



International Atomic Energy Agency

# INFORMATION CIRCULAR

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## CORRESPONDENCE BETWEEN THE PRESIDENT OF THE ATOMIC ENERGY ORGANIZATION OF IRAN AND THE DIRECTOR GENERAL

The attached correspondence is being circulated at the request of the Chairman of the Atomic Energy Organization of Iran.

ATTACHMENT 1

TEXT OF LETTER OF 9 APRIL 1984 FROM THE PRESIDENT OF  
THE ATOMIC ENERGY ORGANIZATION OF IRAN TO  
THE DIRECTOR GENERAL

"Your Excellency,

"It is now almost 42 months that the Islamic Republic of Iran has been engaged in a devastating war imposed on her by the decadent regime of Iraq. It is, furthermore, almost every day that Iraq opens a new chapter in its atrocious and inhuman behaviour in full contradiction with all internationally respected codes of conduct.

"From time to time such atrocities have provided us with cause to write to you and, while taking up your valuable time, informing you of the issues which we have felt to be within your domain of responsibilities. In this respect you would perhaps remember our recent note on the subject of the use of chemical weapons by the Iraqi regime as a savage form of some desperate last resort to combat the forces of the Islamic Republic of Iran, against whom the Iraqi deployment of vast and sophisticated conventional war material has dismally failed. In this respect we would like to convey our deep appreciation for your condemnation of the deployment of chemical weapons.

"Regrettably once again we are compelled to report a new chapter in Iraqi atrocities. However, this time what we have to report falls precisely at the centre of your domain of responsibilities and for which there is no other international organization more competent than the Agency.

"At 03:33 hours on 24 March 1984, Bushehr Nuclear Power Plant located on the Persian Gulf, 15 km south-east of the port city of Bushehr, was attacked from the air by Iraqi missiles. With the mercy of Allah the Almighty, the missile missed the main installations and hit the perimeter of the site. Parts of the explosion fragments, however, penetrated the site and caused damage to one of the site's workshops. Fortunately, the Nuclear Power Plant buildings did not sustain noticeable damage. Further investigations at the location of the main impact have revealed that the site had been attacked by French-supplied 'Exocet' missiles.

"The above-mentioned incident proves beyond doubt that the Iraqi regime does not recognize any limits in its inhuman activities and is not duty bound to any international rules and regulations.

"Now, in accordance with Agency resolution GC(XXVII)/RES/407 concerning the 'Protection of Nuclear Installations Devoted to Peaceful Purposes Against Armed Attacks', which was strongly supported by all Member States at the 27th regular session of the General Conference of the IAEA; and

“Recalling your statement ‘The question of the prohibition of attacks against nuclear installations is attracting attention in the Committee on Disarmament in Geneva’ (paragraph 2, page 12 of the statement of the Director General in the 27<sup>th</sup> regular session of the General Conference);<sup>\*/</sup> and

“Referring to Amendment No. 1 to the Geneva Convention of 1949, prohibiting attacks on peaceful nuclear electricity generating stations; and

“Considering the fundamental goals of the Agency as set forth in Article II of the Statute of the Agency; and

“Recalling that the Islamic Republic of Iran is party to the Treaty on Non-Proliferation of Nuclear Weapons, according to which treaty the Islamic Republic of Iran has accepted the IAEA’s safeguards,

“And with special reference to resolution GC(XXVII)/RES/409, which was supported by our delegation and which was ostensibly suggested by the Iraqis, who have now themselves followed the precedent set by the Israeli arch criminals;

“Therefore, we hereby request an extraordinary session of the Board of Governors of the Agency, to be convened at the earliest possible time in order to consider the necessary measures against the aforementioned Iraqi violations.

“It is highly imperative that this matter be immediately attended to by the Agency in order to safeguard our nuclear installations against further Iraqi attacks, which we strongly feel may be imminent.

“We believe that, if the Member States do not respect the resolutions of the Agency and the General Conference, then the credibility of the Agency would be severely reduced. Furthermore, if the peaceful uses of atomic energy are threatened by such atrocities, how can the Member States rely on the Agency for the protection and safeguarding of their nuclear installations?

“We would like to draw your attention to paragraph 3 of resolution GC(XXVII)/RES/407, which establishes the Director General’s obligation to report his efforts to the General Conference on the subject matter; we are certain that you would fulfil your responsibilities in this respect.

“We would like to thank you in advance for your kind attention to this matter and await your response.”

(signed) Reza Amrollahi  
President

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<sup>\*/</sup> See document GC(XXVII)/OR.247, para. 56.

ATTACHMENT 2

N4.11-IRA

TEXT OF LETTER OF 11 MAY 1984 FROM THE DIRECTOR GENERAL TO THE PRESIDENT  
OF THE ATOMIC ENERGY ORGANIZATION OF IRAN

"Sir,

"By a letter dated 9 April 1984, reaching me on 12 April, you informed me of an Iraqi missile attack which on 24 March 1984 hit the perimeter of the site of the Bushehr Nuclear Power Plant, causing damage to one of the site's workshops. In your letter you further requested an extraordinary session of the Board of Governors of the International Atomic Energy Agency at the earliest possible time and you expressed concern that further attacks may be imminent.

"The Permanent Mission of Iraq to the IAEA was immediately informed orally of your letter and requested to comment. This request was subsequently made also in writing and, in a reply dated 10 May 1984, the Ambassador of Iraq in Vienna states that the complaint is unfounded and that neither Iraq nor Iran had reported any military activities in the area in question on the relevant date. A copy of that letter is attached.

"Shortly after receiving your letter of 9 April, I had occasion, in connection with my participation in London in the Administrative Committee on Co-ordination of the United Nations, on 16-17 April, to inform the Secretary-General of the United Nations of the contents of your letter.

"On 19 April, your representative, Mr. Soltanieh, was good enough to visit me and to explain and amplify various parts of your letter. On this occasion I was joined by the Chairman of the Board of the IAEA, Ambassador Rosenzweig-Díaz and the Secretary of the Board, Mr. Sanmuganathan. On 2 May, Mr. Soltanieh visited me a second time and, on this occasion too, the Chairman and the Secretary of the Board were present. Subsequent to these visits, I have consulted the Bureau of the Board on the matter.

"An attack upon a peaceful nuclear installation is a very serious matter, and Article 56 of the 1977 Protocol I Additional to the 1949 Geneva Convention referred to in your letter stipulates that:

'Works or installations containing dangerous forces, namely dams, dykes and nuclear electrical generating stations, shall not be made the object of attack, even when these objects are military objectives, if such attack may cause the release of dangerous forces and consequent severe losses among the civilian population ...'

"Operative paragraph 1 of resolution GC(XXVII)/RES/407 adopted in October 1983 by the General Conference of the IAEA declared that:

'... all armed attacks against nuclear installations devoted to peaceful purposes should be explicitly prohibited.'

“I understand that the Bushehr Nuclear Power Plant is not completed and that there was no fissionable material present the release of which could be dangerous.

“The Provisional Rules of Procedure of the Board of Governors provide, in Rule 11(b), that “the Board shall meet at the request of the Chairman, of any Member of the Board, or of the Director General”. While it is thus clear that the Director General of the Agency can convoke an extraordinary meeting of the Board, he would be expected by the membership of the Board to do so only in very urgent circumstances.

“I note that about seven weeks have now passed since the attack of which I was informed in your letter, and that there are now less than four weeks left to the regular June session of the Board, at which your Government would be at liberty, under Rule 15(c) of the provisional Rules of Procedure, to request the inclusion of the question of the attack in the provisional agenda.

“I have come to the conclusion that there are not sufficient grounds, in the present instance, for the Director General to convoke an extraordinary meeting of the Board. May I add that the Chairman of the Board has informed me that the Bureau of the Board has also not found sufficient grounds for an extraordinary meeting of the Board on this matter.

“In conveying this reply to your letter to me, may I place on record Mr. Soltanieh’s helpfulness in explaining the various aspects of the matter to me.”

(signed) Hans Blix  
Director General

ATTACHMENT 3

khs/5385

TEXT OF TELEX OF 27 MAY 1984 FROM THE PRESIDENT OF THE  
ATOMIC ENERGY ORGANIZATION OF IRAN  
TO THE DIRECTOR GENERAL

"Sir,

"Thank you for your letter No. 4.11-IRA dated 11 May 1984. I would like to convey my appreciation for the fact that you have evidently allocated a considerable portion of your valuable time to the subject matter, even though the actual outcome has been less than what we had expected.

"Of course, we are well aware of the varied provisions and articles prohibiting military action against nuclear installations intended for peaceful purposes. However, obviously there is very little in practice to hinder the aggressors.

"You made the point that there was no fissionable material present at the plant at the time. This makes us wonder whether the Iraqis had also made sure of this fact prior to their attack.

"The response of the Iraqis to our complaint points to the fact that the said attack had not been publicized. Now, we do not know of any rules or regulations specifying the timely release of an event through the mass media as a prerequisite for the verification of such an event.

"I would like to draw your attention to the fact that photographs of the site of the attack and the missile fragments were personally handed over to you by our permanent representative Mr. Soltanieh. We would have considered such material as constituting sufficient evidence. However, in addition to this, military reports of the incident are also available and, furthermore, we would indeed welcome a delegation of the Agency to inspect the site of the attack together with all the available evidence, preferably prior to the next regular session of the Board of Governors.

"Therefore, it appears that we are left with no alternative but to request the inclusion of this case in the provisional agenda of the forthcoming regular session of the Board of Governors."

Reza Amrollahi  
President

ATTACHMENT 4

TEXT OF TELEX OF 28 MAY 1984 FROM THE DIRECTOR GENERAL  
TO THE PRESIDENT OF THE ATOMIC ENERGY  
ORGANIZATION OF IRAN

"Thank you for your telex khs/5385 of 27 May 84, which was received today. Unless we hear from you to the contrary, we assume that this constitutes a formal request by you for the inclusion of an item in the provisional agenda for the regular session of the Board commencing on 5 June.

"In this connection I wish to refer you to Rule 17 of the Board's Rules of Procedure, which requires that all matters proposed for inclusion in the agenda by any Member of the Agency shall be accompanied by an explanatory memorandum. I would therefore greatly appreciate immediate receipt of an explanatory memorandum so as to permit circulation to Governors in sufficient time."

Hans Blix  
Director General

ATTACHMENT 5

TEXT OF TELEX OF 30 MAY 1984 FROM THE PRESIDENT OF  
THE ATOMIC ENERGY ORGANIZATION OF IRAN  
TO THE DIRECTOR GENERAL

"With reference to your telex of 28 May 1984 requesting immediate transmission of an explanatory memorandum, I am pleased to submit the following note by telex and submit the same by an official letter prior to the regular session of the Board of Governors on 5 June 1984."

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Explanatory memorandum

'In a telex dated 28 May 1984 and addressed to Dr. Hans Blix, Director General of the International Atomic Energy Agency, Mr. R. Amrollahi, President of the Atomic Energy Organization of Iran, requested the inclusion of an item entitled "Military attack on Iran's Bushehr Nuclear Power Plant" in the agenda for the regular session of the Board of Governors starting on 5 June 1984.

'By a letter dated 9 April 1984, the Islamic Republic of Iran had requested an extraordinary meeting of the Board of Governors in this same context.

'The Director General replied to this letter on 11 May 1984, in a letter in which he argued that there were not sufficient grounds to convoke an extraordinary meeting of the Board of Governors but stated that the Government of the Islamic Republic of Iran would be at liberty, under Rule 15(c) of the Provisional Rules of Procedure, to request the inclusion of the question of the attack in the provisional agenda.

'At 03.33 hours on 24 March 1984, the Bushehr Nuclear Power Plant located on the Persian Gulf, 15 km south-east of the port city of Bushehr, was attacked from the air by Iraqi missiles. Parts of the explosion fragments penetrated the site and caused damage to one of the site workshops. Further investigation at the location of the main impact revealed that the site had been attacked by French-supplied "Exocet" missiles.

- '(a) Bearing in mind that it is consistent with its statutory provisions for the Agency to promote the development, without obstacle, of the peaceful uses of atomic energy and to take decisions relating thereto;
- '(b) Noting that an attack upon a peaceful nuclear installation is a very serious matter, as expressed in the Director General's letter of 11 May 1984 and in Article 56 of the 1977 Protocol I Additional to the 1949 Geneva Convention, which states that "Works or installations containing dangerous forces, namely dams, dykes and nuclear electrical



generating stations, shall not be made the object of attack, even where these objects are military objectives, if such attack may cause the release of dangerous forces and consequent severe losses among the civilian population.";

- '(c) Recalling the support of the Islamic Republic of Iran for General Conference resolution GC(XXVII)/RES/409, regarding the Israeli military attack on the Iraqi nuclear research reactor, in spite of the Iraqi-imposed war on Iran; and
- '(d) Considering the spirit of General Conference resolution GC(XXVII)/RES/407, especially its operative paragraph 1, which declares that "all armed attacks against nuclear installations devoted to peaceful purposes should be explicitly prohibited";

the Government of the Islamic Republic of Iran believes that armed attacks on peaceful nuclear installations are a serious threat to the role and activities of the International Atomic Energy Agency in the development and further promotion of nuclear energy for peaceful purposes.

'Finally, the Government of the Islamic Republic of Iran urges those Member States which strongly supported Agency General Conference resolution GC(XXVII)/RES/407 to take any appropriate urgent measures in order to protect the spirit of the resolution, which has been seriously damaged by this very recent attack, against any further threat in the future.'

"Please accept my sincere appreciation for your kind attention to this matter."

Reza Amrollahi  
President