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International Atomic Energy Agency

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BOARD OF GOVERNORS

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IRAQ'S NON-COMPLIANCE WITH ITS SAFEGUARDS OBLIGATIONS

Draft resolution submitted jointly by
China, France, the Union of Soviet Socialist Republics,
the United Kingdom of Great Britain and Northern Ireland
and the United States of America

The Board of Governors,

- (a) Stressing the importance of non-proliferation of nuclear weapons to international and regional peace and security,
 - (b) Expressing grave concern about the conclusion of the report of the Director General (GOV/2530) that the Government of Iraq has failed to comply with its obligations under its safeguards agreement with the IAEA (INFCIRC/172),
 - (c) Recalling United Nations Security Council resolution 687 which, inter alia, called upon Iraq to declare all its nuclear activities to the International Atomic Energy Agency,
 - (d) Noting with appreciation the efforts of the Director General and his staff to implement the tasks assigned to the Agency by that resolution, and the diligent and effective conduct of the Agency's inspections of Iraqi nuclear activities, and
 - (e) Expressing grave concern about the evident deception and obstruction of IAEA inspectors in their efforts to carry out the Security Council's mandate in resolution 687, in violation of that resolution and the undertakings by Iraq governing the status, privileges and immunities of the IAEA and the inspection teams mandated under Security Council resolution 687,
1. Finds, on the basis of the report of the Director General in GOV/2530, that the Government of Iraq has not complied with its obligations under its safeguards agreement with the Agency (INFCIRC/172);

2. Condemns the Government of Iraq for its non-compliance with its safeguards agreement;
3. Calls upon the Government of Iraq to remedy this non-compliance forthwith, including placing any and all additional source and special fissionable material within Iraq's territory, under its jurisdiction or its control, regardless of quantity or location under Agency safeguards in accordance with the relevant provisions of INFCIRC/172 and in accordance with relevant technical determinations of the Agency;
4. Decides, in accordance with Article XII.C of the Statute, to report this non-compliance to all members of the Agency and to the Security Council and General Assembly of the United Nations;
5. Calls upon Iraq to cease all obstruction or interference with the IAEA inspection teams in their efforts to implement Security Council resolution 687;
6. Requests the Director General to keep the Board and the General Conference informed of progress in the implementation of this resolution so that they may consider appropriate action in accordance with Article XII.C and XIX.B of the Statute in the event of the Government of Iraq's failing to take fully corrective action; and
7. Decides to inscribe an item entitled "Iraq's non-compliance with its safeguards obligations" on the agenda of the September Board of Governors and requests the Director General to include such an item in the provisional agenda for the thirty-fifth regular session of the General Conference.