

Islamic Republic of

I R A N

Permanent Mission to the United Nations

In the name of God, the compassionate, the merciful

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**Statement by
The Islamic Republic of Iran
on Non-Proliferation
at the Main Committee II of the 2010 NPT Review Conference
New York, 10 May 2010**

Mr. Chairman,

At the outset let me congratulate you on your assumption of the chair of the Main Committee II, and assure you of the full cooperation of my delegation.

My delegation would also like to associate itself with the statement made by the distinguished representative of Egypt on behalf of the Non-Aligned Movement.

Mr. Chairman, distinguished colleagues,

Non-proliferation and disarmament are two complementary pillars, implementation of which, will lead us to a safe and secure destination. The third pillar of the Treaty, namely peaceful use of nuclear energy also plays an essential role for development, peace and prosperity in the world. Despite the discriminatory nature of the NPT, dividing parties into two categories, "Haves and Have-nots", the non-nuclear weapon states joined the Treaty with the aspiration of realization of nuclear disarmament at the earliest possible. Not only this legitimate expectation was not materialized but they have faced with the exaggerated approach towards non-proliferation overshadowing the serious threat of the continued existence of nuclear weapons.

Today, non-proliferation like the other two pillars of the NPT faces serious challenges mostly originated from the non-compliance of some Nuclear Weapon States (NWSs) with their obligations under articles I and II as well as IV of the NPT. By maintaining their nuclear arsenals and their horizontal proliferation through transfer of nuclear technologies and weapon grade materials to non-parties to the NPT, these NWSs have also contributed to the emergence of new nuclear weapons possessors. It is in clear violation of their obligations under Article I

A few countries have attempted to wrongly induce that proliferation concerns are only attributed to non-nuclear weapon States (NNWSs). Furthermore, through a false and misleading propaganda, they similarly have tried to describe nuclear energy as the synonym of nuclear weapons. This false misinformation has been highlighted while all nuclear activities of the NNWSs parties to the NPT are under the full-scope safeguards of the IAEA and they have already forgone nuclear option, therefore pose



no threat to the others. While regretfully in some cases those parties have been subjected to politically-motivated punitive measures and deprived from their rights under article IV of the NPT.

Mr. Chairman,

In past few years, some efforts have been made to undermine the main principles of the NPT in order to change it to a single-goal treaty. In this context, unfortunately the nuclear disarmament obligations have been totally overlooked and access to peaceful nuclear materials and technologies has been denied. At the same time, obligations of the NNWSs on non-proliferation have been overemphasized as if the NPT has no other provision. With such an approach, certain countries have tried to impose more extreme and deeper restrictions on access to peaceful nuclear technology and sought to monopolize such technology only to NWSs and a few staunch allies even in some cases if they are non-parties to the NPT. Additionally, these countries, possessors of nuclear weapons, have imposed restrictions on other States parties who believe nuclear energy should not be turned into weapons. This is an unfortunate fact in the international relations. The clear examples are the growth of US-Israeli nuclear cooperation and a recent decision of the Nuclear Supplier Group (NSG) that have shown being a non-party to the NPT is more privileged and even being awarded by western countries.

The double standard policy of certain Nuclear Weapon States, specially the United State, embracing the non-parties and enhancing nuclear cooperation with them has been seriously damaged the integrity of the Treaty. The NSG which has usually created obstacles through their extraordinary export controls on peaceful uses of nuclear energy by developing countries, being beyond the criterion of the Comprehensive Safeguards Agreements (INFCIRC/153), has agreed with such double standard policy thus put its credibility in serious jeopardy. This is a serious set back for the NPT.

Mr. Chairman,

It has to be recalled that Member States of the IAEA are not treated in an equal non discriminatory manner as far as the Safeguards is concerned. While non nuclear weapon States party to NPT are under the most robust verification surveillances and control, non-parties as well as nuclear weapon States are exempted from comprehensive safeguards. It is also of profound regret that after four decades the Comprehensive Safeguards Agreement is far from universality. As long as the CSA is not universally applied and nuclear weapon States have not fully complied with their obligations under article VI of the NPT, acceptance of additional legal obligations such as Additional Protocols, are absolutely not justified. Needless to say that the Additional Protocol is merely a recommendation by the Board of Governors of the IAEA, and not a negotiated text by all Member States, thus it is a voluntary and non-legally binding instrument.

The unprecedented decision of NSG, an exclusive and non-transparent club which claims to have been established in order to strengthen the non-proliferation regime, has already damaged the NPT. Such a decision for providing nuclear fissile materials to a non-party that has active nuclear weapon program, is a clear violation of paragraph 2 of Article III which stipulates that cooperation of each State Party to the Treaty in providing equipment or material for peaceful purposes is not possible

“unless the source or special fissionable material shall be subject to the safeguards required by the NPT”.

The NSG decision which has been taken under US pressure is also a violation of NWSs commitment under the decision on principles and objectives of 1995 and the Final Document of 2000 Review Conferences for promoting universality of the NPT. While some parties to the Treaty are under stringent export controls and sanctions, certain countries outside the NPT enjoys freely nuclear assistance of NSG members, therefore they will never feel necessity to accede to the NPT thus the universality of the Treaty is in serious jeopardy. The Review Conference has to seriously consider this issue and make a decision on prohibition of any nuclear assistance to non-parties to the NPT.

Mr. Chairman,

The current challenges of the NPT regime require the establishment of a new arrangement and a robust strategy to prevent the arbitrary measures of some NWSs in proliferating nuclear weapons.

In view of the US and its allies, clandestine development of nuclear weapons by some non-parties to the NPT is justifiable. And worse than that, such nuclear program is supportable through cooperation and transferring nuclear technology, materials and equipments by NSG. It is a matter of great concern that such an approach has been applied to Israeli regime nuclear weapon program which is a staunch ally of the US. Permitting such regime to continue to produce nuclear weapons with impunity is a matter of grave concern. Under current trend, it is predictable that nuclear weapons of Zionist regime, which was publicly acknowledged by its Prime Minister, might be emerged, recognized and even awarded.

In this line, the new strategy of the 2010 NPT Review Conference based on the full implementation of the NWSs' obligations on non-proliferation should be designed in a way to cover the following key issues:

- The non-proliferation by certain NWSs is the most immediate and essential risk threatening the non-proliferation regime.
- The legal status of article I of the Treaty and its implementation by NWSs should be defined. In this context, establishing a verification mechanism similar to that one under Article III of the Treaty is essential.
- The IAEA has to be entrusted with the verification of the nuclear materials released from decommissioned nuclear weapons.
- The old concept that the risk of proliferation arises from NNWSs should be revisited and the new strategy of the Review Conference should be focused on proliferation risks of NWSs.
- It is essential that all proliferation cases made by certain NWSs be examined.
- In order to take measures to strengthen non-proliferation, the NWSs must also refrain to cooperate with non-parties to the NPT and undertake not to transfer any nuclear material, equipment, information, knowledge, and technology to them.
- The only solution to remove concerns originated from non-proliferation and threats of the possible use of nuclear weapons is the total rejection of nuclear

deterrence through the conclusion of a universal legally binding nuclear disarmament treaty.

- In the current circumstances, the IAEA should demonstrate, more than before, its commitment and dedication not only to the implementation of the Safeguards, but also to facilitate development of nuclear energy as its main and primary purpose.

Mr. Chairman, Distinguished colleagues,

With regard to the verification and Safeguards, the Islamic Republic of Iran considers the IAEA as a sole competent authority in verifying nuclear programmes of States Parties has an important and sensitive role dealing with the nuclear activities of the member states. In this regard, the IAEA should act within its mandate, Statute and relevant Safeguards agreements of the States Parties. Any interference by other bodies such as UN Security Council as well as undue pressures from individual countries shall definitely undermine the credibility, integrity and professional statutory functions of the Agency. Furthermore, the confidentiality policies of the IAEA have to be strengthened in order to prevent any leakage of the sensitive and confidential information. The IAEA should establish a mechanism to deal with the breaches of confidentiality which undoubtedly is pose threats to national security of Member States.

The other concern of the states Parties to the NPT is the increase of baseless allegations against the peaceful nuclear activities of other States. The allegations with political motivation, build on the non-reliable and fake evidences have significant consequences in particular creation of mutual mistrust and confrontation among State Parties. In this context, the Agency must exercise maximum vigilance in dealing with the open source information, baseless allegations, and submission of documents lacking authenticity. In this context, based on article III of the Treaty which stipulates that implementation of Safeguards shall be in a manner to avoid hampering the economic or technological development of States Parties.

In Conclusion at this historical juncture the Review Conference is expected to:

1- Reaffirm the basic and inalienable right of all states 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 a way as inhibiting or restricting the right of states to develop atomic energy for peaceful purposes. States' choices and decisions, in the field of peaceful uses of nuclear technology and its fuel cycle policies must be respected.

2- Recognize the IAEA as the sole competent authority for verification of the respective safeguards obligations of States Parties,

3- Stress that there should be no undue pressure or interference in the Agency's activities, specially its verification process, which would jeopardize the efficiency and credibility of the Agency.

4- Recall the resolutions of the IAEA General Conference, specifically resolution 533, and to reaffirm the inviolability of peaceful nuclear activities and that any attack or threat to attack against peaceful nuclear facilities - operational or under construction - poses a serious danger to human beings and is a violation of international law, of the principles and purposes of the Charter of the United Nations, and of the statute of the IAEA. In this context the Conference has to declare the necessity and the urgency of a comprehensive multilaterally negotiated instrument prohibiting attacks, or threat of attacks on nuclear facilities devoted to peaceful uses of nuclear energy.

5- Call upon Israeli regime to promptly and without any condition to accede the NPT and put all its nuclear materials and facilities under the full scope safeguards of the IAEA in order to facilitate the establishment of a nuclear weapons free zone in the Middle East. In this context, it should be affirmed that any proposal which exclude the prompt accession of the Israeli Regime to the NPT as a first priority and prerequisite for the establishment of nuclear weapon Free Zone in the Middle East dooms to fail. Due to time constraint, my delegation would elaborate its position in details in the course of deliberations in the relevant subsidiary body.

6- Emphasize the fundamental distinction between the legal obligations of states in accordance with their respective safeguards agreements, as opposed to any confidence building measures undertaken voluntarily and that do not constitute a legal safeguards obligation.

7- Establish a legal mechanism for the settlement of disputes and appropriate arrangements to rectify the inflicted damages to the relevant States Party and provide a framework for compensation as the result of non-compliance of developed countries vis-à-vis article IV of the Treaty, specifically denial of transfer and restrictions imposed on developing countries party to the Treaty.

8- Establish a mechanism' for protection of confidentiality of the verification process in the IAEA.

Thank you.