



European Union
EU Statement on
Agenda item 4(d): NPT Safeguards Agreement with the
Islamic Republic of Iran

Board of Governors
International Atomic Energy Agency (IAEA)

Vienna, 24-26 November 2021

Chair,

I have the honour to speak on behalf of the European Union. The following countries align themselves with this statement: [Turkey[§], the Republic of North Macedonia*, Montenegro*, Serbia*, Albania*, Bosnia and Herzegovina*, Iceland*, Liechtenstein*, Norway*, Ukraine, the Republic of Moldova, Armenia, Azerbaijan, Georgia and San Marino.]

The European Union would like to thank the Director General for his report contained in document GOV/2021/52 and Deputy Director General Aparo for the technical briefing on 18 November 2021.

The EU welcomes the Director General's update on the implementation of the NPT Safeguards Agreement and the implementation status of the Additional Protocol in Iran. We commend the Director General and the Secretariat for their professional, objective, independent and impartial work in verifying Iran's safeguards obligations.

The EU encourages the IAEA to continue to evaluate all safeguards-relevant information available to it in line with standard practice.

At the outset, let me refer to a matter of principle. The EU notes with deep concern that Agency inspectors have experienced excessively invasive physical searches during security checks at nuclear facilities in Iran on repeated instances since April 2021, despite Agency's repeated calls on Iran for immediate rectification. The intimidation of Agency inspectors is not acceptable, and the EU urges Iran to immediately remedy the situation.

[§] Candidate Country

* Candidate Countries the Republic of North Macedonia, Montenegro, Serbia and Albania as well as potential Candidate Country Bosnia and Herzegovina continue to be part of the Stabilisation and Association Process.

+ Iceland, Liechtenstein and Norway are members of the EFTA and of the European Economic Area.

Security procedures in Iran must be consistent with the privileges and immunities of the Agency and its inspectors under the Agreement on the Privileges and Immunities of the IAEA, to which Iran is a party, as well as with internationally accepted security practices at nuclear facilities. The EU requests the Director-General to keep the Board informed on the matter.

The EU deeply regrets the lack of substantive progress since the last meeting of the Board of Governors to clarify the outstanding issues related to four locations in Iran not declared to the Agency, including the absence of any interaction on locations one and three. More than two years have already elapsed without the expected clarity, despite repeated and strong calls by the Board of Governors, including a resolution in June 2020, on Iran to clarify all outstanding issues immediately and in full.

We reiterate our concern about the presence of multiple uranium particles of anthropogenic origin at three undeclared locations, a clear indication that nuclear material and/or equipment contaminated by nuclear material has been present, which may still exist undeclared in Iran today.

We note that the Agency recently conducted verification activities at a declared facility where uranium metal had been produced previously, the results of which are still being analyzed. This could be a step towards clarification of outstanding issues related to the second location, but we recall that the current location of the natural uranium metal disc is still to be clarified. Regarding the fourth location, we take note of the recent interactions between the Agency and Iran, and of the information provided by another Member State. We however note with regret that Iran has yet to provide an explanation for the presence of anthropogenic particles and to answer the questions put forward by the Agency as early as August 2019.

The EU welcomes the efforts by the Director General and the Secretariat to clarify the outstanding safeguards issues. The EU urges Iran to take action now and co-operate in full with the IAEA without any further delay nor any conditionality, providing all information, documentation, access and answers requested by the Secretariat. The lack of substantive engagement by Iran has prevented progress in clarifying the Agency's questions, which seriously affects the ability of the Agency to provide assurance of the exclusively peaceful nature of Iran's nuclear programme.

As stated in the report, implementation of the modified Code 3.1 is a legal obligation under the Subsidiary Arrangements to Iran's Safeguards Agreement which cannot be suspended nor can it be modified unilaterally. Furthermore, the EU considers Comprehensive Safeguards Agreements together with the Additional Protocol the current verification standard. It is in this context that

the EU is deeply concerned that, on 15 February 2021, Iran informed the Agency that it, inter alia, “will stop the implementation of the provisions of the Additional Protocol” to its Safeguards Agreement. The EU urges Iran to fulfil all its obligations under the CSA and to reapply the Additional Protocol and seek its earliest ratification.

To conclude, Chair, the EU reiterates its full support to and trust in the IAEA for the fulfilment of its mandate under the NPT Safeguards Agreements. The EU shares the deep concern expressed by the Director General that nuclear material has been present at undeclared locations in Iran and that its current whereabouts are not known to the Agency. After more than two years of inconclusive interaction, we expect the full resolution of all outstanding issues without further delay.

The EU takes note of the report and looks forward that the Director General continues to report to the Board of Governors, as appropriate, and would welcome that this report is made public.

[PLACEHOLDER: upcoming DG visit]

Thank you, Chair.