



European Union

IAEA Board of Governors

05 - 08 March 2012, Vienna

Statement made by Denmark on behalf of the European Union

**Item 4 (d): Implementation of the NPT safeguards agreement and relevant provisions
of United Nations Security Council resolutions in the
Islamic Republic of Iran**

Mr. Chairman,

1. I have the honour to speak on behalf of the European Union. The Acceding Country Croatia*, the Candidate Countries the former Yugoslav Republic of Macedonia*, Montenegro*, Iceland** and Serbia*, the Countries of the Stabilization and Association Process and potential candidates Albania and Bosnia and Herzegovina, the EFTA countries Liechtenstein and Norway, members of the European Economic Area, as well as the Republic of Moldova associate themselves with this statement.
2. The European Union would like to thank the Director General for his report contained in document GOV/2012/9 on the Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions in the Islamic Republic of Iran, and to commend the Director General and the Secretariat for their continuing efforts to verify the nature of Iran's nuclear programme. The EU would also like to thank Deputy Director General, Herman Nackaerts, and Assistant DG, Rafael Grossi, for the detailed technical briefing on the report, given on 29 February.

* Croatia, the Former Yugoslav Republic of Macedonia, Montenegro and Serbia continue to be part of the Stabilization and Association Process.

** Iceland remains an EFTA country and member of the European Economic Area

Mr Chairman,

3. At the outset, the European Union would like to highlight its grave concern at the continued absence of progress in Iran's cooperation with the IAEA, an absence all the more serious given the International Community's increasing concerns about the nature of Iran's nuclear programme. These concerns were again made clear at the November Board of Governors meeting in the adoption of Resolution GOV/2011/69. This resolution, the eleventh to be adopted by the Board, required a number of steps to be taken by Iran, steps which are binding on Iran. At this point, it is important to recall that the UN Security Council has, since 2006 to date, adopted six resolutions, the provisions of which, under Chapter VII of the UN Charter, are mandatory.
4. Mr Chairman, on the Possible Military Dimensions to Iran's nuclear programme, the EU fully shares the serious concerns of the Agency about the possible existence in Iran of undisclosed nuclear activities involving military related sites and organisations, including activities related to the development of a nuclear payload for a missile, about which the Agency has "regularly received new information". The report notes – as provided earlier in the Annex to the Director General's November 2011 report (GOV/2011/65) - that there are indications that Iran has carried out activities that are relevant to the development of a nuclear explosive device, that this information is assessed by the Agency to be, overall, credible and that, prior to the end of 2003, the activities took place under a structured programme; that some continued after 2003; and that some may still be ongoing. The information provided paints a compelling and disturbing picture of Iran's nuclear programme. In its resolution GOV/2011/69 of 18 November 2011, the Board of Governors, inter alia, expressed its deep and increasing concern about the unresolved issues regarding the Iranian nuclear programme, including those which need to be clarified to exclude the existence of possible military dimensions.
5. It is against this background that the EU notes the two visits of the IAEA team to Iran, showing that the Agency has taken this process very seriously and professionally. The Agency's approach is correct, in particular its insistence that they focus on substance and that these can not be talks for talks' sake. The international community must be convinced of the substantive nature of the process for it to have any credibility. Equally, any process must be Agency led, with full cooperation from Iran. We support the Agency's efforts to reach agreement on a structured approach based on the Agency's verification practices. We deeply regret that Iran did not use these

occasions to engage substantially with the Agency and that Iran could not agree the structured approach based on the Agency's verification practices. In short, Mr Chairman, Iran has, yet again, failed to address the concerns highlighted by the IAEA Board. We again urge Iran to enter without delay into a meaningful process of dialogue with the Agency to resolve all outstanding issues. In this context, the EU would like to emphasize the importance of granting early access to all sites, persons and information, as and when requested by the Agency. In this regard, we fully support the request to visit the Parchin site which was denied by Iran. It is vital that Iran engage seriously with a continued process and that it demonstrate political engagement that matches its assurance of its decision to cooperate with the Agency.

Mr Chairman

6. The EU notes from the report that Iran is still continuing to increase its capacity to enrich uranium up to 20% at the Fordow Fuel Enrichment Plant. These enrichment activities, in clear violation of UNSC and BoG resolutions, are unacceptable. Since the previous report in November, there has been a tripling of production of U235 enriched to 20% by Iran through the rapid expansion of enrichment at the Fordow Fuel Enrichment Plant. In this regard, Iran has now produced around 5500 kg of up to 3.5% enriched uranium and around 110 kg of up to almost 20 percent of enriched uranium. This ongoing, and increasing, 20% enrichment capacity, which considerably exceeds Iran's proclaimed needs, further aggravates concerns about possible military dimensions to Iran's nuclear programme. We note that if Iran continues to produce 20%-enriched Uranium at the current pace, it will reach, by August 2012, the quantity of fuel it has said is needed for the TRR. We are also concerned about the production of up to 5% enriched uranium from Natanz where there is a significant increase in Iranian enrichment activities. The installation of more than 8000 empty centrifuge casings can only be understood as a counterproductive act by Iran.
7. The EU notes with concern that the Agency is still waiting for more information regarding the announcement made by Iran concerning the construction of ten new uranium enrichment facilities, the sites for five of which, according to Iran, have been decided. All of these issues further add to the concerns of the International Community about the real nature of Iran's nuclear programme.
8. Further, the EU is also deeply worried that, contrary to the relevant resolutions of the Board of Governors and the Security Council, Iran has not suspended all work on all

heavy water related projects. With regard to the IR-40 reactor at Arak, the Agency has reminded Iran, in its letter of 27 January 2012, that already since 2007 Iran is required to update the DIQ. The IAEA has also asked Iran several times for further access to the HWPP and for access to the heavy water stored at the Uranium Conversion Facility (UCF) in order to take samples.

9. The Director General's report also notes that Iran has completed the production of an entire fuel assembly at the Fuel Manufacturing Plant (FMP) in Esfahan, containing U235 enriched to 20%, which had been introduced to the Teheran Research Reactor in mid-February. This is of concern, as is the information relating to the unsolved accounting discrepancy at the JHL site. The report provides updated information with respect to the accounting discrepancy of 19,8 kg of natural uranium from the Jabr Ibn Hayan Multipurpose Laboratory (JHL), based on conversion experiments carried out in the mid-to late 1990s. We understand that during the discussions with Iran on 13 and 14 February 2012, the Agency requested access to records and personnel involved in the uranium metal conversion experiments, but that Iran indicated that these were no longer available. We look forward to receiving more information about these matters in the DG's June Report.

10. The EU continues to stand by its long-standing commitment to work for a diplomatic solution to the Iranian nuclear issue. Our objective continues to be a comprehensive long-term settlement, which would restore international confidence in an exclusively peaceful nature of Iran's nuclear programme, while respecting Iran's legitimate right to the peaceful uses of nuclear energy, in accordance with the NPT. The EU High Representative, together with China, France, Germany, the Russian Federation, the United Kingdom and the United States, are united in their efforts to engage Iran in a meaningful process, which is aimed at building confidence in an exclusively peaceful nature of the Iranian nuclear programme, based on concrete and practical proposals. The EU High Representative, on behalf of the China, France, Germany, the Russian Federation, the United Kingdom and the United States, replied on 6 March to Dr. Jalili's letter of 14 February, offering to resume talks with Iran, on the understanding that Iran will engage seriously and without pre-conditions on the nuclear issue in meaningful discussions on concrete confidence building steps concerning its nuclear programme. The time and venue of these talks has yet to be agreed. We hope that Iran will be ready to enter into a serious and sustained process of dialogue aimed at producing concrete results to address the International Community's long-standing concerns on the nuclear issue.

11. The EU once again urges Iran to implement the Resolutions of the UN Security Council and the Board of Governors. Iran must suspend its enrichment activities and heavy water related projects, including research and development, implement the modified Code 3.1 of the Subsidiary Arrangements General Part to its Safeguards Agreement. These are not matters which a Member State can unilaterally decide upon. Therefore the EU cannot accept that compliance with international obligations freely accepted by Iran previously can be later unilaterally revoked. Bringing into force its Additional Protocol is also a requirement under UNSC resolutions. Iran must fully cooperate with the Agency in order to clarify all outstanding issues, in particular those which give rise to deep concerns about possible military dimensions to its nuclear programme. The EU deeply regrets that the Iranian lack of cooperation means that the Agency is unable to provide credible assurance about the absence of undeclared nuclear material and activities in Iran and therefore is not able to conclude that all nuclear material in Iran is in peaceful activities.

12. Finally, Mr Chairman, the EU would like to confirm that it fully supports the Director General and the IAEA Secretariat in its verification activities in Iran and its efforts to resolve all outstanding questions, including those which give rise to serious concerns about the possible military dimensions of Iran's nuclear programme. Iran must respond positively and through concrete actions to the requests of the Agency for engagement on all issues of concern and grant prompt access to all relevant locations, including as a first step the Parchin site, as well as all relevant equipment, documentation and persons.

Thank you Mr. Chairman.