

Information Circular

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Communication dated 1 March 2010 received from the Resident Representative of the Islamic Republic of Iran to the Agency regarding assurances of nuclear fuel supply

The Director General has received a communication dated 1 March 2010 from the Resident Representative of the Islamic Republic of Iran to the Agency enclosing a note on assurances of nuclear fuel supply.

As requested by the Permanent Mission of the Islamic Republic of Iran, the communication and its enclosure are herewith circulated for the information of all Member States.

In the name of God



INFCIRC/785
Attachment

بسم الله

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

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1st March 2010

H.E. Mr. Yukiya Amano
Director General,
IAEA, Vienna

Excellency,

The enclosed please find some examples on the root causes of confidence deficit vis-à-vis some western countries regarding the assurance of nuclear supply.

I hereby request Your Excellency to take note of our legitimate expectation, to react according to the Agency's statute, and to adjudicate the just demand of the Islamic Republic of Iran.

I would also appreciate if the text of this letter and its attachment be duly reflected to all Member States.

Accept, Sir, the assurances of my highest considerations

A. A. Solatanieh

Ambassador and Resident Representative

**The root cause of Iran's confidence deficit
vis-à-vis
some western countries on assurances of
nuclear fuel supply**

1-Iranian nuclear fuel in the United States

According to the contract between the Atomic Energy Organization of Iran (AEOI) and the AMF Company of the United States, the American company was obliged to replace the 93% enriched fuel with fresh fuel for Tehran Research Reactor, and addition to enhancing the power of the reactor from 5 to 10 MW and upgrading its capabilities to a more advanced type, called TRIGA. The fuel assemblies were ready for shipment to Iran in 1980 but the American Government, contrary to the contract and its legal obligations, neither permitted the company to export the fuel to Iran nor to refund over 2 million dollars paid by Iran before the Islamic revolution (1979).

2-Iranian nuclear Fuel in Germany

According to the contract between the Islamic Republic of Iran and Germany before the Islamic revolution in 1979; Germany was obliged to provide the fuel for the Bushehr Nuclear Power Plant. While 70% of the manufacturing of the fuel was almost over, it suspended the activity in 1980. Following years of claims and counterclaims, finally according to the decision of the Court, Siemens Company of Germany (substituting former KWU) was instructed on 18 June 1982 to deliver 110 tons of enriched uranium (LEU) in the form of UF₆ and 392 tons of tails to the Islamic Republic of Iran. The Government of Germany, contrary to the contract and its legal obligations, did not permit the transaction to be made. Almost a decade past, till Iran had no choice but to sell its uranium to European enrichment company, EURENCO, on 23 July 2003.

3-Iranian nuclear Fuel in France

According to a contract signed in 1977 the COMOREX Company of France, agreed to convert uranium concentrate to UF₆. However following the victory of the Islamic Revolution in Iran in 1979 the French Government, contrary to the contract and its legal obligations, has not yet permitted the said company to deliver 50 tons of natural uranium in the form of UF₆ to Iran in spite of the decision of Lausanne Court. Regrettably the 50 tons of Iranian UF₆ is yet illegally detained in France.

4-Iran's share in Eurodif Enrichment Company

EURODIF is a multinational company that operates in the field of uranium enrichment. France, Italy, Spain, Sweden and Belgium established Eurodif in December 1973. Pursuant to ups and downs, including the withdrawal of Sweden in March 1974 & Italy changing its stocks, Iran became indirectly Eurodif stock holder through a French-Iranian Company named Sofidif (60% COGEMA Company of France & 40% Atomic Energy Organization of Iran, respectively). The distribution of shares of Eurodif is: France 56/667 %, Italy 11/111 %, Spain 11/111%, Belgium 11/111% & Iran 10%. In addition, Iran gave one billion dollars loan to the Atomic Energy Commissariat of France.

It is indeed a matter of utter surprise and deep regret that a country holding 10 percent of a prestigious company called Eurodif and having paid to it one billion dollars of loan at a crucial time, contrary to all legal and commercial principles, has not yet been able to receive the slightest bit of the enrichment services neither for its Tehran Research Reactor nor for its Bushehr Nuclear Power Plant. This is addition to the aforementioned 50 tons of natural uranium in form of UF₆ still hold in France.

The above mentioned examples are among several evidences of non-compliances of some western countries with their legal and contractual obligations creating confidence deficit on assurances of nuclear fuel supply. Such is the trend of logic of power which is, unfortunately, oblivious to all what is right and just. The IAEA Member States will surely be vigilant to see how their Agency would react to this just cause and call of the Islamic Republic of Iran.