



ISLAMIC REPUBLIC OF IRAN

PERMANENT MISSION TO THE UNITED NATIONS
AND OTHER INTERNATIONAL ORGANIZATIONS
JAURÈSGASSE 3, 1030 VIENNA



Please, check against delivery

Statement

by

H.E. Ambassador Kazem Gharib Abadi
Resident Representative to the IAEA

before

the Board of Governors

on Agenda Item 8(c), Entitled:

**Implementation of State-level Safeguards Approaches for
States under Integrated Safeguards - Experience Gained and
Lessons Learned**

September 2018

In the Name of Allah, the Compassionate, the Merciful

Mr. Chairperson, Dear Colleagues,

I would like to express my delegation's appreciation to the Director General for his report under agenda item 8(c) entitled: "Implementation of State-Level Safeguards Approaches for States under Integrated Safeguards – Experience gained and lessons learned" (Document GOV/2018/20).

My delegation aligns itself with the statement of the Non-Aligned Movement on this issue, delivered by the distinguished Ambassador of Venezuela, and would like to add a few points in its national capacity.

Mr. Chairperson,

In its earlier meetings, the Board of Governors has taken note of the Director General's previous reports on the SLA (GOV/2013/38 and GOV/2014/41). Furthermore, on 18 September 2014, after extensive discussions on this issue in the Board, the Chairperson of the Board reflected some of the outstanding concerns in his final sum-up of the Board's meeting. Additionally, the Chairperson notified that the Secretariat would provide answers to these concerns, some of which are, inter-alia, as follows:

- The SLC does not, and will not entail the introduction of any additional rights and/or obligations on the part of either States or Agency, nor does it infer any modification in the interpretation of the existing rights and/or obligations;

- Findings in relations with the safeguards should be concretely factual, and not judgmental or intentional;
- Implementation of safeguards should be objective, non-politicized and non-discriminatory, as well as technically substantiated;
- It was emphasized that it is important for the Member States and the Secretariat to have a clear and common understanding on safeguards measures at both the conceptual and implementation levels;
- It was stressed that the safeguards relevant information means, actually, the safeguards agreement relevant information;
- It was also highlighted that when a report is submitted to the Board, it would not constitute automatic approval of the report;
- Several members also raised detailed queries and sought further clarification regarding other aspects of the SLC, including on how the SLC would be applicable in the context of Regional Systems of Accounting and Control.

Mr. Chairperson,

Although some of the abovementioned points have been reflected in the relevant safeguards resolutions since 2014, the following issues and ambiguities still remained unresolved in the recent report:

- What are the Objectives and rationale of the SLA and its scope of application?
- What are the actual and expected budgetary implications, including the benefits and savings? As the DG's report shows, there are no

overall cost savings, which might mean that meeting one of the main goals of SLA implementation is questioned;

- How State specific factors are applied?
- What is the status of safeguards relevant information especially collected through open sources and third parties?
- And, what would be the role of the Policy-making Organs in the process of the formulation and implementation of safeguards measures?

It should also be noted that the report lacks detailed legal or technical information for further analysis. Additionally, the attachment to the DG's report points to some basic ambiguities and questions raised with regard to some States with Broader Conclusion, which might indicate that predictable problems may rise in the process of SLA implementation in States without Broader Conclusion, regardless of having Additional Protocol in force, or not.

My delegation takes note of the fact that the SLC is an evolving concept and no decision has been made, so far, by the Board, in its approval or rejection. However, without any mandate and decision by the Board, the Agency has already changed its practice and procedures in this regard, as reflected in the Agency's Safeguard Implementation Report for 2017 (GOV/2018/19). This needs to be considered in the context of PMOs.

Director General's Report stipulates that *“the rights and obligations of states parties in safeguards agreements will not be changed with application of new approach”*. In contrary, the approach is changing from a “nuclear material accountancy one”, that is the objective of safeguards agreements, to “an information based one”, that is relied, inter-alia, on the so-called open-source information, which has no legal status based on the safeguards agreements. Therefore, my delegation has serious reservation on such a diversion from a “legal physical means for verification” to “a presumed hypothetical information”, that is not necessarily verifiable, and consequently creates ambiguous atmosphere, which only serves as a gaming tool.

Furthermore, using the phrase “all available safeguards relevant information” in the report, is an important challenging issue, different aspects of which require thorough consideration, including, among others:

- To what extent this information might be “relevant”?
- How it is obtained, processed, authenticated or verified in accordance with relevant safeguards commitments?
- What is the role of the State concerned?
- What is the source of such information?
- And, who bears the responsibility of consequences in case of abused accusation or manipulation of information for purposes other than safeguards?

Mr. Chairperson,

Another source of concern would be the similarity between the SLA and the reference to the issue of “completeness” in the verification of States’ declarations by the Agency. Sometimes, it is stated that verification of “completeness” originates from the CSA. Nevertheless, it is an irony that full implementation of CSA, alone, does not provide for CSA full conclusion, and instead, the Agency requests additional authority under additional protocol and the States are required to implement AP to get complete (broader) conclusions; this is exactly beyond the Agency’s obligation to implement CSA “*in accordance with the terms of this agreement*” as stipulated in Article 2 of CSA.

Taking into consideration the lack of clarity regarding the distinction between achievable conclusions in States implementing CSA+AP and States with the SLA, my delegation emphasizes that any verification related activities and conclusions must always be strictly in accordance with relevant safeguards commitments, officially accepted by the Member States, regardless of any evolving environments and so forth.

Finally, **Mr. Chairperson**, my delegation believes that our knowledge and understanding regarding this issue is yet to be enriched; therefore, we expect further clarification about the SLA before taking any further action.

Thank you Mr. Chairperson.