

- Safeguard Against Diversion?" *After Iran: Safeguarding Peaceful Nuclear Energy*, NPEC/King's College-London Conference October 2-3, 2005.
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### Section 3.2: Iran and the Nuclear Fuel-cycle

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- 2 *Id.*, p. 76.
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- 5 William Broad and David Sanger, "New Worries Rise on Iranian Claim of Nuclear Steps," *New York Times*, April 17, 2006.
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- 7 *Weapons of Terror*, p. 71.
- 8 Thomas B. Cochran, "Adequacy of IAEA's Safeguards for Achieving Timely Detection," Natural Resources Defense Council, *After Iran: Safeguarding Peaceful Nuclear Energy Conference*, London, October 2-3, 2005.
- 9 See box.
- 10 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Decision 2, Principles and Objectives for Nuclear Non-Proliferation and Disarmament, New York, 1995 (emphasis supplied).

- 11 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Vol. I, Part I, Articles IV and sixth and seventh preambular paragraphs, New York, 2000, p. 8, para. 2.
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- 13 *Annual Report 2004*, International Atomic Energy Agency, Vienna, 2005, p. 62.
- 14 *Id.*
- 15 GOV/2005/67, paragraph 51.
- 16 *Annual Report 2005*, International Atomic Energy Agency, Vienna, 2006.
- 17 IAEA, *Annual Report 2004*.
- 18 *The Structure and Content of Agreements Between the Agency and States Required in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons*, INFCIRC/153 (corrected), International Atomic Energy Agency, Vienna, June 1972, paragraph 19; Statute of the International Atomic Energy Agency, Vienna, October 23, 1956, Article XII.C.
- 19 *Weapons of Terror*, p. 63.
- 20 *Id.*
- 21 *Id.*
- 22 *Implementation of Safeguards in the Islamic Republic of Iran*, IAEA Board of Governors Resolution, GOV/2005/77, September 24, 2005, paragraph 1.
- 23 *Implementation of Safeguards in the Islamic Republic of Iran: Report of the Director General*, GOV/2004/83, International Atomic Energy Agency, Vienna, November 15, 2004, paragraph 107.
- 24 *Agreement between Iran and the Agency for the application of safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons*, INFCIRC/214, International Atomic Energy Agency, Vienna, May 15, 1974.
- 25 IAEA, GOV/2004/83, paragraph 112; IAEA, GOV/2005/67, paragraph 51.
- 26 The actual reporting was deferred.
- 27 IAEA, GOV/2005/77, paragraph, 2.
- 28 Agreement signed in Paris between Iran, France, Germany, United Kingdom, and the High Representative of the European Union, November 26, 2004.
- 29 Permanent Mission of Iran to the IAEA, Communication to the Agency, Vienna, August 1, 2005. Online at <http://www.iaea.org/Publications/Documents/Infcircs/2005/infcirc648.pdf>.
- 30 UN Security Council Resolution 1696, July 31, 2006. see Michael Spies and John Burroughs, "Commentary on Security Council Resolution 1696 on Iran," Lawyers' Committee on Nuclear Policy, July 31, 2006. Online at <http://www.lcnp.org/disarmament/iran/UNSCres-jul06.htm>.
- 31 Traditionally, following from the legal mandate of the Council set forth in the UN Charter, there are three elements a resolution must contain in order to be binding: 1) the Security Council must make a finding or determination that a given situation represents a threat to international peace and security (Article 39); 2) the Security Council must state it is acting under Chapter VII of the UN Charter; 3) the Security Council must use language in the operative portion of the resolution that confers a legal obligation (the Security Council decides rather than the Security Council calls upon or urges).
- 32 The sanctions are limited to freezing financial assets of persons or entities identified by the Council as engaged in those activities (operational paragraph [OP] 12). The resolution also requires all states to take measures to prevent contributions to the proscribed activities, e.g. by shipment of goods or provision of training (OP 4-7). Should Iran not comply with the resolution

- within 60 days, the Security Council stated its intent to adopt further punitive measures not including the use of force (OP 24(c)).
- 33 UN Security Council Resolution 1737, December, 23 2006, operative paragraph 2.
- 34 See Michael Spies, “UN Escalates Nuclear Situation with Iran,” Lawyers Committee on Nuclear Policy, New York, January 10, 2007. Online at <http://www.lcnp.org/disarmament/iran/UNSCres-dec06.htm>.
- 35 *Id.*, operative paragraph 8.
- 36 *Id.*, operative paragraph 24(b).
- 37 *Implementation of Safeguards in the Islamic Republic of Iran: Report of the Director General*, GOV/2006/27, International Atomic Energy Agency, Vienna, April 28, 2006, paragraph 36.
- 38 *Id.*
- 39 *Id.*
- 40 David Albright, Corey Hinderstein, “ISIS Issue Brief: Iran’s Next Steps: Final Tests and the Construction of a Uranium Enrichment Plant,” Institute for Science and International Security, Washington D.C., January 12, 2006. Online at <http://www.isis-online.org/publications/iran/irancascade.pdf>.
- 41 BBC News, “Iran nuclear bomb ‘in 10 years,’” June 2, 2006. Online at [http://news.bbc.co.uk/2/hi/middle\\_east/5039956.stm](http://news.bbc.co.uk/2/hi/middle_east/5039956.stm).
- 42 White House, National Security Strategy of the United States of America, March 2006.
- 43 Leonard Weiss, “Atoms for Peace,” *Bulletin of the Atomic Scientist*, November/December 2003.
- 44 *Weapons of Terror*, p. 75.
- 45 *Id.*, p. 60.
- 46 See generally International Panel on Fissile Materials, *Global Fissile Material Report 2006*, Princeton, 2006, pp. 57-66.

### Section 3.3: Toward Nuclear Abolition

- 1 Merav Datan, Felicity Hill, Jürgen Scheffran, Alyn Ware, *Securing our Survival (SOS): The Case for a Nuclear Weapons Convention*, International Physicians for the Prevention of Nuclear War, 2007. Online at [www.icanw.org](http://www.icanw.org). *Securing our Survival* is a revised version of Merav Datan and Alyn Ware, *Security and Survival: The Case for a Nuclear Weapons Convention*, International Physicians for the Prevention of Nuclear War, 1999.
- 2 *Weapons of Terror*, pp. 19, 109.
- 3 *Nuclear Weapons Opinion*, para. 105(2)E (emphasis supplied).
- 4 *E.g.*, “Follow-up to the advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons,” 2006 General Assembly resolution, (A/RES/61/83), adopted by a vote of 125 to 27 with 29 abstentions. The resolution is one of a series going back to 1996 (A/RES/51/45). The second operative paragraph “[c]alls once again on all states to immediately fulfill that obligation by commencing negotiations leading to an early conclusion of a nuclear weapons convention prohibiting the development, production, testing, deployment, stockpiling, transfer, threat or use of nuclear weapons and providing for their elimination.” The first operative paragraph “[u]nderlines once again the unanimous conclusion of the International Court of Justice that