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# NPT Safeguards Agreement with the Islamic Republic of Iran

*Report by the Director General*

## **A. Introduction**

1. This report of the Director General is on the implementation of the NPT Safeguards Agreement<sup>1</sup> and the Additional Protocol<sup>2</sup> in the Islamic Republic of Iran (Iran). It describes the Agency's efforts and interactions with Iran to clarify information relating to the correctness and completeness of Iran's declarations under its Safeguards Agreement and Additional Protocol, in particular, in relation to three undeclared locations in Iran.

## **B. Background**

2. The Agency is seeking explanations from Iran for the presence of uranium particles of anthropogenic origin identified by the Agency at three undeclared locations in Iran – Turqzabad (2019), Varamin (2020) and 'Marivan' (2020).<sup>3</sup> These safeguards issues were set out in the Director General's report of 17 November 2021 (GOV/2021/52). The Agency provided Iran with numerous opportunities,

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<sup>1</sup> The Agreement between Iran and the Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons (INFCIRC/214), which entered into force on 15 May 1974.

<sup>2</sup> Iran's Additional Protocol (INFCIRC/214/Add.1) was approved by the Board of Governors on 21 November 2003 and signed by Iran on 18 December 2003. Iran implemented voluntarily the Additional Protocol between December 2003 and February 2006. On 16 January 2016, Iran began provisionally applying the Additional Protocol in accordance with Article 17(b) of the Additional Protocol. As of 23 February 2021, Iran stopped the implementation of its nuclear-related commitments under the JCPOA, including the Additional Protocol (see GOV/INF/2021/13).

<sup>3</sup> The Agency regards a safeguards issue relating to a fourth location – Lavisian-Shian – to be no longer outstanding at this stage.

in different formats through exchanges and meetings in Vienna and Tehran, to clarify these issues, but without success.

3. On 5 March 2022, the Director General and the Vice-President of Iran and Head of the Atomic Energy Organization of Iran (AEOI) agreed on a Joint Statement for the clarification of the issues mentioned in GOV/2021/52. Nevertheless, as set out in the Director General's report of 31 May 2022 (GOV/2022/26), by the time of the June 2022 meeting of the Board of Governors, Iran had still not provided explanations that were technically credible. Nor had Iran informed the Agency of the current location(s) of the nuclear material and/or of the equipment contaminated with nuclear material, that was moved from Turqzabad in 2018.

4. The Director General reported<sup>4</sup> that unless and until Iran provided technically credible explanations for the presence of the aforementioned uranium particles and informed the Agency of the current location(s) of the nuclear material and/or of the contaminated equipment, the Agency would not be able to confirm the correctness and completeness of Iran's declarations under its Comprehensive Safeguards Agreement. Therefore, the safeguards issues related to these three locations remained outstanding. The Director General reiterated that the Agency remained ready to engage with Iran without delay to resolve all of these matters.

5. In its resolution adopted on 8 June 2022, the Board of Governors, inter alia, noted that the provision by Iran of "all of the technically credible information, documents and evidence the IAEA requires to make its assessments is essential for the Secretariat to be in position to report the issues as no longer outstanding and thereby remove the need for the Board's consideration and action on these issues" and requested the Director General to "continue to report to the Board of Governors so long as the... issues remain outstanding".<sup>5</sup>

## **C. Developments in this reporting period**

6. Since the Director General's previous report, despite the Agency's stated readiness to engage with Iran without delay to resolve these issues, Iran has not engaged with the Agency. Consequently, there have been no developments in this reporting period and none of the outstanding issues have been resolved. Therefore, all of these safeguards issues remain outstanding.

## **D. Modified Code 3.1**

7. The Director General reminds Iran that implementation of modified Code 3.1 is a legal obligation for Iran under the Subsidiary Arrangements to its Safeguards Agreement which, in accordance with Article 39 of Iran's Safeguards Agreement, cannot be modified unilaterally and that there is no mechanism in the Safeguards Agreement for the suspension of implementation of provisions agreed to in the Subsidiary Arrangements. Since the Director General's previous report, Iran has made no offer to the Agency to address this issue.<sup>6</sup>

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<sup>4</sup> GOV/2022/26, para. 36.

<sup>5</sup> GOV/2022/34, paras 3–5.

<sup>6</sup> Iran has recently provided an updated design information questionnaire (DIQ) for a previously declared research reactor that it intends to build in the future.

## **E. Summary**

8. The Director General is increasingly concerned that Iran has not engaged with the Agency on the outstanding safeguards issues during this reporting period and, therefore, that there has been no progress towards resolving them.

9. The Director General reiterates that unless and until Iran provides technically credible explanations for the presence of uranium particles of anthropogenic origin at three undeclared locations in Iran and informs the Agency of the current location(s) of the nuclear material and/or of the contaminated equipment, the Agency will not be able to confirm the correctness and completeness of Iran's declarations under its Comprehensive Safeguards Agreement. Therefore, the Agency is not in a position to provide assurance that Iran's nuclear programme is exclusively peaceful.

10. The Director General emphasizes once again that the unresolved safeguards issues referred to in this report stem from Iran's obligations under the Comprehensive Safeguards Agreement between Iran and the Agency.

11. The Director General calls upon Iran to fulfil all of its legal obligations under the Subsidiary Arrangements to its Safeguards Agreement and fully implement modified Code 3.1.

12. As envisaged in the Joint Statement between the Agency and Iran of 5 March 2022, the Agency remains ready to engage with Iran without delay to resolve all of these issues.

13. The Director General will continue to report as appropriate.