

**IAEA**

Atoms for Peace: The First Half Century

الوكالة الدولية للطاقة الذرية

国际原子能机构

International Atomic Energy Agency

Agence Internationale de l'énergie atomique

Международное агентство по атомной энергии

Organismo Internacional de Energía Atómica

The Honourable Peter Hoekstra

Chairman

U.S. House of Representatives

Permanent Select Committee on Intelligence

H-405 The Capitol

Washington, DC 20515

U.S.A.

Wagramer Strasse 5, P.O. Box 100, A-1400 Wien, Austria

Phone: (+43 1) 2600 • Fax: (+43 1) 26007

E-mail: Official.Mail@iaea.org • Internet: <http://www.iaea.org>

In reply please refer to:

Dial directly to extension: (+431) 2600-21204

2006-09-12

Sir,

I would like to draw your attention to the fact that the Staff Report of the House Permanent Select Committee on Intelligence, Subcommittee on Intelligence Policy, dated 23 August 2006, entitled "Recognizing Iran as a Strategic Threat: An Intelligence Challenge for the United States", contains some erroneous, misleading and unsubstantiated information.

The caption under the photograph of the Natanz site on page 9 of the report states that "Iran is currently enriching uranium to weapons grade using a 164-machine centrifuge cascade". In this regard, please be informed that information about the uranium enrichment work being carried out at the Pilot Fuel Enrichment Plant (PFEP) at Natanz, including the 3.6% enrichment level that had been achieved by Iran, was provided to the IAEA Board of Governors by the Director General in April 2006 (see GOV/2006/27, paragraph 31). The description of this enrichment level as "weapons grade" is incorrect, since the term "weapon-grade" is commonly used to refer to uranium enriched to the order of 90% or more in the isotope of uranium-235. The Director General's April 2006 report, as well as all of his other reports on the implementation of the safeguards in Iran, are posted on the IAEA's website at <http://www.iaea.org/NewsCenter/Focus/IaeaIran>.

The first bullet on page 10 states that "Iran had covertly produced the short-lived radioactive element polonium-210 (Po-210), a substance with two known uses; a neutron source for a nuclear weapon and satellite batteries". The use of the phrase "covertly produced" is misleading because the production of Po-210 is not required to be reported by Iran to the IAEA under the NPT safeguards agreement concluded between Iran and the IAEA (published in IAEA document INFCIRC/214). (Regarding the production of Po-210, please refer to the report provided to the Board of Governors by the Director General in November 2004 (GOV/2004/83, paragraph 80)).

Furthermore, the IAEA Secretariat takes strong exception to the incorrect and misleading assertion in the Staff Report's second full paragraph of page 13 that the Director General of the IAEA decided to "remove" Mr. Charlier, a senior safeguards inspector of the IAEA, "for allegedly raising concerns about Iranian deception regarding its nuclear program and concluding that the purpose of Iran's nuclear programme is to construct weapons". In addition, the report contains an outrageous and dishonest suggestion that such removal might have been for "not having adhered to an unstated IAEA policy barring IAEA officials from telling the whole truth about the Iranian nuclear program".

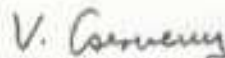
In this regard, please be advised that all safeguards agreements concluded between a State and the IAEA in connection with the Treaty on the Non-Proliferation of Nuclear Weapons require the IAEA to

secure acceptance by the State of the designation of IAEA safeguards inspectors, before such inspectors may be sent to the State on inspection (INFCIRC/153 (Corr.), paragraphs 9 and 85). Under such agreements, each State has the right to object to the designation of any safeguards inspector, and to request the withdrawal of the designation of an inspector, at any time, for that State (<http://www.iaea.org/Publications/Documents/Infciircs>). Accordingly, Iran's request to the Director General to withdraw the designation of Mr. Charlier authorizing him to carry out safeguards inspections in Iran, was based on paragraph (a)(i) of Article 9 and paragraph (d) of Article 85 of Iran's Safeguards Agreement. I should also like to note here that Iran has accepted the designation of more than 200 Agency safeguards inspectors, which number is similar to that accepted by the majority of non-nuclear-weapon States that have concluded safeguards agreements pursuant to the NPT.

Finally, it is also regrettable that the Staff Report did not take into account the views of the United Nations Security Council, as expressed in resolution 1696 (2006), which *inter alia*, "commends and encourages the Director General of the IAEA and its secretariat for their ongoing professional and impartial efforts to resolve all remaining outstanding issues in Iran within the framework of the Agency".

While it is unfortunate that the authors of the Staff Report did not consult with the IAEA Secretariat to verify the correctness of the above referenced information, the IAEA Secretariat stands ready to assist your Committee in correcting the erroneous and misleading information contained in the report.

Yours sincerely,



Vilmos Cserveny

Director

Office of External Relations and Policy
Coordination

cc: Permanent Mission of the United States of America to the IAEA