

BOARD OF GOVERNORS FINDS IRAN IN "NON-COMPLIANCE" WITH ITS NPT SAFEGUARDS AGREEMENT

- ◆ September 2005 Board adopts resolution - finds Iran to have been "in non-compliance" - Iranian nuclear programme constitutes a "threat to international peace and security".
- ◆ Resolution adopted by vote (22 in favour: 1 against and 12 abstentions) - first Board resolution on Iran not adopted by consensus.
- ◆ South Africa, Russian Federation, China, Brazil and Mexico, plus some NAM countries, abstained on the resolution.
- ◆ India, Singapore, Ghana and a few other NAM members voted for the resolution.
- ◆ Venezuela voted against.
- ◆ Under Statute, a finding of "non-compliance" requires Board to report matter to the UN Security Council and General Assembly.
- ◆ Resolution decides to report Iran to UNSC - BUT makes no determination as to timing and content.
- ◆ Iran warns - referral to Security Council would result in suspension of voluntary measures.

IRANIAN AND RUSSIAN PROPOSALS

- ◆ General Debate of UNGA60 - Iranian President welcomes international participation in Iran's nuclear programme.
- ◆ Russian proposal: Iran and Russia to "jointly" enrich uranium in Russia to be utilised in Iran for peaceful purposes.
- ◆ Iran allowed to continue conversion activities - UF6 exported to Russia for enrichment - fuel provided for use in Iran.
- ◆ Proposal made to enable Iran to maintain its suspension of enrichment activities and to permit dialogue to be resumed between Iran and the EU3.
- ◆ US welcomes Russian initiative.
- ◆ EU, US and Russia warns that if Iran would resume its enrichment activities, a referral to the Security Council would be inevitable.

RECENT DEVELOPMENTS

- ◆ 10 January 2006 - Iran, in presence of IAEA inspectors, removes seals on some equipment and material that were sealed following Iran's voluntary suspension of enrichment-related activities.
- ◆ Iran also conveys to Agency - "[d]uring this R&D UF6 gas would be fed into these cascades for research purposes" and that, "[t]his R&D, which may include manufacturing of a limited number of new components, is currently planned only for P-1 centrifuges."
- ◆ EU expresses serious concern - regards this as breach of Paris Agreement and violation of Board resolutions.
- ◆ Western view - resumption of R&D activities - Iran would acquire vital expertise - crossing the "red line".
- ◆ IAEA Director General also expresses concern.
- ◆ EU Foreign Ministers on 12 January 2005 calls for emergency session of the Board.

EMERGENCY SESSION OF THE BOARD, 2-4 FEBRUARY 2006

- ◆ 4 February 2006 - Board adopts resolution by 27 in favour, 3 against (Cuba, Syria and Venezuela), and 5 abstentions (Algeria, Belarus, Indonesia, Libya, and South Africa).
- ◆ Resolution outlines steps that Iran needs to take to re-establish confidence
- ◆ Requests IAEA DG to report steps to UNSC plus all IAEA reports and resolutions on Iran.
- ◆ Requests DG to report on implementation of resolution to March Board and to convey that report with any resolution to the Security Council.
- ◆ Resolution makes no decision re "content and timing of the report", but requests DG to report to UNSC on steps Iran needs to take together with all IAEA reports and resolutions on Iran. Also decides that DG's report to March 2006 Board meeting should be sent to the UN Security Council.
- ◆ Draft resolution submitted by EU3 following agreement between P5 Foreign Ministers.
- ◆ South Africa: Absence of definitive assessment - Board cannot consider referring report to UNSC and GA.

REACTION BY IRAN TO THE 4 FEBRUARY 2006 IAEA BOARD OF GOVERNORS RESOLUTION

- ◆ 5 February 2006 - Iran notifies IAEA of decision to suspend all voluntary confidence-building measures.
- ◆ Iran undertakes to continue implementing Safeguards Agreement with the IAEA.
- ◆ Practical implication - substantial reduction in the number of Agency inspectors.
- ◆ Iran continues to provide co-operation beyond legal obligation.

LATEST REPORT BY THE IAEA DIRECTOR GENERAL AND MARCH 2006 SESSION OF THE BOARD OF GOVERNORS

- ◆ Latest report reconfirms that all declared nuclear material in Iran has been accounted for.
- ◆ Agency not as yet found evidence of diversion to nuclear weapons or other nuclear explosive devices.
- ◆ However, Agency not yet able to conclude that there are no undeclared nuclear materials or activities in Iran.
- ◆ March 2006 Session - Board discusses latest report, without any resolution on Iran being considered.
- ◆ Chair of the Board issues conclusion reflecting discussions - requests DG to submit latest report to the UN Security Council.

CONSULTATIONS BETWEEN MEMBERS OF THE UN SECURITY COUNCIL

- ◆ Week following March meeting - P5 informal consultations on possible text for UNSC Presidential statement.
- ◆ Differences between Russia and China and the rest of the P5 prevent agreement.
- ◆ Russia and China prefers statement noting IAEA reports.
- ◆ Other Permanent Members prefer strong statement calling on Iran to reinstate suspension of enrichment-related activities and to implement the Board resolutions.
- ◆ Presidential statement usually adopted by consensus.

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SOUTH AFRICAN POSITIONS (Continue)

- ◆ 24 September 2005 resolution, South Africa abstained - more needed time for dialogue and negotiation - all proposals aimed at reaching consensus rejected.
- ◆ 4 February 2006 resolution, South Africa also abstained:
 - ✦ Without definitive assessment, Board cannot consider referring report/s to UNSC & GA.
 - ✦ Impact of resolution on role, authority, impartiality and integrity of the IAEA.
 - ✦ Impact voluntary, non-legally binding confidence building measures.
 - ✦ Impact on NPT.

EVATION

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