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- 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.
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- 25 IAEA, GOV/2004/83, paragraph 112; IAEA, GOV/2005/67, paragraph 51.
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- 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.
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- 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>.
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- 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. *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

- there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control.” In a separate vote, that paragraph was approved by a vote of 168 to three (United States, Russia, Israel) with five abstentions (including France and Britain).
- 5 A/RES/55/33C, para. 18. The resolution was adopted by a vote of 154 in support (including China, Britain, United States) to three opposed (India, Israel, Pakistan) with eight abstentions (including France and Russia).
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 - 7 Committee on International Security and Arms Control, National Academy of Sciences, *Monitoring Nuclear Weapons and Nuclear-Explosive Materials: An Assessment of Methods and Capabilities*, 2005. Online at <http://www.nap.edu/catalog/11265.html>.
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 - 12 Stephen G. Rademaker, U.S. Assistant Secretary of State for Arms Control, “U.S. Compliance With Article VI of the Non-Proliferation Treaty (NPT),” Remarks at a Panel Discussion of the Arms Control Association, Carnegie Endowment for International Peace, Washington, D.C., February 3, 2005. Online at http://armscontrol.org/events/20050203_rademaker_text.asp. For rebuttal of this claim, see section 1.2. See also “Compliance Assessment: The NPT Declared Nuclear Weapon States,” Part Three, Civil Society Presentation to the 2005 NPT Review Conference, Lawyers’ Committee on Nuclear Policy and Western States Legal Foundation, May 2005. Online at <http://lcnp.org/disarmament/npt/ArtVIcompliance.pdf>.

Section 4.1: The Word as Arrow

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- 2 For details, consult the Natural Resource Defense Council’s Archive of Nuclear Data at <http://www.nrdc.org/nuclear/nudb/datainx.asp>, and Robert Norris and Hans Kristensen, “U.S. nuclear forces, 2007,” *Bulletin of the Atomic Scientists*, January/February 2007, pp. 79-82.
- 3 See M.V. Ramana, “Bombing Bombay? Effects of Nuclear Weapons and a Case Study of a Hypothetical Explosion,” *IPPNW Global Health Watch*, No. 3, International Physicians for the Prevention of Nuclear War, Cambridge, Massachusetts, 1999.
- 4 See *section 1.2*. The Court unanimously concluded that: “There exists an