

Information Circular

INFCIRC/828

Date: 10 November 2011

General Distribution

Original: English

Communication dated 9 November 2011 received from the Permanent Mission of the Islamic Republic of Iran to the Agency regarding a press release regarding nuclear activities of the Islamic Republic of Iran

The Secretariat has received a communication dated 9 November 2011 from the Permanent Mission of the Islamic Republic of Iran to the Agency enclosing a press release of the Permanent Mission regarding nuclear activities of the Islamic Republic of Iran.

The communication and, as requested by the Permanent Mission, the press release are circulated herewith for information.

In the name of God



*Permanent Mission of
ISLAMIC REPUBLIC OF IRAN
to the International Atomic Energy Agency (IAEA)*

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No. 209/2011

The Permanent Mission of Islamic Republic of Iran to the International Atomic Energy Agency presents its compliments to the Agency's Secretariat and has the honor to request the latter to circulate 20 simple Questions and Answers regarding Islamic Republic of Iran Nuclear Activities among the Member States and publish it as an INFCIRC document and make it available to the public through the IAEA website.

The Permanent Mission of Islamic Republic of Iran to the International Atomic Energy Agency avails itself of this opportunity to renew to the Agency's Secretariat the assurances of its highest consideration.

Vienna, 9 November, 2011

Encl. as stated
To the
Office of External Relations and Policy Coordination
IAEA





Press Release

8 November 2011

The public has the right to know the truth about the Nuclear Activities of the Islamic Republic of Iran

20 simple Questions and Answers

Q1: Has the IAEA found even a gram of uranium diverted to military purposes after over 4000 man days most robust inspection in Iran being unprecedented in the history of the IAEA?

A1: No. Please read all reports of the present and former Director General to the Board of Governors.

Q2: Has the IAEA found any activities and nuclear material, which it claimed to be undeclared by Iran till 2003, diverted to military activities?

A2: No. All nuclear material was accounted for by the IAEA. Please read all reports of the IAEA in 2003 and 2004 to the Board of Governors.

Q3: Had Iran any legal obligation to declare the site of Natanz Enrichment Plant before 2003?

A3: No. Since the Natanz Enrichment Plant had not received any nuclear material till 2003, thus Iran was not obliged to declare it considering the fact that Iran had not signed the modified code 3.1 of the Subsidiary Arrangement of NPT Comprehensive Safeguards till 2003.

Q4: Had Iran any legal obligation to declare the site of Heavy Water Research Reactor in Arak (IR40) before 2003?

A4: No, since IR40 had not received any nuclear material till 2003, thus Iran was not obliged to declare it considering the fact that Iran had not signed the modified code 3.1 of the Subsidiary Arrangement till 2003.

Q5: Was Iran obliged under NPT Comprehensive Safeguards Agreement (CSA) to report to the IAEA its Heavy Water Production Plant in Arak till 2003?

A5: No, since heavy water and its production are not covered by CSA. Iran started implementation of the Additional Protocol in 2003.

Q6: Had Iran any legal obligation to declare the site Uranium Conversion Facility (UCF) till 2003?

A6: No, since the UCF had not received any nuclear material till 2003, thus Iran was not obliged to declare it considering the fact that Iran had not signed the modified code 3.1 of the Subsidiary Arrangement till 2003.

Q7: Had Iran any legal obligation to declare the any uranium mine including Ghachin and Saghand before 2003?

A7: No, since Iran had not signed and implemented the Additional Protocol till 2003.

Q8: Has the IAEA found any nuclear material and nuclear activities including enrichment in military sites including PARCHIN and LAVIZAN-SHIAN, alleged to be involved in nuclear weapon program, after the Agency did intensive robust inspection including sampling and analysis?

A8: No. Director General's Press Statement on Iran on 6 March 2006 said: "On transparency I think I mentioned in my report access to military sites, we have been given access to a number of military sites recently, to Parchin, Lavisian, Shian, to dual use equipment to interview people, these are beyond the Additional Protocol but they are essential for us to reconstruct the history of the programme." On 15 Nov. 2004 the DG reported that the Agency was granted to visit the military complex of Lavisian-Shian where the Agency took environmental samples. Finally paragraph 102 of the DG report (GOV/2004/83) said : "The vegetation and soil samples collected from the Lavisian-Shian site have been analyzed and reveal no evidence of nuclear material." More information are in documents GOV/2005/87, 18 Nov. 2005; GOV/2006/15 of 27 Feb 2006.

Q9: Did the IAEA declare in its joined agreed Work Plan (INFCIRC/711) that it has no other issues in addition to those listed in 2007?

A9: Yes. Paragraph IV of INFCIRC/711 says: These modalities cover all remaining issues and the Agency confirmed that there are no other remaining issues and ambiguities regarding Iran's past nuclear program and activities.

Q10: Was the IAEA obliged to deliver documents on "Alleged Studies" to Iran according to the Work Plan?

A10: Yes. Paragraph III says: "The Agency will however provide Iran with access to the documentation it has in its possession regarding: the Green Salt Project, the high explosive testing and the missile re-entry vehicle."

Q11: Did the IAEA comply with its obligation in delivering the document on allegation to Iran?

A11: No. Please read the report of the former Director General to the Board of Governors where he rightly criticized that the certain country which had given alleged documents to the IAEA had not permitted the IAEA to deliver them to Iran.

Q12: Has the IAEA confirmed the authenticity of the materials on "Alleged Studies"?

A12: No. Please read the report former Director General to the Board of Governors where he raised the problem of authenticity. The DG also clearly mentioned that no nuclear material and activities are involved in "Alleged Studies".

Q13: What was the obligation of Iran according to the document INFCIRC/711 on "Alleged Studies"?

A13: Paragraph III of this document negotiated and agreed between Iran and IAEA and further endorsed by the Board of Governors says: "As a sign of good will and cooperation with the Agency, upon receiving all related documents, Iran will review and inform the Agency of its assessment."

Q14: Had Iran any obligation according to the Work Plan for meetings, interview, inspection or sampling regarding the Alleged Studies?

A14: No. As explained in A12 Iran was only obliged to inform on its assessment. Iran gave its 117-page assessment over three years ago but the Agency has not done its obligation closing the Work Plan. According paragraph IV of the Work Plan: The

Agency and Iran agreed that after the implementation of the above work plan and the agreed modalities for resolving the outstanding issues, the implementation of safeguards in Iran will be conducted in a routine manner.

Note: Rather than concluding the Work Plan, the Secretariat raised new allegations, so called “Possible Military Dimension” whereas it had confirmed in paragraph IV of the Work Plan that “there are no other remaining issues and ambiguities regarding Iran’s past nuclear program and activities.”

Q15: Has Iran implemented the Additional Protocol?

A15: Yes. Please refer to the reports of the former Director General before 2006;

Q16: Has Iran implemented the modified code 3.1 of the Subsidiary Arrangement of the Comprehensive Safeguards?

A16: Yes. Please read report of former Director General before 2006;

Q17: Since when Iran has suspended voluntary implementation of the Additional Protocol and the modified Code 3.1 and why?

A17: Iranian Parliament approved the suspension of voluntary Additional Protocol and the modified Code 3.1 (after 2,5 years), due to legally unjustified referral of Iran’s technical nuclear issue to the UN Security Council in 2006. One has to note however that the Additional Protocol is not a legally binding instrument and the modified Code 3.1 was merely a recommendation by the Board of Governors and not an integral legal part of the CSA.

Q18: Are all declared nuclear material in Iran accounted for and under full scope safeguards and remain peaceful?

A18: Yes. Please refer to the annual Safeguards Implementation Report (SIR).

Q19: Has Iran accepted to grant unannounced inspections?

A19: Yes. Over 100 snap shot inspections even with 2 hours notice have been successfully conducted.

Q20: Why Iran considers the resolutions of the Board of Governors and the UNSC illegal?

A20: At least, there are 5 legal reasons that the resolutions are illegal:

1- According to article 12C of the Agency's Statute: if the inspectors recognize the "non-compliance", they shall report to the Director General, then the DG shall report to the Board of Governors. The Board then reports to the Member States and the UNSC. In case of Iran never such a procedure was pursued. A few Board members, after about three years after the issue was raised in the Board in 2003, claimed that there was "non-compliance" before 2003. The DG had however not used the legal phrase "non-compliance" but he used "failures" as used for other countries implementing the CSA. According to the CSA after corrective measures issues are closed. The former DG clearly reported of all corrective measures by Iran.

2- The article 12C which Board of Governor's resolutions referred to talks about "Recipient Member States" which have misused nuclear material received from the Agency. Iran had never received nuclear material referred to the relevant articles of the Statute.

3- According to the Statute and CSA: if the IAEA finds out that nuclear material is diverted to military purposes then the UNSC will be informed of that. All reports of the former and present DG have declared that there is no evidence of diversion of nuclear materials.

4- According to the CSA: if a Member State prevents inspectors to enter the country thus the Agency is not able to conduct its verification activities, then the UNSC will be informed of this. All reports of the Director General since 2003 clearly declare that the Agency is able to continue its verification in Iran.

5- The resolutions against Iran by EU3 since 2003 till 2006 recognized the suspension of enrichment by Iran as: non-legally binding, voluntary, and confidence building measure. Therefore, the resolution by the Board of Governors to convey Iran's nuclear issue to the UNSC after Iran decided to stop voluntary suspension of the UCF activities was 100% in contravention with its own previous resolution. It is worth mentioning that when EU3 proposed resolutions against Iran at the Board of Governors in 2006 with political motivation to get the UNSC involved in the technical issue belonging to the IAEA, the enrichment activities in Natanz were still under voluntary suspension!

Last question to peace loving people: Based on the above facts, shall we permit the IAEA, which is the sole international technical organization mandated to promote peaceful uses of nuclear energy for peace and prosperity all over world, be further instrumentally used by a few certain countries aiming at turning it to a UN-Watchdog, as a subsidiary body of the UN Security Council, and to deprive developing countries from the "inalienable right" for peaceful uses of nuclear energy as enshrined in the IAEA Statute?