

**In the Name of God**

**Statement by H.E. Ambassador Soltanieh  
Permanent Representative of the Islamic Republic of Iran  
Before the Board of Governors-IAEA  
Agenda item 5(d)  
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*Mr. Chairman, distinguished delegates,*

At the outset, I would like to put on record the sincere appreciation of my Government for the valuable support of the Member States belonging to the Non-Aligned Movement and associate myself to the positions declared by the distinguished Ambassador of Cuba in her capacity as the Chairperson of the NAM.

**Background of Iran's nuclear activities**

*Mr. Chairman, distinguished delegates*

In the avalanche of unfair and fabricated propaganda against the peaceful nuclear program of Iran, I am obliged once again to review the background and nuclear policy of Iran. So I seek your indulgence, Mr. Chairman, to bear with me till the end of my relatively long statement.

The first initiative of Iran for having access to nuclear technology goes back to 1950's. The first country which encouraged Iran to acquire nuclear technology and transferred it to Iran has now become the first serious opponent of Iran's peaceful nuclear program. After the victory of the Islamic Revolution and overthrow of the pervious regime, the Islamic Republic of Iran decided to continue to be a member of the NPT and comply with its obligations under the Treaty, Safeguards Agreement and the Statute of the Agency. Despite of goodwill gesture by Iran, the valid nuclear contracts of Iran were terminated with the bad fate. After the Revolution, Siemens Company declined to complete Bushehr Power Plant and the other Western countries, in particular the United States also declined to transfer any equipment and nuclear technology to Iran. This was an indication of double- standard and discriminatory policy which shows that the said countries continue to support the other country's program as long as the receiving country follows their interests.

## **The main objectives of Iranian peaceful nuclear program**

*Mr. Chairman*

It is repeatedly reiterated that the main objective of the Islamic Republic of Iran in developing nuclear technology is to produce electricity. Based on the economic growth of the country and decision by the parliament, Iran should implement a program of 20000 MW of nuclear electricity till 2025 through the construction of Power Plants and providing the necessary fuel for them from internal and external resources. Imposition of discriminatory and double - standard approach, particularly following measures have led the Islamic Republic of Iran to pursue an indigenous fuel cycle policy:

- US was obliged under the contract made prior to 1979 to supply new fuel for Tehran 5 MW Research Reactor, being under the Agency Comprehensive Safeguards, producing radioisotopes for application in medicine, agriculture and industry. After the Revolution, it prevented to deliver the fuel in contradiction to its obligations.
- Iran has 60 tons of UF<sub>6</sub> in Europe which has not yet been delivered to it. The initial fuel for Bushehr Power Plant which had been bought from Siemens, was blocked for 25 years and finally the export license to Iran was waived.
- It has to be recalled that in 1975, Iran purchased a 10% share in Eurodif uranium enrichment plant, being built at Tricastin in France, but Iran has not received even a gram of uranium from the plant where it desperately needed for its reactor producing radioisotopes for mainly medical purposes.
- The IAEA, established a Committee on Assurances of Supply, expected to codify internationally recognized principles and legally binding instruments to assure sustainable nuclear supply. It failed in 1987, after 7 years of intensive deliberations.

## **The policy of cooperation and transparency**

*Mr. Chairman,*

The Islamic Republic of Iran has demonstrated its goodwill and a lot of patience for removing ambiguities and by taking confidence building measures beyond its legal obligations, has cooperated with the Agency and other parties. More than 2100 man-day inspections have been carried out in

the Iranian nuclear facilities, two and half year's voluntary suspension of all enrichment and uranium conversion activities, the signature of the Additional Protocol and its voluntary implementation for more than two years, providing unlimited access to all nuclear materials and facilities, providing more than 20 complementary access in accordance with the Additional Protocol, granting more than 26 cases of access to military sites, submitting more than 1000 pages of declarations according to the Additional Protocol and updating them, and more importantly presenting a new initiative by the President of the Islamic Republic of Iran in the UN General Assembly which offered the participation of the other governments and foreign companies in the enrichment activities, are considered some part of Iran's cooperation and activities.

On the other hand, the Islamic Republic of Iran has complied with its obligations under the Comprehensive Safeguards Agreement and continues to do so and the Agency's inspections have been carried out in accordance with the Safeguards Agreement without any hindrance.

All nuclear activities in the Islamic Republic of Iran, including enrichment activities are being carried out in accordance with the IAEA Statute, the NPT and Safeguards Agreement under the comprehensive and continuous monitoring of the Agency through the presence of the inspectors and cameras. Some of these facts have been reflected in the recent report of the Director General of the Agency as follows:

- (Para 5) The Agency has completed its evaluation of the physical inventory verification (PIV) of nuclear material at PFEP carried out between 16 and 18 September 2006 and has concluded that the inventory of nuclear material, as declared by Iran, was consistent with the results of the PIV.
- (para 6) On 18 December 2006, Iran provided Agency's inspectors access to operating records concerning the product and tails assay at PFEP.
- (para 7) The verification arrangements at FEP, involving frequent inspector access and cameras, are now in place.
- (para 10) During January and February 2007, the Agency collected baseline environmental samples, and began the installation of containment and surveillance measures at FEP.
- (para 12) There are no indications of ongoing reprocessing activities at those facilities, or at any other declared facilities in Iran.

- (para 13) On 29 January 2007, the Agency carried out a DIV at the IR-40 Reactor.
- Para 15 of the DG report supports Iran's statement about the foreign origin of the contamination.
- (para 16) In a letter dated 30 November 2006, Iran agreed to permit the Agency to re-sample equipment at the technical university in Tehran. The re-sampling was carried out on 22 December 2006.
- (para 22) All UF<sub>6</sub> produced, remains under Agency containment and surveillance measures.
- (para 26) Pursuant to its NPT Safeguards Agreement, Iran has been providing the Agency with access to declared nuclear material and facilities, and has provided the required nuclear material accountancy reports in connection with such material and facilities.
- (para 27) The Agency is able to verify the non-diversion of declared nuclear material in Iran.
- (para 28) There has been no indication of reprocessing related activities at any declared sites in Iran.

In addition to the above measures, since the last report of the Director General (GOV/2006/64), in Nov. 2006, the Islamic Republic of Iran has cooperated with the Agency, in facilitating the verification activities through over 150 man-day inspections. Regarding the enrichment facilities in Natanz, PFEP (IRM) and FEP (IRN), as well as the construction activities of the Heavy Water Research Reactor, IR40 (IRP), the following inspection activities have been performed:

- Natanz FEP (IRN): 18 inspections amounting to 44 man-day inspections, conducting installation of 7 new surveillance cameras which are all in operation, and the application of the Agency's metal seals at 22 sensitive points in the facility.
- Natanz PFEP (IRM): 14 inspections amounting to 31 man-day inspections, conducting Interim Inventory Verification (IIV) and Design Information Verification (DIV).
- IR40 (IRP): two times inspections (two man-day), Design Information Verification (DIV) during construction of the IR40.

## **The practical results of the policy of cooperation and transparency**

*Mr. Chairman,*

The constructive approach of the Islamic Republic of Iran led the Agency to the conclusion, as reflected in various reports of the DG, that all declared nuclear material by Iran has been accounted for, and no evidence of diversion is found. The Agency reiterated that assessing the absence of any undeclared nuclear material is a time consuming process. Such a situation is not limited only to Iran and has been declared by the Agency, that 46 countries including Germany and other 13 Western Europe Countries have the same situation. One should not also forget that the United States, United Kingdom and France are totally exempted from this criterion. On the other hand, only 24 countries have received such a certificate that there is no evidence of undeclared nuclear material or activities in their countries.

### **Technical facts**

*Mr. Chairman*

Let me brief you on some important technical facts in this context:

- Iranian nuclear issue has been reported to the Security Council in clear contradiction with the provisions of the IAEA Statute. In accordance with Article XII (c) “the inspectors shall report any non-compliance to the Director General who shall thereupon transmit the report to the Board of Governors.” Not only this was never happened but on the contrary all of the Agency’s reports confirmed that there is no diversion of nuclear materials in Iran. Regrettably referring the Iranian dossier to the Security Council has been done only because of the resumption of the voluntarily suspended R&D enrichment activities which the Board itself repeatedly in its pervious resolutions recognized such suspension as a voluntary and not legally binding measure.
- I draw your attention to the fact that Iran has repeatedly stated there is no reprocessing activities in Iran which reconfirmed by the recent report of the Director General. Therefore, the request in unjustified resolutions of the Board and Security Council with regard to the suspension of an activity which does not exist at all in Iran has no legal basis and is meaningless.

- With regard to the 40 Megawatts heavy water research reactor of Arak, as it was stressed before, this reactor is a replacement for the 5 Megawatts Tehran research reactor which would expire its life span in near future. The new reactor will produce isotopes for medical, agricultural and industrial applications.
- Dr. ElBaradei, the Director General paid his first visit to Iran in the year 2000, where he was thoroughly informed about the intention of AEOI in undertaking certain activities in the field of nuclear fuel cycle technology and construction of their facilities such as the Uranium Conversion Facility (UCF). Although Iran then had not yet being adhered to the newly modified Subsidiary Arrangement, nevertheless it had willingly submitted the DIQ of Uranium Conversion Facility in Esfahan and other activities on nuclear Fuel Cycle. The Agency received the DIQ of UCF in 2000 that is almost 4 years before Iran was obliged to inform the IAEA under its comprehensive Safeguards Agreement (INFCIRC/214). The Director General once again was invited to Iran in 2003 where he visited uranium centrifuge enrichment pilot plant (PFEP) at Natanz on 21st February 2003. There was no doubt for the Director General that the establishment of uranium enrichment facility is not in contravention of the Safeguards obligations and Iran was not obliged to submit the Design Information Questionnaire (DIQ) of the Enrichment Facility in Natanz prior to the visit, since according to the comprehensive Safeguards Agreement (INFCIRC/214), Iran has to submit the DIQ only 180 days prior to the introduction of nuclear material to the facility. Therefore, Iran had no legal obligation to notify the IAEA about the enrichment facility at Natanz earlier. In fact, the Agency became fully aware much sooner than Iran was obliged to report in accordance with its comprehensive agreement, since the Pilot Fuel Enrichment Plant (PFEP) was not operational then. Therefore, the notion of the so-called 20 years of undeclared activities such as UCF and Natanz is absolutely incorrect and misleading.
- With regard to the 38 inspectors, it is crystal clear that in accordance with the Safeguards Agreement, Iran and all other Member States have the full rights to accept the designated inspectors or to withdraw any of them. We are of the view that exercising such rights is completely legal and fully compatible with the IAEA Statute, and as it was already stressed by DDG it does not have any implications on the ongoing inspections in Iran.

- Recalling the positions of the Islamic Republic of Iran as reflected in the report of the DG in which Iran reiterated its "full readiness and willingness to negotiate on the modality for resolution of remaining issues with the IAEA, subject to assurances for dealing with the issues in the framework of the Agency, without interference of the United Nations Security Council", it is a matter of surprise that why the clear message of this position has not well being understood. The Agency is an independent verification organization and any interference of the Security Council would weaken the Agency and hamper cooperation with this solely technical organization. It is worth mentioning that Iran was the only country that voluntarily implemented the Additional Protocol and even beyond. Therefore, few countries which derailed this issue should be blamed for this historical mistake. However, regarding the few remaining issues, we are still ready to resolve them in a manner which is reflected in our letters dated 27 April 2006 and 19 February 2007.

### **Discriminatory and contradictory approach**

*Mr. Chairman,*

Let me address another aspect of such an important issue. After more than 30 years, this is a matter of great regret that the US and some of the Nuclear Weapon States are not yet in compliance with the NPT. Just to numerate some cases of such non-compliance by those States, I limit myself to the followings:

- Vertical and horizontal proliferation of nuclear weapons and even threatening the Non Nuclear Weapon States by these weapons,
- Taking no concrete and practical step toward nuclear disarmament, and even not showing their willingness to start the negotiations to this end,
- Not fulfilling their obligations under the NPT on peaceful nuclear cooperation and even hindering the others to develop their peaceful nuclear programs, through illegal and threatening approaches,
- Developing new types of easy – to use nuclear weapons by the United States and new generation of nuclear warheads by the United Kingdom,

- Totally ignoring the commitments made in the 2000 NPT Review Conference, in particular the 13 practical steps for nuclear disarmament,

It is a matter of surprise that those few countries identify themselves as the guardians of the NPT, based on baseless and fabricated information, and aiming at diverting the international community's attention and public opinion from their nuclear arsenals and their commitments under the NPT, making accusation against a country who has clearly announced that the WMD has no place in its defense doctrine. It is an unfortunate that for such a hidden agenda, they have undermined the credibility and integrity of international organizations by instrumentally using them and ignoring the principles of impartiality and non-discrimination are the most important factor for the legitimacy of these organizations. How is it possible to keep the integrity and credibility of the NPT in such circumstances, in which the Non-Nuclear-Weapon States are deprived even from their inalienable rights to use nuclear energy for peaceful purposes?

### **Security Council, illegal path**

*Mr. Chairman,*

Despite all cooperation and non- diversion of the Islamic Republic of Iran, few countries with political motivations, have derailed the issue from its right path in contravention to the IAEA Statute. By imposing their political will to the Agency through instrumental use of the Security Council, they try to deprive Iran from its legal and legitimate rights in peaceful use of nuclear energy. Needless to say that there is no legal, logical or even political justification for involvement of the Security Council on this issue. The Security Council measures in this area undermine the foundation and principles of the NPT and UN Charter. Such measures could only be interpreted as penalizing a country which is a member of all international disarmament and arms control instruments and committed to its obligations. It is worth mentioning that in parallel, some other countries which are apparently violating the international law, not only receive no punitive response, but also being rewarded. The Israeli Regime while remaining outside the relevant international instruments continues quantitative and qualitative development of its nuclear weapons, without any concern, international pressure or monitoring. Those who are pushing Security



Council to take punitive measures against the peaceful nuclear program of the Islamic Republic of Iran, continue to hinder any action by the Security Council against Israeli regime to force it to abide by the NPT regime. Doing so, they have given wide latitude to this regime and even encourage it to develop freely the clandestine and prohibited possession of nuclear weapons.

### **Iran's safeguarded peaceful nuclear facilities under the threat of attack**

*Mr. Chairman,*

While Iran has been providing the Agency with access to all its nuclear material and facilities pursuant to its NPT Safeguards Agreement and the Agency is able to verify the non - diversion of declared nuclear material in Iran (as reflected in paragraphs 26-27 of the report), US and Israeli Regime have been making daily threat of resort to attack Iranian fully safeguarded peaceful nuclear facilities uttered at their highest levels, in clear violation of Article 2 (4) of the UN Charter.

The Islamic republic of Iran has already documented these unlawful and dangerous threats by sending official letters to the UN Secretary General and the Director General of the IAEA.

And while overwhelming majority of the international community has been calling for a peaceful negotiated solution and Iran has announced its readiness for such a solution, the United States and Israel which both have a high record of vertical and horizontal proliferation activities are continuing to make threats against Iran's full-scope safeguarded facilities. Needless to say that Iran's indigenously developed nuclear technology and "knowledge can not be bombed", as it was expressed by the Director General of the IAEA.

It is worth mentioning that as it was recognized by this Board in its previous resolutions, the act of aggression against the safeguarded nuclear installations constitutes an attack against the Agency. Moreover, it was also emphasized by 188 NPT States Parties in the final document of the 2000 NPT Review Conference that "attack or threats of attack on nuclear facilities devoted to peaceful purposes jeopardize nuclear safety, have dangerous political, economic and environmental implications and raise serious concerns regarding the application of international law on the use of force in such cases, which could warrant appropriate action in accordance with the provisions of the Charter of the United Nations."

Such attack or threat of attack on a safeguarded nuclear facility, in operation or under construction, would create a situation in which according to the

operative paragraph 3 of the General Conference Resolution GC (XXIV) Res/533, "the United Nations Security Council would have to act immediately in accordance with the provisions of the United Nations Charter." Obviously the continued inaction of the Security Council in such critical cases may jeopardize the national security and interests of the country under attack or threat of attack.

Given the current and past behavior of the Israeli Regime in making threats against the safeguarded nuclear facilities of other countries, the Agency and its Board of Governors should fulfill their responsibilities and obligations on such a grave concern.

## **Conclusion**

In conclusion, Mr. Chairman, let me once more express our principled positions on this important issue:

- As it has repeatedly announced, weapons of mass destruction have no place in the Islamic Republic of Iran's defense doctrine and according to a religious decree (Fatwa) issued by the supreme leader of the Islamic Republic of Iran, such inhuman weapons are considered prohibited and against the Islamic law.
- The Islamic Republic of Iran has continuously stressed and still believes that the only constructive and rational approach for interaction and common understanding on this issue, is the negotiations and this approach is a useful way to prevent any confrontation. Needless to say that negotiation can be fruitful and help to make progress, if it would be started without any precondition. The main objectives of the negotiations should be to guarantee recognized and inalienable rights of the Islamic Republic of Iran under the Article 4 of the NPT, including the enrichment and fuel cycle and the exercise of these rights as well as consideration of the ways and means to ensure non-diversion of nuclear activities of Iran from peaceful purposes. Iran welcomes any constructive proposal in this regard. If other parties claim to be ready for negotiations, they should sincerely and without any political motivation enter into such negotiations.
- The Islamic Republic of Iran continues to be ready to resolve a few of the remaining issues with the Agency.
- Iran has committed to its obligations under the comprehensive Safeguards Agreement and continues to comply with its provisions

and provides access to the inspectors of the Agency, in accordance with its Safeguards Agreement.

- The Islamic Republic of Iran is ready to negotiate with interested parties on mechanisms that could guarantee the non-diversion of Iran's peaceful activities in the future.
- Iranian nuclear issue should be dealt with outside the UN Security Council. The path of the Security Council has no sound legal basis for this issue. Any further steps taken by the Security Council, would only complicate situation, is counterproductive for settlement of the issue and put at stake the current efforts and initiatives for resuming the negotiations.
- While we emphasize that nuclear fuel cycle programs of Iran are aimed at the industrial production of fuel needed for its reactors and power plants, we stress that there is no capacity at any level (R&D, pilot or industrial) for the production of nuclear material useable for nuclear weapons.
- The Islamic Republic of Iran is the responsible State and continues to comply with its obligations under the NPT, but will not stand still in the face of intimidation and threats, and will never give up its inalienable rights for peaceful use of nuclear energy.
- The Great Nation of Iran is a peace loving nation and during the last two centuries has never started a war and aggression, but would firmly and courageously resist against any bullying and aggressive power.

I thank you for your patience.