibilities under Syria's safeguards agreement by the unilateral use of force by Israel at

Dair Alzour and the late provision of information by some Member States, it was clearly reluctant, despite repeated requests from Member States, to assess the legal implications of the bombing and the late provision of information. The Secretariat's unwillingness to provide Member States with the requested comprehensive legal opinion was a matter of serious concern and should not be casually ignored. There was a reason for that reluctance and Member States had a right to know what it was.

81. Ms MACMILLAN (New Zealand)* said that the Director General's report again raised serious concerns about lack of cooperation from Syria on important aspects of the Agency's investigation into outstanding safeguards issues. The report noted that Syria had not cooperated with the Agency since June 2008 in addressing the unresolved issues relating to the Dair Alzour site and the other three locations that were allegedly functionally related to it. It was critically important for Syria, after two years of investigations hampered by its lack of cooperation, to engage positively with the Agency on those issues without further delay, particularly in view of the degradation or disappearance of important information or material with the passage of time.

82. Her country noted that Syria was engaged in an ongoing dialogue with the Agency over the miniature neutron source reactor; however, it had not yet clarified the issues identified by the Agency in the September 2010 plan of action and its subsequent letter. In fact, it had added further inconsistencies. According to the report, Syria had reaffirmed its commitment to resolve the miniature neutron source reactor issues within the scope of its safeguards agreement, to respond to the Agency's questions concerning inconsistencies, and to discuss with the Agency the latter's earlier requests for access to the pilot plant at Homs. She urged Syria to respond to the Agency's request for a prompt and positive reaction on all those issues.

83. In conclusion, New Zealand urged Syria to bring into force an additional protocol and to cooperate fully with the Agency so that any outstanding issues in its nuclear file could be resolved as completely and expeditiously as possible.

84. Ms GOICOCHEA ESTENOZ (Cuba)* said that the discussions of the item in question had as their background Israel's bombing of the Dair Alzour site in flagrant violation of international law. The Secretariat continued not to acknowledge the view put forward by several delegations that any limitation on the full exercise by the Agency of its statutory functions was the sole responsibility of those that had obstructed its activities, in particular Israel. The Director General's report made only one timid reference to the aggressor, in paragraph 4. In that context, she expressed deep concern that the Secretariat continued to ask Syria for managed access to sensitive information and locations of strategic importance to the country's sovereignty, integrity and national security, which was unfair and unacceptable.

85. The Agency's verification activities should not affect the sovereignty of States. Any request not covered by Syria's comprehensive safeguards agreement should be negotiated with the Syrian authorities on a strictly voluntary basis and with full respect for that country's sovereignty. It was unacceptable for attempts to be made to force Syria, or any other country, to sign an additional protocol, as the signing, acceptance and ratification of international treaties was voluntary.

86. The Board should firmly condemn the intrusive and obstructionist actions of Israel in relation to the Agency's verification activities, and the bombing of the Dair Alzour site. Double standards should cease. The same countries that wished to place Syria in the dock ignored the actions of the Israeli Government and their negative impact on Agency verification. Syria should not be asked to enhance its cooperation with the Agency unless Israel was also requested to cooperate by clarifying the causes of the bombing. The reasons for the delay by Israel and others in providing information to the Agency on the alleged construction of a nuclear reactor should be investigated by the Secretariat and analysed in depth by the Board. Israel should also respond to questions raised by the Secretariat. It was

regrettable that the Agency was not being provided with relevant information that could contribute to resolving the issue. In view of Israel's modus operandi, it was also essential to examine all possibilities that might explain the origin of the anthropogenic natural uranium particles. Paragraph 4 of the report did not exclude an external source.

87. At the technical briefing held the preceding week, the representative of Syria had provided information in relation to paragraphs 10, 11 and 12 of the report that demonstrated not only a lack of transparency on the part of the Secretariat in handling information, but also Syria's commitment to continue collaborating with the Agency within the framework of its comprehensive safeguards agreement. She commended the position of the Syrian authorities in that regard and rejected any biased approach which would sully the atmosphere of cooperation and understanding that should prevail in a forum such as the Agency. Such sensitive issues should be addressed in a manner that ensured balance, confidence, security and credibility.

88. Mr AZOULAY (Israel)* said that the Director General's report depicted Syria's continued flagrant lack of cooperation with the Agency's investigation into its clandestine nuclear programme, in particular the true nature of the Dair Alzour site. Over the preceding three years, the Agency had collected sufficient evidence to prove that the installation had been a nuclear reactor, built with help from the DPRK and solely intended for producing plutonium, yet Syria refused to accept that evidence, spreading instead false and outrageous allegations with the assistance of friendly countries. It was withholding information regarding Dair Alzour and continued to refuse access to several other sites, including the one to which the debris of the destroyed reactor had been moved. Time was of the essence in obtaining access to those sites.

89. The Agency's mandate was to investigate not how the site had been destroyed, but what its true nature had been. Syria was failing to cooperate with that investigation, attempting to divert it in other directions. Israel was by no means the source of the uranium particles found at Dair Alzour; Syria's allegations in that regard, supported by the Islamic Republic of Iran, were ridiculous and evasive. The only place where contamination could be found, and in large amounts, was the site to which the reactor debris had been taken.

90. The report revealed additional disturbing findings regarding the nature of Syria's nuclear activities which constituted a gross breach of its obligations under its comprehensive safeguards agreement. Its failure to report and explain in a timely manner the presence of uranyl nitrate and yellowcake at the miniature neutron source reactor facility not only constituted a safeguards breach, but also contravened its legal obligations regarding the use of the facility at Homs, which had been funded through the Agency's technical cooperation programme.

91. Syria should start to cooperate with the Agency in its investigation and the Board should take more decisive action to bring the investigation, which had reached a critical phase, to a conclusion. The deterioration of the evidence called for a much more prompt and assertive treatment of the issue than had been seen to date.

92. Mr SOLTANIEH (Islamic Republic of Iran)* pointed out the irony of the situation where the aggressor was ignored while the victim was the target of allegations and accusations. Israel, in flagrant violation of the United Nations Charter and international law, had committed an act of aggression against the Syrian Arab Republic. With its supporters, it had then used false allegations to construct a scenario against Syria and had involved the Agency in a seemingly vicious circle of questions and allegations.

93. His country had already expressed its serious concern about the unprecedented approach which was being followed by the Agency in its inspection activities and which would lead it to deviate from its legal mandate. The Director General's report referred several times to requests for further

information and documentation on procurement efforts. Such requests had no legal basis under Syria's comprehensive safeguards agreement, were not related to the Agency's technical inspection mandate and could set an unwelcome precedent. Similarly, the Secretariat's conclusion with respect to unlimited and unrestricted access to various locations, including military sites, was not borne out by any of the Agency's legally binding instruments and he sought clarification regarding the legal basis for it. Iran's own bitter experience demonstrated that proactive cooperation with the Agency did not lead to the resolution of issues but to an endless cycle of unlawful requests, paving the way for resolutions, sanctions, export restrictions, and pressure on companies not to do business with Iran.

94. Syria had obligations only under its comprehensive safeguards agreement, having not signed an additional protocol. Even the intrusive additional protocol, notably Article 2.a.(vi).(c) thereof, only required States to provide the Agency with limited technical information on nuclear material and facilities. None of the requests regarding procurement or access the Agency had made of Syria were covered by Annex II of the additional protocol, much less its comprehensive safeguards agreement. He recalled that, on several occasions, NAM had emphasized that voluntary measures should not be turned into legal obligations.

95. At the same time, those members of the Board that consistently criticized Syria turned a blind eye to the Israeli regime and its nuclear arsenal, which constituted a real and major threat to peace and security in the Middle East and throughout the world. Unjust attitudes and conduct should not be allowed to prevail within the Agency.

96. It was unsurprising that the United States and certain European countries that were strategic allies of Israel ignored its flagrant violation of the United Nations Charter and the Agency's Statute and sought to protect the regime at any price. It was more difficult to comprehend why other European Union countries, along with States such as Japan and Canada, should isolate themselves and jeopardize their credibility by setting themselves against the more than 100 countries that had condemned Israel's attack against a sovereign Member State.

97. An attack under any pretext — even the alleged existence of a nuclear reactor — violated the Agency's Statute. Article XIX.B of the Statute should be invoked against Israel immediately, as had occurred in 1981². Referring to document GC(XXVIII)/719 and United Nations Security Council resolution 487 (1981), he stressed that military attacks on nuclear installations could have significant effects not only on the targets, but on the Agency's verification regime, the peaceful uses of nuclear energy, national development, the environment and human health and security.

98. The Secretariat had a clear mandate from Member States to reflect the Agency's condemnation of Israel's military aggression under the false pretext of the existence of a nuclear reactor and to continue the verification process, including investigating the source of the contamination discovered. Israel, the country from which the missile that destroyed the building at Dair Alzour had been launched, should provide the Agency with all the information requested concerning the materials used in the attack against Syria. The Secretariat should not allow its investigation into the source of the contamination to be diverted by minor misleading questions and unjustified requests, such as for information on procurement.

99. The latest report by the Director General failed to address the consequences of the delay in reporting the Dair Alzour facility to the Agency and of its destruction, which had hampered the Agency's verification activities. That omission, together with Israel's defiance in refusing to cooperate with the Agency, were matters of serious concern.

² See resolution GC(XXV)/RES/381, preambular paragraph (I).

100. His country looked forward to receiving reports on swipe samples taken from the missile launcher in Israel and the results of their analysis as soon as possible, before the source of the contamination could be cleaned up or destroyed by the Israeli regime.

101. Mr SABBAGH (Syrian Arab Republic)* said that the Board of Governors had been examining the application of safeguards in the Syrian Arab Republic on the basis of information supplied by one Member State since eight months after Israel's bombing of the Dair Alzour site. Given Israel's continual acts of aggression against its neighbours and its occupation of Arab territories, it was regrettable that the Agency had not condemned that country's attack on Dair Alzour. It was astounding that no mention was made of Israel's aggression against Syria and the violation of its sovereign territory, contravening international law. Part A of the Director General's report did not even mention the repercussions of that act, notably Israel's disregard for the Agency's requests for cooperation with regard to the disclosure of the nature of the materials it had used to destroy and contaminate the Dair Alzour site. What was even more surprising was that, while the report simply reworked earlier information on Dair Alzour, it notably omitted assertions made by the Agency in previous reports that it had been substantially hampered in discharging its responsibilities under the NPT by the unilateral use of force by Israel and by the delay in providing information. He questioned such a selective approach and requested that the information in question be reinstated in future reports so as to ensure balance and objectivity.

102. He requested clarification from the Secretariat on a number of issues. How credible was the information received by the Agency alleging that the facility destroyed by Israel had been a nuclear reactor under construction? What was the nature of the supporting documentation? That question was particularly relevant given that one Government had provided information on another while harbouring a political agenda against the country concerned. He expressed the hope that the Secretariat, in responding, would not refer to commercial open-source satellite imagery, which his country did not recognize.

103. He asked what measures the Agency had taken to access the materials and locations Israel had used in preparing and carrying out its attack on Dair Alzour. How did the Secretariat intend to deal with Israel's refusal to cooperate, taking into account the Secretariat's concern regarding the deterioration of materials over time?

104. The Agency had referred to possible alternative uses of some of the material under discussion. Did it have any information or documents that were inconsistent with Syrian statements in that regard and that were not based on assumptions or assessments made for particular purposes?

105. He enquired about the legal grounds, under the comprehensive safeguards agreement between Syria and the Agency, for the Secretariat's requests to Syria and expressed the hope that future requests would refer specifically to the legal provisions on which they were based.

106. If the purpose of the Agency's work was monitoring and verification, its main focus should be on Israel, which had clandestine nuclear programmes evading all international control, together with a huge nuclear arsenal that threatened all States in the region and even those further afield. Its programmes were expanding and were being protected by powerful and influential States.

107. The title of part B of the Director General's report had been altered to "Activities at Other Locations in Syria", instead of referring solely to the miniature neutron source reactor as previously. It was unacceptable and unconscionable for Syria to discuss other locations and other activities that had not been declared. The miniature neutron source reactor, the nuclear material used in it and the related laboratories and activities had all been declared since 1994 under Syria's comprehensive safeguards agreement. Changing the title of part B while Syria was cooperating with the Agency to resolve the miniature neutron source reactor issue and restore routine inspection did not serve the common aim of

the Secretariat and Member States. He therefore requested that the title previously used be reinstated until the miniature neutron source reactor issue had been fully addressed.

108. At the technical briefing held the preceding week, the Director General of the Atomic Energy Commission of Syria had provided full explanations regarding the technical aspects of the report. Syria stood ready to provide further explanations to any Member States requesting them. He expressed regret that neither the Director General's report nor the technical briefing had reflected the true facts regarding Syria's positive cooperation with the Agency. Correspondence had been exchanged and meetings held and it was thus totally unfair to make categorical statements or draw premature conclusions, raising undue concern among Member States, nor did it aid the ongoing cooperation between the two parties.

109. In September 2010, a plan of action had been adopted to facilitate closure of the miniature neutron source reactor issue and a return to routine inspections. Syria had undertaken to send the necessary responses and had provided clarifications and explanations regarding various technical aspects within the time frame approved in the plan of action. Further discussions with the Agency had been held in November 2010 and Syria was now in the process of responding to the Agency's latest queries, most of which were technical questions relating to small quantities that would not normally be worthy of mention. Some of them even dated back several years, to when Agency inspectors had carried out many routine inspection visits without commenting on the issues now being raised. The Agency had requested access to the pilot plant for purification of phosphoric acid at Homs, despite the fact that the site had nothing whatsoever to do with the comprehensive safeguards agreement, as yellowcake — a by-product of the plant — was not subject to international safeguards according to the Agency's definition and its safeguards experts. A meeting had been held on 1 December 2010 between Syria and the Department of Safeguards to discuss and clarify numerous aspects of the Agency's request to visit the pilot plant. Pointing out that the Director General's report on the plan of action did not accurately reflect the provisions of the plan with regard to visiting the plant, he requested that those responsible for the technical briefing held on 25 November 2010 dispel any confusion arising as a result.

110. Syria was committed to adhering fully to its comprehensive safeguards agreement and to pursuing diplomatic dialogue as the only means of resolving all outstanding questions. Statements made in the Board had shown divergence among Board members and differing views as to how to address the issue. Some States favoured a positive approach, while others did not.

111. To date, the Secretariat's reports had not responded to repeated requests by NAM, which gave cause for concern among developing countries as to the extent to which international frameworks and forums were effective in dealing with issues they raised.

112. Conveying information inaccurately and employing selective repetition, not reflecting properly Syria's continued positive cooperation, jumping to premature conclusions, and engaging in speculation were not conducive to building confidence. Blurring the boundaries between legal obligations under comprehensive safeguards agreements and voluntary undertakings, including requests to adhere to the additional protocol, did not serve the joint aim of the Secretariat and Member States.

113. He stressed that Syria would spare no effort to facilitate the work of the inspectors and fulfil its obligations under the Agency's Statute and its comprehensive safeguards agreement. It was keen to continue cooperating in order to resolve the issue in a timely manner, and he expressed the hope that other Member States would understand his country's position and support it in achieving that objective.

114. Syria had no intention of attacking the Secretariat. In taking issue with the manner in which certain issues had been handled, or the fact that information or views had not been accurately reflected, it was adhering to the routine practice followed in all international organizations. Lastly, in order to preserve confidentiality, he requested that the report contained in document GOV/2010/63 not be made public.

115. The CHAIRMAN, summing up the discussion, said that several members had commended the Director General and the Secretariat for their professional and impartial efforts in implementing the verification activities in Syria.

116. Several members had expressed concern that, since Syria had ceased cooperation with the Agency's investigations into the Dair Alzour site and related locations in 2008, the Agency had not been able to make any progress towards resolving the outstanding issues. They had indicated that the lack of completeness of Syria's statements, the repeated refusal to provide the Agency with all the additional information and supporting documentation regarding the destroyed building at the Dair Alzour site, or to allow access to all of the locations as requested by the Agency, had impeded the Agency's ability to confirm the nature of the site. They had noted with concern the statement in the report that, with time, some of the necessary information might deteriorate or be lost entirely.

117. Several members had noted that the Director General had sent a letter to the Syrian authorities on 18 November requesting the Syrian Government to provide the Agency with prompt access to relevant information and locations related to the Dair Alzour site. They had urged Syria to heed the Director General's appeal. A view had been expressed that, in the absence of Syria's full cooperation, the Board should consider appropriate action in that regard.

118. Several members had noted that the report by the Director General contained no new information on the issue of the Dair Alzour site and they had queried the rationale behind issuing such a report. They had also noted Syria's statement that the destroyed building and the current facility on the Dair Alzour site were non-nuclear military installations.

119. Several members had called on Israel, as well as on other States which might possess information relevant to the Agency's investigation, including satellite imagery, to make such information available to the Agency.

120. Several members had reiterated the view that, in considering the issue, it was essential not to lose sight of the manner in which it had initially been brought to the attention of the Agency. They had expressed serious concern that the Agency had been severely hampered in discharging its responsibilities under Syria's safeguards agreement by the unilateral use of force by Israel and by the late provision of information concerning the building at the Dair Alzour site.

121. They had condemned the attack by Israel against the building in Dair Alzour as a flagrant violation of the United Nations Charter and Syria's sovereignty. Several members had expressed regret that the Board had still not expressed itself clearly on that matter.

122. Several members had called on Israel to cooperate fully with the Agency and provide it with comprehensive information on the nature of the materials used by Israel in its attack on the Dair Alzour site.

123. Several members had reiterated their request that future reports by the Director General on that issue contain the Agency's assessment on specific relevant points and queries raised by several delegations over several consecutive series of meetings of the Board, such as the implications of Israel's bombing of the Dair Alzour site and the reasons that might explain the absence of satellite imagery of the site for a period of six weeks following its destruction. They had expressed regret that

the report of the Director General had not addressed such issues and they had requested clarification on that matter.

124. Several members had called on Syria to sign and bring into force an additional protocol as soon as possible as a means of strengthening the confidence of the international community in the peaceful nature of Syria's nuclear activities, and further facilitating the Agency's work in verifying the correctness and completeness of Syria's declarations.

125. Several members had emphasized the distinction between the legal obligations of States in accordance with their respective safeguards agreements and voluntary measures, including the additional protocol, which did not constitute legally binding safeguards obligations.

126. Several members had encouraged the ongoing cooperation between Syria and the Agency regarding the routine implementation of safeguards with respect to the miniature neutron source reactor in Damascus. In that regard, they had welcomed the agreement reached between Syria and the Agency on a plan of action for addressing outstanding issues concerning the reactor and had looked forward to continued cooperation between Syria and the Agency in accordance with Syria's safeguards agreement.

127. Several members had noted with concern that Syria had not engaged fully in accordance with the plan of action to resolve concerns raised by the presence of particles of anthropogenic uranium at the miniature neutron source reactor of a type that had not been reported by Syria. They had further noted that Syria's responses appeared to have added further inconsistencies and that it had not yet granted the Agency access to the Homs site and its associated buildings for the purpose of determining the extent of any uranium processing activities and nuclear material at that plant. They had called on Syria to cooperate fully in the implementation of the plan of action, which had been agreed with the Agency, in order to resolve all the remaining questions without delay.

128. Several members had stressed that all Member States should avoid any undue pressure on or interference in the Agency's activities, especially in its verification process, which would jeopardize the efficiency and credibility of the Agency.

129. Several members had requested the Director General to continue to keep it informed of developments as appropriate.

130. He took it that his summing-up was acceptable to the Board.

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

132. There had been requests to make public the report of the Director General contained in document GOV/2010/63, but there was no consensus on that matter. Therefore, the report would not be made public.

133. It was so decided.

4. Medium Term Strategy 2012–2017 (GOV/2010/66)

134. The CHAIRMAN recalled that an open-ended working group on the preparation of the Medium Term Strategy 2012–2017 had been established by the Board in November 2009 under the chairmanship of the Governor from Romania and Vice-Chairman of the Board, Mr Feruță. The group had held several meetings, most recently on 24 November, and its Chairman had now submitted the Medium Term Strategy 2012–2017 in document GOV/2010/66.

135. Mr FERUȚĂ (Romania) said that the Medium Term Strategy 2012–2017 had a number of special features. Firstly, it was shorter and more concentrated. Secondly, it was a living document, allowing Member States to update it if necessary. Thirdly, it was linked to the budget cycle. The document struck an appropriate balance between the main pillars of the Agency's activities, from technical cooperation and nuclear technology to nuclear safety and security and safeguards. Moreover, an attempt had been made to capture the interconnections between Major Programmes and the Agency's various activities.

136. Mr MABHONGO (South Africa), speaking on behalf of the Group of 77 and China, said that the Group attached great importance to the exercise of preparing the Medium Term Strategy for the next three programme and budget cycles, and reviewing the progress in implementing the current Medium Term Strategy, and it had actively participated and articulated its concerns and expectations in the deliberations of the working group.

137. The Group noted with appreciation that a number of its inputs and concerns had been addressed in the text, which it believed could form the basis for a compromise among all Member States. The document reflected an appropriate balance between the Agency's promotional and other activities, and it sufficiently outlined the priorities expressed by Member States. It should provide adequate guidance to the Secretariat in designing programmes and undertaking its activities for the next three programme and budget cycles.

138. The Group welcomed the broader emphasis placed on enhancement of the technical cooperation programme, reflecting its due importance as the main statutory vehicle of the Agency for transferring nuclear technology for socio-economic development. The Group noted with appreciation the central role accorded to the technical cooperation programme as an essential vehicle for facilitating free access to the peaceful uses of nuclear energy, the transfer of nuclear technology and nuclear knowledge sharing. In implementing the Strategy in the next cycle, it was important to reaffirm the Agency's role as a direct provider of technical assistance. The Group was not in favour of any outsourcing or devolution of Agency functions to other organizations.

139. In view of the paramount importance it attached to activities under Major Programmes 1, 2 and 6, the Group was pleased by the focus on the Agency's role in assisting Member States to develop or expand nuclear power programmes and in promoting the advantages of nuclear technology and applications for addressing Member States' needs and priorities.

140. The Group noted with appreciation the emphasis on ensuring that the Agency had sustainable in-house capacity in all relevant areas to fulfil its statutory responsibilities. The Agency should be fully capable of assisting its Member States in using nuclear science and technology for peaceful

purposes and it should be accorded adequate financial and political support to enable it to respond to the requests of Member States.

141. Finally, with regard to Section F of the document, while the Group concurred that it was important for the Agency constantly to seek efficiency gains in management and ensure more targeted prioritization of activities, any cost-saving measure should not undermine the quality and delivery of the technical cooperation programme. The Group requested the Secretariat to report regularly on the benefits achieved in terms of budgetary savings and effectiveness of programme delivery during the different stages of implementation of an enterprise resource planning system and the ensuing use of IPSAS.

142. With those comments, the Group took note of the Medium Term Strategy 2012–2017.

143. Mr RECKER (Belgium), speaking on behalf of the European Union, the candidate countries Turkey, Croatia, the former Yugoslav Republic of Macedonia and Iceland, the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro and Serbia, the EFTA country Liechtenstein, member of the European Economic Area, as well as Ukraine, the Republic of Moldova and Armenia, said that, while the current document did not reflect all the European Union's priorities and concerns, it represented a good compromise. It addressed the challenges and priorities of the Agency and contained a clear commitment to carry out the organization's tasks effectively and efficiently in the coming years. Importantly, it not only set out a broad strategy but also provided the Agency with practical guidance on formulating programmes, while remaining within the overarching framework of the Statute. The European Union especially welcomed the efforts made to prioritize the Agency's activities, making it possible to reduce its involvement in or even withdraw from lower-priority activities. It also welcomed the commitment with respect to improving efficiency, effectiveness, transparency and accountability in the Agency.

144. While recognizing the importance of the Medium Term Strategy in drawing up the Agency's programmes and budgets, the European Union stressed that the strategy did not prejudge the actual budget levels for the coming three cycles.

145. With those comments, the European Union took note of the Medium Term Strategy 2012–2017.

146. Mr LABBÉ VILLA (Chile), speaking on behalf of GRULAC, said that the Group was pleased that some of the proposals and comments which it had made during the preparation of the Medium Term Strategy had been taken into consideration. Broadly speaking, the final document provided a good basis which took into account the priorities expressed by Member States. The Group noted with satisfaction the emphasis placed on the technical cooperation programme, which was the Agency's prime statutory activity and was of fundamental importance for his region.

147. The strategy correctly reflected the need to strengthen the Agency's role in promoting the benefits of nuclear technologies and applications in the areas of human health, food security, industrial applications and economic development in general. That was one of the main axes of technical cooperation in his region.

148. In his introductory statement to the General Conference, the Director General had recalled that more than 60 countries had expressed an interest in developing national nuclear programmes and that between 10 and 25 of them were expected to have achieved that goal by 2030. In that connection, strategic objective A rightly reflected the need to focus the Agency's role on assisting Member States with the development of new nuclear programmes or the enhancement of existing ones.

149. With those comments, GRULAC took note of the Medium Term Strategy 2012–2017.

150. Mr GARCÍA REVILLA (Peru) welcomed the fact that the Medium Term Strategy contained a vision of the Agency which was fully in line with the three pillars of the NPT: peaceful use of nuclear energy, non-proliferation and disarmament.

151. It was crucial for the Agency to promote scientific and technical research in those areas that had the greatest potential impact on achievement of the Millennium Development Goals, namely human health, food security, water resources management and environmental protection. For his country, the Agency was the guarantor of the principle of shared responsibility for greater transfer of nuclear technology by developed countries, as well as greater South-South cooperation, in particular through programmes for the creation of sustainable human resources, including in the fields of nuclear power and safety and security. Consequently, Peru welcomed the inclusion in the document of a special section on technical cooperation and agreed that it was essential to increase resources for the technical cooperation programme and make them sufficient, assured and predictable, so that the Agency could continue to serve as the principal provider of assistance in the nuclear field, in line with the priorities of each State. It was also important to continue the dialogue that had been initiated recently with a view to finding a creative way of consolidating the TCF in the future. His country also agreed on the advisability of making the TACC a more strategic and proactive forum than it had been to date.

152. Peru also welcomed the fact that the Strategy confirmed the need to strengthen the Agency's comprehensive safeguards regime. The Agency must conduct its verification work on the basis of strictly technical criteria with a view both to preventing misuse of nuclear material and monitoring disarmament and arms control agreements between nuclear powers.

153. To sum up, his country was confident that the Strategy would serve as a useful guide for the next three programme and budget cycles, with a results-based management approach. It was also pleasing that the document set guidelines for better management of the organization, including through the introduction of AIPS, a reduction in overhead costs and the establishment of a common information base.

154. Mr BARRETT (Canada) said that document GOV/2010/66 was a vast improvement over the current strategy. His country was convinced that the Medium Term Strategy 2012–2017 would help put the Agency on a more stable and modern footing. It was clear that Member States had reflected on overall Agency priorities and the longer-term role of the Agency within the United Nations system.

155. The new strategy was drafted to be a living document. It was relatively concise and succinct, and at a higher level and more strategic than the current strategy. It was also more comprehensive, in that it included objectives for the technical cooperation programme.

156. Canada firmly believed that the Secretariat should develop an internal strategic planning capacity that would draw upon Medium Term Strategy objectives to inform the drafting of biennial programmes and budgets and evaluate Agency results. One area that would need attention in forthcoming biennial programmes and budgets was the evaluation of Agency performance, along with meaningful performance indicators.

157. Mr SHIM Yoon-Joe (Republic of Korea) welcomed the clear reference in document GOV/2010/66 to linkages between the Medium Term Strategy and the programme and budget process via which the strategy would be updated as necessary for each of the three budget cycles covered by it.

158. The six thematic strategic objectives set were dynamic and action-oriented, anticipating the emerging needs and demands of Member States, technological trends and the expected expansion of nuclear energy in coming years. Each objective provided sufficient context and guidance, with enough flexibility to respond to changing times and circumstances.

159. With regard to objective E, he emphasized the importance of encouraging Member States to conclude comprehensive safeguards agreements and additional protocols. The Agency should be equipped with the safeguards authority to conduct all the verification and evaluation activities needed to conclude that all nuclear material in a State was in peaceful activities. The application of comprehensive safeguards, State-level information analysis and new, more efficient safeguards techniques would further increase the international community's confidence in the Agency's ability to provide credible assurances of the non-diversion of nuclear material and the absence of undeclared activities.

160. His country welcomed the Secretariat's continuing activities under objective C to assist Member States in addressing challenges related to the ever-present risk of nuclear terrorism and malicious misuse of nuclear material or radioactive sources. The Nuclear Security Plan 2010–2013 furthered that objective and was consistent with the Agency's efforts to enhance the global nuclear safety and security framework.

161. With respect to the provision of effective technical cooperation under objective D, he highlighted innovative approaches, such as the Peaceful Uses Initiative announced by the United States at the 2010 NPT Review Conference, as potential catalysts for enhancing the tangible benefits of peaceful uses of nuclear energy. Even as the Secretariat strove to make technical cooperation resources sufficient, assured and predictable, his country hoped that Member States would continue to cooperate with the Agency with a view to meeting their evolving needs, priorities and capacities in an effective, efficient and timely manner.

162. The Medium Term Strategy 2012–2017 provided useful guidance for the Agency's activities and priorities over the coming several years. As a roadmap, it was intended to be flexible enough to take advantage of technological breakthroughs, respond to emerging needs and account for unanticipated events. As the current strategy neared its end and focus shifted to the next, the Agency should remain in close contact with the Member States and seek their input and cooperation. Upon adoption of the Medium Term Strategy 2012–2017, his country encouraged all stakeholders to make frequent use of it to guide daily activities from a strategic viewpoint, thus facilitating the Agency's success in fulfilling its statutory objective.

163. Mr BERDENNIKOV (Russian Federation) said that the document on the Medium Term Strategy 2012–2017 was well balanced, correctly established the Agency's priorities, reflected emerging trends for its future development and provided guidance for the formulation of Major Programmes.

164. His country welcomed the reference to the 2010 NPT Review Conference, the final document of which had reaffirmed the importance of all aspects of the Agency's role and the international cooperation mechanisms established under its auspices for the peaceful uses of nuclear energy. The action plan adopted by the Conference had identified basic strategic tasks with a view to creating favourable conditions for expanding the peaceful uses of nuclear energy and strengthening the non-proliferation regime, tasks which the Agency would be tackling during the period covered by the Strategy.

165. The Strategy aimed at meeting the growing interest of States in nuclear power programmes. The services provided by the Agency in that regard were of prime importance, as was its assistance with infrastructure development. His country supported the inclusion in the Strategy of issues related to cooperation on innovative nuclear energy systems.

166. Another important factor in facilitating access to nuclear energy which Member States would need to address was the issue of multilateral approaches to the nuclear fuel cycle, including the possibility of setting up voluntary mechanisms for assurance of nuclear fuel supply and projects

relating to the back end of the fuel cycle. The Russian Federation had consistently supported an expansion of the contribution of nuclear energy to sustainable development while reducing proliferation risks. Developing multilateral mechanisms for assurance of supply would help create stable and predictable conditions. The Russian Federation was prepared to cooperate actively with the Agency in that area.

167. He thanked the Director General for noting in his introductory statement that the Russian Federation had fulfilled all the conditions for the entry into force of the agreement with the Agency on the establishment of a guaranteed reserve of LEU in Russia and the supply of material from it to the Agency for its Member States. The entire LEU reserve had now been placed in the International Uranium Enrichment Centre in Angarsk. On 1 July 2010, the Agency had selected that facility for application of safeguards under the safeguards agreement between the USSR and the Agency. It was expected that the reserve would be inspected and put under seals by the Agency shortly.

168. The Russian Federation supported the Strategy's approach to improving technical cooperation, which was of key importance in helping developing countries increase the contribution of nuclear technology to their sustainable development. His country endorsed the priority given to developing institutional and human resources in Member States, and to efforts to ensure that resources for the TCF were sufficient, assured and predictable, as well as to mobilize extrabudgetary resources.

169. The section in the document on improving the efficiency of the Agency's verification activities took into account the experience gained in recent years in implementing safeguards. His country agreed that the full potential of the safeguards system could be best realized when comprehensive safeguards agreements and additional protocols were being implemented. It was important that the verification options available to the Agency continue to expand through ratification of safeguards agreements and additional protocols as the generally recognized legal basis for States' commitments to nuclear non-proliferation.

170. Implementation of the Medium Term Strategy should further strengthen the global non-proliferation regime and enhance the Agency's role in establishing a truly modern and proliferation-resistant structure for international cooperation in the area of the peaceful uses of nuclear energy.

The meeting rose at 1 p.m.