

Board of Governors

GOV/OR.1230

Issued: July 2009

Restricted Distribution

Original: English

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Record of the 1230th Meeting

Held at Headquarters, Vienna, on Tuesday, 3 March 2009, at 3.15 p.m.

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¹ GOV/2009/16.

Attendance

(The list below gives the name of the senior member of each delegation who attended the meeting, as well as that of any other member whose statement is summarized in this record.)

Ms FEROUKHI	Chairperson (Algeria)
Mr SHOOGUFAN	Afghanistan
Mr THERECKA	Albania
Mr KHELIFI	Algeria
Mr CURIA	Argentina
Mr SHANNON	Australia
Mr VALLIM GUERREIRO	Brazil
Mr DIALLO	Burkina Faso
Ms GERVAIS-VIDRICAIRE	Canada
Mr TANG Guoqiang	China
Ms GOICOCHEA ESTENOZ	Cuba
Mr STACEY MORENO	Ecuador
Mr FAWZY	Egypt
Ms KAUPPI	Finland
Mr CARON	France
Mr LÜDEKING	Germany
Mr BAAH-DUODU	Ghana
Mr KUMAR	} India
Mr KAKODKAR	
Mr ALSHARIA	Iraq
Mr COGAN	Ireland
Mr AMANO	} Japan
Mr NAKANE	
Ms GREIČIUVIENĖ	Lithuania
Ms OSMAN	Malaysia
Mr FUENTES SANCHEZ	Mexico
Ms MACMILLAN	New Zealand
Ms LACANLALE	Philippines
Mr FERUTĂ	Romania
Mr BERDENNIKOV	Russian Federation
Mr AL-SAUD	Saudi Arabia
Mr MINTY	} South Africa
Mr GUMBI	
Mr ROSELLÓ SERRA	Spain
Mr STEINMANN	Switzerland
Ms DARAMA	Turkey
Mr SMITH	United Kingdom of Great Britain and Northern Ireland
Mr SCHULTE	United States of America

Attendance (continued)

Mr ELBARADEI	Director General
Mr BURKART	Deputy Director General, Department of Nuclear Sciences and Applications
Mr SOKOLOV	Deputy Director General, Department of Nuclear Energy
Mr ANING	Secretary of the Board

Representatives of the following Member States also attended the meeting:

Angola, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bolivia, Chile, Colombia, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Ethiopia, Greece, Holy See, Hungary, Indonesia, Islamic Republic of Iran, Israel, Italy, Kazakhstan, Republic of Korea, Kuwait, Kyrgyzstan, Latvia, Lebanon, Libyan Arab Jamahiriya, Malta, Morocco, Netherlands, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Poland, Portugal, Senegal, Serbia, Singapore, Slovakia, Slovenia, Sri Lanka, Sweden, Syrian Arab Republic, Thailand, The Former Yugoslav Republic of Macedonia, Tunisia, Ukraine, United Arab Emirates, Bolivarian Republic of Venezuela, Yemen and Zimbabwe.

Abbreviations used in this record:

DPRK	Democratic People's Republic of Korea
EFTA	European Free Trade Association
Euratom	European Atomic Energy Community
FAO	Food and Agriculture Organization of the United Nations
HEU	high-enriched uranium
ICTP	International Centre for Theoretical Physics (Trieste)
INPRO	International Project on Innovative Nuclear Reactors and Fuel Cycles
ITER	International Thermonuclear Experimental Reactor
LEU	low-enriched uranium
NAM	Non-Aligned Movement
NPT	Treaty on the Non-Proliferation of Nuclear Weapons
OECD/NEA	Nuclear Energy Agency of the Organisation for Economic Cooperation and Development
PACT	Programme of Action for Cancer Therapy
PHWR	pressurized heavy water reactor
R&D	research and development

Abbreviations used in this record (continued):

SIT	sterile insect technique
UNDP	United Nations Development Programme
WHO	World Health Organization
WMO	World Meteorological Organization

* Speakers under Rule 50 of the Provisional Rules of Procedure are indicated by an asterisk.

3. Strengthening the Agency's activities related to nuclear science, technology and applications: Nuclear Technology Review 2009 *(continued)*

(GOV/2009/3 and Corr.1, plus related documents available on GovAtom)

1. Mr KHELIFI (Algeria) said that the Nuclear Technology Review highlighted the Agency's role in nuclear knowledge and technology transfer and underlined the importance of power and non-power applications in helping to accelerate socio-economic development and achieve the Millennium Development Goals.
2. It confirmed the increasing demand for nuclear power in over 50 countries, including Algeria, but did not address how the global financial and economic crisis would affect Agency projections for the growing global energy demand and specifically the construction of new reactors and nuclear power plants.
3. Algeria welcomed the Agency's activities aimed at meeting the needs of developing countries that required assistance with the introduction of nuclear power and energy planning. It also encouraged the development of nuclear applications for seawater desalination, which were economically more attractive than using fossil fuels.
4. His country noted the proposal made at the most recent meeting of the International Fusion Research Council to give researchers from IAEA Member States that were not party to ITER access to the physics database, and the proposal to establish a fellowship scheme to train researchers from developing countries under projects related to the ITER initiative through the ICTP.
5. In view of the disruption in molybdenum-99 supplies, the Agency should take steps to overcome the difficulties encountered in the transport of that product, which was used in medicine.
6. Algeria strongly supported the role of the Agency in helping Member States to benefit fully from non-power applications in such areas as health, agriculture and industry. In that context, it welcomed the joint WHO/IAEA programme to improve cancer treatment and the planned partnership with the World Bank, UNDP and WMO to develop a model scientific approach for water resources assessment.
7. He reaffirmed his country's support for the Joint FAO/IAEA Division of Nuclear Techniques in Food and Agriculture and called on the Agency to implement General Conference resolutions GC(50)/RES/13, GC(51)/RES/14 and GC(52)/RES/12 and initiate R&D on the possible use of nuclear techniques as part of an integrated approach to combating locusts. It also strongly encouraged cooperation between the Agency and the FAO Commission for Controlling the Desert Locust in the Western Region, based in Algiers, and the office of the Emergency Prevention System for Transboundary Animal and Plant Pests and Diseases in Dakar.
8. Mr KUMAR (India) noted the Agency's high and low projections of nuclear power generating capacity up to 2030, the high projections suggesting that global nuclear power capacity would double by that time. In India, nuclear power currently accounted for only about 3% of the energy mix, but the Government aimed to increase that figure to 25% by 2050. That would be achieved by introducing PHWRs, fast breeder reactors and advanced light water reactors made domestically or imported. The

country's three-stage power programme would continue to be the cornerstone of its nuclear policy, the ultimate objective being to utilize the full potential of India's abundant thorium reserves.

9. The nuclear power programme in India was based on a closed fuel cycle to allow better use of precious nuclear fuel and other materials, and to reduce radioactive waste generation substantially. In that context, India believed that the Nuclear Technology Review should present the various fuel cycle options in a more balanced manner.

10. Developing countries' interest in nuclear power had increased, which was reflected in significantly more requests for nuclear power and fuel cycle projects. The worldwide nuclear revival required coordinated practical measures to expand global capacity in various areas of the nuclear industry. In particular, human resources needed to be increased to levels sufficient to service the requirements of a growing nuclear industry. India was ready to contribute to efforts in that area based on its experience in design, construction, operation and project management in all aspects of nuclear technology.

11. He noted the developments in advanced reactor designs and innovative nuclear energy systems and, in particular, the INPRO project which had completed an extended manual and was to publish a report on common user considerations by developing countries for future nuclear power plants. India welcomed the proposed increased Regular Budget allocation for INPRO in the 2010–2011 biennium.

12. Nuclear and related technologies had immense potential for improving productivity in food and agriculture, health and sanitation, and industrial testing. It was important to increase support for the Agency's programmes in all those areas because of the great contribution they could make to achieving the Millennium Development Goals. His country had comprehensive programmes for non-power applications of nuclear technology covering medicine, non-destructive testing, water resources, environmental assessment, agriculture and pest control.

13. Finally, the progress made in small and medium-sized reactor technology, nuclear desalination and in the thorium fuel cycle should also be covered in the document, since it would be read by a wide audience.

14. Mr SMITH (United Kingdom) highlighted one of the key issues noted in the report: the anticipated need for human resources. Without adequate numbers of persons with the right skills, the potential to harness nuclear technology would be severely limited. The situation was critical: in the United Kingdom alone, it was estimated that, over the coming 10 years, more than 10 000 recruits would be needed to replace losses of existing skills in the nuclear industry in its current state. For example, the majority of the country's nuclear safety inspectors would reach retirement age within seven years. The construction of new nuclear plants and the need to reskill existing workers would add considerably to the problem.

15. While the situation might vary from country to country, the conclusion was the same: more young people needed to be encouraged to acquire the skills to undertake and pursue a career in the nuclear sector, and workers currently in other fields needed to be retrained. The problem was not simply one of funding. The skilling of a new generation of nuclear industry professionals would take time. The United Kingdom was taking steps to address the shortages through, for example, a national nuclear skills academy, and it welcomed similar initiatives being taken by other countries and industry groups. The Agency had an important role to play in encouraging such initiatives and standard setting. Further discussion on the scope for encouraging mutual recognition of appropriate qualifications, which would allow greater flexibility, would also be welcome.

16. Although public acceptance of nuclear energy was greater in those countries that had or were planning nuclear energy programmes, public acceptance was fragile and an effective and safe nuclear

industry that would underpin it would depend on the quality, numbers and capability of the industry's workforce and of those who regulated it.

17. Mr DIALLO (Burkina Faso) said that his country supported the right of all States to have access to nuclear technology for civilian purposes. The Nuclear Technology Review showed that there was a growing number of countries interested in such technology, which should strengthen the Agency's role.

18. Burkina Faso was grateful to the Agency for the cooperation it received on projects in such different areas as human and animal health, agriculture, quarrying and mining, energy, and breastfeeding and infant nutrition. The scale of the needs of its population had convinced the Burkina Faso authorities of the relevance of nuclear technology in meeting those needs.

19. Mr POČUCH (Czech Republic)*, speaking on behalf of the European Union, said that, at present, the world seemed to be fully engaged in solving global economic and financial crises. Nevertheless, problems related to, for example, tracing water resources, human health and the environment had not gone away and nuclear technology and techniques could help to address them.

20. As radiation sources were crucial for certain techniques in medicine, industrial applications and agriculture, the European Union was concerned about the security of supply of radioisotopes. In 2008, a significant shortage of molybdenum-99 in Europe and other regions — owing to the concurrent unavailability of three out of five research reactors in the world — had caused delays to patient services in nuclear medicine centres. Long-term outages of important research reactor centres had a far-reaching impact on medical treatments and diagnoses for patients around the world, but no new research reactors that could specifically address that issue were likely to start up until at least 2014. As the Director General had indicated, there was therefore an urgent need to expand geographically well distributed research reactor irradiation capacity and increase the number of processing facilities for the production of molybdenum-99. Better coordination of and forward planning by all stakeholders was essential to avoid problems in future.

21. Nuclear applications and techniques in medicine were important for the European Union, but many of the world's regions were not able to benefit fully as yet from such techniques. PACT and technical cooperation projects related to that field had received large contributions from European Union member States in 2008.

22. As the number of research reactors was expected to halve by 2020, and in view of the impact that would have on medical research and applications, the European Union associated itself with the Director General's opinion that international cooperation and networking among research reactor operators should be strengthened in order to ensure broad access to and efficient use of reactor services.

23. The European Union noted with satisfaction that, as part of the Reduced Enrichment for Research and Test Reactors Programme implemented under the Global Threat Reduction Initiative, 62 research reactors operating with HEU had been shut down or converted to LEU fuel by the end of 2008. It also noted that another 39 reactors were to be converted using existing qualified LEU fuels and that advanced LEU fuels still needed to be developed and qualified for an additional 28 research reactors.

24. The SIT had helped some countries in the European Region to eradicate the Mediterranean fruit fly, one of the world's most destructive farm pests. The European Union appreciated the Agency's cooperation with the FAO in the agriculture field and the activities carried out by the Joint FAO/IAEA Division.

25. Concerns over energy security had led many countries to re-examine their energy policies. The European Union recognized the sovereign right of any country to choose its own energy mix and noted that new plans to build nuclear power reactors had been announced in 2008 and early 2009 in several regions, including Europe.

26. The European Union continued to seek to ensure that those countries that chose to develop nuclear power programmes did so responsibly and with the highest level of safety, security and non-proliferation. It was important to recognize and deal adequately with associated challenges, in particular those related to nuclear safety and security, adequate human resources and infrastructure, waste and spent fuel management. The European Union had provided extensive assistance and investment to help States meet those objectives, but it believed that the Agency, through its safety standards and its safeguards system, remained best placed to encourage and facilitate the responsible use of nuclear energy.

27. The fourth meeting of the European Nuclear Energy Forum would take place on 28 and 29 May 2009 in Prague.

28. The European Union supported research and development in nuclear technologies through the 7th Euratom Framework Programme. As nuclear fusion also seemed to be a promising future energy source, the European Union supported the pursuit of nuclear fusion technology by providing financial, human and technology resources, for example through a joint ITER project currently being conducted in France.

29. Mr STACEY MORENO (Ecuador) said that his country attached particular importance to the development and transfer of nuclear knowledge and technology for peaceful purposes, in particular in the areas of food and agriculture, human health, environmental protection and freshwater resources management. The Agency made a significant contribution to helping developing countries in those fields.

30. Ecuador noted with great interest the information provided on the use of nuclear technologies in livestock production and health, vaccine research, combating insect pests, food quality and safety, crop improvement and sustainable land management.

31. Ecuador stressed the need to maintain and strengthen the Joint FAO/IAEA Division to ensure that it continued its efforts to cooperate with Member States on such important issues as improvement of agricultural productivity, and food pest control to achieve better environmental protection.

32. His country welcomed the activities related to synergies between nuclear medicine imaging and the pharmaceutical industry. It also supported innovative approaches to developing new radiopharmaceuticals.

33. Mr KIM Sung-Hwan (Republic of Korea)* said that his country was particularly interested in the section of the Nuclear Technology Review on power applications and the Agency's continuous efforts to promote nuclear power.

34. He noted the upward revision of projections of future growth of nuclear power, with 10 nuclear power plant construction starts announced in 2008, including two in his country, despite the global credit crisis. A growing number of Member States were considering nuclear power programmes for the first time and, as demand increased, so too would the need for adequate infrastructure. While his country noted with pleasure the Agency's increased participation in related technical cooperation projects, it believed that the Agency should play an even greater role in capacity building. The Republic of Korea was willing to cooperate with the Agency and Member States to find ways to support projects in relevant areas, in view of its own experience in successfully operating a large nuclear programme.

35. The Republic of Korea was the fifth largest nuclear power producer in the world, with 20 nuclear power plants and 8 more planned to be in operation by 2016.

36. His Government had recently put forward a long-term energy policy that took a strategic approach to the post-fossil fuel era, focusing on expanding the nuclear power share of total electricity generation to 59% by 2030. It had also mapped out a long-term action plan to develop future nuclear power systems.

37. His country commended the Agency's work on INPRO and reaffirmed its active support for and participation in the project through the provision of a cost-free expert and research collaborator. Research facilities for test operations were essential when developing innovative research reactors. As such facilities required major investment, it would make economic sense to initiate international collaborative research projects and share facilities. To that end, the Republic of Korea had increased its efforts to find partners for joint international research. It had also recently completed the construction of a large-scale thermal hydraulic test facility.

38. Mr BURKART (Deputy Director General for Nuclear Sciences and Applications) said that all comments had been noted and would be taken into account when the final version of the report was prepared for the General Conference.

39. Several Member States had noted a continuing demand for capacity building in various fields of nuclear science and applications. A number of Member States had mentioned an interest in increased support for techniques to assist with sustainable crop production, SIT application and use of radiation and stable isotopes in animal health and production.

40. Many Member States had mentioned the importance of partnerships, some requesting further information on the extent of established collaboration, while many had highlighted the importance of the Joint FAO/IAEA Division's work in the food and agriculture area. He welcomed the fact that several Member States wished to see enhanced cooperation between the Agency and the FAO in future. Cooperation with the FAO would be stepped up to provide a sound basis for the joint 2010–2011 programme.

41. With regard to the new partnership between the Agency and WHO, the two organizations had complementary mandates on fighting cancer and the joint programme would provide a framework for developing the organizations' different areas of experience in order to combat cancer in low-income countries.

42. He acknowledged the support expressed for promoting the use of nuclear techniques and applications in human health, in particular advanced nuclear imaging techniques. Several Member States had also mentioned the growing link between such imaging and pharmaceutical development.

43. There had been a number of requests for the Agency to support and increase security of molybdenum-99 supplies. The Secretariat would assist with the stabilization of molybdenum-99 production capacity by working with existing facilities in Member States and identifying additional sources, as appropriate. Ongoing action should be enhanced to support the operational reliability of reactor facilities and disseminate technological information on the use of LEU targets for molybdenum-99 production. Government support was essential for national nuclear reactor centres and industry to guarantee the important diagnostic benefits to patients.

44. Many Member States highly valued PACT. Significant interest had also been expressed in technologies and applications related to the environment and water resources. The Agency's Marine Information System had been mentioned for its usefulness in assessing aspects of the marine environment and climate change. The increasing importance of isotopic techniques in the management of transboundary rivers and aquifers had also been recognized.

45. He thanked all Member States that had provided additional financial support for the Agency's efforts in support of nuclear science and applications for development and environmental protection. He was confident that the Nuclear Technology Review would make a key contribution to achieving the Agency's core objectives.

46. Mr SOKOLOV (Deputy Director General for Nuclear Energy) thanked Member States for their comments, which would be taken into account in preparing the final version of the Nuclear Technology Review.

47. With regard to the comments on molybdenum-99, the Agency would work with all stakeholders to review and help improve the assured availability of radioisotopes. The lead story in the latest newsletter from the Division of Nuclear Fuel Cycle and Waste Technology addressed that issue.

48. He had noted the broad support from delegations for the Agency's efforts to assist countries interested in starting nuclear power programmes or uranium mining. With regard to human resources development, education and training, he said that education and training were not the sole responsibility of the Agency; steps would be taken to work with other stakeholders to make improvements, including the joint recognition of diplomas.

49. Support had also been expressed with regard to the Agency's efforts to spread best practices, particularly for uranium mining, and for the Agency's integrated nuclear infrastructure review missions. Agency guidance documents had also been welcomed and several had emphasized that those documents did not and should not impose obligations. With regard to the establishment of nuclear power infrastructure, the Agency did not intend to develop documents that could be interpreted as obligatory, or that could lead to limitations on a State's capability to develop its own route to nuclear power or to limitations on the support provided by the Agency.

50. Several Governors had emphasized the importance of ensuring, in the Agency's planning for the future, that sufficient resources were made available to enable the Agency to respond to Member State requests in those areas. As planning for the programme and budget for 2010-2011 was nearing completion, he expressed the hope that the Secretariat and Member States would work hard together to craft a programme and budget that provided precisely that assurance.

51. The support for INPRO expressed by a number of Governors was greatly appreciated. The Agency was particularly grateful to the Russian Federation for its recent financial contribution covering five years of INPRO support. A number of Governors had also expressed interest in the report on common user considerations, which would be published shortly.

52. Turning to the comments made by the representative of India concerning the closed fuel cycle, he recalled that the Agency had responded to a number of points raised during the briefing and had also provided some information on the thorium cycle. In the documents related to the Nuclear Technology Review 2008, information had been provided on the development of advanced reprocessing technologies and on the status of fast breeder research and technology development. In 2007, information had been provided on the fuel cycle in general.

53. Regarding the suggestion by the representative of Brazil that a database on decommissioning projects be established similar to the Power Reactor Information System, he said that there was already some information on decommissioning in a separate section of the Power Reactor Information System and the Agency would review how it could most usefully be expanded. Furthermore, the International Decommissioning Network had been established in 2007 with the specific goal of sharing experience and technology transfer with respect to decommissioning. However, additional information on decommissioning would be useful and consideration would be given to that the following year.

54. The representative of Canada had urged that the Agency play a strong role in climate negotiations. Such support was welcome and the Agency looked forward to being active in the preparations for the 15th session of the Conference of the Parties to the United Nations Framework Convention on Climate Change which would take place in Copenhagen in December. At the preceding session held in Poznań in December 2008, the Agency had organized two side events with the Polish Nuclear Energy Agency and the OECD/NEA and had, for the first time, maintained an information booth throughout the conference. It had also released a special publication which provided current information on all aspects of nuclear power in the context of current climate change concerns and presented national perspectives from seven countries. Expectations were higher for Copenhagen and more would have to be done.

55. Lastly, he said that a Note Verbale would be sent out shortly inviting additional written comments prior to 1 May.

56. The CHAIRPERSON expressed disappointment that neither the Deputy Director General for Nuclear Sciences and Applications nor the Deputy Director General for Nuclear Energy had replied to more of the specific questions raised, such as the impact of the global financial crisis on the Agency's nuclear power projections.

57. Summing up the discussion, she said that the Board had expressed its appreciation for the Agency's efforts in strengthening its activities related to nuclear science, technology, nuclear power and non-power applications in a manner that promoted the Millennium Development Goals.

58. A number of suggestions had been made concerning additions and changes to the content and the future approach and orientation of the Nuclear Technology Review.

59. Several members had noted the current expansion of nuclear power as a way of addressing growing global energy needs. They had commended the Secretariat for its efforts in assisting interested Member States to analyse energy options and had noted positively the increase in approved technical cooperation projects on analysing energy options, uranium exploration and mining, and the introduction of nuclear power. Several members had welcomed the launching of a new service providing integrated advice to countries considering the introduction of nuclear power programmes.

60. Several members had expressed the view that harmonization and standardization of nuclear policies should not be perceived to require the introduction of uniform nuclear policies in every Member State planning to launch or expand its nuclear programme, since nuclear policies evolved to suit the social, legal and economic specificities of each Member State.

61. Several had emphasized that high priority should be given to the further development of safety-related activities.

62. Several members had emphasized the importance of the work carried out by the Agency in promoting and maintaining nuclear technology, including the Agency's efforts aimed at promoting nuclear knowledge management. Several members had requested the Agency to strengthen its efforts to increase public awareness of the viability and usefulness of nuclear technology.

63. Several members had emphasized the importance of human resources development through nuclear education and training and had requested the Secretariat to continue its efforts in that regard, particularly owing to the ageing of nuclear safety experts in countries with nuclear power programmes, as well as the increasing need for nuclear skills worldwide.

64. Several members had stressed the necessity of maintaining the Agency's leading role in promoting technology transfer and the development of nuclear technology related to all peaceful applications, including nuclear power and its fuel cycle.

65. Several members had welcomed the cooperative efforts of Member States, both developing and developed, under the aegis of the Agency, relating to the development of innovative approaches to nuclear power and had encouraged complementary initiatives between the Generation IV International Forum and INPRO. Several members had noted with interest the developments in the ITER project and had requested the Secretariat to keep them informed periodically of progress made.
66. Several members had noted with satisfaction the growing reliance on evolutionary reactor designs and had supported the Agency's activities in that area.
67. Several members had noted the worldwide developments related to research reactors and had encouraged increased regional cooperation and networking in that regard. Several members had noted with concern the shortage of supply of certain radioisotopes on the international market. Several members had requested the Secretariat to undertake a study on possible frameworks that could strengthen international cooperation and national capabilities to ensure the availability of radioisotopes vital for medical and industrial applications, including through the enhancement of the utilization of research reactors for isotope production.
68. Members had stressed the importance of the Agency's activities related to the protection of the marine and terrestrial environments, human health, food and agriculture, improving livestock productivity, diagnostic and therapeutic applications of nuclear medicine and the use of nuclear technology in sea water desalination and water resources management.
69. Several members had noted with appreciation the expanded use of the SIT and had requested the Agency to continue assisting Member States in combating devastating insects, such as the tsetse fly and mosquitoes. Some had also requested the use of nuclear methods to acquire a better understanding of, and to mitigate outbreaks of locusts.
70. Several members had emphasized that the Joint FAO/IAEA Division had been providing Member States with concrete and positive results in the fields of crop enhancement, pest control and food and environmental protection. They had called for the retention and strengthening of the current partnership and cooperation agreement between the IAEA and FAO.
71. Support had been expressed for the Agency's PACT programme and Member States had been invited to help ensure the programme had sufficient resources. Some members had welcomed the finalization of the WHO/IAEA joint programme on cancer control.
72. The Board had noted the responses of the Secretariat to some of the issues raised during the discussion, which were further elaborated in the summary records.
73. With those comments, she assumed that the Board took note of the draft Nuclear Technology Review 2009, contained in document GOV/2009/3, and the supporting documentation.
74. It was so decided.

4. Nuclear Verification

(a) The conclusion of safeguards agreements and of additional protocols (GOV/2009/11 and Corr.1, 12, 13 and 14)

75. The CHAIRPERSON said that the Board had before it a safeguards agreement and an additional protocol to be concluded with Djibouti, as set forth in documents GOV/2009/12 and 13. It also had

before it additional protocols to be concluded with India and the United Arab Emirates, as set forth in documents GOV/2009/11 and 14 respectively.

76. In approving the Model Additional Protocol in 1997, the Board had requested the Director General to conclude additional protocols with three categories of States, namely: States party to comprehensive safeguards agreements; nuclear-weapon States; and other States that were prepared to accept measures provided for in the Model Additional Protocol. The additional protocol to be concluded with India contained those measures provided for in the Model Additional Protocol that India had indicated it was prepared to accept in pursuance of safeguards effectiveness and efficiency objectives.

77. Ms GOICOCHEA ESTENOZ (Cuba), speaking on behalf of NAM, said that the full implementation of preambular paragraph (t) and operative paragraph 10, relating to protection of safeguards confidential information, and of operative paragraph 26, relating to the provision of objective technically and factually based reports to the Board and the General Conference on the implementation of safeguards, of General Conference resolution GC(52)/RES/13, on strengthening the effectiveness and improving the efficiency of the safeguards system and application of the Model Additional Protocol, was essential for enhancing mutual confidence among Member States and between Member States and the Secretariat. NAM took note of the decision of the Republic of Djibouti to conclude an NPT safeguards agreement as well as an additional protocol to that agreement. It also took note of the fact that the United Arab Emirates had decided to conclude an additional protocol to its safeguards agreement with the Agency, and that the Government of India had decided to conclude a protocol additional to its agreement with the Agency for the application of safeguards to civilian nuclear facilities.

78. Mr STEINMANN (Switzerland) welcomed the decision of the Government of India to sign a protocol additional to its agreement with the Agency for the application of safeguards to civilian nuclear facilities. Regrettably, document GOV/2009/11 had been made available rather later than was usual for such documents and Board Members had had limited time to consider it.

79. Mr SHOOGUFAN (Afghanistan) welcomed the conclusion by India of a protocol additional to its safeguards agreement and said his country supported the recommended action set forth in document GOV/2009/11.

80. Mr BAAH-DUODU (Ghana) welcomed the decision of the Republic of Djibouti to conclude a safeguards agreement and an additional protocol, as well as the decisions of India and the United Arab Emirates to conclude additional protocols, which would help to strengthen the Agency's safeguards regime.

81. Mr SCHULTE (United States of America) recalled that he had deposited the instrument of ratification for the United States' additional protocol on 6 January. The United States strongly supported the universal application of the additional protocol as an essential element of the Agency's verification regime. It served as an important confidence-building measure in providing assurances of the exclusively peaceful nature of nuclear activities. Accordingly, his country welcomed the steps taken by the Governments of Djibouti, India and the United Arab Emirates to conclude a protocol additional to their respective safeguards agreements. It hoped to work with the Agency and States with additional protocols in force to increase the momentum to ensure that a safeguards agreement, together with an additional protocol, became an established norm in the nuclear non-proliferation regime.

82. The United Arab Emirates was one of several States in the Middle East, including Bahrain, Jordan and Saudi Arabia, that had stated their intention to rely on the existing international market for nuclear fuel services as an alternative to the pursuit of enrichment and reprocessing. That approach,

which combined the pursuit of nuclear power with steps to demonstrate peaceful intent, was to be applauded.

83. Mr CARON (France) welcomed the entry into force, since the Board's preceding series of meetings, of the comprehensive safeguards agreements with Qatar and Saudi Arabia, which would help to promote the responsible development of nuclear energy in the Middle East and in the world as a whole. Universal application of the additional protocol remained an important objective for the Agency and the international non-proliferation regime, and France supported the conclusion by the Agency of a comprehensive safeguards agreement and an additional protocol with the Republic of Djibouti, and of additional protocols with India and the United Arab Emirates.

84. Mr COGAN (Ireland), said that, though his country supported the conclusion by the Agency of a comprehensive safeguards agreement and additional protocol with the Republic of Djibouti, and of additional protocols with India and the United Arab Emirates, it agreed that the time given to Board members to examine the documents concerning the conclusion of an additional protocol with India had been limited. That was not the first time that documents concerning an important proposal had been submitted to the Board at short notice and he trusted that such practice would be avoided in the future.

85. Mr ALSHARIA (Iraq) said that the conclusion by India of an additional protocol should help promote good relations between India and the international community.

86. Mr GUMBI (South Africa) welcomed the conclusion of a comprehensive safeguards agreement and additional protocol by the Republic of Djibouti, which would help to advance security and confidence-building measures on the African continent. South Africa maintained its principled position concerning the universality of the NPT and the obligation of State Parties to conclude agreements as required under that Treaty. It was therefore concerned that some 30 non-nuclear-weapon States did not yet have comprehensive safeguards agreements in force, as required by Article III of the NPT. At the same time, countries with access to advanced nuclear technologies bore a greater responsibility to provide assurances and build confidence in the peaceful nature of their programmes and the additional protocol played an indispensable role in that regard. South Africa therefore also welcomed the conclusion of additional protocols by India and the United Arab Emirates.

87. Mr KAKODKAR (India) said that, when the Board had approved India's safeguards agreement in August 2008, which had been signed in February 2009, it had been indicated that India and the Agency had already embarked on discussions on a protocol additional to that agreement. Following the successful conclusion of the discussions with the Secretariat, the finalized text of the additional protocol was now before the Board for approval. It had been drawn up in negotiations conducted pursuant to the request made by the Board, in approving the text of the Model Additional Protocol, that the Director General negotiate additional protocols with other States that were prepared to accept measures provided for in the Model Additional Protocol in pursuance of safeguards effectiveness and efficiency objectives. The additional protocol therefore drew on elements of the Model Additional Protocol, bearing in mind India's particular circumstances. It should be seen in the light of India's exercise of its sovereign right to cooperate with the Agency in the further development of the peaceful uses of nuclear energy. The expeditious finalization of the text attested to India's determination to engage actively with the Agency in implementing the civil nuclear initiative, and in promoting the expansion of the peaceful uses of nuclear energy for national development.

88. Document GOV/2009/11 provided further information on specific aspects of the additional protocol. With regard to the last sentence of Article 1.a., the Secretariat had provided the clarification that it referred to the articles on designation of Agency inspectors and visas. The Secretariat had also

confirmed that the provisions contained in the safeguards agreement on cooperation, interpretation and application of the safeguards agreement, and settlement of disputes would apply to the additional protocol.

89. For a country whose population accounted for one sixth of humankind, energy security was a national priority. If the goal of abolishing mass poverty by 2020 was to be achieved, a growth rate of 8–10% had to be maintained. As an environmentally clean and sustainable energy source, nuclear power was indispensable to meet India's energy needs. It was also capable of addressing common global concerns related to the problems of climate change.

90. India's nuclear programme was based on robust and self-reliant R&D and had mastered all aspects of the nuclear fuel cycle. His country had built vibrant programmes on PHWRs, fast reactors, thorium reactors and related fuel cycle technologies as part of its three-stage nuclear programme. Based on the progress achieved thus far, India was confident of meeting important milestones, including the launch of the 500 MW(e) fast breeder reactor for commercial operations in 2011.

91. India was aiming to achieve a fifteen-fold expansion of nuclear power over the coming two decades. International cooperation in the peaceful uses of nuclear technology would be of valuable assistance to national efforts. In collaboration with various countries, his country was making considerable progress in operationalizing the civil nuclear initiative through the conclusion of various cooperation agreements.

92. As the global nuclear renaissance unfolded, India's integration into and cooperation with the international nuclear community would be indispensable in order to realize the shared vision of using nuclear power as a clean and secure energy source, and as a pathway for India to make its own contribution to the growth of nuclear power. Partnership between India and the international community was of crucial importance in promoting energy security, sustainable development and effective non-proliferation. His country was committed to ensuring that its national export controls remained consistent with the best international standards. Its commitment to global non-discriminatory nuclear disarmament remained firm.

93. The finalization of the additional protocol constituted a significant milestone in the longstanding cooperation between India and the Agency and brought to a culmination the steps envisaged in the civil nuclear initiative. The actions of India, a country that had voluntarily accepted safeguards on its civilian nuclear facilities and that was now prepared to accept an additional protocol, were of considerable significance for the Agency's safeguards system.

94. His country greatly appreciated the Board's support and thanked the Agency's negotiating team for its dedicated efforts to ensure the early finalization of the text of the additional protocol. It looked forward to cooperating with the Agency to facilitate implementation of the safeguards agreement and additional protocol. Lastly, he commended the Director General for his outstanding leadership and for his steadfast commitment to expanding the Agency's cooperative relations with India.

95. Mr ALKAABI (United Arab Emirates)*, welcoming the Director General's call to Member States to intensify their non-proliferation efforts by acceding to relevant international instruments, said that the decision by his Government to conclude an additional protocol to its safeguards agreement with the Agency stemmed from its commitment to maintain the highest standards of non-proliferation and complete transparency in any future peaceful nuclear energy programme in the country. Those commitments had been highlighted in the Government's policy paper published in April 2008. The political commitment of the United Arab Emirates to the peaceful use of nuclear energy was a long-standing position, as demonstrated by the country's accession to the NPT in 1995 and its ratification of a safeguards agreement with the Agency in 2003.

96. His Government was taking further tangible steps to support the non-proliferation efforts of the international community, including the development of an innovative model for evaluating and potentially adopting peaceful nuclear energy. Such efforts should help reduce global non-proliferation concerns by demonstrating that nuclear energy could be adopted in a manner that was highly transparent, safe, secure and peaceful by design. The decision to conclude an additional protocol was an important component of the country's approach and fully aligned with its commitment to support a universal and effective safeguards regime.

97. Mr AL-FASSAM (Kuwait)* welcomed the conclusion of an additional protocol by the United Arab Emirates. Additional protocols were an important means of reinforcing safeguards, particularly with a view to establishing a non-nuclear Middle East. He urged all States that had not already done so to conclude additional protocols as soon as possible.

98. The CHAIRPERSON took it that the Board wished to take the actions recommended in documents GOV/2009/12 and 13 and authorize the Director General to conclude with the Government of Djibouti and subsequently implement the safeguards agreement and the additional protocol that were the subjects of those documents.

99. It was so decided.

100. She further took it that the Board wished to take the action recommended in document GOV/2009/11 and authorize the Director General to conclude with the Government of India and subsequently implement the additional protocol that was subject of that document.

101. It was so decided.

102. She also took it that the Board wished to take the action recommended in document GOV/2009/14 and authorize the Director General to conclude with the Government of the United Arab Emirates and subsequently implement the additional protocol that was subject of that document.

103. It was so decided.

104. The DIRECTOR GENERAL said he fully shared the concerns of Cuba and others with regard to confidentiality of information. The Agency was striving with all the resources available to it to combat ever changing and highly sophisticated attempts to penetrate its information systems. In addition, strict measures were taken against any staff found to be leaking information. Deliberate misinformation and media hype also posed challenges. The Secretariat did its utmost to ensure that confidential information remained confidential. In the end, however, the Agency was only committed to information contained in its official reports. Anything else should be ignored.

105. With regard to verification reports, the Secretariat always strove to distinguish between legal obligations and transparency measures. Recently, it had found itself charged with legal obligations stemming from resolutions of the United Nations Security Council in addition to safeguards agreements.

106. With regard to the timing of submission of draft safeguards agreements and additional protocols, he pointed out that such documents were submitted once agreement had been reached with the relevant party. The Board was at liberty to postpone consideration of such documents until a later date if it so desired, although he stressed that safeguards agreements and additional protocols were all based on standard models.

(b) Report by the Director General on the application of safeguards in the Democratic People's Republic of Korea

107. The CHAIRPERSON recalled the description of the current situation with regard to the status of the Agency's safeguards activities in the DPRK given by the Director General in his introductory statement.

108. Mr TANG Guoqiang (China) commended the Agency and the Director General for their contribution to promoting the denuclearization of the Korean Peninsula and expressed support for the continued positive role of Agency in that regard, in accordance with its mandate. The DPRK nuclear issue was vital to the peace and stability of the Korean Peninsula and north-east Asia. China had always advocated a peaceful solution to the issue through dialogue. The six-party talks and denuclearization process were continuing to progress and were contributing in a positive manner to easing the situation, enhancing mutual trust among the parties and ensuring peace and stability in north-east Asia. It was in the interests of all parties to keep the talks moving forward in order to achieve the targets set in the Joint Statement of September 2005, in line with the expectations of the international community.

109. The six-party talks were at a critical juncture. Consolidating the results achieved and maintaining momentum was crucial. All sides should exercise restraint and patience and make joint efforts to push forward both the talks and the denuclearization process. As chair of the six-party talks, China would work with other parties to complete the second-phase actions without delay and make new headway in the talks, and would play a constructive role in efforts to denuclearize the Korean Peninsula and achieve long-term peace and stability in the region.

110. Mr POČUCH (Czech Republic)*, speaking on behalf of the European Union, the candidate countries Turkey, Croatia and the Former Yugoslav Republic of Macedonia, the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro and Serbia, and the EFTA countries Iceland, Liechtenstein and Norway, members of the European Economic Area, as well as Ukraine, the Republic of Moldova, Armenia, Azerbaijan and Georgia, said that the European Union attached great importance to the denuclearization of the Korean Peninsula and fully supported the efforts of the six parties aimed at the complete, irreversible and verifiable disablement and dismantlement of all nuclear weapons and existing nuclear programmes in the DPRK.

111. He underlined the necessity for the DPRK to fulfil its obligations under the NPT and implement a comprehensive safeguards agreement in full cooperation with the Agency. The European Union was deeply concerned by the ballistic missile and nuclear activities of DPRK, as well as its proliferation activities in the ballistic missile and nuclear fields, and it called on the DPRK to abide by United Nations Security Council resolutions 1695 (2006) and 1718 (2006) and refrain from any further related activities. The European Union was of the view that the disablement and dismantlement of the nuclear weapons programme and related installations in the DPRK, the implementation of relevant Security Council resolutions and the abandonment of nuclear and ballistic weapon activities and proliferation activities in those fields were mandatory and constituted indispensable steps towards maintaining stability and peace in the region.

112. Welcoming the presence of Agency inspectors and containment and surveillance equipment at relevant sites in the DPRK, and the Agency's monitoring work to date, he nevertheless pointed out that the Agency's current activities were carried out on an ad hoc basis and expressed the hope that a legal framework based on a safeguards agreement with the Agency would be implemented soon. The Agency had a central role to play in verifying the DPRK's nuclear programme, including its past activities. The prerequisite for such verification remained the submission of a complete and correct

declaration of nuclear material and facilities by the DPRK and he urged that country to provide such a declaration to the Agency promptly, through the six-party talks, and allow for its verification.

113. Mr NAKANE (Japan) expressed appreciation for the Agency's continuing monitoring and verification of the shutdown of the Yongbyon nuclear facilities and its significant contribution to the process of implementing agreements reached through the six-party talks.

114. In order to achieve the objective of the talks, namely the denuclearization of the Korean Peninsula, it was extremely important that a robust framework for verification be established among the six parties. Disappointingly, however, the meeting of heads of delegations to the six-party talks held in December 2008 had failed to reach agreement on such matters, including the role of the Agency in the verification process. Above all, the DPRK should fully implement its commitments. Further work through the six-party talks was needed in order to realize the complete implementation of the second-phase actions and the abandonment of all nuclear weapons and existing nuclear programmes, as agreed in the Joint Statement of September 2005. Japan would continue to work together with other partners in the talks towards the full implementation of the Joint Statement.

115. It was also important for the DPRK to comply fully with United Nations Security Council resolution 1718 (2006), acting strictly in accordance with its obligations under the NPT and the terms and conditions of its safeguards agreement with the Agency. Equally, the DPRK should undertake transparency measures, including access to individuals, documentation, equipment and facilities, as might be required and deemed necessary by the Agency.

116. The Agency should play an essential role in the process of nuclear abandonment by the DPRK, including the ongoing monitoring and verification of the Yongbyon nuclear facilities. It also had a potential role to play in relation to the declaration. Japan had been contributing to the Agency's activities and would continue to support them actively, working closely with other partners so that the Agency could play its important role fully by making the utmost use of its knowledge and experience.

117. Mr SCHULTE (United States of America) recalled a recent statement by the new Secretary of State to the effect that the most acute challenge to stability and security in north-east Asia came from the DPRK and its nuclear programme. The Secretary had reaffirmed the commitment of the new United States Administration to working, through the six-party talks, to achieve the verifiable denuclearization of the Korean Peninsula in a peaceful manner, and had recalled the commitment made by the DPRK, in the Joint Statement of September 2005, to abandon all its nuclear weapons and return at an early date to the NPT. The DPRK had also committed itself to return to Agency safeguards. The special representative and special envoy on the issue appointed by the new United States Administration were travelling to the region that week to consult with the United States' allies in the six-party talks process on the problem of the DPRK's nuclear and missile threats to the region.

118. President Obama had called for a strengthening of international institutions dedicated to finding common solutions to shared problems. In that connection, the Agency should play an important role in the DPRK's denuclearization, including in the verification of the DPRK's initial declaration and in future dismantlement activities. Such a role for the Agency was in the best interest of all parties, including the DPRK. He looked forward to further cooperation with the Agency in moving toward the goal of a denuclearized Korean Peninsula.

119. The United States appreciated and commended the Agency's ongoing work to implement the ad hoc monitoring and verification arrangement in the DPRK related to the shutdown and sealing of the five nuclear installations at Yongbyon and Taechon. Teams led by the United States maintained constant coordination with Agency personnel working on the ground, which would serve as a model for the deeper cooperation sought. Progress continued to be made in disabling the three primary nuclear facilities at Yongbyon: 8 out of 11 agreed disablement actions at the three facilities had been

completed, including the removal of more than 6200 (or about 75%) of the approximately 8000 fuel rods from the 5 MW reactor. The United States urged the DPRK to complete the remaining disablement activities expeditiously in order to advance the denuclearization process and move toward full implementation of the Joint Statement.

120. His country continued to seek a six-party agreement on verification. In early October 2008, United States officials and their DPRK counterparts had conducted negotiations in Pyongyang and had reached agreement on measures to begin verification of the DPRK's nuclear programmes. The DPRK had submitted an initial declaration of its programmes to the Chinese Government on 26 June 2008. The declaration package included information about the DPRK's plutonium programme, which had produced fissile material for its nuclear weapons, and took note of United States concerns regarding the DPRK's proliferation and any uranium enrichment activities. Based on the October discussions, negotiators from the United States and the DPRK had reached agreement on a number of important verification measures. All of those measures were consistent with the statement issued on 12 July 2008 by China as chair of the six-party talks.

121. The six parties had sought to reach agreement on a verification text during the heads of delegation meeting in December 2008, but the DPRK had refused to formalize any verification protocol in a six-party text. The United States remained committed to achieving six-party agreement on verification and planned to work closely with its partners in the six-party process to wrap up the second-phase activities, including disablement, in order to move quickly into the third phase, during which the DPRK would verifiably abandon its nuclear weapons and existing nuclear programmes.

122. The verifiable denuclearization of the DPRK and the fulfilment of all the country's other commitments relating to the Joint Statement would make possible the realization of the full range of benefits envisioned in the Joint Statement. If the DPRK was genuinely prepared to eliminate completely and verifiably its nuclear weapons programme, the United States Administration would be willing to normalize bilateral relations, replace the Peninsula's longstanding armistice agreement with a permanent peace treaty, and assist in meeting the energy and other economic and humanitarian needs of the Korean people.

123. Finally, United Nations Security Council resolution 1718 (2006) remained in effect and all Member States should continue to abide by its requirements. The DPRK should avoid any provocative actions that might aggravate tensions in the region and undermine progress in the six-party talks process. The role of the Agency, and the full cooperation of the DPRK with the Agency, would be important in moving forward. Further close collaboration was expected in working toward the DPRK's verifiable abandonment of all nuclear weapons and existing nuclear programmes.

124. Ms GERVAIS-VIDRICAIRE (Canada) said her country supported a peaceful solution to the DPRK nuclear issue and looked forward to further progress in the six-party talks. She welcomed the completion of the initial actions agreed upon in February 2007 for the implementation of the Joint Statement, and the October 2007 agreement on second-phase actions and the steps taken towards their implementation, including the work on disablement at Yongbyon. It was reassuring that progress in that regard continued and she looked forward to timely completion of that work. She also welcomed further efforts through the six-party talks process to finalize and adopt a verification protocol in the near future. Canada strongly believed that it was essential for the Agency to play a key role in the verification process.

125. Her country looked forward to the complete and timely fulfilment of all commitments made in the Joint Statement, as well as all obligations set out in United Nations Security Council resolution 1718 (2006), adopted following the DPRK's nuclear test. Canada continued to take into account the

DPRK's progress towards meeting its commitments when considering the scope and nature of its engagement with that country.

126. Mr BERDENNIKOV (Russian Federation), noting the Agency's ongoing efforts to monitor and verify the DPRK's nuclear facilities, reaffirmed his country's commitment to the obligations assumed by the parties to the six-party talks in the Joint Statement of 19 September 2005 and the statements of 13 February and 4 October 2007. He underlined the need for all parties to fulfil their commitments and expressed the hope that the work to disable the Yongbyon nuclear facility would soon be complete. The experience and expertise of the Agency would be valuable in monitoring the DPRK's activities. It was also important for the DPRK to return to the NPT and Agency safeguards. Russia remained committed to working towards the denuclearization of the Korean Peninsula through negotiations.

127. Mr SHANNON (Australia) commended the role of the Agency inspectors engaged in monitoring the shutdown, sealing and disablement of the Yongbyon nuclear facilities but expressed concern at the slow pace of the disablement, and disappointment that the six-party talks held in December 2008 had ended without reaching agreement on a verification protocol. He urged the DPRK to work cooperatively with its six-party partners, and with the Agency, to complete expeditiously the disablement of its Yongbyon nuclear facilities and to establish and implement a verification mechanism.

128. Australia was committed to supporting the six-party talks and to working closely with the parties and the Agency towards a lasting resolution of the DPRK nuclear issue. It was in the DPRK's interests to work constructively to make progress towards denuclearization. His country urged the DPRK to resume all its NPT obligations, including application of its comprehensive safeguards agreement with the Agency.

129. Ms LACANLALE (Philippines) expressed support for the Agency's work in monitoring and verifying the disablement of the Yongbyon nuclear facilities and its central role in the verification process. Her country had consistently advocated a peaceful and just solution to the denuclearization of the Korean Peninsula she highlighted the critical role of the six-party talks in attaining that end. The Philippines looked forward to receiving updates on positive developments in that process and hoped that conditions could soon be created for the DPRK to return to the NPT and for its nuclear installations to be placed under Agency safeguards once more.

130. Ms MACMILLAN (New Zealand) echoed the concerns expressed at the lack of progress, particularly after some promising signs in 2008. New Zealand was eager to see the reinvigoration of the six-party talks. In order to build momentum for the next phase of the talks, it encouraged all parties to reach agreement swiftly on a comprehensive and robust verification protocol. The Agency should play a central role in the verification process and in efforts to achieve the ultimate goal of the denuclearization of the DPRK. Her country looked forward to the DPRK returning to full compliance with its international obligations and to its early return to Agency safeguards and the NPT.

131. Mr KIM Sung-Hwan (Republic of Korea)* expressed full support for the Agency's ongoing monitoring and verification work in the DPRK since July 2007 as part of the implementation of the ad hoc arrangement. The six-party talks had made progress toward denuclearizing the DPRK since the adoption of the Joint Statement of September 2005. His country firmly believed that the multilateral approach could continue to be an effective tool in resolving the issue. To sustain the momentum of the denuclearization process, it was crucial that the parties involved exert strenuous and coordinated efforts to complete the disablement process and embark on the next phase, nuclear dismantlement, at an early date.

132. Since the Board's preceding series of meetings, verification had remained the most important issue in the six-party talks process. At the heads of delegation meeting held in December 2008, the

parties had failed to reach agreement on a verification protocol, which was essential to confirm the completeness and correctness of the DPRK's declaration. He urged DPRK to come to an agreement promptly on such a protocol.

133. The DPRK's recent provocative statements against the Republic of Korea, and the reported preparations for a ballistic missile launch, had given rise to grave concern. It was imperative that the DPRK not take any actions which could hamper the six-party talks process or undermine peace and stability in north-east Asia. He called on the DPRK to comply with United Nations Security Council resolutions 1695 (2006) and 1718 (2006), which stipulated that the DPRK should suspend all activities related to its ballistic missile programme.

134. The Republic of Korea would continue to work closely with all parties concerned with a view to an early resolution of the DPRK nuclear issue and it looked forward to the international community's continued support in the process of denuclearizing the DPRK. It hoped that the Agency would continue to play a valuable role in the verification process, and in the implementation of agreements reached in the six-party talks.

135. The CHAIRPERSON, summing up the discussion, said that the Board had expressed its support for the progress made and the steps taken by the parties to the six-party talks to implement the initial actions for the implementation of the six-party Joint Statement. The Board had looked forward to the successful implementation of the second phase in accordance with the Joint Statement.

136. Several members had underlined the importance of swift and full implementation of the commitments contained in the Joint Statement, leading to the full disablement and dismantlement of the nuclear weapons programme of the DPRK, and the DPRK's provision of a complete and correct declaration of all its nuclear programmes.

137. The Board had welcomed the fact that the Agency had continued to implement the ad hoc monitoring and verification arrangement agreed upon in June 2007. The Board had emphasized the indispensable role of the Agency in verifying future steps in the process, including verifying the correctness and completeness of the DPRK's declarations concerning its nuclear programmes. Several members had called for increased involvement of the Agency in the disablement and dismantlement activities in the DPRK.

138. The Board had expressed the view that a successfully negotiated settlement of that longstanding issue, maintaining the essential verification and monitoring role of the Agency in all stages of the process, would be important for international peace and security.

139. The Board had emphasized the importance of continued dialogue to achieving a peaceful and comprehensive resolution of the DPRK nuclear issue and early denuclearization of the Korean Peninsula. Support had been expressed for the common goal and political will of the parties to the six-party talks and the importance of promoting mutual trust and accommodation among the parties concerned.

140. The Board had expressed its appreciation for the key role of China in the process and as chair of the six-party talks.

141. The Board had requested the Director General to keep it informed as appropriate.

142. She asked whether her summing-up was acceptable.

143. The Chairperson's summing-up was accepted.

(c) Implementation of the NPT safeguards agreement and relevant provisions of Security Council resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1835 (2008) in the Islamic Republic of Iran
(GOV/2009/8)

144. Ms GOICOCHEA ESTENOZ (Cuba), speaking on behalf of the Vienna Chapter of NAM, said that NAM's position of principle regarding the issue in question was reflected in the following statement adopted at the Ministerial Meeting of the Non-Aligned Movement, held in Tehran from 27 to 30 July 2008:

“The Ministers reiterated their principled positions on nuclear disarmament and non-proliferation reflected in the Final Document of the Ministerial Meeting of the Coordinating Bureau of the Non-Aligned Movement, held in Putrajaya, Malaysia, 27–30 May 2006 and the 14th Summit Conference of Heads of State or Government of the Non-Aligned Movement held in Havana, Cuba, 11–16 September 2006. The Ministers also reiterated the Movement's principled position on the Islamic Republic of Iran's nuclear issue as reflected in the NAM Ministerial Statement adopted in Putrajaya on 30 May 2006 and NAM Heads of State or Government Statement adopted in Havana on 16 September 2006. They considered the positive developments in the implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran as reflected in the reports of the Director General of the International Atomic Energy Agency (IAEA).

“The Ministers reaffirmed the basic and inalienable right of all states to develop research, production and use of atomic energy for peaceful purposes, without any discrimination and in conformity with their respective legal obligations. Therefore, nothing should be interpreted in a way as inhibiting or restricting the right of states to develop atomic energy for peaceful purposes. They furthermore reaffirmed that States' choices and decisions, including those of the Islamic Republic of Iran, in the field of peaceful uses of nuclear technology and its fuel cycle policies must be respected.

“The Ministers recognized the IAEA as the sole competent authority for verification of the respective safeguards obligations of Member States and stressed that there should be no undue pressure or interference in the Agency's activities, especially its verification process, which would jeopardize the efficiency and credibility of the Agency.

“The Ministers welcomed the continuing cooperation being extended by the Islamic Republic of Iran to the IAEA including those voluntary CBMs undertaken with a view to resolving all remaining issues, including those as reflected in the latest report of the Director General of the IAEA on 26 May 2008. They welcomed the fact that the IAEA has been able to verify the non-diversion of declared nuclear material in Iran as reflected in the Agency's reports since November 2003 and further noted the assessment of the IAEA Director General in Safeguard Implementation Report (SIR) 2006 that all nuclear material declared by Iran had been accounted for and remains in peaceful activities. They noted at the same time, that the process for drawing a conclusion with regard to the absence of undeclared material and activities in Iran is an ongoing and time consuming process. In this regard, the Ministers further welcomed the modality agreement reached between the Islamic Republic of Iran and the IAEA on 21 August 2007 leading to the resolution of the six outstanding issues as a significant step forward towards promoting confidence and a peaceful resolution of the issue. The Ministers took note of the Document INFCIRC/711 in which the Agency and Iran agreed that after the implementation of the Work Plan and the agreed modalities for resolving the outstanding issues, the implementation of safeguards in Iran will be conducted in a routine manner.

“The Ministers emphasized the fundamental distinction between the legal obligations of states to their respective safeguards agreements and any confidence building measures voluntarily undertaken to resolve difficult issues, and believed that such voluntary undertakings are not legal safeguards obligations.

“The Ministers considered the establishment of nuclear-weapons-free-zones (NWFZs) as a positive step towards attaining the objective of global nuclear disarmament and reiterated the support for the establishment in the Middle East of a nuclear weapons free zone in accordance with relevant General Assembly and Security Council resolutions. Pending the establishment of such a zone, they demanded Israel to accede unconditionally to the NPT without delay and place promptly all its nuclear facilities under comprehensive IAEA safeguards in accordance with Security Council Resolution 487 (1981).

“The Ministers reaffirmed the inviolability of peaceful nuclear activities and that any attack or threat of attack against peaceful nuclear facilities — operational or under construction — poses a great danger to human beings and the environment, and constitutes a grave violation of international law, principles and purposes of the Charter of the United Nations and regulations of the IAEA. They recognized the need for a comprehensive multilaterally negotiated instrument prohibiting attacks, or threat of attacks on nuclear facilities devoted to peaceful uses of nuclear energy.

“The Ministers strongly believed that all safeguards and verification issues, including those of Iran, should be resolved within the IAEA framework, and be based on technical and legal grounds. They further emphasized that the Agency should continue its work to resolve the Iranian nuclear issue within its mandate under the Statute of the IAEA.

“The Ministers stressed that diplomacy and dialogue through peaceful means must continue to find a comprehensive and long term solution to the Iranian nuclear issue. They expressed their conviction that the only way to resolve the issue is to pursue substantive negotiations without any preconditions among all relevant parties. In this regard, the Ministers welcomed Iran’s willingness to commence negotiations on various regional and global issues, including nuclear issues with NAM member States, particularly those of the region. The Ministers further welcomed the talks between Iran and the six countries held in Geneva in July 2008.”

145. In his latest report, the Director General had once again stated that the Agency had been able to continue to verify the non-diversion of declared nuclear material in Iran. The Agency had also not found indications of ongoing reprocessing activities at those facilities which were being monitored by the Agency in Iran. Furthermore, the nuclear material at the Fuel Enrichment Plant and at the Pilot Fuel Enrichment Plant remained under Agency containment and surveillance and the fuel assemblies imported from the Russian Federation for use at the Bushehr nuclear power plant remained under Agency seals. The report also indicated that the Fuel Enrichment Plant and the Pilot Fuel Enrichment Plant had been operating as declared.

146. NAM noted with satisfaction that, since March 2007, 21 unannounced inspections had been conducted at the Fuel Enrichment Plant, reflecting the degree of cooperation extended by Iran, and the fact that there had been no impediments to conducting those inspections. It also took note that the Agency had finalized its assessment of the results of the physical inventory verification carried out at the Fuel Enrichment Plant from 24 to 26 November 2008 and had concluded that the physical inventory as declared by Iran was consistent with the results of the physical inventory verification.

147. NAM fully supported the request by the Director General that those Member States that had provided the Secretariat with information related to the alleged studies should agree to the Agency providing copies to Iran. It expressed concern at the creation of obstacles in that regard which hindered the Agency's verification process.

148. Given the recent developments and the previous reports of the Director General on the implementation of the work plan, NAM looked forward to safeguards implementation in Iran being conducted in a routine manner. It reiterated its principled position that diplomacy and dialogue were the only way to achieve a long-term solution of the Iranian nuclear issue and it encouraged all Member States to contribute positively to that effect. It also expected all parties concerned to avoid undue pressure which put at risk the ongoing constructive process.

149. Mr POČUCH (Czech Republic)*, speaking on behalf of the European Union, the candidate countries Croatia and the Former Yugoslav Republic of Macedonia, the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, and Montenegro, the EFTA countries Iceland, Liechtenstein and Norway, members of the European Economic Area, as well as Ukraine, the Republic of Moldova and Georgia, said that the situation with regard to the Iranian nuclear issue had worsened since the Board's preceding series of meetings. The European Union was deeply disappointed that Iran continued to refuse to cooperate fully with the Agency and failed to comply with the requirements of relevant United Nations Security Council resolutions. It noted with concern that Iran continued to disregard requests by the Board and demands by the Security Council that it suspend its enrichment and heavy water activities, including construction of the IR-40 reactor, and that it permit the Agency to verify the suspension. Instead the Director General's report indicated that Iran had been working further on increasing its enrichment capacities and had continued construction of the IR-40 reactor, for which it had also begun to manufacture fuel. It was alarming that the number of centrifuges had continued to increase and that Iran now possessed an estimated 1010 kg of low-enriched UF₆, which had no obvious civilian application, given that fuel for the only nuclear power plant under construction in Iran was to be assured by the Russian Federation.

150. No progress had been made with regard to Iran's decision not to implement the modified Code 3.1 of its Subsidiary Arrangements General Part on the early provision of design information. The European Union was deeply concerned that Iran continued to refuse to permit the Agency to carry out verification of design information at the IR-40 reactor and had not allowed inspectors to visit it since August 2008, which the European Union viewed as being inconsistent with Iran's obligations under its safeguards agreement. The European Union supported the Agency's request that Iran grant access to Agency inspectors for design information verification at the IR-40 reactor site and that it resume implementation of the modified Code 3.1. It also noted that Iran had still not responded to the Agency's request of December 2007 to provide preliminary design information on the power plant to be built at Darkhovin.

151. The European Union deeply regretted the continued lack of cooperation by Iran in connection with the possible military dimensions of its nuclear programme and urged Iran to provide all requested information and access to relevant documentation, locations and individuals in order to enable the Agency to clarify the character of its nuclear programme. Iran should provide credible answers to a number of questions raised in previous reports, such as: why had it acquired a document on the metallurgy of uranium hemispheres that could only be of use for the production of a nuclear weapon and why it had kept the original document in Iran; which experiments documented in the alleged studies did it in fact pursue, albeit for non-nuclear purposes, and which it did not pursue; what had been and was the role of the military in the production of centrifuge components and in the procurement of enrichment components; what foreign assistance had Iran received for multi-point high explosive tests; and what assurances it could give that the Shahab 3 payload had not been designed for

nuclear weapons. Furthermore, it was important that Iran inform the Agency about the meetings that members of illegal procurement networks had had in Iran.

152. The Director General had stressed that, without implementation of an additional protocol by Iran, the Agency's knowledge of its nuclear activities was diminishing. With that in mind, the European Union urged Iran to implement in full the additional protocol. It also underlined its grave concern that Iran was the sole country in the world to build and possibly operate a nuclear power plant without being party to the relevant important nuclear safety and security conventions.

153. The European Union regretted that there had been no progress in negotiations with Iran but reaffirmed its support for all efforts to find a negotiated long-term solution. It did not intend to deprive Iran of its rights to develop nuclear energy for peaceful purposes. It was ready to provide assistance in that area. However, at the same time, it requested that Iran implement all measures required of it to establish confidence in the exclusively peaceful nature of its programme.

154. The European Union strongly supported the United States' announced intention to engage with Iran, which it believed presented a window of opportunity that Iran should seize. Member States of the European Union had been engaged in intense diplomatic efforts since 2003 with a view to finding a solution to the issue, but regrettably to no avail. He called on Iran to take up the far-reaching offer made by China, France, Germany, the Russian Federation, the United Kingdom and the United States of America.

155. Mr CARON (France), speaking on behalf of China, France, Germany, the Russian Federation, the United Kingdom and the United States of America, reaffirmed the unity of purpose of those six countries and their strong support for the Agency. Those countries applauded the Secretariat for the professionalism and impartiality with which it had pursued its verification mission and reaffirmed that the Agency played an essential role in establishing confidence in the exclusively peaceful nature of Iran's nuclear programme.

156. They called upon Iran to meet without delay the requirements of the Board and to implement the resolutions of the United Nations Security Council.

157. They noted the serious concern expressed by the Director General regarding the continued lack of progress in connection with the remaining issues which gave rise to concerns about possible military dimensions of Iran's nuclear programme. In that regard, they called upon Iran to cooperate fully with the Agency by providing it with such access and information as it requested to resolve those issues.

158. They further called upon Iran to implement and ratify promptly the additional protocol and to implement all measures required by the Agency in order to build confidence in the exclusively peaceful nature of its nuclear programme.

159. Finally, they remained firmly committed to a comprehensive diplomatic solution, including through direct dialogue, and urged Iran to engage with them and thereby maximize opportunities for a negotiated way forward.

160. Ms GERVAIS-VIDRICAIRE (Canada) expressed deep concern that the Director General's most recent report on the Iranian nuclear issue continued to indicate a lack of substantive progress on serious outstanding issues owing to lack of cooperation by Iran.

161. The outstanding issues associated with the alleged studies were particularly troubling, since they related to possible military dimensions of Iran's nuclear programme. It was essential that Iran cooperate fully and without delay to provide all requested information, clarifications and access, in order to enable the Agency to address those concerns and provide assurances about the absence of

undeclared nuclear material and activities in Iran, and that all nuclear activities were strictly for peaceful purposes.

162. Canada noted with serious concern Iran's ongoing lack of cooperation in implementing Code 3.1 of its Subsidiary Arrangements regarding early provision of design information. It was also increasingly concerned at Iran's repeated refusals to grant the Agency access to the IR-40 reactor which was under construction. Such lack of access could adversely impact the Agency's ability to carry out effective safeguards at that facility and had made it difficult for the Agency to report further on its construction, as had been requested by the Security Council. Access to the reactor, along with the information and clarification requested by the Agency, was essential if the Agency was to determine that Iran's declarations were both correct and complete and that its nuclear programme was of an entirely peaceful nature. Iran's ongoing refusal to cooperate in that regard was inconsistent with its safeguards obligations.

163. Given the lack of confidence expressed by the Board in the peaceful nature of Iran's nuclear programme, Canada fully endorsed the resolutions passed by the Board and by the United Nations Security Council. It called upon Iran to heed the requests of the Board and the requirements of relevant Security Council resolutions by suspending enrichment-related and reprocessing activities, and its work on its heavy water research reactor at Arak and related projects. Her country was alarmed by Iran's ongoing installation of further enrichment capacity and by its work on future generations of centrifuges, which ran clearly counter to Board and Security Council resolutions.

164. Canada strongly urged Iran to ratify without delay and implement fully the additional protocol, and to cooperate proactively with the Agency, as requested by the Board and the Security Council. Recent reports by the Director General had clearly stated that, in the absence of such measures, the Agency would not be in a position to provide credible assurances about the absence of undeclared nuclear material and activities in Iran, a situation that would cause Canada grave concern.

165. Her country also urged Iran to take the long overdue actions needed to restore international confidence in the peaceful nature of its nuclear programme by providing the openness, transparency and full cooperation requested, failing which it risked further measures from the international community. Safeguards activities in Iran should not return to a routine basis until all outstanding issues had been resolved, and the item should remain on the Board's agenda until that time.

166. Given the ongoing and broad interest in the issue, she requested that the report contained in document GOV/2009/8 be made public.

167. Mr FAWZY (Egypt) welcomed the Director General's confirmation that the Agency had been able to continue to verify that Iran's declared nuclear activities continued to be carried out for peaceful purposes and that the Agency had succeeded in resolving most of the outstanding issues related to declared activities.

168. Egypt urged Iran to cooperate fully with the Agency within the scope of its legal obligations under its comprehensive safeguards agreement.

169. It stressed that there were pitfalls and limitations in requiring any State to display transparency and cooperation beyond its legal obligations. Such requirements should not be based on allegations or on information whose neutrality and credibility were questionable and unverified. His country therefore urged States that had provided such information to the Agency to allow the Secretariat to release the relevant documentation to Iran as soon as possible so that it could respond to it.

170. In addressing the issue of Iran's nuclear programme, the denuclearization of the Middle East region should be constantly borne in mind. That would certainly require parallel and similar efforts by

the Agency and all States to deal with the nuclear activities of Israel, which were not subject to safeguards.

171. Egypt hoped that an early and satisfactory solution to the Iranian issue could be found within the framework of international law and through negotiations.

The meeting rose at 6 p.m.