

Information Circular

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General Distribution

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Communication dated 6 February 2023 received from the Permanent Mission of the Islamic Republic of Iran to the Agency

1. The Secretariat has received a Note Verbale dated 6 February 2023 from the Permanent Mission of the Islamic Republic of Iran to the Agency.
2. As requested, the Note Verbale is herewith circulated for the information of all Member States.



PERMANENT MISSION
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TO THE UNITED NATIONS AND
OTHER INTERNATIONAL ORGANIZATIONS

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1030 VIENNA, AUSTRIA

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

In the Name of God, the Most Compassionate, the Most Merciful

No. 1491354

The Permanent Mission of the Islamic Republic of Iran to the United Nations Office and other International Organizations in Vienna presents its compliments to the Secretariat of the International Atomic Energy Agency (IAEA) and has the honor to hereby send this Explanatory Note regarding the Report by the Director General (GOV/INF/2023/1) on "The Verification and Monitoring in the Islamic Republic of Iran in light of United Nations Security Council Resolution 2231(2015) and the US and E3 joint statement, dated 3 February 2023 in this regard.

On an unannounced inspection (UI) carried out on 21 January 2023 in Fordow Fuel Enrichment Plant (FFEP), a technical issue was raised on the interconnection between two Cascades of C2 and D2. The operator of the facility explained in detail that producing enriched uranium up to 60% has been announced to the relevant safeguards section of the Agency through letter No: M/137/315/3471, dated 17 November 2022 and interconnections between cascades C2 and D2 is fully described in process description of Mode 4 which had been available in the FFEP DIQ from some months ago. It contained detailed information, as was verified previously by the Agency, about working status of C2 and D2 cascades and that they could be independent OR coupled. All the process in FFEP is fully consistent with the annex "process description" in its DIQ since the beginning, especially HEU production which is related to Mode 4 in the DIQ document. It has to be emphasized that NO new mode rather than those that have already been provided to the Agency is being designed, arranged or operated that would necessarily require safeguards procedure adjustment according to Article 45 of CSA.

Against the continues cooperation of the Islamic Republic of Iran with the IAEA during all inspections including the aforementioned inspection of the FFEP, regrettably a distorted report has been issued by the inspector to the Agency which led to an unfounded conclusion that a new operational mode was made in the facility without prior notification to the Agency. This has been a misunderstanding by the inspector while that operational mode has been foreseen in the provided DIQ. It should be noted that all relevant records including DIQ were provided to the inspectors and the misunderstanding was addressed properly and closed during the inspection on 25 January 2023. It is worth to mention that the Agency inspectors contacted Vienna and after



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reporting the situation, received their confirmation and orally presented their acknowledgment of the process verified to the operator with no ambiguity.

It is deeply regretted that the Director General and the Agency quite contrary to what has happened on the ground during the inspection, have made a statement along with an erroneous report (GOV/INF/2023-1) while leaking safeguards classified information to the media, aimed at changing a very technical issue routinely dealt with all inspections to a sensitive political issue to be used as a common practice against the Islamic Republic of Iran's peaceful nuclear program.

This time a misunderstanding made by Agency's inspectors was surprisingly used to illustrate distortedly an issue regarding safeguards procedures relating to the mode of 60 per cent enrichment in FFEP enrichment facility.

It is most well-known to the Agency that the Islamic Republic of Iran has always fulfilled not only all its safeguards' obligations but also the Agency has carried utmost robust safeguards measures in the Islamic Republic of Iran in the light of the JCPOA undertakings. The Islamic Republic of Iran's steadfast cooperation could easily be judged through fifteen consecutive JCPOA season reports issued by the Agency, taking into account that currently the Islamic Republic of Iran does not have any other obligations beyond Comprehensive Safeguards Agreements (CSA).

This is a matter of serious concern that a problem occurred as a result of the inspector's misunderstanding reported to the IAEA be now abused deliberately to question the Islamic Republic of Iran's commitments under CSA, bearing in mind that the issue was properly addressed at the facility on 25 January 2023 with verifying operational mode declared in the DIQ (which was not changed) by inspectors. A complete set of documents and proof, supporting the claim is available, if needed.

As underlined in various occasions and based on the Islamic Republic of Iran's principled position, the Islamic Republic of Iran is not willing to ruin the good relation with the Agency and furthering the current situation surrounding the JCPOA, but is aimed to take all necessary measures to exclude the possibility that a technical issue, to be used under any pretext with political motivations to produce smoke screens against the Islamic Republic of Iran's peaceful nuclear program. Needless to say that the safeguards issue should be



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followed in an objective and professional way through its own trajectory and procedures.

The Islamic Republic of Iran has always rendered its unequivocal support to the Agency to fulfill its mandate and has constructively engaged to promote its cooperation with the Agency. In the same vein, it should be underlined that preserving this cooperation and consolidating it more, require the willingness and professional efforts by both sides, as it would not be achieved only by one side namely the Islamic Republic of Iran to sacrifice for a better relation, bearing in mind that evils spare no efforts for surfing on new waves undermining this cooperation.

The Permanent Mission of the Islamic Republic of Iran would like to request the Secretariat of the IAEA to circulate this Explanatory Note among the Member States and publish it as an INFCIRC document.

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

Vienna, 06 February 2023



To: The Secretariat of the International Atomic Energy Agency