

# Non-proliferation Treaty Safeguards Agreement with Iran: E3 statement to the IAEA, November 2022

Chair,

France, Germany and the United Kingdom thank Director-General Grossi for his report on the implementation of safeguards in Iran contained in GOV/2022/63.

We fully support and commend the DG and the Secretariat for their professional, independent and impartial verification of Iran's safeguards obligations. We also fully support and commend their repeated efforts to engage Iran on clarifying information concerning the correctness and completeness of Iran's declarations under its NPT Safeguards Agreement. The IAEA should continue to evaluate all safeguards-relevant information available, in line with its mandate and standard practice.

It has been nearly four years since the Agency sought clarifications from Iran regarding possible undeclared nuclear material at a number of undeclared locations in Iran, including the detection of nuclear particles at three of these locations.

The Board of Governors has repeatedly underscored its concerns over Iran's ongoing lack of substantive cooperation with the IAEA. Over two years ago, in June 2020, the Board adopted a resolution that "call[ed] on Iran to fully cooperate with the Agency and satisfy [its] requests without any further delay". In June this year, the Board adopted by an overwhelming majority a resolution with an unambiguous message: "call[ing] upon Iran to act on an urgent basis to fulfil its legal obligations". Finally, at the last Board meeting in September, 56 States joined a statement echoing the Director General's concern that "Iran had not engaged with the Agency on the outstanding safeguards issues".

The Director General has emphasized that the unresolved safeguards issues stem from Iran's legal obligations under its NPT Safeguards Agreement. Nevertheless, Iran has not provided the Agency with the technically credible explanations the Agency requires to address the outstanding issues. We echo the Director General's serious concern that there has still been no progress towards clarifying and resolving these issues.

Instead of complying with its legal obligations and heeding to the Board's unambiguous concerns, Iran has chosen to press for a so-called political solution. We wholeheartedly reject any political pressure on the IAEA or the DG to close this investigation on political grounds. Our three countries would like to make clear our absolute and unconditional support to you Director General to report on the safeguards issues according to standard practice.

Chair,

We note that the Director General has reported that two high-level meetings between the Agency and Iran took place in late September, in the margins of the IAEA General Conference, and early November just before this Board meeting. However, Iran has neither followed through with any substantive cooperation nor shared the information, documentation or answers the Agency requires.

Iran has now proposed another meeting with the Agency before the end of November without offering a credible path towards effective resolution of the outstanding questions. Offering merely procedural steps but without any substantive cooperation has unfortunately been a longstanding pattern. We strongly expect Iran to start sharing technically credible information in order to effectively clarify and resolve outstanding issues.

We emphasise the message from the Agency that unless and until Iran provides technically credible explanations to the Agency's outstanding questions, the Agency will not be able to confirm the correctness and completeness of Iran's declarations under its NPT Safeguards Agreement. These outstanding issues need to be resolved for the Agency to be in a position to provide assurance that Iran's nuclear programme is exclusively peaceful. Such assurances are critical for the international community and the international nonproliferation regime.

Considering this situation, France, Germany, the United Kingdom and the United States, have introduced a new resolution to this Board as a necessary, timely and measured response to Iran's failure to comply with its legal obligations under its NPT Safeguards Agreement, as we have just heard from the United Kingdom on our behalf.

Chair,

Lastly, we once again recall that implementation of Modified Code 3.1 is a legal obligation for Iran under the Subsidiary Arrangement to its NPT Safeguards Agreement which cannot be modified or stopped unilaterally.

We would like to thank the IAEA for their impartial and professional work on this issue. We encourage the Director General to continue reporting to the Board of Governors and welcome making the report contained in GOV/2022/63 public.

Thank you, Chair.