



**RESULTS OF THE 2009 PREPCOM
AND THE PROSPECTS FOR THE 2010
NPT REVIEW CONFERENCE.
DEVELOPMENT OF THE SITUATION
WITH THE NUCLEAR AND MISSILE
PROGRAMS OF IRAN
AND NORTH KOREA**

Proceedings of the International
Luxembourg Forum Workshop

GENEVA, JULY 2, 2009



**RESULTS OF THE 2009 PREPCOM
AND THE PROSPECTS FOR THE 2010
NPT REVIEW CONFERENCE.
DEVELOPMENT OF THE SITUATION
WITH THE NUCLEAR AND MISSILE
PROGRAMS OF IRAN
AND NORTH KOREA**

Proceedings of the International
Luxembourg Forum Workshop

GENEVA, JULY 2, 2009

*УТВЕРЖДАЮ В ПЕЧАТЬ
Евсеев Владимир*

I93 **Results of the 2009 PrepCom and the Prospects for the 2010 NPT Review Conference. Development of the Situation with the Nuclear and Missile Programs of Iran and North Korea:** Proceedings of the International Luxembourg Forum Workshop, Geneva, July 2, 2009/ National Institute of Corporate Reform. — M, 2010. — 128 pages.

ISBN 978-5-9901170-9-9

The book contains proceedings of the International Luxembourg Forum Workshop (July 2, 2009, Geneva, Switzerland), which focused on the results of the 2009 Preparatory Committee and prospects for the 2010 NPT Review Conference, as well as on the situation with the nuclear and missile programs of Iran and North Korea. The most authoritative experts from different countries participated in the meeting. In addition to various reference materials, the Appendices include the Final Document adopted by the participants in the workshop. The publication is intended for experts on the subject, as well as for a wide readership.

UDC 327.37:355.019.2:623.454.8(06)

The official website of the International Luxembourg Forum: www.luxembourgforum.org

ISBN 978-5-9901170-9-9

© International Luxembourg Forum
on Preventing Nuclear Catastrophe, 2009

TABLE OF CONTENTS

**ABOUT THE INTERNATIONAL LUXEMBOURG FORUM
ON PREVENTING NUCLEAR CATASTROPHE** 9

WELCOME ADDRESS

V. Dvorkin 17

SESSION 1

**Results of the 2009 PrepCom
for the 2010 NPT Review Conference**

R. Ekeus 23

The Prospects for the 2010 NPT Review Conference

G. Perkovich 27

Discussion

Y. Nazarkin 31

M. Fitzpatrick 33

A. Arbatov 34

S. Miller 39

S. Batsanov 40

P. Cotta-Ramusino 42

C. Schoenenberger 43

R. Nurick 44

A. Kaliadin 45

V. Baranovskiy 46

G. Perkovich 47

SESSION 2

**The State and the Prospects
of Iranian Nuclear and Missile Programs**

M. Fitzpatrick 53

Discussion

A. Kaliadin.....	58
P. Cotta-Ramusino.....	60
V. Sazhin.....	62
S. Chubin.....	64
A. Diakov.....	66
S. Batsanov.....	67
S. Miller.....	68
Y. Nazarkin.....	70
R. Nurick.....	71
A. Arbatov.....	72
V. Baranovskiy.....	72
V. Dvorkin.....	74
G. Perkovich.....	75
M. Fitzpatrick.....	76

Development of the Situation

with North Korea's Nuclear and Missile Programs

V. Dvorkin.....	78
-----------------	----

Discussion

A. Kaliadin.....	80
P. Cotta-Ramusino.....	81
V. Dvorkin.....	83

APPENDICES

Appendix 1. Final Document of the Workshop of the International Luxembourg Forum on Results of the 2009 PrepCom and the Prospects for the 2010 NPT Review Conference, Development of the Situation with the Nuclear and Missile Programs of Iran and North Korea	86
Appendix 2. Normative Documents on Nuclear Non-Proliferation	92
2.1. The Treaty on the Non-Proliferation of Nuclear Weapons, July 1, 1968; Moscow, London and Washington.....	92
2.2. United Nations Security Council Resolution 1803 (Iran), March 3, 2008; New-York.....	97
2.3. United Nations Security Council Resolution 1835 (Iran), September 27, 2008; New-York.....	103

2.4. Joint Statement by President Dmitriy Medvedev of the Russian Federation and President Barack Obama of the United States of America, April 1, 2009; London.....	104
2.5. Joint Statement by Dmitriy A. Medvedev, President of the Russian Federation, and Barack Obama, President of the United States of America, Regarding Negotiations on Further Reductions in Strategic Offensive Arm, April 1, 2009; London.....	107
2.6. United Nations Security Council Resolution 1874 (North Korea), June 12, 2009; New-York.....	108
2.7. Joint Understanding by Obama, Medvedev on Weapon Negotiations, July 6, 2009; Moscow.....	113
2.8. Joint Statement by President Barack Obama of the United States of America and President Dmitriy Medvedev of the Russian Federation on Nuclear Cooperation, July 6, 2009; Moscow.....	114
2.9. Joint Statement by Dmitriy A. Medvedev, President of the Russian Federation, and Barack Obama, President of the United States of America, on Missile Defense Issues, July 6, 2009; Moscow.....	116
2.10. Implementation of the NPT Safeguards Agreement and Relevant Provisions of Security Council Resolution 1737 (2006), 1747 (2007), 1803 (2008), and 1835 (2008) in the Islamic Republic of Iran, August 28, 2009; Vienna.....	117

Appendix 3. Acronyms	124
-----------------------------------	-----

Appendix 4. List of Participants in the Workshop	126
---	-----



**ABOUT THE INTERNATIONAL
LUXEMBOURG FORUM
ON PREVENTING NUCLEAR
CATASTROPHE**

*УТВЕРЖДАЮ В ПЕЧАТЬ
Евсеев Владимир*

The International Luxembourg Forum on Preventing Nuclear Catastrophe was established pursuant to a decision of the International Conference on Preventing Nuclear Catastrophe held in Luxembourg on May 24-25, 2007. The Luxembourg Forum is one of the largest non-governmental organizations bringing together leading, world-renowned experts on the nonproliferation of nuclear weapons and on arms reduction and limitation.

The Forum's priorities are:

- To counteract growing threats to the nuclear nonproliferation regime and erosion of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), including the escalating danger of nuclear terrorism and attempts by certain countries to gain access to nuclear materials and technologies. Particular attention is paid to the Iranian nuclear threat;

- To promote global peace and security through new approaches, and to make proposals to decision-makers concerning practical solutions to critical issues of nuclear nonproliferation and arms control.

The Forum's principal guiding bodies are the International Advisory Council (IAC) and the Supervisory Board (SB).

The International Advisory Council is the Forum's main operating body, consisting of more than 40 leading experts from many countries. IAC members make proposals on the Forum's agenda, arrange the Forum's events and participate in drafting the Forum's final documents (declarations, spe-

cial statements, memoranda, etc.) to be circulated to top-tier politicians, heads of international organizations and public figures around the world.

The Supervisory Board is a team of prominent politicians, public figures and world-renowned scientists, including Hans BLIX, former Director General of the International Atomic Energy Agency (IAEA), William PERRY, former United States Secretary of Defense, Gareth EVANS, Co-Chair of the International Commission on Nuclear Non-proliferation and Disarmament and former Minister for Foreign Affairs of Australia, Rolf EKEUS, former OSCE High Commissioner on National Minorities, Sam NUNN, prominent U.S. politician and Co-Chairman of the Nuclear Threat Initiative, Roald SAGDEEV, Academician of the Russian Academy of Sciences and Director of the East-West Center at the University of Maryland, Nikolay LAVEROV, Vice President of the Russian Academy of Sciences, and Igor IVANOV, Professor at the Moscow State Institute of International Relations, former Russian Minister for Foreign Affairs and former Secretary of the Security Council of the Russian Federation. Members of the Supervisory Board advise on the activities of the Forum, a high-profile public entity aimed at strengthening peace and security.

The Forum is headed by its President, Viatcheslav KANTOR, Ph.D., a prominent public figure, international philanthropist, entrepreneur and investor. Mr. Kantor is President of the European Jewish Congress and leads many international public institutions. He has chaired the Organizing Committee of the Luxembourg Conference and greatly contributes to the work of the International Luxembourg Forum.

On March 26, 2008, IAEA former Director General Mohamed ElBaradei received a visit from Alexei Arbatov and Vladimir Dvorkin, the plenipotentiary representatives of the Luxembourg Forum. During the meeting, ElBaradei, Arbatov and Dvorkin shared their opinions on the prospects for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. The Luxembourg Forum representatives conveyed their views to the Director General regarding the complex issues associated with the Iranian nuclear program and the prospects for a peaceful settlement through dialogue as provided for in the relevant United Nations Security Council resolutions.

Special attention was devoted to the need to strengthen the IAEA's system of safeguards, including comprehensive compliance by countries with the provisions of the Comprehensive Safeguards Agreements and their Additional Protocols, improved monitoring of the nuclear fuel cycle, including the possible creation of international nuclear fuel cycle centers, and the fulfillment of all relevant obligations of the States Parties to the NPT. Mohamed ElBaradei gave valuable advice, made a number of recommendations for the work of the Luxembourg Forum, and expressed support for its activities and readiness to cooperate informally in various spheres of mutual interest.

On April 14, 2008, a Forum Working Group meeting was held in Moscow. Following alarming developments in the Iranian nuclear program, the meeting focused primarily on possible political and diplomatic ways of addressing the issue.

As an outcome of the meeting, the workshop issued a memorandum providing a number of practical steps toward nuclear nonproliferation. Like the previous Luxembourg Conference Declaration, the memorandum was circulated to world leaders and the heads of major international organizations.

The next event took place in Rome on June 12, 2008, in the form of a Joint Seminar of the International Luxembourg Forum on Preventing Nuclear Catastrophe and the Pugwash Conferences on Science and World Affairs. The seminar was dedicated to the results and prospects of the Preparatory Committee for the 2010 NPT Review Conference.

The Supervisory Board of the International Luxembourg Forum met on December 9 in Moscow. Participants, who included William Perry, Hans Blix, Rolf Ekeus and Igor Ivanov, summed up the results of the organization's activities in 2008 and outlined plans and priorities for 2009. The session addressed the most urgent nuclear nonproliferation and international security issues, both worldwide and in challenging regions. On the previous day, December 8, Luxembourg Forum representatives met with Minister of Foreign Affairs Sergey Lavrov and Deputy Secretary of the Security Council of the Russian Federation Vladimir Nazarov.

The Forum continued its work in 2009. On April 22, a Working Group meeting took place in Moscow devoted to the reduction of strategic offen-

sive weapons and the prospects for the Preparatory Committee for the 2010 NPT Review Conference. On July 2, the Working Group held its next meeting in Geneva, with one session focusing on the results of the 2009 Preparatory Committee and prospects for the 2010 NPT Review Conference, and the other on the development of the situation around the Iranian and North Korean nuclear and missile programs.

At the end of 2009, on December 8-9th, the traditional meeting of the Supervisory Board took place in Moscow. In the process of the event a number of most acute issues were discussed. Among them – the non-proliferation problems, the vital tasks of nuclear disarmament and non-proliferation, the perspectives of further nuclear weapons reduction. In the event participated most of the the above mentioned members of the SB as well as the newly elected participant – Gareth Evans, Co-chairman of the International Commission on Nuclear Non-proliferation and Disarmament. The encounters with the Minister of Foreign Affairs Sergey Lavrov and the Deputy Secretary of the Security Council of the Russian Federation, General Yury Baluevsky, took place. At the meeting the main outcomes of the International Luxembourg Forum's activity got the approval of the Supervisory Board as well as the recommendations on the part of the SB members for the further work of the Forum were given. In keeping with the Forum's traditions, final documents on the outcome of all meetings were agreed upon and adopted and then sent to world leaders and the heads of international organizations.



WELCOME ADDRESS

*УТВЕРЖДАЮ В ПЕЧАТЬ
Евсеев Владимир*



Vladimir DVORKIN, Professor
Chairman of the Organizing Committee
of the International Luxembourg Forum (Russia)

Allow me on behalf of the President of the Luxembourg Forum, Dr. Viatcheslav Kantor, to express our deep gratitude to you for having found the time to participate in this Working Group meeting of the International Luxembourg Forum.

During today's meeting we shall discuss the results of the work of the Preparatory Committee in 2009 and the prospects for the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) to be held in 2010, and we shall also consider the rapidly evolving situation as regards the nuclear and missile programs of Iran and North Korea. There have been both positive and negative changes in these areas. First of all, the "Toward a Nuclear-Free World" initiative is continuing to gain momentum. This movement is growing ever stronger, and not just at the level of public organizations and among eminent international figures. By and large, this movement enjoys the support of the new United States administration under President Barack Obama and of the President of Russia, Dmitry Medvedev. The Australia Group is also working to this end.

It is hoped that this time the obstacles that led to the failure of previous review conferences will be removed. If that is the case, then perhaps we can look forward to a successful NPT Review Conference in 2010.

However, there continues to be much that is negative in the way in which the nuclear and missile programs of Iran and North Korea are un-

folding. To all appearances, the outcome of the presidential elections held in Iran this year will lead to an even more aggressive stance on the part of the Iranian Government. If this is so, the pace of the Iranian military nuclear program may possibly be stepped up.

With regard to North Korea, as you are all well aware, there have been significant changes in the positions taken at the six party talks and in the atmosphere prevailing at those negotiations. For all practical purposes, these talks have been broken off. Although not so long ago, in October 2008, we were hopeful that the denuclearization of the Korean peninsula was within our grasp, events have now begun to develop in an unpredictable manner.

As many international experts and members of the Luxembourg Forum recognize, the crucial steps that may ensure the success of the NPT Review Conference in 2010 have to be taken by the United States and Russia. In the first place, a new treaty on the reduction of strategic offensive weapons should be concluded by the end of this year.

The problems on the path to a new treaty are well known. First of all, the Russian side has introduced a fairly close linkage between this process and a decision on the part of the United States to limit or even abandon its plans to establish a third deployment area for anti-missile defense systems in the Czech Republic and Poland. Second, there is the problem concerning the reduction by the United States of strategic delivery vehicles. Last, there are the plans to equip strategic delivery vehicles with high-precision non-nuclear warheads. However, the existence of the political will to reach an agreement and sign a new treaty by the end of the current year provides grounds for some optimism.

From the point of view of a successful 2010 Review Conference, I believe that it is not even so important that Russia and the United States ratify this treaty; it would be enough for the presidents of our countries to sign it. Some time may be needed for its ratification, but this would not affect the outcome of the Review Conference.

It is also important that the other official members of the "nuclear club" – the United Kingdom, France and China – sign up for the negotiation process. Here it is not a question of involving those countries in multilateral talks, for that would be altogether unrealistic. These countries

could, however, be invited to accede, on a voluntary basis or under some kind of agreement, to at least a small portion of those confidence building measures that continue to apply in a redundant manner under the Strategic Arms Reduction Treaty (START 1). We have already considered possibilities of this kind on previous occasions. Specifically, these countries could adopt, either on a voluntary basis or under a joint agreement, 10-12 provisions from among the 170 confidence building and notification measures that are currently included in START 1 and that concern the status of nuclear forces and their redeployment. Such measures would in any case have a positive effect on the outcome of the Review Conference in 2010.



SESSION 1

*УТВЕРЖДАЮ В ПЕЧАТЬ
Евсеев Владимир*



Chairman –
Vladimir DVORKIN,
Professor

**Chairman of the Organizing
Committee of the International
Luxembourg Forum (Russia)**

Results of the 2009 PrepCom for the 2010 NPT Review Conference

Rolf EKEUS, Ambassador

**Chairman of the Governing Board of the Stockholm
International Peace Research Institute (Sweden)**

Mr. Chairman and dear colleagues! The 2009 Preparatory Committee meeting of the 2010 NPT Review Conference took place in early May 2009 and was relatively well prepared. It was noted that the 2005 Review Conference of the NPT in New York had not been very successful, jeopardizing all earlier achievements. The system of holding preparatory committee meetings was introduced to compensate for the lack of permanent structures, which were called for at the 1995 and 2005 Review Conferences. This is of tremendous importance because the 2004 Preparatory Committee failed to resolve this issue.

The 2009 Preparatory Committee focused on organizational arrangements and succeeded in quickly reaching agreement on all procedural aspects. This is a significant accomplishment. It was agreed that the Conference would take place in New York from May 3-28, 2010. Likewise, an agreement was reached on the agenda, which is an updated version of the 2005 Review Conference agenda. The 2000 Review Conference was seen as quite a success, so its agenda was used as a foundation. Another achievement following difficult debate was the agreement to name Philippine Ambassador Libran Cabactulan as the Chairman of the Conference.

The French delegation indicated, especially during the consultations, that it wanted to make a specific reference to events that had occurred in the interim. This was looked upon by other delegations, especially those from the non-aligned countries, as a move to call into question the results of the 1995 and 2000 Review Conferences, especially the steps agreed on at the 2000 Review Conference. The French position did not gain support.

These were the so-called structural results. The 2009 Preparatory Committee had a very interesting general debate on nonproliferation and disarmament, the peaceful use of nuclear energy and regional issues, among other things. These discussions were characterized by a good, positive atmosphere, reflecting a clear policy change by the new US administration, which doubtless had an impact on the Preparatory Committee.

Mrs. Gottemoeller, the US representative, talked about the importance of the three pillars of the NPT. In particular, she focused on the need for action on nuclear disarmament. Representatives of the non-aligned nations warmly welcomed this. However, there was a failure to highlight such shortcomings as Iran's relations with the IAEA and nuclear control arrangements. This was probably a reflection of the consultations among the five permanent members of the Security Council.

Concerning the principle of universality, the US delegation named Israel as one of the states that should join the NPT, in addition to Pakistan. This statement gained wide support. Also, the American delegate explicitly confirmed the language of the 1995 and 2000 Review Conferences. However, during internal discussions among the delegates, particularly in the Western group, the US delegate indicated that the administration had not completed its review of future nuclear policy and that the delegation therefore was not ready to commit itself to detailed language at this stage.

Let us look at deliberations on substantive issues, like the proposed drafting of all the recommendations to the Review Conference. The Chairman of the Preparatory Committee submitted a proposal for recommendations on substantive issues to be sent to the Review Conference. However, there was no consensus on either these proposals or their specific subsequent revisions. Concerning the main actors, much attention was focused on the advent of the Obama administration and the generally more forthcom-

ing signals from that side. The UN Security Council P5 appeared united in the cautious treatment of the Iranian issue and declared their unequivocal commitment to nuclear disarmament. Russia and China kept a low profile. However the Chinese delegation was clearly unhappy with the Chairman's efforts to speed up matters regarding proposals for recommendations, which made it difficult for them to obtain instructions from the capital.

A few more words about the French position. The French delegation appeared unprepared for the policy modifications by the new US administration. However, France repeatedly warned against binding commitments, but mostly in isolation from the other participants. Against this background, the European Union's contribution to the general debate was unremarkable. The European nations failed to reach a common position due to the EU's complex and time-consuming decision-making system. Anyone who has dealt with the European Union's bureaucracy understands that one has to have a lot of patience to get any results.

As to the non-aligned countries (NAM countries, as they call themselves), they generally expressed satisfaction with the position of the P5 and specifically the US. In particular, Algeria and Nigeria played a constructive role among the NAM countries. Some of the other nations, such as Egypt, supported by Cuba and, oddly enough, its potential enemy, Iran, took a more hard-line stance.

With respect to the situation in the Middle East, there was a proposal made to conduct a separate conference on this issue and to appoint a special coordinator for the proposed conference. However, the discussion about the region was very interesting, moving less towards consensus and more towards bringing positions slightly closer to each other and learning to understand each other better. Unfortunately, full agreement on Middle Eastern issues remained elusive.

The New Agenda Coalition (NAC) was not very strong. Egypt is a major player in the NAC, along with Brazil, Mexico and South Africa. It is questionable, however, whether or not the NAC's good standing in the non-aligned movement can be translated this time into a role that is as decisive as the one it played in the 2000 Review Conference with attainment of the 13 steps. Egypt's role will now be influential because it is proposing

a review of the situation in the Middle East and an evaluation of Israel's nuclear capability. Overall, there was something of a feel-good atmosphere present, which could be transferred to the 2010 Review Conference.

We reached a certain level of agreement that concrete steps in the disarmament field must be taken. However, now this agreement must be transferred to the negotiations between Russia and the US on the treaty to replace START I and to its subsequent entry into force. In addition, we achieved substantial results in terms of advancing the Fissile Material Cut-off Treaty. This will also open up new possibilities for a successful outcome of the 2010 Review Conference.

I would also like to bring up the following points. First, I think we should not use China as a pretext for doing nothing, especially on nuclear arms control issues. This pertains directly to confidence building measures. A study of China's policy over the years reveals that China does not like to be the holdout. So just act, and then China will follow.

Second, the Iran situation is impacting not only the IAEA but also global security in general. Here we have to find some more suitable language and approaches to sustain the universality of the nonproliferation regime. Those countries that are non-nuclear-weapon states signed the Treaty because they were under the impression that access to nuclear technology was conditional upon the commitment not to acquire nuclear weapons. Later they learned that one could get access to nuclear technology without committing oneself to the Treaty in any way. The US-India nuclear deal created a new challenge to the nonproliferation regime.

Rolling back the deal may be impossible, but we should reflect on how to extend the 1997 Additional Protocol to apply to India. In this respect the proposal from Alexei Arbatov that nuclear weapon states should accept IAEA inspections is very reasonable. It is a prerequisite for the long-term success of nuclear nonproliferation and it pertains directly to the Fissile Material Cut-Off Treaty.

The Prospects for the 2010 NPT Review Conference

George PERKOVICH, Ph.D.
Vice President for Studies and Director
of the Non-Proliferation Program at the Carnegie Endowment
for International Peace (United States)

Rolf said much of what I might have said, so I will be shorter. I also think what Rolf said about atmosphere is very important. We were at a meeting in Chile right before the 2009 Preparatory Committee, and the Brazilian, Mexican and Chilean diplomatic communities expressed a willingness to be constructive and welcome the new Obama administration. It was very noticeable, but the mood may seem more positive than it actually is.

One may conclude that interactions between different national representatives at the 2009 Preparatory Committee were very constructive. People may be so relieved that the Bush administration is gone, that it's a little like a honeymoon now.

It is a honeymoon of a couple that's been divorced a couple of times and they've remarried and are having a honeymoon for the third time. However, I think that soon we will remember why we got divorced. I am afraid that's where we may be going.

One indication of that occurred in late June 2009 when the Board of Governors of the IAEA did not support the international fuel bank, although

private money was raised by Warren Buffet and others. The rejection by the Board of Governors of the IAEA indicates a great suspicion on the part of many non-nuclear-weapon states toward any effort to strengthen controls on proliferation and protection against proliferation. Similarly indicative is the inability of the IAEA Board of Governors to agree on a new executive director. It's a stalemate between the non-nuclear developing countries and the rich nuclear weapons states with advanced nuclear technology.

In terms of major substantive issues at the Review Conference that could complicate the 2010 Review Conference, these are implementation Article I of the NPT and the US-India nuclear deal. It really bothers many states that India, not being a party to the NPT, received preferential treatment. Members of the Nuclear Suppliers Group in rich countries oppose the deal, and they had been given neither a clear, timely signal from the US, nor an opportunity to express their frustration over this deal. The Review Conference might be a place where some of this frustration comes out. The frustration is strong in Japan, Germany, Norway and many other countries. Interestingly, it is not directed at India, but mainly at the US for changing the rules.

Let me now proceed to the issue of Article I, which is the question of extending nuclear deterrence. Right now Japan is fairly loudly pushing against the Obama administration's disarmament rhetoric. Tokyo is asking Washington for clearer commitments for extended nuclear deterrence in the Far East, and there is a similar discussion in Europe; some of the new NATO states are also making clear to the US the importance of nuclear guarantees. That's not a Non-Proliferation Treaty issue per se, but it is closely related to it. Japan wants to be under the US nuclear umbrella.

The issue has to be seen in context. Otherwise it will come up when we try to address the question of short-range nuclear systems, where the US and NATO have a concern about Russia's short-range nuclear systems. There's also some concern about NATO-based US short-range weapons. That issue has not really been addressed, but at some point it will need to be addressed, and I can imagine it affecting the implementation of Article I of the NPT.

Article II: Obviously, the big issue would be Iran. Rolf made a very good point that at the 2009 Preparatory Committee the US delegation did not speak loudly and specifically about Iran for tactical reasons. It was smart

in the sense that there are other things that need to be done in the Non-Proliferation Treaty context to strengthen it and that the Iran issue should not be cast as an issue between the US and Iran, but a broader systemic problem. The French delegation was very angry at the US government for not focusing on Iran. It is unclear how that will play out, but the issue of Iran will feature prominently at the 2010 Conference.

By then we will know whether the effort by the Obama administration to open a dialogue with Iran is getting anywhere. If it does begin, the situation will improve. If it doesn't begin, then there will be more of a crisis atmosphere. However, most likely nothing will be accomplished by 2010, and the issue of Iran will remain very divisive.

We should consider that the issue of Iran will probably divide the US, France and the United Kingdom from Russia and China, in the sense that the three are angry at Russia and China for not pushing hard enough in the Security Council, and the two are asking why the three are picking on Iran while there are all these other nonproliferation issues and countries to be concerned about. We all waited for the presidential elections in Iran, but the outcome has failed to contribute to the resolution of the nuclear issue.

On Article IV: the peaceful cooperation requirement. I think this is going to be arguably the biggest source of tension and conflict. The IAEA's vote not to endorse the fuel bank is an indicator that this is coming. I think there's a need to clarify what Article IV actually means, but we won't meet that need at the Review Conference. There seems to be a demand or an expectation that peaceful cooperation means somehow that the advanced nuclear states are going to give things to other countries. The reality is different. Therefore, we have to talk about what non-nuclear countries are entitled to acquire under Article IV. It was never intended that nuclear reactors, for example, were going to be given away.

So the exact meaning of Article IV was never clear. Many of the developing countries that are saying now that they want nuclear power reactors are going to be learning that they're not going to get them, because either they can't afford them, or it takes much longer than they had realized, or the expansion of the nuclear industry that everyone had been talking about for the last four or five years is much more of a dream than a reality. I think there's going to be a response to that, blaming the nuclear weapons states for not

fulfilling Article IV, when in fact, it never did mean that they were going to give or subsidize anything.

I won't go into the question of Article VI because Rolf Ekeus talked a lot about it, but I think that will be very important, but less important than Article IV in the run-up. This is precisely because President Obama has said he would like to pursue a world without nuclear weapons. The United Kingdom is arguing similar things. But there is always something else to blame the US for. Articles IV and VI are very good for this. People don't pay attention to what China is doing in terms of modernizing and expanding its nuclear arsenal. One would think that that would be an issue, but it's not in the NPT context.

The US may try to call attention to it, but other countries are mainly going to be focusing on things that they're angry at the United States for. Also, France will be focused on things it's mad at the United States for, which includes Obama's speech on nuclear disarmament. The French are very angry about this.

Finally, Article X: the matter of withdrawing from the NPT is a very important issue, and this is where several countries will try to introduce efforts to clarify the procedures for withdrawing from the NPT. There is no understanding of what the procedure is today. Some will be proposing that, for example, if a state sends notification that it wants to withdraw from the Treaty, special inspections should be required to make sure that the state wasn't violating the Treaty before it withdrew. There will be a lot of intense debate on it at the 2010 Conference. I would guess that Russia would have mixed opinions about this kind of issue, but the UK, France and the US, along with Germany, Japan and others, think that this is important.

My last thoughts on the issue are that all responsible states should try to lower expectations for the 2010 Review Conference. In a sense, the best realistic thing that will happen is that it won't be a disaster, that there will be a desire to find agreement. We all want the NPT to survive, but I don't think it's possible to imagine any major breakthrough at the 2010 Conference. I also don't see that there will be major disarmament breakthroughs that would enable non-nuclear-weapons states to say, "Ah, this was a great event; we've achieved a new commitment, a new result." So I think the best that one can hope for is kind of a mediocre result, and we should create expectations or try to create expectations that this would be progress.

Discussion

Yury NAZARKIN, Ambassador
Former Deputy Secretary of the Security Council
of the Russian Federation

What follows are a few considerations that might be useful to keep in mind during the preparations for the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in 2010.

First. Unlike the agreements on nuclear-free zones, the Nuclear Non-Proliferation Treaty does not prohibit the presence of nuclear weapons on the territory of non-nuclear States. However, as can be seen from previous NPT Review Conferences, the presence of American nuclear weapons on the territory of a number of Western European NATO countries is an aggravating factor working against the Treaty. This mainly concerns those weapons that are deployed in Europe as part of NATO's nuclear sharing policy. Although these weapons are under the complete control of the United States in peacetime, in the event of a war the non-nuclear States on whose territory the weapons are located may have access to them.

In the interpretation provided by the United States in 1968, this concept was justified by the fact that during a war the Treaty would not operate in any case. At that time the Soviet Union did not object to this interpretation so as not to block the conclusion of the Treaty. However, a number of

non-nuclear States, including Egypt, took a fairly decisive stand against the possibility of access by non-nuclear members of NATO to nuclear weapons under any circumstances. I believe that the NPT depositary States should not ignore the likelihood of this question arising at the 2010 Conference, especially given that the reasons in favor of preserving this vestige of those times are becoming completely incomprehensible after the end of the Cold War and the breakup of the Soviet Union.

Second. The question of how to distinguish between peaceful and military nuclear activity is most pressing and important. I might recall that the Soviet draft nonproliferation treaty of 1965 proposed that preparations for the production of nuclear weapons should be prohibited. The United States agreed to this and included a similar provision in its own draft treaty. However, at the insistence of certain neutral countries, this provision was subsequently removed from the Treaty. In 1968, the Swedish representative, Alva Myrdal, expressed some very interesting thoughts as to what constituted "nuclear weapons production". According to Myrdal, the term "nuclear weapons production" should not be limited to merely its final stage, in other words the assembling of a nuclear warhead. On the other hand, Ms. Myrdal argued that early stages, such as research, and certain other stages should not be prohibited. She proposed that a kind of midpoint should be identified so as to define the term "nuclear weapons production".

Both the United States and the USSR issued statements of clarification on this matter. What these statements essentially said was that neither plutonium separation nor uranium enrichment constituted a violation of the Nuclear Non-Proliferation Treaty if these processes are carried out for peaceful purposes and under IAEA safeguards. However, no definition of nuclear weapons production was adopted. I believe that if it were possible for the 2010 NPT Review Conference to identify criteria for distinguishing between nuclear weapons production and peaceful nuclear activity, this would help to avoid accusations of political bias and the application of double standards with respect to countries suspected of violating the Nuclear Non-Proliferation Treaty.

Third. The next question has to do with the creation of multilateral centers to supply non-nuclear States with nuclear fuel. The fact is that many

non-nuclear States are very suspicious about these plans, believing that international centers of this kind could deprive them of the right to produce nuclear fuel themselves, in other words to enrich uranium. It would be useful, I think, to consider including a provision in the final document stating that the establishment of multilateral enrichment centers does not deprive non-nuclear States of the right to decide either to make use of such multilateral services or to enrich uranium on their own. On the other hand, these international centers must be more attractive to non-nuclear States from an economic point of view.

Fourth. This point concerns the right to withdraw from the Nuclear Non-Proliferation Treaty. This question may turn out to be extremely contentious at the Conference in 2010. On one hand, Article X of the Treaty does not provide for the right of automatic withdrawal, but, on the other hand, it is not clear whether the United Nations Security Council must consider an application for withdrawal and make a decision, should a State provide notification of its intention to withdraw from the Treaty. In addition, there are no criteria regarding the definition of the "extraordinary events" justifying withdrawal. We should in all likelihood be prepared to clarify these matters at the Conference.

Fifth. The question of the implementation of Article VI will remain the most critical. Will the United States and Russia be able to conclude a successor treaty to START 1 or not? Will the United States ratify the Comprehensive Nuclear Test Ban Treaty? Will we overcome the deadlock in the negotiations on fissile nuclear materials at the Conference on Disarmament?

There are as yet no answers to these and other questions.

Mark FITZPATRICK

**Director of the Non-Proliferation
and Disarmament Programme, International Institute
for Strategic Studies in London (United States)**

Mr. Chairman, I appreciate the very useful and enlightening statements by the opening speakers. I think they set the proper tone. I join George

Perkovich in his caution not to have exaggerated expectations for the NPT Review Conference next year. If states believe that the United States Senate will ratify the CTBT by next spring, this will be a huge exaggerated expectation. I don't even know if the Senate will begin work on this. They may find it more useful to first begin work on ratifying the follow-on US-Russia arms control reduction treaty that hopefully will take shape. This will be an easier treaty to ratify for the Senate and ratification of that treaty could build momentum for ratification of the CTBT. The CTBT today rings too many alarm bells among the very conservative group of Senators who remain firmly opposed to it, and it would be dangerous to try to ratify it too quickly without going through the necessary hearings and so forth.

We might consider in paragraph 8 where it talks about the Review Conference to think about the expectation that is set here and perhaps say something about the way that the Review Conference actually could contribute by strengthening the meaning of Article X, for example. I think this is one realistic outcome. Some of the other issues are very good ideas and they should be included. Setting new standards in the area of nuclear exports is very good, as are multilateral approaches to the fuel cycle.

Alexei ARBATOV, Corresponding Member (RAS)
Head of the Center for International Security of the IMEMO (RAS),
Scholar-in-Residence of the Carnegie Moscow Center (Russia)

I don't think we should place unfounded hopes on the 2010 NPT Review Conference, or on the US-Russia strategic weapons talks. However, if we infuse a certain pessimism into ourselves and world public opinion in advance, it will become a self-fulfilling prophecy. Then there will be no new US-Russia strategic weapons treaty, and next year's Conference will become a routine exchange of polemics and mutual recriminations. It will carry on a highly disturbing trend of the overall degradation of international fora on restricting the spread of nuclear weapons. Nevertheless, I think that without divorcing ourselves from reality, and standing firmly on the soil of realism, we need to formulate some objectives for the two

leading powers, on which a lot depends nowadays, and for the 2010 NPT Review Conference.

From the perspective of the Luxembourg Forum's growing prominence, which is a source of great joy to us, it would be good if our working group could formulate some specific objectives in terms of both reflections on and the enhancement of the nonproliferation regime. If there is no real progress on strategic weapons between Russia and the US, and another declaration of intent or a framework agreement is signed, this will be just a small step forward within the framework of the 2002 Moscow Treaty. It would be impossible to call it anything but total stagnation and collapse of the disarmament process.

I can assure you that in this case all nations – non-nuclear and some nuclear ones – will not miss the opportunity at next year's NPT Review Conference of stomping, as they say in Russia, on Russia and the US, that is, of fully exploiting this fact and blocking any effort to achieve something specific at the new NPT Conference. On the other hand, if despite all difficulties, Russia and the US reach an agreement, which I very much hope for, but the Conference fails, as always, through mutual recriminations and complaints, to achieve concrete results, this will play into the hands of many across the world. In the first place, it will be exploited by those in Russia and the US who say that there is no link between nuclear disarmament and nonproliferation, and nothing, no special effort should be made for nuclear disarmament because in fact the nonproliferation issues have no bearing on it.

This is why I think that concrete objectives need to be set, although we should in no way support such efforts as Global Zero. I don't know and can only guess at the considerations behind setting a specific date for complete nuclear disarmament. It appears to me that this is not serious and only discredits serious talks. Far be it from me, therefore, to call upon anyone to follow the example of Global Zero. It is extremely counterproductive and plays a negative role.

A few words about disarmament. These negotiations are unique in more ways than one. They are unique in that in the past there were always talks on strategic weapons – in the '70s, '80s and '90s. In addition to the general

discourse on peace, disarmament and security, each party needed something concrete from the other, needed to limit something the other party had that worried the US and the Soviet Union (and later Russia). There were specific goals.

The situation today is unique in that the US does not need much from Russia in regard to strategic weapons. The US has no desire to limit or reduce the Russian systems for the sake of America's enhanced security. Russia does have a whole menu of complaints about and demands of the US: what the Americans should limit or reduce, what Russia believes is dangerous to it. The US has no such demands of Russia. The US engaged in the talks for political considerations: because of president Obama's election commitments; because the people around him were in solidarity with the position of the four authoritative American figures in favor of nuclear disarmament; because the US does want to have a successful NPT Conference next year. However, it does not have any specific proposals to Russia. This is the first unique feature of the overall situation.

The second one is that Russia is, of course, really interested in the reduction and limitation of the US strategic weapons and missile defense. However, the influential circles in Russia do not want to tie their hands in the face of an economic crisis and the great difficulties of the program for modernizing the Russian strategic forces. There is a strong negative attitude towards these talks.

The third issue is that over the last 10 years the community of military and civilian scientific and technical specialists, who had worked unremittingly for the past 30 years and had accumulated a vast pool of expertise in the sphere of nuclear weapons, has disintegrated. Restoring this expertise would be a challenge today. Skills have been lost and people don't know one another. Yuri Nazarkin, who is here with us, led the SALT I talks; I also had a chance to take part in those talks. That continuous process was thirty years old by that time. Members of the two delegations had known each other well for many years, to say nothing of their having accumulated experience regarding agreements, compromises, etc. There is nothing like that now. The contact has been largely lost. On the US side, there are good, competent and familiar people, even our friends, who are

engaged in the process now, but nothing can be restored quickly, institutionally and collectively.

Now, what would I like to propose specifically in terms of disarmament? I believe that the Luxembourg Forum should formulate a position that a treaty should be reached – not a framework agreement, but a treaty – before the NPT Conference next year. It would be unrealistic to set such an objective now, by December 2009. The maximum we can expect is a framework agreement. An agreement prior to the Conference in the spring of 2010 would be very important, because Russia and the US, as well as the Big Five in general and other nuclear powers, would have much stronger positions to promote their initiatives from the disarmament conference at the NPT Review Conference.

Here is a second question: what do we want from the NPT Review Conference? To the extent of my understanding, within the framework of the Big Five, Russia and the US have no agreed positions as to what it is specifically that they want to achieve at the Conference, apart from preventing its failure, the second one since 2005. It would not be a bad idea for Russia and the US to discuss and set concrete objectives of strengthening the regime, first between the two of them and then within the framework of the Big Five. They should not just talk about nonproliferation but set specific objectives in terms of strengthening the regime. There is a whole menu that is known to everyone. I am not going to discuss it in detail, but it includes the 1997 Additional Protocol and its universalization, measures concerning the nuclear fuel cycle, including low-enriched uranium banks, more stringent export controls, the refining of Article X on the right to withdraw from the Treaty, and many other things.

One cannot achieve everything, however. Both Rolf Ekeus and George Perkovich provided excellent descriptions of the situation. One needs to identify the one most important thing. I suggest that Russia, the US and the Big Five, and you, dear colleagues, agree on what is the most important thing at the forthcoming conference. I think it is the matter of universalizing the 1997 Additional Protocol. The rest is very complicated and is unlikely to be achieved quickly. But Russia, the US and the Big Five should place the emphasis on this issue and, having achieved success on the strategic treaty,

employ all their resources to agree on moving forward on the universalization of the Additional Protocol.

All the proposed methods should be used to achieve this goal, that is, engaging the Nuclear Suppliers Group so that all subsequent treaties are conditional upon recipient nations' participation in the Additional Protocol, thus achieving full-scale participation.

I would also like to propose the following initiative. The Big Five, whose members no longer produce nuclear weapons material, will invite IAEA inspectors to all of their nuclear fuel cycle facilities, i.e. to uranium enrichment and plutonium separation plants. It is unknown if the IAEA will accept this. However, this initiative from the Big Five would be extremely important in terms of promoting the 1997 Additional Protocol and the accession of non-nuclear nations to it. I think that England, France, Russia and the US (there are still uncertainties about China) could put forward such an initiative to demonstrate that we, too, can assume the burden of participating in the 1997 Additional Protocol. This would also help advance the discussion on the FMCT, i.e. the Fissile Material Cut-Off Treaty, banning the production of fissile material for military purposes.

Concerning what should be done about START I, I believe the extension of this Treaty has been removed from the agenda. This is a non-option, primarily for Russia, because in a number of its provisions the Treaty prohibits the deployment of multiple-warhead Topol-M missiles. Now this is on the agenda. This is why Russia will not accept the extension of the Treaty, to say nothing of the fact that the Treaty places no other restrictions on anybody, apart from the transparency verification system. Both sides have much lower ceilings and far tougher Treaty restrictions. Basically, the Treaty will expire, and it would be nice to have a framework agreement on a new treaty by that time. Sometimes it is called START III, forgetting the 1990 history. A new treaty to replace START I could be provisionally called START +. There will not be a complete vacuum even after December 5, 2009, because the 2002 Moscow Treaty ending in 2012 is still in place. It was ratified by both the US and Russia, but it has no tools, except two numbers on a sheet of paper. Basically, the START + we are talking about is the same Moscow Treaty, but with a somewhat lower ceiling. There is talk of 1500 or

1600 warheads, plus provisions on counting rules, dismantling procedures, and verification and control systems, which could not be established with the Bush administration in the preceding years. This is what people are trying to agree on.

Steven MILLER

**Director of the International Security Program,
Belfer Center for Science and International Affairs, John F. Kennedy
School of Government, Harvard University (United States)**

I wanted to make some points. It seems to me that what we've heard from George, and then others have echoed this, is that a lot of the issues that we would like to have addressed in 2010 are very unlikely to be resolved in 2010. One of the things, for example, is the normative reinterpretation of Article X. My guess is it's going to take years of effort to persuade lots of the relevant parties to converge. Therefore, this Conference should be set up as a new start, as a move away from the unsuccessful 2005 Conference and the establishment of the agenda for beyond 2010.

What really matters is not only 2010, but how we manage the NPT system beyond that, and 2010 could be viewed then just as a springboard. There's also a danger of assuming that these articles will mean to others what we wish them to mean. Some colleagues from Egypt would say Article X and Article IV were not mistakes, that these were not loopholes, but they are core elements of the bargain and they mean what they say and not what you wish they had said. They take the form they take because this is the bargain that was negotiated. If other states had wished to accept a conditional withdrawal clause in the NPT, Article X would read differently. The States Parties rejected that, and they prefer to live with the Treaty as they signed it.

What I think this means is that we have to imagine a long process of engaging with the other parties. Although within the context of the P5 or the US-Russia we can agree on what we wish Article X said, this has no impact on the many other parties who have to sign up in order for Article X to have

some different meaning other than what they think it says right now, which is in effect unconditional withdrawal. There are a lot of ideas about toughening Article X, just as one example.

George Perkovich made some excellent comments about the Final Document. Many people outside of the P5 or the nuclear weapon state context view the United States as having some serious difficulties with its own performance in the context of the Treaty with respect to Articles I, IV and VI. What this creates is a very wide perception that one runs into in places like Cairo and Amman and so on, that the United States prefers an extremely strict and unforgiving enforcement of the Treaty against those folks we don't like, but we want a very relaxed interpretation or enforcement and the right of unilateral interpretation when it comes to those provisions that actually affect us. Even going back to the Clinton administration, the philosophy about our performance under Article VI has been: We are complying with Article VI because we say so. Of course, the Mexicans and the Indonesians don't find this satisfactory. I think if we want to build a universal regime that has stricter enforcement as we would wish it on those states that worry us, we have to do a better job of auditing our own performance in a way that allows others to draw better conclusions about our own behavior in the regime.

Sergey BATSANOV, Ambassador
Member of Pugwash Council, Director of the Geneva Office
of Pugwash Conferences on Science and World Affairs (Russia)

I should like to draw attention to the fact that there are both strategic and tactical questions regarding the preparations for and the conduct of the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) in 2010. The strategic questions will be dictated, in particular, by the state of affairs that exist at the time of the Conference with regard to nuclear disarmament and the situation with respect to a new treaty between Russia and the United States on strategic arms reductions. The tactical

questions have to do with how much we must now raise or lower our expectations. We need to be clear that it would be wrong to raise our hopes too high. The effect of this may be that the 2010 Conference is doomed from the outset to nothing more than a minimal and possibly even negative result.

It will be extremely difficult to prepare a full-blown treaty to replace the Strategic Arms Reduction Treaty (START 1) by December 2009. It would be more realistic to sign a framework agreement and to put off the signing of a treaty until we are closer to the Conference. However, the current treaty expires at the end of the year, and it is necessary either to extend it or to conclude a new one. The treaty can be extended for five years. In this way, in principle, a new treaty needs to be drawn up one way or another by December 2009, after which it must be signed and submitted for ratification. It may be that certain details will have to be subsequently refined and that, until the new treaty enters into force, the leaders of both countries will need to issue a statement regarding the application of the expiring Treaty on a provisional basis.

Another important factor has to do with the entry into force of the Comprehensive Nuclear Test Ban Treaty. Here the first word belongs to the United States, bearing in mind that many negative attitudes in this regard have accumulated in that country since the last attempt to ratify this Treaty. For this reason, we must approach this process far more seriously, purposefully and systematically. My fear is that, despite the clear political points to be gained from ratification, in Washington there is a failure to fully appreciate the existing difficulties.

Returning to the subject of the preparations for the 2010 NPT Review Conference, it is clearly necessary to consider the possibility of establishing a nuclear-weapon-free zone in the Middle East. I believe the Big Five nuclear powers should sit down together to work out their position on this question. This is extremely important for the preparations for a conference on the Middle East, as well.

Separate attention should be given to the question of withdrawing from the Nuclear Non-Proliferation Treaty. The proponents of a stricter nuclear nonproliferation regime need to show greater caution. In 1995 the Treaty was extended indefinitely, something that by itself marked a departure from the original understanding. Now there is a desire to make the process of

withdrawing from the Treaty as difficult as possible, which might have if not direct then certainly indirect consequences. If the nuclear powers or Russia and the United States agree on what constitutes the kind of extraordinary circumstances that may or may not justify withdrawal from the Treaty, then a precedent would be set that could also be applied to other disarmament agreements. It is difficult to even imagine what this could lead to. I would propose a more cautious approach to this question.

Last, on an entire range of issues, including those concerning cooperation as regards the peaceful use of atomic energy and the right to the use of nuclear power, I would prepare my arguments more carefully from both a moral and a political standpoint. The Nuclear Non-Proliferation Treaty is a fairly discriminatory instrument. For that reason, when examining the question of the establishment of a nuclear fuel bank, for example, or the internationalization of the nuclear fuel cycle, or other aspects of the peaceful use of atomic energy, particular attention needs to be paid to ensuring that all States are treated equally.

Paolo Cotta-RAMUSINO

Secretary General of Pugwash Conferences on Science and World Affairs (Italy)

At the beginning George Perkovich was saying that we shouldn't have exaggerated expectations for the 2010 Conference, but there are expectations outside in the world, and they should be met. A failure of the 2010 Conference will make disaffection toward the NPT more severe in other regions like South Asia. I think that we should not underestimate the effect of expectations not met.

One issue that has been raised is about the significance of Global Zero. This initiative is good per se, but it would be bad if it appeared with no movement on the ground. If there is a big hiatus between what is said and what is done — then this is certainly bad. After all, I think in 2010 people will look very much toward what the US and Russia are doing. It wouldn't be important what technical stage they were at, such as a framework agree-

ment, or whether something has been ratified or not yet ratified. To provide a sense of progress, it should be projected. By 2010 countries should be informed that there is a directional movement that goes into affecting the number of weapons in a significant way. If this happens, then the climate will be totally different.

The US expects something from Russia with respect to tactical nuclear weapons, and Russia expects something from the US in other areas. If the US showed excessive interest in the BMD program in Poland and the Czech Republic, this would be counter-productive. However, we have some general ideas we could offer in a positive sense without running into dead ends. What we need is a sense of direction and forward-looking progress.

About the CTBT: it would be great if we could get a signal that yes, members of the US Senate are considering this, and that China, Indonesia, Iran and Egypt are also interested. Then we would be in a different framework.

Christian SCHOENENBERGER, Ph.D.

Head of the Taskforce on Nuclear Disarmament and Non-Proliferation, Directorate of Political Affairs, Swiss Federal Department of Foreign Affairs (Switzerland)

I would like to come back to the questions of the level of ambition, what we can expect from the Review Conference, and what we should think of the Preparatory Committee. The Preparatory Committee can be viewed from very different levels. What did these 800 people do? Actually, they decided on an agenda, and it's the same agenda they had eight years ago. There were some very positive outcomes, as well.

Actually regaining consensus on a balance of the three pillars of the NPT treaty was already something very useful. Also seeing how all these different countries were looking at the problems within the three major issues was important, because it will help to draft positions in the running up to the Review Conference. Then there were these recommendations on the table. There were two texts very near to consensus. Russia, for instance, could have lived with both of the texts, as the Russian Ambassador said.

The same was true for Switzerland. I think this was also a good sign that consensus might be at hand on relevant issues.

Maybe one shouldn't overestimate this Preparatory Committee, either. I think it served more as an indicator than as an accomplishment in itself. It was an indicator of the general political situation. The outcome was not that important on its own. Not having the recommendations is not a catastrophe. I very much agree with George Perkovich that there are stumbling blocks ahead and even if the Preparatory Committee was better than the last five before it, this is no guarantee that the Review Conference will be a success.

Somebody stated it: President Bush was not the only problem. There are other underlying tensions, which are long-term tensions, and they don't just go away because there is a different administration in one of the major countries. We should be realistically ambitious or ambitiously realistic with respect to the 2010 NPT Review Conference. We should do something to facilitate this Conference. There might be intermediary steps that could be helpful. Something could be done on tactical weapons, and the enhancement of the flow of information would also be a confidence-building measure that is in reach. There has been disagreement between some participants about this, so it is something that could be revived.

Several countries, like Sweden, Chile and Switzerland, have been asking about advances in the reduction of the operational status of nuclear weapons. There has also been the issue of strategic bomber fleets, and more could be done about it. So I think we could ask for reasonable intermediary steps.

Robert NURICK

**Senior Fellow of the James Martin Center
for Non-Proliferation Studies of the Monterey Institute
of International Studies (United States)**

We shouldn't downplay the connection between disarmament and non-proliferation. On the other hand though, we shouldn't overemphasize it, particularly in respect of those among the non-nuclear states who talk as if their nonproliferation obligations are undertaken simply as a favor to the

P5. I very much agree with Steve Miller's point in this regard. For example, with respect to the US-Russian arms control treaty, I don't think it's utterly implausible that some kind of agreement could be reached by December or shortly thereafter, but if it is, it's going to be fairly modest. We should address it in the Final Document here. It will be possible to say that there has been movement on some of the relevant issues, but others are clearly going to be addressed in some kind of follow-on agreement. So things can be achieved in this first phase, but we also need to address more serious underlying issues, which will take time.

Similarly, some steps will have to be taken, but some of them are going to be quite complicated. Confidence building and transparency measures are going to be very much resisted by the Chinese. We need to say something about the different national instincts on these measures. I think it would be very good to draw them in, but drawing in Britain and France raises one set of issues; China – some very different ones.

Similarly on the CTBT, I am fairly optimistic about the prospects for ratification, but I am not so sure this can be done by 2010. It's going to take some time to put together a coalition in the Senate. We are looking for realistic results in the short term, but it is going to be more important to stress a series of institutions and procedures that can deal with these harder issues over time. As Steve Miller said, we risk setting ourselves up for a disappointment if people are encouraged to look at 2010 itself as the make-or-break test for the seriousness of these initiatives.

Alexander KALIADIN, Ph.D.

Principal Researcher of the IMEMO (RAS, Russia)

This third session of the 2009 Preparatory Committee coincided with an acute crisis caused by North Korea's flagrant violations of the relevant UN Security Council resolutions. In light of this situation it appears strange that there was no proper discussion of the issue of NPT enforcement and the need for more effective punishment for nuclear weapons proliferation.

In our Final Document we need to emphasize the subject of interdicting the proliferation activity. What it says now is that "major steps toward strengthening the Treaty will be possible provided that real progress is made in nuclear disarmament." This is correct but insufficient. We need to add a provision on the fragility and deficiencies of the NPT regime and the requirement for an effective mechanism of enforcing the international legal norm of nonproliferation. A situation where there are still high risks of the spread of nuclear means of mass annihilation and a lack of sufficiently robust guarantees that the rules of the NPT regime will be observed is fraught with the loss of the UN's credibility, discredits the system of international security enshrined in its Charter, and reflects a growing trend toward the deregulation of political/military relations.

Vladimir BARANOVSKIY, Corresponding Member (RAS)
Deputy Director of the IMEMO (RAS, Russia)

I have two proposals. First, I support the idea in paragraph 9 of our Final Document, but it needs some amending and refining. Apparently, more caution is needed in addressing those themes that provoke a lot of debate within the international community. The problem of introducing additional sanctions against Iran is highly ambiguous, especially the way it is formulated in our document. The continued development of Iran's uranium enrichment capacities requires tougher sanctions, but it does not yet require additional sanctions. The problem is subject to different interpretations, so there is a need to formulate our proposals more carefully.

Second, in our document we could discuss the matter of universalizing some commitments in the NPT. Paragraph 4 of the document speaks of the possibility of engaging other nuclear powers in the nuclear disarmament process. In this connection it appears appropriate to extend to them some commitments undertaken within the framework of the NPT by the nations possessing nuclear weapons. In this context we can address some of the themes we have mentioned: India, agreements with the IAEA, and the Near and Middle East. This ought to be included in the agenda of the 2010 NPT Review Conference.

George PERKOVICH, Ph.D.

**Vice President for Studies and Director
of the Non-Proliferation Program at the Carnegie Endowment
for International Peace (United States)**

I just want to highlight some of the stronger points that I heard in the discussion of the Final Document. First of all, this is something Steve Miller said most clearly: the Document should talk about the purpose of establishing an agenda in 2010, recognizing that the work will have to go on in the future, thus using 2010 as a way to establish priorities for ongoing international progress. In terms of dealing with expectations, I think it's very important to clarify that things are going to be resolved then, but there can be a stronger work agenda.

Second, I want to express my very strong support of specifically mentioning the 1997 Additional Protocol and calling for its universalization. That is not discriminatory; that is something that was produced by the IAEA in light of experience.

Moreover, in terms of Article IV, one can almost say that without stronger inspections, an internal contradiction will develop in the nuclear industry, which will stop its expansion. The only way for the nuclear industry to expand is if there is much stronger and clearer confidence in the inspection process.

There was a lot of discussion of the Article X issue, but it's important to distinguish a couple of things. What's being proposed is in no way a lessening of the right to withdraw; it's that the Treaty itself didn't explicate the procedure. The one example is North Korea. Basically, the Security Council didn't even take it up, which is what's supposed to happen under the Treaty, so obviously this is an area where there needs to be clarification. The thing that I was suggesting, which is the minimalist basis, is to deal with an international legal issue, which is that under international laws, states are not allowed to withdraw from treaties that they have violated. A mechanism should be established so that a state requesting withdrawal has to go through an inspection process to determine that in fact it wasn't in violation of the Treaty. This is worth putting in the Final Document.

On the CTBT, I think a group like this could help in a slightly different way. If the US ratifies the Treaty, we could call on all states that have not ratified the Treaty to sign and ratify it, too. It would help the US ratification process, be-

cause there's going to be a big problem in the Senate when Senators ask the Administration, "If we ratify the Treaty, but India and Egypt don't sign or ratify it, does the Treaty go into force?" Japan and others are working bilaterally now with these countries to urge them to make such statements. I think what we'll find during this process, by the way, is that India will not commit to signing the CTBT. However, I think it's useful for countries to talk about this.

On Iran, given the importance of the Iranian issue to everything that we're talking about, it would be absurd not to include it in such a statement. I also agree that especially given the standpoint of the Security Council members and Iran's non-compliance with Security Council resolutions, in addition to not cooperating with the IAEA as documented in the last report, this is worth addressing.

On the question of the universality of the NPT, India, Pakistan and Israel aren't going to sign the NPT and no one really expects them to. We need to get them to commit to disarmament obligations, commensurate with the obligations of the nuclear weapon states at least. It's treating them as part of the disarmament problem. Israel won't actually disagree with us, because it's already agreed that it supports a WMD-free zone in the Middle East. Pakistan is interested, too. When one talks about the universality of the NPT, it means too many things, but if one is talking about getting them to establish that they share an obligation to be part of nuclear disarmament, I think it's harder for them to avoid.

Last, I think it's very important to stop speaking of tactical nuclear weapons. In the context of the disarmament process and in the context of international politics, any nuclear weapon that goes off is going to be a big strategic event. The North Korean weapons are even sub-tactical, like briefcase bombs, but their impact is strategic, so I think we ought to move toward language that says a nuclear weapon is a nuclear weapon.



SESSION 2



Chairman –
Alexei ARBATOV,
Corresponding member (RAS)

Head of the Center
for International Security
of the IMEMO (RAS),
Scholar-in-Residence
of the Carnegie Moscow
Center (Russia)

The State and the Prospects of Iranian Nuclear and Missile Programs

Mark FITZPATRICK

Director of the Non-Proliferation and Disarmament Programme,
International Institute for Strategic Studies in London (United States)

Around this table there is a consensus about the Iranian nuclear and missile program. There is also a general agreement about the threat to international security. I will talk then briefly about Iran's capabilities and intentions and then offer some ideas about policy implications.

With regard to capabilities, we are in a new and dangerous phase, I believe, because of both Iran's technical capabilities and its growing stockpile of enriched uranium. Having the capability to enrich uranium is now proven, and Iran could do it in a hidden facility somewhere else. With regard to the stockpile, if Iran continues to produce enriched uranium, it could more quickly break out of the NPT and convert the stockpile of low enriched uranium to highly enriched uranium to produce a weapon. The capability and the stockpile are both important.

Mostly we talk about uranium enrichment, but I also want to talk about plutonium production and then missile development. Concerning uranium enrichment, the problem is so far mainly limited to the first generation, so-called P1 centrifuges, 7,000 of which are now installed. These are not very capable centrifuges, but in terms of producing enough enriched ura-

nium for a nuclear weapon, they are good enough. It's interesting that Iran continues to introduce only these first generation centrifuges. This might mean that they do not yet have confidence that the second generation centrifuges are working well. It might mean that they do not have sufficient raw material and components for them, or it might mean that they're building second generation centrifuge cascades somewhere else. One set of American experts at Princeton University says that according to their assessment, Iran actually has all of the components and raw material for the second generation centrifuges, which are shorter, and if Iran wanted to, it could rapidly expand their production. So we really need to try to get a handle on Iran's clandestine production ability — that is to say, there needs to be more intrusive inspection. Intrusive inspection is also important with regard to plutonium production.

Much of the talk about Iran is focused on uranium and how to handle the enrichment problem, but meanwhile, Iran is also moving ahead with the construction of the research reactor at Arak, which is expected to be online by 2011 to 2013. When it's online, it could produce one to two weapons' worth of plutonium a year. In the past Iran has indicated that it would be willing to forego plutonium reprocessing to separate plutonium for use in nuclear weapons. But again, it could possibly build a plutonium reprocessing facility in secret somewhere.

The third set of capabilities is missiles. There are many missile experts around this table. Some of them are working with IISS on a joint assessment of the missile threat, which will be produced later in the year. It will focus not just on the liquid fueled missiles, which have been the mainstay of Iran's program, the Shahab-3, but also on solid fuel propelled missiles, which were tested in November 2008 and have much more military significance. The development of the missiles really does present a potential danger for the rest of the world, and it's one that we all realize is a problem.

On intentions, there's a consensus that Iran's intention is to have the capability to produce nuclear weapons; even IAEA Director General ElBaradei said last week that he believes this is Iran's intention. It's not to produce nuclear energy; it's to have a capability to have nuclear weapons. Capability is the focus. Maybe Iran has not decided to produce nuclear weapons

yet. They don't have to decide that. What they need to do right now is to achieve this capability and to build up a stockpile.

So what are the policy implications? We need to realize what the various proliferation risks are, including the clandestine production and delivery of fissile materials. The first risk is that of diversion, and the IAEA has a pretty good detection ability, although it's not perfect, particularly for large-scale enrichment plants. But so far, the IAEA has not detected any diversion. The second risk is failure to report, underscoring the potential for clandestine production, particularly when Iran unilaterally abrogated its part of its Safeguards Agreement, which required it to report the construction of new facilities before construction work is actually started. It's very possible that Iran could be constructing facilities elsewhere. If the 1997 Additional Protocol were implemented, it would help reduce the risk of clandestine production, but even the Additional Protocol is not foolproof. There really do need to be additional intrusive inspection measures for Iran to be able to restore confidence that it is not going to produce fissile materials in secret.

The third risk, the breakout, is the one that no amount of IAEA inspections can prevent. If Iran has facilities and kicks out the inspectors and does what North Korea did, whether legally or not, it would have the capability to quickly move to weapons production and withdraw from the NPT. To deal with the breakout threat, one suggestion has been raised that if Iran could be persuaded to send the low enriched uranium out of the country so it does not have a stockpile, this would reduce the risk of breakout. This kind of idea could be introduced in negotiations if negotiations ever got underway; it wouldn't be foolproof, either, but I think it is one idea worth exploring.

The fourth proliferation risk is the externality, the manner in which whatever Iran does will be looked at by other countries that might seek a similar potential. If Iran is allowed to continue an enrichment program, to have a plutonium producing reactor, one or more of its neighbors could seek similar capabilities. This question about whether Iran should be allowed to have some enrichment is the key policy issue that will be debated in the next couple of years. In the United States there's quite a bit of debate. In particular, the Chairman of the Senate Foreign Relations Committee,

John Kerry, recently said that it was totally unrealistic to push for zero enrichment. He's probably right, but to say this is very unhelpful to America's negotiating position. The United States or any country would not want to grant Iran the right to enrichment without getting something in return and that something in return should at a minimum be intrusive inspections and some limitations on Iran's ability to have a growing stockpile.

I don't know that there will be any negotiations in the next year or if those negotiations will be fruitful. It is much harder now to negotiate with this country. Since April Ahmadinejad has been insisting he won't negotiate on the nuclear issues with anyone other than the IAEA. Still, Obama is holding the window of opportunity open if Iran wants to take it to engage in negotiations with the E3 plus 3. It's not just with the United States. However, this window will be open only until the end of the year. Afterwards we will have to try to contain their ability to grow by means of export controls, sanctions, financial pressure and other means, while always offering Iran the alternative choice of engagement with the rest of the world.

And finally: what should be done to try to keep Iran's capabilities from crossing the line from capability to weaponization? In the case of Iran and other such countries, elements of deterrence should be introduced to dissuade them from producing nuclear weapons. This means that if Iran crosses the line from capability to weaponization, military force is likely to be employed, possibly by the United States. Crossing the line – what does it mean? It means if Iran tests a nuclear weapon, if they produce highly enriched uranium, if they declare themselves a nuclear weapon state, or if there is credible evidence that they have returned to developing nuclear weapons plans that they were working on at least up until 2003, according to US intelligence estimates. What constitutes credible intelligence will be a matter of interpretation. The fiasco in Iraq is an excellent example of the way intelligence information was misused. However, I think Iran knows that Israel will take military action if it does cross that line and that alone will serve as deterrence.

I could have gone into more detail about capabilities. The capabilities are changing with every day that Iran continues to add cascades at a rate of one and a half a month. It has enough low enriched uranium to produce

one nuclear weapon if it's further enriched. One nuclear weapon probably does not give Iran a real deterrent. It would need at least two, probably four, so there still is some time before Iran would be assessed to have a severely dangerous stockpile, but the time is running out and action is needed. I think that's why in paragraph 9 of the proposed joint statement, a sense of urgency should be underscored.

In order to resolve the Iranian issue, the international community should concentrate on the 1997 Additional Protocol to get more intrusive inspections. Production of nuclear weapons is the most important red line. I think we have consensus that measures should be non-discriminatory, but there has been some reluctance to recognize that Iran has an 18-year history of violating the NPT in nontrivial ways. Iran has refused to abide by its IAEA obligations to provide access, to answer IAEA questions, to give pre-notification concerning facilities, and so forth, so Iran is continuing to violate what are already non-discriminatory conditions.

The idea that Iran is objectively acting more transparently than most other countries is just factually wrong. Let's look at the facts. Iran constantly says that they have had 2,000 man hours of inspections, but it's like the criminal down the street saying that the police have been to his house so many times, but they never go down the street to this neighbor. Brazil did not violate any NPT obligations. Some say that Iran simply wants to be like Japan. Japan never committed safeguards violations. Japan has an economic rationale. Japan has never had any evidence of weapons development work, while Iran has. Therefore, it's unrealistic to expect zero enrichment, but I would not say that this should be legitimate. I would still hope that any negotiation with Iran would use legitimacy as a negotiating leverage to grant legitimacy only in exchange for Additional Protocol Plus.

Discussion

Alexander KALIADIN, Ph.D.

Principal Researcher of the IMEMO (RAS, Russia)

The NPT does not contain an internal mechanism to respond to grave violations of its provisions. Non-compliance cases are sent for examination to the IAEA Board of Governors (BG), which is mandated to forward information on facts impacting on international peace and security to the UN Security Council.

The fragility and deficiencies of the NPT regime have become particularly obvious in recent years. In 2008 – 2009, international debate on such issues focused on the nuclear programs of two nations — Iran and North Korea — against whom the UN Security Council applied sanctions to punish them for non-compliance with the NPT regime.

Their practical application has thrown light on the need to enhance responsibility for serious violations of the international legal norm of nonproliferation and to give “stronger teeth” to the NPT regime, thus ensuring its greater stability, viability and effectiveness. There emerged a need for new, more effective means and instruments for putting an end to the prohibited activity in order to close the gaps in the NPT regime and to erect reliable barriers to building new nuclear arsenals.

I think that the paragraph on Iran in the Final Document needs to be refined. First, we need to mention that the introduction of additional sanc-

tions should be dictated by specific circumstances. In any case, the sanctions regime should be effective. The call for radical restriction of economic cooperation with Iran, without an objective assessment of its behavior in the nuclear sphere and the degree of danger to the NPT regime, will hardly enjoy sufficiently broad support across the world. Sanctions should be commensurate to threats to the NPT regime.

Now that some progress has been made in Iran’s interaction with the IAEA on resolving some questions of its past nuclear activity, and positive shifts have been registered in the application of IAEA safeguards in the Islamic Republic of Iran, it will be difficult to mobilize the international community’s support for the introduction of additional restrictions.

On the other hand, while there are still doubts about the nature of the IRI’s nuclear program and suspicions about the presence of a military program within it, it would be justified to continue applying diplomatic pressure on Iran. This is particularly true because a portion of the Iranian elite is prone to adventurism and would like to rely on the civilian nuclear energy potential for the purpose of building production that is specifically military.

The enforcement measures adopted by the UN Security Council in regard to Iran play an important role in restraining those politicians who gamble on acquiring access to nuclear weapons.

One of the key tasks is to enhance the effectiveness of the UN sanctions regime against Iran and to ensure its rigorous application by all. Diplomatic pressure on the authorities should grow as the threat to the NPT regime grows. The sanctions introduced by the UN SC have affected a small portion of Iran’s economic activity. As an example, there was no introduction of broad financial sanctions, a complete embargo on weapons supplies, considerable restrictions on investment and trade, including the gas and oil sector, or other measures to which the Iranian economy is particularly vulnerable. It is extremely important for the success of the UN sanctions against Iran’s nuclear program for the member nations of the UN SC, primarily its permanent members, to maintain a united front and collaborate further in this area.

We need to issue a timely and serious warning to Iran: should the government decide to cross the red line (initiate production of weapons-grade

nuclear material, impede the IAEA's performance of its control functions, and gamble on the acquisition of nuclear weapons), a tough response will be inevitable.

The UN SC should be ready for such a scenario (develop additional, tougher enforcement measures based on Chapter VII of the UN Charter). A simplified procedure should be developed for applying determined collective measures (including preventive ones) based on Chapter VII of the UN Charter, should a "problem state" proceed with building nuclear weapons.

Paolo Cotta-RAMUSINO

**Secretary General of Pugwash Conferences on Science
and World Affairs (Italy)**

Indeed, the Iranians want to have nuclear capabilities. I think there is universal agreement about that. However, I'd like to point out a few things. First of all, about clandestine operations: any country could have clandestine operations; the 1997 Additional Protocol cannot prevent them. If they are clandestine, then we don't know about them and if they are not clandestine, then they would come out. Either the Iranians have to kick out the IAEA or create such capabilities somewhere else, where there is no external control.

In fact, Iran doesn't have many options. The IAEA will most probably spot a clandestine operation. Iran could say at some point that it is leaving the IAEA. This would be a very clear declaration of intentions, but it would be sort of a last resort.

Another issue to mention is the imitation effect. But look at Brazil: Brazil is engaged in serious enrichment activities without any IAEA control at all. They refuse to accept the 1997 Additional Protocol. Until now, this did not have an effect on the neighborhood. We need to create a climate on the international level in which the Additional Protocol is accepted as a universal norm. If this is put in a non-discriminatory way, and if the entire international community really can be persuaded that this is what should be done, then that's a way to convince the Iranians that they also should follow the same path.

What the Iranians really find unacceptable is being discriminated against. Objectively they are acting in a much more transparent way than many other countries. They don't say they want to get out of the NPT. They don't object to standard inspection procedures.

There are different negotiating options with Iran. We have to offer something to the Iranians. I don't think that up to now the negotiations have been conducted in a very efficient way, and not all of the options have been explored. Backing Iran into a corner is not a solution. Many people in Iran who are certainly not supporters of Ahmadinejad are more progressive in their approach. However, concerning the nuclear issue they say that if they were in power, they would do the exact same thing. As a matter of national interest or national pride, the issue of freedom to conduct certain types of research is something they cannot give up.

As for the solution to negotiations, zero enrichment is not an option. Pretending that it is an option damages the negotiations. I think that negotiations should offer a deal: "enrichment is your right, but control should be set on a different level." In my opinion, there is a chance that this may work. The election introduced a political problem to the negotiation process that is very difficult to handle and to judge. Nevertheless, it is the only option.

We have been dealing a lot with the issue of Israel and Iran. I think that troubles often come from an asymmetry of evaluation. In my opinion, Iran does not think that Israel will attack them, and Israel thinks that they are planning to do that. A small country, like Israel, cannot compare with us, a country of 70 million. Thus an attack by Israel is not so important for Iran.

I just came back from Israel. It's unclear what the relation between the United States and Israel will be, even to the Israeli observers. Will the United States allow this or not, or what kind of reaction will they have? The bottom line about military action is that based on the geography, starting from Pakistan and going to Iraq, it is obvious that a very troubled situation in Iran would create an intractable problem for everybody. The Iranians know that, and they believe that they would not be a target in this scenario, where no one could control anything. In that sense, they are reassured by the trouble in Iraq, Afghanistan and Pakistan, and that is something that should not be underestimated.

Vladimir SAZHIN, Professor**Senior Associate of the Institute for Oriental Studies (RAS, Russia)**

I recently returned from Tehran where I spent 10 days before and during the last presidential elections. I had been there 4 years earlier. Life in the country changed somewhat during that time.

Coming back to the nuclear issue, I can say that there are many indirect signs that give rise to doubts about the peaceful nature of Iran's nuclear program, yet I agree that so-called double standards are widely used in relations with Iran. Why is no one in the world concerned about Germany or Japan, who can build nuclear weapons very quickly, or, for example, Brazil? It seems to me that the main reason is the structure of government in the Islamic Republic of Iran (IRI) and its domestic and foreign policy. Many in the US, Russia and Europe had high hopes for the last presidential elections, expecting a change in the IRI's domestic and foreign policy. This could have changed Iran's attitude toward the nuclear program, mitigating its position at relevant talks.

I agree in principle that there was no significant difference between the president at the time and the candidates. However, the last elections revealed a certain measure of internal instability. It became clear that the unity of thought so widely publicized in Iran is in fact non-existent. All those contradictions that were disguised by propaganda came to the surface during the election campaign. This can be compared to peat burning in a bog. It is invisible until a certain moment, but a fire could break out under favorable circumstances. Such circumstances were created by the elections in the IRI, because under Mahmoud Ahmadinejad screws were turned, not only in the area of human rights, but also in many other areas. As an example, over 200 mass media outlets were closed during those years, and many journalists were imprisoned. The people who were in opposition to the regime were deprived of open channels to vent their discontent. Elections were the last democratic institution through which the people of Iran could express their attitude toward the powers that be.

Even before the elections many Iranians in Tehran told me that Ali Khamenei, the spiritual leader in Iran, had already distributed votes among the four candidates. As a consequence, measures were taken to achieve the

established percentages. However, the elections gave rise to a lot of enthusiasm in the local population. 85% of eligible voters went to the polls. This is a record not only for Iran but also for many other countries. This was an attempt to change things in a normal democratic way. This was why tens of thousands, and according to some reports, even a million people took to the streets of Tehran and other major cities immediately the next day. A proud and independent people, the Iranians could not put up with being fooled. Everyone said that Ahmadinejad and Musawi had equal chances, but when the difference in the number of votes reached 30%, everyone was dissatisfied.

I want to stress that there was no revolutionary situation in Iran. This was neither an "Orange" nor a "Green" revolution, as it was called by many journalists (green was the symbol of Musawi's supporters; they wore green arm bands and vests). That was merely unorganized dissatisfaction. Clearly the vote results were falsified. There is much evidence to support this view.

What are the outcomes and how will the situation develop? Right now only preliminary conclusions can be drawn from the elections. First, there is serious inter-clan fighting going on within the Iranian elite. One clan is headed by Iran's wealthiest man — former president Rafsanjani. He is supported by former president Hatami and, therefore, by Musawi, a leader in spite of himself. On the other side are Ahmadinejad and spiritual leader Khamenei, who lent him his support. They are backed by a host of financial and industrial groups, and various foundations, which is important in Iran. There is a power struggle going on. Iran is witnessing only the power struggle that came to the surface.

Now, what can we expect? Many wonder whether that could have been a move against the ayatollahs. Many ayatollahs acted against their spiritual leader, on the opposition's side. This matter requires understanding of the human resource policy of Ahmadinejad, a graduate of the Islamic Revolutionary Guards Corps (IRGC). In accordance with this policy, he gradually ousted revolutionary ayatollahs from government, promoting his IRGC supporters. This is almost what happened in the USSR in the 1930s. This trend can be very dangerous if it goes on. It is impossible for Ahmadinejad to return to democratic ways, given that officially 20 people

died, and many were arrested, while the unofficial toll was 200. The bloodshed will not let him go back. He will, therefore, toughen his policy, both inside the country and toward the West. Apparently, this will toughen his nuclear policy.

We should bear in mind that the trend of "pulling" relatively young, fifty-year-old former revolutionary guards into the government will result in a dictatorship in Iran. This is approximately what happened in Germany with Hitler under Hindenburg. The latter's role in Iran is now played by the spiritual leader, but he is in poor health, and in the near future, Ahmadinejad alone may remain, surrounded by his comrades-in-arms. Then it will be impossible to speak of a democratic Iran, where democracy now is on a par with that of Israel — these are the two most democratic nations in the Near and Middle East — or to speak of talks on the nuclear problem. Even if a dictatorship fails to materialize in the near future, the nuclear policy will certainly become tougher. Most likely, the Iranian nuclear issue will be problem number 1 at the 2010 NPT Review Conference.

Shahram CHUBIN, Ph.D.

**Nonresident Senior Fellow at the Carnegie Endowment
for International Peace (Switzerland)**

Unfortunately, the Iranian domestic scene is, at the very least, more complicated, and at most, more polarized than the international community thinks. The Washington Post published the results of a poll taken three weeks before the last presidential elections in Iran. 80% of respondents said they did not support President Ahmadinejad's foreign policy, but, on the other hand, he won the elections. So the notion that Iran is monolithic is a gross oversimplification.

It is all about nuances and details. Foreign policy played a big role during the last election. In particular, Ahmadinejad's policy was sharply criticized during the presidential debates as having alienated Iran from the international community, as if it were Somalia. In fact, the confrontational policy was described in the same terms as the stance on the nuclear issue.

It is, however, very difficult to translate these disagreements into questions of policy implications for tomorrow. The notion that the country is united behind the nuclear program is also subject to qualification as to how the nuclear program is presented and which program we are talking about.

Second, the closer the Iranians get to the nuclear threshold, assuming that they haven't decided to cross it, the easier it would be to get them to stop. They don't want to go much beyond it but they want to cash in on what they have. That was discussed two years ago in Berlin. There was a lot of skepticism concerning the nuclear program and uranium enrichment when we tried to determine an acceptable level of enrichment. The clock is ticking, and the Iranians already have 7 thousand gas centrifuges, so it's clear that we've been playing catch-up in terms of policy in respect of Iran. Further, we have not decided yet what would be acceptable and what would not be. It is my personal opinion that it is too late to completely prevent uranium enrichment in Iran, and any model that discriminates against Iran will be harshly rejected by it.

As a result of the elections, engagement actually may become easier rather than harder for the Iranians. The Iranian ruling regime realized that it was facing a serious challenge inside the country. It would be a good tactic on their part to appear to be making concessions to the West. On one hand, they would dishearten the opposition at home, and on the other hand, talks with the US and its recognition of Iran would strengthen the existing regime. This is why strategically the current regime needs talks. The Iranians would thus avoid further sanctions and play at diplomacy. But this will be just for show. The ruling regime will gain time and win the West's confidence for a while.

On the whole I agree with the text of the Final Document, but I believe that the last sentence in paragraph 9 should read like this: The leading states must take measures to radically restrict economic cooperation with Iran, while making it clear that this is intended to slow Iran's nuclear program and is not aimed at the Iranian people. It is high time for Iran to address the confidence deficit, which casts a shadow on its program. Implementation of the 1997 Additional Protocol would be a welcomed step in this direction, but the question is really that of enforcement. The credibility of

the United Nations Security Council is at risk in relation to the two crises in this paragraph. More emphasis on the enforcement of the NPT provisions needs to be considered. Furthermore, I don't think it's helpful to single out North Korea and Iran exclusively.

Anatoliy DIAKOV, Ph.D.

Director of the Center for Arms Control, Energy and Environmental Studies of the Moscow Institute of Physics and Technology (Russia)

It seems to me that the tactic employed to resolve the Iran problem was not entirely correct. It is unlikely that Iran could be forced to give up uranium enrichment, given that under the NPT it has the right to develop and exploit this technology. Furthermore, I believe that the tactic chosen against Tehran is counterproductive, and as such it should be revised. The latter is becoming obvious as various methods of applying force to resolve the problem are discussed, from time to time, at least in the publicly available print media. In my view, it only boosts Iran's desire to continue the effort to enrich uranium. The current approach is also harmful in other matters related to nonproliferation. This is confirmed by the decision of the IAEA Board of Governors on the nuclear fuel bank.

Many non-nuclear nations have insisted on universalizing the common rules for nuclear and non-nuclear countries. We should take this into account when we discuss nuclear proliferation matters in general or resolution of the Iranian problem in particular. It would appear to me that in solving the Iranian problems efforts should be focused on getting Iran to ratify the 1997 Additional Protocol. This should become the world community's main objective.

It should be borne in mind that numerous countries possess the technical capability to build nuclear weapons. Therefore, in addition to the introduction of comprehensive transparency measures in regard to nuclear programs in such countries, we should consider effective enforcement measures for those nations that cross the "red line". This should be a general rule, irrespective of Iran. What is needed is measures to respond to such

events and fairly prompt procedures for making decisions to apply them. This is the only way, it seems to me, of keeping Iran and some other nations from the temptation of crossing such a "red line".

Sergey BATSANOV, Ambassador

Member of Pugwash Council, Director of the Geneva Office of Pugwash Conferences on Science and World Affairs (Russia)

Indeed, the course taken by the so-called international community with regard to Iran was largely mistaken and based either on speculations or manipulation. At the end of the day, it did not benefit anyone. The UN Security Council's authority suffers not only from the non-implementation of its own resolutions but also from the continued adoption of resolutions based on false premises. I mean primarily the matter of uranium enrichment in Iran.

To some extent, one has to be a cynic to discuss this subject. Everybody concurs that today the Iranian leadership is bent on acquiring relevant technical capabilities. It is an open secret, however, that Iran or part of the Iranian leadership had fairly specific plans to acquire nuclear weapons. Those plans possibly existed even before the 1979 Islamic revolution, under a completely different leadership. The plans were later scrapped for financial, technical and other reasons, yet they were resurrected during the prolonged Iran-Iraq war. That was followed by a certain stabilization in this respect, and the matter of developing nuclear weapons was shelved, which created a window of opportunity for reaching an agreement. Instead, Iran was faced with demands to admit all its sins and to abstain from doing that which was done, quite legally, by many other parties to the NPT. Experience from debates on compliance with arms control treaties shows, however, that admission of sins is impossible without reaching comprehensive agreements. Furthermore, this cannot be a prerequisite for negotiations. Naturally, reaching an agreement on the basis of discrimination is impossible.

In my view, it is time for the key nations that shape the UN Security Council's position to revise some of their approaches. It is difficult to con-

duct talks with Tehran under the current circumstances in Iran. However, this time can be used to rethink the situation, which needs to be done. Instead of making demands to stop uranium enrichment, one needs to consider seriously whether they are realistic. The talks should focus not on terminating the Iranian nuclear programs as a whole but on creating conditions under which Tehran will not take the road of developing nuclear weapons. Iran should understand that this is against its own interests, for it is already the most powerful nation in the region. If it provokes a chain reaction (i.e. the process of the acquisition of nuclear weapons by other nations in the region), its current influence will diminish, and so on. To do this, we need to work together.

Steven MILLER

Director of the International Security Program, Belfer Center for Science and International Affairs, John F. Kennedy School of Government, Harvard University (United States)

A number of participants have said that we're likely to have to live with some level of uranium enrichment and that zero enrichment is probably not an achievable outcome, although everybody understands it's the most desirable outcome. Therefore, it seems to me that we should focus our energies on how we can put as many barriers as possible between Iran's civil nuclear program and a weapon. One has to add immediately the caveat that none of these barriers is a perfect solution, that breakout would still be possible if the Iranians are determined, that no barriers can give us any leverage against clandestine facilities, and so on, so there are obvious limits to this approach. In addition, they leave some avenues open for the Iranians to reach the outcome that we are hoping to avoid, but this may be the best bet we have.

There are a bunch of ideas that have floated around and many of them have been tossed out by the Iranians themselves about what they might be prepared to accept. However, we've been sitting on the position of zero enrichment, which is unrealistic. We haven't tested whether or not we could

get Iran to change its enrichment policy by modifying the IAEA inspection regime at Iranian nuclear facilities. Would continuous remote real-time monitoring of material flows, short notice inspections of those facilities that don't have continuous IAEA presence, and real-time continuous closed circuit television surveillance produce any benefits? The data is only collected when the IAEA inspectors come in, but attempts could be made to make that even more real-time than it currently is. All this would make it extremely difficult for Iran to use existing declared facilities under IAEA supervision for a weapons program without doing something that at least gave us a warning about what they were doing.

Since contamination can occur very easily, it would make it very difficult for Iran to use the same personnel for a clandestine and an open program, because if particles of highly enriched material were detected in an open facility, this would be an indication that something secret was happening. Then, of course, there are many ideas having to do with international involvement in Iranian programs. Many of these focus on these multinationalization schemes, but the Iranians have also suggested they'd be willing to accept essentially private sector investment in their enrichment program. It would be better to have private companies deeply involved in running the plant and having full access. However inadequate it could be in some respects, this would be something to consider. What we need is an approach that maximizes our opportunity to erect some of these barriers between Iran's enrichment capability and nuclear weapons.

What about the sanctions? As the sanctions went up, Iranian cooperation went down. This suggests that we're not going to get where we want by continuing the sanctions program or trying to exacerbate it. On the other hand, none of what we want to achieve is possible without Iran's acquiescence. Therefore, we've got to create a mechanism that enables us to achieve some sort of agreement and at least test what might be possible. The dream obviously would be to achieve zero enrichment. That's the ideal outcome to aspire to, just as nonproliferation is. But we've got to think very hard about some of these intermediate steps that give us as much assurance as possible while making it as hard as possible for the Iranians to make the leap from what they possess to what we don't want them to possess.

Yury NAZARKIN, Ambassador
Former Deputy Secretary of the Security Council
of the Russian Federation

There can be no doubt that the prevention of the proliferation of nuclear weapons requires proactive measures, but it also requires a realistic and more precise assessment of the danger. One should not go beyond the limits established by international law, as Israel did on two occasions: the first time in regard to Iraq, and the second time against Syria. So what do we have in the case of Iran? Seven thousand or more gas centrifuges for uranium enrichment? If they are under IAEA controls and do not enrich to weapons grade, this is not a violation of the NPT. Large stocks of fissile material, if they are under IAEA safeguards? This is not a violation either. Missile programs? This is bad, but again, this activity does not violate the Treaty. Beyond that comes a zone of suspicions that Iran has some illicit uranium enrichment production, but this is just a suspicion that may reflect Iran's intent, although it is not a violation of the Treaty's provisions. Criminal law distinguishes between crime and intent. It would appear to me that the same approach is required here.

Parallels were drawn between Iran and other nations. I would like to come back to this issue by looking at Iran and Japan. Japan has a much greater technical and economic capability to build nuclear weapons. Moreover, activity in this area is stimulated by the North Korean factor. However, no one raises the question that Japan may come close to the line that divides preparation for the development of nuclear weapons from their production. I have no grounds for accusing Japan of intent to violate the NPT regime or of actually violating it. The only thing I want to say is that criteria are needed to arrive at conclusions about compliance or non-compliance with the Treaty without political prejudice and double standards.

Speaking of measures, "zero" enrichment is not only impossible but also counterproductive, being contrary to Article IV of the NPT. At the final stage of the NPT talks, the US and a number of other countries interpreted it as not banning either uranium enrichment or plutonium separation if these processes are carried out for peaceful purposes under IAEA controls. It would be more realistic to enforce maximum openness of all nuclear pro-

grams, primarily Iran's programs. This will require the ratification of the 1997 Additional Protocol by it and other countries that have not done this yet. This condition is indeed essential now.

Robert NURICK
Senior Fellow of the James Martin Center
for Non-Proliferation Studies of the Monterey Institute
of International Studies (United States)

I would like to address two of the themes that have emerged in the discussion. The first is the question of engagement with Iran, particularly by the Obama administration. This clearly is going to be a very difficult political issue. Some people supported engagement, but they are now having second thoughts. The US policy is quite uncertain right now. As of 10 days ago, it was clear that people in the Administration were interested in pursuing it, but understood that if things got worse on the ground, as they since have, it was not going to be easy. The question for our group is whether we have something we want to say about this issue.

The second question is about outcomes involving limited enrichment. I agree that an agreement with Iran that does not provide for some enrichment by them is implausible. If that's true, we really need a lot more serious structured examination of the issue. Mark Fitzpatrick had a good list of things we might ask of Iran. I think, as Steve Miller said, we ought to look more closely at what's possible in addition to what might be minimally acceptable to us. Is there a set of inducements that we want to keep on the table? If so, under what conditions?

Another big issue is the potential regional effects. An Iran with nuclear weapons is going to require a lot of regional activity by us, given that any plausible outcome is, as Steve Miller has said, going to be highly imperfect. So this is an area where we really need a lot more serious attention. Unfortunately, there are only questions. What are the conditions that are plausible with Iran? What are the conditions that will be acceptable to us, and what is it we need to do to reassure Iran's neighbors in the event of an outcome like this?

Alexei ARBATOV, Corresponding Member (RAS)
 Head of the Center for International Security of the IMEMO (RAS),
 Scholar-in-Residence of the Carnegie Moscow Center (Russia)

Having accumulated a certain quantity of low-enriched uranium, Iran is unable to produce nuclear fuel for the Bushehr nuclear power plant because certified fuel can be produced only by Rosatom's facilities in Russia and probably Westinghouse. Of course, one option within the context of the arrangement may be a joint US-Russian facility in Iran that will use this low-enriched uranium for the Bushehr plant, so that it does not stay in Iran as potential material for the production of nuclear weapons.

Vladimir BARANOVSKIY, Corresponding Member (RAS)
 Deputy Director of the IMEMO (RAS, Russia)

This discussion has changed its direction considerably. We are now talking about creating incentives for engagement with Iran. In this connection we need to distinguish between the notions of possibility and action. This is of particular relevance in the case of Iran. We are trying to punish it for a possibility, for intent rather than actual action. This is basically a vulnerable approach, and no one should be surprised that, by and large, in this political battle Iran has come out a winner.

There is a second point to which I would like to draw your attention. Overall, the international community does not have a lot of experience with positive results in respect of enforcement, especially enforcement with regard to those who are considering building nuclear capabilities for reasons of national security. Such experience is pretty controversial and largely negative. Even in the case of Libya, we know that everything was controversial and not only due to the scale of international pressure.

Third, without constructive engagement with Iran, no result is likely. This should underlie both our logic and proposals addressed to the international community. Here there are also numerous aspects. We have heard a very interesting presentation by Vladimir Sazhin on the internal situation

in Iran after the presidential elections. However, Iran's democratization is one thing, and its progress down the nuclear path is a totally different subject. Even if these two subjects were related, the relationship would be neither linear nor unambiguous. We know that even democratic nations made progress along the path of nuclear weapons acquisition. Iran, which could have become democratic, may be even more disposed in favor of achieving nuclear status. Furthermore, let us remember that foreign policy played a special role during the last presidential election, but that was not about Iran's nuclear choice. It was about the country being open to or sealed from the external world.

Also consider the following: Paradoxically, a convincing victory for Ahmadinejad could have facilitated the resolution of the Iranian nuclear problem. Only a strong president can make concessions to the external world. However, it turned out that Ahmadinejad was a weak president whose victory was contested by many. One could, of course, make many conjectures about the reasons for this. For example, we could assume the following: the conservatives allowed votes to be rigged in favor of Ahmadinejad to provoke massive discontent in the country and thus weaken his position and, in particular, to keep him from working towards a rapprochement with the US. Had other clans come to power, they would have had to protect their reputation as defenders of national interests and would have been even more zealous in building nuclear weapons than Ahmadinejad and his entourage, whereas the strengthening of the current theocratic and non-democratic government could foster Iran's restraint as that of a potential partner for the external world.

An even more paradoxical hypothesis is possible. To stop (or slow) Iran's progress down the road of building nuclear weapons, one needs to look from a different perspective at Iran's own perception of its role in the region and in the Orient as a whole. From the perspective of international security it is important not so much to prevent Iran from becoming a regional leader as to shake its certainty that to achieve this it needs to acquire nuclear status. If Tehran could play this role without nuclear weapons, there would be an additional barrier to any potential political decision to build them.

Vladimir DVORKIN, Professor
Chairman of the Organizing Committee of the International
Luxembourg Forum (Russia)

To admit now that the previously adopted resolutions and sanctions proved ineffective is to emphasize the bankruptcy of the UN Security Council. This will be greeted with enthusiasm by Iranian President Ahmadinejad, who said that even if a dozen resolutions were adopted, they would not change his policy in the nuclear sphere. Ahmadinejad will then enjoy such authority in Iran that a referendum on his third term would be highly successful.

Does Iran have a right to enrich uranium or not? IAEA Director General ElBaradei said that it had no such right temporarily, until the IAEA received answers to all of its questions. At the same time, ElBaradei is afraid that the UN Security Council will toughen its sanctions, because Iran will then send away the Agency's inspectors and the international community will know nothing of the status of the Iranian nuclear program. However, this is only one dimension of the problem.

The other one is that according to the IAEA Director General, the number of questions about Iran's nuclear program keeps growing. These are very serious questions. The lack of convincing answers emphasizes that applied military research in the nuclear sphere did take place, and that Iran is capable of designing nuclear charges or designed them a long time ago. The latter assumption is quite probable, for such items can be manufactured by Iran's enterprises that have nothing to do with the nuclear infrastructure.

What should be done under these circumstances? Why was it suggested that the cooperation of European and some other countries with Iran should be limited? Precisely because many European companies continue to work with Iran, thus supporting its economy. Meanwhile inflation, which amounts to 25-30%, provokes considerable dissatisfaction among Iranians, but the thousands of companies, enterprises and concerns that work with Iran make it possible to maintain its fairly acceptable living standards. That's why that suggestion was made.

We need to discuss possible steps and measures that, for instance, will force Iran to ratify the 1997 Additional Protocol and will help create ad-

ditional barriers to building nuclear weapons and their delivery vehicles. So far there have been no other proposals, except a dramatic reduction in trade and financial cooperation with Iran. There is little hope that UN Security Council resolutions can bring about radical change, because Russia and China will not allow considerable toughening of sanctions. So far these sanctions have been mostly of symbolic value and have limited cooperation with a very narrow circle of Iranian organizations and individuals. I cannot but agree that after five and a half years of talks with Iran, it came exactly five and a half years closer to the acquisition of nuclear weapons.

George PERKOVICH, Ph.D.
Vice President for Studies and Director
of the Non-Proliferation Program at the Carnegie Endowment
for International Peace (United States)

I think it's a mistake to be saying that Iran hasn't violated the NPT. It has violated a number of its obligations to the IAEA. The broader point is that clearly it's violating international law in the form of the UN Security Council resolutions. However, we don't know if it has violated the NPT in the fundamental sense. As to the legal side of the issue, there is one thing to say: unless Iran implements the 1997 Additional Protocol and clarifies the outstanding issues, the IAEA will not be in a position to provide credible assurance about the absence of undeclared nuclear activities in Iran. ElBaradei can't certify that Iran has not broken the NPT, while serious doubts exist. It's a mistake to say Iran hasn't violated this or that. There are a number of violations there.

Whatever right Iran has as an NPT party is all dependent on it not violating any of its obligations. But without Iran's cooperation, a resolution cannot be found. That still raises the question: what would it take to motivate Iran to negotiate? I think one has to admit that since at least 2004, Iran has not been negotiating. When it talks to Russian diplomats and EU representatives, it doesn't negotiate, because there's no willingness to compromise. So what would change that? It seems to me that that's impossible without

some form of greater pressure, as well as positive inducements. Otherwise it would make no sense for Iran to change its position.

We should consider what a number of Russian colleagues have said about how fundamentally important the line of weaponization is. What would Russia and China be prepared to do in order to say, "here are the consequences that would follow if Iran were to cross the threshold"? A lot of things have been said that Iran shouldn't do; then Iran does them, and then nothing happens. So as soon as its activities acquire a military component or there's evidence (for example, a blueprint) discovered, Russia would have to acknowledge, yes, that means they're making nuclear weapons. What should be done in this case?

There are two aspects here. The first is that Iran probably wants some concessions from the international community. The second is that we have been looking for a peaceful resolution, dialogue, nuclear cooperation and extended cooperation with the West. This was the key idea. Iranians wanted it in the past, but now they are talking about certain pressures inside the country.

Mark FITZPATRICK

**Director of the Non-Proliferation
and Disarmament Programme, International Institute
for Strategic Studies in London (United States)**

Naturally, it would be great to implement some of the other measures like the ones Alexei Arbatov suggested. If a joint enterprise produces the fuel, then ships it out of the country so they don't have a stockpile, this would be a good idea. Steve Miller had some very good ideas, too. We should do it with the realization that we are dealing with a country that has violated its Agreement in so many ways that we mustn't be blind about that. Shahram Chubin asked whether we should have drawn the line a few years ago and said there would only be a small number of centrifuges. I have no confidence that Iran would have kept to that line, just as they have not kept to any other line that they have agreed to. However, if we can create verifiable conditions, then I'm all for testing them.

The most difficult question is: why continue a policy of sanctions that has not worked? I think Vladimir Dvorkin partly answered that when he noted that the sanctions applied to date have really been mostly symbolic. Real sanctions have not been applied. However, I think there are four reasons to continue to apply sanctions and even to increase the sanctions. First of all, they maintain negotiating leverage. Sanctions create conditions that could be lifted in negotiations, and they help to crystallize the difference between international integration and international isolation. Second, sanctions can help to contain the program, to keep it small. A third reason for sanctions is to keep a disincentive to others. If Iran's enrichment program is accepted without penalty, I really think that increases the possibility that others would go the same way. The fourth reason, unfortunately, is that if there were no sanctions, there would be no restraint from bombing the facilities. Therefore, sanctions are the least terrible outcome, since the other outcome would be a war.

Development of the Situation with North Korea's Nuclear and Missile Programs

Vladimir DVORKIN, Professor
Chairman of the Organizing Committee
of the International Luxembourg Forum (Russia)

You all remember well the events of the last six months. There were hopes for a resolution of the North Korean nuclear problem after the US declaration on October 11, 2008, on striking the PDRK off the list of terrorism sponsors. Two days later the North Korean leaders stated that the dismantling of the breeder reactor was proceeding at an accelerated pace. In addition, Pyongyang agreed to re-admit the IAEA inspectors and to let them start working immediately.

This shows that the US concessions are extremely important to the North Korean leaders, but they are not such a weighty economic factor as to lead directly to positive outcomes. The US did not cancel the economic sanctions that it had imposed on North Korea, and they are still in place.

North Korea has made some progress in building nuclear explosive devices. It carried out a nuclear test in 2006, although we don't know whether that was a nuclear charge or a nuclear explosive device that could not be installed on a ballistic missile. The Kim Jong Il regime already possesses a sufficient number of mid-range rockets, which threaten both Japan and South Korea. Where there are nuclear charges, there will be a nuclear threat.

The Taepodong-2 flight test in April 2009 turned out to be much better than in 2006. Whereas the first test (in 2006) ended on the 42nd second with a failure of the first stage, this time the second stage performed properly.

Let us now come back to analyzing how the North Korean nuclear crisis developed after October 2008. Everything changed dramatically from

that moment on. The PDRK had not only promised to liquidate its nuclear infrastructure but also declared its readiness for the denuclearization of the Korean Peninsula. However, a lot of things happened since that event. According to different reports, many civilians and military personnel from Iran attended the last North Korean nuclear tests and ballistic missile flight tests, so there is complete unity. There is also information that the North Koreans are preparing for another nuclear test, and data from US satellites indicate that Pyongyang is preparing to launch another long-range ballistic missile.

What is the Big Five's (the US, RF, China, Japan and the Republic of Korea) position on North Korea? As always, the Russian Ministry of Foreign Affairs is reassuring and says that Pyongyang's latest moves should not provide an impetus for any build-up of ill-conceived actions that may exacerbate the situation on the Korean Peninsula. Resolution 1874 was approved unanimously in accordance with Article 45 of Chapter VII of the UN Charter. Sanctions have been toughened somewhat with respect to the PDRK, but hopes for a solution to the North Korean nuclear problem are slim.

It is highly unlikely that the North Korean leaders or their Iranian counterparts will use nuclear weapons. The danger consists of something else. Under cover of its own nuclear umbrella North Korea will be actively selling its missiles and nuclear technology. You will remember North Korea's response to the Proliferation Security Initiative (PSI). Pyongyang immediately withdrew from the 1953 armistice agreement. Similarly, under cover of its nuclear weapons Iran will provide strong support to the paramilitary Shiite organization Hezbollah, which is under complete control of the Islamic Revolutionary Guards Corps. It has cells all around the world.

Under this nuclear umbrella Kim Jong Il and Ahmadinejad will unreservedly support illicit trade in nuclear materials and terrorist activities. I can see no other measures for influencing these regimes apart from financial and economic ones. This is why the international community should provide the broadest support possible to measures that toughen the sanctions against these regimes applied by the UN Security Council and some leading powers. Obviously, North Korea and Iran are driven by different reasons for possessing nuclear weapons, and while pressure can be put on North Korea, such methods produce no impact on Iran.

Discussion

Alexander KALIADIN, Ph.D.

Principal Researcher of the IMEMO (RAS, Russia)

The situation with the PDRK's nuclear ambitions is clearer than with Iran's ambitions. North Korea's nuclear tests and attempts to build long-range missiles destabilize the global nonproliferation regime and peace and stability in northeast Asia and beyond.

The forms of pressure put on Pyongyang have proved insufficient at this stage. By all appearances, the sanctions have failed to instill wisdom in the North Korean authorities, who refuse to back off and discontinue the policy of developing their nuclear arsenal by invoking the country's security problems and defying the world community.

UN Security Council Resolution 1874 on North Korea, which provides for a more stringent regime of sanctions against the PDRK, represents a step forward in the enforcement sphere. It is important that the permanent members of the UN SC demonstrate their partnership in countering common threats.

If this trend develops, there will be better prospects for preventing and resolving crisis situations in the nonproliferation sphere.

The rigorous application of Resolution 1874 by all members of the world community would significantly complicate the PDRK's development of nuclear charges, missiles and other weapons, as well as the financing

of relevant programs. Moreover, this would impede "secondary proliferation", i.e. the transfer by North Korea of sensitive nuclear and missile material, technologies, etc., to other proliferators. Further pressures should not be excluded.

It should be emphasized that the sanctions regime established for the PDRK is also important from a broader perspective: it sets a standard for responding to potential future flagrant violations of the nonproliferation principle by proliferators.

An important precedent has been set: the bar for a proliferator nation's responsibility for conducting a prohibited activity has been raised considerably. This can be viewed as a significant step toward the formation of a working mechanism under the aegis of the UN SC for nonproliferation enforcement, which prevents prohibited nuclear activity and provides security guarantees to non-nuclear nations. Such a mechanism could become an essential tool for achieving NPT objectives and, more generally, for strengthening security in the process of nuclear disarmament.

This would make collaborative counter-proliferation activity more profound, meaningful and productive and would contribute to strengthening the global NPT regime, enhancing the UN Security Council's authority, and building a stable world order.

Paolo Cotta-RAMUSINO

Secretary General of Pugwash Conferences
on Science and World Affairs (Italy)

There was this cartoon some time ago in which Ahmadinejad says to Bush, "I don't want to have nuclear weapons." And Bush says, "Prove it." Then Kim Jong Il says to him, "We have nuclear weapons". He responds, "Prove it." I think this conveys the idea that in fact, there should be some lessons to learn. I think the first lesson from North Korea is that economic sanctions are not really effective after all in deterring a country that has nuclear weapons. Concerning North Korea, even the military option is not an option, unless, of course, North Korea takes the first step.

I think that the message here is that if one compares three cases — Iraq, Iran and North Korea — one can conclude that Iraq did not have any nuclear weapons at all and it was attacked. Iran has some kind of nuclear activity going on, and we've spent hours talking about it. There really is not too much interest in North Korea. North Korea has conducted at least two nuclear tests, but it seems that in these tests there is no proof that there was a plutonium explosion, which means that the only ones who get punished are those who don't have nuclear weapons and only talk about them. Those nations that have nuclear weapons are treated more benevolently, so now we have no chance to stop North Korea.

How could we tempt Iran and North Korea to abandon their aggressive intentions? They could be removed from the terrorism sponsor list. This is indeed an important issue for North Korea. However, I am not seeing any specific proposals. We are meddling with the internal affairs of these states. What facts do we have in respect of North Korea and Iran? The theory that we should be looking at both of them is upsetting the Iranians enormously. They are saying, "Well, why are we put in the same basket when we don't have nuclear weapons; we've said we don't want to have nuclear weapons." "They have nuclear weapons and they are proving to the world that they have nuclear weapons." I would be reluctant to put them in the same category, since this is unjust and counterproductive from the point of view of future options.

Future options are basic even in extreme cases like North Korea; the only possibility to deal with it is with some kind of peaceful means. It could be long, but I don't see any option unless someone decided to attack South Korea.

I think that I did not say that Japan is justified as much as Iran in having a policy of ambiguity. What I said is that Iran is looking at the Japanese model to guarantee ambiguity. That's their declared intention. In contrast, Brazil does not accept the Additional Protocol, is totally impermeable to inspections from the IAEA, besides the ones that deal with aggregated parameters, and the IAEA knows much more about the Iranian nuclear program than about the Brazilian nuclear program.

Vladimir DVORKIN, Professor
Chairman of the Organizing Committee of the International
Luxembourg Forum (Russia)

In today's world, incentives for possessing nuclear weapons vary significantly from country to country, including North Korea and Iran. The situation with the proliferation of nuclear weapons is generating profound concern, but even from the outcomes of our discussion it follows that all opportunities for preventing the spread of nuclear weapons across the planet have not been lost.



APPENDICES

*УТВЕРЖДАЮ В ПЕЧАТЬ
Евсеев Владимир*

APPENDIX 1

Final Document of the Workshop of the International Luxembourg Forum on Results of the 2009 PrepCom and the Prospects for the 2010 NPT Review Conference, Development of the Situation with the Nuclear and Missile Programs of Iran and North Korea (July 2, 2009, Geneva)

1. The participants in the meeting of the workshop of the International Luxembourg Forum on Preventing Nuclear Catastrophe support the position of the 2009 Preparatory Committee meeting for the 2010 NPT Review Conference. That position holds that major, overdue steps towards strengthening the Treaty and the nuclear non-proliferation regime will be possible, provided that real progress is made in nuclear disarmament. Such steps to strengthen the NPT must be taken at the 2010 NPT Review Conference.

2. A priority step with regard to nuclear disarmament must be the conclusion of a legally binding treaty between the United States and Russia on the reduction of strategic offensive weapons to replace START-1, which expires in December 2009. This is extremely important for the NPT Review Conference in May 2010 to be a success.

3. In that same connection, the new Strategic Arms Reduction Treaty must take into account in a mutually acceptable form the interrelationship of strategic offensive and strategic defensive arms, while also addressing the issue of the impact on strategic stability of intercontinental ballistic missiles and submarine-launched ballistic missiles in a non-nuclear configuration. In the course of the reduction of strategic warheads, it is also necessary to concurrently reduce the number of strategic delivery vehicles and their launchers so as to minimize the potentially destabilizing "return potential".

4. No less important is the stage-by-stage engagement of other nuclear states, primarily the United Kingdom, France and China, in the nuclear disarmament process. To that end, during the first stage it would be useful to conclude an agreement between those countries or, at least, for them to adopt unilateral obligations on the acceptance of confidence-building and transparency measures of the kind that apply between Russia and the United States in accordance with START-1.

5. Another very important step towards nuclear disarmament must be the entry into force of the Comprehensive Test Ban Treaty (CTBT), which will require the ratification of that treaty by the United States, the People's Republic of China, India, Pakistan, Israel and other countries, without whose participation that Treaty cannot enter into force. The participants in the workshop are pleased to note the importance of the new US Administration's commitment in that regard.

6. The participants in the Luxembourg Forum workshop believe that it is essential to resume negotiations without delay at the Geneva Conference on Disarmament on the conclusion of the FMCT, without linking it to other disarmament issues.

7. Within the framework of the Conference on Disarmament or at another suitable forum, substantive negotiations should begin on preventing an arms race in outer space.

8. With a view to strengthening the non-proliferation regime, the workshop calls on the countries participating in the NPT Review Conference to adopt decisions to step up the monitoring activities of the IAEA and, above all, to turn the 1997 Additional Protocol into a universally recognized norm for verifying compliance with NPT obligations and also to introduce new standards in the area of nuclear exports. The 2010 Conference must make an urgent appeal for the signing and ratification of the Additional Protocol by those countries that have not yet brought it into effect. It is also necessary to use all available means to develop multilateral approaches for economically sound and practicable alternatives to the creation of the critical elements of the nuclear fuel cycle at the national level.

9. The participants unanimously expressed their demand for Iran to fully implement all five relevant resolutions of the UN Security Council on the Iranian nuclear program. The prolonged crisis over this issue and the high level of readiness for weapons grade enrichment presents a great danger to the sustainability of the nuclear non-proliferation regime. It was emphasized that the first priority should be the ratification and full implementation by Iran of the 1997 Additional Protocol. The development of Iran's industrial uranium enrichment capacities should be suspended without delay and become a subject of agreed limitations and full transparency under IAEA safeguards. Upon the removal of all outstanding questions with the IAEA, Iran should be subject to equal standards and non-discriminatory treatment under NPT norms.

Iranian declarations concerning the peaceful character of its nuclear program can be welcomed only under the condition that they will become legal obligations, which would be rigorously fulfilled. Negotiations on the establishment of the Middle East Nuclear Free Zone in the context of overall security arrangements should be promoted at appropriate international forums. In case of a lack of cooperation by Iran, the leading states must take measures to radically restrict economic cooperation with Iran and take all necessary measures in line with article 41 of the UN Charter.

10. The nuclear tests carried out by North Korea, together with its con-

tinuing efforts in developing and testing a new generation of long-range missiles, call for the imposition of considerably tougher sanctions by the United Nations Security Council in full accordance with Article 41 of the Charter of the United Nations. North Korea's bluff should be called by the community of nations' readiness to rebuff any military provocation in the region. US ballistic missile defense might be built up in the area to protect South Korea and Japan in parallel with US assurances and agreements with China and Russia on the enhancement of strategic stability.

Members of the Supervisory Board and Advisory Council of the International Luxembourg Forum

1. **Alexei ARBATOV** *Head of the Center for International Security of the IMEMO (RAS); Scholar-in-Residence of the Carnegie Moscow Center (former Deputy Chairman of the Defense Committee of the State Duma, Federal Assembly – Russian Parliament); Corresponding member (RAS, Russia).*
2. **Vladimir BARANOVSKIY** *Deputy Director of the IMEMO; Corresponding member (RAS, Russia).*

3. **Shahram CHUBIN** *Nonresident Senior Fellow at the Carnegie Endowment for International Peace; Ph.D. (Switzerland).*
4. **Anatoliy DIAKOV** *Director of the Center for Arms Control, Energy and Environmental Studies of the Moscow Institute of Physics and Technology; Ph.D. (Russia).*
5. **Vladimir DVORKIN** *Chairman of the Organizing Committee of the International Luxembourg Forum; Principal Researcher of the IMEMO (RAS, former Director of the 4th Major Institute of the Ministry of Defense); Professor; Major-General, ret. (Russia).*
6. **Rolf EKEUS** *Chairman of the Governing Board, Stockholm International Peace Research Institute (former High Commissioner on National Minorities at the OSCE); Ambassador (Sweden).*
7. **Mark FITZPATRICK** *Director of the Non-Proliferation and Disarmament Programme, International Institute for Strategic Studies in London (United States).*
8. **Alexander KALIADIN** *Principal Researcher of the IMEMO (RAS); Ph.D. (Russia).*
9. **Viatcheslav KANTOR** *President of the International Luxembourg Forum on Preventing Nuclear Catastrophe; President of the European Jewish Congress; Ph.D. (Russia).*
10. **Robert NURICK** *Senior Fellow of the James Martin Center for Non-Proliferation Studies of the Monterey Institute of International Studies (United States).*
11. **Sergey OZNOBISHCHEV** *Director of the Institute for Strategic Assessments; Professor of the Moscow State Institute for International Relations and the Higher School of Economics (former Chief of the Organizational Analytic Division, RAS); Ph.D. (Russia).*
12. **George PERKOVICH** *Vice President for Studies and Director of the Non-Proliferation Program at the Carnegie Endowment for International Peace; Ph.D. (United States).*
13. **Vladimir SAZHIN** *Senior Associate of the Department of the Middle East, Institute for Oriental Studies (RAS); Professor (Russia).*
14. **Carlo SCHAERF** *Professor of Physics of the University of Rome "Tor Vergata" (former President of the National Commission for Nuclear Physics, Italy).*

APPENDIX 2

Normative Documents on Nuclear Non-Proliferation

2.1. The Treaty on the Non-Proliferation of Nuclear Weapons, July 1, 1968; Moscow, London and Washington

The States concluding this Treaty, hereinafter referred to as the «Parties to the Treaty»,

Considering the devastation that would be visited upon all mankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples,

Believing that the proliferation of nuclear weapons would seriously enhance the danger of nuclear war,

In conformity with resolutions of the United Nations General Assembly calling for the conclusion of an agreement on the prevention of wider dissemination of nuclear weapons,

Undertaking to cooperate in facilitating the application of International Atomic Energy Agency safeguards on peaceful nuclear activities,

Expressing their support for research, development and other efforts to further the application, within the framework of the International Atomic Energy Agency safeguards system, of the principle of safeguarding effectively the flow of source and special fissionable materials by use of instruments and other techniques at certain strategic points,

Affirming the principle that the benefits of peaceful applications of nuclear technology, including any technological by-products

which may be derived by nuclear-weapon States from the development of nuclear explosive devices, should be available for peaceful purposes to all Parties of the Treaty, whether nuclear-weapon or non-nuclear weapon States,

Convinced that, in furtherance of this principle, all Parties to the Treaty are entitled to participate in the fullest possible exchange of scientific information for, and to contribute alone or in cooperation with other States to, the further development of the applications of atomic energy for peaceful purposes,

Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race and to undertake effective measures in the direction of nuclear disarmament,

Urging the cooperation of all States in the attainment of this objective,

Recalling the determination expressed by the Parties to the 1963 Treaty banning nuclear weapon tests in the atmosphere, in outer space and under water in its Preamble to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end,

Desiring to further the easing of international tension and the strengthening of trust between States in order to facilitate

the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles, and the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a Treaty on general and complete disarmament under strict and effective international control,

Recalling that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations, and that the establishment and maintenance of international peace and security are to be promoted with the least diversion for armaments of the world's human and economic resources,

Have agreed as follows:

ARTICLE I

Each nuclear-weapon State Party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; and not in any way to assist, encourage, or induce any non-nuclear weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

ARTICLE II

Each non-nuclear-weapon State Party to the Treaty undertakes not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nu-

clear explosive devices.

ARTICLE III

1. Each non-nuclear-weapon State Party to the Treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency in accordance with the Statute of the International Atomic Energy Agency and the Agency's safeguards system, for the exclusive purpose of verification of the fulfillment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. Procedures for the safeguards required by this article shall be followed with respect to source or special fissionable material whether it is being produced, processed or used in any principal nuclear facility or is outside any such facility. The safeguards required by this article shall be applied to all source or special fissionable material in all peaceful nuclear activities within the territory of such State, under its jurisdiction, or carried out under its control anywhere.
2. Each State Party to the Treaty undertakes not to provide: (a) source or special fissionable material, or (b) equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by this article.
3. The safeguards required by this article shall be implemented in a manner designed to comply with article IV of this Treaty, and to avoid hampering the economic or technological development of the Parties or international cooperation

in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the processing, use or production of nuclear material for peaceful purposes in accordance with the provisions of this article and the principle of safeguarding set forth in the Preamble of the Treaty.

4. Non-nuclear-weapon States Party to the Treaty shall conclude agreements with the International Atomic Energy Agency to meet the requirements of this article either individually or together with other States in accordance with the Statute of the International Atomic Energy Agency. Negotiation of such agreements shall commence within 180 days from the original entry into force of this Treaty. For States depositing their instruments of ratification or accession after the 180-day period, negotiation of such agreements shall commence not later than the date of such deposit. Such agreements shall enter into force not later than eighteen months after the date of initiation of negotiations.

ARTICLE IV

1. Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of this Treaty.
2. All the Parties to the Treaty undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy. Parties to the Treaty in a position to do so shall also cooperate in contributing alone or together with other States or international organizations to the further development of the

applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States Party to the Treaty, with due consideration for the needs of the developing areas of the world.

ARTICLE V

Each party to the Treaty undertakes to take appropriate measures to ensure that, in accordance with this Treaty, under appropriate international observation and through appropriate international procedures, potential benefits from any peaceful applications of nuclear explosions will be made available to non-nuclear-weapon States Party to the Treaty on a nondiscriminatory basis and that the charge to such Parties for the explosive devices used will be as low as possible and exclude any charge for research and development. Non-nuclear-weapon States Party to the Treaty shall be able to obtain such benefits, pursuant to a special international agreement or agreements, through an appropriate international body with adequate representation of non-nuclear-weapon States. Negotiations on this subject shall commence as soon as possible after the Treaty enters into force. Non-nuclear-weapon States Party to the Treaty so desiring may also obtain such benefits pursuant to bilateral agreements.

ARTICLE VI

Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a Treaty on general and complete disarmament under strict and effective international control.

ARTICLE VII

Nothing in this Treaty affects the right of any group of States to conclude regional treaties

in order to assure the total absence of nuclear weapons in their respective territories.

ARTICLE VIII

1. Any Party to the Treaty may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depositary Governments which shall circulate it to all Parties to the Treaty. Thereupon, if requested to do so by one-third or more of the Parties to the Treaty, the Depositary Governments shall convene a conference, to which they shall invite all the Parties to the Treaty, to consider such an amendment.
2. Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to the Treaty, including the votes of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. The amendment shall enter into force for each Party that deposits its instrument of ratification of the amendment upon the deposit of such instruments of ratification by a majority of all the Parties, including the instruments of ratification of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. Thereafter, it shall enter into force for any other Party upon the deposit of its instrument of ratification of the amendment.
3. Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized. At intervals of five years thereafter,

a majority of the Parties to the Treaty may obtain, by submitting a proposal to this effect to the Depositary Governments, the convening of further conferences with the same objective of reviewing the operation of the Treaty.

ARTICLE IX

1. This Treaty shall be open to all States for signature. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.
2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics, which are hereby designated the Depositary Governments.
3. This Treaty shall enter into force after its ratification by the States, the Governments of which are designated Depositories of the Treaty, and forty other States signatory to this Treaty and the deposit of their instruments of ratification. For the purposes of this Treaty, a nuclear-weapon State is one which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to January 1, 1967.
4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.
5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or of accession, the date of

the entry into force of this Treaty, and the date of receipt of any requests for convening a conference or other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to article 102 of the Charter of the United Nations.

ARTICLE X

1. Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.
2. Twenty-five years after the entry into force of the Treaty, a conference shall be convened to decide whether the Treaty

shall continue in force indefinitely, or shall be extended for an additional fixed period or periods. This decision shall be taken by a majority of the Parties to the Treaty.

ARTICLE XI

This Treaty, the English, Russian, French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed this Treaty.

DONE in triplicate, at the cities of Washington, London and Moscow, this first day of July one thousand nine hundred sixty-eight.

Source: Roland Timerbaev, *Russia and Nuclear Non-Proliferation, 1945-1968* (Moscow, 1999), pp.354—359.

2.2. United Nations Security Council Resolution 1803 (Iran), March 3, 2008; New-York

The Security Council,

Recalling the Statement of its President, S/PRST/2006/15, of 29 March 2006, and its resolution 1696 (2006) of 31 July 2006, its resolution 1737 (2006) of 23 December 2006 and its resolution 1747 (2007) of 24 March 2007, and reaffirming their provisions,

Reaffirming its commitment to the Treaty on the Non-Proliferation of Nuclear Weapons, the need for all States Party to that Treaty to comply fully with all their obligations, and recalling the right of States Party, in conformity with Articles I and II of that Treaty, to develop research, production and use of nuclear energy for peaceful purposes without discrimination,

Recalling the resolution of the IAEA Board of Governors (GOV/2006/14), which states that a solution to the Iranian nuclear issue would contribute to global non-proliferation efforts and to realizing the objective of a Middle East free of weapons of mass destruction, including their means of delivery,

Noting with serious concern that, as confirmed by the reports of 23 May 2007 (GOV/2007/22), 30 August 2007 (GOV/2007/48), 15 November 2007 (GOV/2007/58) and 22 February 2008 (GOV/2008/4) of the Director General of the International Atomic Energy Agency (IAEA), Iran has not established full and sustained suspen-

sion of all enrichment related and reprocessing activities and heavy water-related projects as set out in resolution 1696 (2006), 1737 (2006), and 1747 (2007), nor resumed its cooperation with the IAEA under the Additional Protocol, nor taken the other steps required by the IAEA Board of Governors, nor complied with the provisions of Security Council resolution 1696 (2006), 1737 (2006) and 1747 (2007) and which are essential to build confidence, and deploring Iran's refusal to take these steps,

Noting with concern that Iran has taken issue with the IAEA's right to verify design information which had been provided by Iran pursuant to the modified Code 3.1, emphasizing that in accordance with Article 39 of Iran's Safeguards Agreement Code 3.1 cannot be modified nor suspended unilaterally and that the Agency's right to verify design information provided to it is a continuing right, which is not dependent on the stage of construction of, or the presence of nuclear material at, a facility,

Reiterating its determination to reinforce the authority of the IAEA, strongly supporting the role of the IAEA Board of Governors, commending the IAEA for its efforts to resolve outstanding issues relating to Iran's nuclear programme in the work plan between the Secretariat of the IAEA and Iran (GOV/2007/48, Attachment), welcoming the progress in implementation of this work

plan as reflected in the IAEA Director General's reports of 15 November 2007 (GOV/2007/58) and 22 February 2008 (GOV/2008/4), underlining the importance of Iran producing tangible results rapidly and effectively by completing implementation of this work plan including by providing answers to all the questions the IAEA asks so that the Agency, through the implementation of the required transparency measures, can assess the completeness and correctness of Iran's declaration,

Expressing the conviction that the suspension set out in paragraph 2 of resolution 1737 (2006) as well as full, verified Iranian compliance with the requirements set out by the IAEA Board of Governors would contribute to a diplomatic, negotiated solution, that guarantees Iran's nuclear programme is for exclusively peaceful purposes,

Stressing that China, France, Germany, the Russian Federation, the United Kingdom and the United States are willing to take further concrete measures on exploring an overall strategy of resolving the Iranian nuclear issue through negotiation on the basis of their June 2006 proposals (S/2006/521), and noting the confirmation by these countries that once the confidence of the international community in the exclusively peaceful nature of Iran's nuclear programme is restored, it will be treated in the same manner as that of any Non-Nuclear Weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons,

Having regard to States' rights and obligations relating to international trade, welcoming the guidance issued by the Financial Actions Task Force (FATF) to assist States in implementing their financial obligations under resolution 1737 (2006),

Determined to give effect to its decisions by adopting appropriate measures to persuade Iran to comply with resolution 1696 (2006), resolution 1737 (2006), resolution 1747 (2007) and with the requirements of the IAEA, and also to constrain Iran's development of sensitive technologies in

support of its nuclear and missile programmes, until such time as the Security Council determines that the objectives of these resolutions have been met,

Concerned by the proliferation risks presented by the Iranian nuclear programme and, in this context, by Iran's continuing failure to meet the requirements of the IAEA Board of Governors and to comply with the provisions of Security Council resolutions 1696 (2006), 1737 (2006) and 1747 (2007), mindful of its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Acting under Article 41 of Chapter VII of the Charter of the United Nations,

1. *Reaffirms* that Iran shall without further delay take the steps required by the IAEA Board of Governors in its resolution GOV/2006/14, which are essential to build confidence in the exclusively peaceful purpose of its nuclear programme and to resolve outstanding questions, and, in this context, affirms its decision that Iran shall without delay take the steps required in paragraph 2 of resolution 1737 (2006), and underlines that the IAEA has sought confirmation that Iran will apply Code 3.1 modified;
2. *Welcomes* the agreement between Iran and the IAEA to resolve all outstanding issues concerning Iran's nuclear programme and progress made in this regard as set out in the Director General's report of 22 February 2008 (GOV/2008/4), encourages the IAEA to continue its work to clarify all outstanding issues, stresses that this would help to re-establish international confidence in the exclusively peaceful nature of Iran's nuclear programme, and supports the IAEA in strengthening its safeguards on Iran's nuclear activities in accordance with the Safeguards Agreement between Iran and the IAEA;
3. *Calls upon* all States to exercise vigilance and restraint regarding the entry into or transit through their territories of individuals who

are engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems, and decides in this regard that all States shall notify the Committee established pursuant to paragraph 18 of resolution 1737 (2006) (herein "the Committee") of the entry into or transit through their territories of the persons designated in the Annex to resolution 1737 (2006), Annex I to resolution 1747 (2007) or Annex I to this resolution, as well as of additional persons designated by the Security Council or the Committee as being engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems, including through the involvement in procurement of the prohibited items, goods, equipment, materials and technology specified by and under the measures in paragraphs 3 and 4 of resolution 1737 (2006), except where such entry or transit is for activities directly related to the items in subparagraphs 3 (b) (i) and (ii) of resolution 1737 (2006);

4. *Underlines* that nothing in paragraph 3 above requires a State to refuse its own nationals entry into its territory, and that all States shall, in the implementation of the above paragraph, take into account humanitarian considerations, including religious obligations, as well as the necessity to meet the objectives of this resolution, resolution 1737 (2006) and resolution 1747 (2007), including where Article XV of the IAEA Statute is engaged;
5. *Decides* that all States shall take the necessary measures to prevent the entry into or transit through their territories of individuals designated in Annex II to this resolution as well as of additional persons designated by the Security Council or the Committee as being engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or for the

development of nuclear weapon delivery systems, including through the involvement in procurement of the prohibited items, goods, equipment, materials and technology specified by and under the measures in paragraphs 3 and 4 of resolution 1737 (2006), except where such entry or transit is for activities directly related to the items in subparagraphs 3 (b) (i) and (ii) of resolution 1737 (2006) and provided that nothing in this paragraph shall oblige a State to refuse its own nationals entry into its territory;

6. *Decides* that the measures imposed by paragraph 5 above shall not apply where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligations, or where the Committee concludes that an exemption would otherwise further the objectives of the present resolution;
7. *Decides* that the measures specified in paragraphs 12, 13, 14 and 15 of resolution 1737 (2006) shall apply also to the persons and entities listed in Annexes I and III to this resolution, and any persons or entities acting on their behalf or at their direction, and to entities owned or controlled by them and to persons and entities determined by the Council or the Committee to have assisted designated persons or entities in evading sanctions of, or in violating the provisions of, this resolution, resolution 1737 (2006) or resolution 1747 (2007);
8. *Decides* that all States shall take the necessary measures to prevent the supply, sale or transfer directly or indirectly from their territories or by their nationals or using their flag vessels or aircraft to, or for use in or benefit of, Iran, and whether or not originating in their territories, of:
 - (a) all items, materials, equipment, goods and technology set out in INFCIRC/254/Rev.7/Part 2 of document S/2006/814, except the supply, sale or transfer, in accordance with

- the requirements of paragraph 5 of resolution 1737 (2006), of items, materials, equipment, goods and technology set out in sections 1 and 2 of the Annex to that document, and sections 3 to 6 as notified in advance to the Committee, only when for exclusive use in light water reactors, and where such supply, sale or transfer is necessary for technical cooperation provided to Iran by the IAEA or under its auspices as provided for in paragraph 16 of resolution 1737 (2006);
- (b) all items, materials, equipment, goods and technology set out in 19.A.3 of Category II of document S/2006/815;
9. *Calls upon* all States to exercise vigilance in entering into new commitments for public provided financial support for trade with Iran, including the granting of export credits, guarantees or insurance, to their nationals or entities involved in such trade, in order to avoid such financial support contributing to the proliferation sensitive nuclear activities, or to the development of nuclear weapon delivery systems, as referred to in resolution 1737 (2006);
10. *Calls upon* all States to exercise vigilance over the activities of financial institutions in their territories with all banks domiciled in Iran, in particular with Bank Melli and Bank Saderat, and their branches and subsidiaries abroad, in order to avoid such activities contributing to the proliferation sensitive nuclear activities, or to the development of nuclear weapon delivery systems, as referred to in resolution 1737 (2006);
11. *Calls upon* all States, in accordance with their national legal authorities and legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements, to inspect the cargoes to and from Iran, of aircraft and vessels, at their airports and seaports, owned or operated by Iran Air Cargo and Islamic Republic of Iran Shipping Line, provided there are reasonable grounds to believe that the aircraft or vessel is transporting goods prohibited under this resolution or resolution 1737 (2006) or resolution 1747 (2007);
12. *Requires* all States, in cases when inspection mentioned in the paragraph above is undertaken, to submit to the Security Council within five working days a written report on the inspection containing, in particular, explanation of the grounds for the inspection, as well as information on its time, place, circumstances, results and other relevant details;
13. *Calls upon* all States to report to the Committee within 60 days of the adoption of this resolution on the steps they have taken with a view to implementing effectively paragraphs 3, 5, 7, 8, 9, 10 and 11 above;
14. *Decides* that the mandate of the Committee as set out in paragraph 18 of resolution 1737 (2006) shall also apply to the measures imposed in resolution 1747 (2007) and this resolution;
15. *Stresses* the willingness of China, France, Germany, the Russian Federation, the United Kingdom and the United States to further enhance diplomatic efforts to promote resumption of dialogue, and consultations on the basis of their offer to Iran, with a view to seeking a comprehensive, long-term and proper solution of this issue which would allow for the development of all-round relations and wider cooperation with Iran based on mutual respect and the establishment of international confidence in the exclusively peaceful nature of Iran's nuclear programme, and inter alia, starting direct talks and negotiation with Iran as long as Iran suspends all enrichment-related and reprocessing activities, including research and development, as verified by the IAEA;
16. *Encourages* the European Union High Representative for the Common Foreign and Security Policy to continue communication with Iran in support of political and diplomatic efforts to find a negotiated solution including relevant proposals by China, France, Germany, the Russian Federation, the United Kingdom and the United States with a view to create necessary conditions for resuming talks;
17. *Emphasizes* the importance of all States, including Iran, taking the necessary measures to ensure that no claim shall lie at the instance of the Government of Iran, or of any person or entity in Iran, or of persons or entities designated pursuant to resolution 1737 (2006) and related resolutions, or any person claiming through or for the benefit of any such person or entity, in connection with any contract or other transaction where its performance was prevented by reason of the measures imposed by the present resolution, resolution 1737 (2006) or resolution 1747 (2007);
18. *Requests* within 90 days a further report from the Director General of the IAEA on whether Iran has established full and sustained suspension of all activities mentioned in resolution 1737 (2006), as well as on the process of Iranian compliance with all the steps required by the IAEA Board and with the other provisions of resolution 1737 (2006), resolution 1747 (2007) and of this resolution, to the IAEA Board of Governors and in parallel to the Security Council for its consideration;
19. *Reaffirms* that it shall review Iran's actions in light of the report referred to in the paragraph above, and:
- (a) that it shall suspend the implementation of measures if and for so long as Iran suspends all enrichment-related and reprocessing activities, including research and development, as verified by the IAEA, to allow for negotiations in good faith in order to reach an early and mutually acceptable outcome;
- (b) that it shall terminate the measures specified in paragraphs 3, 4, 5, 6, 7 and 12 of resolution 1737 (2006), as well as in paragraphs 2, 4, 5, 6 and 7 of resolution 1747 (2007), and in paragraphs 3, 5, 7, 8, 9, 10 and 11 above, as soon as it determines, following receipt of the report referred to in the paragraph above, that Iran has fully complied with its obligations under the relevant resolutions of the Security Council and met the requirements of the IAEA Board of Governors, as confirmed by the IAEA Board;
- (c) that it shall, in the event that the report shows that Iran has not complied with resolution 1696 (2006), resolution 1737 (2006), resolution 1747 (2007) and this resolution, adopt further appropriate measures under Article 41 of Chapter VII of the Charter of the United Nations to persuade Iran to comply with these resolutions and the requirements of the IAEA, and underlines that further decisions will be required should such additional measures be necessary;
20. *Decides* to remain seized of the matter.

ANNEX I

1. Amir Moayyed Alai (involved in managing the assembly and engineering of centrifuges).
2. Mohammad Fedai Ashiani (involved in the production of ammonium uranyl carbonate and management of the Natanz enrichment complex).
3. Abbas Rezaee Ashtiani (a senior official at the AEOI Office of Exploration and Mining Affairs).
4. Haleh Bakhtiar (involved in the production of magnesium at a concentration of 99.9%).
5. Morteza Behzad (involved in making centrifuge components).
6. Dr. Mohammad Eslami (Head of Defence Industries Training and Research Institute).
7. Seyyed Hussein Hosseini (AEOI official involved in the heavy water research reactor project at Arak).
8. M. Javad Karimi Sabet (Head of Novin Energy Company, which is designated under resolution 1747 (2007)).
9. Hamid-Reza Mohajerani (involved in produc-

- | | |
|---|---|
| <p>tion management at the Uranium Conversion Facility (UCF) at Esfahan).</p> <p>10. Brigadier-General Mohammad Reza Naqdi (former Deputy Chief of Armed Forces General Staff for Logistics and Industrial Research/Head of State Anti-Smuggling Headquarters, engaged in efforts to get round the sanctions imposed by resolutions 1737 (2006) and 1747 (2007)).</p> <p>11. Houshang Nobari (involved in the management of the Natanz enrichment complex).</p> <p>12. Abbas Rashidi (involved in enrichment work at Natanz).</p> <p>13. Ghasem Soleymani (Director of Uranium Mining Operations at the Saghand Uranium Mine).</p> | <p>goods for an entity listed in resolution 1737 (2006)).</p> <p>3. Electro Sanam Company (E. S. Co./E. X. Co.) (AIO front-company, involved in the ballistic missile programme).</p> <p>4. Ettihad Technical Group (AIO front-company, involved in the ballistic missile programme).</p> <p>5. Industrial Factories of Precision (IFP) Machinery (aka Instrumentation Factories Plant) (used by AIO for some acquisition attempts).</p> <p>6. Jabber Ibn Hayan (AEOI laboratory involved in fuel-cycle activities).</p> <p>7. Joza Industrial Co. (AIO front-company, involved in the ballistic missile programme).</p> <p>8. Khorasan Metallurgy Industries (subsidiary of the Ammunition Industries Group (AMIG) which depends on DIO. Involved in the production of centrifuges components).</p> <p>9. Niru Battery Manufacturing Company (subsidiary of the DIO. Its role is to manufacture power units for the Iranian military including missile systems).</p> <p>10. Pishgam (Pioneer) Energy Industries (has participated in construction of the Uranium Conversion Facility at Esfahan).</p> <p>11. Safety Equipment Procurement (SEP) (AIO front-company, involved in the ballistic missile programme).</p> <p>12. TAMAS Company (involved in enrichment-related activities. TAMAS is the overarching body, under which four subsidiaries have been established, including one for uranium extraction to concentration and another in charge of uranium processing, enrichment and waste).</p> |
|---|---|

ANNEX II

A. Individuals listed in resolution 1737 (2006).

1. Mohammad Qannadi, AEOI Vice President for Research & Development.
2. Dawood Agha-Jani, Head of the PFEP (Natanz).
3. Behman Asgarpour, Operational Manager (Arak).

B. Individuals listed in resolution 1747 (2007).

1. Seyed Jaber Safdari (Manager of the Natanz Enrichment Facilities).
2. Amir Rahimi (Head of Esfahan Nuclear Fuel Research and Production Center, which is part of the AEOI's Nuclear Fuel Production and Procurement Company, which is involved in enrichment-related activities).

ANNEX III

1. Abzar Boresh Kaveh Co. (BK Co.) (involved in the production of centrifuge components).
2. Barzagani Tejarat Tavanmad Saccal companies (subsidiary of Saccal System companies) (this company tried to purchase sensitive

Source: United Nations Security Council Resolution 1803/ United Nations' official site// <http://daccessdds.un.org/doc/UNDOC/GEN/N08/257/81/PDF/N0825781.pdf?OpenElement>.

2.3. United Nations Security Council Resolution 1835 (Iran), September 27, 2008; New-York

The Security Council,

Taking note of the 15 September 2008 Report by the Director General of the International Atomic Energy Agency on the Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions (GOV/2008/38),

Reaffirming its commitment to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT),

1. *Reaffirms* the Statement of its President, S/PRST/2006/15, of 29 March 2006, and its resolution 1696 (2006) of 31 July 2006, its resolution 1737 (2006) of 23 December 2006, its resolution 1747 (2007) of 24 March 2007, and its resolution 1803 (2008) of 3 March 2008;
2. *Takes* note of the 3 March 2008 Statement of the Foreign Ministers of China, France, Germany, the Russian Federation, the United Kingdom, the United

States of America, with the support of the High Representative of the European Union, describing the dual-track approach to the Iranian nuclear issue;

3. *Reaffirms* its commitment within this framework to an early negotiated solution to the Iranian nuclear issue and welcomes the continuing efforts in this regard;
4. *Calls* upon Iran to comply fully and without delay with its obligations under the above-mentioned resolutions of the Security Council, and to meet the requirements of the IAEA Board of Governors;
5. *Decides* to remain seized of the matter.

Source: United Nations Security Council Resolution 1835/ United Nations' official site// [http://daccess-ods.un.org/access.nsf/Get?Open&DS=S/RES/1835%20\(2008\)&Lang=E&Area=UNDOC](http://daccess-ods.un.org/access.nsf/Get?Open&DS=S/RES/1835%20(2008)&Lang=E&Area=UNDOC).

2.4. Joint Statement by President Dmitriy Medvedev of the Russian Federation and President Barack Obama of the United States of America, April 1, 2009; London

Reaffirming that the era when our countries viewed each other as enemies is long over, and recognizing our many common interests, we today established a substantive agenda for Russia and the United States to be developed over the coming months and years. We are resolved to work together to strengthen strategic stability, international security, and jointly meet contemporary global challenges, while also addressing disagreements openly and honestly in a spirit of mutual respect and acknowledgement of each other's perspective.

We discussed measures to overcome the effects of the global economic crisis, strengthen the international monetary and financial system, restore economic growth, and advance regulatory efforts to ensure that such a crisis does not happen again.

We also discussed nuclear arms control and reduction. As leaders of the two largest nuclear weapons states, we agreed to work together to fulfill our obligations under Article VI of the Treaty on Non-Proliferation of Nuclear Weapons (NPT) and demonstrate leadership in reducing the number of nuclear weapons in the world. We committed our two countries to achieving a nuclear free world, while recognizing that this long-term goal will require a new emphasis on

arms control and conflict resolution measures, and their full implementation by all concerned nations. We agreed to pursue new and verifiable reductions in our strategic offensive arsenals in a step-by-step process, beginning by replacing the Strategic Arms Reduction Treaty with a new, legally-binding treaty. We are instructing our negotiators to start talks immediately on this new treaty and to report on results achieved in working out the new agreement by July.

While acknowledging that differences remain over the purposes of deployment of missile defense assets in Europe, we discussed new possibilities for mutual international cooperation in the field of missile defense, taking into account joint assessments of missile challenges and threats, aimed at enhancing the security of our countries, and that of our allies and partners.

The relationship between offensive and defensive arms will be discussed by the two governments.

We intend to carry out joint efforts to strengthen the international regime for nonproliferation of weapons of mass destruction and their means of delivery. In this regard we strongly support the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), and are committed to its further strengthening. Together, we seek to secure nuclear weapons and materials, while promoting

the safe use of nuclear energy for peaceful purposes. We support the activities of the International Atomic Energy Agency (IAEA) and stress the importance of the IAEA Safeguards system. We seek universal adherence to IAEA comprehensive safeguards, as provided for in Article III of the NPT, and to the Additional Protocol and urge the ratification and implementation of these agreements. We will deepen cooperation to combat nuclear terrorism. We will seek to further promote the Global Initiative to Combat Nuclear Terrorism, which now unites 75 countries. We also support international negotiations for a verifiable treaty to end the production of fissile materials for nuclear weapons. As a key measure of nuclear nonproliferation and disarmament, we underscored the importance of the entering into force the Comprehensive Nuclear Test Ban Treaty. In this respect, President Obama confirmed his commitment to work for American ratification of this Treaty. We applaud the achievements made through the Nuclear Security Initiative launched in Bratislava in 2005, including to minimize the civilian use of Highly Enriched Uranium, and we seek to continue bilateral collaboration to improve and sustain nuclear security. We agreed to examine possible new initiatives to promote international cooperation in the peaceful use of nuclear energy while strengthening the nuclear non-proliferation regime. We welcome the work of the IAEA on multilateral approaches to the nuclear fuel cycle and encourage efforts to develop mutually beneficial approaches with states considering nuclear energy or considering expansion of existing nuclear energy programs in conformity with their rights and obligations under the NPT. To facilitate cooperation in the safe use of nuclear energy for peaceful purposes, both sides will work to bring into force the bilateral Agreement for Cooperation in the Field of Peaceful Uses of Nuclear Energy. To strengthen non-proliferation efforts, we also declare our intent to give new impetus to implementation of U.N. Security Council Resolution 1540 on preventing non-state actors from obtaining WMD-related materials and technologies.

We agreed to work on a bilateral basis and at international forums to resolve regional conflicts.

We agreed that al-Qaida and other terrorist and insurgent groups operating in Afghanistan and Pakistan pose a common threat to many nations, including the United States and Russia. We agreed to work toward and support a coordinated international response with the UN playing a key role. We also agreed that a similar coordinated and international approach should be applied to counter the flow of narcotics from Afghanistan, as well as illegal supplies of precursors to this country. Both sides agreed to work out new ways of cooperation to facilitate international efforts of stabilization, reconstruction and development in Afghanistan, including in the regional context.

We support the continuation of the Six-Party Talks at an early date and agreed to continue to pursue the verifiable denuclearization of the Korean Peninsula in accordance with purposes and principles of the September 19, 2005 Joint Statement and subsequent consensus documents. We also expressed concern that a North Korean ballistic missile launch would be damaging to peace and stability in the region and agreed to urge the DPRK to exercise restraint and observe relevant UN Security Council resolutions.

While we recognize that under the NPT Iran has the right to a civilian nuclear program, Iran needs to restore confidence in its exclusively peaceful nature. We underline that Iran, as any other Non-Nuclear Weapons State-Party to the NPT, has assumed the obligation under Article II of that Treaty in relation to its non-nuclear weapon status. We call on Iran to fully implement the relevant U.N. Security Council and the IAEA Board of Governors resolutions including provision of required cooperation with the IAEA. We reiterated their commitment to pursue a comprehensive diplomatic solution, including direct diplomacy and through P5+1 negotiations, and urged Iran to seize this opportunity to address the international community's concerns.

We also started a dialogue on security and stability in Europe. Although we disagree about the causes and sequence of the military actions of last August, we agreed that we must continue efforts toward a peaceful and lasting solution to the unstable situation today. Bearing in mind that significant differences remain between us, we nonetheless stress the importance of last year's six-point accord of August 12, the September 8 agreement, and other relevant agreements, and pursuing effective cooperation in the Geneva discussions to bring stability to the region.

We agreed that the resumption of activities of the NATO-Russia Council is a positive step. We welcomed the participation of an American delegation at the special Conference on Afghanistan convened under the auspices of Shanghai Cooperation Organization last month.

We discussed our interest in exploring a comprehensive dialogue on strengthening Euro-Atlantic and European security, including existing commitments and President Medvedev's June 2008 proposals on these issues. The OSCE is one of the key multilateral venues for this dialogue, as is the NATO-Russia Council.

We also agreed that our future meetings must include discussions of transnational threats such as terrorism, organized crime, corruption and narcotics, with the aim of enhancing our cooperation in countering these threats and strengthening international efforts in these fields, including through joint actions and initiatives.

We will strive to give rise to a new dynamic in our economic links including the launch of an inter-governmental commission on trade and economic cooperation and the intensification of our business dialogue. Especially during these difficult economic times, our business leaders must pursue all opportunities for generating economic activity. We both pledged to instruct our governments to make efforts to finalize as soon as possible Russia's accession into the World Trade Organization and continue working towards the

creation of favorable conditions for the development of Russia-U.S. economic ties.

We also pledge to promote cooperation in implementing Global Energy Security Principles, adopted at the G-8 summit in Saint Petersburg in 2006, including improving energy efficiency and the development of clean energy technologies.

Today we have outlined a comprehensive and ambitious work plan for our two governments. We both affirmed a mutual desire to organize contacts between our two governments in a more structured and regular way. Greater institutionalized interactions between our ministries and departments make success more likely in meeting the ambitious goals that we have established today.

At the same time, we also discussed the desire for greater cooperation not only between our governments, but also between our societies – more scientific cooperation, more students studying in each other's country, more cultural exchanges, and more cooperation between our nongovernmental organizations. In our relations with each other, we also seek to be guided by the rule of law, respect for fundamental freedoms and human rights, and tolerance for different views.

We, the leaders of Russia and the United States, are ready to move beyond Cold War mentalities and chart a fresh start in relations between our two countries. In just a few months we have worked hard to establish a new tone in our relations. Now it is time to get down to business and translate our warm words into actual achievements of benefit to Russia, the United States, and all those around the world interested in peace and prosperity.

Source: Joint Statement by President Dmitry Medvedev of the Russian Federation and President Barack Obama of the United States of America/ Official information site "America.Gov"// <http://www.america.gov/st/texttrans-english/2009/April/20090401125216xjsnommis0.8078381.html&distid=ucs>.

2.5. Joint Statement by Dmitriy A. Medvedev, President of the Russian Federation, and Barack Obama, President of the United States of America, Regarding Negotiations on Further Reductions in Strategic Offensive Arm, April 1, 2009; London

The President of the United States of America, Barack Obama, and the President of the Russian Federation, Dmitriy A. Medvedev, noted that the Treaty on the Reduction and Limitation of Strategic Offensive Arms (START Treaty), which expires in December 2009, has completely fulfilled its intended purpose and that the maximum levels for strategic offensive arms recorded in the Treaty were reached long ago. They have therefore decided to move further along the path of reducing and limiting strategic offensive arms in accordance with U.S. and Russian obligations under Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons.

The Presidents decided to begin bilateral inter-governmental negotiations to work out a new, comprehensive, legally binding agreement on reducing and limiting strategic offensive arms to replace the START Treaty. The United States and the Russian Federation intend to conclude this agreement before the Treaty expires in December. In this connection, they instructed their delegations at the negotiations to proceed on basis of the following:

– The subject of the new agreement will be

the reduction and limitation of strategic offensive arms;

- In the future agreement the Parties will seek to record levels of reductions in strategic offensive arms that will be lower than those in the 2002 Moscow Treaty on Strategic Offensive Reductions, which is currently in effect;
- The new agreement will mutually enhance the security of the Parties and predictability and stability in strategic offensive forces, and will include effective verification measures drawn from the experience of the Parties in implementing the START Treaty.

They directed their negotiators to report on progress achieved in working out the new agreement by July 2009.

Source: Joint Statement by Dmitriy A. Medvedev, President of the Russian Federation, and Barack Obama, President of the United States of America, Regarding Negotiations on Further Reductions in Strategic Offensive Arm/ The White House' official site// http://www.whitehouse.gov/the_press_office/Joint-Statement-by-Dmitriy-A-Medvedev-and-Barack-Obama/.

2.6. United Nations Security Council Resolution 1874 (North Korea), June 12, 2009; New-York

The Security Council,

Recalling its previous relevant resolutions, including resolution 825 (1993), resolution 1540 (2004), resolution 1695 (2006), and, in particular, resolution 1718 (2006), as well as the statements of its President of 6 October 2006 (S/PRST/2006/41) and 13 April 2009 (S/PRST/2009/7),

Reaffirming that proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security,

Expressing the gravest concern at the nuclear test conducted by the Democratic People's Republic of Korea ("the DPRK") on 25 May 2009 (local time) in violation of resolution 1718 (2006), and at the challenge such a test constitutes to the Treaty on Non-Proliferation of Nuclear Weapons ("the NPT") and to international efforts aimed at strengthening the global regime of non-proliferation of nuclear weapons towards the 2010 NPT Review Conference, and the danger it poses to peace and stability in the region and beyond,

Stressing its collective support for the NPT and commitment to strengthen the Treaty in all its aspects, and global efforts towards nuclear non-proliferation and nuclear disarmament, and recalling that the DPRK cannot

have the status of a nuclear-weapon state in accordance with the NPT in any case,

Deploing the DPRK's announcement of withdrawal from the NPT and its pursuit of nuclear weapons,

Underlining once again the importance that the DPRK respond to other security and humanitarian concerns of the international community,

Underlining also that measures imposed by this resolution are not intended to have adverse humanitarian consequences for the civilian population of the DPRK,

Expressing its gravest concern that the nuclear test and missile activities carried out by the DPRK have further generated increased tension in the region and beyond, and determining that there continues to exist a clear threat to international peace and security,

Reaffirming the importance that all Member States uphold the purposes and principles of the Charter of the United Nations,

Acting under Chapter VII of the Charter of the United Nations, and taking measures under its Article 41,

1. *Condemns* in the strongest terms the nuclear test conducted by the DPRK on 25

May 2009 (local time) in violation and flagrant disregard of its relevant resolutions, in particular resolutions 1695 (2006) and 1718 (2006), and the statement of its President of 13 April 2009 (S/PRST/2009/7);

2. *Demands* that the DPRK not conduct any further nuclear test or any launch using ballistic missile technology;
3. *Decides* that the DPRK shall suspend all activities related to its ballistic missile programme and in this context re-establish its pre-existing commitments to a moratorium on missile launches;
4. *Demands* that the DPRK immediately comply fully with its obligations under relevant Security Council resolutions, in particular resolution 1718 (2006);
5. *Demands* that the DPRK immediately retract its announcement of withdrawal from the NPT;
6. *Demands* further that the DPRK return at an early date to the NPT and International Atomic Energy Agency (IAEA) safeguards, bearing in mind the rights and obligations of States Parties to the NPT, and underlines the need for all States Parties to the NPT to continue to comply with their Treaty obligations;
7. *Calls upon* all Member States to implement their obligations pursuant to resolution 1718 (2006), including with respect to designations made by the Committee established pursuant to resolution 1718 (2006) ("the Committee") pursuant to the statement of its President of 13 April 2009 (S/PRST/2009/7);
8. *Decides* that the DPRK shall abandon all nuclear weapons and existing nuclear programs in a complete, verifiable and irreversible manner and immediately cease all related activities, shall act strictly in accordance with the obligations applicable to parties under the NPT and the

terms and conditions of the IAEA Safeguards Agreement (IAEA INFCIRC/403) and shall provide the IAEA transparency measures extending beyond these requirements, including such access to individuals, documentation, equipment and facilities as may be required and deemed necessary by the IAEA;

9. *Decides* that the measures in paragraph 8 (b) of resolution 1718 (2006) shall also apply to all arms and related materiel, as well as to financial transactions, technical training, advice, services or assistance related to the provision, manufacture, maintenance or use of such arms or materiel;
10. *Decides* that the measures in paragraph 8 (a) of resolution 1718 (2006) shall also apply to all arms and related materiel, as well as to financial transactions, technical training, advice, services or assistance related to the provision, manufacture, maintenance or use of such arms, except for small arms and light weapons and their related materiel, and calls upon States to exercise vigilance over the direct or indirect supply, sale or transfer to the DPRK of small arms or light weapons, and further decides that States shall notify the Committee at least five days prior to selling, supplying or transferring small arms or light weapons to the DPRK;
11. *Calls upon* all States to inspect, in accordance with their national authorities and legislation, and consistent with international law, all cargo to and from the DPRK, in their territory, including seaports and airports, if the State concerned has information that provides reasonable grounds to believe the cargo contains items the supply, sale, transfer, or export of which is prohibited by paragraph 8 (a), 8 (b), or 8 (c) of resolution 1718 or by paragraph 9 or 10 of this resolution, for the purpose of ensuring strict implementation of those provisions;

12. *Calls upon* all Member States to inspect vessels, with the consent of the flag State, on the high seas, if they have information that provides reasonable grounds to believe that the cargo of such vessels contains items the supply, sale, transfer, or export of which is prohibited by paragraph 8 (a), 8 (b), or 8 (c) of resolution 1718 (2006) or by paragraph 9 or 10 of this resolution, for the purpose of ensuring strict implementation of those provisions;
13. *Calls upon* all States to cooperate with inspections pursuant to paragraphs 11 and 12, and, if the flag State does not consent to inspection on the high seas, decides that the flag State shall direct the vessel to proceed to an appropriate and convenient port for the required inspection by the local authorities pursuant to paragraph 11;
14. *Decides* to authorize all Member States to, and that all Member States shall, seize and dispose of items the supply, sale, transfer, or export of which is prohibited by paragraph 8 (a), 8 (b), or 8 (c) of resolution 1718 or by paragraph 9 or 10 of this resolution that are identified in inspections pursuant to paragraph 11, 12, or 13 in a manner that is not inconsistent with their obligations under applicable Security Council resolutions, including resolution 1540 (2004), as well as any obligations of parties to the NPT, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction of 29 April 1997, and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction of 10 April 1972, and decides further that all States shall cooperate in such efforts;
15. *Requires* any Member State, when it undertakes an inspection pursuant to paragraph 11, 12, or 13, or seizes and disposes of cargo pursuant to paragraph 14, to submit promptly reports containing relevant details to the Committee on the inspection, seizure and disposal;
16. *Requires* any Member State, when it does not receive the cooperation of a flag State pursuant to paragraph 12 or 13 to submit promptly to the Committee a report containing relevant details;
17. *Decides* that Member States shall prohibit the provision by their nationals or from their territory of bunkering services, such as provision of fuel or supplies, or other servicing of vessels, to DPRK vessels if they have information that provides reasonable grounds to believe they are carrying items the supply, sale, transfer, or export of which is prohibited by paragraph 8 (a), 8 (b), or 8 (c) of resolution 1718 (2006) or by paragraph 9 or 10 of this resolution, unless provision of such services is necessary for humanitarian purposes or until such time as the cargo has been inspected, and seized and disposed of if necessary, and underlines that this paragraph is not intended to affect legal economic activities;
18. *Calls upon* Member States, in addition to implementing their obligations pursuant to paragraphs 8 (d) and (e) of resolution 1718 (2006), to prevent the provision of financial services or the transfer to, through, or from their territory, or to or by their nationals or entities organized under their laws (including branches abroad), or persons or financial institutions in their territory, of any financial or other assets or resources that could contribute to the DPRK's nuclear-related, ballistic missile-related, or other weapons of mass destruction-related programs or activities, including by freezing any financial or other assets or resources on their territories or that hereafter come within their territories, or that are subject to their jurisdiction or that hereafter become subject to their jurisdiction, that are associated with such programs or activities and applying enhanced monitoring to prevent all such transactions in accordance with their national authorities and legislation;
19. *Calls upon* all Member States and international financial and credit institutions not to enter into new commitments for grants, financial assistance, or concessional loans to the DPRK, except for humanitarian and developmental purposes directly addressing the needs of the civilian population, or the promotion of denuclearization, and also calls upon States to exercise enhanced vigilance with a view to reducing current commitments;
20. *Calls upon* all Member States not to provide public financial support for trade with the DPRK (including the granting of export credits, guarantees or insurance to their nationals or entities involved in such trade) where such financial support could contribute to the DPRK's nuclear-related or ballistic missile-related or other WMD-related programs or activities;
21. *Emphasizes* that all Member States should comply with the provisions of paragraphs 8 (a) (iii) and 8 (d) of resolution 1718 (2006) without prejudice to the activities of the diplomatic missions in the DPRK pursuant to the Vienna Convention on Diplomatic Relations;
22. *Calls upon* all Member States to report to the Security Council within forty-five days of the adoption of this resolution and thereafter upon request by the Committee on concrete measures they have taken in order to implement effectively the provisions of paragraph 8 of resolution 1718 (2006) as well as paragraphs 9 and 10 of this resolution, as well as financial measures set out in paragraphs 18, 19 and 20 of this resolution;
23. *Decides* that the measures set out at paragraphs 8 (a), 8 (b) and 8 (c) of resolution 1718 (2006) shall also apply to the items listed in INFCIRC/254/Rev.9/Part 1a and INFCIRC/254/Rev.7/Part 2a;
24. *Decides* to adjust the measures imposed by paragraph 8 of resolution 1718 (2006) and this resolution, including through the designation of entities, goods, and individuals, and directs the Committee to undertake its tasks to this effect and to report to the Security Council within thirty days of adoption of this resolution, and further decides that, if the Committee has not acted, then the Security Council will complete action to adjust the measures within seven days of receiving that report;
25. *Decides* that the Committee shall intensify its efforts to promote the full implementation of resolution 1718 (2006), the statement of its President of 13 April 2009 (S/PRST/2009/7) and this resolution, through a work programme covering compliance, investigations, outreach, dialogue, assistance and cooperation, to be submitted to the Council by 15 July 2009, and that it shall also receive and consider reports from Member States pursuant to paragraphs 10, 15, 16 and 22 of this resolution;
26. *Requests* the Secretary-General to create for an initial period of one year, in consultation with the Committee, a group of up to seven experts ("Panel of Experts"), acting under the direction of the Committee to carry out the following tasks: (a) assist the Committee in carrying out its mandate as specified in resolution 1718 (2006) and the functions specified in paragraph 25 of this resolution; (b) gather, examine and analyze information from States, relevant United Nations bodies and other interested parties regarding the implementation of the measures imposed in

- resolution 1718 (2006) and in this resolution, in particular incidents of non-compliance; (c) make recommendations on actions the Council, or the Committee or Member States, may consider to improve implementation of the measures imposed in resolution 1718 (2006) and in this resolution; and (d) provide an interim report on its work to the Council no later than 90 days after adoption of this resolution, and a final report to the Council no later than 30 days prior to termination of its mandate with its findings and recommendations;
27. *Urges* all States, relevant United Nations bodies and other interested parties, to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on the implementation of the measures imposed by resolution 1718 (2006) and this resolution;
28. *Calls upon* all Member States to exercise vigilance and prevent specialized teaching or training of DPRK nationals within their territories or by their nationals, of disciplines which could contribute to the DPRK's proliferation sensitive nuclear activities and the development of nuclear weapon delivery systems;
29. *Calls upon* the DPRK to join the Comprehensive Nuclear-Test-Ban Treaty at the earliest date;
30. *Supports* peaceful dialogue, calls upon the DPRK to return immediately to the Six Party Talks without precondition, and urges all the participants to intensify their efforts on the full and expeditious implementation of the Joint Statement

issued on 19 September 2005 and the joint documents of 13 February 2007 and 3 October 2007, by China, the DPRK, Japan, the Republic of Korea, the Russian Federation and the United States, with a view to achieving the verifiable denuclearization of the Korean Peninsula and to maintain peace and stability on the Korean Peninsula and in north-east Asia;

31. *Expresses* its commitment to a peaceful, diplomatic and political solution to the situation and welcomes efforts by Council members as well as other Member States to facilitate a peaceful and comprehensive solution through dialogue and to refrain from any actions that might aggravate tensions;
32. *Affirms* that it shall keep the DPRK's actions under continuous review and that it shall be prepared to review the appropriateness of the measures contained in paragraph 8 of resolution 1718 (2006) and relevant paragraphs of this resolution, including the strengthening, modification, suspension or lifting of the measures, as may be needed at that time in light of the DPRK's compliance with relevant provisions of resolution 1718 (2006) and this resolution;
33. *Underlines* that further decisions will be required, should additional measures be necessary;
34. *Decides* to remain actively seized of the matter.

Source: United Nations Security Council Resolution 1874/ United Nations' official site// <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N09/368/49/PDF/N0936849.pdf?OpenElement>.

2.7. Joint Understanding by Obama, Medvedev on Weapon Negotiations, July 6, 2009; Moscow

The President of the United States of America and the President of the Russian Federation have decided on further reductions and limitations of their nations' strategic offensive arms and on concluding at an early date a new legally binding agreement to replace the current START Treaty, and directed that the new treaty contain, inter alia, the following elements:

1. A provision to the effect that each Party will reduce and limit its strategic offensive arms so that seven years after entry into force of the treaty and thereafter, the limits will be in the range of 500-1100 for strategic delivery vehicles, and in the range of 1500-1675 for their associated warheads.
2. Provisions for calculating these limits.
3. Provisions on definitions, data exchanges, notifications, eliminations, inspections and verification procedures, as well as confidence building and transparency measures, as adapted, simplified, and made less costly, as appropriate, in comparison to the START Treaty.

The specific numbers to be recorded in the treaty for these limits will be agreed through further negotiations.

4. A provision to the effect that each Party will determine for itself the composition and structure of its strategic offensive arms.

5. A provision on the interrelationship of strategic offensive and strategic defensive arms.
6. A provision on the impact of intercontinental ballistic missiles and submarine-launched ballistic missiles in a non-nuclear configuration on strategic stability.
7. A provision on basing strategic offensive arms exclusively on the national territory of each Party.
8. Establishment of an implementation body to resolve questions related to treaty implementation.
9. A provision to the effect that the treaty will not apply to existing patterns of cooperation in the area of strategic offensive arms between a Party and a third state.
10. A duration of the treaty of ten years, unless it is superseded before that time by a subsequent treaty on the reduction of strategic offensive arms.

The Presidents direct their negotiators to finish their work on the treaty at an early date so that they may sign and submit it for ratification in their respective countries.

Source: Joint Understanding by Obama, Medvedev on Weapon Negotiations/ Official information site "America.Gov"// <http://www.america.gov/st/texttrans-english/2009/July/20090708154724xjsnommis0.7355005.html>.

2.8. Joint Statement by President Barack Obama of the United States of America and President Dmitry Medvedev of the Russian Federation on Nuclear Cooperation, July 6, 2009; Moscow

The United States of America and the Russian Federation confirm their commitment to strengthening their cooperation to prevent the proliferation of nuclear weapons and stop acts of nuclear terrorism. We bear special responsibility for security of nuclear weapons. While we reconfirm that security at nuclear facilities in the United States and Russia meets current requirements, we stress that nuclear security requirements need continuous upgrading. We will continue cooperating on effective export controls that make it possible to prevent nuclear materials, equipment and technologies from falling into the hands of actors unauthorized by the state as well as prevent their use in any manner contrary to obligations under the Nuclear Non-Proliferation Treaty (NPT).

Building upon previous joint efforts, experience and achievements, and in order to fulfill our agreements reached in London on April 1, 2009, we declare an intent to broaden and deepen long-term cooperation to further increase the level of security of nuclear facilities around the world, including through minimization of the use of highly-enriched uranium in civilian applications and through consolidation and conversion of nuclear materials. We also reaffirm our commitment to dispose of existing

stockpiles of weapon-grade materials that are surplus to defense needs consistent with our obligations under Article VI of the NPT.

Both sides remain committed to executing the Agreement between the Government of the United States of America and the Government of the Russian Federation Concerning the Management and Disposition of Plutonium Designated as No Longer Required for Defense Purposes and Related Cooperation to dispose of 34 metric tons each of weapons-grade plutonium in the United States and Russia. The parties recognize that successful implementation of their respective programs will be subject to future appropriation of funds.

Both sides commit themselves to the nuclear security initiatives begun in 2005, to include the repatriation of spent highly-enriched uranium (HEU) fuel. To expand on this work, we will jointly and together with other nations work to return research reactor HEU fuel under the agreed-upon schedule, as a practical implementation of nuclear non-proliferation objectives. We will continue working with other nations to secure and to eliminate excess stocks of proliferation-sensitive nuclear materials worldwide.

We will continue cooperating on development of new types of low-enriched uranium (LEU) fuel for possible conversion of research reactor cores in third countries and on conducting feasibility studies to explore possibilities for conversion of such individual reactors in the United States and Russia. We note the importance of HEU minimization in civilian applications and support such efforts to the maximum extent possible, where feasible.

To continue to improve the level of nuclear security and to combat existing and emerging threats, our experts will continue working to further improve physical protection systems at nuclear facilities and ensure that these improvements will be sustained in the long term. We will continuously improve physical protection, accounting and control of nuclear materials and radioactive substances and qualifications of professional staff.

Building on our excellent bilateral cooperation in nuclear security, and the expertise of both countries in this area, we will work together to strengthen the ability of other nations to carry out their weapons of mass destruction nonproliferation obligations under UNSCR 1540.

We express our mutual desire to expand capabilities to combat illicit trafficking of nuclear materials and radioactive substances at the borders of our countries.

Recognizing the important role of safeguards in promoting confidence in the peaceful use of nuclear energy and in addressing proliferation threats, we will work together to expand opportunities for bilateral and multilateral cooperation to strengthen the overall effectiveness and efficiency of the international safeguards system.

We share a common vision of the growth of clean, safe, secure and affordable nuclear energy for peaceful purposes. Our nations have a great deal to offer together with other

states to the international community in this area, focusing additional efforts on:

- Development of prospective and innovative nuclear energy systems;
- Research into methods and mechanisms for the provision of reliable nuclear fuel cycle services;
- Research into international approaches for the establishment of nuclear fuel cycle services to secure the nuclear weapons nonproliferation regime;
- Improvement of the international safeguards system;

As stated in London on April 1, 2009, the United States and Russia will work to bring into force the bilateral Agreement for Cooperation in the Field of Nuclear Energy, which will provide the basis for these and other types of cooperation.

We welcome the expansion and strengthening of the Global Initiative to Combat Nuclear Terrorism, which held the fifth meeting of partner nations in The Hague on June 16-17, 2009, and we are fully determined to continue joint work to expand national and collective efforts to combat the threat of nuclear terrorism. To this end, we will jointly initiate practical steps, to include conducting worldwide regional nuclear security best-practices workshops to facilitate greater international cooperation in implementing this initiative.

Source: Joint Statement by President Barack Obama of the United States of America and President Dmitry Medvedev of the Russian Federation on Nuclear Cooperation/ The White House' official site// http://www.whitehouse.gov/the_press_office/Joint-Statement-by-President-Barack-Obama-of-the-United-States-of-America-and-President-Dmitry-Medvedev-of-the-Russian-Federation-on-Nuclear-Cooperation/.

2.9. Joint Statement by Dmitry A. Medvedev, President of the Russian Federation, and Barack Obama, President of the United States of America, on Missile Defense Issues, July 6, 2009; Moscow

In accordance with the understanding reached at the meeting in London on April 1, 2009, Russia and the United States plan to continue the discussion concerning the establishment of cooperation in responding to the challenge of ballistic missile proliferation. Our countries are intensifying their search for optimum ways of strengthening strategic relations on the basis of mutual respect and interests.

We have instructed our experts to work together to analyze the ballistic missile challenges of the 21st century and to prepare appropriate recommendations, giving priority to the use of political and diplomatic methods. At the same time they plan to conduct a joint review of the entire spectrum of means at our disposal that allow us to cooperate on monitoring the development of missile programs around the world. Our experts are intensifying dialogue on establishing the Joint

Data Exchange Center, which is to become the basis for a multilateral missile-launch notification regime.

The Russian Federation and the United States of America reaffirm their willingness to engage in equitable and mutually beneficial cooperation with all interested countries that share their assessments of the danger of global proliferation of ballistic missiles. We call upon all countries having a missile potential to refrain from steps that could lead to missile proliferation and undermine regional and global stability.

Source: Joint Statement by Dmitry A. Medvedev, President of the Russian Federation, and Barack Obama, President of the United States of America, on Missile Defense Issues/ The information site "Sun-Times"// http://blogs.suntimes.com/sweet/2009/07/obama_medvedev_joint_statement.html/.

2.10. Implementation of the NPT Safeguards Agreement and Relevant Provisions of Security Council Resolution 1737 (2006), 1747 (2007), 1803 (2008), and 1835 (2008) in the Islamic Republic of Iran, August 28, 2009; Vienna

A report of the International Atomic Energy Agency Director General

1. On 5 June 2009, the Director General reported to the Board of Governors on the implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions 1737 (2006), 1747 (2007), 1803 (2008) and 1835 (2008) in the Islamic Republic of Iran (Iran) (GOV/2009/35). This report covers relevant developments since that date.

A. Current Enrichment Related Activities

2. On 12 August 2009, Iran was feeding UF₆ into Unit A24, and ten cascades of Unit A26, at the Fuel Enrichment Plant (FEP) at Natanz¹. On that day, the eight other cascades of Unit A26 were under vacuum. Iran has continued with the installation of cascades at Unit A28; fourteen cascades have been installed and the installation of another cascade is continuing². All

¹ There are two cascade halls planned at FEP: Production Hall A and Production Hall B. According to the design information submitted by Iran, eight units (Units A21 to A28) are planned for Production Hall A (see GOV/2008/38, para. 2).

² On 12 August 2009, 4592 centrifuges were being fed

machines installed to date are IR-1 centrifuges. Installation work at Units A25 and A27 is also continuing.

3. Iran has estimated that, between 18 November 2008 and 31 July 2009, 7942 kg of UF₆ was fed into the cascades and a total of 669 kg of low enriched UF₆ was produced³. The nuclear material at FEP (including the feed, product and tails), as well as all installed cascades and the feed and withdrawal stations, are subject to Agency containment and surveillance⁴.

with UF₆ and an additional 3716 centrifuges had been installed.

³ The Agency has verified that, as of 17 November 2008, 9956 kg of UF₆ had been fed into the cascades and 839 kg of low enriched UF₆ had been produced since the beginning of operations in February 2007 (GOV/2009/8, para. 3). The Agency has confirmed, through independently calibrated operator load cell readings, that, between 18 November 2008 and 2 August 2009, 7976 kg of UF₆ was fed into the cascades, and a total of 591 kg of low enriched UF₆ product and 6847 kg of UF₆ tails and dump material was off-loaded into UF₆ cylinders. The difference of 538 kg between the input and output figures comprises natural, depleted and low enriched UF₆ arising mainly from hold-up in the various cold traps and is not inconsistent with the design information provided by Iran.

⁴ In line with normal safeguards practice, small amounts of nuclear material at the facility (e.g. some waste and samples) are not under containment and surveillance.

4. As reported earlier, the Agency had informed Iran that, given the increasing number of cascades being installed at FEP and the increased rate of production of low enriched uranium at the facility, improvements to the containment and surveillance measures at FEP were needed for the Agency to continue to fully meet its safeguards objectives for the facility (GOV/2009/35, para. 3). In the course of a series of meetings, Iran and the Agency agreed on the improvements, which were put in place on 12 August 2009. The next physical inventory verification (PIV) at FEP is planned for November 2009. At that time, the Agency will be able to verify the inventory of all nuclear material at the facility and evaluate the nuclear material balance after the cold traps have been cleaned out.
5. Iran and the Agency have also agreed on improvements regarding the provision of accounting and operating records, and on the requirements for timely access for unannounced inspections (GOV/2009/35, para. 5).
6. Between 24 May 2009 and 13 August 2009, a total of approximately 37 kg of UF₆ was fed into a 10-machine IR-4 cascade, a 10-machine IR-2m cascade and single IR-1, IR-2m and IR-4 centrifuges at the Pilot Fuel Enrichment Plant (PFEP). The nuclear material at PFEP, as well as the cascade area and the feed and withdrawal stations, remain under Agency containment and surveillance⁵.
7. The results of the environmental samples taken at FEP and PFEP indicate that both plants have been operating as declared (i.e. less than 5.0% U-235 enrichment)⁶.

⁵ In line with normal safeguards practice, small amounts of nuclear material at the facility (e.g. some waste and samples) are not under containment and surveillance.
⁶ Results are available for samples taken up to 25 April 2009 for FEP and up to 19 April 2009 for PFEP. These

Since the last report, the Agency has successfully conducted three unannounced inspections. A total of 29 unannounced inspections have been conducted at FEP since March 2007.

B. Reprocessing Activities

8. The Agency has continued to monitor the use and construction of hot cells at the Tehran Research Reactor (TRR) and the Molybdenum, Iodine and Xenon Radioisotope Production (MIX) Facility. There have been no indications of ongoing reprocessing related activities at those facilities. While Iran has stated that there have been no reprocessing related R&D activities in Iran, the Agency can confirm this only with respect to these two facilities, as the measures of the Additional Protocol are not available.

C. Heavy Water Reactor Related Projects

9. On 19 June 2009, the Agency requested Iran to update the Design Information Questionnaire (DIQ) for the Fuel Manufacturing Plant (FMP) and the Iran Nuclear Research Reactor (IR-40) to reflect the design features of the fuel assembly verified by the Agency during its May 2009 inspection at FMP (GOV/2009/35, para. 9). Under cover of a letter dated 21 August 2009, Iran submitted an updated DIQ for FMP, which the Agency is now reviewing.
10. On 11 August 2009, the Agency conducted both a PIV and design information verification (DIV) at FMP, at which time it was noted that the final quality control equipment had been installed, and the fuel assembly referred to above was undergoing quality control testing. Assessment of the results of the PIV is still pending.

results have shown particles of low enriched uranium (with up to 4.4% U-235), natural uranium and depleted uranium (down to 0.38% U-235 enrichment).

11. On 17 August 2009, Iran, following repeated requests by the Agency, provided the Agency with access to the IR-40 reactor at Arak, at which time the Agency was able to carry out a DIV. The Agency verified that the construction of the facility was ongoing. In particular, the Agency noted that no reactor vessel was yet present. The operator stated that the reactor vessel was still being manufactured, and that it would be installed in 2011. Iran also stated that no hot cell windows or manipulators could be procured from foreign sources and that it was considering producing them domestically. Iran estimated that the civil construction work was about 95% completed and that the plant itself was about 63% completed. The facility at its current stage of construction conforms to the design information provided by Iran as of 24 January 2007. However, Iran still needs to provide updated and more detailed design information, in particular about the nuclear fuel characteristics, fuel

handling and transfer equipment and the nuclear material accountancy and control system. The Agency has continued using satellite imagery to monitor the status of the Heavy Water Production Plant, which seems not to have been operating since the last report.

D. Other Implementation Issues

D.1. Uranium Conversion

12. The Agency finalized its assessment of the results of the PIV carried out at the Uranium Conversion Facility (UCF) in March 2009 (GOV/2009/35, para. 11), and has concluded that the inventory of nuclear material at UCF as declared by Iran is consistent with those results, within the measurement uncertainties normally associated with conversion plants

of similar throughput. Between 8 March 2009 and 10 August 2009, approximately 11 tonnes of uranium in the form of UF₆ was produced at UCF. This brings the total amount of uranium in the form of UF₆ produced at UCF since March 2004 to approximately 366 tonnes, some of which was transferred to FEP and PFEP, and all of which remains under Agency containment and surveillance. Between March 2009 and 10 August 2009, 159 samples of ammonium diuranate, containing about 2 kg of uranium, were received at UCF from the Bandar Abbas Uranium Production Plant.

13. On 21 July 2009 and 10 August 2009, the Agency conducted design information verification at UCF. The Agency was able to confirm that the facility conforms to the design information provided by Iran.

D.2. Design Information

14. Iran has not yet resumed the implementation of the revised Code 3.1 of the Subsidiary Arrangements General Part on the early provision of design information (GOV/2008/59, para. 9; GOV/2007/22, paras 12–14). Iran is the only State with significant nuclear activities which has a comprehensive safeguards agreement in force but is not implementing the provisions of the revised Code 3.1. The absence of such information results in late notification to the Agency of the construction of new facilities and changes to the design of existing facilities.

15. The Agency has not yet received the requested preliminary design information for the nuclear power plant that is to be built in Darkhovin (GOV/2008/38, para. 11).

D.3. Other Matters

16. In view of the anticipated loading of fuel into the Bushehr Nuclear Power Plant

(GOV/2009/35, para. 15), now expected to take place in October/November 2009, the Agency installed a containment and surveillance system at that facility on 22 – 25 August 2009.

17. In a letter dated 12 July 2009, Iran informed the Agency that it had transferred all nuclear material out of the Uranium Chemical Laboratory at Esfahan and that it did not plan any other nuclear activities in this location and requested the Agency to consider this facility as a decommissioned facility. The Agency has scheduled an inspection to confirm the decommissioned status of this facility.

E. Possible Military Dimensions

18. As referred to in the Director General's previous reports to the Board (most recently in GOV/2009/35, para. 17), there remain a number of outstanding issues which give rise to concerns, and which need to be clarified to exclude the existence of possible military dimensions to Iran's nuclear programme. As indicated in those reports, it is essential that Iran re-engage with the Agency to clarify and bring to a closure questions related to the alleged studies, the circumstances of the acquisition of the uranium metal document, and the procurement and R&D activities of military related institutes and companies that could be nuclear related as well as the production of nuclear related equipment and components by companies belonging to defence industries.

19. It should be noted that, although the Agency has limited means to authenticate independently the documentation that forms the basis of the alleged studies, the information is being critically assessed, in accordance with the Agency's practices, by corroborating it, inter alia, with other information available to the Agency from other sources and from its own findings.

A description of all of the documentation available to the Agency about the alleged studies which the Agency has been authorized to share with Iran and which has been sufficiently vetted by the Agency was provided in the Director General's report of May 2008 (GOV/2008/15, Annex A). It should be noted, however, that 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. Notwithstanding, as the Director General has repeatedly emphasized, the information contained in that documentation appears to have been derived from multiple sources over different periods of time, appears to be generally consistent, and is sufficiently comprehensive and detailed that it needs to be addressed by Iran with a view to removing the doubts which naturally arise, in light of all of the outstanding issues, about the exclusively peaceful nature of Iran's nuclear programme⁷.

20. In connection with the outstanding issues, Iran has provided to the Agency: (a) its overall assessment of the documentation related to the alleged studies (GOV/2008/15, Annex A), and (b) partial replies and a document, in response to specific questions presented by the Agency (GOV/2008/15, Annex B). Iran has indicated further that it has information which could shed more light on the nature of the alleged studies, but has not yet provided it to the Agency (GOV/2008/15, para. 23). In the meantime, the Agency has studied the information provided by Iran thus far, but has not yet been given the opportunity by Iran to discuss its findings in detail owing to Iran's insistence that it had already provided its final responses. In the view of

⁷ GOV/2008/38, para. 16; GOV/2009/35, para. 23.

the Agency, however, there are still matters which need to be discussed based on the documents and information provided by Iran itself or which relate to information which the Agency has independently corroborated. Examples of information included in the documentation that Iran has not disputed as being factually accurate⁸ are provided below.

21. Although Iran has challenged the allegation that it has engaged in nuclear related high explosives testing studies, Iran has told the Agency that it has experimented with the civil application of simultaneously functioning multiple detonators (GOV/2008/15, para. 20), and was asked by the Agency to provide it with information which would prove that such work had been for civil and nonnuclear military purposes (GOV/2008/38, para. 17(c)). Iran has not yet shared that information with the Agency. The Agency would also like to discuss with Iran the possible role that a foreign national with explosives expertise (GOV/2008/38, para. 17(d)), whose visit to Iran has been confirmed by the Agency, played in explosives development work.

22. With respect to the letter with handwritten annotations which was part of the documentation related to the alleged green salt project (GOV/2008/15, Annex A.1, Doc. 2), Iran has confirmed the existence of the underlying letter, has shown the original to the Agency and has provided the Agency with a copy of it. The existence of this original demonstrates a direct link between the relevant documentation and Iran. As already requested of Iran, the Agency needs to see further related correspondence and to have access to the individuals named in the letter.

⁸ GOV/2008/15, para. 18.

23. In respect to the alleged missile re-entry vehicle studies, the Agency still wishes to visit the civilian workshops which Iran has indicated to the Agency exist and which are identified in the documentation as having been involved in the production of model prototypes of a new payload chamber for a missile (GOV/2008/38, para. 17(e)). In addition, while asserting that the documentation on the alleged missile re-entry vehicle was forged and fabricated, Iran informed the Agency that it was well known that Iran was working on the Shahab-3 missile. In light of that, the Agency has reiterated the need to hold discussions with Iran on the engineering and modelling studies associated with the re-design of the payload chamber referred to in the alleged studies documentation to exclude the possibility that they were for a nuclear payload.

24. In light of the above, the Agency has repeatedly informed Iran that it does not consider that Iran has adequately addressed the substance of the issues, having focused instead on the style and form of presentation of the written documents relevant to the alleged studies and providing limited answers or simple denials in response to other questions. The Agency has therefore requested Iran to provide more substantive responses and to provide the Agency with the opportunity to have detailed discussions with a view to moving forward on these issues, including granting the Agency access to persons, information and locations identified in the documents in order for the Agency to be able to confirm Iran's assertion that these documents are false and fabricated. The Agency has reiterated its willingness to discuss modalities that could enable Iran to demonstrate credibly that the activities referred to in the documentation are not nuclear related, as Iran asserts, while protecting sensitive

information related to its conventional military activities.

25. For the Agency to be in a position to progress in its verification of the absence of undeclared nuclear material and activities in Iran, it is essential that Iran take the necessary steps to enable the Agency to clarify and bring to a closure the outstanding issues and implement its Additional Protocol.

F. Summary

26. The Agency continues to verify the non-diversion of declared nuclear material in Iran. Iran has cooperated with the Agency in improving safeguards measures at FEP and in providing the Agency with access to the IR-40 reactor for purposes of design information verification. Iran has not, however, implemented the modified text of its Subsidiary Arrangements General Part, Code 3.1, on the early provision of design information.
27. Iran has not suspended its enrichment related activities or its work on heavy water related projects as required by the Security Council.
28. Contrary to the requests of the Board of Governors and the Security Council, Iran has neither implemented the Additional Protocol nor cooperated with the Agency in connection with the remaining issues of concern which need to be clarified to exclude the possibility of military dimen-

sions to Iran's nuclear programme. Regrettably, the Agency has not been able to engage Iran in any substantive discussions about these outstanding issues for over a year. The Agency believes that it has provided Iran with sufficient access to documentation in its possession to enable Iran to respond substantively to the questions raised by the Agency. However, the Director General urges Member States which have provided documentation to the Agency to work out new modalities with the Agency so that it could share further documentation with Iran, as appropriate, since the Agency's inability to do so is rendering it difficult for the Agency to progress further in its verification process.

29. It is critical for Iran to implement the Additional Protocol and clarify the outstanding issues in order for the Agency to be in a position to provide credible assurance about the absence of undeclared nuclear material and activities in Iran.
30. The Director General will continue to report as appropriate.

Source: Implementation of the NPT Safeguards Agreement and Relevant Provisions of Security Council Resolutions 1737 (2006), 1747 (2007), 1803 (2008), and 1835 (2008) in the Islamic Republic of Iran// International Atomic Energy Agency official site// <http://www.iaea.org/Publications/Documents/Board/2009/gov2009-55.pdf>.

APPENDIX 3

Acronyms

ABM	anti-ballistic missile	IMO	International Maritime Organization
BMD	ballistic missile defense	INF	intermediate-range nuclear forces
BTWC/BWC	Biological and Toxin Weapons Convention (Biological Weapons Convention, BWC)	INFCE	International Nuclear Fuel Cycle Estimation
BWC	Biological Weapons Convention	LEU	low enriched uranium
CIA	Central Intelligence Agency (USA)	LNG	liquefied natural gas
CTBT	Comprehensive Nuclear Test-Ban Treaty	MAD	mutual assured deterrence
CTC	Counter-Terrorist Committee	MGIMO	Moscow State Institute for International Relations (Russia)
CTR	Cooperative Threat Reduction, Nunn-Lugar Program	MIT	Massachusetts Institute of Technology (USA)
CW	chemical weapon/warfare	MTCR	Missile Technology Control Regime
CWC	Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and their Destruction	NATO	North Atlantic Treaty Organization
DoD	Department of Defense (USA)	NGO	non-governmental organization
DoE	Department of Energy (USA)	NNWS	non-nuclear weapon state
DPRK	Democratic People's Republic of Korea	NORAD	North American Aerospace Defense Command
FATF	Financial Action Task Force on Money Laundering	NPT	Treaty on the Non-Proliferation of Nuclear Weapons (Nuclear Non-Proliferation Treaty)
FMCT	Fissile Material Cut-Off Treaty	NSG	Nuclear Suppliers Group
G8	Group of Eight	NTI	Nuclear Threat Initiative
GDP	gross domestic product	OPCW	Organization for the Prohibition of Chemical Weapons
GNEP	Global Nuclear Energy Partnership	OSCE	Organization for Security and Cooperation in Europe
HEU	high enriched uranium	P5	five permanent members of the UN Security Council
IAEA	International Atomic Energy Agency	PSI	Proliferation Security Initiative
ICAO	International Civil Aviation Organization	RAS	Russian Academy of Sciences
ICJ	International Court of Justice	R&D	research and development
IMEMO	Institute for World Economy and International Relations (Russia)	SDI	Strategic Defense Initiative
		START	Strategic Arms Reduction Treaty
		TNT	trinitrotoluol
		UAV	unmanned aerial vehicles
		UNMOVIC	United Nations Monitoring, Verification and Inspection Commission
		UNODC	United Nations Office on Drugs and Crime
		UNSCOM	UN Special Commission (Iraq)
		USEC	United States Enrichment Corporation
		WCO	World Customs Organization
		WHO	World Health Organization
		WMD	weapon of mass destruction
		WMDC	Weapons of Mass Destruction Commission

APPENDIX 4

List of Participants in the Workshop

- | | | | | | |
|----|-----------------------------|--|-----|---------------------------|--|
| 1. | Alexei ARBATOV | Head of the Center for International Security of the IMEMO (RAS); Scholar-in-Residence of the Carnegie Moscow Center (former Deputy Chairman of the Defense Committee of the State Duma, Federal Assembly – Russian Parliament); Corresponding member (RAS, Russia). | 7. | Anatoliy DIAKOV | Director of the Center for Arms Control, Energy and Environmental Studies of the Moscow Institute of Physics and Technology; Ph.D. (Russia). |
| 2. | Vladimir BARANOVSKIY | Deputy Director of the IMEMO (RAS); Corresponding Member (RAS, Russia). | 8. | Vladimir DVORKIN | Chairman of the Organizing Committee of the International Luxembourg Forum; Principal Researcher of the IMEMO (RAS, former Director of the 4th Major Institute of the Ministry of Defense); Professor; Major-General, ret. (Russia). |
| 3. | Sergey BATSANOV | Member of Pugwash Council, Director of the Geneva Office of Pugwash Conferences on Science and World Affairs; Ambassador (Russia). | 9. | Rolf EKEUS | Chairman of the Governing Board, Stockholm International Peace Research Institute (former High Commissioner on National Minorities at the OSCE); Ambassador (Sweden). |
| 4. | Hans BORN | Senior Fellow of the Research Division, Center for the Democratic Control of Armed Forces; Ph.D. (Switzerland). | 10. | Mark FITZPATRICK | Director of the Non-Proliferation and Disarmament Programme, International Institute for Strategic Studies in London (United States). |
| 5. | Paolo COTTA-RAMUSINO | Secretary General of Pugwash Conferences on Science and World Affairs (Italy). | 11. | Vagif GUSEYNOV | Director of the Institute for Strategic Assessments and Analysis (Russia). |
| 6. | Shahran CHUBIN | Nonresident Senior Fellow at the Carnegie Endowment for International Peace; Ph.D. (Switzerland). | 12. | Alexander KALIADIN | Principal Researcher of the IMEMO (RAS); Ph.D. (Russia). |
| | | | 13. | Steven MILLER | Director of the International Security Program, Belfer Center for Science and International Affairs, John F. Kennedy School of Government, Harvard University (United States). |
| | | | 14. | Yury NAZARKIN | Ambassador (former Deputy Secretary of the Security Council of the Russian Federation). |

15. **Robert NURICK** Senior Fellow of the James Martin Center for Non-Proliferation Studies of the Monterey Institute of International Studies (United States).
16. **George PERKOVICH** Vice President for Studies and Director of the Non-Proliferation Program at the Carnegie Endowment for International Peace; Ph.D. (United States).
17. **Vladimir SAZHIN** Senior Associate of the Institute for Oriental Studies (RAS); Professor (Russia).
18. **Carlo SCHAERF** Professor of Physics of the University of Rome "Tor Vergata" (Italy).
19. **Christian SCHOENENBERGER** Head of the Taskforce on Nuclear Disarmament and Non-Proliferation, Directorate of Political Affairs, Swiss Federal Department of Foreign Affairs; Ph.D. (Switzerland).

*УТВЕРЖДАЮ В ПЕЧАТЬ
Евсеев Владимир*

