

Information Circular

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Communication dated 17 May 2010 received from the Resident Representative of the Islamic Republic of Iran to the Agency

The Director General has received a letter dated 17 May 2010 from the Resident Representative of the Islamic Republic of Iran to the Agency.

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

In the name of God



بِسْمِ اللَّهِ

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

No. 067/2010
17 May, 2010

In the Name of God, the Companionate, the Merciful

Excellency,

Upon the instruction of my Government, I have the honor to reiterate our serious concern on the recent assertions of high ranking officials of the United States of America in which they demonstrated a threatening policy against the peaceful nuclear facilities of the Islamic Republic of Iran.

Prior to those assertions on 6 April 2010 the Government of the United States had raised baseless allegations against the peaceful nuclear program of the Islamic Republic of Iran in its Nuclear Posture Review (NPR) which outlines the US nuclear strategy and policy. Subsequently some high ranking officials of the United States including the U.S. President, and Secretaries of State and Defense, on the basis of wholly wrong assumption, have made public and implicit statements, threatening to use nuclear weapons against some States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) including the Islamic Republic of Iran. For instance, Secretary of Defense of the United States, in a news briefing held on 6 April 2010 at the Pentagon, asserted that "the NPR has a very strong message for Iran...., because whether it's in declaratory policy or in other elements of the NPR, we essentially carve out states like Iran.... And basically all options are on the table when it comes to countries in that category". He added "so, if there is a message for Iran here, it is that....all options are on the table in terms of how we deal with you".

Based on above-mentioned facts, I would like to draw your kind attention to the following points:

1. The inflammatory statements made by the United States officials which are tantamount to nuclear blackmail against a non-nuclear-weapon State signatory to the NPT constitutes a serious violation of the United States obligations and commitments, under international law, particularly Article 2 (4) of the Charter of the United Nations and also the provisions of the Security Council Resolution 984, to refrain from the threat or use of force against any state. In this vein, it should be underlined that as

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held by the International Court of Justice, the judicial body of the United Nations, the notions of "threat" and "use of force" under Article 2 (4), of the Charter stands together and a threat to use force can likewise be illegal as the use of force.

2. These assertions also constitute a grave violation of the IAEA Statute and General Conference Resolutions GC(34)/RES/533, GC(31)/RES/475 and GC(29)/RES/444. In this regard I would like to recall that:

- Serious concerns were expressed by the IAEA General Conference in its Resolution GC (31)/RES/475 which stated that "Aware of the fact that an armed attack on a nuclear installation could result in radioactive release with grave concern consequences within and beyond the boundaries of the state which has been attacked.
- The IAEA General Conference in its Resolution GC(34)/RES/533 on "Prohibition of all armed attacks against nuclear installations devoted to peaceful purposes" considered "Any attack on and threat against nuclear installations devoted to peaceful purposes constitutes a violation of the principles of the United Nations Charter, international law and the Statute of the Agency".
- The General Conference at its fifty- third session unanimously adopted the Decision entitled" Prohibition of armed attack or threat of attack against nuclear installations, during operation or under construction" which noted GC (29)/RES/444 and GC (34)/RES/533.

3. It is evident that the statements made by the United States high ranking officials are not only declaration of intention but also part of official document which articulated the United States policy on first use of nuclear weapons, at its discretion, against a non- nuclear- weapon State Party to the NPT, and therefore, pose a serious threat to international peace and security and undermine the credibility of the NPT. Such remarks by the U.S. officials display once again the reliance of the U.S. government on militarized approach to various issues, to which the threats of use nuclear weapons are not a solution at all.

4. After 40 years since entry into force of the NPT, and while the U.S. officials are apparently advocating the nuclear non-proliferation, let's not forget that United States as the only nuclear power to have used nuclear weapons against the citizens of Hiroshima and Nagasaki as a result of which 200,000 people perished, continues to

In the name of God



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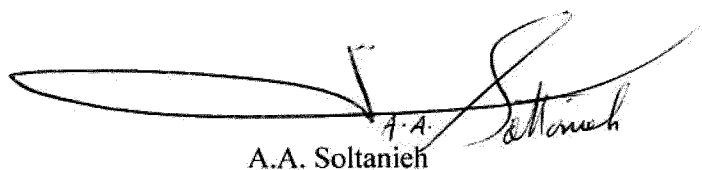
illegitimately designate a non- nuclear- weapon State as target of its nuclear weapons and contemplates military plans accordingly.

5. The Islamic Republic of Iran, as a victim of weapons of mass destruction in the recent history, is firmly committed to pursuing the realization of a world free from weapons of mass destruction, not only in words, but also by full implementation of three major legal instruments banning weapons of mass destruction, namely NPT, Biological Weapons Convention (BWC) and Chemical Weapons Convention (CWC). In addition, the Islamic Republic of Iran has categorically and consistently rejected the development, stockpiling and use of nuclear weapons on religious and constitutional grounds. Iran's nuclear activities are, and always have been, for peaceful purposes.

6. The Islamic Republic of Iran, while continuing to exercise its inalienable rights to use nuclear energy for peaceful purposes in accordance with Article III of the Agency's Statute and Article IV of the NPT, reasonably expects that the Member States of the Agency do not turn a blind eye or tolerate such nuclear blackmail in 21st century and take resolute actions to ensure the total elimination of all nuclear weapons as the only absolute guarantee against the use or threat of use of nuclear weapons. In this regard, the Agency should assume a primary responsibility/leading role to strongly oppose the threat of use of nuclear weapons and to reject it.

It would be highly appreciated if this letter would be circulated as the IAEA-INFCIRC document.

Please accept, Sir, the assurances of my highest consideration.



A.A. Soltanieh

Ambassador, Resident Representative

H.E. Mr. Yukiya Amano

Director General of the IAEA