

Board of Governors

GOV/2003/81
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Item 3 (b) of the agenda
(GOV/2003/78)

Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran

Resolution adopted by the Board on 26 November 2003

The Board of Governors,

(a) Recalling the Resolution adopted by the Board on 12 September 2003 (GOV/2003/69), in which the Board, inter alia:

- expressed concern over failures by the Islamic Republic of Iran to report material, facilities and activities that Iran is obliged to report pursuant to its Safeguards Agreement;

- decided it was essential and urgent, in order to ensure IAEA verification of non-diversion of nuclear material, that Iran remedy all failures identified by the Agency and cooperate fully with the Agency by taking all necessary actions by the end of October 2003;

- requested Iran to work with the Secretariat to promptly and unconditionally sign, ratify and fully implement the Additional Protocol, and, as a confidence-building measure, to act thenceforth in accordance with the Additional Protocol; and

- called on Iran to suspend all further uranium enrichment-related activities, including the further introduction of nuclear material into Natanz, and any reprocessing activities,

(b) Welcoming the Agreed Statement between the Foreign Ministers of France, Germany and the United Kingdom and the Secretary of the Iranian Supreme National Security Council issued in Tehran on 21 October,

(c) Noting with appreciation the Director General's report of 10 November 2003 (GOV/2003/75), on the implementation of safeguards in Iran,

- (d) Commending the Director General and the Secretariat for their professional and impartial efforts to implement the Safeguards Agreement with Iran and to resolve all outstanding safeguards issues in Iran, in pursuance of the Agency's mandate and of the implementation, inter alia, of the Resolution adopted by the Board on 12 September 2003 (GOV/2003/69),
- (e) Acknowledging that Vice-President Aghazadeh of the Islamic Republic of Iran has reaffirmed his country's decision to provide a full picture of its nuclear activities and has also reaffirmed his country's decision to implement a policy of cooperation and full transparency,
- (f) Noting with deep concern that Iran has failed in a number of instances over an extended period of time to meet its obligations under its Safeguards Agreement with respect to the reporting of nuclear material, and its processing and use, as well as the declaration of facilities where such material has been processed and stored, as set out in paragraph 48 of the Director General's report,
- (g) Noting in particular, with the gravest concern, that Iran enriched uranium and separated plutonium in undeclared facilities, in the absence of IAEA safeguards,
- (h) Noting also, with equal concern, that there has been in the past a pattern of concealment resulting in breaches of safeguard obligations and that the new information disclosed by Iran and reported by the Director General includes much more that is contradictory to information previously provided by Iran,
- (i) Noting that the Director General, in his opening statement, indicated that Iran has begun cooperating more actively with the IAEA and has given assurances that it is committed to a policy of full disclosure,
- (j) Recognising that, in addition to the corrective actions already taken, Iran has undertaken to present all nuclear material for Agency verification during its forthcoming inspections,
- (k) Emphasising that, in order to restore confidence, Iranian cooperation and transparency will need to be complete and sustained so that the Agency can resolve all outstanding issues and, over time, provide and maintain the assurances required by Member States,
- (l) Noting with satisfaction that Iran has indicated that it is prepared to sign the Additional Protocol, and that, pending its entry into force, Iran will act in accordance with the provisions of that Protocol,
- (m) Noting that the Director General, in his opening statement, reported that Iran has decided to suspend enrichment-related and reprocessing activities,
- (n) Stressing that the voluntary suspension by Iran of all its uranium enrichment-related activities and reprocessing activities remains of key importance to rebuilding international confidence,
- (o) Recognising the inalienable right of States to the development and practical application of atomic energy for peaceful purposes, including the production of electric power, with due consideration for the needs of developing countries,
- (p) Stressing the need for effective safeguards in order to prevent the use of nuclear material for prohibited purposes in contravention of safeguards agreements, and underlining the vital importance of effective safeguards for facilitating cooperation in the field of peaceful uses of nuclear energy,

1. Welcomes Iran's offer of active cooperation and openness and its positive response to the demands of the Board in the resolution adopted by Governors on 12 September 2003 (GOV/2003/69) and underlines that, in proceeding, the Board considers it essential that the declarations that have now been made by Iran amount to the correct, complete and final picture of Iran's past and present nuclear programme, to be verified by the Agency;
2. Strongly deplores Iran's past failures and breaches of its obligation to comply with the provisions of its Safeguards Agreement, as reported by the Director General; and urges Iran to adhere strictly to its obligations under its Safeguards Agreement in both letter and spirit;
3. Notes the statement by the Director General that Iran has taken the specific actions deemed essential and urgent and requested of it in paragraph 4 of the Resolution adopted by the Board on 12 September 2003 (GOV/2003/69);
4. Requests the Director General to take all steps necessary to confirm that the information provided by Iran on its past and present nuclear activities is correct and complete as well as to resolve such issues as remain outstanding;
5. Endorses the view of the Director General that, to achieve this, the Agency must have a particularly robust verification system in place: an Additional Protocol, coupled with a policy of full transparency and openness on the part of Iran, is indispensable;
6. Reiterates that the urgent, full and close co-operation with the Agency of all third countries is essential in the clarification of outstanding questions concerning Iran's nuclear programme;
7. Calls on Iran to undertake and complete the taking of all necessary corrective measures on an urgent basis, to sustain full cooperation with the Agency in implementing Iran's commitment to full disclosure and unrestricted access, and thus to provide the transparency and openness that are indispensable for the Agency to complete the considerable work necessary to provide and maintain the assurances required by Member States;
8. Decides that, should any further serious Iranian failures come to light, the Board of Governors would meet immediately to consider, in the light of the circumstances and of advice from the Director General, all options at its disposal, in accordance with the IAEA Statute and Iran's Safeguards Agreement;
9. Notes with satisfaction the decision of Iran to conclude an Additional Protocol to its Safeguards Agreement, and re-emphasises the importance of Iran moving swiftly to ratification and also of Iran acting as if the Protocol were in force in the interim, including by making all declarations required within the required timeframe;
10. Welcomes Iran's decision voluntarily to suspend all enrichment-related and reprocessing activities and requests Iran to adhere to it, in a complete and verifiable manner; and also endorses the Director General's acceptance of Iran's invitation to verify implementation of that decision and report thereon;
11. Requests the Director General to submit a comprehensive report on the implementation of this resolution by mid- February 2004, for consideration by the March Board of Governors, or to report earlier if appropriate; and
12. Decides to remain seized of the matter.