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Letter dated 19 March 2003 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit herewith the text of a letter dated 19 March 2003 from the Director General of the International Atomic Energy Agency (see annex).

I should be grateful if you would have the text of this letter circulated as a Security Council document.

(*Signed*) Kofi A. **Annan**

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Annex

Letter dated 19 March 2003 from the Director General of the International Atomic Energy Agency addressed to the President of the Security Council

[Original: English]

Please find attached the Agency's work programme for the discharge of its mandate pursuant to paragraph 7 of Security Council resolution 1284 (1999).

I would appreciate it if you would arrange to circulate this communication as a document of the Security Council.

(*Signed*) Mohamed **ElBaradei**

Enclosure

Work programme of the International Atomic Energy Agency in Iraq pursuant to Security Council resolution 1284 (1999)

In paragraph 7 of resolution 1284 (1999), the Security Council decided that the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA), "not later than 60 days after they have both started work in Iraq, will each draw up, for approval by the Council, a work programme for the discharge of their mandates, which will include both the implementation of the reinforced system of ongoing monitoring and verification, and the key remaining disarmament tasks to be completed by Iraq pursuant to its obligations to comply with the disarmament requirements of resolution 687 (1991) and other related resolutions, which constitute the governing standard of Iraqi compliance". The Security Council further decided "that what was required of Iraq for the implementation of each task should be clearly defined and precise".

The IAEA considers that it started work as from 27 January 2003, the date the IAEA submitted the update required of it pursuant to paragraph 5 of Security Council resolution 1441 (2002). Accordingly, the IAEA hereby submits its work programme for the discharge of its mandate under the relevant Security Council resolutions.

Objectives of IAEA verification

The objective of IAEA verification is to assess Iraq's nuclear activities with a view to providing assurances to the international community of Iraq's compliance with its disarmament obligations. The basic tool for achieving that objective is observation and analysis through on-site inspection and technical measures, including environmental and material sampling, surveillance and remote monitoring, and overall analysis and assessment combining data derived during inspections and from all other sources.

In fulfilling its responsibilities under Security Council resolution 687 (1991) and other related resolutions, the IAEA has two specific mandates:

- Disarmament: in accordance with resolutions 687 (1991) and 707 (1991), mapping out of the extent of Iraq's past nuclear and nuclear-related activities, ascertaining whether there are any prohibited activities or items in Iraq, and destroying, removing or rendering harmless any such items; and, thereafter,
- Ongoing monitoring and verification: verifying on a continuous basis Iraq's compliance with its obligations under the relevant Security Council resolutions, in accordance with the IAEA's Plan for Ongoing Monitoring and Verification (the OMV Plan) approved by the Council in resolution 715 (1991).

While the implementation of these two mandates is intended to be sequential, inspections are, as they are for IAEA verification in general, essential for the achievement of both.

In fact, many of the inspection techniques and procedures employed by the IAEA in its disarmament activities (i.e., those designed to detect and dismantle prohibited equipment, materials and activities) and its monitoring activities (those

designed to provide continuing assurance of the absence of prohibited equipment, materials and activities) are essentially the same. Among those measures are the continuous systematic analysis and assessment of all information available to the IAEA from its inspection activities, Iraqi declarations and clarifications, and information provided by other States.

Status of Iraq's nuclear-related capabilities as at December 1998

At the time inspections were brought to a halt in December 1998, the IAEA had been able to draw a coherent picture of Iraq's past nuclear weapons programme, and to dismantle what was known of that programme. As reported to the Council (see S/1997/779, S/1998/927 and S/1999/127), the IAEA had concluded with respect to Iraq's past nuclear programme that:

(a) There were no indications to suggest that Iraq had been successful in its attempt to produce nuclear weapons.

(b) All nuclear material of significance to Iraq's nuclear weapons programme was verified and fully accounted for, and all nuclear-weapons-usable nuclear material (plutonium and high enriched uranium) was removed from Iraq.

(c) Iraq had successfully concentrated uranium from its own ore and produced industrial quantities of feed material ($UC1_4$) for electromagnetic isotopic separation (EMIS). There were no indications that the production of feed material for centrifuge enrichment (UF_6) went beyond laboratory level.

(d) Iraq had been at, or close to, the threshold of success in such areas as the production of high enriched uranium through the EMIS process and the production and pilot cascading of single-cylinder sub-critical gas centrifuge machines. However, there were no indications to suggest that Iraq had produced more than a few grams of nuclear-weapons-usable nuclear material through its indigenous processes.

(e) Iraq had explored several other enrichment routes, including gaseous diffusion, chemical enrichment and laser enrichment without achieving any significant progress.

(f) Iraq had made major progress in the area of weaponization, but still had significant hurdles to overcome before being able to complete the fabrication of a first nuclear implosion device.

(g) There were no indications that there remained in Iraq any physical capability for the production of amounts of nuclear-weapons-usable nuclear material of any practical significance.

(h) There were no indications of significant discrepancies between the technically coherent picture which had evolved of Iraq's past programme and the information contained in the "Full, final and complete declaration" submitted by Iraq to the IAEA, pursuant to resolution 707 (1991), in 1996, and supplemented in 1998.

As at December 1998, there were no unresolved disarmament issues in the nuclear area, although there were a number of questions and concerns about Iraq's past nuclear programme, the clarification of which by Iraq would have reduced the

uncertainty in the completeness of the IAEA's knowledge and understanding, including, in particular, the uncertainty about the progress made in weapons designed and centrifuge development due to the lack of relevant documentation. As stated in earlier reports, the questions and concerns remaining as at December 1998 are not an impediment to the full implementation of the IAEA's OMV Plan and their existence has already been factored into the Plan.

Because of the suspension of the IAEA's Security Council mandated verification activities in Iraq between 16 December 1998 and 27 November 2002, the key — and only — current issue of disarmament relevance with respect to Iraq's nuclear activities is whether Iraq revived or attempted to revive its defunct nuclear weapons programme over that time.

IAEA activities since the resumption of inspections

On 7 December 2002, Iraq submitted to the IAEA its "Currently accurate full and complete declaration" as requested by the Council in resolution 1441 (2002). In that document, Iraq declared that, "No activities of any substance related to the former Iraqi nuclear programme were carried out during and beyond April 1991. All nuclear programme activities were practically terminated and abandoned during April 1991 and only reports of previous accomplishments and new missions (non-proscribed) were issued later". As reported in the IAEA's update report of 27 January 2003, and confirmed in the subsequent statements of the Director General before the Security Council on 14 February and 7 March 2003, the IAEA has found to date no evidence or plausible indication of the revival of a nuclear weapons programme in Iraq.

As indicated above, there were no unresolved disarmament issues as at December 1998, although the absence of the inspectors from Iraq for the four following years gave rise to the need to re-establish knowledge about the possibility of nuclear-related activities in Iraq.

To achieve that, the IAEA focused first on re-establishing rapidly its knowledge of Iraq's nuclear capabilities, ensuring that nuclear activities at known key facilities had not been resumed, verifying the location of nuclear material and relevant non-nuclear material and equipment, and identifying the current workplaces of former key Iraqi personnel. The focus then shifted to identifying what, if any, activities of relevance had been conducted by Iraq over the last four years, in particular in areas identified by States as being of concern and those identified by the IAEA on the basis of its own analysis, such as changes in site infrastructures observed through satellite imagery and reported attempts by Iraq to import nuclear material and to revive centrifuge enrichment activities.

The main areas where substantive progress has been made are:

- *Infrastructure*: the IAEA has been able to provide assurance of the absence of indications of resumed nuclear activities in buildings that had been identified through the use of satellite imagery as having been reconstructed or newly erected since 1998, and of the absence of any indication of nuclear-related prohibited activities at any inspected sites.
- *Nuclear material*: the IAEA has been able to confirm that there has been no diversion of the nuclear material stored under IAEA seal; it has also been able

to investigate reports of attempted imports by Iraq of uranium since 1990, and to ascertain that these specific allegations were unfounded. However, the IAEA will continue to follow up any additional evidence that may emerge relevant to efforts by Iraq to import nuclear material.

- *Uranium enrichment by centrifuge*: the IAEA considers that it is unlikely that the aluminium tubes Iraq attempted to import were for use in centrifuge enrichment. However, the issue will continue to be scrutinized and investigated by the IAEA.

The IAEA work programme

The nature and content of the work programme are based on an understanding of Iraq's past achievements and of its current capabilities that could support nuclear or nuclear-related activities. The work programme nevertheless also anticipates actions that might need to be taken in the event of the discovery of new information giving rise to concerns about the resumption by Iraq of its nuclear programme.

Key remaining tasks

For the IAEA to resolve the key issue of whether Iraq had revived or attempted to revive its nuclear weapons programme between 1998 and 2002, there are a number of key tasks that need to be implemented by Iraq, as identified below. Although Iraq has initiated work on many of these tasks, Iraq should:

- Provide a complete description of all technical activities that may be related to (or interpreted as being related to) nuclear weapons components research and development and production, and uranium conversion and enrichment developments, in particular through ensuring access to associated sites and the provision of relevant samples.
- Provide access to all documents (e.g., progress reports, exchanges between governmental and operational organizations, minutes of meetings, computer files) on activities that could be interpreted as being related to nuclear activities, and allow the implementation of measures with respect to such documents that would allow proper forensic analysis, on-site or remotely (e.g., removal, copying).
- Provide the names and whereabouts, including current workplaces and positions, of all individuals requested by the IAEA, and grant full access to Iraqi officials and other personnel for purposes of interviewing, inside and outside of Iraq, in accordance with IAEA modalities.
- Provide a complete description of the evolution of its industrial infrastructure since 1998, with the provision of decrees and official documents as well as access to all sites.
- Explain and document procurement attempts and offers, solicited and unsolicited, that may be related to the possible development of Iraq's nuclear-related capabilities.
- Provide a full description of its current (post-1998) procurement system, whether within or outside the mechanisms established in resolutions 986 (1995) and 1409 (2002).

- Amend the Republican decree promulgated by Iraq on 4 February 2003 forbidding the import and manufacture of biological, chemical and nuclear weapons and enact comprehensive legislation and associated administrative arrangements that would secure the enforcement of all prohibitions associated with resolutions 687 (1991) and 707 (1991), and other relevant resolutions, as well as the IAEA's OMV Plan, as required in that Plan.

Assuming that these tasks will have been completed by Iraq, and barring unforeseen circumstances, the IAEA should be able, within two to three months, to provide the Security Council with an objective and thorough assessment of whether Iraq has revived or attempted to revive its nuclear weapons programme.

It is important to emphasize that the verification process always has some degree of uncertainty, and cannot provide absolute guarantees regarding the absence of small-scale nuclear activities, such as simulations on personal computers or laboratory work by a few scientists. Iraq's direct acquisition of weapons-usable nuclear material would also present a severe technical challenge to verification and great reliance must be placed on international controls.

Nevertheless, an intrusive inspection system such as that which the IAEA implements in Iraq can minimize the risk of prohibited activities going undetected, and deter, through the risk of early detection, the revival of a nuclear weapons programme. Therefore, it is important, particularly in the light of Iraq's past record of cooperation, to continue to evaluate Iraq's capabilities as part of equally intrusive long-term monitoring and verification in order to provide the international community with ongoing and timely assurances.

Ongoing monitoring and verification

The basis of the IAEA's ongoing monitoring and verification system remains the plan approved by the Security Council through resolution 715 (1991). As foreseen in 1991, and as implemented through December 1998, ongoing monitoring and verification will entail: comprehensive and regular reporting by Iraq on its activities, as well as on its exports and imports; unconditional and immediate access for unannounced inspections at any site deemed necessary by the IAEA, regardless of whether the site has been previously inspected; the conduct of location-specific and wide-area environmental monitoring, including the collection of various types of samples; real-time monitoring for the detection of radiation signatures; and the introduction of new technologies and methods of verification.

Ongoing monitoring and verification will be reinforced taking into account resolution 1441 (2002), which grants the Agency additional authority that may be exercised in the context of the implementation of the OMV Plan, particularly in requiring broader information on personnel and non-weapons-related nuclear programmes, and with respect to interviews, that would improve the efficiency of its monitoring activities.

While often associated with the investigation process, technical meetings with and interviews of Iraqi personnel will remain a key tool for ongoing monitoring and verification. Drawing on the reinforced rights set out in resolution 1441 (2002), the IAEA intends to make continued use of such measures, in particular private interviews with Iraqi personnel in accordance with the IAEA's preferred modalities and locations.

The IAEA is also expanding its capabilities to monitor imports by and exports to Iraq. In this regard, the IAEA intends to hire more customs and procurement experts to review, process and follow up the voluminous data acquired by the IAEA in the course of implementing its responsibilities under Security Council resolution 1409 (2002).

The IAEA is also planning on expanding the number of inspectors and technicians in the field as well as analysts and support staff at IAEA headquarters in Vienna.

The expansion of the IAEA's capability to do near-real-time monitoring of dual-use equipment and related activities is scheduled to take place as soon as feasible. In addition, several other components of wide-area environmental monitoring aimed at identifying fingerprints left by nuclear material and nuclear-related activities will be implemented.

With a view to preparing for field activities and, when necessary, monitoring movements in and around sites to be inspected, the IAEA is planning to also make use of aerial surveillance from all available platforms, including U2s, Mirage IVs, Antonovs and drones.

Should the IAEA be able to implement fully its reinforced ongoing monitoring and verification, and assuming full and active cooperation by Iraq, the IAEA would be able to provide the Security Council with continuous credible assurances of Iraq's compliance with its obligations under the relevant Security Council resolutions.