

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA): (a) to (d) It has come to Government's attention that there have been instances where Chinese nationals on Business visas have been employed as workers on projects contracted by Chinese companies in India. Those who were working on a Business Visa were asked to leave by 31 October 2009, and to apply for Employment visa if they wish to come to India for projects related work. Government has directed all the Missions and Posts abroad to strictly enforce the norms specified in the Visa Manual. The Chinese side has been apprised of the matter. The Chinese Ministry of Foreign Affairs has posted an advisory on their website advising their nationals to obtain the proper visa before going to India on work related activities and asking those already in India not to engage in activities which do not match with the category of their visa.

#### **Vote against Iran**

3122. SHRI D. RAJA:

SHRI M.P. ACHUTHAN:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether it is a fact that India had voted in favour of the International Atomic Energy Agency (IAEA) resolution to rebuke Iran for building a uranium enrichment plant in secret; and

(b) if so, the details and reasons therefor?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA): (a) Yes. India voted in favour of the resolution at the November 2009 meeting of the Governing Board of the International Atomic Energy Agency (IAEA) on Iran's nuclear issue.

(b) The resolution was adopted by 25 votes infavour, 3 against, 6 abstentions and 1 absent. India's position was laid out in the attached Explanation of Vote.

#### ***Explanation of Vote***

The Indian delegation has taken careful note of the report of the DG on *Implementation of the NPT Safeguards Agreement and Relevant Provisions of Security Council Resolutions in the Islamic Republic of Iran*. In his Report the DG has noted that while the Agency has continued to verify the non-diversion of declared nuclear material in Iran, there has however, been no movement on remaining issues of concern which need to be clarified for the Agency to verify the exclusively peaceful nature of Iran's nuclear programme.

The DG concluded that 'Iran's failure to notify the Agency of the existence of this facility until September 2009, rather than as soon as the decision to construct it or to authorize construction was taken, was inconsistent with its obligations under the Subsidiary Arrangements to its Safeguards Agreement and that Iran's late declaration of the new facility reduces confidence in the absence of other nuclear facilities under construction in Iran which have not been declared to the Agency.'

India has consistently supported the right of all states to the peaceful uses of nuclear energy consistent with the respective obligations that they have undertaken. In Iran's case which is a signatory to the NPT, it has all the rights and obligations that go with its membership of the NPT

pertaining to the use of nuclear energy for peaceful purposes. We also underline the importance of the full and effective implementation of all safeguards obligations under taken by member states of the IAEA.

Our support for the resolution is based on the key points contained in the Report of the DG. During previous Board meetings we had underlined the critical importance of continued cooperation and dialogue between the Agency and Iran. The Agency's safeguards system is the bedrock of the international community's confidence that peaceful uses of nuclear energy and non-proliferation objectives can be pursued in a balanced manner. The integrity of this system should be preserved.

India has considered the role of the DG has having a vital bearing on the consideration of all issues by the Board of Governors. The conclusions he has drawn in his report are therefore difficult to ignore.

In recent months we were encouraged by the new pathways of engagement that had opened up with Iran, including the recent meetings in Geneva and Vienna which gave rise to hopes of constructive and productive results. As such we do not believe that the adoption of this resolution should divert the parties away from dialogue. This resolution cannot be the basis of a renewed punitive approach or new sanctions. In fact, the coming weeks should be used by all concerned to expand the diplomatic space to satisfactorily address all outstanding issues. India firmly supports keeping the door open for dialogue and avoidance of confrontation.

#### **Revival of Indo-Pak talks**

3123. MS. MABEL REBELLO: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether recent Headley-Rana case has cast shadow over Indo-Pak talks revival;
- (b) if so, whether India had also sought perpetrators of 26/11 extradition;
- (c) whether it has been reported that Headley and Rana were in Pakistan during 26/11 attack;
- (d) whether Pakistan agent was arrested at Delhi airport with plans to attack nuclear installations in India;
- (e) if so, the action Pakistan has taken so far;
- (f) whether India is satisfied; and
- (g) the latest position in this regard?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA): (a) and (b) There has been a pause in the Composite Dialogue process between India and Pakistan in the wake of the Mumbai terrorist attack in November 2008. Any meaningful dialogue with Pakistan can take place only if Pakistan fulfills its assurances, given to India at the highest level, not to allow the territory under Pakistan's control to be used for terrorist activity against India in any manner. India expects Pakistan to bring perpetrators of the Mumbai terrorist attack to justice.