



Board of Governors

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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 Agreement¹ and the Additional Protocol² 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).³ In his report of 17 November 2021 (GOV/2021/52), the Director

¹ 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.

² 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).

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

General expressed his deep concern that nuclear material had been present at these undeclared locations.⁴

3. On 5 March 2022, the Director General and HE Mr Mohammad Eslami, 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.

4. Nevertheless, despite the Agency providing Iran with numerous opportunities, in different formats through exchanges and meetings in Vienna and Tehran, to clarify these safeguards issues, they remain unresolved. As set out in the Director General's report of 30 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 or equipment contaminated with nuclear material, or both, that was moved from Turquzabad to an unknown location in 2018. A summary of the safeguards issues related to the three locations as set out in that report is as follows:

Turquzabad: The Agency has indications that containers that had been stored at Turquzabad had either contained nuclear material or equipment that had been heavily contaminated with nuclear material, or both. During complementary access in February 2019, the Agency took location-specific environmental samples, the analysis of which indicated the presence of multiple natural uranium particles of anthropogenic origin, and isotopically altered particles, including low enriched uranium particles with a detectable presence of U-236, and particles of slightly depleted uranium. The Agency assesses that while some of the containers stored at Turquzabad were dismantled, others were removed from the location intact in 2018 and moved to an unknown location.

Varamin: The Agency assesses that Varamin was an undeclared pilot-scale plant for the processing and milling of uranium ore and conversion into uranium oxide and, at laboratory scale, into UF₄ and UF₆, used between 1999 and 2003. The Agency also assesses that there are indications, supported by the results of the environmental samples analysis, that containers removed from Varamin were eventually transferred to Turquzabad. However, the nuclear activities assessed by the Agency to have been carried out at Varamin do not explain the presence of the multiple types of isotopically altered particles found at Turquzabad.

'Marivan': The Agency found indications that Iran had, in 2003, planned to use and store nuclear material at 'Marivan' for explosive testing. The analysis of all safeguards-relevant information available to the Agency related to 'Marivan' is consistent with Iran having conducted explosive testing with protective shielding in preparation for the use of neutron detectors in one area of the 'Marivan' location.⁵ During complementary access in 2020 the Agency took location-specific environmental samples, the analytical results of which indicated the presence of anthropogenic uranium particles at another area of the 'Marivan' location nearby.

5. The Director General reported in June 2022 and again in September 2022 that unless and until Iran provided technically credible explanations for the presence of the aforementioned uranium particles at the three undeclared locations in Iran 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.⁶ The Director

⁴ GOV/2021/52, para. 14.

⁵ GOV/2020/30, para. 4, third bullet; GOV/2021/15, para. 9, third bullet.

⁶ GOV/2022/26, para. 36; GOV/2022/42, para. 9.

General reiterated that the Agency remained ready to engage with Iran without delay to resolve all of these matters.

6. In its resolution of June 2022, the Board of Governors, *inter alia*, called on Iran “to act on an urgent basis to fulfil its legal obligations and, without delay, take up the Director General’s offer of further engagement to clarify and resolve all outstanding safeguards issues”, 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”.⁷

C. Developments in this reporting period

7. On 26 and 27 September 2022, the Director General and HE Mr Mohammad Eslami, the Vice-President of Iran and Head of the AEOI, held discussions in Vienna related to Iran addressing the outstanding safeguards issues, after which the Agency awaited a follow-up from Iran as agreed during the meeting. It was only on 7 November 2022 that Iran sent senior officials to Vienna to hold further discussions on these issues with the Director General. On the same day, the Deputy Director General for Safeguards held a technical discussion with the senior Iranian officials related to the outstanding safeguards issues. Iran agreed to resume its engagement with the Agency towards resolving the outstanding safeguards issues. In this regard, senior Agency officials will conduct a technical visit to Tehran before the end of November 2022 – in the week specified by Iran – on matters related to the outstanding safeguards issues. The Agency has reiterated to Iran that at this meeting it expects to start receiving from Iran technically credible explanations on these issues, including access to locations and material, as well as the taking of samples as appropriate.

D. Modified Code 3.1

8. The Director General once again 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.

E. Summary

9. The Director General is seriously concerned that there has still been no progress in clarifying and resolving the outstanding safeguards issues during this reporting period. In that context, he takes note of Iran’s proposal to hold a further technical meeting with senior Agency officials in Tehran before the end of the month, but stresses that this meeting should be aimed at effectively clarifying and resolving those issues. The Director General reiterates that these issues stem from Iran’s obligations under the

⁷ GOV/2022/34, paras 3–5.

Comprehensive Safeguards Agreement between Iran and the Agency and need to be resolved for the Agency to be in a position to provide assurance that Iran's nuclear programme is exclusively peaceful.

10. The Director General once again 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.

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