

Board of Governors

GOV/2004/49

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Item 8(e) of the agenda
(GOV/2004/45)

Implementation of the NPT Safeguards Agreement in the Islamic Republic of Iran

Resolution adopted by the Board on 18 June 2004

The Board of Governors,

- (a) Recalling the resolutions adopted by the Board on 13 March 2004 (GOV/2004/21), 26 November 2003 (GOV/2003/81), and on 12 September 2003 (GOV/2003/69) and the statement by the Board of 19 June 2003 (GOV/OR.1072),
- (b) Noting with appreciation the Director General's report of 1 June 2004 (GOV/2004/34), on the implementation of safeguards in Iran,
- (c) Reiterating its appreciation that Iran has continued to act as if its Additional Protocol were in force, and noting with satisfaction that Iran has submitted to the Agency the initial declarations pursuant to that Protocol,
- (d) Noting, however, that Iran has yet to ratify the Protocol as called for in previous Board resolutions,
- (e) Recalling Iran's voluntary decisions to suspend all enrichment-related and reprocessing activities and to permit the Agency to verify that suspension; noting with concern that, as detailed in the Director General's report, this verification was delayed in some cases, and that the suspension is not yet comprehensive because of the continued production of centrifuge equipment; also noting with concern that Iran's decision to proceed with the generation of UF₆ is at variance with the Agency's previous understanding as to the scope of Iran's decision regarding suspension; and further noting that Iran has withheld 10 assembled centrifuge rotors for research activities,
- (f) Encouraged by the Director General's assessment that there has been good progress on the actions agreed during the Director General's visit to Tehran in early April 2004 and that the Agency continues to make progress in gaining a comprehensive understanding of Iran's nuclear programme, but noting with concern that after almost two years from when Iran's undeclared programme came to the Agency's knowledge a number of questions remain outstanding, and in particular two questions that are key to understanding the extent and nature of Iran's enrichment

programme: the sources of all HEU contamination in Iran and the extent and nature of work undertaken on the basis of the P-2 advanced centrifuge design,

(g) Noting in this context with serious concern that important information about the P-2 centrifuge programme has often been forthcoming only after repeated requests, and in some cases has been incomplete and continues to lack the necessary clarity and also that the information provided to date relating to contamination issues has not been adequate to resolve this complex matter,

(h) Noting with appreciation that the Agency has received some information from other states that may be helpful in resolving some contamination questions,

(i) Noting with concern that the Agency's investigations have revealed further omissions in the statements made by Iran, including in the October declaration, in particular concerning the importation of P-2 components from abroad and concerning laser enrichment tests, which have produced samples enriched up to 15%, and also that Agency experts have raised questions and doubts regarding the explanations provided by Iran concerning those programmes, which require further clarification,

(j) Recognising the inalienable right of states to the development and practical application of atomic energy for peaceful purposes, including the production of electric power, consistent with their treaty obligations, with due consideration for the needs of the developing countries,

(k) Stressing the need for effective safeguards in order to prevent the use of nuclear material for prohibited purposes in contravention of safeguards agreements and underlining the vital importance of effective safeguards for facilitating cooperation in the field of nuclear energy, and

(l) Acknowledging the statement by the Director General on 14 June that it is essential for the integrity and credibility of the inspection process to bring these issues to a close within the next few months,

1. Acknowledges that Iranian cooperation has resulted in Agency access to all requested locations, including four workshops belonging to the Defence Industries Organisation;
2. Deplores, at the same time, the fact that, overall, as indicated by the Director General's written and oral reports, Iran's cooperation has not been as full, timely and proactive as it should have been, and, in particular, that Iran postponed until mid-April visits originally scheduled for mid-March - including visits of Agency centrifuge experts to a number of locations involved in Iran's P-2 centrifuge enrichment programme - resulting in some cases in a delay in the taking of environmental samples and their analysis;
3. Underlines that, with the passage of time, it is becoming ever more important that Iran work proactively to enable the Agency to gain a full understanding of Iran's enrichment programme by providing all relevant information, as well as by providing prompt access to all relevant places, data and persons; and calls on Iran to continue and intensify its cooperation so that the Agency may provide the international community with required assurances about Iran's nuclear activities;
4. Calls on Iran to take all necessary steps on an urgent basis to help resolve all outstanding questions, especially that of LEU and HEU contamination found at various locations in Iran, including by providing additional relevant information about the origin of the components in question and explanations about the presence of a cluster of 36% HEU particles; and also the question of the nature and scope of Iran's P-2 centrifuge programme, including by providing full documentation and explanations at the request of the Agency;

5. Welcomes Iran's submission of the declarations under Articles 2 and 3 of its Additional Protocol; and stresses the importance of Iran complying with the deadlines for further declarations required by Articles 2 and 3 of the Protocol, and that all such declarations should be correct and complete;
6. Emphasises the importance of Iran continuing to act in accordance with the provisions of the Additional Protocol to provide reassurance to the international community about the nature of Iran's nuclear programme; and urges Iran to ratify without delay its Protocol;
7. Recalls that in previous resolutions the Board called on Iran to suspend all enrichment-related and reprocessing activities; welcomes Iran's voluntary decisions in that respect; regrets that those commitments have not been comprehensively implemented and calls on Iran immediately to correct all remaining shortcomings, and to remove the existing variance in relation to the Agency's understanding of the scope of Iran's decisions regarding suspension, including by refraining from the production of UF₆ and from all production of centrifuge components, as well as to enable the Agency to verify fully the suspension;
8. In the context of Iran's voluntary decisions to suspend all enrichment-related and reprocessing activities, calls on Iran, as a further confidence-building measure, voluntarily to reconsider its decision to begin production testing at the Uranium Conversion Facility and also, as an additional confidence building measure, to reconsider its decision to start construction of a research reactor moderated by heavy water, as the reversal of those decisions would make it easier for Iran to restore international confidence undermined by past reports of undeclared nuclear activities in Iran;
9. Recalls that the full and prompt cooperation with the Agency of all third countries is essential in the clarification of certain outstanding questions, notably contamination;
10. Commends the Director General and the Secretariat for their professional and impartial efforts to implement Iran's safeguards agreement, and, pending its entry into force, Iran's Additional Protocol, as well as to verify Iran's suspension of enrichment-related and reprocessing activities, and to investigate supply routes and sources;
11. Requests the Director General to report well in advance of the September Board - or earlier if appropriate - on these issues as well as on the implementation of this and prior resolutions on Iran; and
12. Decides to remain seized of the matter.