



**PERMANENT MISSION
OF THE ARAB REPUBLIC OF EGYPT**

**CHAIR OF THE VIENNA CHAPTER
OF THE
NON ALIGNED MOVEMENT**

**November 26th, 2010
NAM/126/2010**

Note Verbale

The Permanent Mission of the Arab Republic of Egypt in Vienna in its capacity as Chair of the Vienna Chapter of the Non-Aligned Movement (NAM) presents its compliments to all NAM Member and Observer States, and has the honor to inform that the NAM Plenary meeting held on 26 November 2010 has agreed to the following:

1. Adoption of the final version of the NAM statements to be delivered to the December 2010 session of the BoG on the following provisional agenda items (copy of statements enclosed):
 - i. Item 2 Applications for membership of the Agency.
 - ii. Item 6(c) Implementation of the NPT safeguards agreement and relevant provisions of Security Council resolutions in the Islamic Republic of Iran.
 - iii. Item 6(d) Implementation of the NPT safeguards agreement in the Syrian Arab Republic.
 - iv. Item 8 Any other business.
2. Mandating the Chairman of the Vienna Chapter of the Non-Aligned Movement (NAM) to convey to the Chairperson of the G77, the group's decision to adopt any statement the G77 adopts on the issue of "Assurance of Supply" as a joint NAM/G77 statement, to be delivered during the December 2010 session of the BoG under Agenda Item 7 entitled "Assurance of nuclear fuel supply".

Member Countries: Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Chile, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao Peoples' Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Palestine, Panama, Papua New Guinea, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Timor Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Vanuatu, Venezuela, Vietnam, Yemen, Zambia, Zimbabwe
Observer Countries: Argentina, Armenia, Azerbaijan, Bosnia and Herzegovina, Brazil, China, Costa Rica, Croatia, El Salvador, Kazakhstan, Kyrgyzstan, Mexico, Montenegro, Paraguay, Serbia, Tajikistan, Ukraine, Uruguay
Observer Organizations: African Union, Afro-Asian People's Solidarity Organization, Front de Liberation Nationale Kanak et Socialiste, League of Arab States, New Movement for the Independence of Puerto Rico, Organization of the Islamic Conference, South Centre, United Nations

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3. To follow up with the IAEA Director-General, during and after the December 2010 session of the BoG, on:
 - a. Pending NAM specific requests outlined in its statements.
 - b. The letter addressed to the Chairman of Vienna Chapter of the Non-Aligned Movement (NAM) by Mr. Vilmos Cserveny, Assistant Director General for External Relations and Policy Coordination, for the Director-General, as enclosed in Note NAM/125/2010 dated 25 November 2010.
 - c. Other issues of interest to NAM.

The Permanent Mission of the Arab Republic of Egypt in Vienna avails itself of this opportunity to renew to the Permanent Missions of NAM Member and Observer States the assurances of its highest consideration.



To: All Permanent Missions of NAM Member and Observer States.

Member Countries: Afghanistan, Algeria, Angola, Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Central African Republic, Chad, Chile, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao Peoples' Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Palestine, Panama, Papua New Guinea, Peru, Philippines, Qatar, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Timor Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Vanuatu, Venezuela, Vietnam, Yemen, Zambia, Zimbabwe

Observer Countries: Argentina, Armenia, Azerbaijan, Bosnia and Herzegovina, Brazil, China, Costa Rica, Croatia, El Salvador, Kazakhstan, Kyrgyzstan, Mexico, Montenegro, Paraguay, Serbia, Tajikistan, Ukraine, Uruguay

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Item 2: Applications for membership of the Agency

Mr. Chairperson,

I have the honor to take the floor on behalf of the Vienna Chapter of the Non-Aligned Movement (NAM).

NAM welcomes the decision of Lao People's Democratic Republic, a member of NAM, to join the IAEA, and supports that the Board recommends to the forthcoming General Conference that the application of Lao People's Democratic Republic for membership be approved. NAM also welcomes the decision of the Kingdom of Tonga to join the IAEA, and supports that the Board recommends to the forthcoming General Conference that its application for membership be approved.

Thank you, Mr. Chairperson.

Item 6 (c): Implementation of the NPT safeguards agreement and relevant provisions of United Nations Security Council resolutions in the Islamic Republic of Iran.

Mr. Chairperson,

1. The Vienna Chapter of the Non-Aligned Movement wishes to thank the Director General, Mr. Yukiya Amano, for his report on the Implementation of the NPT safeguards agreement in the Islamic Republic of Iran as contained in document GOV/2010/62.
2. Before expressing our comments on the Director General's Report, NAM would like to reiterate its principled positions on the matter:
 - a. NAM reaffirms the basic and inalienable right of all states to the development, research, production and use of atomic energy for peaceful purposes, without any discrimination and in conformity with their respective legal obligations. Therefore, nothing should be interpreted in a way as inhibiting or restricting the right of states to develop atomic energy for peaceful purposes. States' choices and decisions, including those of the Islamic Republic of Iran, in the field of peaceful uses of nuclear technology and its fuel cycle policies must be respected.
 - b. NAM recognizes the IAEA as the sole competent authority for verification of the respective safeguards obligations of Member States and stresses that there should be no undue pressure or interference in the Agency's activities, specially its verification process, which would jeopardize the efficiency and credibility of the Agency.
 - c. NAM emphasizes the fundamental distinction between the legal obligations of states in accordance with their respective safeguards agreements, as opposed to any confidence building measures undertaken voluntarily and that do not constitute a legal safeguards obligation.
 - d. NAM considers the establishment of a nuclear- weapons-free-zone (NWFZ) in the Middle East as a positive step towards attaining the objective of global nuclear disarmament and reiterates its support for the establishment of such a zone in accordance with relevant General Assembly and Security Council resolutions.

- e. NAM reaffirms the inviolability of peaceful nuclear activities and that any attack or threat of attack against peaceful nuclear facilities - operational or under construction - poses a serious danger to human beings and the environment, and constitutes a grave violation of international law, of the principles and purposes of the Charter of the United Nations, and of regulations of the IAEA. NAM recognizes the need for a comprehensive multilaterally negotiated instrument prohibiting attacks, or threat of attacks on nuclear facilities devoted to peaceful uses of nuclear energy.
 - f. NAM strongly believes that all safeguards and verification issues, including those related to Iran, should be resolved within the IAEA framework, and be based on sound technical and legal grounds. NAM further emphasizes that the Agency should continue its work to resolve the Iranian nuclear issue within its mandate under the Statute of the IAEA.
 - g. NAM stresses that diplomacy and dialogue through peaceful means as well as substantive negotiations without any preconditions amongst the concerned parties must remain the means whereby a comprehensive and lasting solution to the Iranian nuclear issue is found.
3. NAM takes note that the Director General has stated once again that the Agency has been able to continue to verify the non-diversion of declared nuclear material in Iran.
 4. NAM encourages Iran to continue cooperating with the Agency to provide credible assurances regarding the absence of undeclared nuclear material and activities in Iran in accordance with international law.
 5. NAM notes the explanation provided by the Secretariat in response to its concern about the possible implications of the continued departure from standard verification language in the summary of the report of the Director General, when stating that "Iran has not provided the necessary cooperation to permit the Agency to confirm that all nuclear material in Iran is in peaceful activities", and sought further clarification from the Director General on this matter, given that the Safeguards Implementation Report (SIR) for 2009 contained in Document GOV/2010/25 states that "while the Agency was able to conclude for Iran that all declared nuclear material remained in peaceful activities, verification of the correctness and completeness of Iran's declarations remained ongoing". NAM shall duly reflect on this explanation.

6. NAM requests the Secretariat to continue to refrain from including extensive technical details pertaining to sensitive proprietary information in the report of the Director General.
7. NAM welcomes the continued cooperation between the Agency and Iran as elaborated in the latest report of the Director General, and in this regard, notes the following:
 - a. That the activities of production of nuclear material, particularly those related to enrichment, continue to remain under the Agency's containment and surveillance and that to date, the Fuel Enrichment Plant (FEP) in Natanz and Pilot Fuel Enrichment Plant (PFEP) have been operating as declared.
 - b. That the Agency has confirmed that the Fordow Fuel Enrichment Plant (FFEP) corresponded with the design information provided by Iran, and that the facility was at an advanced stage of construction, although no centrifuges had been introduced to the facility. The results of the environmental samples taken at FFEP up to 16 February 2010 did not indicate the presence of enriched uranium.
 - c. That the Agency has continued to monitor the use and construction of hot cells at the relevant nuclear facilities in Iran, and there have been no indications of ongoing reprocessing related activities at those facilities.
 - d. That Iran has provided the Agency with access to the IR-40 heavy water reactor at Arak, at which time the Agency was able to carry out a design information verification (DIV). The Agency verified that the construction of the facility was ongoing, with the civil construction of the buildings almost complete and some major equipment having been installed.
 - e. That the Agency also carried out an inspection and a DIV at the Fuel Manufacturing Plant (FMP), and confirmed that Iran has not yet started to install equipment for the Tehran Research Reactor (TRR) fuel fabrication.
 - f. That the Agency confirmed that the core loading at the Bushehr Nuclear Power Plant (BNPP) had been completed and verified all fuel assemblies in the reactor core, and that containment and surveillance measures were put in place to maintain continuity of knowledge until the core is closed and sealed.

8. NAM notes the standing requests by the Secretariat for further information regarding the design and scheduling of the construction of new nuclear facilities, and continues to encourage Iran to provide design information regarding its nuclear facilities in accordance with its full-scope safeguards agreement with the Agency.
9. NAM notes that the report of the Director General addressed the status of the Work Plan on “Understanding of the Islamic Republic of Iran and the Agency on the Modalities of resolution of the Outstanding Issues” (INFCIRC/711), indicating that as Iran has been informed previously, although most of the actions identified in the 2007 work plan agreed between Iran and the Agency have been completed, there remains an issue that still need to be addressed. In this regard, NAM fully supports the previous requests of the Director General to those Member States that have provided the Secretariat information related to the “alleged studies” to agree that the Agency provides all related documents to Iran. NAM expresses once again its concerns on the creation of obstacles in this regard, which hinder the Agency’s verification process. NAM recalls that the Director General previously reported that:
 - a. The Agency has limited means to authenticate independently the documentation that forms the basis of the alleged studies.
 - b. The constraints placed by some Member States on the availability of information to Iran are making it more difficult for the Agency to conduct detailed discussions with Iran on this matter.
10. Taking into account the recent developments mentioned above as well as previous Director General’s reports on the implementation of the Work Plan on “Understanding of the Islamic Republic of Iran and the Agency on the Modalities of resolution of the Outstanding Issues” (INFCIRC/711), NAM still looks forward to the safeguards implementation in Iran being conducted in a routine manner.
11. NAM reiterates its principled position that diplomacy and dialogue are the only way for a long term solution of Iran’s nuclear issue. NAM encourages all Member States to contribute positively to that effect.

Thank you, Mr. Chairperson.

Item 6 (d): Implementation of the NPT safeguards agreement in the Syrian Arab Republic.

Mr. Chairperson,

1. I have the honor to deliver this statement on behalf of the Vienna Chapter of the Non- Aligned Movement. NAM has carefully read the Director General's Report on the Implementation of the NPT Safeguards Agreement in the Syrian Arab Republic, as contained in document GOV/2010/63.
2. At the very outset, NAM would like to reiterate the view that, while considering this issue, it is essential not to lose sight of the manner in which it was initially brought to the attention of the Agency. As was recognized in the Director General's Report to the November 2008 Board, the Agency was severely hampered in discharging its responsibilities under Syria's NPT Safeguards Agreement by the unilateral use of force by Israel and by the late provision of information by some Member States concerning the building at the Dair Alzour site. Bearing in mind the serious consequences of such acts, NAM regrets that the Board has not expressed itself clearly in this regard, and that the Director General continues to not address these matters in his reports.
3. NAM wishes to recall the position expressed in this regard in the Final Declaration adopted by the Summit of NAM Heads of State and Government held in Sharm El Sheikh, Egypt, in July 2009 that I now quote:

“The Heads of State and Government *underscored* the Movement's principled position concerning non-use or threat of use of force against the territorial integrity of any State. In this regard, they *condemned* the Israeli attack against a Syrian facility on September 6, 2007, which constitutes a flagrant violation of the UN Charter and *welcomed* Syria's cooperation with the IAEA in this regard.”
4. With regard to the Director General's report, NAM notes that Part A entitled "The Dair Alzour Site" continues to include many references to events that transpired prior to the previous report. NAM continues to requests clarification from the Secretariat on the rationale behind issuing a report that contains no new information on the Dair Alzour site.
5. NAM notes that Syria has maintained that the destroyed facility on the Dair Alzour site was a non-nuclear military installation. NAM also notes Syria's statement that it has provided all the information it had regarding the questions raised by the Agency concerning the Dair Alzour site.

6. NAM recalls its previous requests that future reports by the Director General on this issue should contain the Agency's assessment on the following:
 - a. The implications of Israel's bombing of the Dair Alzour site, and its lack of cooperation, on the Agency's ability to resolve all related outstanding issues, as well as the broader aspects of the future of the Agency's safeguards regime.
 - b. The reasons that may explain the absence of satellite imagery from the Dair Alzour site for a period of six weeks following its destruction by Israel.
7. The continued absence of a comprehensive Agency assessment in this regard, has not helped NAM Member States discern myth from reality regarding the Dair Alzour Site. Consequently, NAM requested that future formal reports by the Director General on this item should contain such an assessment. NAM regrets that the report of the Director General does not address NAM's previous formal requests regarding the Dair Alzour site, and once again requests clarification on this matter.
8. NAM welcomes Syria's resolve to continue cooperating with the Agency. In this regard, NAM stresses that during the conduct of safeguards activities, access to information, activities and locations must be provided in accordance with the letter of the comprehensive Safeguards Agreement concluded between the Agency and Syria.
9. NAM encourages Syria and the Secretariat to continue cooperating with a view to resolving any remaining issues that relate to information, activities and locations that are in accordance with the provisions of Syria's comprehensive safeguards agreement with the Agency.
10. NAM welcomes Syria's continued cooperation in providing further information on the issue related to the Miniature Neutron Source Reactor (MNSR) and access to its facilities. In this regard, NAM welcomes the reaffirmation by Syria of its commitment to resolve all outstanding MNSR issues within the scope of its Safeguards Agreement, and looks forward to bring these issues to closure.
11. NAM reaffirms that a clear distinction has to be made between legal obligations of Member States under their respective safeguards agreements and their voluntary undertakings, in order to ensure that such voluntary undertakings are not turned into legal safeguards obligations.

12. NAM wishes to stress once again that all Member States should avoid any undue pressure or interference in the Agency's activities, especially in its verification process, which would jeopardize the efficiency and credibility of the Agency.
13. In this regard, NAM supports the Director General's previous call on other States, including Israel, which may possess information relevant to the Agency's verification, to make such information available to the Agency.
14. NAM also calls on Israel to cooperate fully with the Agency in providing it with comprehensive information on the nature of the materials used by Israel in its attack on the Dair Alzour site.

Thank you, Mr. Chairperson.

Item 8: Any other business

Mr. Chairperson,

1. Bearing in mind the Agency's responsibility in protecting safeguards confidential information, NAM remains concerned by recurring incidents of leakage of such information, including the possibility of such leakage from the staff leaving the Agency that, in the absence of adequate corrective measures by the Agency, calls into question the credibility of its regime for the protection of safeguards confidential information.
2. The Vienna Chapter of the Non-Aligned Movement takes note of the remarks made by the Director General, Mr. Yukiya Amano, on this matter in his opening statement to the June 2010 session of the Board of Governors. As the Director General rightly pointed out, "these are very complicated issues and require time for in-depth consideration".
3. NAM recalls its request during the June 2010 session of the Board of Governors, for a comprehensive progress report by the Director-General to the current Board of Governors meetings, that fully addresses the concerns of NAM regarding the implementation of the Agency's regime for the protection of safeguards confidential information.
4. In this regard, NAM noted with appreciation that the Secretariat circulated Note 47 providing more specific information on the use of cost free experts (CFEs) in 2009. NAM also noted with appreciation, the Director General's intention to present a progress report on the Agency's information security regime prior to this session of the Board of Governors meeting.
5. Given that the Secretariat circulated Note 60 on Information Security at the IAEA only last week, NAM shall duly reflect on it and requests the inclusion of an Agenda item to discuss this matter during the upcoming Board of Governors meeting scheduled 7 - 11 March 2011, where the issue of the CFEs could also be discussed.

Thank you, Mr. Chairperson.