

Board of Governors

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Item 4(d) of the agenda
(GOV/2004/87)

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

Resolution adopted by the Board on 29 November 2004

The Board of Governors,

- (a) Recalling the resolutions adopted by the Board on 18 September 2004 (GOV/2004/79), 18 June 2004 (GOV/2004/49), 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 15 November 2004 (GOV/2004/83) on the implementation of Iran's NPT Safeguards Agreement (INFCIRC 214),
- (c) Noting specifically the Director General's assessment that Iranian practices up to October 2003 resulted in many breaches of Iran's obligations to comply with its Safeguards Agreement, but that good progress has been made since that time in Iran's correction of those breaches and in the Agency's ability to confirm certain aspects of Iran's current declarations,
- (d) Also noting specifically the Director General's assessment that all the declared nuclear material in Iran has been accounted for, and that such material is not diverted to prohibited activities, but that the Agency is not yet in a position to conclude that there are no undeclared nuclear materials or activities in Iran,
- (e) Recalling the Board's previous requests to Iran to suspend all enrichment related and reprocessing activities as a voluntary confidence building measure,
- (f) Noting with concern that Iran has continued enrichment related activities, including the production of UF₆ up to 22 November 2004, in spite of the request made by the Board in September that Iran immediately suspend all such activities,
- (g) Noting with interest the agreement between Iran, France, Germany and the UK with the support of the High Representative of the EU, made public on 15 November

(INFCIRC 637), in which Iran states its decision to continue and extend its suspension of all enrichment related and reprocessing activities; and noting with satisfaction that, pursuant to this agreement, notification of this decision was sent by Iran to the Director General on 14 November with the Agency invited to verify the suspension with effect from 22 November 2004,

- (h) Recognizing that this suspension is a voluntary confidence building measure, not a legal obligation,
- (i) Recognizing the 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,
- (j) Stressing the need for effective safeguards to prevent nuclear material being used for prohibited purposes, in contravention of agreements, and underlining the vital importance of effective safeguards for facilitating cooperation in the field of nuclear energy, and
- (k) Commending the Director General and the Secretariat for the work they have done to date to resolve all questions relevant to safeguards implementation in Iran,

1. Welcomes the fact that Iran has decided to continue and extend its suspension of all enrichment related and reprocessing activities, and underlines that the full and sustained implementation of this suspension, which is a voluntary, non-legally-binding, confidence building measure, to be verified by the Agency, is essential to addressing outstanding issues;

2. Welcomes the Director General's statements of 25 and 29 November 2004 that the above decision has been put into effect, and requests the Director General to continue verifying that the suspension remains in place and to inform Board members should the suspension not be fully sustained, or should the Agency be prevented from verifying all elements of the suspension, for as long as the suspension is in force;

3. Welcomes Iran's continuing voluntary commitment to act in accordance with the provisions of the Additional Protocol, as a confidence building measure that facilitates the resolution of the questions that have arisen, and calls on Iran once again to ratify its Protocol soon;

4. Reaffirms its strong concern that Iran's policy of concealment up to October 2003 has resulted in many breaches of Iran's obligations to comply with its NPT Safeguards Agreement; at the same time acknowledges the corrective measures described in the Director General's report;

5. Welcomes the Director General's intention to pursue his investigations into the remaining outstanding issues, in particular the origin of contamination and the extent of Iran's centrifuge programme, as well as the full implementation of Iran's Safeguards Agreement and Additional Protocol, with a view to providing credible assurances regarding the absence of undeclared nuclear material and activities in Iran;

6. Underlines the continuing importance of Iran extending full and prompt cooperation to the Director General in the above pursuit, and requests Iran as a confidence building measure to provide any access deemed necessary by the Agency in accordance with the Additional Protocol; and

7. Requests the Director General to report to the Board on his findings, as appropriate.