

Statement

by

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Resident Representative of Islamic Republic of Iran to the IAEA

Before

Board of Governors

Item 4(c)

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In the Name of God

The Most Gracious and the Most Merciful

Mr. Chairman,

I am obliged to express sincere appreciation of my Government to the family members of Non-Aligned Movement for the valuable support of the peaceful nuclear activities in my country, as reflected in the statement delivered by distinguished Ambassador of Egypt.

Mr. Chairman,

1- At the outset I have to warn all Member States that the Agency Safeguards is diverted from “*Nuclear material driven safeguards*“ to “*Information driven*“ approach. This is a clear breach of the Statute and the Safeguards agreements. The Agency is turning into an intelligence military orientated Agency working

closely with so called “*Open Sources*” far from its mandate stipulated in the safeguards agreement which is merely “*verification of the declared nuclear material*”.

2- Paragraph 27 of the Safeguards Resolution adopted by the General Conference GC/53/RES (14) as well as GC/54/RES (11), mandate the Agency to “*prepare technically objective and factually correct reports with appropriate references to relevant provisions of the Safeguards Agreement*”. Regrettably, this statutory requirement has continuously been ignored and has not been observed in this and in the previous reports. The Agency should not arbitrarily step beyond its statutory and legal mandate in preparing its reports by failing to base its assessments and comments on concrete obligations of a State.

3- More importantly, the IAEA is an independent inter-governmental organization, not a United Nations subordinate. Therefore, the Agency’s mandate is to carry out its activities in accordance with its rights and obligations under the Statute and the Safeguards Agreements. The Agency should therefore refrain from taking instructions from anonymous States and sources with vested interests or allow unauthorized parties to interfere with its mandates. There are no provisions in the Safeguards Agreements and IAEA Statute which may authorize the United Nations Security Council (UNSC) to take over the role of the IAEA in implementing the Safeguards Agreements, impose new requirements, or modify the obligations of the parties to the Safeguards Agreements; Nor does the Agency have the right or authority to impose ultra vires demands on Iran by relying upon the UNSC resolutions.

4- The Islamic Republic of Iran has already made it clear, based on the legal provisions such as those of the Agency’s Statute and the Safeguards Agreement as to why the UNSC resolutions against Iran are illegal and unjustified. Iran’s peaceful nuclear activities have unlawfully been put on the agenda of the UNSC and the Council has taken a wrong approach by adopting its politically-motivated, illegal and unacceptable resolutions against Iran. Therefore, any request by the Agency stemming from those resolutions is not legitimate and not acceptable.

5- The unlawfulness of the UNSC and the Board of Governors (BOG)’s resolutions against Iran are discussed in several occasions but due to recent developments I have repeat and put on record for those specifically the proponents of the resolution to better understand that as long as there is a

reference to past illegal resolutions of the Board of Governors and UNSC the new resolution or demands dooms to failure:

At least there are 5 legal reasons that the past resolutions of the Board of Governors are illegal:

i. According to article 12C of the Agency's Statute if the inspectors recognize the "non-compliance", they shall report to the Director General, where DG shall report to the Board of Governors. The Board then reports to Member States and the UNSC. In case of Iran never such procedure was pursued. Few Board members after about three years after the issue was raised in the Board in 2003 claimed that there was of "Non-compliance" before 2003. DG had however not used the legal phrase "Non-compliance" but he used "Failures" as used for other countries implementing the CSA. According to the CSA after corrective measures issues are closed. Former DG clearly reported of all corrective measures by Iran.

ii. The article 12C which Board of Governor's resolutions referred to talks about "Recipient Member States" which have misused nuclear material received from the Agency. Iran had never received nuclear material referred to the relevant articles of the statute.

iii. According to the Statute and CSA if IAEA finds out that nuclear material is diverted to military purposes then the UNSC will be informed of. All reports of former and present DG has declared that there is no evidence of diversion of nuclear materials.

iv. According to the CSA if a Member State prevent inspector to enter the country thus the Agency is not able to conduct its verification activities, then the UNSC will be informed of. All reports of Director General since 2003 clearly declare that Agency is able to continue its verification in Iran.

v. The resolutions against Iran by EU3 since 2003 till 2006 recognized the suspension of enrichment by Iran as: Non-legally binding, voluntary, and confidence building measure. Therefore the resolution by Board of Governors to convey Iran's nuclear issue to the UNSC after Iran decided to stop voluntary suspension of the UCF activities was 100% in contravention with its own previous resolution. It is worth mentioning that when EU3 proposed resolution against Iran at the Board of Governors in 2006 with political motivation to get

UNSC involved in the technical issue belonging to the IAEA, the enrichment activities in Natanz were still under voluntary suspension!

Conclusion on General Observations:

I feel obliged to advise specifically the permanent members of the Security Council not to refer or insist on implementation of the obsolete illegal resolutions but instead to confess openly and honestly to their people, international community at large that they have made historical mistake by engaging the UNSC in the IAEA matters and to try to disengage UNSC as soon as possible since its legitimacy is at stake. We are ready to help them to find a face saving solution for them to come out of this dead lock. I recall that we have heeded to requests by the Agency, even cases beyond our legal obligation, only when the Agency did not refer to those resolutions.

In the light of the above, we consider the DG report (GOV/2011/65 dated 8 November 2011) is unprofessional, unbalanced, illegal and politicized. Any resolution on the basis of this report and with any reference to the former UNSC resolutions on Iran are not legally binding thus they are not applicable.

B- Specific Observation on the DG report (Gov/2011/65)

Permit me to refer to few important recent communications:

- a) The letter of Vice President and the Head of Atomic Energy Organization of Iran, H. E. Dr. Fereydoun Abbasi's, No. 30/090492 dated 30 October 2011 where His Excellency suggested that "the DDG for Safeguards Mr. Nackaerts, to be delegated to Iran for discussion aiming at resolution of matters and to put an end to seemingly endless process";
- b) My letter No. 2002/2011 dated 3 November 2011 where I reminded that "It is necessary that the Agency refrain from distributing any materials or documents before completion and conclusion of its investigation. I am looking forward to receive the Agency's in November 2011";

It is a matter of concern and disappointment that the contents of the above letters specifically the main elements, such as sending the Agency's team to Iran before the Board of Governors in November 2011, aiming at resolution of the matter leading to completion and conclusion of the investigation, are not reflected in DG report GOV/2011/65 dated 8 November 2011.

The Director General objection to the generous cooperative offer of the Islamic Republic of Iran for the prompt Agency's engagement prior to the Board of Governors, pose serious questions on DG's intention to resolve the issue and to put an end to the endless process.

The Director General is highly expected to submit factual reports reflecting comprehensively the developments related to safeguards verification since his previous reports. The DG is expected to bridge the gaps, if any, among Member States rather than creating polarization and confrontation as he did in several occasions since he has assumed the office. The Director General shall not politicize the technical organization, IAEA, by bias and selective approach contrary to the spirit and letter of the Statute in his reports.

Mr. Chairman,

By distributing the same text classified as "**Confidential**" which was handed over to me on 3 November 2011 by Deputy Director General, with great care, to all countries thus making it public, the Director General has relinquished the responsibility of the Secretariat by sending the technical confidential safeguards matters for public debate. This is undoubtedly the most unprecedented damage to the integrity of the Agency since half a century ago.

While by distributing the material in annex is clear breach of confidentiality and safeguards practice, however this mistake by DG had an advantage of **surprising** all Member States, except few ones closely involved in its preparation, that there was **no surprise** since all issues were repeated several times before and the annex does not include any reliable authenticated documents supporting allegations. It was proved that the so called "*Big Elephant in the room of DG*" was "*Tiny Mouse*" but not a natural mouse but a plastic computer mouse fabricated in USA.

Mr. Chairman,

Names of Iranian nuclear experts, having cooperative engagement with the Agency in the course of inspections including interviews, have leaked out by the Agency and have appeared in the European Union and United Nations Security Council illegal sanction lists.

The international community is also witnessing new ugly phenomenon of assassination of Iranian nuclear scientists by terrorist groups supported by US and Israel. The record of confessions by the captured terrorists confirms this assertion.

The release of the names of Iranian nuclear scientists by the Agency has made them as targets for assassination by terrorist groups as well as Israeli and American intelligence services.

As you have already noticed the DG recent report (GOV/2011/65) includes an annex containing names of Iranian expert and locations.

I recall that more than 100 Member States appealed to DG to not distribute the annex and warned him about the consequences but DG disregarded the majority of Member States. I recall that DG did not have any mandate by the Board of Governors or by the General Conference to do so but he did by his own personal responsibility. Therefore Director General is accountable for any security threat against the lives of my fellow citizens referred to by DG and their families as well as sabotage against locations indicated in DG report based on baseless allegations. I do not rule out the responsibility of the proponents of any resolution on the basis of the report.

Mr. Chairman,

I have to remind the fact that DG report (GOV/2011/65) dated 8 November 2011 has been categorized as “Restricted Distribution” document.

Director General in his meeting with the troika of Non-aligned Movement on 8 November 2011 confirmed that the confidential document, the annex of his

report, had already been distributed to certain countries including the United States of America, France, and the United Kingdom. This is a clear violation of the staff regulation, the oath taken by Director General upon his assumption of the post, as well as the spirit and letter of the Statute of the IAEA since all Member States are recognized equal and have to be treated equally. Obviously those few selected countries had ample time to prepare for the meeting of the Board of Governors where 150 countries minus 3 or 5 were deprived from. Needless to say that those few members immediately released the confidential material in the annex mixed with additional misleading information to western media creating negative environment so that all other Member States were confused facing with speculations. In this context I remind all that according to the rules and procedures including that of the Board of Governors, reports of implementation of Safeguards in Member States, categorized as confidential with restricted distribution, cannot be disclosed or delivered to selective countries or public prior to authorization by the Board of Governors or the General Conference.

In the meeting with Director General, he tried to justify delivering the confidential information on the annex to weapon states in order that they shall advise him whether it contains proliferation risk materials or not .surprisingly in preparing a scenario looking like factual DG has elaborated in details, in his annex, how a nuclear weapon works and what components are required for. More detail technical presentation on this issue was also presented in the technical briefing.

Needless to say that the Agency has hired nuclear weapons experts under the pretext of Iran's issue, though without following normal recruitment procedures, thus his claim is not justified.

DG added that he had to get the permission of those who had given alleged material against Iran before distributing the annex. Since in paragraph 13 of the annex DG has claimed that he had received information from more than 10 Member States, I wonder who else in addition to the representatives of so called P5 has received confidential annex days before distribution to all. Reminding the serious concerns expressed by former Director General regarding any condition imposed on Secretariat by supplier of information, no one doubts that it shall jeopardize the verification process and the authority of the Agency. Therefore one has to pose a question that on what basis DG thought he had to get permission from the source of allegation including Israeli representative?

Mr. Chairman

As the last attempt to prevent confrontation, in a letter dated 16 November 2011, I requested DG to inform in his introductory statement that the text of annex cannot be the basis of any decision before discussion with Iran on it is made.

My Government reserves its legitimate rights to exercise under the Comprehensive Safeguards Agreement (INFCIRC/214) to seek damages, monetary and otherwise, for any injury to persons and damages to property in my country that may arise of unjustified, unfair and politically motivated reports of Director General and decisions/resolutions that may be taken on the basis of such reports.

Mr. Chairman

On 8 March 2011, on behalf of my Government I delivered a request to the DG the act upon the following measure equipping non-nuclear weapon states in Europe with nuclear weapons and delivery systems related to the deployed nuclear arsenals by the United States of America are in full contravention with non-proliferation obligations, and requested:

- i. *“...to inform all Member States whether the Agency has received declarations of the exact locations and amounts of weapon-grade nuclear material in these non-nuclear weapon states and whether the Agency has verified such declarations.*
- ii. *...to investigate the technical specification and locations of nuclear weapons in Europe, specifically in the territory of the non-nuclear weapon States in Europe, which have already international obligations to refrain from doing so.*
- iii. *... to report the non-compliance of the United States of America and the European countries hosting nuclear weapons, with their obligations undertaken under the NPT, which is undoubtedly a serious threat to the global peace and security, to the Board of Governors as well as to the 55th General Conference. Such non-compliance requires prompt action by the United Nations Security Council.”*

I would also like to add one more item to afore- mentioned list and request the DG to report on the Japan's acceptance of the USA nuclear umbrella which runs counter to the provision and spirit of the NPT. According to open sources, U.S.A and Japan have held some talks in 2009 on boosting this nuclear umbrella.

This is a matter of serious concern that the Director General has totally ignored these requests and did not take any action until now.

This ignorance will further damage the credibility of the Agency, will give rise to concerns on the impartiality of the IAEA and may have this negative connotation that violation of some members of their NPT legally binding obligations can be tolerated and perhaps overlooked by the DG.

Possible Military Dimensions!

1- Detailed history of agreed Work Plan (INFCIRC/711) between the Agency and the Islamic Republic of Iran has been explained in the previous Iran's explanatory notes to the DG reports with the latest one being INFCIRC/823.

2- On the basis of the Work Plan, there were only six outstanding issues that all have been resolved as the former Director General reported (GOV/2007/58 and GOV/2008/4). Based on the Work Plan, while the so called "*Alleged Studies*" was never considered as an outstanding issue, but it was planned so that "*The Agency will however provide Iran with access to the documentation it has*", and then "*upon receiving all related documents, Iran will review and inform the Agency of its assessment*". While the required "*documentation*" has never been delivered to Iran, the Islamic Republic of Iran carefully examined all the informal, nonobjective, and unauthentic material which has been shown, and informed the Agency of its assessment. In this context, the following important points should be recalled:

i. The Agency has not delivered to Iran any official and authenticated document which contained documentary evidence related to Iran with regard to the Alleged Studies.

ii. The Government of the United States has not handed over original documents to the Agency since it does not in fact have any authenticated document and whatever it claims has in possession, are forged documents. The Agency didn't deliver any original document to Iran and none of the documents and material shown to Iran has authenticity and all proved to be fabricated, baseless allegations and false attributions to Iran.

iii. How the Agency can support or pursue allegations against a country without provision of original documents with authenticity and ask the country concerned to prove its innocence or ask it to provide substantial explanations? It is one of the actual concerns foreseen by some States, during the BOG discussions which led to "*general endorsement*" (as quoted by chairman of GOV/OR meeting 872 in 1995) of measures so called "Part 1", aimed to strengthen Safeguards. With regard to Part 1 measures, it has been expressed that:

- "*Improving the efficiency of the safeguards system should be pursued on the basis of a presumption of States' innocence and not a presumption that each State was a potential wrongdoer*". In this regard, the Agency has initiated unprecedented and illegal demands on Iran as baseless accusation.
- "*Recourse to data from intelligence sources should be explicitly excluded*", nonetheless the secretariat explicitly on several occasions, has declared that the information received from the intelligence sources while it has been proven that they are fabricated and false.

iv. The Agency has explicitly expressed in a written document dated 13 May 2008 that: "... *no document establishing the administrative interconnections between 'Green Salt' and the other remaining subjects on Alleged Studies, namely 'Highly Explosive Testing' and 'Re-entry Vehicle', have been delivered or presented to Iran by the Agency*". This written document proves that in fact the so called documents related to the Alleged Studies lack any internal consistency and coherence in this regard. It is regrettable that this explicit fact expressed by the Agency has never been reflected in the DG reports.

3- Taking into account the above-mentioned facts, and that no original document exists on the Alleged Studies, and there is no valid and documentary evidence purporting to show any linkage between such fabricated allegations

and Iran activities, and that the DG reported in paragraph 28 of GOV/2008/15 no use of any nuclear material in connection with the Alleged Studies (because they do not exist in reality); also bearing in mind the fact that Iran has fulfilled its obligation to provide information and its assessment to the Agency, and the fact that the former DG has already indicated in his reports in June, September and November 2008 that the Agency has no information on the actual design or manufacture by Iran of nuclear material components for a nuclear weapon or of certain other key components, such as initiators, or on related nuclear physics studies; therefore this subject must be closed.

4- If it was intended to raise other issues in addition to the Alleged Studies (Green Salt, Re-entry Missile, High Explosive Test) such as possible military dimension, since all outstanding issues had been incorporated in the exhausted list prepared by the IAEA during the negotiations, then it should have been raised by the Agency in the course of the negotiations on the Work Plan. One can clearly notice that no issue and item entitled "*possible military dimension*" exists in the work plan (INFCIRC/711). It is recalled that the first paragraph of chapter IV of the Work Plan reads as: "*These modalities cover all remaining issues and the Agency confirmed that there are no other remaining issues and ambiguities regarding Iran's past nuclear program and activities*"; therefore, introducing a new issue under the title of "*possible military dimension*" contradicts the Work Plan.

5- According to paragraph 19 of the DG report in GOV/2009/55, the Agency expressed that the authenticity of the documentation that forms the basis of the Alleged Studies cannot be confirmed. This proved the assessment of the Islamic Republic of Iran that the Alleged Studies are politically- motivated and baseless allegations.

6- The first paragraph of chapter IV of the Work Plan reads as: "*These modalities cover all remaining issues and the Agency confirmed that there are no other remaining issues and ambiguities regarding Iran's past nuclear program and activities.*" It is obvious that all I.R. of Iran's nuclear activities in the past and present have been in peaceful purposes and will be continuously subject to full scope comprehensive safeguards. Therefore any information in contrary to this is forged, fabricated, false and baseless allegation.

7- Paragraph 5 of Chapter IV of the Work Plan reads as: "*The Agency and Iran agreed that after the implementation of the above Work Plan and the*

agreed modalities for resolving the outstanding issues, the implementation of safeguards in Iran will be conducted in a routine manner.” And also in Paragraph 3, chapter IV of the Work Plan, the Agency has acknowledged that *“the Agency's delegation is of the view that the agreement on the above issues shall further promote the efficiency of the implementation of safeguards in Iran and its ability to conclude the exclusive peaceful nature of Iran's nuclear activities”*. On this basis, while the Work Plan has been implemented, the Agency is obliged to confirm the exclusive peaceful nature of Iran's nuclear activities.

8- The Islamic Republic of Iran and the Agency have fully implemented the tasks agreed upon in the Work Plan; in doing so, Iran has taken voluntary steps beyond its legal obligation under its Comprehensive Safeguards Agreement.

9- Considering the above, and the former DG report in GOV/2009/55, which confirms that Iran has completed its obligation on the Alleged Studies by informing the Agency of its assessment, and also very positive developments and the joint constructive cooperation between Iran and the Agency, the Agency is hereby highly expected to announce that the Safeguards implementation in Iran shall be conducted in a routine manner in accordance with the last paragraph of the Work Plan (INFCIRC/711).

10- Paragraph 54 of the former DG report in GOV/2008/4 regarding the Possible Military Dimension reads as: *“However, it should be noted that the Agency has not detected the use of nuclear material in connection with the alleged studies, nor does it have credible information in this regard.”* The facts that; the documents of the Alleged Studies lack authenticity, no nuclear material was used and no key components were made as declared by the former Director General, are also missing in this report.

11- According to the Work Plan, the Alleged Studies have been fully dealt with by Iran, thus this item, in the Work Plan, is also being concluded. Any request for another round of substantive discussion, provision of information and access, is absolutely in contravention with both spirit a letter of negotiated and agreed work plan, which both parties undertook to comply with. It should be recalled that the agreed Work Plan is the outcome of fruitful and intensive negotiations by three top officials in charge of Safeguards, Legal and Policymaking organs of the Agency with Iran and eventually acknowledged by

the Board of Governors. Therefore, it is highly expected that the Agency respect its agreement with Member States; otherwise, the mutual trust and confidence which is essential for the sustainable cooperation would be jeopardized.

12- According to the Work Plan, the Agency was required to submit all documentation to Iran, and then, Iran was only expected to “*inform the Agency of its assessment*”. No visit, meeting, personal interview, and swipe sampling, were foreseen for addressing this matter. The Government of the United States has not handed over any original documents to the Agency, because in fact it has no authenticated document as the former DG declared. Meanwhile, by refusing to submit all documentation to Iran, concerning the so-called Alleged Studies, the IAEA did not fulfill its obligation under part III of INFCIRC/711. Despite the above, and based on good faith and in a spirit of cooperation, Iran went beyond the above understanding by agreeing to hold discussions with the IAEA, providing necessary supporting documents and informing the Agency of its assessment in a 117-page document which all proved that the allegations have been all fabricated and forged. This is, in fact, reviewing the substance as well as the forms.

13- Followings are related report from visiting the Agency’s team in Iran’s military sites including Parchin which clearly shows the matters have been thoroughly were cooperated by Iran and completed which DG has intentionally reopened it!

➤ GOV/2005/67, dated 2 September 2005, paragraph 41, “*As described by the DDG-SG in his 1 March 2005 statement to the Board, in January 2005, Iran agreed, as a **transparency measure**, to **permit the Agency to visit a site located at Parchin** in order to provide assurance regarding the absence of undeclared nuclear material and activities at that site. Out of the **four areas identified by the Agency** to be of potential interest, the Agency was permitted to select any one area. The Agency was requested to minimize the number of buildings to be visited in that area, and **selected five buildings**. The Agency was given **free access to those buildings and their surroundings** and was allowed to take environmental samples, the results of which **did not indicate the presence of nuclear material**, nor did the Agency see **any relevant dual use equipment or materials in the locations** visited.”*

➤ GOV/2005/67, dated 2 September 2005, paragraph 49, “*Iran has permitted the Agency, as a measure of transparency, to visit defence related*

sites at Kolahdouz, Lavisan and Parchin. the Agency found no nuclear related activities at Kolahdouz.”

➤ GOV/2005/87, dated 18 November 2005, paragraph 16, “*On 1 November 2005, following a meeting held on 30 October 2005 between Mr. Larijani, the Secretary of the Supreme National Security Council of Iran, and the Deputy Director General for Safeguards (DDG-SG), the Agency was **given access to the buildings requested within the area of interest at Parchin** (see para. 41 of GOV/2005/67), in the course of which environmental samples were taken. **The Agency did not observe any unusual activities in the buildings visited.** Its final assessment is pending the results of the environmental sample analysis.”*

➤ GOV/2005/87, dated 18 November 2005, paragraph 21, “*The Agency welcomes the access provided to the Parchin site.*”

➤ GOV/2006/15 dated 27 February 2006 paragraph 32, “*On 1 November 2005, the Agency was **given access to a military site at Parchin** where several environmental samples were taken. **The Agency did not observe any unusual activities in the buildings visited, and the results of the analysis of environmental samples did not indicate the presence of nuclear material at those locations.**”*

➤ GOV/2006/15 dated 27 February 2006 paragraph 52. In this regard, Iran **has permitted the Agency to visit defense related sites at Kolahdouz, Lavisan and Parchin.** The Agency **did not observe any unusual activities** in the buildings visited at Kolahdouz and Parchin, and the results of environmental sampling **did not indicate the presence of nuclear material** at those locations.

H- Additional Relevant Comments:

The DG has taken clear illegal, unjustified and partial approach in accepting fabricated documents from intelligence services especially from US, UK, France and Israel regime in order to make political adversary and creating ambiguities by reporting them to the Board of Governors.

This is very unfortunate that the present DG approach in its unprofessional reporting on Iran, not only has stepped beyond its mandate to the bilateral Safeguards Agreement, but also has deeply ruined the worldwide reputation of

the Agency as a technical competent authority. Recently, some media, as general observers, have revealed part of the false information used by the Agency and criticized ironically its immature assessment on allegations against Iran.

The DG report has focused on some alleged military activities that do not involve any nuclear material therefore are obviously out of the purview of Safeguards Agreement that reads as; "...safeguards is applied on all source or special fissionable material in all peaceful nuclear activities within its territory, under its jurisdiction or carried out under its control anywhere, for the exclusive purpose of verifying that such material is not diverted to nuclear weapons or other nuclear explosive devices".

Simple Relevant Questions:

I- Had Iran any legal obligation to declare the site of Natanz Enrichment Plant, Heavy Water Research Reactor (IR40) and UCF before 2003?

The answer is: NO. Since Natanz Enrichment Plant and UCF had not received any nuclear material till 2003 thus Iran was not obliged to declare it considering the fact that since Iran had not signed the modified code 3.1 of the Subsidiary Arrangement of NPT Comprehensive Safeguards till 2003. Therefore, political noises and allegations since 2003 have no legal basis.

II- Has IAEA found any nuclear material and nuclear activities including enrichment in military sites including PARCHIN and LAVIZAN-SHIAN, alleged to be involved in nuclear weapon program, after Agency did intensive robust inspection including sampling and analysis?

The answer is: No. Director General's Press Statement on Iran on 6 March 2006 said: On transparency I think I mentioned in my report access to military sites, we have been given access to a number of military sites recently, to Parchin, Lavisan, Shian, to dual use equipment to interview people, these are beyond the Additional Protocol but they are essential for us to reconstruct the history of the programme.

On 15 November 2004 DG reported that the Agency was granted to visit the military complex of Lavisian-Shian where the Agency took environmental samples.

Finally paragraph 102 of DG report (GOV/2004/83) said: "the vegetation and soil samples collected from the Lavisian-Shian site have been analyzed and reveal no evidence of nuclear material." More information are in documents GOV/2005/87, 18 Nov. 2005; GOV/2006/15 of 27 Feb 2006.

The DG report which is prepared based on information provided by intelligence services of US and Israel regime information and their supervision, contains internal contradiction that shows they are fabricated allegations. These intelligence services have done unprofessional fabrication due to rush that they have provided low level conventional information that do not show any relation with the Islamic Republic of Iran's peaceful nuclear activities.

Paragraphs 23 and 24 of the annex of DG report have been taken directly from the U.S. Intelligence Community. I recall false information that Iran's nuclear military activities have been stopped in 2003. Later, the US themselves found out that by this conclusion there is no justification for further applications of pressure on Iran such as sanctions. Therefore they produced another report stating that may be some of these activities have been continued after 2003 in order to justify their illegal resolutions and sanctions! How can DG make such contradictory and changing information as the basis of his report? This certainly has undermined the credibility of the Agency.

Paragraph 49 of annex of the report claims: "*...that Iran constructed a large explosives containment vessel in which to conduct hydrodynamic experiments. The explosives vessel, or chamber, is said to have been put in place at Parchin in 2000. ... The Agency has obtained commercial satellite images that are consistent with this information.*"

The Agency requested to visit the Parchin military complex in 2005 and beside that Iran does not have any of obligation to provide access to the Agency inspectors to its military site, but in the sake of proactive cooperation with the Agency, granted access to the Parchin complex twice in 2005 which is reflected in paragraph 50 of the annex as says: "*...the Agency was permitted by Iran to visit the site twice in 2005*". The Agency inspectors have freely selected areas of their interest based on the satellite imageries. One of the locations that they

focused on was a building that their claim was it is a location of the explosives chamber. The Agency confirmed in this paragraph that they did not find anything and they requested once more to provide access to this complex several months later and they have taken environmental swipe samples. The results of these inspections were reported by the former DG in paragraph 32 of GOV/2006/15 dated 27 February 2006 which reads as: *“On 1 November 2005, the Agency was given access to a military site at Parchin where several environmental samples were taken. The Agency did not observe any unusual activities in the buildings visited, and the results of the analysis of environmental samples did not indicate the presence of nuclear material at those locations.”* And in paragraph 52 of the said report the Agency concluded that: *“The Agency did not observe any unusual activities in the buildings visited at Kolahdouz and Parchin, and the results of environmental sampling did not indicate the presence of nuclear material at those locations.”*

Those documents that the Agency has referred to in paragraph 54 of annex are scientific literature that does not have any relation to unconventional activities as the paragraph itself reads as: *“... such studies are commonly used in reactor physics or conventional ordnance research,”* which is a correct statement. In the same documents, that have been published in media, the research are relating to the generation, measurement and modeling of neutron transport that does not have any relation to unconventional activities or nuclear weapon. However, the report continue with a wrong conclusion that *“but also have applications in the development of nuclear explosives”*. Such a conclusion is hypothetical creation by irresponsible person. It is ridiculous that someone wishes to do highly secret activities on nuclear weapon and make it openly published and also provided to the Agency. These researches clearly show that there was no intention on concealment neither by the researchers nor institutes because they were purely conventional and peaceful.

Paragraph 63 of annex of the report related to so called project 111 reads as: *“... the activities described as those of project 111 may be relevant to the development of a non-nuclear payload”*, although there is not such a project called 111 in Iran, but the Agency states that it has in possession documents of project 111 relating to non-nuclear payload and it does not have any documents related to nuclear payload, while without providing any substantial evidence, strangely concludes in the last part of paragraph 63 as: *“they are highly relevant to a nuclear weapon programme.”* This is also one of indications that the report is intentionally prepared by an ill mind.

None of the showed documents to Iran (by Power Point Presentation) as well as in the Agency's technical briefing on 11 November 2011, bear confidential stamp that is any classification! This point was brought to the Agency's inspector's attention during meetings in Tehran which was a big shock to them. How it is possible that written communications take place between high ranking of Defense Ministry, missiles industries and a project manager of a secret project such as nuclear weapon project and that have not protected at least by confidential classification stamp. How is it possible for a state to conduct a secret nuclear weapon project with transparent and unclassified communications?

During the meetings in Tehran with the Agency's inspectors, the Agency showed an slide of a questionnaire of the ministry of defense project related to nuclear weapon that written on the top of the page "highly secret nuclear weapon project" and also containing on the bottom of the page a distribution order saying that one of the places that this document should be send is the library. This is ridicules that a highly secret project document should be sent to library being available to all. Several of such lousy mistakes were made by fabricators that have been shown to the Agency's inspectors. It is obvious that CIA and other intelligence services had made unprofessional forgery job. They have even overlooked to stamp these fabricated documents with classification sealing.

DG has stated wrongly and unfair that Iran did not engaged in substance of these fabricated and forged showed material while hours and hours have been spent with the Agency's inspectors to discuss it scientifically and substantially. For example for green salt (UF4) showed drawing by the Agency's inspectors were evaluated and proved that what a lousy job containing scientifically mistakes such as temperature, pressure, flow rate and etc. are in the drawing which the Agency's inspectors acknowledged them. It is also ridicules that while Iran posses a most advanced conversion plant in Esfahan to produce tons of UF4, has secretly assigned a student to work and produce some kilograms of UF4 for a highly secret nuclear weapon project. By keeping these childish claims, the matter has been kept as an issue in the Board of Governors agenda which obviously have been damaged the Agency's credibility. However, it is worth to mention that after substantial discussion with the Agency's inspectors they were convinced on the green salt issue and stated the is closed and we should concentrate on the two other issues namely high explosives and re-entry vehicle. What has happened that DG has reopened a closed issue? Why DG did

not reported anything about erroneous points that proves them forgery and fabricated in his reports.

DG has claimed in his report that besides other sources, Iran has also acknowledged some of the information. It is very regrettable that if we honestly answered to questions such as the name of defense Ministry and the address, it should be considered as that Iran acknowledged the forged documents. What sort of conclusion is this?

The approach of DG in its reporting to the Board of Governors is not fair and honest. Regarding the Parchin military site, the Agency inspectors were granted access to the site and they select four points for verification based on their imagery satellite pictures. They even after verification requested to go the roof of one of the buildings that they thought based on their imagery satellite pictures there is a place for missile. Mr. Claud, the Agency inspector, climbed up and found out that it is actually chimney. Aren't these accusations of intelligence services shameful and has not damaged the Agency's credibility? Even more, the Agency has taken several environmental swipe samples and found no evidence of presence of nuclear material in the Parchin complex. It worth to mentioned that after two times visit by the Agency's team, Mr. Heinonen, former DDG for safeguards has stated that all ambiguities related to Parchin is removed and the Parchin is part of the history. What has happened that DG has reopened a closed issue?

It has to be noted that the slides showed on high explosives and missiles are all in conventional nature. It is very simple for a nuclear weapon state like USA to produce such slides and provide them to the Agency. How can it be proved that these slides belong to Iran? This matter also has been discussed thoroughly with the Agency nuclear weapon expert, Mr. Hatchinkson in depth and substantially. Former DG and Former DDG for Safeguards have request that this expert being granted to enter Iran and participate in the meetings related to the EBW issue. This was also accepted by Iran and Mr. Hatchinkson participated very actively in the meetings. He had provided several technical scientifically questions that has been replied also in written form. When after several back and force questions were answered, Mr. Hatchinkson was convinced that the activities conducted by Iran were conventional. However, we don't know why the DG has reopened this old issue? We have to put an end to this endless and tedious debate.

Another issue is about commercial software named MATLAB which the Agency believes it is used for modeling of nuclear payload. It has to be recalled that during the meeting in Tehran it was stated that this is commercially available software and also one of the Agency's inspector confirmed that his son is also using this software. The Agency by showing the commercial name of this software believes that the cycle of required evidence that complete the allegation on Iran nuclear weapon program. What a funny conclusion driven by the highly specialized Agency!

In respect of neutron it should be noted that today neutron has verity applications such as neutron activation analysis, in exploring and mining. It is awkward for the specialized International Agency that correlates any neutron source to the nuclear weapon.

According to the false information provided by intelligence services to the Agency and that the DG prepared it report by copying them, claims that only two activities (mentioned in paragraph 45 and 52) have been continued after 2003 and there have not been anything else. It is ridicules that one can make a nuclear weapon just by these two activities.

These facts clearly indicates that DG conclusions in his report (GOV/2011/65) are wrong and baseless, because hydrodynamic experiments and neutron cross section calculations have not been conducted for nuclear weapon and the so called project 111 has not been for non-conventional activities as the Agency stated.

The report is clear deviation from the Agency's functions and responsibilities where the Agency, in accordance to article IX of the Statute, should carry out its activities in order to "verify the quantities of materials" or "the accounting" of nuclear materials. The Agency is not permitted to enter into cooperation with intelligence services of the member states of to act upon the information provided by them, in particular from the US that has long history of forging documents and manipulating information in order to achieve its narrowly-minded political objectives. The clear example of such forged document is the so-called "Niger Document" against Iraq which quoted by the US president and the scandal of Colin Powell's discredited claims in the Security Council.

Article VII.F of the Statute stipulates that "each member undertakes to respect the international character of the responsibilities of the Director General and the

staff and shall not seek to influence them in the discharge of their duties".
Regrettably the US officials at the highest level by calling the DG in Washington and explicitly announcing their intention to use the Agency against Iran have violated the Statute.

DG Official meetings in Washington prior to the issuance of his report (GOV/2011/65) and insisting on the annexation of allegations fabricated by the US and Israel regime intelligence services to the report despite of the warning by a vast majority of Member States has raised serious questions on the neutrality and credibility of the Agency and compliance with article VII of the Statute.

Propaganda lunched by the US and Israeli regime immediately after the issuance of DG report, in some cases even before that, are all in clear breach of the Statute. Member States are expected to take preventing measure on such serious violations.

How the Secretariat could be trusted? There has to be some rules and regulation governing our affairs otherwise we are in jungle.

Although Mr. Amano, as the Japanese representative, made demarche, in 2007, against former Director General along with ambassadors of US, UK, and France, protesting the negotiation and conclusion of the Work Plan, but he got to conduct now impartially in his capacity as Director General respecting the decision on the Work Plan, endorsed by the Board of Governors in 2007.

Finally, as the Work Plan (INFCIRC/711) has fully been implemented, thus the implementation of Safeguards in Iran has to be conducted in a routine manner.

Mr. Chairman;

Permit me to give an astonishing example of the US intelligence and the Agency involvement:

During the inspection to Gachine Uranium mine (the name of this place is reflected in the annex of DG report), inspector showed me a safelight photo given by US and claimed that there is another uranium mine in the same area and Iran had not declared to the IAEA. It was a real surprise since according to

even Agency' publication on world uranium mines such information is incorrect. The inspectors insisted and said the intelligence of the country (US) has focused over two years on this location and noticed that even there are additional building constructed that according to the source of information (CIA) are for uranium conversion and enrichment. They showed another satellite photo with two years date difference, the updated one. Although I was 100 % sure that the information was incorrect, we decided to fulfill the request of the Agency. After about two hours we arrived at the location lead by inspectors using their GPS. The place belonged to a private company taking stone for the harbor of Persian Gulf and the addition buildings that CIA claimed were additional lavatories for additional workers. The monitors and detectors Inspectors showed no radioactive radiation. The inspector apologized for inconvenience. This is one of the examples of several allegations against Iran which has seriously damaged the credibility and trust on the Agency. I wonder why the Director General is not reporting such shameful case to the international community.

Mr. Chairman,

Iran nuclear actives is on the Agenda of the Board of Governors for over eight years in spite of the fact that Iran is party to NPT and has granted access to the Agency's inspectors for over 4000 man-day inspections, and performing over 100 unannounced inspections in Iran's nuclear facilities and the fact that the Agency has found no evidence of diversion of nuclear material to military purposes. However, the Zionist Regime of Israel is continuing its clandestine nuclear weapons activities without any Agency inspection. This double standard policy is not acceptable.

Mr. Chairman,

Iran has in several occasions, including the IAEA meeting and NPT review Conferences during last thirty years expressed concerns on the nuclear arm race and the continuous development of nuclear weapons specifically by the United States posing serious threat to global peace and security. The recent development in the United Nation where US, Israel and countries of EU voted

against the resolution proposed by Iran on nuclear disarmament, which was adopted with over 100 votes leaves no doubt that the US declaration in Prague on “World Free From Nuclear Weapon” was not genuine and merely another type of deception similar to that of “Atom for Peace” in 50s. As regard the effect of sanctions I reiterate that there has been no impact on our nuclear activities specifically on enrichment due to the fact that all components are manufactured in Iran and we receive no help from outside. In this context I would like to quote my foreign minister in a recent interview: “With 3,000 years of history behind us. We won’t give up our independence and will continue our civilian nuclear program. There is great unanimity on this point both within our government and among the people. My minister recalling several compromises by Iran in the past which yielded no results said: “I believe there is no longer any point in making additional concessions. The nuclear question is simply a pretense for weakening us by any means possible.”

Thank you for your attention.