

# Board of Governors

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## Record of the 1294<sup>th</sup> Meeting

*Held at Headquarters, Vienna, on Wednesday, 9 March 2011, at 10.10 a.m.*

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<sup>1</sup> GOV/2011/15.



## 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 POTTS	Australia
Mr HAJIZADA	Azerbaijan
Mr RECKER	Belgium
Mr VALLIM GUERREIRO	Brazil
Mr MPAY	Cameroon
Mr BARRETT	Canada
Mr LABBÉ VILLA	Chile
Mr LI Song	China
Ms KUCHYŇOVÁ ŠMIGOLOVÁ	Czech Republic
Mr BERNHARD	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 AMARSANAA	Mongolia
Mr HAMER	Netherlands
Mr ILLO	Niger
Mr ANWAR	Pakistan
Mr GARCÍA REVILLA	Peru
Mr MARCELO CURTO	Portugal
Mr BERDENNIKOV	Russian Federation
Ms TAN	Singapore
Mr MINTY	South Africa
Mr HACHANI	Tunisia
Ms MYKOLAICHUK	Ukraine
Mr ALKAABI	United Arab Emirates
Mr SMITH	United Kingdom of Great Britain and Northern Ireland
Mr DAVIES	} United States of America
Mr WOOD	
Mr UZCÁTEGUI DUQUE	
Mr AMANO	Director General
Mr NACKAERTS	Deputy Director General, Department of Safeguards
Mr CSERVENY	Secretary of the Board

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

Albania, Algeria, Armenia, Austria, Belarus, Bulgaria, Burkina Faso, Colombia, Croatia, Cuba, Cyprus, Egypt, Finland, Greece, Holy See, Hungary, Indonesia, Islamic Republic of Iran, Iraq, Ireland, Israel, Kazakhstan, Kuwait, Lebanon, Lithuania, Luxembourg, Malta, Mexico, Morocco, Namibia, New Zealand, Nicaragua, Nigeria, Norway, Oman, Philippines, Poland, Qatar, Romania, Saudi Arabia, Serbia, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, Switzerland, Syrian Arab Republic, Thailand, The former Yugoslav Republic of Macedonia, Turkey, Vietnam, Yemen, Zimbabwe.

**Abbreviations used in this record:**

EFTA	European Free Trade Association
FEP	Fuel Enrichment Plant
FFEP	Fordow Fuel Enrichment Plant
FMP	Fuel Manufacturing Plant
LEU	low-enriched uranium
LOFs	locations outside facilities
NAM	Non-Aligned Movement
NATO	North Atlantic Treaty Organization
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
NPT Review Conference	Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
PFEP	Pilot Fuel Enrichment Plant
R&D	research and development
Tlatelolco Treaty	Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean
UCF	Uranium Conversion Facility

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

## 4. Nuclear verification

### (c) **Implementation of the NPT safeguards agreement and relevant provisions of United Nations Security Council resolutions in the Islamic Republic of Iran** (GOV/2011/7)

1. Mr FAWZY (Egypt)\*, speaking on behalf of NAM, reiterated NAM's principled positions on the issue. All States had a basic and inalienable right to the development, research, production and use of atomic energy for peaceful purposes, without any discrimination and in conformity with their respective legal obligations. Therefore, nothing should be interpreted in such a way as to inhibit or restrict the right of States to develop atomic energy for peaceful purposes. States' choices and decisions, including those of the Islamic Republic of Iran, in the field of peaceful uses of nuclear technology and fuel cycle policies must be respected. The Agency was the sole competent authority for the verification of the respective safeguards obligations of Member States and there should be no undue pressure on or interference in the Agency's activities, especially its verification process, which would jeopardize the efficiency and credibility of the organization. A fundamental distinction must be drawn between the legal obligations of States in accordance with their respective safeguards agreements and confidence-building measures undertaken voluntarily which did not constitute a legal safeguards obligation. The establishment of a nuclear-weapon-free zone in the Middle East would be a positive step towards attaining the objective of global nuclear disarmament and NAM supported the establishment of such a zone in accordance with relevant United Nations General Assembly and Security Council resolutions. NAM reaffirmed the inviolability of peaceful nuclear activities, and that any attack or threat of attack against peaceful nuclear facilities — whether operational or under construction — posed a serious danger to human beings and the environment and constituted a grave violation of international law, the principles and purposes of the Charter of the United Nations, and Agency regulations. There was a need for a comprehensive multilaterally negotiated instrument prohibiting attacks or threat of attacks on nuclear facilities devoted to peaceful uses of nuclear energy. NAM strongly believed that all safeguards and verification issues, including those related to Iran, should be resolved within the framework of the Agency based on sound technical and legal grounds. The Agency should continue its work to resolve the Iranian nuclear issue within its mandate under its Statute. Lastly, NAM stressed that peaceful diplomacy and dialogue, and substantive negotiations among the parties concerned without any preconditions, must remain the means whereby a comprehensive and lasting solution to the Iranian nuclear issue was found.

2. NAM noted that the Director General had stated once again that the Agency had been able to continue to verify the non-diversion of declared nuclear material in Iran at nuclear facilities and LOFs where nuclear material was customarily used as declared by Iran under its safeguards agreement.

3. NAM welcomed the clear distinction made by the Director General between obligations emanating from Iran's safeguards agreement and other requests by the Security Council. In that regard, NAM noted that the Director General had stated in his report that Iran was not implementing a number of its obligations emanating from relevant provisions of Security Council resolutions. The Director General had previously reported Iran's assertion that some of the Agency's requests had no legal basis since they did not fall within Iran's safeguards agreement, an assertion it had elaborated on in INFCIRC/810. NAM encouraged Iran to enhance its cooperation with the Agency to provide credible assurances regarding the absence of undeclared nuclear material and activities in the country in accordance with international law.

4. NAM encouraged the Secretariat to continue to refrain from including extensive technical details pertaining to sensitive proprietary information in the report of the Director General.

5. NAM welcomed the continued cooperation between the Agency and Iran, noting in particular the following. Under its safeguards agreement, Iran had declared to the Agency 16 nuclear facilities and 9 LOFs and the Agency continued to verify the non-diversion of declared nuclear material at those facilities. Activities relating to production of nuclear material, in particular those related to enrichment, remained under Agency containment and surveillance and, to date, the FEP and PFEP had been operating as declared. The Agency had confirmed that the FFEP corresponded with the design information provided by Iran and that the facility was at an advanced stage of construction, although no centrifuges had been introduced into it. The results of the environmental samples taken at the FFEP up to February 2010 had not indicated the presence of enriched uranium. The Agency had continued to monitor the use and construction of hot cells at the relevant nuclear facilities in Iran and had confirmed that Iran had not been conducting reprocessing activities at any facilities declared under its safeguards agreement. Iran had given the Agency access to the IR-40 heavy water reactor at Arak, at which time the Agency had been able to carry out a design information verification. The Agency had verified that, although construction of the facility was ongoing, no significant changes had occurred since the Director General's preceding report. According to Iran, operation of the IR-40 reactor was planned to commence by the end of 2013. The Agency had also carried out an inspection and a design information verification at the FMP, and had confirmed that Iran had not yet started to install equipment for fuel fabrication for the Tehran research reactor. The Agency had verified the nuclear material present at the Bushehr nuclear power plant and had agreed with Iran on the necessary safeguards measures to unload fuel assemblies from the core.

6. NAM noted the standing requests by the Secretariat for further information regarding the design, and scheduling of the construction of new nuclear facilities, and it continued to encourage Iran to provide design information regarding its nuclear facilities in accordance with its full-scope safeguards agreement with the Agency.

7. NAM noted that the report addressed the status of the work plan contained in INFCIRC/711, indicating that, as Iran had been informed previously, although most of the actions identified in the 2007 work plan agreed between Iran and the Agency had been completed, there remained issues that still needed to be addressed. The report mentioned only one issue — the requirement that Iran provide the Agency with its assessment of the documentation related to the alleged studies to which the Agency had given Iran access. Hence, NAM requested clarification regarding what other issues were outstanding from that work plan and encouraged the prompt resolution of that issue by Iran and the Agency in accordance with the work plan.

8. NAM fully supported the previous requests by the Director General to those Member States that had provided the Secretariat with information related to the alleged studies to allow the Agency to provide all related documents to Iran. NAM reiterated its concern over the creation of obstacles in that regard which hindered the Agency's verification process, recalling that the Director General had previously reported that the Agency had limited means to authenticate independently the documentation that formed the basis of the alleged studies, and that the constraints placed by some Member States on the availability of information to Iran were making it more difficult for the Agency to conduct detailed discussions with Iran on that matter.

9. Taking into account the aforementioned recent developments, as well as previous reports on implementation of the work plan, NAM continued to look forward to safeguards implementation in Iran being conducted in a routine manner. It looked upon the invitation extended by Iran to the Chairman of NAM to visit nuclear sites in Arak and Natanz in January 2011 to receive updated information about Iran's nuclear programme as a positive step.

10. Mr CSUDAY (Hungary)\*, speaking on behalf of the European Union, the candidate countries Croatia, Iceland, Montenegro and the former Yugoslav Republic of Macedonia, the countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina and Serbia, the EFTA countries Liechtenstein and Norway, members of the European Economic Area, as well as Ukraine and the Republic of Moldova, commended the Director General and the Secretariat for their continuing efforts to seek clarifications from Iran and to verify its nuclear programme. The European Union welcomed and endorsed the emphasis laid by the Director General in his new report on the legal obligations of Iran to cooperate with the United Nations Security Council and comply with its decisions, including the call to implement the resolutions of the Agency's Board of Governors. Moreover, the Director General reiterated in the clearest terms that the Security Council had affirmed that the steps required by the Board in its resolutions were binding on Iran.

11. The European Union welcomed the presentation of the report, and in particular the attachment, both of which clearly set out the areas where Iran complied with its international obligations and those where it did not. The European Union noted that the Director General pointed out that, while the Agency continued to verify the non-diversion of declared nuclear material at declared facilities, many activities that were being undertaken by Iran in those facilities were contrary to relevant resolutions of the Board of Governors and the Security Council.

12. The Security Council, in its resolution 1929 (2010), had reaffirmed that Iran must take the steps required by the Board of Governors and cooperate fully with the Agency, that it must suspend all enrichment-related and reprocessing activities, as well as work on all heavy water-related activities, not begin construction of any new uranium enrichment, reprocessing, or heavy water-related facility and discontinue any ongoing construction, and that it must comply without delay, fully and without qualification with its Agency safeguards agreement, ratify the additional protocol it had signed in 2003 and cooperate fully with the Agency on all outstanding questions. The resolution further required that Iran apply the modified Code 3.1 of its Subsidiary Arrangements regarding design information. By not implementing the provisions of the modified Code 3.1, Iran was failing to implement fully its safeguards agreement. In that regard, the European Union supported the Agency's request for an unequivocal assurance from Iran that no undeclared nuclear material and no new nuclear facilities, including research laboratories or manufacturing facilities, existed or were being built in the country. Regrettably, the report confirmed that Iran was not implementing the aforementioned obligations, and had not provided the required clarification of the outstanding issues that gave rise to concerns about possible military dimensions to its nuclear programme.

13. With regard to the possible military dimensions to Iran's nuclear programme, owing to Iran's continued lack of cooperation there was still no clarification and the European Union noted with serious concern, that since August 2008, Iran had declined to discuss those outstanding issues with the Agency, or to provide any further information or the access to locations or persons needed to address the Agency's concerns. The European Union noted the comment by the Director General that, in resolution 1929, the Security Council had reaffirmed Iran's obligations to take the steps required by the Board of Governors in its resolutions contained in documents GOV/2006/14 and GOV/2009/82, and to cooperate fully with the Agency on all outstanding issues, particularly those which gave rise to concerns about possible military dimensions, including by providing access without delay to all sites, equipment, persons and documents as requested by the Agency.

14. The European Union noted the assessment of the Director General that, although most of the actions identified in the 2007 work plan agreed between Iran and the Agency (INFCIRC/711) had been completed, there remained issues that still needed to be addressed. The Agency was notably still waiting for a substantive response as regards the assessment requested from Iran of documentation related to the alleged studies. The European Union therefore noted with serious concern the Director General's statement that, based on additional information that had come to the Agency's attention

since August 2008, including new information recently received, there were further concerns which the Agency also needed to clarify with Iran, and that for those reasons the issue of the alleged studies as referred to in the work plan could not be considered as closed.

15. The European Union noted with growing concern the Director General's statement that, based on the Agency's continued study of information it had acquired not only from many Member States but also directly through its own efforts, the organization remained concerned about the possible existence in Iran of past or current undisclosed nuclear-related activities involving military-related organizations, including activities related to the development of a nuclear payload for a missile, in particular since there were indications that certain of those activities might have continued beyond 2004.

16. The European Union noted that the Agency had yet to receive a reply to its letter dated 29 October 2010, in which it had provided a list of the matters that needed to be addressed. The outstanding issues listed in the attachment to the report included refusal to provide access and to reply to questions in relation to procurement, and to engage substantively on issues concerning the allegation that Iran was developing a nuclear payload for its missile programme. As the report pointed out, the passage of time and possible deterioration in the availability of some relevant information increased the urgency of that matter. The European Union urged Iran to heed the Agency's request for engagement on that issue, to grant access to all relevant sites, equipment and documentation, and to allow interviews with all relevant persons without further delay.

17. The European Union called upon the Director General to continue his efforts to resolve the outstanding issues. It might be helpful if he could provide the Board with a comprehensive analysis of the possible military dimensions to Iran's nuclear programme.

18. Further findings in the Director General's new report which were in violation of the relevant resolutions of the Security Council and the Board of Governors gave cause for serious concern, namely: the continued operation of the FEP at Natanz, which was estimated by Iran to have produced so far a total of 3606 kg of LEU enriched to up to 5% since February 2007; the continued production of UF<sub>6</sub> enriched up to 20% in <sup>235</sup>U at the PFEP at Natanz, with total production now estimated by Iran to be close to 45 kg since February 2010, as well as the operation of two interconnected cascades; the announcement that two new cascades would be installed at the PFEP fitted with newer types of centrifuges (IR-4 and IR-2m); the ongoing construction work at the FFEP near Qom, as well as the announcement by Iran about plans to begin feeding nuclear material into cascades; Iran's declaration that it had not suspended work on all its heavy water-related projects, the fact that it had not provided the Agency access to the Heavy Water Production Plant and the heavy water stored at the UCF, as well as the ongoing construction of the IR-40 heavy water reactor at Arak; Iran's continued refusal to provide the Agency with information regarding public announcements about possessing laser enrichment technology, plans to develop third-generation centrifuges and the intention to construct 10 new enrichment facilities; Iran's lack of response to requests by the Agency for access to additional locations related, inter alia, to the manufacturing of centrifuges, and to R&D on uranium enrichment, which caused the Agency's knowledge about Iran's enrichment activities to continue to diminish; the fact that Iran was not implementing its additional protocol; and Iran's refusal to reconsider its decision to request the Agency to withdraw the designation of Agency inspectors with experience in conducting inspections in Iran. With respect to the latter, in a letter dated 12 January 2011, Iran had accepted the designation of three additional inspectors, who would now need to familiarize themselves with Iran's nuclear programme and gain experience in implementing safeguards in Iran.

19. The European Union stood by its long-standing commitment to work for a diplomatic solution to the Iranian nuclear issue. The objective continued to be a comprehensive long-term settlement which would restore international confidence in the exclusively peaceful nature of Iran's nuclear



programme, while respecting Iran's legitimate right to the peaceful uses of nuclear energy. Such a negotiated solution would pave the way to establishing a comprehensive relationship between the European Union and Iran involving cooperation in all fields and benefiting both sides.

20. The European Union High Representative, together with representatives of China, France, Germany, the Russian Federation, the United Kingdom and the United States, had met with the Iranian chief nuclear negotiator in Istanbul in January 2011 in order to make proposals for concrete confidence-building measures which would allow entry into a phased approach of confidence building. Those measures included an updated Tehran research reactor fuel supply scheme which would bring immediate benefits to both sides, and other transparency measures. However, it had become clear that Iran was not ready to proceed unless preconditions relating to enrichment and sanctions were agreed upon. Since the European Union's key objective was still to reach a long-term settlement on Iran's nuclear issue and other issues of mutual concern by gradually building confidence, it had found Iran's approach highly disappointing. Its proposals remained on the table and the door for dialogue remained open, once Iran was ready to enter into talks without preconditions. That had been confirmed during the recent meeting of the European Union High Representative with the Iranian Foreign Minister. The European Union once again urged Iran not to miss that opportunity in order to prevent further international isolation.

21. The Agency had the full support of the European Union to continue its verification efforts in Iran and resolve all outstanding questions which gave rise to concerns about possible military dimensions to Iran's nuclear programme. It called on Iran to comply with its international obligations, including the resolutions of the Board of Governors and the Security Council, and to engage in a meaningful process aimed at building confidence in the exclusively peaceful nature of its nuclear programme.

22. Mr CURIA (Argentina) said that his country supported the Director General's conclusion in his report that Iran must cooperate with the Agency to clarify the outstanding issues that gave rise to concerns about possible military dimensions to its nuclear programme, providing access to the relevant documentation and persons to back up its assertions.

23. Iran must comply with the relevant United Nations Security Council resolutions. It had not suspended its enrichment-related activities and had continued with the construction of the IR-40 reactor, neither permitting the Agency to take heavy water samples nor allowing access to the Heavy Water Production Plant. It had continued to operate the FEP and PFEP at Natanz and had begun enriching uranium up to 20% in  $^{235}\text{U}$  at the PFEP, now in two interconnected cascades, and had continued with the construction of the FFEP.

24. The actions of the Iranian Government gave the impression that it had no intention of complying with the relevant Security Council resolutions and that it would continue to develop its national enrichment capabilities. It was also not providing the cooperation required to put the Agency in a position to offer credible assurances regarding the absence of undeclared nuclear material and activities, which would allow the conclusion to be drawn that all nuclear material present in Iran was for peaceful activities.

25. Argentina again urged Iran to take all the necessary measures to establish international confidence in the exclusively peaceful nature of its nuclear programme.

26. Mr POTTS (Australia) said that his country appreciated the revised format of the report, with its helpful, concise and clear attachment. The attachment constituted a comprehensive overview of the implementation of the NPT safeguards agreement and relevant provisions of United Nations Security Council resolutions in Iran. It set out those areas where Iran continued to meet some of its obligations.

Australia welcomed Iran's continued cooperation in that regard and expressed the hope that the attachment's clarity and focus would facilitate additional cooperation from Iran in the future.

27. The attachment also identified 19 distinct areas where the Director General had specified that Iran was not meeting its obligations. Any one of those areas would in itself be a cause for serious concern to the international community; the fact that 19 areas were listed compounded that concern to a significant degree.

28. There were further frustrating figures in that account of Iran's lack of cooperation. The 10 resolutions adopted by the Board of Governors since 2003 in connection with the implementation of safeguards in Iran and the 6 resolutions adopted by the United Nations Security Council on Iran since 2006 attested to the clear, consistent and persistent concern of the international community. However, once again the Director General had had to report that Iran continued to defy Board of Governors and Security Council resolutions.

29. Like other responsible States, Australia continued to be deeply concerned by the possible military dimensions of Iran's nuclear activities. The Director General had assessed that Iran's responses to the Agency's questions on those matters in the past had not been substantive. Once again the Director General had described Iran's 2008 response to the Agency on those issues as focused on form rather than substance.

30. As stated in the report, the Agency continued to accumulate information on the possible military dimensions of Iran's nuclear programme. That new information had led the Director General to conclude that there were now further concerns in that regard which the Agency needed to clarify with Iran.

31. The Director General reported that the Agency had not received a reply to its letter of 29 October 2010, which provided a list of the matters that needed to be addressed by Iran. The Agency remained concerned about the possible existence in Iran of past or current undisclosed nuclear-related activities involving military-related organizations, including activities related to the development of a nuclear payload for a missile. All responsible States should be particularly concerned by the Director General's use of the word 'current' in that assessment. And all responsible States should emphatically support the Director General when he stated that Iran's substantive and proactive engagement on those issues was essential to enable the Agency to make progress in its verification of the correctness and completeness of that country's declarations.

32. Iran must reassure the international community about its nuclear programme, including the possible military dimensions thereof.

33. Given that the Agency continued to accumulate information about the possible military dimensions of Iran's nuclear programme, and that Iran continued to deny the Agency access to relevant locations, equipment, persons or documentation related to the possible military dimensions of that programme, it would be helpful to the Board of Governors if the Director General could provide an assessment of whether it was likely that there had been possible military dimensions to Iran's nuclear programme and whether he was in a position to conclude that those activities had stopped and, if so, when.

34. Australia again called upon Iran to meet its obligations under Board of Governors and Security Council resolutions. The attachment to the report was a clear indictment of Iran's continuing failure to do so. Iran must cooperate fully with the Agency, and implement its safeguards agreement and other obligations, including its additional protocol.

35. Mr QUEISI (Jordan) said that his country had always emphasized the need to give the Agency an opportunity to find a peaceful solution to the Iranian nuclear issue through diplomatic means, given

that it was the only organization with the competency and mandate to implement comprehensive safeguards agreements.

36. Jordan again called on Iran to respect its commitments under its Agency safeguards agreement and the modified Code 3.1 of its Subsidiary Arrangements, working with the Agency on all decisions connected with the country's nuclear facilities.

37. All nuclear facilities not under comprehensive safeguards posed a threat to international peace and security. Jordan was working ceaselessly to strengthen stability in the Middle East, establish a nuclear-weapon-free zone in the region and ensure that all nuclear facilities were placed under Agency safeguards.

38. Iran had cooperated with the Agency's inspectors and the Agency had been able to verify the non-diversion of declared nuclear material. Jordan encouraged Iran to step up its cooperation.

39. Finally, his country called for more talks between all States concerned and the Agency, with a view to reaching an agreement on the supply of nuclear fuel for the Tehran research reactor. He called on all parties to take the opportunity to seek a diplomatic solution to that issue.

40. Mr LABBÉ VILLA (Chile) said that his country's position on the Iranian nuclear issue was determined by its foreign policy and its international obligations, including in particular those arising from the Agency's Statute, the NPT, the Tlatelolco Treaty and the relevant resolutions of the United Nations Security Council.

41. The report again demonstrated the Agency's impartiality and professionalism in providing high-quality information on the issue. Chile noted that Iran had cooperated with the Agency in some aspects of safeguards. However, it was clear that the cooperation remained insufficient to be able to confirm that all material present in the country was for exclusively peaceful purposes. In that connection, Iran should step up its cooperation with the Agency in order to restore trust.

42. Iran must implement the relevant resolutions of the Board of Governors and the United Nations Security Council, which were legally binding, as well as the modified Code 3.1 of its Subsidiary Arrangements and the additional protocol. The additional protocol could substantially improve the effectiveness and efficiency of the Agency's safeguards system and help dispel the legitimate doubts regarding the peaceful nature of Iran's nuclear programme.

43. His country had called on Iran to cooperate with the Agency to address concerns about the possible military dimensions of its nuclear programme. The Agency had stated repeatedly that it was not in a position to confirm that all the nuclear material in Iran was in peaceful activities. That was a legitimate concern of the international community that must be addressed urgently.

44. Chile upheld the inalienable right of all States, including Iran, to develop, research, produce and use nuclear energy for peaceful purposes without discrimination and in accordance with their legal obligations. However, rights came with obligations and there was a collective responsibility to protect and promote international regimes in that field.

45. Aware as it was of the complex situation in the region, Chile called on Iran to strengthen its cooperation with the Agency, providing the transparency required in the safeguards field.

46. Mr GARCÍA REVILLA (Peru) reaffirmed the right of all States to use nuclear energy for peaceful purposes, and the obligation to cooperate for the purposes of non-proliferation, nuclear disarmament and the transfer of nuclear technology for development.

47. His country welcomed the revised format of the report, which set out more clearly the obligations of Iran and the level of compliance in each case. Peru noted the collaboration shown by

Iran in some cases, and that the Agency continued to verify the non-diversion of declared nuclear material in the country. However, it was regrettable that Iran was not meeting some of its other obligations, including those relating to implementation of the additional protocol and the modified Code 3.1, suspension of enrichment and heavy water-related activities, and clarification of the peaceful use of all nuclear material in its territory.

48. Peru therefore called on Iran to implement fully its safeguards agreement and meet the obligations and requirements arising from resolutions of the United Nations Security Council and the Agency's Board of Governors, taking the necessary steps — for instance, in the context of the negotiating process in Geneva — to reach a satisfactory agreement with the Agency on all outstanding issues regarding its nuclear programme.

49. Mr BERDENNIKOV (Russian Federation), speaking on behalf of China, France, Germany, the Russian Federation, the United Kingdom and the United States of America, thanked the Director General for his latest report contained in document GOV/2011/7, commended the Secretariat's efforts to pursue its verification mission and reaffirmed the Agency's essential role in building confidence in the exclusively peaceful nature of Iran's nuclear programme.

50. The six countries on whose behalf he was speaking, supported by the European Union High Representative, were committed to finding a comprehensive negotiated long-term solution that restored international confidence in the exclusively peaceful nature of Iran's nuclear programme, while respecting Iran's legitimate right under the NPT to the peaceful uses of nuclear energy.

51. Full implementation by Iran of its obligations under the relevant resolutions of the United Nations Security Council and the Agency's Board of Governors — which were explicitly set out in the report — was needed to establish confidence in the exclusively peaceful nature of Iran's nuclear programme. The implementation by Iran of its safeguards agreement, and the relevant provisions of Security Council resolutions which had been adopted under Chapter VII, Article 41, of the Charter of the United Nations, was mandatory.

52. The six countries called on Iran to cooperate fully with the Agency, to implement and ratify promptly the additional protocol, to apply the modified Code 3.1 of the Subsidiary Arrangements to its safeguards agreement, and to implement all transparency measures, as requested by the Agency. Outstanding issues needed to be resolved in order to rule out the existence of possible military dimensions to Iran's nuclear programme.

53. The six countries together with the European Union High Representative had held a meeting with Iran in Geneva in December and another in Istanbul in January. They had come to those meetings with a constructive spirit and, in Istanbul, had proposed several practical ideas aimed at building confidence and facilitating a constructive dialogue with Iran on the basis of reciprocity and a step-by-step approach. Although it had not been possible to achieve any substantive result, they looked to Iran to engage in the future in a constructive spirit. They reaffirmed the offer they had made in June 2008 and the proposals made in Istanbul. They hoped to establish a cooperative relationship with Iran in many fields, including peaceful nuclear technology, and fully recognized Iran's rights in that area under the NPT.

54. The six countries called upon Iran to demonstrate a pragmatic attitude and respond positively to their proposals and to their openness for dialogue and negotiation.

55. Mr BARRETT (Canada) noted with serious concern that Iran continued to take actions that were inconsistent with its safeguards obligations and that it had not provided the necessary cooperation to permit the Agency to confirm that all nuclear material in the country was in peaceful activities. While his country recognized Iran's right to a civilian nuclear programme, that right came

with international obligations with which all States, including Iran, must comply. Iran's continued assertions that it was cooperating fully with the Agency were simply not true and consequently, as was stated in paragraph 47 of the report, the Agency had not been able to conclude that all nuclear material in Iran was in peaceful nuclear activities.

56. Iran's actions continued a disturbing pattern of non-compliance with its NPT safeguards agreement. The Director General's report once again clearly stated that the modified Code 3.1 agreed to by Iran in 2003 remained in force, yet Iran continued to refuse to provide the relevant design information in accordance with it. Iran was the only State with significant nuclear activities and a comprehensive safeguards agreement in force that was not implementing the provisions of the modified Code 3.1. Canada noted with concern that Iran had not provided information in relation to the FFEP that was essential for the Agency to confirm the correctness and completeness of its declarations.

57. Contrary to decisions of the Board of Governors and the United Nations Security Council, Iran had expanded its enrichment activities, increased the level of enrichment and announced plans for the development of new nuclear facilities. Furthermore, the Agency's knowledge about Iran's enrichment activities continued to diminish owing to Iran's failure to respond to the Agency's requests for further information and access to additional nuclear-related locations. Iran had not provided the necessary access for the Agency to verify the suspension of its heavy water-related projects, nor had it implemented the additional protocol.

58. In response to Iran's ongoing failure to meet its international obligations, his country had fully supported the adoption of Security Council Resolution 1929 (2010) and had implemented that resolution, including sanctions designed to restrict Iran's nuclear programme. It also supported the adoption of additional measures that might be necessary in response to Iran's continued non-compliance.

59. Canada remained extremely concerned that issues related to possible military dimensions of Iran's nuclear programme were still unresolved, and it noted that the Agency had acquired additional information about activities with possible military dimensions. Moreover, some of the activities summarized in the attachment to the report, such as the missile re-entry studies for a nuclear payload or the multipoint explosive initiation and hemispherical detonation studies, could only be understood in the context of nuclear weapons development. Given the very serious implications raised by such information, it was essential for Iran to engage substantively and proactively to enable the Agency to verify the correctness and completeness of its declarations. Iran's recent appointment of a new head of the Atomic Energy Organization of Iran, who had been described by the Security Council as a senior Ministry of Defence and Armed Forces logistics scientist, highlighted why it was important for Iran to clarify the full extent and role of the military in its nuclear programme. Iran's ongoing lack of willingness to cooperate with the Agency in addressing such concerns continued to erode confidence in the peaceful nature of its nuclear programme.

60. Until credible assurances could be provided regarding the absence of undeclared nuclear material in Iran, safeguards activities in the country must not return to routine operations and the issue must remain on the Board's agenda. Canada urged Iran to provide all the necessary cooperation, information and access to the Agency to enable it to reach a final safeguards conclusion. In the interim, his country strongly encouraged the Agency to pursue its investigation of Iran's activities and to provide further assessments to the Board.

61. Finally, given the ongoing and broad interest in the issue and the importance of the principles of transparency and compliance, and in accordance with past practice, Canada requested that the report contained in document GOV/2011/7 be made public.

62. Mr SHIM Yoon-Joe (Republic of Korea) commended the Agency for its ongoing efforts to carry out its verification mandate and keep the international community apprised of the current status of the Iranian nuclear issue. He welcomed the new approach taken in the report, which provided a broader and clearer understanding of the relevant provisions of resolutions and the current status of Iran's compliance. In particular, the attachment to the report facilitated the identification of areas where progress had occurred and where full implementation of relevant safeguards obligations was still required in order to establish confidence in the exclusively peaceful nature of Iran's nuclear programme.

63. The Republic of Korea noted that the Agency continued to verify the non-diversion of declared nuclear material at the facilities and LOFs declared by Iran under its safeguards agreement, and that there were no ongoing reprocessing-related activities in any of the declared facilities. However, the fact that Iran was not implementing a number of its obligations was a source of grave concern. Furthermore, Iran was not providing the necessary cooperation to enable the Agency to provide credible assurances about the absence of undeclared nuclear material and activities and to confirm that all nuclear material in the country was in peaceful activities.

64. Iran should cooperate fully with the Agency to address all outstanding issues concerning its nuclear programme, including those that gave rise to concerns about possible military dimensions, by providing without further delay all relevant information, and access to all sites, equipment, persons and documents, as requested by the Agency. The Republic of Korea called on Iran to engage substantively and proactively with the Agency to that end, which was essential to verify the correctness and completeness of that country's declarations.

65. His country was concerned that Iran had yet to suspend its enrichment-related activities, contrary to relevant Board and United Nations Security Council resolutions. Iran had announced plans to construct additional enrichment facilities, about which the Agency so far had very limited information. As a result, the Agency's knowledge about Iran's enrichment facilities was diminishing over time. As indicated in the technical briefing, the Agency did not have exact accounting of centrifuges in Iran, inter alia of their whereabouts following their removal from the FEP. The Agency must have access to locations related to the manufacturing of centrifuges and be informed of the number and location of stored centrifuges.

66. The goal of the application of safeguards in Iran was to verify the non-diversion of declared nuclear material and provide credible assurances regarding the absence of undeclared nuclear material and activities, which would help to establish international confidence in the exclusively peaceful nature of the Iranian nuclear programme. The Republic of Korea therefore called upon Iran to implement fully its safeguards agreement and other obligations, and to ratify and implement the additional protocol.

67. Finally, his country drew attention to the recent efforts to revitalize the dialogue process to facilitate a peaceful resolution of the Iranian nuclear issue.

68. Mr NAKANE (Japan) noted that the Agency had concluded that the FEP and the PFEP had been operating as declared by Iran in the design information questionnaire, and that the Agency had completed its evaluation of the results of the physical inventory verification and could confirm the inventory of total uranium as declared by Iran. However, his country remained deeply concerned that Iran had continued its enrichment-related activities and, since the Director General's preceding report, had accumulated larger quantities of LEU and uranium enriched to 20%. It was also concerned that Iran planned to begin feeding nuclear material into cascades at the FFEP by the coming summer, and that Iran had not provided a substantive response to the Agency's request concerning the construction of ten new enrichment facilities.

69. He noted that the Agency remained concerned about the possible existence in Iran of past or current undisclosed nuclear-related activities involving military-related organizations, including activities related to the development of a nuclear payload for a missile. His country hoped that Iran would provide a substantive response to dispel the concerns of the international community regarding possible military dimensions to its nuclear programme.

70. Japan was concerned that Iran was not providing the necessary cooperation to enable the Agency to provide credible assurances about the absence of undeclared nuclear material and activities in the country and thus to conclude that all nuclear material in Iran was in peaceful activities. It called upon Iran to meet the requirements of the relevant resolutions of the Agency's Board of Governors and to comply fully with its obligations under the relevant resolutions of the United Nations Security Council in a prompt manner. Iran needed to regain the confidence of the international community in order to enjoy fully its inalienable right to use nuclear energy for peaceful purposes. His country regretted the fact that the recent talks in Istanbul involving China, France, Germany, the Russian Federation, the United Kingdom, the United States and Iran had not resulted in a positive outcome. It hoped Iran would take seriously the relevant resolutions of the Agency and the Security Council and take a sensible decision with a view to the peaceful and diplomatic resolution of the issue surrounding its nuclear programme.

71. Mr DAVIES (United States of America) said it was evident from the Director General's report that Iran's lack of cooperation continued to impede the Agency's progress in resolving the Iranian nuclear issue. The report raised a number of issues of serious concern to the international community, including the increasingly apparent military dimensions to Iran's nuclear programme and efforts by Iran to develop a nuclear warhead. The fact that Iran continued to engage in ever more sensitive nuclear activities in flagrant disregard of its international obligations amplified concerns and severely undermined Iran's contention that the international community had nothing to fear from its nuclear activities.

72. The attachment to the report outlined the ways in which Iran remained in serious non-compliance with its obligations: it had not suspended its enrichment- and heavy water-related activities, and it was not giving the Agency the requisite access to its heavy water projects; it was not providing supporting information on the chronology of the design and construction, or on the original purpose of the FFEP; it was not cooperating with the Agency on outstanding issues that gave rise to concern about possible military dimensions to its nuclear programme; and it was not providing the requisite design information in accordance with the modified Code 3.1, or implementing the additional protocol.

73. The clear and inescapable conclusion to be drawn from the Agency's findings, which had been presented in a careful and factual way, was that, given Iran's failure to comply with its international obligations, the scope and true intentions of its nuclear programme could not be ascertained. That conclusion was cause for grave concern.

74. At the Board's meetings in December 2010, the Iranian delegation had sought to deflect attention from or deny Iran's clear legal obligations under the Agency's Statute, its safeguards agreement and under the many United Nations Security Council resolutions adopted in response to its continued non-compliance. Those arguments were unfounded at best and utterly misleading at worst.

75. Over the preceding year, there had been several negative developments in Iran's nuclear programme. In violation of numerous Security Council resolutions, Iran continued to enrich uranium up to 20% and planned to expand its enrichment operations at Natanz by installing new cascades to be fed with UF<sub>6</sub>. Furthermore, Iran refused to cooperate with the Agency to respond to the serious

questions regarding possible military dimensions to its nuclear programme. The current status quo was simply unsustainable.

76. Iran had had years to cooperate in ways that would have enabled the Agency to provide the requisite assurances that its nuclear programme was exclusively peaceful in nature. Instead, it continued to act very much like a State with something to hide. It continued to advance its uranium enrichment capabilities and failed to address the substance of information — both provided by many Member States and obtained directly by the Agency — indicating that it had pursued, and might still be pursuing, what appeared to be the scientific, technical and industrial capability to produce nuclear weapons.

77. The question remained how the Board should respond to Iran's continuing provocations and to its disregard for the decisions of the Agency and of the Security Council. On the one hand, the Secretariat had been reporting that it had information that led to concerns about a possible military dimension to Iran's nuclear programme. On the other, Iran's behaviour demonstrated that it believed that a lack of cooperation could prevent the Secretariat from reporting to the Board a clear conclusion regarding the nature and scope of its nuclear activities. Iran's posture undercut the entire NPT regime and he wondered what lesson future proliferators might derive from the Iranian example. The Agency had invoked its legal safeguards authority to request cooperation from Iran to determine the correctness and completeness of that country's safeguards declarations. The decisions of the Board and the resolutions of the Security Council reinforced and amplified Iran's obligation to comply with the Agency's requests. However, Iran had said that it would not provide further cooperation or the required access in connection with possible military dimensions to its nuclear programme. It appeared to believe that it could defeat the machinery of the NPT and Agency safeguards by simply refusing to comply, and thus prevent the Agency from coming to any conclusion in its ongoing investigation. The Board could not accept that a State undermined the safeguards regime by selectively flouting and dismissing obligations it chose not to meet. While the Director General could not draw final verification conclusions in specific cases if the State in question would not permit the necessary access, he could demonstrate that the safeguards regime worked, even in the face of non-compliance, by reporting promptly to the Board his best assessment as to whether there had been military dimensions to nuclear activities in Iran and, if so, whether he was in a position to verify that they had stopped.

78. Despite Iran's intransigence, the United States remained committed to a diplomatic solution. The statement that had been made on behalf of China, France, Germany, the Russian Federation, the United Kingdom and his own country reiterated the shared goal of resolving the international community's collective concerns about Iran's nuclear programme through dialogue and constructive engagement. The countries concerned had met with Iran with the sincere intent of starting a process of meaningful and constructive engagement just over a month ago. However, Iran's response had been to establish unhelpful preconditions to the talks, creating obstacles to further talks and further undermining belief in its intention to meet its international obligations. Iran had fundamental choices to make, but its compliance with its obligations vis-à-vis the Agency's Board of Governors and the Security Council should not be up for debate.

79. Mr LI Song (China) welcomed the Director General's report and expressed the hope that the Director General could provide further details on the sources of the information contained in it.

80. His country noted that the Agency had continued to verify the non-diversion of declared nuclear material in Iran but was unable to confirm that all nuclear material in the country was in peaceful activities. It encouraged the Agency to continue to play a constructive role in implementing safeguards in Iran and in working towards a solution to the Iranian nuclear issue by adopting an objective and impartial attitude.



81. As a State party to the NPT, Iran enjoyed the right to use nuclear energy for peaceful purposes but it must comply with relevant international obligations. It should implement fully the relevant resolutions of the Agency's Board of Governors and the United Nations Security Council, and should strengthen its cooperation with the Agency with a view to enhancing the confidence of the international community in the peaceful nature of its nuclear programme.

82. The Iranian nuclear issue was complicated and sensitive and could only be resolved through dialogue and negotiation. Although no substantive progress had been achieved in the two rounds of talks held since December 2010 between Iran and China, France, Germany, the Russian Federation, the United Kingdom, the United States and the European Union High Representative, all the parties concerned had reaffirmed the importance of dialogue and cooperation to enhance mutual understanding, had deepened their knowledge of each other's position, and had expressed a willingness to engage in further dialogue.

83. China was convinced that dialogue and negotiation and increased mutual confidence were prerequisites for a comprehensive, long-term solution to the Iranian nuclear issue. His country had always actively promoted a diplomatic process to resolve the issue and was prepared to work with all parties to achieve peace and stability in the Middle East and an appropriate solution to the Iranian nuclear issue.

84. Mr ALKAABI (United Arab Emirates) said that his country, having adopted in 2008 a policy on the development of a peaceful nuclear energy programme, viewed full transparency and compliance with non-proliferation standards as basic requirements for enjoying the benefits of the peaceful uses of nuclear energy. That entailed the fulfilment of all relevant international obligations and the commitment to implement a comprehensive safeguards agreement with the Agency, enhanced by an additional protocol, in order to build confidence and allow the Agency to verify fully non-diversion of any nuclear material to non-peaceful purposes.

85. Nuclear energy could contribute significantly to meeting future energy needs and the United Arab Emirates affirmed the right of countries to develop peaceful nuclear energy programmes within the framework of the rights enshrined in the NPT and the obligations that came with them, including the commitment to non-proliferation and the application of Agency safeguards.

86. In connection with any nuclear energy programme, it was important to be transparent, cooperate completely and closely with the Agency, and respond to questions concerning the nature of that programme in order to arrive at agreement on any outstanding issues. Such commitments were of fundamental importance for the development and success of the programme, and for building confidence and international support.

87. His country supported the right of countries, including Iran, to develop and use nuclear energy for peaceful purposes, and it welcomed the cooperation between Iran and the Agency in implementing safeguards, and the Director General's conclusion regarding the non-diversion of nuclear material in declared facilities in Iran. It also noted issues of concern outlined in the report and urged Iran to cooperate fully and respond to the Agency's concerns. It was important to implement all international commitments and take positive steps to restore the confidence of the international community.

88. Ms TAN (Singapore) noted with appreciation the cooperation Iran had continued to extend to the Agency with respect to facilities it had declared under its safeguards agreement, and that the Agency had been able to continue to verify the non-diversion of declared nuclear material in those facilities. Her country also noted that Iran was not conducting reprocessing activities in any of the facilities declared under its safeguards agreement, thereby meeting one of its obligations pursuant to the relevant provisions of United Nations Security Council resolutions.

89. The fact that, contrary to the relevant resolutions of the Board and the Security Council, Iran continued not to meet its obligations in a number of important areas was cause for concern. It had not suspended its uranium enrichment activities, had not provided supporting information regarding the chronology of the design and construction, or the original purpose of the FFEP, had not suspended work on heavy water-related projects, was not cooperating with the Agency regarding the outstanding issues which gave rise to concerns about possible military dimensions to its nuclear programme, was not providing the requisite design information in accordance with the modified Code 3.1 and was not implementing its additional protocol.

90. As a country with good bilateral ties with Iran, Singapore reiterated that Iran had its support for the peaceful uses of nuclear technology. Unfortunately, owing to a series of incidents, there was currently a severe confidence deficit in the international community over the nature of Iran's nuclear programme. Her country, therefore, strongly urged Iran to cooperate actively with the Agency without further delay and to work towards the implementation of its safeguards agreement as well as relevant provisions of Board and Security Council resolutions. That was a critical step towards restoration of the trust and confidence of the international community in the exclusively peaceful nature of Iran's nuclear programme. It was also in Iran's interest, as the efforts and resources of all parties concerned could then be focused on positive agendas, such as those pertaining to the peaceful use of nuclear technology in Iran to advance the socio-economic well-being of its population. Singapore encouraged all relevant parties to work constructively towards the resolution of those issues.

91. Mr UZCÁTEGUI DUQUE (Bolivarian Republic of Venezuela), reiterating his country's commitment to the fundamental principles of the NPT and the Agency's Statute, said that Venezuela upheld the sovereign right of every country to develop nuclear science and technology for peaceful purposes in accordance with Articles II and IV of the NPT. Verification, which was essential to achieve that objective, had to be implemented in a professional manner and on a technical and objective basis. The Agency was the sole competent authority in the verification field.

92. Noting that the Agency continued to verify the non-diversion of declared nuclear material in Iran, and that there was greater clarity in the current report with respect to Iran's obligations under its safeguards agreement and other activities that had been the subject of attention by the United Nations Security Council, he said that a clear distinction must be drawn between the obligations of Member States and measures they took on a voluntary basis to build confidence. Greater efforts should be made to resolve the matter. The tripartite agreement of May 2010 between Brazil, Turkey and Iran had been a step in the right direction and Venezuela urged the countries involved to resume negotiations in good faith with a view to reaching a diplomatic solution.

93. It was unnecessary for the report of the Director General to dwell on aspects that had been raised previously; it should limit itself to relevant new aspects and not go into technical detail that clouded the picture. It should also avoid including information that was sensitive for the country in question.

94. As to the issue of possible military dimensions, several aspects referred to had been addressed before and had no realistic basis. The report stated that almost all the issues included in the work plan agreed between Iran and the Agency had been resolved and, as his country understood it, only one of the issues related to the alleged studies — whose authenticity the preceding Director General had stated in one report could not be determined — was outstanding. As required under the work plan, Iran had provided its assessment of the documentation in question, showing its inconsistencies, but that assessment had been judged to be focused on form rather than on substance. Venezuela considered that the issue should be dealt with in a fair and impartial manner.

95. With respect to the additional protocol, that instrument had been implemented by Iran as a voluntary confidence-building measure that went beyond its obligations under the NPT and its safeguards agreement.

96. The invitation extended by the Government of Iran to representatives of groups of countries in the Agency to visit the Arak and Natanz nuclear facilities in January 2011 had demonstrated its desire to increase the transparency of its nuclear programme and to build confidence. It was regrettable that the invitation had been interpreted equivocally by some countries; those that had seized the opportunity had received information from high representatives of the Iranian Government, had been able to acquaint themselves first-hand with Iran's technological development, and had had the opportunity to encounter Agency inspectors at work in the field.

97. Mr MINTY (South Africa) welcomed the continued cooperation between the Agency and Iran and noted that, under its safeguards agreement, Iran had declared to the Agency 16 nuclear facilities and 9 LOFs where nuclear material was customarily used, and that the Agency continued to verify the non-diversion of declared nuclear material at those facilities and LOFs. His country further noted that the Agency had concluded that the FEP and the PFEP had been operating as declared by Iran in the design information questionnaire, and that the Agency had verified that the construction of the FFEP was ongoing and that no centrifuges had been introduced into it. South Africa also noted the recent inspection of the Bushehr nuclear power plant and the subsequent verification of the nuclear material present in the facility; it welcomed the positive cooperation between the Agency and Iran regarding the declaration of ongoing developments at the facility and the agreement reached between them on the implementation of necessary safeguards measures, all of which indicated a good overall pattern of cooperation.

98. United Nations Security Council resolutions were mandatory and South Africa reiterated its concern about the lack of progress with regard to Iran's compliance with relevant Board and Security Council decisions. In earlier statements, his country had stated its position on other, related issues that were outstanding.

99. Regarding the possible military dimensions of Iran's nuclear programme, South Africa had noted that the Agency had received additional information in August 2008, and that recently further new information had been received. Board members were not privy to that information but his country hoped it had been conveyed to Iran for clarification.

100. South Africa had noted the statement made during the meeting on behalf of China, France, Germany, the Russian Federation, the United Kingdom and the United States, which had emphasized diplomatic dialogue. Clearly, it was those parties and Iran that could make substantial progress on the matters concerned, contributing to a solution.

101. His country once again encouraged all parties concerned to avoid any actions that could derail progress towards finding a sustainable solution to the Iranian nuclear issue. It supported the view that continue dialogue and political goodwill could contribute to a peaceful resolution of the issues and strongly encouraged all parties to resume constructive dialogue.

102. Mr STACEY MORENO (Ecuador), said that his country had consistently held that no State should use nuclear energy except for exclusively peaceful purposes subject to verification under the Agency's safeguards regime and in accordance with statutory norms.

103. Though the report of the Director General once again referred to insufficient cooperation on the part of Iran, Ecuador was heartened by the greater readiness to address the outstanding issues with the Agency and hoped that the issue would be clarified as soon as possible, emphasizing the importance of cooperation on the basis of commitments freely undertaken.

104. What was unacceptable to his country was the possibility that mechanisms might be applied that involved political considerations which could distort the Agency's objectivity and impinge on the inalienable right of all countries to develop a peaceful nuclear programme for the benefit of their citizens.

105. The Agency was the principal forum for dialogue and efforts should be made in good faith to reach a peaceful solution through mutually respectful dialogue.

106. Mr BAYER (Turkey)\* said that all States which complied with their obligations under the NPT had the undisputed right to benefit from nuclear energy for peaceful purposes under Article IV of the Treaty. His country was fully supportive of the greatest possible enjoyment of the benefits of the peaceful use of nuclear energy for NPT States that were in full compliance with their Treaty obligations. At the same time, all necessary steps needed to be taken to ensure that there would be no increased risk of proliferation associated with the expansion of nuclear energy. In that respect, Turkey advocated the universalization of international non-proliferation instruments and supported their implementation in good faith and with consistency. It attached great importance to the effectiveness of the Agency's safeguards system and commended the meticulous manner in which the Secretariat operated in pursuing verification activities under its mandate.

107. Turkey noted once again that the Agency continued to verify the non-diversion of declared nuclear material in Iran, but that it was still unable to provide credible assurances about the absence of undeclared nuclear material and activities in that country.

108. His country remained fully committed to a diplomatic solution to issues relating to the Iranian nuclear file through peaceful means and dialogue. As a neighbour of Iran, it had been encouraging, and effectively contributing as a facilitator to all constructive efforts that would ease the way for dialogue and cooperation. In that respect, it welcomed the resumption of the talks between the five permanent members of the United Nations Security Council plus Germany and Iran in Geneva in December 2010 after an interval of more than a year. The continuation of those talks in Istanbul with a view to seeking common ground for cooperation on nuclear issues, as agreed in Geneva, was also a welcome development. In Istanbul, the parties had been able to focus on nuclear issues, they had had an exchange on substance, and their reciprocal expectations from the process had been clearly identified. The Vienna Group had met Iran for the first time alongside that meeting. His country believed that, if the parties took due stock, the talks in Istanbul might cultivate a favourable ground to pursue the diplomatic track. Turkey was, therefore, encouraged that, after Istanbul, both sides had left the door open for the continuation of talks. It was prepared to continue its efforts as facilitator in order to help reach a peaceful solution, if requested by the parties.

109. Mr GRIFFITHS (New Zealand)\* expressed deep concern at the clear picture given in the Director General's report of the many areas where Iran was not meeting its obligations pursuant to United Nations Security Council and Board resolutions, and disappointment at Iran's continuing refusal to cooperate with the Agency regarding the outstanding issues that gave rise to concern about possible military dimensions to its nuclear programme. His country noted that the Agency had recently received new information on that issue, which had given rise to further concerns that the Agency needed to clarify with Iran. New Zealand urged Iran to work with the Agency to help resolve those concerns, including by providing the Agency with access to relevant locations, equipment, persons or documentation related to possible military dimensions of its nuclear programme.

110. The Agency continued to verify the non-diversion of declared nuclear material at the nuclear facilities and other locations declared by Iran under its safeguards agreement, but Iran was not providing the necessary cooperation to enable the Agency to provide credible assurances about the absence of undeclared nuclear material and activities in the country. New Zealand was disappointed

that Iran's lack of cooperation had undermined the Agency's ability to reach a conclusion to its ongoing investigation. It urged Iran to provide the Agency with the cooperation it needed to fulfil its verification mandate and give the international community confidence that all nuclear material in Iran was in peaceful activities. Without early progress, including clarification of the further concerns to which the Director General had referred, Member States would have no option but to rely on his best assessment of possible military dimensions of Iran's nuclear programme based on the information at the Agency's disposal.

111. Mr OTHMAN (Syrian Arab Republic)\* said it was regrettable that many paragraphs in the report, and the statements by some Member States, had contained expressions that diminished Iran's legitimate and inalienable right to conduct peaceful nuclear activities in accordance with its international obligations. The continuous pressure that was being brought to bear on Iran and the continuing denial of its legitimate right to use nuclear energy peacefully, despite all the cooperation it had extended in accordance with its international obligations, gave serious cause for concern, especially as the Agency had not found any document indicating diversion of that country's peaceful nuclear programme.

112. It was incumbent on the Board to provide a clear explanation justifying its use of double standards with respect to States that were party to international conventions and treaties and observed all their provisions while Israel's practices were dismissed despite being contrary to international resolutions. While Iran, out of goodwill and in order to demonstrate its transparent cooperation, had provided information concerning its peaceful nuclear activities and had received a negative response, the international community dealt with Israel in a completely different manner, making tepid requests in total disregard of mandatory international requirements and thus encouraging Israel to disregard and ignore those requirements. Some influential States in the United Nations Security Council overtly and covertly helped Israel to develop and expand its nuclear and military capabilities outside any international control, thereby violating international obligations and riding roughshod over all norms of international law. By turning a blind eye to Israel's nuclear capabilities and not holding that country accountable, the international community gave cause for serious concern. It was not sufficient to argue that the Agency had no power or authority over Israel because it was outside the NPT; Israel was a member of the Agency and as such was bound to respect its Statute, which included numerous safeguards obligations.

113. There should be no contradiction or inconsistency between the implementation of comprehensive safeguards and the right of Member States to use nuclear energy peacefully, which was their inalienable right under Article IV of the NPT. The Syrian Arab Republic therefore called on the international community to take an objective path and to continue its diplomatic dialogue with Iran, avoiding political pressure and double standards, in order to satisfy itself that that country's nuclear programme was exclusively peaceful, preserve the legitimate and inalienable right of all Member States to the peaceful use of nuclear energy, and preserve the Agency's professionalism and credibility in dealing with sensitive cases. Iran's actions were consistent with its rights, and it was totally unwarranted to apply methods that merely exacerbated tensions in the region.

114. Mr FAWZY (Egypt)\* urged the Secretariat and Iran to work together in a cooperative spirit with a view to resolving whatever issues were outstanding with respect to Iran's legal obligations vis-à-vis the Agency. The Board's primary objective should always be to achieve progress in a manner that furthered the interests of the Agency and its membership. In recent years progress on the agenda item in question had not met anyone's expectations.

115. Iran had the right to benefit fully from the peaceful use of nuclear energy. At the same time it was obliged to respect fully the legal commitments it had made. In that context, Egypt once again called on Iran and the Agency to make a concerted push for a speedy resolution of whatever issues

remained unresolved, and it called on all other Member States to contribute to creating an environment conducive to such an outcome. Only by doing so would the Agency be able to overcome the polarization that had plagued it and hampered its work for so long.

116. It had to be recognized that the specific issues under consideration could not be viewed in isolation from their broader context. It was evident that the establishment of a nuclear-weapon-free zone in the Middle East was an objective whose achievement was long overdue. Those who had chosen to obstruct efforts in that regard at every turn must recognize that they were making a dangerous choice that contradicted the commitments they themselves had undertaken and were therefore bound to implement, and that such a policy risked undermining the NPT and the safeguards regime.

117. Mr AZOULAY (Israel)\* said that the Director General's report revealed a very troubling picture of Iran's continued pursuit of nuclear weapons. Time and again the Board had been informed of largely the same flagrant breaches of Iran's safeguards obligations, its unrelentingly uncooperative approach to the Agency and, worst of all, its defiance of and total non-compliance with resolutions of the Board and the United Nations Security Council.

118. The section of the attachment to the report that dealt with possible military dimensions revealed the true and untold story of Iran's military nuclear project. Contradicting Iran's claims, the report stated that the Agency's concerns were based upon information received in recent years from various sources, including information obtained through the Agency's own efforts. The extent and credibility of the information presented by the Agency in that regard allowed Iran's nuclear activities to be termed as far more than 'alleged'. Its activities as presented in the report included disturbing new areas such as experiments in neutron generation and associated diagnostics, uranium conversion and metallurgy, high explosives manufacture and testing, studies related to spherical detonation, and exploding bridgewire detonators and simultaneous detonation thereof. The undisputed military nature of those activities, together with the study of packaging of a payload in a missile head, should dispense all illusions, if any were left. Iran's constant refusal to cooperate with the Agency had but one explanation, which was to be found in the true nature and goal of its nuclear project.

119. The report made the picture clearer than ever. While Iran was moving forward in its nuclear military activities it continued to enrich uranium, including up to 20%, and to construct its enrichment facility in Qom and its heavy water reactor in Arak. Moreover, it had recently announced its intention to build another five enrichment facilities without providing the Agency with any information. Its activities, together with its unilateral and illegal suspension of the modified Code 3.1, and its continued refusal to ratify the additional protocol, demonstrated a persistent disrespect of the Agency and all relevant Security Council resolutions.

120. The lessons of the past eight years demonstrated that Iran's race towards the nuclear bomb had not been slowed down by well meaning resolutions either of the Board or of the Security Council. Israel called on the Board to take much firmer action to confront what was a grave challenge to the international community. An appropriate step towards that goal would be an official assessment by the Agency of the military dimensions of Iran's nuclear programme.

121. Ms GOICOHEA ESTENOZ (Cuba)\* noted the changes in the report which distinguished between legal obligations under the safeguards agreement and voluntarily adopted confidence-building measures. It was regrettable that the report had not confined itself to developments since the preceding report, and that it had maintained a selective approach to previously provided information; the omission of a reference to the Tehran agreement, despite a request to that effect, was a clear example of that. She reiterated her country's concern over the excessive technical information in several paragraphs which could contribute to the leaking of information on technological processes, and

expressed the hope that the Secretariat would respond positively to repeated requests to avoid the inclusion of such information, which would be consistent with the need to maintain confidentiality on safeguards issues.

122. One important transparency and confidence-building measure on the part of the Iranian authorities had been the invitation to ambassadors to visit the country's nuclear facilities and meet with senior officials. During that visit, Iran had provided first-hand information on its nuclear activities and the level of verification and monitoring by the Agency at facilities subject to safeguards. At Natanz alone, in 2010 there had been 384 person-days of inspections. There had also been unannounced inspections, and surveillance measures were clearly in place. The Secretariat's reports gave little idea of the scale and intensity of the verification process and should in future provide greater detail in that regard, in the interests of a more balanced and impartial debate. The visit had revealed Iran's commitment to and readiness for dialogue with various countries and the Agency, provided respect was shown for its independence, equality, sovereignty and self-determination, as guaranteed by international law and demonstrated by its decision to develop its peaceful nuclear programme in accordance with its rights under the NPT. The visit had also revealed Iran's pride in, and commitment to the development of its nuclear programme. That pride had unacceptably been trampled under foot by United Nations Security Council resolutions which subjected Iran to the ambitions and interests of the United States of America and some of its allies. If countries had applied the principle of non-interference and respect for the rights of Iran, the issue might never have been taken to the Security Council.

123. Equally unacceptable were the double standards of countries that condemned Iran while directly or indirectly supporting Israel, the only country in the Middle East that was not a party to the NPT and one that posed a real danger to regional and world peace.

124. Cuba took note of the readiness expressed by a number of the main players to continue the dialogue with Iran with a view to achieving a peaceful negotiated solution to the issue.

125. Given that the Secretariat's report referred to events that had occurred in earlier periods, it should also mention the selective assassination of Iranian scientists involved in developing Iran's nuclear programme, apparently by the Israeli secret service. If the international community, the Board and the Security Council were consistent, they would energetically condemn such criminal acts; but they had not, demonstrating once more the double standards employed in dealing with such delicate issues. Such a stance was dangerous, as it could encourage the Israeli authorities to take further such action.

126. The leader of the Cuban Revolution, Fidel Castro, had mentioned selective assassinations in one of his reflections, entitled "What would Einstein say?", in which he referred to an article by Jeffrey Goldberg published in *The Atlantic*. In that reflection he had pondered what Einstein would have said if he had learned about the operations destined to make the most capable nuclear scientists disappear, with the obvious aim of hindering the Iranian nuclear programme. The reflections in question clearly identified the essence of the conflict surrounding the Iranian nuclear programme and current geostrategic interests when it stated: "If it hadn't been for the Iranian revolution ... today it would be the Shah of Iran, supplied with nuclear weapons, and not Israel, who would be the principal bulwark of the Yankee and NATO empire in that region that is so strategic and immensely rich in oil and gas for the sure supply of the most developed countries on the planet."

127. Mr SOLTANIEH (Islamic Republic of Iran)\* thanked NAM for its support for his country's peaceful nuclear activities.

128. The Agency's main inspection mandate was to verify the non-diversion of declared nuclear material. Reports to the Board should restrict themselves to reflecting the results of verification work:

whether inspectors had been able to conduct verification and, if so, whether their findings were consistent with declarations.

129. According to paragraph 27 of General Conference resolution GC(53)/RES/14, the Agency should provide objective technically and factually based reports with appropriate reference to relevant provisions of safeguards agreements. According to resolution GC(54)/RES/11, the Agency should protect commercial, proprietary and confidential information during verification in Member States and in reporting on verification activities.

130. The inclusion in the report contained in document GOV/2011/7 of detailed technical information that had come to the knowledge of inspectors through verification work was not only of no utility for readers, who came from a broad range of groups, it also created confusion, paving the way for misuse and political tensions. In addition, such technical details contravened the principle of protection of confidential information.

131. The Secretariat merely had to verify the declarations of Member States, based on safeguards agreements concluded with the Agency. It did not have the mandate to complain that Member States were not fulfilling their obligations. Nor was it mandated to urge Member States to adhere to treaties or accept additional legal or financial obligations, or to judge what the consequences would be. It simply had to report the technical findings of the verification process.

132. The fundamental distinction between the legal obligations of States under their safeguards agreements and confidence-building measures undertaken voluntarily should be clearly reflected.

133. The Director General had distinguished to some extent in the report between measures related to obligations under the comprehensive safeguards agreement and other requests, such as those emanating from the United Nations Security Council and under the additional protocol, which was a step in the right direction. A list of activities and nuclear facilities was attached to the report, showing those covered by the comprehensive safeguards agreement and those with respect to which the Security Council had requested suspension.

134. The thorough and detailed report on the first category — activities and facilities related to his country's obligations under the NPT — proved that the Agency had full access to all nuclear material and facilities in the Islamic Republic of Iran and was implementing routine and unannounced inspections as well as 24-hour camera surveillance. Thus, the assertion that Iran was not providing the necessary cooperation was incorrect and misleading. If the Director General was referring to cooperation with regard to requests by the Security Council or matters relating to the additional protocol or the modified Code 3.1, that should be expressed more clearly in future.

135. The second category in the list proved his country's long-standing assertion that the real intention of the proponents of the illegal Security Council resolutions was not the temporary suspension merely of enrichment activities, but suspension of the entire nuclear fuel cycle, paving the way for the ultimate cessation of all nuclear activities in Iran. As the attachment to the report clearly indicated, the Security Council had far overstepped the line as regards the inalienable rights of Member States by requesting the suspension even of R&D, implying that no Iranian had the right so much as to think about, or conduct research on enrichment or any other activity listed in the attachment. The Board must surely recognize the concerns underlying Iran's historical resistance to implementing illegal Security Council resolutions. Would other countries suspend all such activities, including R&D, if placed in a similar position?

136. Both paragraph 47 of the report and paragraph 2 of the Safeguards Statement for 2009 in the Safeguards Implementation Report for 2009 (GOV/2010/25) confirmed that, after the most robust inspection over the preceding eight years, unprecedented in the history of the Agency, no evidence of



diversion of nuclear material to prohibited purposes had been found and all declared nuclear material remained in peaceful activities. That important message to the world was overshadowed and undermined in the Director General's latest report.

137. On several occasions, including at the preceding series of meetings of the Board in December 2010, his delegation had thoroughly elaborated the four main legal reasons, based on the Agency's Statute and the NPT, why the resolutions of the Security Council had no legal basis and therefore could not be implemented. The most that the Agency could do was to undertake verification activities and provide a factual report, without making any judgements or recommendations. The content of paragraphs 2 and 3 of the report, which was a new element in the Agency's reporting on the issue, was therefore out of place and exceeded the Secretariat's mandate, which did not include entering into debate among Member States with respect to the legality of demands such as those made by the Security Council. Such conduct jeopardized the impartiality of the Secretariat and politicized the technical and professional nature of its statutory functions.

138. The Secretariat had only one function to perform in fulfilling the expectations of the Security Council: to verify whether Iran had suspended enrichment and reprocessing-related activities. His country had once done that, voluntarily, for two and a half years from 2003, but following confrontational acts by France, Germany, the United Kingdom and the United States, including failing to comply with commitments agreed with Iran and illegally referring the matter to the Security Council, Iran's parliament had been left with no choice but to instruct the Government to stop voluntary measures, including that suspension and implementation of the additional protocol. The suspension, which had had no technical or legal justification, had thus ended and the answer was straightforward: Iran was not suspending its nuclear activities, which were all under full Agency surveillance and remained peaceful.

139. That being the case, it was illogical for the Agency to waste the time and efforts of inspectors, and taxpayers' money on verifying whether Iran had suspended the activities listed in the attachment to the report in accordance with the Security Council's illegal request. If Iran had declared that it had suspended its nuclear activities, then the Agency would be bound to verify whether that was so, as it had done during the voluntary suspension. The Director General should shorten his report by stating simply that Iran was not suspending its nuclear activities, including enrichment, and did not have any reprocessing activities.

140. With regard to paragraph 46 of the report, he reiterated that the additional protocol was not a legally binding instrument, as had been confirmed by consensus at the 2010 NPT Review Conference; that the modified Code 3.1 of the Subsidiary Arrangements General Part was a recommendation of the Board, not an integral part of the comprehensive safeguards agreement, and therefore was not legally binding; and that Iran had voluntarily implemented the additional protocol and the modified Code 3.1 for two and a half years from 2003, but had been forced to stop after the issue had been referred to the Security Council. Paragraph 46 was inconsistent with legal criteria and with the reality on the ground.

141. With regard to the issue of alleged studies and allegations of possible military dimensions to Iran's nuclear activities, he referred to his previous explanations to the Board, pointing out that all such past allegations, specifically those made by the United States, including allegations of nuclear weapons activities at military sites, had all proved to be baseless. He referred the Board to previous reports by the Director General. Iran was bringing legal proceedings to seek compensation for the enormous damage the allegations had done to the credibility of his country, which had always stuck to its international commitments.

142. The latest report should reflect the results of the Agency's verification activities between December 2010 and March 2011. However, it consisted of unnecessarily extensive details on ongoing

ordinary technical activities, which infringed the obligation to protect sensitive proprietary information of Member States.

143. His Government had invited the ambassadors of the NAM troika, the Chairman of the Group of 77 and the Resident Representative of the League of Arab States to visit the country's nuclear facilities in 2004 and 2007. With the aim of maximizing transparency and enhancing cooperation among all Member States, it had recently extended a similar invitation that included representatives of other geographical groups. Some, however, rather than welcoming such an historic and unique offer, had refrained from participating, citing various reasons. A visit had taken place on 15 and 16 January 2011 to the FEP, including the cascade hall for enriching uranium up to 20%, and the Arak heavy water research reactor and Heavy Water Production Plant. During the visit, representatives to the Agency had been able to observe Agency safeguards activities, including 24-hour surveillance equipment, seals, and inspectors conducting their business. In addition, the team of ambassadors from Vienna had been received by the Vice-President and Minister of Foreign Affairs, and by the Secretary of the Supreme National Security Council, providing an opportunity to receive information on the country's latest nuclear policy and activities. Emphasis had been placed on Iran's determination to continue its full cooperation with the Agency, while pursuing its nuclear activities, including enrichment, without any interruption.

144. At the International Conference on Disarmament and Non-proliferation held in Tehran on 17 and 18 April 2010, the Supreme Leader of the Islamic Republic of Iran had outlined his country's position on the use of nuclear energy and nuclear weapons, stating the following:

“Atomic and nuclear sciences are among the greatest achievement of humankind and must be at the service of welfare and advancement of all human societies. The application fields of nuclear science cover a wide spectrum of medical, energy and industrial uses, each being of essential importance... The nations of the Middle East, like other nations of the world, are thirsting for peace, security and progress. They have the right to ensure the economic position and prosperity of the future generations... We believe that other weapons of mass destruction, ... such as chemical and biological weapons, also pose a serious threat to humanity. The people of Iran were themselves victims of the use of chemical weapons and are better aware of the dangers of production and stockpiling of these weapons. We are prepared to make resources available to us to counter this threat. We regard the use of these weapons to be illegal and haram [religiously forbidden], and it is incumbent on all to protect humankind from this grave disaster.”

145. No effort should be spared in putting an end to the politically motivated and boring debates in the Board. It was time to open a new chapter of mutual trust and collective cooperation so as to implement the Agency's statutory objective to promote the peaceful uses of nuclear energy, contributing to peace and prosperity in the world.

146. In response to the statement made by the representative of the Russian Federation on behalf of six countries, he said that, as had been agreed at the December 2010 talks in Geneva, Iran was fully prepared to continue negotiating with China, France, Germany, the Russian Federation, the United Kingdom and the United States with a view to cooperation on common elements, as had been clearly articulated by the Secretary of the Supreme National Security Council in the course of subsequent negotiations in Istanbul.

147. As a matter of principle, recognizing the inalienable rights of nations, and refraining from disputing such rights, were basic requirements for any successful negotiations. Based on that principle, which was the foundation for civilized talks, not a precondition, Iran was prepared to begin negotiations as soon as the six countries in question were ready. He advised those countries to seize

the unique opportunity presented, to change gear from confrontation to cooperation, and to come to the negotiating table without further delay. The door remained open.

148. The United States and the European Union had again repeated their unfounded assertions, questioning the exclusively peaceful nature of Iran's nuclear activities without presenting any authenticated evidence and thereby trying to divert attention from the real threat to global peace and security, i.e. the hundreds of nuclear weapons deployed in Europe by the United States. That was a matter of serious concern, both with respect to the non-compliance with the NPT by the United States and non-nuclear-weapon States in Europe, and with respect to peace and security in general. He had requested the Director General in writing to investigate that non-compliance with the NPT and report to the Board of Governors and General Conference.

149. The Zionist regime of Israel was a unique example of violence and lack of commitment to international law, through its occupation, crimes against humanity, aggression, and attacks and threats of attack against nuclear installations. Its statement merited no response from his delegation.

150. With regard to the statement made by the representative of Japan, he recalled that he had previously questioned the justification for Japan's large-scale enrichment activities. The Governor of Tokyo, in a recent interview with *The Independent*, had said Japan should have nuclear weapons, which was a matter for concern in the context of its enrichment activities. He requested the Director General to investigate the matter, including recent developments, and report to Member States.

151. Mr NACKAERTS (Deputy Director General for Safeguards), responding to technical points raised by the representative of the Islamic Republic of Iran, recalled that, since the 1990s, the Board had maintained that paragraph 2 of INFCIRC/153 (Corrected), which corresponded to Article 2 of Iran's safeguards agreement, authorized and required the Agency to seek to verify both the non-diversion of nuclear material from declared activities (i.e. the correctness of a States' declarations) and the absence of undeclared nuclear activities in a State (i.e. the completeness of its declarations), and thereby to conclude that all nuclear material was in peaceful activities.

152. Regarding the assertion that the report contained unnecessarily extensive detail, he noted that the Agency had been mandated by the Board of Governors and the United Nations Security Council to report fully on Iran's uranium enrichment-related activities, as well as activities related to reprocessing and heavy water. Additionally, the Agency had been specifically requested by the Security Council to report on whether Iran had established a full and sustained suspension of such activities, as well as on the process of Iranian compliance with all the steps required by the Board and with the provisions of relevant Security Council resolutions. Also, it should be noted that, for several years, reports to the Board had contained the same level of detailed information.

153. Mr NAKANE (Japan), responding to the comments of the representative of the Islamic Republic of Iran, drew attention to the fact that, in the Safeguards Implementation Report for 2009 (GOV/2010/25), the Secretariat had concluded that in 52 States, including Japan, there was no indication of diversion of declared nuclear material from peaceful nuclear activities and no indication of undeclared nuclear material or activities, and that all nuclear material therefore remained in peaceful uses.

154. He further recalled that Japan had been the first country with large-scale nuclear activities to conclude and implement an additional protocol. In that context, he highlighted Japan's efforts to achieve universalization of the additional protocol via seminars and events in which it had shared its experience and knowledge with other Member States. In August 2003, at the request of Iran, Japan had held bilateral working-level consultations on the additional protocol in Tokyo, at which detailed information on its experience and knowledge had been shared with Iranian officials. In his view, that

had contributed to Iran's signing of an additional protocol in December 2003 and its subsequent implementation thereof.

155. As a further transparency measure, Japan voluntarily reported on its quantities of plutonium every year, applying the Guidelines for the Management of Plutonium (INFCIRC/549), thus going beyond its legal obligations. Documents containing data covering the period up to 31 December 2009 had been submitted to the Agency in September 2010.

156. Japan's immaculate record in its nuclear activities in terms of safeguards was the source of the profound international confidence placed in it, thanks to which its advanced nuclear activities had been made possible. Japan had consistently implemented the modified Code 3.1 of the Subsidiary Arrangements. No concern had been raised by the Agency about the implementation of safeguards in Japan. He expressed the sincere hope that all Member States would fully implement their inalienable right to the peaceful uses of nuclear energy in full compliance with their obligations and with the confidence of the international community.

157. The CHAIRMAN, summing up the discussions, said that several members had expressed their appreciation to the Director General for his report contained in document GOV/2011/7. They had commended the Director General and the Secretariat for their continuing impartial efforts related to the verification of Iran's nuclear programme.

158. Several members had underlined that Iran's international obligations under the relevant resolutions of the United Nations Security Council and the Board of Governors were mandatory, and that the full implementation by Iran of those obligations was essential to establish confidence in the exclusively peaceful nature of that country's nuclear programme.

159. Several members had expressed serious concern that the Director General's report clearly indicated once again that Iran was failing to cooperate fully with the Agency and that it continued to defy multiple Security Council resolutions by, inter alia, not suspending its enrichment activities. They had emphasized that Iran should take the steps required by the Board and the Security Council and cooperate fully with the Agency.

160. Several other members had emphasized that the Agency was the sole competent authority for nuclear verification in connection with the NPT and that the Agency should continue its work to resolve the Iranian nuclear issue. They had stressed that there should be no undue pressure on or interference in the Agency's activities that would jeopardize the efficiency and credibility of the organization.

161. Several members had noted that, according to the report, the Agency continued to be able to verify the non-diversion of declared nuclear material in Iran. They had welcomed the cooperation between the Agency and Iran. They had also encouraged Iran to enhance its cooperation with the Agency so as to enable the latter to provide credible assurances regarding the absence of undeclared nuclear material and activities in Iran in accordance with international law.

162. Several members had expressed the view that, taking into account those developments, as well as the information provided in the Director General's reports on Iran's implementation of the work plan, they looked forward to safeguards implementation in Iran being conducted in a routine manner.

163. Several other members had expressed their regret that Iran had not provided the necessary cooperation to enable the Agency to provide credible assurances about the absence of undeclared nuclear material and activities in Iran. They had supported the Director General's emphasis in his reporting on the legal obligation of Iran to comply with Security Council and Board resolutions requiring Iran to cooperate fully with the Agency. They had welcomed the presentation of the report,

in particular the attachment giving an overview of the areas where Iran was complying, and not complying, with its international obligations.

164. Several other members had welcomed the clear distinction made by the Director General between obligations emanating from Iran's safeguards agreement and those imposed by the Security Council. They had also requested the Secretariat to refrain from including extensive technical details pertaining to sensitive proprietary information in reports of the Director General.

165. Several other members had stressed the importance of the Agency's statement that, in order for it to be able to provide assurances regarding the absence of undeclared nuclear material and activities, Iran needed to resume implementation of the modified Code 3.1, implement the additional protocol and clarify the issues which raised concerns about possible military dimensions to its nuclear programme.

166. Several members had expressed serious concern that Iran was the only State with significant nuclear activities in which the Agency was implementing a comprehensive safeguards agreement which was not implementing the provisions of the modified Code 3.1 of the Subsidiary Arrangements General Part. They had noted the Director General's report, which stated that Subsidiary Arrangements could not be changed unilaterally nor was there a mechanism for their suspension in Iran's safeguards agreement, and they had called on Iran to implement the modified Code 3.1. They had supported the Agency's request to receive assurances from Iran that no other nuclear facilities existed or were currently being built in the country.

167. Several other members had encouraged Iran to provide design information regarding its nuclear facilities in accordance with its comprehensive safeguards agreement with the Agency.

168. Several members had expressed their concern at the announcement by Iran of its intention to build ten additional uranium enrichment plants, which constituted a further provocation and defiance of the international community.

169. Several members had expressed serious concern that Iran had refused to cooperate with the Agency in accordance with relevant Security Council and Board resolutions, and to provide substantive answers to questions that needed to be clarified in order to exclude the possibility of military dimensions to its nuclear programme. They had noted with serious concern the Director General's statement that, according to information received since August 2008, including new information recently received, there were further concerns to be clarified and, therefore, the issue of the alleged studies could not be considered closed.

170. They had further urged Iran to pay heed to the Agency's request for engagement on that matter, to provide substantive responses to the Agency's questions and to provide the Agency with all requested information and access to the relevant documentation, locations and individuals, in order to enable the Agency to clarify the nature of Iran's nuclear programme.

171. Several members had called on the Director General to continue his efforts to resolve those outstanding issues. They had requested the Director General to provide the Board with a comprehensive analysis or assessment of possible military dimensions to Iran's nuclear programme.

172. Several other members had recalled that previous reports of the Director General had indicated that the Agency had limited means to authenticate independently the documentation that formed the basis of the alleged studies and that the constraints placed by some Member States on the availability of information to Iran were making it more difficult for the Agency to conduct detailed discussions with Iran on that matter. They had called on States which had provided the Agency with documentation related to the alleged studies to authorize the Agency to provide all related documents to Iran to assist the Agency in moving forward the verification process.

173. Several members had noted that, while the Director General's report had indicated that there remained unresolved issues from the 2007 work plan concluded between the Agency and Iran, the report had only mentioned one issue. They had requested further clarification in that regard, and had encouraged the prompt resolution of the issue mentioned in the report in accordance with the work plan.

174. Several members had expressed their concern at the continuing objection by Iran to the designation of experienced inspectors, which had hampered the inspection process and detracted from the Agency's ability to implement safeguards in Iran, and they had called on Iran to withdraw its objection.

175. Members had reaffirmed the basic and inalienable right of all Member States to develop nuclear energy for peaceful purposes, while meeting their respective legal obligations. Several members had emphasized the distinction between voluntary confidence-building measures and legally binding safeguards obligations.

176. They had also reiterated their support for the establishment of a nuclear-weapon-free zone in the Middle East and had expressed the view that addressing the Iranian nuclear issue should not be seen in isolation from efforts exerted to that end. They had stated that any attack or threat of attack against peaceful nuclear facilities would pose a great danger to peace and constitute a grave violation of international law.

177. The continued need for substantive and comprehensive negotiations and dialogue among all relevant parties covering all relevant issues had been emphasized by many members as a way to reach a long-term solution to the Iranian nuclear issue. Several members had underlined their commitment to that objective, which would restore confidence in the exclusively peaceful nature of Iran's nuclear programme while respecting Iran's legitimate right under the NPT to the peaceful use of nuclear energy.

178. The Joint Declaration by Iran, Brazil and Turkey of 17 May 2010 had been highlighted by some members.

179. Several members had made reference to the recent talks between the parties concerned that had taken place in Geneva and Istanbul in December 2010 and January 2011 respectively. Several members had expressed their disappointment at the outcome of those meetings. They had invited Iran to consider the proposals presented in those meetings seriously and they had expected Iran to demonstrate a pragmatic attitude to those proposals and towards continued dialogue and negotiations. Some other members had also called on the members concerned to work towards a solution to the issue of the supply of fuel for the Tehran research reactor.

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

181. The CHAIRMAN asked whether his summing-up was acceptable.

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

183. The CHAIRMAN took it that the Board agreed to the request to make public the report of the Director General contained in document GOV/2011/7.

184. It was so decided.

**The meeting rose at 1.05 p.m.**