

109TH CONGRESS
2D SESSION

S. RES. 349

Condemning the Government of Iran for violating the terms of the 2004 Paris Agreement, and expressing support for efforts to refer Iran to the United Nations Security Council for its noncompliance with International Atomic Energy Agency obligations.

IN THE SENATE OF THE UNITED STATES

JANUARY 20, 2006

Mr. SANTORUM (for himself and Mr. KYL) submitted the following resolution;
which was referred to the Committee on Foreign Relations

RESOLUTION

Condemning the Government of Iran for violating the terms of the 2004 Paris Agreement, and expressing support for efforts to refer Iran to the United Nations Security Council for its noncompliance with International Atomic Energy Agency obligations.

Whereas the International Atomic Energy Agency (IAEA) reported in November 2003 that Iran had been developing an undeclared nuclear enrichment program for 18 years and had covertly imported nuclear material and equipment, carried out over 110 unreported experiments to produce uranium metal, separated plutonium, and concealed many other aspects of its nuclear facilities;

Whereas, in November 2004, the Governments of the United Kingdom, France, and Germany entered into an agree-

ment with Iran on Iran's nuclear program (commonly known as the "Paris Agreement"), successfully securing a commitment from the Government of Iran to voluntarily suspend uranium enrichment operations in exchange for discussions on economic, technological, political, and security issues;

Whereas Article XII.C of the Statute of the IAEA requires the IAEA Board of Governors to report the noncompliance of any member of the IAEA with its IAEA obligations to all members and to the Security Council and General Assembly of the United Nations;

Whereas Article III.B-4 of the Statute of the IAEA specifies that "if in connection with the activities of the Agency there should arise questions that are within the competence of the Security Council, the Agency shall notify the Security Council, as the organ bearing the main responsibility for the maintenance of international peace and security";

Whereas, in September 2005, the IAEA Board of Governors adopted a resolution declaring that Iran's many failures and breaches constitute noncompliance in the context of Article XII.C of the Statute of the IAEA;

Whereas, on January 3, 2006, the Government of Iran announced that it planned to restart its nuclear research efforts in direct violation of the Paris Agreement;

Whereas, in January 2006, Iranian officials, in the presence of IAEA inspectors, began to remove United Nations seals from the enrichment facility in Natanz, Iran;

Whereas Foreign Secretary of the United Kingdom Jack Straw warned Iranian officials that they were "pushing their luck" by removing the United Nations seals that

were placed on the Natanz facility by the IAEA 2 years earlier;

Whereas President of France Jacques Chirac said that the Governments of Iran and North Korea risk making a “serious error” by pursuing nuclear activities in defiance of international agreements;

Whereas Foreign Minister of Germany Frank-Walter Steinmeier said that the Government of Iran had “crossed lines which it knew would not remain without consequences”;

Whereas Secretary of State Condoleezza Rice stated, “It is obvious that if Iran cannot be brought to live up to its international obligations, in fact, the IAEA Statute would indicate that Iran would have to be referred to the U.N. Security Council.”;

Whereas President of Iran Mahmoud Ahmadinejad stated, “The Iranian government and nation has no fear of the Western ballyhoo and will continue its nuclear programs with decisiveness and wisdom.”;

Whereas the United States has joined with the Governments of Britain, France, and Germany in calling for a meeting of the IAEA to discuss Iran’s non-compliance with its IAEA obligations;

Whereas President Ahmadinejad has stated that Israel should be “wiped off the map”; and

Whereas the international community is in agreement that the Government of Iran should not seek the development of nuclear weapons: Now, therefore, be it

1 *Resolved*, That the Senate—

1 (1) condemns the decisions of the Government
2 of Iran to remove United Nations seals from its ura-
3 nium enrichment facilities and to resume nuclear re-
4 search efforts;

5 (2) commends the Governments of Britain,
6 France, and Germany for their efforts to secure the
7 2004 Paris Agreement, which resulted in the brief
8 suspension in Iran of nuclear enrichment activities;

9 (3) supports the referral of Iran to the United
10 Nations Security Council under Article XII.C and
11 Article III.B–4 of the Statute of the IAEA for vio-
12 lating the Paris Agreement; and

13 (4) condemns actions by the Government of
14 Iran to develop, produce, or acquire nuclear weap-
15 ons.

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