IAEA
International Atomic Energy Agency

Information Circular

INFCIRC/660
Date: 19 October 2005

General Distribution
Original: English

Communication dated 28 September 2005 from the Permanent Mission of the Islamic Republic of Iran to the Agency

1. The Secretariat has received a Note Verbale dated 28 September 2005 from the Permanent Mission of the Islamic Republic of Iran, attaching two statements of the Delegation of the Islamic Republic of Iran delivered during the meetings of the Board of Governors on 22 and 24 September 2005.

2. The Note Verbale and, as requested therein, its attachments are herewith circulated as an Information Circular.

Permanent Mission of the
Islamic Republic of Iran
to the United Nations and other
International Organizations in Vienna

جمهوری اسلامی ایران
نمایندگی دائم نزد دفتر ملل متحد و سازمانهای بین المللی
وین

Verbal Note No. 350-1-17/1336

The Permanent Mission of the Islamic Republic of Iran to the United Nations and other International Organizations in Vienna presents its compliments to the Secretariat of the of the IAEA and has the honour to enclose the two statements of the Delegation of the Islamic Republic of Iran before the Board of Governors, held from 19 to 23 September 2005, and to request the Secretariat to circulate these statements as INFCIRC documents as well as to post them on the official website of the IAEA.

The Permanent Mission of the Islamic Republic of Iran to the United Nations and other International Organizations in Vienna and avails itself of this opportunity to renew to the Secretariat of the IAEA the assurances of its highest consideration.

Vienna, 28 September 2005

To the
International Atomic Energy Agency

Statment by H.E. Ambassador Akhondzadeh to the Board of Governors, Islamic Republic of Iran
22 September 2005

Madam Chairperson,

At the outset, I would like to thank Dr Elbaradei for his report. I should also thank NAM for their cooperation and understanding. I should also associate myself with the statement made by the distinguished chairman of NAM.

Reviewing the technical and legal aspects of the Iranian peaceful nuclear program it could easily be concluded that the international community has been, to a great extent misled with biased, politicized and exaggerated by certain quarters.

Iranian nuclear issues, which should have been dealt in a purely technical manner within the framework of the IAEA, have been politicized. Financial contribution by certain countries could not be the basis to fabricate the false allegations against member states.

The phrase "Concealment" is incorrect and misleading. Lack of reporting of the activities such as establishment of nuclear facility which Iran was obliged to inform the Agency through DIQ form under its Comprehensive Safeguards Agreement (INFCIRC/214), only 180 days before the defined nuclear material are feed in, is not a concealment. It has to be recalled that when some of the activities and design and construction of facilities started, the Additional Protocol even did not exist! This provision was applied to facilities such as enrichment plant at Natanz, uranium

conversion plant (UCF), which the Agency was informed even four years before Iran was obliged to do so. The last but not the least is the fact that the Agency is legally neither in position nor it could judge the intention of Member States thus the concealment phraseology is out of context.

Just as an example to support my statement on misinterpretation and misjudging, I would like to inform that according to the comprehensive safeguards, the uranium ore concentrate known as yellow cake is not subject to any Safeguards procedures other than the notification of imports and exports referred to in paragraph 34(a) and (b) of the Safeguards Agreement. Iran had imported 530 tons of this material and informed the Agency accordingly. Although such materials are pre Safeguarded, but this material has been fully verified by the Agency in 1998. The DIQ of the Uranium Conversion Facility (UCF) has been submitted to the Agency in 2000 that is sooner than being obliged to. Iran had during last 26 years used total of only 57 kg of such materials in several laboratory scale researches, some as student thesis. In several occasions the results of these researches were published, presented at international conferences and even reflected in the IAEA fellowship application forms.

As a result of corrective measures and other activities by Iran, the Agency was able by November 2004 to confirm certain aspects of Iran's declarations (related to conversion activities and laser enrichment), which, as indicated to the Board, would be followed up as matters of routine safeguards implementation under the Safeguards Agreement and Additional Protocol.

Regarding the issue raised at the EU statement on Gachin mine, it has to be noted that although Iran has not been obliged to inform about the uranium mines under its comprehensive safeguards

(INFCIRC/214), but it had given comprehensive information on mines including the Gachin mine, published in the IAEA book called "Uranium Resources, Production and Demands" known as "Red Book". In this regards, according to the Additional Protocol:" Iran shall provide the Agency, with a declaration containing information specifying the location, operational status and the estimated annual production capacity of uranium mines. It is therefore strange to note that the EU has highlighted a minor issue such as the coverage of the name of a technician who has prepared drawing of ore grinding process as reason to refer Iranian issue to Security Council!

With respect to the statement made by EU "The total number of unprocessed irradiated UO2 targets stored in containers turned out to be much higher than the number previously declared " is misleading since the Agency is aware of the fact the total number of batches was meant and not number of individual containers. As the Agency is aware the relevant issue is the amount of irradiated nuclear material, which has been consistent with declared amount, and not the containers, which are to be disposed as, waste!

Concerning the statement on the Polonium, it seems that EU has not recognized the fact that Polonium is not a nuclear material and any activity related to its production or use is not reportable under the comprehensive safeguards and even additional protocol. Iran has however in sprit of cooperation has provided information about research project, which was terminated over a decade ago.

Australia has misjudged the Para 49 of the DG report assuming that it is dealing with possible weaponisation activities. The request made in para 49 of the D.G's report is a general recommendation and applies to all member states including

Australia. It is unfortunate that representative of Australia has misjudged this part of the report.

The Director General informed the Board that "Since October 2003, Iran's cooperation has improved appreciably". The following major measures by Iran are the basis of his assessment:

 Voluntary provisional implementation of the Additional Protocol, as if Iran has ratified it;

 Complementary access (more than 20) in accordance to the Additional Protocol, in many cases with 2 hours notice or less.

 Provision of full detail information on the chronologies, activities, researches, progress reports regarding the enrichment activities, uranium conversion, plutonium separation, mining and milling, research reactor, heavy water production;

 Provision of accesses to military sites such as Kolahdouz, Lavisan-Shian and Parchin following the allegations by a certain country and the opposition terrorist group supported by it. The results did not reveal any indications of activities involving the use of nuclear material and the Agency's inspectors did not see any relevant duel-use equipment or material, thus it proved the allegations to be baseless;

 In January 2005, free access was granted to Military site. Environmental samples were taken. The Director General then reported the results
 Submission of more than 1000 pages of the initial declarations of the Additional Protocol on 21 May 2004 and

subsequently routinely updated the declarations, which have been verified by the Agency.

Finally, it has to be put on record that Iran has Granted unrestricted access during more than 1300 man-day inspection since 2003 which is unprecedented in the history of the IAEA.

Madame Chairperson,

As indicated by the president of the Islamic Republic of Iran H.E Mahmoud Ahmadinejad, on 17 Sep 2005 the Islamic Republic of Iran is prepared as a confidence building measure to engage in serious partnership with private and public sectors of other countries in the implementation of the fuel cycle.

This process provides utmost transparency and gives a solid basis for the best solution to this unwanted impasse.

Interaction and technical and legal cooperation with the IAEA would be the centerpiece of Iran's nuclear policy. The initiation and continuation of negotiations with other countries would be carried out in the context of Iran's interaction with IAEA.

Aware, that some concerns have raised about Iran's resumption of conversion activity and of the need to demonstrate the peaceful purpose of activities.

I would like to reiterate, as has been mentioned in the D.G's Report that all activities in the UCF is under complete and full supervision of IAEA and the product of UCF is under IAEA seal.

In addition, Iran wishes to invite the Director General, Dr Elbaradei to visit Tehran.

During that visit Iran will discuss with the IAEA the remaining outstanding issues and how to enhance cooperation with the IAEA with a view to enabling the IAEA to provide assurance regarding the peaceful nature of Iran's nuclear program.

In this context, several proposals have been presented which can be considered in the context of negotiations.

The Only way to avoid confrontation is to engage in negotiations in good faith free of duress and devoid of threats. We are prepared for these negotiations firmly and wholeheartedly.

Above all, the process needs time. Haste here can make terrible waste. Let us put the threat back in the drawers, return to negotiations and give ourselves time to resolve this matter in peace.

Statement made by H.E. Ambassador M. Akhondzadeh
before the Board of Governors
Islamic Republic of Iran
24 September 2005

In the name of God
the Compassionate, the Merciful

Madam Chairperson;

Today marks a significant day. It will be remembered as a turning point.

For over two years, Iran has been lingering on the agenda of this Board. A period through which Iran made unprecedented offerings to restore confidence on the peaceful nature of its nuclear program. It went through a most pervasive and intrusive scrutiny. It stood up to every challenge, and cleared every allegation, however unwarranted.

At any instance where matters were resolved, new allegations were propped up, sketchy bits and peaces, which could not even be described as circumstantial, much less hard and reliable evidence. Yet Iran responded to each and every on of them. Each and every of the allegations were proved wrong. After all the bravado, not a single trace of nuclear material, nor nuclear activity, has been found to evidence diversion to nuclear weapons, not a single one.

The one and sole issue where such evidence had surfaced was what is now established to be contamination from outside sources. Under normal, fair and reasonable circumstances, the last finding of the Agency confirming Iran's claim

should have invoked closure of this issue. The remaining questions definitely lie within the routine Safeguards verification.

What this Board has done, is just the reverse. To dig back, deep and hard, into old and remedied failures to reconstruct and constitute what has been referred to as non-compliance, now and at this stage, can simply be described as outrageous. It is absolutely and firmly wrong on legal and technical grounds. No matter how stretched an interpretation of the Statute and the Safeguards Agreement, no basis for involving and engaging the Security Council could be established.

The Agency has confirmed that there is no evidence of diversion. The Agency states that this is a work in progress, indeed in good progress. The Agency notes that to achieve the ultimate conclusion, that very rare conclusion, of a full and clean bill of health under the protocol, it needs to carry on more work. How in the world can such entirely positive situation call for a decision of such adversarial and deviated nature and content.

I think most of what is inscribed in these papers is of disposable nature. It has no substance. It has no foundation. It has no grounds whatsoever.

There is only one reason for this decision and nothing else. The proponents, essentially western Nuclear Weapons States and their alliance are adamant in establishing their newly formed position that Non Nuclear Weapon States should, in addition to their existing commitments, forego once and for all, their inalienable right to develop and produce nuclear fuel and power for peaceful purposes. Otherwise, how and under what pretext can this Body call on a member state to refrain from a peaceful activity, totally permissible under the NPT, and fully safeguarded and monitored by the Agency. Such call is wrong, and it creates a precedence that is even more wrong.

If heeded, no other member state will be immune.

Iran suspended the work at the UCF in Esfahan under the Paris Agreement provided that a mutually acceptable agreement on our fuel enrichment programme could be reached. The proposal by E3/EU calling for elimination of the fuel cycle effectively nullified the Paris Agreement.

The decision today violates the provisions agreed between Iran and the EU3 in the Tehran declaration. With the involvement the Security Council, Iran will no longer have any commitments on the voluntary measures it adopted provisionally under that declaration.

Iran has gone beyond its way to seek and find an agreement with Europe on this issue. Iran has demonstrated maximum flexibility throughout this endeavour. Iran explored, pursued, and engaged actively, through extensive discussions and negotiations, particularly in the course of the past few weeks in New York and in here, to settle this matter and avoid an unwanted crisis. Regrettably, and despite goodwill efforts by many, all these efforts failed. There was simply too much intransigence from our counterparts to accommodate any settlement.

Under these circumstances:

1. Iran is prepared to continue its cooperation with the Agency in line with its Safeguards obligations;

2. Iran is prepared to work with the Agency with the purpose of building confidence and transparency by implementing the Safeguards for continued assurance on non-diversion to nuclear weapons;

3. Iran is also prepared to continue negotiations with all states, particularly the EU3, in the context of the President's initiative presented at the General Assembly in New York.

We reiterate, at the same time, that previous EU3 approach of delay and procrastination is not acceptable. And their unfounded calls to cease Iran's peaceful nuclear activities, a call that betrays the NPT and the Safeguards, and creates a damaging precedence for all states, should be withdrawn.

If confrontation with Iran's peaceful nuclear activity defying Iran's inalienable rights persists, Iran will stand against it and meet that challenge. Iran will, absolutely and definitely, not give up its right to complete its nuclear fuel cycle for its peaceful nuclear programme. The threats of Security Council do not, by any means, deter this decision.

We do not, however, seek confrontation. We do not welcome a diplomatic impasse. We do not seek an end to negotiations. But Negotiations under threat are meaningless and can not be conducive to an agreement. Under threats of confrontation we will have no alternative but to pursue and preserve our rights. And this, we will do resolutely.