

# Nuclear safety, security and safeguards in Ukraine: UK statement to the IAEA Board of Governors, November 2022

Thank you, Chair. The United Kingdom would like to thank the Director General for adding this important item to the agenda and for his report on Nuclear Safety, Security and Safeguards in Ukraine.

Chair, the United Kingdom continues to condemn in the strongest possible terms the Russian Federation's unprovoked, illegal and senseless invasion of Ukraine, which is an egregious violation of international law, including the UN Charter.

Within the last 48 hours, we have witnessed further barbaric missile attacks by Russia on Ukrainian cities and civilian infrastructure. Russia is solely responsible for the nuclear safety and security issues in Ukraine and for putting at risk the safety of millions who would be affected by a nuclear incident.

Chair, the Director General's report before us today is another stark, independent assessment of the severe nuclear safety, security and safeguards implications of Russia's aggression against Ukraine.

We are particularly concerned that since the last Board, only a few weeks ago, the Zaporizhzhia nuclear facility – and now Khemelnyskyy nuclear power plant – have lost external power and had to rely on backup generators. We are also seriously concerned that Russia has increased its campaign of coercion and intimidation of the Ukrainian operating staff at the Zaporizhzhia plant.

We agree with the Director General's assessment in the report that the pressures on the brave Ukrainian personnel – who have suffered so much already – could have “potentially severe consequences for nuclear safety and security”. This must stop immediately.

The United Kingdom fully supports the IAEA's work in Ukraine. We commend the bravery and the commitment of the IAEA staff working in Ukraine and we continue to support the Director General's efforts to secure a Nuclear Safety and Security Protection Zone around the Zaporizhzhia NPP in a way that respects Ukrainian sovereignty.

We also commend Ukraine, the Director General and his staff for the speed with which they transparently responded to Russia's spurious allegations that Ukraine was building so-called “dirty bombs”. Unfortunately, Russia has a long track record of making such baseless allegations in order to distract or disguise from its own negative actions.

We welcome the information in the DG's report that the Agency has not found "any indications of undeclared nuclear activities related to the development of radiological dispersal devices" in Ukraine.

That is why the United Kingdom fully supports the resolution before us today. It is right that this Board collectively deplores and rejects Russia's control of the Zaporizhzhia nuclear facility and its attempted illegal annexation of Ukrainian territory.

The United Kingdom welcomes the recent UN General Assembly Resolution, where 143 member states were unequivocal that Russia's attempted illegal annexation has "no validity under international law and does not form the basis for any alteration of the status of these regions". We welcome the statements by the Director General and the Agency to that effect.

Chair, the United Kingdom would also like to put on record some of the actions we are taking at the IAEA to ensure that Russia is held accountable for its actions against nuclear safety in Ukraine.

To give a few examples, the United Kingdom will take steps to ensure that none of our extra budgetary funding will directly benefit the Russian Federation. We will also work to ensure that no UK government representatives will attend IAEA events in Russia or appear alongside the Russian Federation on panels for Agency events. We encourage other member states to adopt a similar approach.

Finally, Chair, the United Kingdom remains clear that there is only one way to ensure nuclear safety and security in Ukraine. Russia must cease all actions against Ukraine's nuclear facilities, and withdraw all its forces and personnel so that the competent Ukrainian authorities can regain full control over all nuclear facilities within Ukraine's internationally recognised borders.

Thank you, Chair.

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## **[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.

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## **Civil news: tender to replace HPCDS services opens**

News story

Early legal advice added to in-court services under the new Housing Loss Prevention Advice Service which will replace the Housing Possession Court Duty Scheme.



Tenders are invited from 17 November 2022 to bid for the Housing Loss Prevention Advice Service (HLPAS). This will allow delivery of early legal advice in social welfare law together with in-court duty work from 1 August 2023.

The in-court work service is currently provided under the Housing Possession and Court Duty Scheme (HPCDS). But this will be replaced by HLPAS, as set out in the Civil Legal Aid (Housing and Asylum Accommodation) Order 2022.

We are also inviting applications for the delivery of housing and debt contract work to support delivery of the HLPAS.

## **Why is this happening now?**

We need to award new contracts in time for the delivery of HLPAS services from 1 August 2023 until 31 August 2024 in 103 HLPAS areas. These areas are listed in the HLPAS Information for Applicants document (IFA) available on our GOV.UK tender pages.

We intend awarding one contract for each HLPAS area. We will offer an unlimited number of contracts for housing and debt services in each procurement area.

## **Who is eligible?**

Providers able to meet the minimum tender requirements can deliver HLPAS services. You do not need to be a current legal aid provider to tender for this opportunity.

## **What are the minimum requirements?**

Providers interested in delivering HLPAS work must meet one of the following requirements:

- currently hold a 2018 housing and debt contract
- be awarded a 2018 housing and debt contract through the procurement process at the office from which they are bidding

In consideration of these requirements, we are also inviting tenders for the delivery of housing and debt contract work.

Providers tendering for a housing and debt contract as part of this procurement process, must also submit a compliant tender for HLPAS work.

## **Tender deadline**

The tender opens on 17 November 2022 and closes at 12pm on 19 December 2022. Bids must be submitted using the Legal Aid Agency's eTendering system.

## **Further information**

[HLPAS and housing and debt services from August 2023](#) – to find out more and download documents

[eTendering system](#) – to submit your tender

[Civil Legal Aid \(Housing and Asylum Accommodation\) Order 2022](#) – legislation setting out introduction of HLPAS

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# **[Statement by the E3 and US to the IAEA Board of Governors introducing resolution on Iran's non-cooperation with the IAEA](#)**

Thank you, Chair.

I have the honour to speak now on behalf of France, Germany, the United Kingdom, and the United States of America.

We would like to thank the Director General for his report on safeguards in Iran contained in GOV/2022/63. The report outlines the Agency's continued efforts and engagement with Iran to clarify information relating to the correctness and completeness of Iran's declarations under its NPT Safeguards Agreement.

We also recall the Director General's previous reports to the Board of Governors since 2019 on Iran's safeguards obligations, as well as the resolutions adopted by the Board on these matters contained in documents GOV/2020/34 and GOV/2022/34. The Board's message in these resolutions was resounding and clear.

Regrettably, the Director General's latest report once again underscores that Iran still has not provided the substantive co-operation necessary to clarify and resolve outstanding safeguards issues.

Chair,

Resolving these issues remains central to establishing the international verification assurance that Iran's nuclear programme remains exclusively peaceful. Exercise of the Agency's authority to provide this assurance is central to the integrity of the NPT safeguards regime. As we have said, the outstanding issues in Iran are not historical – they are integral to the necessary verification assurances that Iran's declarations are correct and complete.

Chair,

In June of this year, the Board voted by an overwhelming majority to adopt a resolution calling on Iran to fulfill its legal obligations and engage with the IAEA to clarify and resolve all outstanding safeguards issues without delay. At the September Board meeting, 56 States joined a statement recalling that June resolution, and echoing the Director General's concern that Iran had still not engaged with the Agency on the outstanding safeguards issues.

Unfortunately, despite the Board's repeated calls, the Director General's report makes clear that Iran's lack of substantive co-operation remains serious and ongoing. The Agency has sought to clarify outstanding safeguards issues since 2019. Iran has been given ample time and opportunities to do so. Over the course of nearly four years, we have seen numerous meetings fail to produce substantive progress from Iran. Recent, last-minute promises from Iran to hold additional meetings in the future, after years of delay and denial, are late and inadequate. Iran must fulfill its safeguards obligations and provide substantive, credible explanations for the presence of uranium particles at undeclared locations.

Chair,

Given the continued lack of substantive cooperation from Iran, and with sincere regret that Iran has again made it necessary, France, Germany, the United Kingdom, and the United States jointly propose to the Board today the new resolution contained in document GOV/2022/68 to support the Secretariat's effort to resolve these matters.

As in past resolutions, our objective is to uphold our collective responsibility as Board members to ensure that IAEA safeguards and the non-proliferation regime are implemented in a fair and objective manner in Iran and globally. We strongly believe this Board cannot and will not be

intimidated by threats from Iran, or others who echo those threats, that mischaracterise the objective of the proposed resolution. The aim of the resolution is to support the Director General's efforts to finally obtain from Iran the substantive co-operation necessary for the Agency to verify that Iran is meeting the basic undertaking of its NPT Safeguards Agreement.

Our draft submitted for the Board's consideration has the following main points:

First, the Board would express continued, strong support for the Agency's professional and impartial efforts in carrying out its mandate in verifying Iran's safeguards obligations. The Director General and the Secretariat continue to have our full confidence in this regard.

Second, the Board would decide that it is essential and urgent that Iran fulfill its legal obligations and take the specific actions called for by the Director General without delay. The actions include: Iran providing technically credible explanations for the presence of particles of man-made uranium at the three undeclared locations in Iran; informing the Agency of the current locations of the nuclear material and/or contaminated equipment; and providing all information, documentation and accesses the Agency requires to clarify all outstanding safeguards issues. Article 18 of Iran's NPT Safeguards Agreement authorises the Board to take this step to ensure verification of the non-diversion of nuclear material. We hope Iran that would appreciate the seriousness of this decision and provide at the planned meeting later this month with the IAEA the substantive cooperation required; Iran should not miss the opportunity that meeting presents to make good on that long-awaited co-operation.

Receiving and verifying technically credible explanations from Iran, including by granting all access requested by the IAEA for this purpose, remains essential for the Agency to report that the issues are no longer outstanding, and for the Agency to be in a position to provide assurance that Iran's nuclear program remains exclusively peaceful.

For the avoidance of doubt about the ultimate outcome we seek, we want to be clear. Once Iran provides the necessary substantive co-operation, and when the IAEA Director General reports that these issues have been duly addressed and are no longer outstanding, we will support removing the need for the Board's consideration of these issues, including the request for the Director General to report on them. We would very much welcome Iran taking the opportunity before it to bring such an outcome to fruition. Reaching that outcome would be a significant success for Iran, the IAEA, and the global nuclear non-proliferation regime. Until that point, the Board should request the Director General to report on the implementation of Iran's NPT Safeguards Agreement and of this resolution at the earliest appropriate date before the March Board of Governors.

Chair,

As in the past, Iran has argued that any Board action under this item may undermine our efforts to restore the JCPOA. It is Iran that has undermined



these efforts by seeking to politicise its safeguards obligations, and so the Board can support diplomacy by underscoring its absolute support for the Agency in carrying out its vital mandate.

Chair,

Our delegations have engaged broadly with Board members to explain our thinking, solicit their feedback, and listen to their views on these matters. We thank the overwhelming majority that has already indicated support for this resolution, and would welcome the text being made public, should it be adopted. Thank you.

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## **A coherent and unified international response on Afghanistan is critically important**

Thank you Ambassador, thank you for convening this session, and many thanks to the briefers for the really helpful and detailed presentations.

As we've heard, fifteen months on from the Taliban takeover, the situation in Afghanistan is critical. A harsh winter could cause levels of need not seen in decades. And widespread denial of fundamental human rights by the Taliban continues, including the systematic oppression of women and girls. The Taliban have not lived up to their commitments to the Afghan people.

Against this backdrop, a coherent and unified international response is critically important.

Our commitment is clear. The UK is the second largest donor to the UN's Humanitarian Response plan. We are the second largest donor to the World Bank's Afghanistan Reconstruction Fund. And we are leading efforts with the World Bank and others on economic stabilisation.

We have disbursed \$319 million in humanitarian and development assistance last financial year – and committed a further \$319 million this financial year. And we strongly support Security Council Resolution 2615, which ensures delivery of vital aid is not hindered by sanctions. But these efforts are in vain if the Taliban do not themselves ensure unhindered humanitarian access. We urge the Council to remain united in addressing these challenges, rather than feeding divisions.

We have heard again today calls from certain Council members for the immediate release of Afghanistan's frozen assets. Let us be clear – to do so in the absence of an independent and autonomous central bank, with appropriate terrorist financing controls, would not be responsible.

Instead we should focus on supporting UN efforts to address the urgent humanitarian and economic crisis. The chronically underfunded Humanitarian Response Appeal is a good place to start – and we encourage all our international partners, including those looking to criticise the west, to focus first on making a contribution to this.

Mr Chair, we will continue to do all we can in support of the Afghan people. But our efforts can only go so far.

The last months have seen the Taliban implement draconian measures limiting women and girls' freedom of movement and their access to jobs and services. Afghanistan remains the only country in the world where girls are barred from attending secondary school. The UAE Ambassador spoke very eloquently earlier about why these restrictions are so damaging. The human cost is stark. But so too is the economic one – As we've heard from the UNDP today, restricting women from the work force has already cost the Afghan economy up to 5% of GDP.

There has also been no serious effort towards inclusive governance, nor a genuine commitment to protect minorities. We are especially concerned at the risk of atrocity crimes against minorities such as the Hazara.

So the fundamental point is this: If the Taliban does not change its course – foremost on upholding human rights, and delivering on its counter-terrorism commitments – they will not deliver a stable and prosperous Afghanistan, and they will not gain legitimacy in the eyes of the Afghan people nor the international community.

Thank you.