

**Working Paper
Submitted by**

**the Islamic Republic of Iran
to the First Session of the Preparatory Committee
for the 2010 NPT Review Conference**

1. After almost Forty years following the conclusion of the Non-Proliferation Treaty (NPT), despite increasing challenges encountered this Treaty, the NPT remains the cornerstone of the global nuclear disarmament and nonproliferation in all its aspects. However the NPT today faces three major challenges: lack of progress towards nuclear disarmament, awarding non-parties by generous offer of supplying technology and materials useable for production of nuclear weapons particularly in the Middle East, and lastly increased limitations against the developing nations parties to the Treaty, on peaceful use of nuclear energy.
2. The NPT set the foundation for nuclear disarmament and non-proliferation as well as promotion of peaceful uses of nuclear energy almost four decades ago. These three objectives of the NPT have yet to be fulfilled. Given the nightmare of Hiroshima and Nagasaki nuclear bombings, the international community rightly considers the continued existence of thousands of nuclear weapons in the stockpiles of Nuclear Weapon States and their possible use as the most serious threat to the very existence of humankind. The limited efforts of the two major Nuclear Weapon States after the Cold War in reducing their nuclear arsenals or decommissioning some of their nuclear warheads and placing them in the storerooms can not meet the expectations of international community nor is it consistent with their legal obligations.
3. Nuclear weapon States have not fulfilled their obligations under Article VI of the NPT. Lack of any timeframe or deadline for the elimination of nuclear weapons in this Article is one of the most serious shortcomings of

the Treaty. Unfortunately the existing trend is not promising and the prompt implementation of this Article is an urgent necessity.

4. The emergence of a new security doctrine by the United States that seek to rationalize the development and stockpiling of a new generation of tactical nuclear weapons and their use in conventional conflicts and against perceived non-nuclear weapon adversaries, continued weaponization of outer-space as well as the reliance on the nuclear weapon for a foreseeable future as a key element in the national security strategy of certain Nuclear Weapon States are more than ever worrisome. The recent decision of the United Kingdom to renew and further develop its nuclear weapons capability, by approving the Trident Project, is in full contravention with Article VI of the NPT and in defiance with the unanimous decision of the 2000 NPT Review Conference. The Trident Project can generate and in fact expand nuclear arms race beyond the traditional rivalry between the two most powerful Nuclear Weapon States, thus is a special source of concern for the international community and is a clear set back for the global efforts to bolster nuclear disarmament and non - proliferation.

5. The continuation of nuclear weapon sharing arrangements with Non-Nuclear Weapon States being in contravention with Article 1 of the NPT, particularly through the deployment of nuclear weapons in the NATO European countries, has been overlooked. The development and testing of new nuclear weapons in laboratory conditions and by using supercomputers, which run contrary to the spirit and letter of the CTBT, is also a clear violation of the Article VI of the NPT and has been considered as a vertical proliferation. And last but not the least, the planned deployment of missile defense systems in various regions, is in total disregard for the agreement of the 2000 NPT Review Conference.

6. Furthermore, the transfer of nuclear technology and materials to non-parties to the NPT, in particular the 2000 agreement of nuclear cooperation between the United States and Israeli regime, whose nuclear arsenals presents the greatest threat to regional and international peace and stability, and providing its scientists the full access to the US nuclear facilities, has demonstrated the US total disregard for its obligations under Article I of the Treaty and is another example of non-compliance of the United States with the NPT provisions.

7. The NPT constitutes an integrated and holistic structure, whose effectiveness lies in full compliance with all its provisions by all parties without any discrimination. The selective approach imposed by a few States for the realization of all provisions of the NPT undermines the international interest in its full implementation. Their refusal to address the issue of nuclear disarmament is chief among the unimplemented provisions of the Treaty. As the result of the major efforts by States Parties to strengthen the Treaty, the 2000 NPT Review Conference agreed by consensus on its Final Document, "the unequivocal undertakings by the Nuclear-Weapon States to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament, to which all States Parties are committed under Article VI". Accordingly, the Conference also adopted the 13 practical steps for the systematic and progressive efforts to implement Article VI. We should not let these commitments go unnoticed.

8. The 2000 NPT Review Conference, under the Chapter on "Article VII" of its Final Document also reaffirmed that total elimination of nuclear weapons is the only absolute guarantee against the use or threat of use of nuclear weapons, and agreed that legally binding security assurances by the five Nuclear Weapon States to the Non-Nuclear Weapon States parties to the NPT strengthen the non-proliferation regime, and called upon the Preparatory Committee to make recommendations about it. It is an unfulfilled task ahead of us. We urge the 2010 NPT Review Conference and its Preparatory Committee to work hard on this critical issue.

9. The establishment of nuclear weapon free zones in different regions of the globe constitutes an effective measure to realize the main objective of nuclear disarmament and non-proliferation. It is therefore promising that such NWFZs have been established in some regions of the world, but still await ratification by all Nuclear Weapon States and therefore full implementation. Through the establishment of such zones a large part of the world shall effectively renounce and in most strong term, the possession and development of nuclear weapons.

10. However a few regions of the world, despite the aspirations of their people are still far from achieving such a goal. The establishment of a Nuclear Weapons Free Zone in the Middle East has been the long-standing goal of the people of the region. Iran, first initiated the idea of the establishment of a nuclear-weapon-free zone, as an important disarmament measure in the Middle East in 1974, followed by the relevant resolutions in

the United Nations General Assembly, the IAEA General Conference as well as Final Declarations of all NPT Review Conferences.

11. The Zionist Regime remains the only obstacle for the establishment of such a zone in region. Peace and stability could not be achieved in the Middle East while a massive nuclear arsenal continues to threaten the region and beyond. It is a matter of regret that while no practical measure is taken to contain such threat as the real source of nuclear danger in the Middle East, the Islamic Republic of Iran as a member of the NPT and the initiator of the idea of the establishment of a Nuclear Weapon Free Zone in Middle East is under tremendous pressure to renounce its inalienable right for peaceful use of nuclear energy.

12. Unfortunately, the absolute ignorance and regretful silence of the Security Council over the past several decades in addressing the well-documented illicit nuclear weapons program pursued by the Zionist Regime, and over the threats of military attack against peaceful nuclear activities of the States Parties to the Treaty, as well as full support of some Western countries from such policies, have given the audacity to this regime to explicitly acknowledge possession of nuclear weapons, in contradiction to the long-sought idea of the establishment of a Nuclear Weapon Free Zone in the Middle East. The Non-Aligned Movement in its statement issued on 5 February, 2007 expressed its great concern over such acquisition of nuclear capability, which poses a serious and continuing threat to the security of neighboring and other States, and condemned that Regime on its action and for continuing to develop and stockpile nuclear arsenals. We expect that this session of the Preparatory Committee unanimously do the same and condemn such declared policy.

13. On the occasion of the 50th anniversary of the IAEA establishment, I cannot, but to express our appreciation for those who genuinely contribute to the promotion of peaceful use of nuclear energy. It is however disappointing that the authority of the Agency as the sole and autonomous authority for verification of the safeguard agreements as well as promotion of technical cooperation has been undermined. The engagement of the Security Council on such issues as verification and peaceful cooperation of the Agency with Member States is in clear contradiction with the provisions of the IAEA Statute.

14. The inalienable right of the States Parties to the NPT to develop nuclear technology for peaceful purposes including fuel cycle emanates from the universally accepted proposition that scientific and technological achievements are the common heritage of mankind. Nuclear technology has been recognized as a source of energy and a viable option within the sustainable development policies with broad applications. The promotion of the use of nuclear technology for peaceful purposes has been, therefore, one of the main pillars of the NPT and the main statutory objective of the IAEA.

15. It is unacceptable that some countries tend to limit the access to peaceful nuclear technology to an exclusive club of technologically advanced States under the pretext of non-proliferation. This attitude is in clear violation of the letter and spirit of the Treaty and destroys the fundamental balance, which exists between the rights and obligations in the Treaty. The Treaty itself clearly rejects this attempt in its Article IV by emphasizing that "nothing in the Treaty shall be interpreted as affecting the inalienable right of all Parties to the Treaty to develop research, produce and use nuclear energy for peaceful purposes without discrimination."

16. The involvement of other international organizations even the United Nations Security Council can not be justified to impose limitations against the peaceful use of nuclear energy in contravention with the clear statutory obligations well established by the NPT and the IAEA Statute. This attitude would only undermine the credibility of the international organizations, which have been created to assist nations to realize their legitimate aspirations.

17. In conclusion I would like to add some points in highlighting the principled position of the Islamic Republic of Iran with respect to its cooperation with the IAEA and its relevance to the NPT. As my Government has repeatedly indicated weapons of mass destruction, in particular nuclear weapons, have no place in the Islamic Republic of Iran's defense doctrine and according to a religious decree (Fatwa) issued by the supreme leader of the Islamic Republic of Iran, such inhuman weapons are considered prohibited and against the Islamic law.

18. Islamic Republic of Iran, suspended all its enrichment activities for about 2.5 years in order to facilitate removal of any ambiguity if any, about its nuclear activities. It is essential to note that the suspension was considered, in all resolutions of the Board of Governors of the IAEA, as voluntary, non-

legally binding. Therefore, stopping voluntary suspension could not be considered in any way as a violation. The Director General of the IAEA has repeatedly reported to the Board of Governors that there has been no evidence of diversion of nuclear materials and activities to prohibited purposes and all declared nuclear materials have been accounted for. According to Article XII of the Statute, non-compliance and diversion have to be recognized by the inspectors, and then be reported to DG, where he, thereupon shall report to the Board of Governors. Since none of these legal procedure and requirements have been pursued, therefore the resolution GOV/2006/14 of the Board of Governors conveying the nuclear dossier to the United Nations Security Council, did not have legal grounds, consequently the resolutions 1696, 1737 and 1747 passed, on the basis of the Board of Governors resolution, are unjustified and legally baseless. Certainly if Iran was not party to NPT, it would have not been faced with such unfair situation. Penalizing NPT party on political grounds shall have grave consequences.

19. Acceptance of over 2000 man-day most robust inspections and granting access to over 20 military sites, as well as voluntarily implementation of the Additional Protocol, prior to ratification, for almost three years, are crystal clear indication of Iran's commitments to international non-proliferation. Suspension of voluntary measures, such as the implementation of the Additional Protocol, was made, in accordance with the law passed by parliament, pursuant to convey of the nuclear dossier to the United Nations Security Council. Therefore, one has to strongly blame those few members of the Board of Governors for the status quo.

20. The Islamic Republic of Iran is ready to negotiate with interested parties on mechanisms that could guarantee the non-diversion of Iran's peaceful activities in the future. While emphasizing on nuclear fuel cycle programs, aimed at the industrial production of fuel needed for its reactors and power plants, Iran stresses that there is no capacity at any level (R&D, pilot or industrial) for the production of nuclear material useable for nuclear weapons.

21. The path of the Security Council has no sound legal basis for Iran's nuclear issue. Any further steps taken by the Security Council, would surely complicate the situation, is counterproductive for settlement of the issue and put at stake the current efforts and initiatives for resuming the negotiations, for peaceful settlement of this issue.

22. The Government of the Islamic Republic of Iran continues to be ready to resolve a few of the remaining issues with the Agency, provided that the nuclear dossier, is returned in full in the framework of the IAEA and the United Nations Security Council disengagement is realized. The Islamic Republic of Iran is the responsible State and continues to comply with its obligations under the NPT, but will not stand still in the face of intimidation and threats, and will never give up its inalienable rights for peaceful use of nuclear energy, stipulated in Article IV of the NPT and articles I and II of the Agency's Statute.

23. This Preparatory review process of the NPT which was further strengthened by the 1995 NPT Conference provides the best forum for addressing the real challenges to the Treaty and identifying proper solutions for them. Serious collective measures to remedy these concern, have to taken prior to the 2010 NPT Review Conference; otherwise, the future of the Treaty will be in jeopardy.

24. The credibility and legitimacy of the Treaty does not lie in adopting a discriminatory approach to concentrate in some particular aspects of the Treaty, which coincides with the political interest of some parties, but lies in a balanced review of all basic obligations of the Treaty.

25. This principle applies to substantive as well as procedural aspects of our work. I hope that this First Session of the Preparatory Committee under your able chairmanship would take a very firm step towards preparation for such a review and establish a solid ground for other sessions of the Preparatory Committee to follow.

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