



INTERNATIONAL ATOMIC ENERGY AGENCY
GENERAL CONFERENCE
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STATEMENT

IRAN, ISLAMIC REPUBLIC OF

**STATEMENT TO THE FORTY-NINTH REGULAR SESSION OF THE
GENERAL CONFERENCE OF THE
INTERNATIONAL ATOMIC ENERGY AGENCY**

by

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and

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IN THE NAME OF GOD

The compassionate, the merciful

Mr. President,

Excellencies,

I wish to congratulate you and through you all the members of the Bureau for your election to guide the important deliberations of the 49th Session of the General conference in the next few days. It is a great pleasure to attend the 49th General Conference of the IAEA, and as the representative of the Islamic Republic of Iran, I would like to take this opportunity to congratulate you on election to the presidency of this session. The General Conference offers a candid occasion for assessment of the work of the Agency. I will not delve into details here, and leave it to my Delegation to address the specific items on the Agenda. But I believe it is important to have an overall assessment and an appreciation of what the Agency stands for and whether its performance matches its original objectives in a reasonably balanced manner.

Mr. President, Distinguished Delegates,

It is an established position of the NPT membership that the Treaty rests on three fundamental pillars; disarmament, non-proliferation and peaceful nuclear activity. The Agency's role and function is limited to the latter two. IAEA should serve as the provider or facilitator of nuclear material and technology for peaceful use while ensuring that such material and activity is not diverted to military purposes.

Over the years, however, the Agency's ability, capacity and role in peaceful activity has been minimized as the result of severe restrictions applied by technology holders through export controls. Its monitoring functions, on the other hand, continue to extend and expand systematically to the point that the IAEA is now referred to as the UN nuclear watchdog, indicating a total lack of recognition for its obligations towards states on peaceful nuclear activity.

Yet even in the area of safeguards, skepticism prevails over the work of the Agency. While the NPT membership has agreed that the application of the Additional Protocol provides "*credible assurances*" over the exclusively peaceful nature of nuclear programs, its applicability in specific situations is questioned.

Iran represents a clear example.

Mr. President, Distinguished Delegates,

Over the years, Iran has been deprived of access to nuclear material, equipment and technology. Iran in the line of confidence building embarked on remedying measures and, inter alia, rigorous and sustained voluntary implementation of the Additional Protocol. Now that matters have neared total resolution, it is claimed that the Additional Protocol does not yield sufficient authority to induce a conclusion.

This situation and approach, above all else, puts into question the validity and viability of the IAEA as the provider, facilitator, observer and ensure in the peaceful nuclear field.

The resolution passed by voting and without consensus at the Board of Governors during the weekend demonstrates the degree of division of the Board on this issue and that how issues can reach the borders of absurdity when

politics overwhelm the work of the Agency. This resolution is based on an invalid legal precept, an unjustified technical ground, and a misguided political forecast.

The Statute and the safeguards agreement have very limited provisions for involving the United Nations Security Council in very rare cases. A correct and objective reading of these basic documents will leave no opening for Security Council in Iran's case.

Mr. President, Distinguished Delegates,

The Board of Governors, as stipulated under Article 19 of the Safeguards Agreement governing the relationship between the Agency and the Islamic Republic of Iran, will only be empowered to consider engaging the Security Council if the Agency establishes its inability to verify that no diversion of nuclear material required to be safeguarded under agreement to military purposes have occurred. Whereas the Agency has ruled, more than once, that no evidence of such diversion exists, the Board is in no position to decide on reporting the matter to the Security Council.

The technical evaluation of the Agency, as reported by the Director General on the other hand, confirms that:

1. As a result of corrective actions and other activities, the Agency was able to verify and confirm that a number of issues have been fully resolved and thereby activities in Esfahan's UCF, Arak's heavy water, fuel fabrication and laser enrichment are under routine safeguards implementation;
2. The issue of high enriched uranium, the only issue which could have raised proliferation concerns has been resolved. It has been verified that

the HEU particles have surfaced as the result of contamination with foreign origin;

3. On the few remaining questions there has been progress, and resolving them does not hinge on Iran's cooperation alone. They require also cooperation from European states where individuals involved in the clandestine network are either under custody or surveillance.

Under such technical *status que*, if objectivity prevails, it would be impossible to find the situation is so alarming that the Security Council would need to come to the picture. This is particularly so as matters are approaching final settlement and credible assurances for absence of undeclared material and activity are under way.

As a matter of fact, the only thing that is alarming in this bizarre euphoria is the political motives driving this move.

Whereas there have been ample opportunities to resolve matters through negotiations, why then such forceful push to resort to confrontation? What magical means can the Council offer for a settlement? Can there be anything expected from that special UN Body except to exacerbate an already fragile political environment, deepen an undue impasse, and provoke an unwanted crisis? There is no doubt, that a report to the Security Council initiates a chain of actions and reactions that breeds tension and adds volatility to an already vulnerable political situation in the region.

Mr. President, Distinguished Delegates,

With Tehran Declaration and the ensuing Paris Agreement, Iran provided its European interlocutors with a profound opportunity, over a two years span, to come forward towards a mutually acceptable agreement.

The European proposal, explicitly betraying Iran's inalienable rights under the NPT, effectively nullified the Paris Agreement. Iran was, therefore, no longer bound to its provisions including what pertained to the UCF facilities in Esfahan. Operations there resumed, as the result, under full Agency's safeguards and monitoring with the products sealed. For an activity that is under IAEA's routine inspections, it makes no sense to claim any concern, nor to call for its suspension.

Engaging the Security Council by the EU3, on the other hand, abrogates the provisions of the Tehran Declaration, expressly and explicitly. The *quid pro quo* constituting the basis of that Declaration, therefore, is no longer in place. This entails that Iran has no commitments to maintain and sustain the measures, voluntarily implemented thus far, following the agreements in Tehran.

Those who proposed and pressed hastily and vigorously for a decision at the Board, are essentially the western Nuclear Weapon States and their NATO allies who rely on nuclear weapons for their security.

Aside from the bloc vote, others who went along with the Resolution included a recent violator of the safeguards and a country under nuclear umbrella with massive stocks of enriched uranium and plutonium.

Those who did not join the decision, on the other hand, comprise Nuclear Weapons States who have been forthcoming on nuclear disarmament, plus NPT Non Nuclear Weapon States with impeccable non-proliferation records. Political wrangling is bound to intensify and pressures will rise in the ensuing weeks and months. But the conclusion remains all the same. The propped up concerns expressed by certain countries over Iran's peaceful nuclear program are superficial, highly exaggerated, and politically charged.

Where do we go from here now?

The phased proposal put forward by Iran remains on the table.

Our President has further presented a generous proposal at the UN General Assembly. It calls for opening Iran's nuclear program to participation by public and private companies from other countries. This offers the maximum possible and perceivable guarantee against any diversion.

The proposal is fully in line with feasible ways and means for nuclear fuel production and supply while averting proliferation concerns.

Mr. President, Distinguished Delegates,

So there have been sufficient grounds, presented from our side, for a settlement. Confidence in the good will and good faith of our counterparts has, however, been shattered. We have already demonstrated our determination and our will to arrive at an agreement in the past. But we need to be convinced of Europe's intention to reverse the dangerous path of confrontation and see their firm willingness to work, based on our fully recognized inalienable right for peaceful uses of nuclear energy, towards an arrangement on our nuclear fuel cycle program.

Only thence, can crisis and confrontation give way to understanding and conciliation.

Thank you for your kind attention.