

Information Circular

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Communication dated 4 March 2020 received from the Permanent Mission of the Islamic Republic of Iran to the Agency

1. The Secretariat has received a communication dated 4 March 2020 from the Permanent Mission of the Islamic Republic of Iran to the Agency, enclosing an explanatory note on the report of the Director General on “NPT Safeguards Agreement with the Islamic Republic of Iran (GOV/2020/15)” released on Tuesday, 3 March 2020.
2. The communication and, as requested by the Permanent Mission, the explanatory note are circulated herewith for information.



PERMANENT MISSION
OF THE ISLAMIC REPUBLIC OF IRAN
TO THE UNITED NATIONS AND
OTHER INTERNATIONAL ORGANIZATIONS
JAURESGASSE 3
1030 VIENNA, AUSTRIA

جمهوری اسلامی ایران
نماینده دائمی نزد دفتر ملل متحد و سازمانهای بین المللی
وین

In the Name of God, the Compassionate, the Merciful

No. 379337

The Permanent Mission of the Islamic Republic of Iran to the United Nations and other International Organizations in Vienna presents its compliments to the International Atomic Energy Agency's Secretariat and following the Report of the IAEA Director General entitled "NPT Safeguards Agreement with the Islamic Republic of Iran (GOV/2020/15)" released on Tuesday 3 March 2020, has the honor to herewith enclose an Explanatory Note conveying some preliminary comments in this regard.

The Permanent Mission of the Islamic Republic of Iran would like to request the latter to circulate the attached Explanatory Note among Member States and publish it as an INFICIRC document.

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

Vienna, 4 March 2020

**Secretariat of Policy Making Organs
International Atomic Energy Agency**



Explanatory Note
**On the Report of the IAEA Director General entitled “NPT Safeguards Agreement
with the Islamic Republic of Iran (GOV/2020/15)”**

Following the Report of the IAEA Director General entitled “NPT Safeguards Agreement with the Islamic Republic of Iran (GOV/2020/15)” released on Tuesday 3 March 2020, the Permanent Mission of the Islamic Republic of Iran to the International Organizations in Vienna would like to share some preliminary comments as follows:

- According to Article 4(c) of the Additional Protocol, any request for access by the Agency “shall specify the reasons for access”. Quite to the contrary, in its request for clarification and access to two locations, the Agency did not present any credible and reliable legal reasoning. Copies of papers presented to Iran by the Agency as the basis for its requests, are neither authentic nor related to the open-source, but rather claimed by the Israeli regime to have been acquired through a so-called secret operation.
- The Islamic Republic of Iran believes that merely forwarding some papers based on the Intelligence Services’ fabricated information is not consistent with the Agency’s Statute, Comprehensive Safeguards Agreement, and the Additional Protocol. Therefore, it does not entitle the Agency for such requests, nor creates any obligation for Iran to consider such requests.
- The Islamic Republic of Iran’s principled position in this regard was expressed in different occasions, including in various meetings between the officials of the Agency and Iran, including but not limited to the following: between ADG Feruta and Vice-President Dr. Salehi and the Foreign Minister Dr. Zarif in September 2019 in Tehran; between DDG Aparo and Iranian officials in July, August, October and November 2019 in Tehran; between the Deputy Foreign Minister Dr. Araqchi and the Director General Dr. Grossi in December 2019; between Vice-President Dr. Salehi and Director General Dr. Grossi in February 2020; and also various meetings

between Iran's Permanent Representative and ADG Feruta, DDG Aparo and Director General Dr. Grossi in 2019 and 2020.

- The Islamic Republic of Iran does not want to set a bad precedence by giving legitimacy to such alleged information and even considers it counterproductive for the credibility of the Agency, to the detriment of its relations with the Member States. Hence, the Islamic Republic of Iran expects that the Agency does not take any information at face value, and concurs with the Director General that the agency's independence in relation to the implementation of verification activities is of paramount importance for its credibility.
- It is noteworthy that, the IAEA has carried out complementary accesses in Iran, which are often at short notice at all locations in Iran it has needed to visit, and that the agency sends inspectors to sites and locations when needed. According to the latest statistics for 2018, **out of 1124 inspections** conducted among States with CSA and AP in force without Broader Conclusions, **989 of them (around 88%)** were carried out only in Iran. Also, **out of 60 complementary accesses** conducted among the States of the same group in 2018, **44 of them (around 73%)** were carried out in Iran, while also 27 CA were conducted in Iran in the first 10 months of 2019. It is clear that the share of Iran's inspections in the period of 2009 to 2018 has risen from 38.9 percent to 87.9 percent among States with CSA and AP in force without Broader Conclusions. All in all, **Iran receives 22 percent of all the inspections** of the Agency conducted throughout the world. Likewise, **6 inspectors are present in Iran per day**. Therefore, the main point is not simply about providing one or two complementary accesses; it is mainly about the fact that such requests should be based on a clear reasoning and principles in accordance with the Agency's relevant documents, which was not the case for the last two requests for complementary accesses.
- The Islamic Republic of Iran reaffirms its determination to continue to engage and cooperate with the Agency strictly in line with its commitments. In view of this, Iran has announced to the Agency that it is ready to enter into a political dialogue with the Agency to enhance the common understanding in this regard. Accordingly, Iran has accepted the visit by the DDG Aparo for further discussion, which the Agency preferred to issue a written report instead.
- At this juncture, the Agency and the Member States have the responsibility to show wisdom in addressing such issues in a diligent manner in order to avoid distorting the bigger picture on cooperation between Iran and the IAEA.