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Statement by H.E. Mr. Reza Najafi
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to the United Nations and other International Organizations - Vienna
At the Third Session of the Preparatory Committee for the 2015 Review Conference
of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons
On Cluster III: Inalienable Right to Develop, Research, Production and Uses of Nuclear
Energy for Peaceful Purposes
New York, 5 May 2014

In the Name of God, the Most Compassionate, the Most Merciful

Mr. Chairman,

I would like to associate my delegation with the statement made by Indonesia on behalf
of the Non-Aligned Movement.

Full realization of 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 the Treaty constitutes one of its fundamental
objectives.

It requires that this right be fully respected and the obligations regarding cooperation in
the further development of the applications of nuclear energy for peaceful purposes, as
well as to facilitate the fullest possible exchange of equipment, materials and scientific
and technological information for the peaceful uses of nuclear energy be completely
fulfilled. To that end, the full, effective and non-discriminatory implementation of Article
IV of the Treaty is essential.

As also reaffirmed in the 2000 and 2010 Review Conferences of the Treaty, each State
party, in line with its national requirements and in accordance with its rights and
obligations under the Treaty, has a sovereign right to define its national energy and fuel-
cycle policies, that, inter alia, includes an inalienable right to develop, for peaceful
purposes, a full national nuclear fuel cycle. This right needs to be fully respected too.
As stipulated in the Treaty, nothing shall be interpreted as affecting the inalienable right to nuclear energy for peaceful purposes. This important and absolutely clear principle leaves no room for reinterpretation of relevant provisions of the Treaty to the detriment of this right.

We also fully share the views expressed in the Committee that any measure aiming at hampering, fully or partly, the fullest exercise of the inalienable rights under article IV of the Treaty, would seriously jeopardize the delicate balance between rights and obligations of States parties, in contravention with the Treaty’s object and purpose, and would widen the gap between developed and developing countries in this field.

As the IAEA has a statutory mandate to assist States parties, particularly developing countries, in planning for and using nuclear science and technology for peaceful purposes, we believe that its capacity to implement this mandate should be enhanced, in particular through allocation of proportionate financial resources in its budget. IAEA has to maintain a balance between technical cooperation and other activities.

The growing demand for energy at the international level, the need to diversify energy by developing advanced, cleaner, more efficient, affordable and cost-effective energy, and increasing the number of world’s nuclear power plants that depend on nuclear fuel, underlines the importance of nuclear fuel production and supply for the promotion of global economy. Therefore, the right of States to develop full national nuclear fuel cycle should be fully respected. It should also be ensured that nuclear fuel supply are economically viable, sustainable, non-discriminatory, predictable and transparent.

In regard to the proposals concerning multilateral approaches to the nuclear fuel cycle, we believe that any decision on this issue shall be made by consensus following wide, integral, comprehensive and transparent multilateral consultations, with the participation of all IAEA member States and taking into account the interests of all its member States, and also without any prejudice to the inalienable right of each States party to all aspects of nuclear energy for peaceful purposes, and if it so decides, to develop a full national nuclear fuel cycle.

In this regard, and in line with the Non-Aligned States Parties to the Treaty, we reject any attempt aimed at discouraging certain peaceful nuclear activities on the grounds of their alleged “sensitivity” and strongly believe that concerns related to nuclear proliferation shall, in no way, restrict the inalienable right of any State to develop all aspects of nuclear technology for peaceful purposes, without discrimination.

The application of unilaterally enforced export control regimes, in contravention of the letter and the spirit of the Treaty, has hampered the access of developing countries to nuclear materials, equipment and technologies for peaceful purposes. We strongly reject, and call for the immediate removal of any restrictions or limitations posed on the peaceful uses of nuclear energy, including restrictions on exports to other States parties of nuclear material, equipment and technology for peaceful purposes, since such restrictions or limitations are inconsistent with the provisions and object and purpose of the Treaty.
We also share the view that measures and initiatives aimed at strengthening nuclear safety and nuclear security must not be used as a pretext or leverage to violate, deny or restrict the inalienable right of developing countries to nuclear energy for peaceful purposes.

While acknowledging the importance of concluding comprehensive safeguards agreements with the IAEA and emphasizing the need for its universalization, we believe that Article III of the Treaty is quite explicit in articulating that the implementation of safeguards shall be in a manner designed to comply with article IV of the 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.

Taking into account the ongoing discussions on the Concept of the State Level Safeguards, we believe that it should be technically based, non-discriminatory and in full accordance with the respective legal undertakings by each Member State, and shall, in no way, change or go beyond such obligations or restrict, in any way whatsoever, their rights under the Treaty.

**Mr. Chairman,**

In conclusion, in our view, the Preparatory Committee and the Review Conference should make concrete recommendations to ensure that the inalienable rights of all States parties to the Treaty to nuclear energy for peaceful purposes is fully protected. While reaffirming the inviolability of peaceful nuclear activities, we also believe that such recommendations should include also the commencement of negotiations on a universal legally binding instrument for prohibiting attacks or the threat of attacks on nuclear facilities devoted to peaceful uses of nuclear energy.

I thank you Mr. Chairman.